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| **Tender No SO/058/11/2021** | |
| **Appointment of five (5) civil works contractors on a panel basis for a period of five (5) years** | |
| **PROCUREMENT DOCUMENT** | |
| 23 November 2021 | |
| **Issued by:**  South African National Space Agency |  |
| Sansa Space Operations office  Farm 502 JQ, Hartebeesthoek,  West Rand District,  Gauteng, South Africa |  |
| **Contact:** | |
| Name: Obakeng Phutu |  |
| Telephone: 012 334 5000 |  |
| **Closing date:** 21 January 2022  **Closing time:** 11h00  **Name of Tenderer: . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .**  **. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .**  **. . . . . . . . . . . . . . .** **. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .**  **CSD Supplier Number (MA Number) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .**  **CIDB (CRS Number) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .** | |

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| SO/058/11/2021 | |
| **Appointment of five (5) civil works contractors on a panel basis for a period of five (5) years** | |
| **Contents** | | |
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| T1.2 | | Tender data |
| **Part T2: Returnable documents** | | |
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| T2.2  **Part T3:**  T3.1  T3.2  T3.3  T3.4  **Part T4:**  T4.1  T4.2  T4.3  T4.4 | | Returnable schedules  **Standard Bidding Documents (SBD Forms)**  SBD 4  SBD 6.1  SBD 8  SBD 9  **Evaluation Criteria**  Service offering/methodology  Financial capability  Minimum of three completion certificate and or references on civil work with bulk concrete to the value of R3M and above each not older than 7years (2015-current)  Site Inspection |
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| C3  **Part C4:**  C4  **Part C5:**  C5.1 | | Scope of work  **Site Information**  Site Information  **Annexures**  Bills of Quantities  Drawings register  J238-02-10-01  J238-02-10-02  J238-02-14-01  J238-02-14-02  J238-02-22-01  J238-02-22-01-001  J238-02-22-01-003  J238-02-22-01-008  J238-02-22-02  J238-02-22-02-001  J238-02-22-02-003  Link to Drawings below:  <https://www.dropbox.com/sh/i1jb28sbj1eojuh/AAD7U2SGJiOXKuVyycRliX0xa?dl=0> |
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| **T1.1 Tender Notice and Invitation to Tender**   |  | | --- | | The South African National Space Agency (SANSA) has a mandate, as outlined in the South African National Space Agency Act, 2008 (Act No 36 of 2008), to co-ordinate and integrate national space science and technology programmes and conduct long-term planning and implementation of space-related activities in South Africa, for the benefit of the citizens of South Africa.  SANSA invites tenders for the appointment of five (5) civil works contractors on a panel basis for a period of five (5) years  To tender organizations must:   1. Provide a fully completed and signed Bid Document. 2. Provide Central Supplier Database Registration Summary with a tax compliance status (tax compliance status on the closing date), for the same bidding company with the CIDB registration indicated below. 3. Principal Contractor to have a valid, current CIDB registration equal to or higher than 6CE on the closing date. 4. A copy or suitable proof of the valid Workman’s Compensation Registration certificate for the Bidder’s Company on the closing date. 5. Minimum of three completion certificate and or references on civil work with bulk concrete to the value of R3M and above each not older than 7years (2015-current)   **Please note that failure to comply with the above mandatory submission requirements will invalidate the bid. The bid will be disqualified and will not be evaluated.**  Bid documents and drawings are obtainable from the SANSA Website ([www.sansa.org.za](http://www.sansa.org.za)) and the National Treasury e-Tender Portal.  Queries relating to the issuing of these documents or requesting further clarity on the completion of documentation for this bid must be addressed to the SCM Unit via email[spaceops-scm@sansa.org.za](mailto:spaceops-scm@sansa.org.za)  A **compulsory** clarification meeting will be held onFriday 7th December 2021 at 10h00at the offices of SANSA Space Operations in Hartebeesthoek. **(GPS 25 53’ 15.5”S 27 42’31.0”E)**  **Specific level of Covid-19 regulations at that time will be adhered.**  The closing time for receipt of tenders is **11h00 on Friday 21 January 2022.**  Telegraphic, telephonic, fax, e-mail and late tenders will not be accepted. | | |
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| **T1.2 Tender Data**  The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (January 2009) as published in Government Gazette No 31823, Board Notice 12 of 2009 of 30 January 2009. (See [www.cidb.org.za](http://www.cidb.org.za)).  The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.  Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies. | | | |
| **Clause**  **number** | | **Tender Data** | |
| F.1.1 | | The employer is South African National Space Agency (SANSA) | |
| F.1.2 | | The Tender Documents issued by the Employer comprise the following documents:  **THE TENDER**  **Part T1: Tendering procedures**  T1.1 - Tender notice and invitation to tender  T1.2 - Tender data  **Part T2: Returnable documents**  T2.1 - List of returnable documents  T2.2 - Returnable schedules  **Part T3:** **Standard Bidding Documents (SBD Forms)**  T3.1 - SBD 4  T3.2 - SBD 6.1  T3.3 - SBD 8  T3.4 - SBD 9  **THE CONTRACT**  **Part C1: Agreements and Contract data**  C1.1 - Form of offer and acceptance  C1.2 - Contract data  **Part C2: Pricing data**  C2.1 - Pricing instructions  C2.2 - Bill of Quantities  **Part C3: Scope of work**  C3 - Scope of work  **Part C4: Site information**  C4 - Site information  **Part C5: Annexures**  C5.1 - Bills of Quantities  Drawings register  J238-02-10-01  J238-02-10-02  J238-02-14-01  J238-02-14-02  J238-02-22-01  J238-02-22-01-001  J238-02-22-01-003  J238-02-22-01-008  J238-02-22-02  J238-02-22-02-001  J238-02-22-02-003 | |
| F.1.4 | | The employer’s agent is:  Name: n/a  Address: n/a  Tel: n/a  E-mail: n/a | |
| F.2.1 | | Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:   1. Provide a fully completed and signed Bid Document. 2. Provide CSD Registration Summary with a tax compliance status (tax compliance status on the closing date), for the same bidding company with the CIDB registration indicated below. 3. Principal Contractor to have a valid, current CIDB registration equal to or higher than 6CE on closing date. 4. A copy or suitable proof of the valid Workman’s Compensation Registration certificate for the Bidder’s Company. 5. Minimum of three completion certificate and or references on civil work with bulk concrete to the value of R3M and above each not older than 7years (2015-current) | |
| F.2.1 | | Only those tenderers who are registered with the CIDB or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a **6CE** class of construction work, are eligible to have their tenders evaluated.  Joint ventures are eligible to submit tenders provided that:   1. every member of the joint venture is registered with the CIDB. 2. the lead partner has a contractor grading designation in the 6CE class of construction work; and   3. the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a **6CE** class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations. | |
| F.2.7 | | The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender.  Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list. | |
| F.2.12 | | No alternative tender offers will be considered | |
| F.2.13.3 | | Parts of each tender offer communicated on paper shall be submitted as an original, plus 2 copies. Only one (1) original copy of the financial offer is required. | |
| F.2.13.5  F.2.15.1 | | The employer’s details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are:  **Location of tender box: SANSA SPACE OPERATIONS**  **Physical address:** Farm JQ 502 Haartebeesthoek, West Rand District, South Africa (GPS 25 53’ 15.5”S 27 42’31.0”E)  **Identification details:** Tender reference number, Title of Tender and the closing date and time of the tender  **Note: A two (2) envelope system should be used. Please enclose the bid documents and supporting documents in a sealed envelope clearly marked with the bid number and the project name. The financial offer (Pricing Schedule and Form of offer and Acceptance) must be put in a separate envelope clearly marked with the bid number and “Financial Offer”. Bidders must submit one (1) original and two (2) hard copies of the bid document. Only one (1) original copy of the financial offer is required.** | |
| F.2.13.9 | | Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted. | |
| F.2.15 | | The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender. | |
| F.2.16 | | **The tender offer validity period is 120 Days** | |
| F.2.18 | | The tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the Labour-Intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements. | |
| F.2.23 | | The tenderer is required to submit with his tender:   1. Principal Contractor to have a valid, current CIDB registration equal to 6CE or higher on the day of closing. 2. Provide a minimum of three (3) contactable reference letters on civil works projects completed to the value of R3M each project. 3. Copy or suitable proof of the valid Workman’s Compensation Registration certificate for the Bidder’s Company on closing date. 4. Provide the Central Supplier Database (CSD) Registration Summary with a compliant tax status on the closing date. 5. Minimum of three completion certificate and or references on civil work with bulk concrete to the value of R3M and above each not older than 7years (2015-current) | |
| F.3.1.1 | | The Employer will respond to requests for clarification received by the **10 January 2022.** | |
| F.3.4 | | Tenders will be opened immediately after the closing time for tenders **21 January 2022 at 11h00** | |
| F.3.11.3 | | The procedure for the evaluation of responsive tenders is functionality (quality), Price and Preference method  SANSA is committed to achieving the government’s transformation objectives in terms of the Preferential Procurement Policy Framework Act.  The value of this bid is estimated not to exceed R50 000 000 and therefore the **80/20** system shall be applicable.  The evaluation of the bids will be conducted in the following two stages:   * Firstly, the assessment of quality will be done in terms of the evaluation criteria (Table 1) and the minimum threshold of **75** points explained below. A bid will be disqualified if it fails to meet the minimum threshold for functionality as per the bid invitation * Thereafter, only the qualifying bids are evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price only and the 20 points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the Table below   **Please note that as part of due diligence, the recommended bidder will be interviewed, the main office visited, and the references will be contacted**  **Preference**  **(A B-BBEE status level verification certificate/Sworn-affidavit must be submitted to qualify for preference points for B-BBEE)**  **Calculation of points for B-BBEE status level contributor**  Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the Table below   |  |  | | --- | --- | | **B-BBEE Status Level of Contributor** | **Number of points (80/20 system)** | | 1 | 20 | | 2 | 18 | | 3 | 14 | | 4 | 12 | | 5 | 8 | | 6 | 6 | | 7 | 4 | | 8 | 2 | | Non-compliant contributor | 0 | | |
| F.3.11.3 | | The quality criteria and maximum score in respect of each of the criteria are as follows:   |  |  | | --- | --- | | **Quality criteria** | **Maximum number of points** | | Service offering/methodology | 50 | | Financial capability | 20 | | Minimum of three completion certificate and or references on civil work with bulk concrete to the value of R3M and above each not older than 7years (2015-current) | 15 | | Site inspection | 15 | | **Maximum possible score for quality (Ms)** | **100** |   Quality shall be scored by not less than three evaluators in accordance with the following schedules:   * Detailed proposal including project plan, proposed approach and a portfolio of similar projects undertaken on bulk concrete * CVs of Key Personnel * Credit rating and cash flow statements from the tenderer’s financial institution * Letter(s) of good standing from suppliers related to the materials required for this project * Proper project plan * Plant and equipment * Safety file * Team experience   The minimum number of evaluation points for quality is **75** | |
| F.3.13 | | Tender offers will only be accepted if:   1. the tenderer is registered on the **Central supplier database (CSD**) with compliant tax status (please note that the successful applicants will have to ensure compliant tax status at the time of submission as well as every time SANSA makes use of their services); 2. the tenderer is registered with the Construction Industry Development Board (CIDB) in an appropriate contractor grading designation; 3. the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; 4. the tenderer has not:   i) abused the Employer’s Supply Chain Management System; or  ii) failed to perform on any previous contract and has been given a written notice to this effect;  f) the tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer’s ability to perform the contract in the best interests of the employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract;  g) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer;  h) the employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely. | |
| F.3.17 | | The number of paper copies of the signed contract to be provided by the employer is one (1). | |

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| |  | | --- | | **T.2.1 List of returnable documents** | | **Returnable Schedules required for tender evaluation purposes**  The tenderer must submit proposals and complete the following returnable schedules as relevant:   * Record of Addenda to Tender Documents * Compulsory Enterprise Questionnaire * Certificate of Authority for Joint Ventures * Evaluation Schedule: Service offering/methodology * Evaluation Schedule: Financial capability * Evaluation Schedule: Site inspection * Evaluation Schedule: Minimum of three completion letters and or references letters on civil works with bulk concrete to the value of R3M and above each not older than 7years (2015-current) | | **Other documents required for tender evaluation purposes**  The tenderer must submit the following returnable documents:   * Latest company financial statements prepared in accordance with Generally Accepted Accounting Practice (GAAP) or the International Financial Reporting Standard (IFRS) for the preceding financial year within 6 months of the financial year end | | **T2.2 Returnable Schedules that will be used for tender evaluation purposes and be incorporated into the contract**  The tenderer must complete the following returnable documents:   * Preferencing Schedule for Broad Based Black Economic Empowerment | | **C1.1 Offer portion of Form of Offer and Acceptance** | | **C1.2 Contract Data** | | **C2.2 Pricing Schedule (Bills of quantities)** | | |
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**Record of Addenda to tender documents**

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| We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer: | | | | | |
|  | **Date** | | **Title or Details** | | |
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| Attach additional pages if more space is required. | | | | | |
| Signed | |  | | Date |  |
| Name | |  | | Position |  |
| Tenderer | |  | | | |

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| **Compulsory Enterprise Questionnaire** |

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| The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted. |
| **Section 1: Name of enterprise:** . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . |
| **Section 2: VAT registration number, if any**: . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . |
| **Section 3: CIDB registration number, if any:** |
| **Section 4: Particulars of sole proprietors and partners in partnerships**   |  |  |  | | --- | --- | --- | | **Name\*** | **Identity number\*** | **Personal income tax number\*** | |  |  |  | |  |  |  | |  |  |  |   **\*** Complete only if sole proprietor or partnership and attach separate page if more than 3 partners |
| **Section 5: Particulars of companies and close corporations**  Company registration number . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .  Close corporation number . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .  Tax reference number . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . |
| **Section 6: Record in the service of the state**  Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:   |  |  | | --- | --- | | * a member of any municipal council * a member of any provincial legislature * a member of the National Assembly or the National Council of Province * a member of the board of directors of any municipal entity * an official of any municipality or municipal entity | ÿ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)  ÿ a member of an accounting authority of any national or provincial public entity  ÿ an employee of Parliament or a provincial legislature |   **If any of the above boxes are marked, disclose the following:**   |  |  |  |  | | --- | --- | --- | --- | | **Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder** | **Name of institution, public office, board or organ of state and position held** | **Status of service**  **(tick appropriate column)** | | | **Current** | **Within last 12 months** | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  |   \*insert separate page if necessary |

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| **Section 7: Record of spouses, children and parents in the service of the state**  Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:   |  |  | | --- | --- | | * a member of any municipal council * a member of any provincial legislature * a member of the National Assembly or the National Council of Province * a member of the board of directors of any municipal entity * an official of any municipality or municipal entity | ÿ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)  ÿ a member of an accounting authority of any national or provincial public entity  ÿ an employee of Parliament or a provincial legislature |  |  |  |  |  | | --- | --- | --- | --- | | **Name of spouse, child or parent** | **Name of institution, public office, board or organ of state and position held** | **Status of service**  **(tick appropriate column)** | | | **Current** | **Within last 12 months** | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  | |  |  |  |  |   \*insert separate page if necessary |
| The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:  i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;  ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;  iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;  iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and  iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct. |

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| Signed |  | Date |  |
| Name |  | Position |  |
| *Enterprise name* |  | | |

**PART T3: STANDARD BIDDING DOCUMENTS (SBD FORMS)**

**T3.1 DECLARATION OF INTEREST (SBD 4)**

Any legal person, including persons employed by the state¹, SANSA Board members or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her positionin relation to the evaluating/adjudicating authority where-

- The bidder is employed by the state;

- SANSA Board member; and/or

* the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid

¹ “State” means –

(a) Any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

(b) Any municipality or municipal entity;

(c) Provincial legislature;

(d) National Assembly or the national Council of provinces; or

(e) Parliament

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| Are you or any person connected with the bidder presently employed by the state?  If so, furnish the following particulars:  Name of person / director / trustee / shareholder/member: …………………………………………..…..……..  Na Name of state institution at which you or the person connected to the bidder is employed ………………………………………………………………………………………………………………  Position occupied in the state institution: ……………………………………………………………………..……  Any other particulars: ………………………………………………………………………………………………… | **YES / NO** |
| I If you are presently employed by the state, did you obtain the appropriate authority to  undertake  remunerative work outside employment in the public sector?  If yes, did you attach proof of such authority to the bid document?  **(Note: Failure to submit proof of such authority, where applicable, may result in the disdisqualification of the bid)**  If no, furnish reasons for non-submission of such proof: ……………………………………………………………………………………………………………….  …………………………………………………………………………..…………………………………… | **YES / NO**  **YES / NO** |
| Did you or your spouse, or any of the company’s directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?  If so, furnish particulars:  …………………………………………………………………………………………….. | **YES/NO** |
| Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by thestate and who may be involved with the evaluation and or adjudication of this bid?  If so, furnish particulars:  ………………………………………………………………………………………………. | **YES / NO** |
| Are you, or any person connected with the bidder aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?  If so, furnish particulars:  ………………………………………………………………………………………………. | **YES / NO** |
| Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?  If so, furnish particulars:  ………………………………………………………………………………………………… | **YES / NO** |

**Full details of directors / trustees / members / shareholders.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Full Name** | **Identity Number** | **Personal Tax Reference Number** | **State Employee Number/ Persal Number** |
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**DECLARATION**

I, the undersigned (NAME)……………………………………………………………………… certify that the information furnished above is correct.

I accept that SANSA may reject the bid or act against me in terms of Paragraph 23 of the General Conditions of Contract should this declaration prove to be false.

………………………………….. ..……………………………………………

Signature Date

…………………………………. ………………………………………………

Position Name of bidder

**T3.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (SBD 6.1)**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

1. **GENERAL CONDITIONS**
   1. The following preference point systems are applicable to all bids:

* the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
* the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
  1. The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.
  2. Preference points for this bid shall be awarded for:

1. Price; and
2. B-BBEE Status Level of Contribution.
   1. The maximum points for this bid are allocated as follows:

|  |  |
| --- | --- |
|  | **POINTS** |
| **PRICE** | 80 |
| **B-BBEE STATUS LEVEL OF CONTRIBUTION** | 20 |
| **Total points for Price and B-BBEE must not exceed** | **100** |

* 1. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
  2. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

1. **DEFINITIONS**
2. **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
3. “**B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a Code of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
4. **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
5. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
6. **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
7. **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
8. **“prices”** include all applicable taxes less unconditional discounts;
9. **“proof of B-BBEE status level of contributor”** means;
10. B-BBEE Status level certificate issued by an authorized body or person;
11. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
12. Any other requirement prescribed in terms of the B-BBEE Act
13. **“QSE”** means a Qualifying Small Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
14. **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitations, and includes all applicable taxes;
15. **POINTS AWARDED FOR PRICE**
    1. **THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

A maximum of 80 or 90 points is allocated for price on the following basis:

**80/20 or 90/10**

**** or ****

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

1. **POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION**
   1. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

|  |  |  |
| --- | --- | --- |
| **B-BBEE Status Level of Contributor** | **Number of points**  **(90/10 system)** | **Number of points**  **(80/20 system)** |
| 1 | 10 | 20 |
| 2 | 9 | 18 |
| 3 | 6 | 14 |
| 4 | 5 | 12 |
| 5 | 4 | 8 |
| 6 | 3 | 6 |
| 7 | 2 | 4 |
| 8 | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

1. **BID DECLARATION**
   1. Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
2. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1** 
   1. B-BBEE Status Level of Contribution: . = ……… (maximum of 10 or 20 points)

(Points claimed must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

1. **SUB-CONTRACTING**
   1. Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

|  |  |  |  |
| --- | --- | --- | --- |
| YES |  | NO |  |

* + 1. If yes, indicate:

1. What percentage of the contract will be subcontracted............…………….…………%
2. The name of the sub-contractor…………………………………………………………..
3. The B-BBEE status level of the sub-contractor......................................……………..
4. Whether the sub-contractor is an EME or QSE.

***(Tick applicable box***)

|  |  |  |  |
| --- | --- | --- | --- |
| YES |  | NO |  |

1. Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

|  |  |  |
| --- | --- | --- |
| **Designated Group: An EME or QSE which is at least 51% owned** | **EME**  **√** | **QSE**  **√** |
| Black people |  |  |
| Black people who are youth |  |  |
| Black people who are women |  |  |
| Black people with disabilities |  |  |
| Black people living in rural or underdeveloped areas or townships |  |  |
| Cooperative owned by black people |  |  |
| Black people who are military veterans |  |  |
| **OR** | | |
| Any EME |  |  |
| Any QSE |  |  |

1. **DECLARATION WITH REGARD TO COMPANY/FIRM**
   1. Name of company/firm:…………………………………………………………………………….
   2. VAT registration number:……………………………………….…………………………………
   3. Company registration number:…………….……………………….…………………………….
   4. TYPE OF COMPANY/ FIRM

□ Partnership/Joint Venture / Consortium

□ One person business/sole propriety

□ Close corporation

□ Company

□ (Pty) Limited

[Tick applicable box]

* 1. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…………………………..…………………………..……………………

* 1. COMPANY CLASSIFICATION

□ Manufacturer

□ Supplier

□ Professional service provider

□ Other service providers, e.g. transporter, etc.

[*Tick applicable box*]

* 1. Total number of years the company/firm has been in business:……………………………
  2. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraph 1.4and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraph 1.4 and 6.1, , the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
4. If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
   1. disqualify the person from the bidding process;
   2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
   3. cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
   4. recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
   5. forward the matter for criminal prosecution.

……………………………………….

SIGNATURE(S) OF BIDDER(S)

DATE: …………………………………..

ADDRESS …………………………………..

…………………………………..

…………………………………..

WITNESSES

1. ……………………………………..
2. …………………………………….

**Certificate of Authority for Joint Ventures**

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . , authorised signatory of the company . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . , acting in the capacity of lead partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **NAME OF FIRM** | | **ADDRESS** | | | **DULY AUTHORISED SIGNATORY** |
| Lead partner  CIDB registration no  …………………………. | |  | | | Signature . . . . . . . . . .. . . . . . . .  Name . . . . . . . . . . . . . . . . . .  Designation. . . . . . . . . . . . . . . .  . . . . . . . . . . . . . . . . . . . . . . . . . . |
| CIDB registration no  …………………………. | |  | | | Signature . . . . . . . . . .. . . . . . . .  Name . . . . . . . . . . . . . . . . . .  Designation. . . . . . . . . . . . . . . .  . . . . . . . . . . . . . . . . . . . . . . . . . . |
| CIDB registration no  …………………………. | |  | | | Signature . . . . . . . . . .. . . . . . . .  Name . . . . . . . . . . . . . . . . . .  Designation. . . . . . . . . . . . . . . .  . . . . . . . . . . . . . . . . . . . . . . . . . . |
| CIDB registration no  …………………………. | |  | | | Signature . . . . . . . . . .. . . . . . . .  Name . . . . . . . . . . . . . . . . . .  Designation. . . . . . . . . . . . . . . .  . . . . . . . . . . . . . . . . . . . . . . . . . . |
| Signed | |  | | Date |  | |
| Name | |  | | Position |  | |
| *Tenderer* | |  | | | | |

**T3.3 Declaration of Bidder’s past supply chain management practices (SBD 8)**

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system
3. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
4. Abused the institution’s supply chain management system
5. Committed fraud or any other improper conduct in relation to such system; or
6. Failed to perform on any previous contract.

**In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Question** | **Yes** | **No** |
| 4. 1 | Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?  (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the audi alteram partem rule was applied).  The Database of Restricted Suppliers now resides on the National Treasury’s website ([www.treasury.gov.za](http://www.treasury.gov.za) ) and can be accessed by clicking on its link at the bottom of the home page. | Yes | No |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  The Register for Tender Defaulters can be accessed on the National Treasury’s website ([www.treasury.gov.za](http://www.treasury.gov.za) ) by clicking on its link at the bottom of the home page. | Yes | No |
| 4.2.1 | If so, furnish particulars: | | |
| 4.3 | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? | Yes | No |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes | No |
| 4.4.1 | If so, furnish particulars: | | |

**CERTIFICATION**

**I, the undersigned (Full Name)…………………………………………………………………. certify that the information furnished on this Declaration Form is true and correct.**

**I accept that, in addition to cancellation of a contract, action may be taken against me should the Declaration prove to be false.**

**…………………………………..……………... …………………………………………………..**

**Signature Date**

**………………………………………….……. …………………………………………….……..**

**Position Name of Bidder**

**T3.4 Certificate of Independent Bid Determination (SBD 9)**

1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorises accounting officers and accounting authorities to:

a) Disregard the bid of any bidder if that bidder or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system,

b) Cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract,

1. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
2. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

**¹ Includes price quotations, advertised competitive bids, limited bids and proposals.**

**² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorised by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorised by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organisation, other than the bidder, whether or not affiliated with the bidder, who:

a) Has been requested to submit a bid in response to this bid invitation,

b) Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience,

c) Provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

1. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
2. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
3. Prices,
4. Geographical area where product or service will be rendered (market allocation),
5. Methods, factors or formulas used to calculate prices,
6. The intention or decision to submit or not to submit a bid,
7. The submission of a bid which does not meet the specifications and conditions of the bid,
8. Bidding with the intention not to win the bid.
9. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
10. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

**³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.**

1. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

………………………………………………… …………………………………

Signature Date

…………………………………………………. …………………………………

Position Name of Bidder

**Proposed amendments and qualifications**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.  The Tenderer’s attention is drawn to clause F.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the employer’s handling of material deviations and qualifications.   |  |  |  | | --- | --- | --- | | **Page** | **Clause or item** | **Proposal** | |  |  |  | | | | |
|  | | | |
| Signed |  | Date |  |
| Name |  | Position |  |
| *Tenderer* |  | | |

**PART T4: Evaluation Criteria**

**T4.1: Evaluation Schedule: Service offering /Approach paper**

Bidders must provide a detailed proposal including project plan, proposed approach and a portfolio of similar bulk concrete projects undertaken.

|  |  |
| --- | --- |
| The approach paper must respond to the scope of work and outline the proposed approach / methodology including that relating to project management plan, work breakdown structure. The approach paper should articulate what value add the tenderer will provide in achieving the stated objectives for the project.  The tenderer must as such explain his / her understanding of the objectives of the assignment and the Employer’s stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The approach paper should explain the methodologies which are to be adopted, demonstrate the compatibility of those methodologies with the proposed approach. The approach should also include a quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management, Proper project plan, Plant and equipment, Safety file, Team experience.  The tenderer must attach his / her approach paper to this page. The approach paper should not be longer than 15 pages.  Proper project plan (20)  Own Plant and equipment (10)  Safety file (10)  Team experience-civil engineer & surveyor (10)  The scoring of the approach paper will be as follows: | |
|  | **Service offering/methodology** |
| **Poor**  **(Score 10)** | The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project, no Proper project plan, Plant and equipment, Safety file, Team experience. |
| **Satisfactory**  **(Score 20)** | The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project.  The quality plan, manner in which risk is to be managed etc is too generic. Unlikely project plan, Plant and equipment, Safety file, Team experience. |
| **Good**  **(Score 30)** | The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk etc is specifically tailored to the critical characteristics of the project. Fair Proper project plan, Plant and equipment, Safety file, Team experience. |
| **Very good**  **(Score 40)** | Besides meeting the “good” rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches.  The approach paper details ways to improve the project outcomes and the quality of the outputs with good project plan, Plant and equipment, Safety file, Team experience. |
| **Excellent**  **(Score 50)** | Besides meeting the “very good” rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches.  The approach paper details ways to improve the project outcomes and the quality of the outputs and innovative ways excellent Proper project plan, Plant and equipment, Safety file, Team experience. |

**T4.2: Evaluation Schedule: Financial capability (Bank rating code letter)**

|  |  |
| --- | --- |
|  | **Financial capability** |
| **Poor**  **(Score 0)** | Bank Rating letter Code D or E  (bidders to provide the bank rating letter on the official bank letter head) |
| **Good**  **(Score 15)** | Bank Rating letter Code C  (bidders to provide the bank rating letter on the official bank letter head) |
| **Very good**  **(Score 20)** | Bank Rating letter Code A or B  (bidders to provide the bank rating letter on the official bank letter head) |

**T4.3: Evaluation Schedule: Tenderer’s references/ Track record on civil works**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| The experience of the tenderer or joint venture partners in the case of an unincorporated joint venture or consortium as opposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the scope of work over the last 7years (2016-current) will be evaluated.  Tenderers should very briefly describe his or her experience in this regard and attach this to this schedule.  The description should be put in tabular form with the following headings and attach reference letters as well. | | | | |
| **Employer, contact person and telephone number, where available** | | **Description of work (service)** | **Value of work (i.e. the service provided) inclusive of VAT (Rand)** | **Date completed if so** |
|  | |  |  |  |
|  | |  |  |  |
|  | |  |  |  |
| The scoring of the tenderer’s experience will be as follows: | | | | |
| **Poor**  **(score 0)** | Tenderer has no or limited of (2 or less projects) experience on civil works without bulk concrete over the last 7 years (2016-current) | | | |
| **Very Good**  **(score15)** | Tenderer has extensive experience 3 or more projects on civil works with bulk concrete over the last 7 years (2016-current) | | | |

**NB: It should be noted that ONLY bidders who scored a minimum of 60 points and above on the above three namely T4.1, T4.2 & T4.3 criterion’s will be visited for site inspection for final scoring.**

**T4.4: Evaluation Schedule: Site inspection**

Evaluators will visit at least one project out of the three given to confirm the track record of the bidder

|  |  |
| --- | --- |
|  | **Site inspection** |
| **Poor**  **(score 0)** | Points will be allocated as for poor workmanship done. |
| **Satisfactory**  **(score 5)** | Points will be allocated as half marks on a selected project completed outside turnaround times with average workmanship |
| **Very good**  **(score 15)** | Points will be allocated as full marks on a selected project completed within turnaround times and good workmanship |

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

|  |  |  |  |
| --- | --- | --- | --- |
| Signed |  | Date |  |
| Name |  | Position |  |
| *Tenderer* |  | | |

|  |  |
| --- | --- |
|  |  |
|  | **SO/058/11/2021** |
| **Appointment of five (5) civil works contractors on a panel basis for a period of five (5) years** |
| **C1.1 Form of Offer and Acceptance** | |
| **Offer** | |
| The tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data, the addenda thereto as listed in the Returnable Schedules and the documents provided as Part C5: Annexures, and by submitting this Offer has accepted the Conditions of Tender.  The tenderer, identified in the Offer signature block, has examined the draft contract as listed in the Acceptance section and agreed to provide this Offer.  By the representative of the tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance the tenderer offers to perform all of the obligations and liabilities of the under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the Contract Data. | |

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT IS:

(in words) ………………………………………………………………………………………..……………………….Rand;

R………………………(in figures)

THE OFFERED COST PARAMETERS TO PROVIDE THE WORKS, EXCLUSIVE OF VALUE ADDED TAX, ARE AS SET IN THE CONTRACT DATA.

THE OFFERED PRICES ARE AS STATED IN THE PRICING SCHEDULE

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document including the Schedule of Deviations (if any) to the tenderer before the end of the period of validity stated in the Tender Data, or other period as agreed, whereupon the tenderer becomes the party named as the *contractor* in the conditions of contract identified in the Contract Data.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Signature(s) |  |  |  | |
| Name(s) |  |  |  | |
| Capacity |  |  |  | |
| **For the tenderer:** |  | | | |
| Name & signature of witness | *(Insert name and address of organisation)* |  | Date |  |

**Acceptance**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the tenderer’s Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the Contract Data. Acceptance of the tenderer’s Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement. | | | | |
| The terms of the contract, are contained in:  Part C1 Agreements and Contract Data, (which includes this Form of Offer and Acceptance)  Part C2 Pricing Data  Part C3 Scope of Work: Works Information  Part C4 Site Information  Part C5 Annexures including Bill of Quantities   * + - * Drawings register       * J238-02-10-01       * J238-02-10-02       * J238-02-14-01       * J238-02-14-02       * J238-02-22-01       * J238-02-22-01-001       * J238-02-22-01-003       * J238-02-22-01-008       * J238-02-22-02       * J238-02-22-02-001       * J238-02-22-02-003   and drawings and documents (or parts thereof), which may be incorporated by reference into the above listed Parts. | | | | |
| Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule. | | | | |
| The tenderer shall within two weeks of receiving a completed copy of this agreement, including the Schedule of Deviations (if any), contact the Employer’s agent (whose details are given in the Contract Data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement. | | | | |
| Notwithstanding anything contained herein, this agreement comes into effect two working days after the submission by the employer of one fully completed original copy of this document including the schedule of deviations (if any), to a courier-to-counter delivery / counter-to-counter delivery / door-to-counter delivery /door-to-door delivery /courier service (delete that which is not applicable), provided that the employer notifies the tenderer of the tracking number within 24 hours of such submission. Unless the tenderer within seven working days of the date of such submission notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties. | | | | |
| Signature(s) | |  |  |  | |
| Name(s) | |  |  |  | |
| Capacity | |  |  |  | |
| **for the Employer** | |  | | | |
| Name & signature of witness | | South African National Space Agency  SANSA  Farm No 502JQ,  Hartebeesthoek,  District Krugersdorp |  | Date |  |

**Schedule of Deviations**

1 Subject . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

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2 Subject . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

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3 Subject . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

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4 Subject . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

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5 Subject . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

Details . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

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By the duly authorised representatives signing this agreement, the Employer and the Tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the returnable schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

By the duly authorised representatives signing this agreement, the Employer and the Tenderer agree to and accept the foregoing schedule of deviations as the only deviations from the draft contract, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

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| ***C2: Pricing Data*** | |
| **C2.1 Pricing schedule** | |
| 1. The Bidder must price all items as per the Bill of Quantities. 2. Rates are to include all costs with no unspecified cost to allow for a fair evaluation. 3. The price offered by the Tenderer is to include any unspecified cost as no amendments will be made after contract is signed. 4. Payment will be made based on the deliverables (proven progress) for the services rendered as agreed by the project team. 5. Payment will only be made based on invoices submitted and approved by the SANSA Project Manager and Principle Agent. 6. The contractor will be expected to provide a guarantee as defined in the Joint Building Contractors Committee (JBCC) contract. 7. **Offer to be valid for 120 working days from the bid closing date.** 8. Schedule of Prices shall be completed and signed in **black ink**. Corrections must be done by deleting, rewriting and initialling next to the amendment. No correction ink is permitted in the document | | | | |

**Pricing schedule**

The total price as reflected in the **bill of quantities** should be inserted in this schedule and shall be the full inclusive price for the work described in the specification, including all costs and expenses together with all risks, liabilities and obligations necessary and all other conditions included in all documents forming part of the Contract.

Bidders should note that this is a phantom project solely used for evaluation purposes. And will be appointed as and when required.

Please note that any costs associated with the location of the site must be included in the BOQ amount. The total contract amount must be inclusive of VAT.

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| **Description** | **COST (Excl VAT)** |
| **Total amount as per the Bill of Quantities (BOQ)** | **R** |
| **Any other costs (please specify)** | **R** |
|  |  |
| **TOTAL AMOUNT (EXCL VAT)** | **R** |
| **VAT (15%)** | **R** |
| **TOTAL CONTRACT AMOUNT (INCL VAT)**  ***PLEASE CARRY FORWARD TO FORM OF OFFER AND ACCEPTANCE C1.2)*** | **R** |

**B-BBEE Status Level of Contribution:** ………….

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| **Part C3: Scope of work** |

1. **INTRODUCTION**

The South African National Space Agency (SANSA) is a PFMA Schedule 3(A) public entity which has been established in terms of South African National Space Agency Act, 2008 (Act No 36 of 2008). The South African National Space Agency (SANSA) has a mandate to co-ordinate and integrate national space science and technology programmes and conduct long-term planning and implementation of space-related activities in South Africa, for the benefit of the citizens of South Africa. More information about the organization can be found at <http://www.sansa.org.za>

SANSA seeks proposals from eligible companies who wish to be appointed to a panel as civil works projects for a period of five (5) years on an as and when needed on a quotation request or rotational basis. The first five (5) highest scores after price and preference evaluation will be appointed to be on the list of preferred suppliers for SANSA for the period of five years.

In a case where one bidder is withdrawn from the appointed panel list SANSA will at its own discretion, replace that bidder with the next highest scoring bidder in agreement with the said bidder.

1. **HEALTH AND SAFETY**

The Contractor will be responsible for the mandatory Health and Safety plan and to ensure that all relevant statutory and regulatory requirements are satisfied for the duration of the project. The contractor will be required to sign a Health and Safety Agreement with SANSA.

1. **MEETINGS**

All successful contractors on the panel must make themselves available for regular meetings and quote when they receive the request and should be done within (7 Days) or as per the agreement reached at the inception meeting by all parties.

It should be noted that the Principal Architect and/or SANSA representatives may call the contractor appointed to site at any time to attend to a concern raised. Response should, within reason, be within 2 hours of receiving the request. It is a requirement that an experienced site foreman be appointed and be available daily for any construction related issues.

1. **Accountability**

The contractor will be accountable to and will work under the direction of the Principal Agent who will be responsible for the performance of duties:

|  |  |
| --- | --- |
| **SANSA Project Lead** | Ms Gladys Magagula |
| **SANSA SCM** | Mr Obakeng Phutu |
| **Principal Agent** | N/A (will be appointed per project) |

1. **Timeframe**

The panel is envisaged for five years from the date of appointment.

1. **Mandatory criteria**

**SANSA will not evaluate the bidder who does not comply with providing the following documentation:**

1. A fully completed and signed Bid Document.
2. CSD Registration Summary with a tax compliant status (tax compliance status on the award date). for the bidding company with the CIDB registration indicated below.
3. Principal Contractors to have a valid, current CIDB registration equal to or higher than 6CE on the closing day .
4. A copy or suitable proof of the valid Workman’s Compensation Registration certificate for the Bidder’s Company.
5. Minimum of three references on civil works with bulk concrete to the value of R3M and above each not older than 7years (2016-current)
6. **COMPULSORY SITE VISIT**

Potential contractors are required to attend a compulsory site inspection meeting at 10h00 on Friday 07th December 2021. The site inspection meeting will take place at SANSA Space Operations located at Farm 502 JQ, Broedestroom Road, Hartebeeshoek, Krugersdorp District.

1. **ACCREDITATION**

Construction companies should have a registered CIDB grading of at least 6CE or higher. Please note that companies without a CIDB grading will be disqualified.

Valid proof of membership and grading must be attached to the completed proposal form.

1. **OFFICE VISITS**

SANSA reserves the right to visit the offices of any bidding construction company at any time, and to approach recent clients for references.

1. **CONFIDENTIALITY**

All or any information provided to construction companies by SANSA as part of this process, shall be regarded as strictly confidential and will not be made known to third parties without the written consent of SANSA.

1. **PREPARATION OF PROPOSAL**

SANSA will not be held responsible for any cost incurred by construction companies in the preparation and handling of the proposal.

1. **BEE & SMME STATUS**

Equity and ownership must be declared in full. Documentation to substantiate the B-BBEE/SMME/Sworn affidavit complement must be attached to the proposal.

1. **MISREPRESENTATION**

SANSA retains the right to investigate any information provided and may call for any supporting information. Any misrepresentation will result in a contractor being disqualified and excluded from any further involvement in the evaluation process.

1. **MEDIUM OF COMMUNICATION**

All documentation submitted in response to this tender must be in English.

1. **VERIFICATION OF DOCUMENTS**

Respondents should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by SANSA in regard to anything arising from the fact that pages are missing or duplicated.

**Part C4: Site Information**

The project is located at SANSA, Farm No 502JQ, Hartebeesthoek, District Krugersdorp.

The proposed site works are approximately at the following co-ordinates:  
Mogale City Region. (GPS 25 53’ 15.5”S 27 42’31.0”E)



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| **SANSA PREMISES** |
| **SANSA SPACE S OPERATIONS OFFICES**: Farm No 502JQ, Hartebeesthoek, District Krugersdorp |

**Part C5: Annexures**

Drawings register

J238-02-10-01

J238-02-10-02

J238-02-14-01

J238-02-14-02

J238-02-22-01

J238-02-22-01-001

J238-02-22-01-003

J238-02-22-01-008

J238-02-22-02

J238-02-22-02-001

J238-02-22-02-003

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| --- | --- | --- | --- |
| Signed |  | Date |  |
| Name |  | Position |  |
| Bidder |  | | |