



**public works
& infrastructure**

Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

**EASTERN CAPE: EAST LONDON PROVINCIAL OFFICE:
DEPARTMENT OF EMPLOYMENT AND LABOUR: SUPPLY
AND INSTALLATION OF WATER TANKS**

TENDER NO. : GQET-25/26-013
REFERENCE NO. : 14/1/3/2/1/6425/5458
WCS NO. : 056628

TENDER DOCUMENT CONSISTING OF THREE VOLUMES

VOLUME 1 – TENDERING PROCEDURES
VOLUME 2 – RETURNABLE DOCUMENTS
VOLUME 3 – THE CONTRACT

Tender Advert Date: Friday, 25 July 2025
Tender Closing Date and Time: Tuesday, 19 August at 11h00
Compulsory Bid Briefing Meeting Date: Wednesday, 06 August 2025 at 11h00

Compiled by:

National Department of Public Works and
Infrastructure
Eben Donges Building
PORT ELIZABETH
6001

NAME OF BIDDER:

CIDB CRS NUMBER:

CSD SUPPLIER NUMBER:

JULY 2025



**public works
& infrastructure**

Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

VOLUME 1 OF 3

**EASTERN CAPE: EAST LONDON PROVINCIAL OFFICE:
DEPARTMENT OF EMPLOYMENT AND LABOUR: SUPPLY AND
INSTALLATION OF WATER TANKS.**

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VOLUME 1 – TENDERING PROCEDURES (THIS DOCUMENT)
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VOLUME 2 – RETURNABLE DOCUMENTS

VOLUME 3 – THE CONTRACT



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Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

EASTERN CAPE: EAST LONDON PROVINCIAL OFFICE: DEPARTMENT OF EMPLOYMENT AND LABOUR: SUPPLY AND INSTALLATION OF WATER TANKS.

TENDER NO. : GQET-25/26-013
REFERENCE NO. : 14/1/3/2/1/6425/5458
WCS NO. : 056628

VOLUME 1: TENDERING PROCEDURES

**T1.1: TENDER NOTICE AND INVITATION TO QUOTATION
PA-04 (EC)**

PA-04 (EC): NOTICE AND INVITATION TO TENDER

THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE INVITES TENDERS FOR:

Project title:	DEPARTMENT OF EMPLOYMENT AND LABOUR: EAST LONDON PROVINCIAL OFFICE: SUPPLY AND INSTALLATION OF WATER TANKS
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Tender no:	GQET-25/26-013	Reference no:	14/1/3/2/1/6425/5458
Advertising date:	25 July 2025	Closing date:	19 August 2025
Closing time:	11h00	Validity period:	84 Calendar days

1. REQUIRED CIDB GRADING

It is estimated that tenderers should have a CIDB contractor grading designation of **3 GB or 3 CE or 3 SO**
**Select tender value range and select class of construction works" or select "Not applicable" or select "blank" where only one class of construction works is applicable.*

***It is estimated that potentially emerging enterprises should have a CIDB contractor grading designation of Not Applicable**

**Select tender value range and select class of construction works" or select "Not applicable" or select "blank" where no or only one class of construction works is applicable.*

2. CONTRACT PARTICIPATION GOAL TARGETS AND CIDB B.U.I.L.D. PROGRAMME: **Applicable**

The contractor shall achieve in the performance of the contract the Contract Participation Goals (CPGs) as indicated below and as described in **PG-01.2 (EC): Scope of Work (JBCC)** and **PG-02.2 (EC): Pricing Assumptions (JBCC)** for which provisional amounts have been allowed for in the Bill of Quantities.

- 2.1 Minimum Targeted Local Manufacturers of Material CPG: **Not Applicable**
- 2.2 Minimum Targeted Local Building Material Suppliers CPG: **Not Applicable**
- 2.3 Minimum Targeted Local Labour Skills Development CPG: **Not Applicable**
- 2.4 CIDB BUILD Programme: Minimum Targeted Enterprise Development CPG: **Not Applicable**
- 2.5 CIDB BUILD Programme: Minimum Targeted Contract Skills Development CPG: **Not Applicable**
- 2.6 DPWI National Youth Service training and development programme CPG: **Applicable**
- 2.7 Labour Intensive Works CPG: **Not Applicable**

3. BIDS WILL BE EVALUATED IN THE FOLLOWING PHASES:

- Phase 1: Responsiveness - **Applicable**
- Phase 2: Functionality – **Not Applicable**
- Phase 3: PPPFA Scoring – **Applicable**
- Phase 4: Acceptability in respect of Risk to the Employer – **Applicable**
- Phase 5: Other Objective Criteria – **Not applicable**

Refer to Tender Data: C.3.8 & C3.11 for bid evaluation details.

4. COLLECTION OF TENDER DOCUMENTS

- ☒ Bid documents are available for free download on e-Tender portal www.etenders.gov.za
- ☒ Alternatively; Bid documents may be collected during working hours at the following address **Tender reception, Room 296, Eben Donges Building, Corner of Roberts and Hancocks Street North End, Gqeberha 6001.** A non-refundable bid deposit of R 100.00 is payable (cash only) on collection of the bid documents.

5. SITE INSPECTION MEETING

A pre-tender site inspection meeting will **be** held in respect of this tender.
Attendance of said pre- tender site inspection meeting is **compulsory**.

The particulars for said pre- tender site inspection meeting or virtual bid clarification / site inspection meeting. are:

Venue:	Cnr, Hill & Oxford Street East London City Centre East London 5201		
Virtual meeting link:	Not applicable		
Date:	06 August 2025	Starting time:	11:00am

6. ENQUIRIES

6.1 Technical enquiries may be addressed to:

DPWI Project Manager	Mr.A Mgijima	Telephone no:	041 408 2346
E-mail	Ayabulela.Mgijima@dpw.gov.za	Cellular phone no:	079 521 2055

6.2 SCM enquiries may be addressed to:

SCM Official	Ms. T. Ngesi	Telephone no:	041 408 2009
E-mail	Thabisa.Ngesi@dpw.gov.za	Cellular phone no:	None

7 DEPOSIT / RETURN OF TENDER DOCUMENTS

Telegraphic, telephonic, telex, facsimile, electronic and / or late tenders will not be accepted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

All tenders must be completed in non-erasable ink and submitted on the official forms – (forms not to be re-typed).

Tender documents may be posted to: The Director-General Department of Public Works and Infrastructure Private Bag X 3915 Gqeberha (Port Elizabeth) 6056 Attention: Mr Peter Blouw Procurement section: Room 202		Deposited in the tender box at: Ground floor Eben Dönges Building Corner of Roberts and Hancocks Streets Gqeberha (Port Elizabeth) 6001
	OR	

T1.2: TENDER DATA (DPW-03 EC)

DPW-03 (EC): TENDER DATA

Project title:	DEPARTMENT OF EMPLOYMENT AND LABOUR: EAST LONDON PROVINCIAL OFFICE: SUPPLY AND INSTALLATION OF WATER TANKS		
WCS no.:	056628	Reference no:	14/1/3/2/1/6425/5458

Tender / Quotation no:	GQET-25/26-013	Closing date:	19 August 2025
Closing time:	11h00	Validity period:	12 Weeks (84 Calendar days)

Clause number:	
	<p>The conditions of tender are the Standard Conditions of Tender as contained in Annex C of the CIDB Standard for Uniformity in Construction Procurement as per Government Notice No. 423 published in Government Gazette No. 42622 of 8 August 2019 and as amended from time to time. (see www.cidb.org.za).</p> <p>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.</p> <p>Each item of data given below is cross-referenced to the clause marked "C" in the above mentioned Standard Conditions of Tender.</p>
C.1.1	The employer is the Government of the Republic of South Africa in its Department of Public Works and Infrastructure.
C.1.2	<p>For this contract the three volume approach is adopted.</p> <p>This procurement document has been formatted and compiled under the headings as contained in the CIDB's "Standard for Uniformity in Construction Procurement." All parts of the returnable tender documents submitted which forms part of the substantive responsive criteria must be fully completed in ink and signed where required. The digital and or electronic completion and signing of documents is permitted, subject to not altering the content, format and / or text of the original bid document.</p> <p>The three volume procurement document issued by the employer comprises the following:</p> <p>Volume 1: Tendering procedures T1.1 - Notice and invitation to tender (PA-04 EC) T1.2 - Tender data (DPW-03 EC) SCB-01: Special Conditions of Tender</p> <p>Volume 2: Returnable documents T2.1 - List of returnable documents (PA-09 EC) C1.1 - Form of offer and acceptance (DPW-07 EC) C1.2 - Contract Data T2.2 - Returnable schedules</p> <p>Volume 3: Contract Part C1: Agreement and contract data C1.2 - Contract data (Part 1: Data provided by employer) (DPW-04 EC or DPW-05 EC) C1.3 - Form of guarantee (DPW-10.1 EC / DPW-10.3EC or DPW-10.2 EC/DPW-10.4 EC)</p> <p>Part C2: Pricing data C2.1 - Pricing Assumptions (PG-02.2 EC or PG-02.1EC) C2.2 - Bills of Quantities / Lump sum document (if not a returnable document)</p> <p>Part C3: Scope of work C3 - Scope of work (PG-01.2 EC or PG-01.1EC)</p> <p>Part C4: Site information C4 - Site information (PG-03.2 EC or PG03.1EC)</p>

C.1.4	<p>The Employer's agent is:</p> <table border="1"> <tr> <td data-bbox="308 297 539 365">Name:</td><td data-bbox="539 297 1557 365">Mr. Ayabulela Mgijima</td></tr> <tr> <td data-bbox="308 365 539 443">Capacity:</td><td data-bbox="539 365 1557 443">Departmental Project Manager</td></tr> <tr> <td data-bbox="308 443 539 521">Address:</td><td data-bbox="539 443 1557 521">Eben Dönges Building, Corner of Roberts and Hancocks Streets, North End, Gqeberha (Port Elizabeth), 6001.</td></tr> <tr> <td data-bbox="308 521 539 600">Tel:</td><td data-bbox="539 521 1557 600">041 408 2346</td></tr> <tr> <td data-bbox="308 600 539 678">E-mail:</td><td data-bbox="539 600 1557 678">Ayabulela.Mgijima@dpw.gov.za</td></tr> </table>	Name:	Mr. Ayabulela Mgijima	Capacity:	Departmental Project Manager	Address:	Eben Dönges Building, Corner of Roberts and Hancocks Streets, North End, Gqeberha (Port Elizabeth), 6001.	Tel:	041 408 2346	E-mail:	Ayabulela.Mgijima@dpw.gov.za
Name:	Mr. Ayabulela Mgijima										
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Address:	Eben Dönges Building, Corner of Roberts and Hancocks Streets, North End, Gqeberha (Port Elizabeth), 6001.										
Tel:	041 408 2346										
E-mail:	Ayabulela.Mgijima@dpw.gov.za										
C.2.1	<p>A. <u>ELIGIBILITY IN RESPECT OF CIDB REGISTRATION:</u></p> <p>The following tenderers who are registered with the CIDB, or are *capable of being so registered prior to the evaluation of submissions, are eligible to have their tenders evaluated (* tenderers who are capable of being so registered, or who have applied for registration but have not yet received confirmation of such registration, must provide, <u>with this tender</u>, acceptable documentary proof thereof):</p> <ol style="list-style-type: none"> contractors who have 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 3 GB or 3 CE or 3SO or Higher ** class of construction work; and contractors registered as potentially emerging enterprises with the CIDB who are registered in one contractor grading designation lower than that required in terms of a) above: Not applicable <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> Every member of the joint venture is registered with the CIDB; The lead partner has a contractor grading designation in the of 3 GB or 3CE or 3 SO ** class of construction work; and 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, or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations for a 3 GB or 3 CE or 3 SO** class of construction work <p>** Delete "or select tender value range select class of construction works" where only one class of construction works is applicable</p> <p>CIDB non-compliance at the time of tender: If a bidder submitted with their bid, proof that they have already applied to CIDB for an upgrade or for correction of their "non-compliance" status with the CIDB, such a bidder will be deemed to be capable of being so registered in the specified Class of Works and / or Grading and will be evaluated as such, provided that the bidder's CIDB status becomes CIDB compliant and submits proof of CIDB compliance within 21 working days after the closing date. Failure to obtain and to submit documentary proof of the required compliant CIDB grading, within 21 working days of the bid closing date, will render bid non-responsive.</p> <p>Note: The CIDB "non-compliance" status refers to a bidder's CIDB Class of Construction Works and / or Grading and / or status, which is either inactive or expired, or suspended or deregistered.</p> <p>CIDB non-compliance after tender closing date:</p>										

	Upon request, a bidder will be given twenty one (21) working days to correct its CIDB compliance status and submit proof of compliance, if the bidder was CIDB compliant on the closing date of tenders, but becomes CIDB non-compliant, after the tender closing date. Failure to submit documentary proof of the required compliant CIDB grading, within 21 working days from request, will render bid non-responsive.																																		
C.3.8 C3.11	B. <u>BIDS WILL BE EVALUATED IN THE FOLLOWING PHASES:</u> Phase 1: Responsiveness: Applicable Phase 2: Functionality: Not applicable Phase 3: PPPFA Scoring: Applicable Phase 4: Acceptability in respect of Risk to the Employer: Applicable Phase 5: Other Objective Criteria: Not applicable																																		
	PHASE 1: RESPONSIVENESS OF BIDS: Applicable Determine whether each tender offer has been properly received that complies with the requirements of Condition of Tender, has been properly completed and signed, and is responsive to the other requirements of the tender documents. 1.1 Substantive responsiveness criteria applicable for this tender are indicated with an 1. Failure to comply with the criteria stated hereunder shall result in the tender offer being disqualified from further consideration: <table border="1" data-bbox="304 831 1533 1962"> <tr> <td>1</td><td><input checked="" type="checkbox"/></td><td>Only those tenderers who satisfy the eligibility criteria stated in the Tender Data may submit tenders.</td></tr> <tr> <td>2</td><td><input checked="" type="checkbox"/></td><td>Tender offer must be properly received on the tender closing date and time specified on the invitation, completed either electronically (if issued in electronic format), or by writing legibly in non-erasable ink. (All as per Standard Conditions of Tender).</td></tr> <tr> <td>3</td><td><input checked="" type="checkbox"/></td><td>All parts of the returnable tender documents submitted which forms part of the substantive responsive criteria must be fully completed in ink and signed where required. The digital and or electronic completion and signing of documents is permitted , subject to not altering the content, format and/or text of the original bid document</td></tr> <tr> <td>4</td><td><input checked="" type="checkbox"/></td><td>Use of correction fluid is prohibited.</td></tr> <tr> <td>5</td><td><input type="checkbox"/></td><td>Submission of a signed bid offer as per the DPW-07 (EC).</td></tr> <tr> <td>6</td><td><input checked="" type="checkbox"/></td><td>Submission of DPW-09 (EC): Particulars of Tenderer's Projects.</td></tr> <tr> <td>7</td><td><input checked="" type="checkbox"/></td><td>There will be a compulsory bid clarification / site briefing meeting and all potential bidders must attend. Submission of fully signed DPW-16 (EC) Tender Clarification Meeting Certificate, signed by the authorised official and/or completion of the attendance register. A compulsory bid clarification / site briefing meeting is necessary to clarify the latest tender documentation, project requirements and avoid unnecessary errors and omissions and all potential bidders must attend. The proof of attendance shall include any of the following legitimate documents: (1) A signed DPW-16 certificate and/or (2) Attendance register of all the attending bidders.</td></tr> <tr> <td>8</td><td><input checked="" type="checkbox"/></td><td>Bidders must comply with DPW-21 (EC): Record of Addenda to tender documents, if any. Any addendum or erratum will be published in the original advertising media, at least 10 working days before the bid closing date. Bids will be evaluated in accordance with the published addendum or erratum. 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12	<input checked="" type="checkbox"/>	<p>Only offer's from the following bidders' will be eligible to have their submissions evaluated: Only bidders' whom submit proof of registration with the Construction Industry Development Board (CIDB) in the Class of Construction Works and Grading (or higher) specified for tender and current status being active on the closing date of tenders, or Bidders whom are not registered with the CIDB or CIDB "non-compliant" in terms CIDB Class of Construction Works and / or Grading and / or status, which is either inactive or expired, suspended or deregistered, but are capable of being registered with the CIDB within two one (21) working days from the closing date for submission of tenders.</p> <p>Such bidders <u>must</u> submit proof with the tender that they have already applied to CIDB or before the closing date of the bid for registration, or an upgrade of their CIDB status or the correction of their CIDB "non-compliance" status to being active in the specified Class of Construction Works and Grading (or higher).</p>
13	<input checked="" type="checkbox"/>	Submission of a bid offer.
14	<input checked="" type="checkbox"/>	Bidder must submit with the bid CV and qualifications of licensed plumber. The licensed plumber must be registered and in good standing with the Plumbing Industry Registration Board (PIRB). Valid proof of registration and good standing with the Plumbing Industry Registration Board (PIRB) must be submitted with the bid document. Failure to submit CV, qualifications and proof of registration with PIRB for the licensed plumber will render the bid non responsive.
15	<input checked="" type="checkbox"/>	Bidder must submit with the bid document CV and qualifications of licensed installation electrician. The licensed installation electrician must be registered and in good standing with the Department of Labour inline with the requirements of the Occupational Health and Safety Act 85 of 1993. Valid proof of registration with the Department of Labour for the licensed installation electrician must be submitted with the bid document. Failure to submit CV, qualifications and proof of registration with Department of Labour inline with the Occupational Health and Safety Act 85 of 1993 for the licensed installation electrician will render the bid non responsive.

1.2 Administrative requirements applicable for this tender are indicated with an. Tenderers may be required to submit the below documents where applicable.

The Employer reserves the right to request further information regarding the undermentioned criteria. Failing to submit further clarification and/or documentation within seven (7) calendar days from request or as specifically indicated, will disqualify the tender offer from further consideration.

1	<input checked="" type="checkbox"/>	Submission of PA-11: Bidder's disclosure
2	<input checked="" type="checkbox"/>	Any correction to be initialled by the person authorised to sign the tender documentation as per PA 15.1 or PA 15.2 resolution of board/s of directors / or PA15.3 Special Resolution of Consortia or JV's.
3	<input checked="" type="checkbox"/>	Submission of applicable (PA-15.1, PA-15.2, PA-15.3): Resolution by the legal entity, or consortium / joint venture, authorising a dedicated person(s) to sign documents on behalf of the firm / consortium / joint venture.
4	<input checked="" type="checkbox"/>	All parts of tender documents submitted must be fully completed in ink and signed where required.
5	<input checked="" type="checkbox"/>	Submission of PA-16.1 (EC): Ownership Particulars.
6	<input checked="" type="checkbox"/>	Submission of (PA 40): Declaration of Designated Groups.
7	<input checked="" type="checkbox"/>	Submission of documentation relating to risk assessment criteria as contained in C 2.1 of DPW-03 (EC) Tender Data.
8	<input checked="" type="checkbox"/>	Data provided by the tenderer in Part 2 of DPW-04 Contract Data (JBCC 2018) or DPW-05 Contract Data (GCC 2015) whichever applicable to be fully completed.
9	<input checked="" type="checkbox"/>	Submission of proof of Registration on National Treasury's Central Supplier Database (CSD). Insert the Supplier Registration Number on the form of offer, including proposed sub-contractors if any
10	<input type="checkbox"/>	The tenderer shall submit his fully priced Bills of Quantities (complete document inclusive of all parts) within 14 calendar days from request. Bidder will be allowed to balance rates prior to award and correct arithmetic errors.

11	<input checked="" type="checkbox"/>	Upon request, submission of fingerprints obtainable from local SAPS including any other additional documentation and information required for vetting purposes.
12	<input checked="" type="checkbox"/>	Upon request, submission of a fully completed security clearance application form with supporting documentation and information as required. The security clearance form will be provided by the Employer for projects requiring a security clearance.
13	<input checked="" type="checkbox"/>	Submission of DPW-09 (EC): Particulars of Tenderer's Projects. Bidders may use "own form or portfolio document". The details of all the tenderer's current and previous projects must however be the same as the details of the DPW-09 (PSB) form. Bidders are required to sign and date the DPW-09 (EC) and cross-reference the documents if "own form or portfolio document" is used.
14	<input checked="" type="checkbox"/>	Submission of DPW-21 (EC): Record of addenda of tender documents: Bidders may be requested to confirm receipt or compliance with the Record of addenda if the Record of addenda was not submitted with the bid at the closing date.
15	<input checked="" type="checkbox"/>	<p>CIDB non-compliance at the time of tender</p> <p>If a bidder submitted with their bid, proof that they have already applied to CIDB for an upgrade or for correction of their "non-compliance" status with the CIDB, such a bidder will be deemed to be capable of being so registered in the specified Class of Works and / or Grading and will be evaluated as such, provided that the bidder's CIDB status becomes CIDB compliant and submits proof of CIDB compliance within 21 working days after the closing date.</p> <p>Note: The CIDB "non-compliance" status refers to a bidder's CIDB Class of Construction Works and / or Grading and / or status, which is either inactive or expired, or suspended or deregistered.</p>
16	<input checked="" type="checkbox"/>	<p>CIDB non-compliance after tender closing date</p> <p>Upon request, a bidder will be given twenty one (21) working days to correct its CIDB compliance status and submit proof of compliance, if the bidder was CIDB compliant on the closing date of tenders, but becomes CIDB non-compliant, after the tender closing date. Failure to submit documentary of proof of the required compliant CIDB grading within 21 working days from request, will render bid non responsive</p>
17	<input checked="" type="checkbox"/>	Bids will be evaluated in terms of the Special Conditions of Bid (SCB-01).
18	<input checked="" type="checkbox"/>	Submission of a signed bid offer as per the DPW-07(EC)
<p>1. Administrative requirements applicable for specific goals, Tenderers will not be required to submit the below documents if not provided in the original tender proposals, Failure to comply with the criteria stated hereunder <u>shall</u> result in the tenderer not allocated points for specific goals</p>		
1	<input checked="" type="checkbox"/>	Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022
2	<input checked="" type="checkbox"/>	A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Certificate issued by a SANAS accredited service provider
<p>PHASE 2: FUNCTIONALITY: Not applicable</p>		
2	CRITERIA NO.02 - CONSTRUCTION PROGRAM AND CASHFLOW	

3	CRITERIA NO.03: FINANCIAL CAPACITY (BANK RATING AND BANK CONFIRMATION OF CASH FLOW FACILITY AVAILABILITY)	20
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4	CRITERIA NO.04: COMPETENCE OF KEY TECHNICAL PERSONNEL	30
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PHASE 3: THE FOLLOWING POINTS SCORING METHOD WILL BE APPLICABLE FOR RESPONSIVE BIDS WHICH HAS PASSED THE PREVIOUS APPLICABLE EVALUATION PHASE: Applicable

3.1 Evaluation points scoring system is applicable for this bid:

☐ Method 1: (Financial Offer)

☒ Method 2: (Financial and Preference Offer)

3.2 Preference points scoring system is applicable for this bid:

☒ 80/20 Preference points scoring system

☐ 90/10 Preference points scoring system

☐ 80/20 and/or 90/10 Preference points scoring systemⁱ

3.3 Method to be used to calculate points for specific goals

For procurement transaction with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals listed in Table 1 below are applicable.

Table 1



Seri al No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people.	10	1. SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in Eastern Cape Province for work to be done or services to be rendered in the Eastern Cape Province area.	2	2. Official Municipal Rates Statement which is in the name of the bidder. Or 3. Any account or statement which is in the name of the bidder. Or 4. Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder. Or 5. Lease Agreement, which is in the name of the bidder.

3.	An EME or QSE or any entity which is at least 51% owned by black women.	4	6.	SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
4.	An EME or QSE or any entity which is at least 51% owned by black people with disability.	2	7.	SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
			and	
			8.	Medical Certificate indicating that the disability is permanent.
			Or	
			9.	South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.
			Or	
				National Council for Persons with Physical Disability in South Africa registration (NCPDSA).
5.	An EME or QSE or any entity which is at least 51% owned by black youth.	2	10.	ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.

Black people mean Africans, Coloureds and Indians, who - (a) are citizens of the Republic of South Africa by birth or descent; or (b) became citizens of the Republic of South Africa by naturalisation - (i) before 27 April 1994; or (ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date. (BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT No 25899, 2003 of 9 JANUARY 2004).

PHASE 4: ACCEPTABILITY IN RESPECT OF RISK TO EMPLOYER: Applicable

Standard risk management assessment criteria in respect of tenders received for routine projects in the engineering and construction works environments:

Tender offers will be evaluated by an Evaluation Committee based on the technical and commercial risk criteria listed hereunder. Each criterion carries the same weight / importance and will be evaluated individually based on reports presented to the Bid Evaluation Committee by the Professional Team appointed on the project. A tender offer will be declared non-responsive and removed from any further evaluation if any one criterion is found to present an unacceptable risk to the Employer.

An assessment of unacceptable risk on any single criterion will constitute unacceptable risk for the award as a whole, resulting in the tender to be disqualified and removed from further consideration.

In order for the evaluation reports to be prepared by the Professional Team, the Tenderer is obliged to provide comprehensive information on form DPW-09 (EC). Failure to complete the said form will cause the tender to be declared non-responsive and removed from any further consideration. The Employer reserves the right to request additional information over and above

that which is provided by the Tenderer on said form. The information must be provided by the Tenderer within the stipulated time as determined by the Bid Evaluation Committee, failing which the tender offer will *mutatis mutandis* be declared non-responsive.

4.1 Technical risks:

Criterion 1: Experience on comparable projects during the past 10 years.

The tendering Service Provider's experience on comparable projects during the past 10 years. The number of current and previous comparable projects performed by the Tenderer as per the evaluation report prepared by the Consultant Team, based on its research and inspection of a representative sample of the Tenderer's current and previous work as reflected on form DPW-09 (EC), as well as, if necessary, of any additional work executed by the Tenderer, not reflected on form DPW-09 (EC). Failing to provide contactable references will result in the tender offer will be *mutatis mutandis* declared non-responsive.

Aspects to be regarded as "comparable" includes (but may be extended according to circumstances): size of projects (measured against monetary value or other project quantifying parameters), nature of projects (building, engineering, high/low rise, etc.), locality/area of execution (site-specific influences, knowledge of local conditions, etc.), complexity of project, projects for similar client department irrespective of end purpose of buildings/facilities created or in progress of being created and time scales of projects (normal, fast track, etc.) and stage of its/their development.

Criterion 2: Contractual commitment and quality of performance on comparable projects during the past 10 years.

Adherence to contractual commitments and quality of performance of comparable current and previous projects performed by the Tenderer on comparable projects during the past 10 years as per the evaluation report prepared by the Consultant Team, based on its research and inspection of a representative sample of the Tenderer's current and previous work as reflected on form DPW-09 (EC), as well as, if necessary, of any additional work executed by the Tenderer, not reflected on form DPW-09 (EC). Failing to provide contactable references will result in the tender offer be *mutatis mutandis* declared non-responsive.

Aspects to be considered include, but are not limited to the following:

1. The level of progress on current projects in relation to the project programme or, if such is not available/applicable, to the contractual construction period in general;
2. The degree to which previous projects have been completed within the contractual completion periods and/or extensions thereto, and the extend of penalties imposed;
3. Project performance: time management & programming of works, timeous ordering of materials and appointment of subcontractors;
4. Financial management: payment to suppliers and cash flow problems;
5. Quality of workmanship: extent of reworks and timeous attention to remedial works;
6. Personnel resources: suitably qualified and experienced, turnover in site staff and labour force, specifically site manager and foreman;
7. Personnel management: extent of labour disputes and ability to resolving labour disputes amicably;
8. Sub-contractors: extent of turnover in subcontractors, general liaison and payment problems experienced;
9. Contract administration: contractual aspects such as complying to laws and regulations, insurances, security, submission of required documentation timeously, reaction to written contract instructions, appointments of subcontractors, etc. as can generally be expected in standard/normal conditions of contract.
10. Health & Safety: adherence to regulations and compliance, and number of transgressions & serious incidents.
11. Plant & equipment: sufficient resources on site and in time.
12. Delays: extent of causing delays, submission of claims timeously, and abuse of or exaggerated delay claims.

13. Final account: extent to which the contractor assisted in finalising the final account.
14. The listed referees by the bidder duly completing DPWI reference letter, scoring the bidder's performance on similar current and completed construction works (building infrastructure projects) and **indicating if they would recommend** the bidder on future appointments during the bid evaluation stages.

Criterion 3: Suitably qualified and appropriately experienced human resources

Allocation of suitably qualified and appropriately experienced human resources, both in respect of principals and/or other staff (contract manager, site agent, site foreman including other professional, technical and/or administrative) of the tendering Service Provider to the project, as proof that the tendering Service Provider will be able to react/respond appropriately to the Services required herein. The Company Organogram with CV's and certified ID's of all principals and employed workforce as well as proof of Professional Registration will be verified. Current and future workload of the tenderer in relation to capacity and capability will also be considered. The tenderer should demonstrate that he or she possesses the necessary professional and technical qualifications and -competence in relation to the scope of work and work to be undertaken.

Criterion 4: Attendance of compulsory bid clarification meeting, if applicable

If applicable, submission of confirmation of DPW-16.1 (PSB) attendance of compulsory bid clarification meeting or proof of attending the compulsory virtual meeting by a suitably qualified and experienced representative of the tenderer in terms of PA-04 (EC): Notice and Invitation to Tender.

4.2 Commercial risks:

The financial viability assessment evaluates the risk over the life of the construction period, as to whether the tenderer will be able to deliver the goods and services which are specified in the contract and / or be able to fulfil guarantees or warranties provided for in the contract in order to complete the project successfully for the amount tendered.

Aspects to be considered include but are not limited to, the respective rates tendered, bank rating, financial capability and capacity whether the tenderer has or has access to sufficient financial resources to deliver the goods or services described in the tender documentation (including fulfilling any guarantees or warranty claims), whether the tenderer is not subject to any current or impending legal action (either formal proceedings or notification of legal action) which could impact on the financial standing of the tenderer or the delivery of the goods or services, financial report from auditors as proof of current liquidity, and company or any parent company or investor guarantee/s and financial statements.

PHASE 5: OTHER OBJECTIVE CRITERIA: Not applicable

None

ADDITIONAL INFORMATION THAT MAY BE REQUIRED DURING THE TENDER EVALUATION:

Failing to submit further clarification and/or documentation within seven (7) calendar days from request will disqualify the tender offer from further consideration.

Legal Status of Tendering Entity:	Documentation to be submitted with the tender, or which may be required during the bid evaluation:
If the Tendering Entity is:	
1. A close corporation, incorporated prior to 1 May 2011 under the Close Corporations Act, 1984 (Act 69 of 1984, as amended)	Copies of the Founding Statement – CK1
2. A profit company duly registered as a private company. [including a profit company that meets the criteria for a private company,	Copies of: i. Certificate of Incorporation – CM1; ii. Shareholding Certificates of all Shareholders of the company, plus a signed statement of the company's Auditor, certifying each

	<table><tr><td></td><td>whose Memorandum of Incorporation states that the company is a personal liability company in terms of Section 8(2)(c) of the Companies Act, 2008 (Act 71 of 2008, as amended)].</td><td>Shareholder's ownership / shareholding percentage relative to the total; and/or iii. Memorandum of Incorporation in the case of a personal liability company.</td></tr><tr><td>3.</td><td>A profit company duly registered as a private company in which any, or all, shares are held by one or more other close corporation(s) or company(ies) duly registered as profit or non-profit company(ies).</td><td>Copies of documents referred to in a. and/or b. above in respect of all such close corporation(s) and/or company(ies).</td></tr><tr><td>4.</td><td>A profit company duly registered as a public company.</td><td>Copy of Certificate of Incorporation – CM1, and a signed statement of the company's Secretary or Auditor confirming that the company is a public company.</td></tr><tr><td>5.</td><td>A non-profit company, incorporated in terms of Section 10 and Schedule 1 of the Companies Act, 2008 (Act 71 of 2008, as amended).</td><td>Copies of: i the Founding Statement – CK1; and ii the Memorandum of Incorporation setting out the object of the company, indicating the public benefit, cultural or social activity, or communal or group interest.</td></tr><tr><td>6.</td><td>A natural person, sole proprietor or a Partnership</td><td>Copy(ies) of the Identity Document(s) of: 1. such natural person/ sole proprietor, or each of the Partners to the Partnership.</td></tr><tr><td>7.</td><td>A Trust</td><td>Deed of Trust duly indicating names of the Trustee(s) and Beneficiary(ies) as well as the purpose of the Trust and the mandate of the Trustees.</td></tr></table>		whose Memorandum of Incorporation states that the company is a personal liability company in terms of Section 8(2)(c) of the Companies Act, 2008 (Act 71 of 2008, as amended)].	Shareholder's ownership / shareholding percentage relative to the total; and/or iii. Memorandum of Incorporation in the case of a personal liability company.	3.	A profit company duly registered as a private company in which any, or all, shares are held by one or more other close corporation(s) or company(ies) duly registered as profit or non-profit company(ies).	Copies of documents referred to in a. and/or b. above in respect of all such close corporation(s) and/or company(ies).	4.	A profit company duly registered as a public company.	Copy of Certificate of Incorporation – CM1, and a signed statement of the company's Secretary or Auditor confirming that the company is a public company.	5.	A non-profit company, incorporated in terms of Section 10 and Schedule 1 of the Companies Act, 2008 (Act 71 of 2008, as amended).	Copies of: i the Founding Statement – CK1; and ii the Memorandum of Incorporation setting out the object of the company, indicating the public benefit, cultural or social activity, or communal or group interest.	6.	A natural person, sole proprietor or a Partnership	Copy(ies) of the Identity Document(s) of: 1. such natural person/ sole proprietor, or each of the Partners to the Partnership.	7.	A Trust	Deed of Trust duly indicating names of the Trustee(s) and Beneficiary(ies) as well as the purpose of the Trust and the mandate of the Trustees.
	whose Memorandum of Incorporation states that the company is a personal liability company in terms of Section 8(2)(c) of the Companies Act, 2008 (Act 71 of 2008, as amended)].	Shareholder's ownership / shareholding percentage relative to the total; and/or iii. Memorandum of Incorporation in the case of a personal liability company.																	
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	ADDITIONAL RETURNABLE DOCUMENTS THAT MAY BE REQUIRED DURING THE TENDER EVALUATION: <table><tr><td>Fully Priced Bills of Quantities / Lump Sum Document if not required in 2.1.1 (7) above.</td></tr><tr><td>Any <u>additional</u> information required to complete the risk assessment referred to 2.1 and 2.4 above.</td></tr></table>		Fully Priced Bills of Quantities / Lump Sum Document if not required in 2.1.1 (7) above.	Any <u>additional</u> information required to complete the risk assessment referred to 2.1 and 2.4 above.															
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C.2.7	For particulars regarding a pre-tender site inspection meeting, see Notice and Invitation to Tender T1.1																		
C.2.12	<p>If a tenderer wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements. A tenderer may submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. Provided that the tenderer's main tender offer is according to specification and would under normal circumstances be recommended for acceptance, his alternative tender offer may also be considered for the purpose of the award of the contract.</p> <p>Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.</p> <p>Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the tenderer, in the event that the alternative is accepted, to accept full</p>																		

	<p>responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.</p> <p>The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.</p> <p>Alternative tender offer permitted: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
C.2.13.2	The list of Returnable Documents identifies which of the documents a tenderer must complete when submitting a tender offer. The tenderer must submit his tender offer by completing the Returnable Documents, signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the Returnable Documents back to the Department.
C.2.13.5	The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are as per Notice and Invitation to Tender T1.1 .
C.2.13.6 C.3.5	A two-envelope procedure will not be followed.
C.2.15	The closing time for submission of tender offers is as per Notice and Invitation to Tender T1.1 .
C.2.16	The tender offer validity period is as per Notice and Invitation to Tender T1.1 .
C2.16.3	Omit the wording of the last sentence for those projects which are subject to CPAP
C.2.18	<p>The tenderer will be required to submit his fully priced Bills of Quantities / Lump Sum Document (complete document inclusive of all parts):</p> <p><input checked="" type="checkbox"/> Together with his tender;</p> <p>Or</p> <p><input type="checkbox"/> The tenderer shall submit his fully priced and completed sectional summary- and final summary pages with the tender and thereafter submit the fully completed Bills of Quantities within fourteen (14) calendar days of the date requested to do so prior to the award of the contract.</p>
C.2.19	Access shall be provided for inspections, tests and analysis as may be required by the Employer.
C.3.4.1 C.3.4.2	The location for opening of the tender offers, immediately after the closing time thereof shall be at: Ground floor reception, Eben Dönges Building, Corner of Roberts and Hancocks Streets, North End, Gqeberha (Port Elizabeth), 6001.
C.3.8	The words "responsive tender" and "acceptable tender" shall be construed to have the same meaning.
C.3.9.3	<p>Omit the wording and replace with the following:</p> <p>"Notify the tenderer of all errors, omissions and/or rate imbalances that are identified in the tender offer and request the tenderer to, within a stipulated time, accept the total of prices as corrected in accordance with C.3.9.4."</p>
C.3.9.4	<p>Omit the wording of the first sentence and replace with the following:</p> <p>"In cases where tender offers contain errors, omissions and/or rate imbalances, these are to be corrected as follows:"</p>
C.3.9.4	<p>Add sub paragraph c) to C.3.9.4, as follows:</p> <p>"c) If the tenderer does not accept the corrected tender offer, or cannot reach consensus with the Employer on a corrected tender offer, the tender is to be classified as not acceptable/non responsive and removed from further contention."</p>
C.3.11.1	The procedure for the evaluation of responsive tenders is Method 2: Financial Offer and Preference.
C.3.13	Add the following to sub paragraph a), as follows:

	The tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) as a person prohibited from doing business with the public sector;
C.3.17	Provide to the successful tenderer one copy of the signed contract document.

T1.3: SPECIAL CONDITIONS OF BID

SPECIAL CONDITIONS OF BID FOR INFRASTRUCTURE PROCUREMENT

1 INTERPRETATION

- 1.1 The word “Bidder” in these conditions shall mean and include any firm of Contractors, Services Providers or any company or body incorporated or unincorporated or any other legal entities.
- 1.2 The word “Department” in these conditions shall mean the DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE
- 1.3 Any reference to words “Bid” or “bidder” herein and or any other documentation shall be construed to have the meaning as the words “Tender” or Tenderer”.

2 PRECEDENCE

- 2.1. If any other condition (bid rule) in the bid document is in contradiction with the “Special Conditions of Bid” the “Special Conditions of Bid” will take preference.
- 2.2. The “Special Conditions of Bid” can only be amended by an official addendum before the closing date of the bid.

3 GENERAL BID RULES

- 3.1. “Written” or “in writing” means hand-written in non-erasable ink or any form of electronic or digital writing and or a combination thereof.
- 3.2. The digital and or electronic completion and signing of documents is permitted.
- 3.3. A bidder participates in this bid process entirely at its own risk and cost.
- 3.4. The Department may accept or reject any bid offer or may cancel the bid process (or reject all bid offers at any time) prior to award, due to the following:
 - 3.4.1. due to changed circumstances, there is no longer a need for the goods or services specified in the invitation;
 - 3.4.2. funds are no longer available to cover the total envisaged expenditure;
 - 3.4.3. no acceptable tender is received;
 - 3.4.4. there is a material irregularity in the tender process; or
 - 3.4.5. there is material change in the scope of works.
- 3.5. The Department shall not accept or incur any liability for such cancellation or rejection or acceptance, but will give written reasons for such action upon receiving a written request to do so.
- 3.6. Completed bid documents in a sealed envelope, endorsed with the relevant bid number, bid description and the closing, must be deposited in the bid box as indicated in the bid document.
- 3.7. Bidders must ensure that bids submitted via courier services are deposited by the courier service in the Departmental Bid box, prior to the closing date and time. The Department will not accept responsibility for any bids, which are not timeously deposited in the Bid Box.
- 3.8. A Bid will be treated as a late bid, if it is not received in the bid box. The Department will not accept responsibility for any late depositing of bids or for the non-depositing of bids in the bid box, which are as a result from an act committed or omitted by an official. This is not limited to the following cases:
 - 3.8.1. A Bidder handed over its bid to a departmental official or to the security services personnel timeously, but they omits to deposit the bid in the bid box on or before the closing date and time.
 - 3.8.2. If a courier service delivers the bid to a departmental official or to the security services personnel timeously and it is not deposited in the bid box timeously.



- 3.8.3. The bid documents were sent through mail / Post Office and it is not timely collected and or timely deposited in the Departmental Bid Box.
- 3.9. Bids received after the closing date and time will not be accepted for consideration and where practical, be returned unopened to the Bidder(s).
- 3.10. Bidders who are not registered on the CSD, must register on the CSD within 7 working days, if requested to do so. No award letters or purchase orders or contracts will be signed, with a bidder not registered on the CSD.
- 3.11. The Department will download the following documents, to verify the information submitted by bidders:
- 3.11.1. CSD registration certificate (if the bidder is registered in the CSD)
 - 3.11.2. CIPC registration
 - 3.11.3. CIDB registration
- 3.12. Bidders are not allowed to recruit or shall not attempt to recruit an employee of the Department for purposes of preparation of the bid or for the duration of the execution of this contract or any part thereof.

4 AMBIGUITIES/ CONTRADICTIONS / OMISSIONS

- 4.1. If a bidder becomes aware of any ambiguities or contradictions or omissions in the bid document or the specifications, drawings or descriptions or functionality or quality, or any part of the bid document, this should be clarified with the Department, at least five (5) working days before the closing time stated in the tender data.
- 4.2. If the Department found, after the closing date of the bid, that there is an ambiguity/ contradiction or omission in the bid document, the Department reserves the right to:
- 4.2.1. If the ambiguity or contradiction or omission in the bid document is of an administrative nature, request bidders to correct any non-compliances caused by the ambiguity or contradiction or omission or
 - 4.2.2. If the ambiguity or contradiction or omission is immaterial, proceed to finalise the procurement process and notify the delegated authority in the submission of the ambiguity or contradiction or omission for the consideration of the approving authority or
 - 4.2.3. Cancel the bid and process

5 PERIOD OF VALIDITY FOR BIDS AFTER CLOSING DATE

- 5.1 All Bids must remain valid from the closing date for a period as stipulated in the bid document.
- 5.2 The Department reserves the right to request for the validity extensions of bids, should it be deemed necessary. The following conditions will apply when the Department request for a validity extension of a bid:
- 5.2.1 The request for a validity extension will be done while the validity period of the bids are still valid.
 - 5.2.2 Bidders have the right to refuse the extension of the validity period of their bids.
 - 5.2.3 If a request for validity extensions are sent to bidders while the validity period of the bids are still valid, non-replying to the request for validity extension before the expiry date will be deemed a tacit agreement to the extension of the validity period. The Department will communicate with the affected bidders to confirm such tacit agreement.
 - 5.2.4 Should the bidder not agree with the tacit agreement, the bidder shall be deemed to be non-responsive and not considered for further evaluation.
 - 5.2.5 If a bidder(s) refused a validity extension, it will be deemed that the bidder(s) had withdrawn their bids from the bidding process. The Department reserves

the right to continue with its bid evaluation and adjudication of the remaining bids and finalise the process.

6 BRAND NAMES

6.1 Wherever a brand name is specified in this bid document (i.e. in the specifications, pricing schedule or bill of quantities or anywhere in this document), the department's requirement is not limited to the specified brand name, but requires an item similar/equivalent or better than specified.

7 CONTRACTUAL PRICE ADJUSTMENTS

7.1 The Bid will not be subjected to any price escalation, unless specified otherwise in the bid documents.

8 AUTHORITY TO SIGN BID DOCUMENTS

- 8.1 No authority to sign (PA 15.1: Resolution of Board of Directors) is required from an enterprise which has only one director or is a sole ownership.
- 8.2 In the case of a bid being submitted on behalf of a company, close corporation or partnership, evidence should be submitted with the bid at the closing time, that the Bid has been signed by a person properly authorised by resolution of the directors or under the articles of the entity. For that purpose, forms PA-15.1-15.3 (Resolution of Board of Directors) are included in the bid document for completion by the relevant Board(s) of Directors
- 8.3 The department further accepts that, in the absence of a PA 15.1: Resolution of Board of Directors, any director or any member of the enterprise may have the authority to bind the enterprise. Therefore the following will apply when only one director or one member of the enterprise signed the bid documents:
 - 8.3.1 The signature of any one of the directors or any one of the members of the enterprise will bind the enterprise and all the directors/ members of the enterprise. This condition will therefore render the bid valid; and
 - 8.3.2 The Department will verify the authority to sign (if deemed necessary) and where possible, may request proof of such authority of the relevant director or relevant member to act on behalf of the enterprise in the form of a "Resolution of the Board of Directors", if such " (PA 15.1: Resolution of Board of Directors)," was not submitted with the bid or was not completed or was incorrectly completed,
- 8.4 In the case of a sub-contractor agreement, a joint venture or consortia, the signing of the sub-contractor agreement, or Joint Venture or Consortia agreement by any director or member of each of the parties to the agreement, will render the sub-contractor agreement or Joint Venture or Consortia agreement valid. Therefore:
 - 8.4.1 The Department reserves the right to request from each party to the sub-contractor agreement or Joint Venture or Consortia" agreement, proof of such authority of the relevant director or relevant member to act on behalf of the enterprise(s), in the form of a "Resolution of the Board of Directors", if it was not submitted with the bid or was not completed or was incorrectly completed,
- 8.5 In the event that a non-member or non-director to the enterprise(s) sign the bid documents and or sign a joint venture or consortia agreement, an "Authority to sign" issued by a director of the enterprise(s) or by the Board of Directors of the enterprise(s) must be submitted with the bid at the closing date. Failure to comply with this requirement at the closing date of the bid, will invalidate the bid submitted.

9 CONTRACT PERIOD

9.1 The contract period is stipulated in the Contract Data or the specifications.



9.2 The construction period for Infrastructure works, will commence from the date of site handover.

10 NEGOTIATION WITH THE IDENTIFIED PREFERRED BIDDER

10.1 The Bid will be awarded to the bidder who scores the highest PPPFA number of points:

10.1.1 However, should an offer not be market related, the Department reserves the right to negotiate with bidders a reasonable market price /offer?

11 AWARD OF CONTRACTS TO TENDERERS NOT SCORING HIGHEST POINTS

11.1 The Department reserves the right to award the bid to a tenderer not scoring the highest points, after having applied an objective criteria or a risk assessment criteria, if such (i.e. the objective criteria/ risk assessment) is specified in the bid document.

12 TAX COMPLIANCE

- 12.1 No tender shall be awarded to a bidder who is non tax -compliant.
- 12.2 All bidders' tax matters must be in order prior to award.
- 12.3 Bidders' tax matters will be verified through CSD.
- 12.4 If the recommended bidder's tax status is non-compliant, the recommended bidder must submit written proof from SARS of their tax compliant status or submit written proof that they have made an arrangement with SARS to meet their outstanding tax obligations.
- 12.5 The recommended bidder will be given a maximum of seven (7) working days to correct their tax compliance status.
- 12.6 Failure to comply within seven (7) working days, from the date of the request, the Department will reject the bid submitted by the bidder.

13 REGISTRATION AS A VAT-VENDOR

- 13.1 Non-VAT vendors do not have to include VAT in their bid prices.
- 13.2 Non-VAT vendors who submit bids for contracts that would, if successful, take their annual turnover above the threshold of R1 million, must include VAT in the prices quoted and must therefore immediately upon award of the contract, register with the South African Revenue Service (SARS) as VAT vendors.
- 13.3 The award of contract would be conditional (for Non-VAT vendors who included VAT in their prices) conditional pending the successful bidder submitting proof of registration as VAT vendor with SARS within 21 days of award.
- 13.4 Failure to comply within 21 days after being notified to do so will lead to the automatic withdrawal of the "provisional letter of award" and elimination of the bidder's offer.
- 13.5 VAT vendors must include VAT in their bid prices and failure to comply will lead to an automatic elimination of the bidder's offer.
- 13.6 In all other instances, where bidders have excluded VAT from the prices quoted, if the bidder is successful, the letter of award will clearly state that the price at which the contract is awarded is exclusive of VAT and that VAT will not be added on at any stage after the contract has been signed.
- 13.7 If a Non-VAT vendor/ bidder is contracted with the Department with a price which is Excluded Vat, and it becomes a VAT vendor after award or alternatively becomes a VAT vendor due to a cumulative number of awards, the bidder will have to absorb the adverse financial implications of not including VAT in their price quoted. VAT cannot be claimed from the Department for any payments already made or from any future payments.



14 CERTIFICATION OF DOCUMENTS

- 14.1 Where so required in the bid documents, bidders are required to submit copies, which are certified as a "true copy of the original".
- 14.2 If a bidder submitted an uncertified copy of an original document, or an original copy which is not correctly certified, the bidder will be afforded an opportunity to correct such non-compliance within a minimum period of 48 hour.
- 14.3 All bidders' whose copies complies with the minimum requirements above, will be "deemed in order" and will be subjected for consideration in further evaluation processes, even if the Department did not request any corrections.
- 14.4 No submissions of new or alternative documents or certified copies of new or alternative documents will be allowed after the bid closing date.
- 14.5 The Department will not accept a copy of a previously certified document and will not provide any bidder an opportunity to correct such a non-compliance.

15 REQUIREMENTS FOR A VALID BBBEE CERTIFICATES AND SWORN AFFIDAVITS

- 15.1 A valid B-BBEE Certificate is a B-BBEE Certificate which has not expired at the closing date of the bid.
- 15.2 A "Sworn Affidavit" must comply with the following minimum requirements at the closing date, to be considered valid. If the submitted "Sworn Affidavit" does not comply with the minimum requirements below, the bidder will not be given an opportunity to correct it:
 - 15.2.1 The "Sworn Affidavit" must not be expired at the closing date.
 - 15.2.2 The BBBEE Level Contributor must be indicated (ticked)
 - 15.2.3 The "Sworn Affidavit" must be signed and dated by the bidder (Deponent).
 - 15.2.4 The "Sworn Affidavit" submitted must be signed and stamped by the "Commissioner of Oath".
 - 15.2.5 The "latest financial year-end" field must not be left blank.
 - 15.2.5.1 The latest "financial year-end date" cannot be a future date.
 - 15.2.5.2 If only the year is indicated (it is not in the format: day/month/year), the Department will validate the financial year-end (day/month) from CIPC or deal with any clarity seeking matter/ confirmation as an administrative matter.
- 15.3 In respect of "Sworn Affidavits" of the Construction sector, Property Sector, the field (block) where the bidder must confirm its financial information (i.e. Net Assets or Annual Turnover) must be completed (ticked) and must not be left blank or not ticked.
- 15.4 The Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.
- 15.5 The Department will seek the following clarity matters in respect of the Sworn Affidavits (should it be deemed necessary) and upon request, the bidder will be given a minimum of five (5) working days to respond to the Department:
 - 15.5.1 If the bidder did not select/circle/ticked "Member/ Director/ Owner" where so required. The Department will communicate with such affected the bidder in writing.
 - 15.5.2 If a bidder did not select/ circle/ ticked the required field "Financial Statements/ Management Accounts/ Audited Financial Statements" where so required. The Department will communicate with such affected the bidder in writing.



- 15.5.3 If only the year is indicated (it is not in the format: day/month/year), the Department will validate the financial year-end (day/month) on CIPC or against any other submitted document or will seek clarity / confirmation from the bidder and deal with it as an administrative matter.
- 15.5.4 If the financial year-end indicated in the sworn affidavit is not at the end of the month or it is not the correct month when validated on CIPC or against any other submitted documents, the Department will enquire from the affected bidder to indicate its correct latest financial year end in the format (day/month/year) and:
 - 15.5.4.1 If the “day” indicated on the submitted affidavit is wrong, but the month and year is correct, the bidder’s affidavit will be “deemed valid” and it will be evaluated.
 - 15.5.4.2 If the “month” indicated on the submitted affidavit is wrong, the bidder’s affidavit will be will be considered invalid.
- 15.6 The Department will deal with all other matters, which is not listed under the minimum requirements as reflected above, as administrative matters, should it be deemed necessary.
- 15.7 For all sectors (example the construction sector, the property Sector and or any sector), a “Sworn Affidavit” issued in terms of the relevant sector must be used. All the minimum requirements applicable to “valid sworn affidavits” as per this “Special Conditions of Bid” will apply.

16 AWARDING OF POINTS FOR SPECIFIC GOALS (PA-16)

- 16.1 In accordance with the PPPFA regulations 2022, bidders will not be eliminated if they do not submit a BBEE – certificate or a “valid sworn affidavits”. The bidder will not be scored for points, but will be evaluated further.
- 16.2 For a bidder to be awarded points for specific goals as per the bid, the bidder must submit proof as specified in the bid document with the bid at the closing date and time.
- 16.3 The requirements of a valid BBEE-Certificate and or “Sworn Affidavit” as specified in the Special Conditions of Tender applies.
- 16.4 Parties in an unincorporated joint venture must submit its own consolidated B-BBEE certificate, which has not expired at the closing date of the bid.
- 16.5 If a bidder submit with the bid at the closing date the required proof for specific goals, as specified in the bid document, but the proof is not certified or is certified incorrectly, the bidder will be given a minimum of 48 hours to submit a copy which is correctly certified. The copy maybe certified after the closing date of the bid. The copies maybe certified after the closing date of the bid.
- 16.6 Non-submission of the PA-16 form or non-completion the PA-16 form or an incomplete PA-16 form, is not an elimination criteria.
- 16.7 If a bidder submit at the closing date of the bid a valid proof as specified in the bid document, but the bidder’s PA 16 is not signed or dated or witnessed or it is not properly completed, or its not completed or submitted or did not claim points, the bidder will be given a minimum of 48 hours to submit or correctly complete its PA 16.
- 16.8 All bidders’ whose submitted proof as specified in the bid document and it complies with the minimum requirements above, will be “deemed in order” and will be subjected



for consideration in further evaluation, even if the Department did not request any corrections/ certifications.

16.9 No submissions of alternative proof for specific goals as specified in the bid document will be allowed after the bid closing date.

16.10 Bidders who failed to submit the required proof for points for specific goals, will not be scored for the relevant specific goal(s), but their offers will still be evaluated further.

17 BIDDER'S DISCLOSURE/ BIDDER'S DECLARATION (PA - 11)

17.1 The Department will afford a bidder an opportunity to correct its PA-11 form, if the bidder omitted to sign or to complete or to properly complete this form.

17.2 A bidder's offer may be eliminated if the bidder's declaration is proven false during the bid evaluation process.

18 CORRECTION OF ERRORS

18.1 Only the authorised signatory to the tender should initial corrections in the tender document.

18.2 All corrections must be in non-erasable ink and the use of correcting fluid (tippex) is prohibited.

18.3 In the event that a correction is not initialled or the correction is initialled by a person not having the prescribed authority, the Department will:

18.3.1 Seek the necessary clarification from the tenderer and;

18.3.2 If accepting the response from the tenderer, evaluate the bid further and or;

18.3.3 Allow the tenderer to correct/ ratify any noncompliance, where necessary.

19 CONDITIONS WITHDRAWN FROM THE GENERAL CONDITIONS OF CONTRACT

19.1 N/A

20 INCOMPLETE SECTIONS OR SCHEDULES IN BID DOCUMENTS

20.1 Bidders who omitted or incorrectly completed a section(s) or a schedule(s) in the bid document, but have submitted with the bid the required/ specified proof or supportive documents for that particular sections of the document, may be allowed to correct such non-compliance.

21 POINTS FOR SPECIFIC GOALS

21.1 To qualify for points for Specific goals, as specified in the "Invitation to Bid" and the "PA-16", bidders must comply with the requirements at the closing date of the bid.

21.2 It is the bidder's responsibility to ensure that it submit the correct evidence at the closing date of the bid, for the validation of the points the bidder is claiming.

21.3 Bidder's will not be given an opportunity to submit evidence after closing date, if the evidence is not submitted or if incorrect evidence was submitted.

22 THE OTHER ADDITIONAL INFORMATION WHICH MAY BE REQUIRED FOR EVALUATION

CRITERIA	SPECIAL CONDITIONS OF BID
a) A close corporation, incorporated prior to 1 May 2011 under the Close Corporations Act, 1984 (Act 69 of 1984, as amended)	Copies of the Founding Statement - CK1
b) A profit company duly registered as a private company. [including a profit company that meets the criteria for a private company, whose Memorandum of Incorporation states that the company is a personal liability company in terms of Section 8(2)(c) of the Companies Act, 2008 (Act 71 of 2008, as amended)].	Copies of: i. Certificate of Incorporation - CM1; ii. Shareholding Certificates of all Shareholders of the company, plus a signed statement of the company's Auditor, certifying each Shareholder's ownership / shareholding percentage relative to the total; and/or iii. Memorandum of Incorporation in the case of a personal liability company.
c) A profit company duly registered as a private company in which any, or all, shares are held by one or more other close corporation(s) or company(ies) duly registered as profit or non-profit company(ies).	Copies of documents referred to in a. and/or b. above in respect of all such close corporation(s) and/or company(ies).
d) A profit company duly registered as a public company.	Copy of Certificate of Incorporation - CM1, and a signed statement of the company's Secretary or Auditor confirming that the company is a public company.
e) A non-profit company, incorporated in terms of Section 10 and Schedule 1 of the Companies Act, 2008 (Act 71 of 2008, as amended).	Copies of: i. The Founding Statement - CK1; and ii. The Memorandum of Incorporation setting out the object of the company, indicating the public benefit, cultural or social activity, or communal or group interest.
f) A natural person, sole proprietor or a Partnership	Copy(ies) of the Identity Document(s) of: i. such natural person/ sole proprietor, or each of the Partners to the Partnership.
g) A Trust	Deed of Trust duly indicating names of the Trustee(s) and Beneficiary (ies) as well as the purpose of the Trust and the mandate of the Trustees.

23 DISCLAIMER

23.1 It is impractical and cumbersome for the Department to communicate with all qualifying bidders to correct/ ratify all eligible matters as articulated in this "Special Conditions of Bid". The Department therefore reserves the right and discretion, during its evaluation and other administrative processes to:

23.1.1 Limit its correspondences for corrections/ ratifications/ clarities to potential higher point scoring bidders only and to

23.1.2 Further evaluate any potential qualifying lower scoring bidder(s) as "deemed responsive" or giving points, etc., without requesting the corrections/ ratifications of a matter which is eligible as per the "Special Conditions of Bid".

– End Special Conditions of Bid –
(Version: Approved 18 July 2025)

T1.4: SWORN AFFIDAVIT



**B-BBEE EXEMPTED AFFIDAVIT FOR EXEMPTED MICRO ENTERPRISES
(ISSUED IN TERMS OF THE AMENDED CONSTRUCTION SECTOR CODE)**

(Gazette Vol. 630 No. 41287)

Issued in terms of paragraph 3.6.2.4.1 (B)

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

- 1) The contents of this statement are to the best of my knowledge a true reflection of the facts.
2) I am a Member ☐ / Director ☐ / Owner ☐ (**Select one**) of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:			
Trading Name (If Applicable):			
Registration Number:			
Enterprise Physical Address:			
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):			
Nature of Construction Business:	BEP (Built Environment Professional)	Contractor	Supplier
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – who are citizens of the Republic of South Africa by birth or descent; or who became citizens of the Republic of South Africa by naturalization before 27 April 1994; or after 27 April 1994 and who would have been entitled to acquire		
Definition of "Black Designated Groups"	"Black Designated Groups" means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas;		

3) I hereby declare under Oath that as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,

- ☐ The Enterprise is _____ % Black Owned
☐ The Enterprise is _____ % Black Female Owned
☐ The Enterprise is _____ % Owned by Black Designated Group (provide Black Designated Group Breakdown below as per the definition in the table above)
- | | |
|--|---------|
| o Black Youth % | _____ % |
| o Black Disabled % | _____ % |
| o Black Unemployed % | _____ % |
| o Black People living in Rural areas % | _____ % |
| o Black Military Veterans % | _____ % |



Select applicable

4) Based on the Financial Statements ☐ / Management Accounts and other information available ☐ on the latest financial year-end of ____/____/____, (format: day/month/year) the annual Total Revenue was less than the applicable amount confirmed by ticking the applicable box below.

BEP R1.8 million

Contractor R3.0 million

Supplier R3.0 million

If the turnover exceeds the applicable amount in the table above then this affidavit is no longer applicable and an EME certificate must be obtained from a rating agency accredited by SANAS or when applicable a B-BBEE Verification Professional Regulator appointed by the Minister of Trade and Industry.

☐ Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box below.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
At least 30% Black Owned	Level Four (100% B-BBEE procurement recognition level)	
Less than 30% Black Owned	Level Five (80% B-BBEE procurement recognition level)	

5) I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.

6) The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature _____ Date: _____

Commissioner of Oaths
Signature & stamp

Bidder

Stamp Commissioner of Oath