



APPOINTMENT OF A PANEL OF CONTRACTORS FOR ROUTINE ROAD MAINTENANCE AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS

ADDENDUM NO 1

Enquiries : L. SEHLAKO/ F NTULI
 T. KOMANE /S NKOS I
Our ref. : THLM/SCM 01/2022-23/RS01
Your ref. :
File ref. : ADDENDUM NO.1
Date : 16 SEPTEMBER 2022

ATTENTION: ALL TENDERERS

TENDER DESCRIPTION:

ADDENDUM NO. 1

The addendum forms an integral part of the contract documents and must be duly considered in the submission of the tender. The undersigned copy of the addendum must be submitted with the tender document failure it will invalidate the tender.

1. Change is on T1.2 ;F2

FORM EVALUATION SCHEDULE: TENDER COMPLIANCE

Tender Compliance by the Contracting Firm

It must be noted that a total of **50 points** must be obtained by the Contracting Firm in relation to the requirements as mentioned on the table below failure which a tender shall be automatically eliminated any further evaluation.

Note 01: Delegation of Authority

In case of a Company, a delegation of Authority signed by the Consulting Firm's Board of Directors nominating a Team Leader as a delegated and authorized Signatory must be

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Delegation of Authority (Note 01)	Delegation of Authority for Signatory signed by Senior Directors and/or Shareholders nominating representative on the project	Yes	5	
Completing tender document (Note 02)	Must initial every page in the tender document, signing and fill the tender document in full	Yes	5	
Company registration (Note 03)	Proof of Company Registration with Company Intellectual Property Registration Office (CIPRO) and proof of shareholding	Yes	5	
Tax Pin Verification (Note 04)	Proof of Tax Registration and Compliance with South African Revenue Service (SARS)	Yes	5	
COIDA Certificate (Note 05)	COIDA Certificate issued by the Compensation Commissioner must be attached	Yes	5	
Municipal Account (Note 06)	A statement of the municipal account which does not owe municipal services for more than 90 days must be attached	Yes	5	
Audited Financial	Proof of audited financial statements with audit report	Yes	5	

Statements (Note 07)	must be attached			
CSD Report (Note 08)	A copy of CSD summary report of the company which is not older than one (01) month must be attached	Yes	5	
CIDB Grading (Note 9)	A copy of confirmation of CIDB grading of Contractor grading designation equal to 4CEPE / 5CE and higher of construction work which is not older than one (01) month must be attached	Yes	5	
Compulsory attendance of tender briefing session (Note 10)	Must be represented at the compulsory tender briefing/Site inspection	Yes	5	
Total 50 points				

Note 01: Delegation of Authority

In case of a Company, a delegation of Authority signed by the Consulting Firm's Board of Directors nominating a Team Leader as a delegated and authorized Signatory must be attached. In case of a Closed Corporation, a delegation of Authority signed by the Contracting Firm's majority Shareholders nominating a Team Leader as a delegated and authorized Signatory must be attached. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 02: Completing tender document

As stipulated in the tender rules or in addition thereto, a tender document shall be completed in full with all the provided spaces signed, every page initialled accordingly and required documentation attached. Failure, which shall warrant an automatic elimination of tender from any further evaluation.

Note 03: Company registration

Proof of company registration in the form of a copy from Company Intellectual Property Registration Office (CIPRO) shall be attached including a copy of a certificate for proof of shareholding. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 04: Tax Verification PIN

A copy of tax registration and compliance (Tax Pin) with relevant tax legislation in the form of a valid verification pin certificate shall be attached. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 05: COIDA

A letter of good standing with the Compensation Commissioner issued by the Department of Labour must be attached and must be valid at the time of closing of tenders. Failure to attach the document shall warrant an automatic elimination of tender from any further evaluation.

Note 06: Municipal Account

Attach an original or a copy of a municipal utility account not owing more than three (03) months of any of the registered Director(s) or the company. Attach a copy of the lease agreement along with the utility account of the Landlord, whereby the company is leasing the property it is operating from. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 07. Audited Financial Statements

Attach proof of three (03) years audited financial statement with proof of an audit report. Failure to attach the financial statements and audit report shall warrant an automatic elimination of tender from any further evaluation

Note 08: CSD Report

Attach a copy of the CSD summary report of the company which is not older than one (01) month. Failure to attach the summary report shall warrant an automatic elimination of tender from any further evaluation.

Note 09: CIDB Grading

A copy of confirmation of CIDB grading of contractor grading designation equal to 4CEPE / 5CE and higher of construction works which is not older than one (01) month must be attached. Failure to attach the information shall warrant an automatic elimination of tender from any further evaluation.

Note 10: Compulsory attendance at tender briefing

It is compulsory for bidders or representatives to sign the attendance register for attending a compulsory tender briefing. Attendance of the tender briefing session must be by the tenderer him/herself or a person in the direct employ of the bidding company. Failure to adhere accordingly shall warrant an automatic elimination of tender from any further evaluation.

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.

2. CHANGE FORM H

FORM H: PREFERENCE SCHEDULE (MBD 6.1)
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MBD 6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

1.1 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 000 000.00 (all applicable taxes Included).

1.2

- a) The value of this bid is estimated to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

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

- 1.5 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.
- 1.6 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.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“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;
- (c) **“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;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“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;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business 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;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor. =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 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.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	NO
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- v) 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 last 51% owned by:	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		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

.....

Registered Account Number:

.....

Stand Number:.....

8.8 Total number of years the company/firm has been in business:.....

8.9 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 paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 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;
- iv) 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 –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) 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;
 - (d) 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 the 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
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

3. Change Form I MBD 6.2 (Annexure C –E)

FORM I DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

Change project description to appointment of a panel of contractors for routine road maintenance as and when required for a period of 36 months

3. Change Form R: Schedule of Infrastructure and Resources

Change project description to appointment of a panel of contractors for routine road maintenance as and when required for a period of 36 months

4.C 3.1 , C3.1.1 Scope of Works

C3.1.1 Employer’s objectives

The objective of the Employer’s objective is to appoint a panel of contractors to routinely maintain existing roads within Thembisile Hani Local Municipality as and when required

Person Authorized to sign Tender:

FULL NAME:

.....

SIGNATURE:

DATE:

Name of Tenderer: _____

Authorised Signature: _____

Date: _____