
 <small>DEVELOPMENT BANK OF SOUTHERN AFRICA</small> <i>Building Africa's Prosperity</i>	<p align="center">VOLUME 1 OF 3</p> <p align="center">TENDERING PROCEDURES</p>	<p align="center">TENDER NO. RFP159-162/2023</p> <p align="center">APPOINTMENT OF SUPPLIERS TO DELIVER VARIOUS MATERIAL AND OTHER ITEMS REQUIRED ON AN AS-AND-WHEN REQUIRED BASIS FOR THE CONSTRUCTION OF THE TZANEEN DAM</p>
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PART A		INVITATION TO BID				SBD1
YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED						
BID NUMBER:	RFP159-162/2023	CLOSING DATE:	31/08/2023	CLOSING TIME:	23h55	
DESCRIPTION:	APPOINTMENT OF SUPPLIERS TO DELIVER VARIOUS MATERIAL AND OTHER ITEMS REQUIRED ON AN AS-AND-WHEN REQUIRED BASIS FOR THE CONSTRUCTION OF THE TZANEEN DAM					
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).						
BID RESPONSE DOCUMENTS MAY BE SUBMITTED AT:						
Tender Box folder for RFP via Microsoft One Drive (Refer to T1.1)						
FOR ATTENTION: Noma Rakoma, PROCUREMENT & TENDER OFFICER						
SUPPLIER INFORMATION						
NAME OF BIDDER:						
POSTAL ADDRESS:						
STREET ADDRESS:						
TELEPHONE NUMBER:	CODE:		NUMBER:			
CELLPHONE NUMBER:						
FACSIMILE NUMBER:	CODE:		NUMBER:			
E-MAIL ADDRESS:						
VAT REGISTRATION NUMBER:						
	TCS PIN:		AND/OR	CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?						
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)				
A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)				
A REGISTERED AUDITOR	<input type="checkbox"/>	A REGISTERED AUDITOR				
NAME:						
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]						

 DBSA <small>DEVELOPMENT BANK OF SOUTHERN AFRICA</small> <i>Building Africa's Prosperity</i>	<p align="center">VOLUME 1 OF 3</p> <p align="center">TENDERING PROCEDURES</p>	<p>TENDER NO. RFP159-162/2023</p> <p>APPOINTMENT OF SUPPLIERS TO DELIVER VARIOUS MATERIAL AND OTHER ITEMS REQUIRED ON AN AS-AND-WHEN REQUIRED BASIS FOR THE CONSTRUCTION OF THE TZANEEN DAM</p>
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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>[IF YES ENCLOSE PROOF]</i>	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>[IF YES ANSWER PART B:3 BELOW]</i>
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY:	DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED		
CONTACT PERSON:	Refer to T1.1	CONTACT PERSON:	Refer to T1.1
TELEPHONE NUMBER:		TELEPHONE NUMBER:	Refer to T1.1
FACSIMILE NUMBER:		FACSIMILE NUMBER:	Refer to T1.1
E-MAIL ADDRESS:		E-MAIL ADDRESS:	Refer to T1.1



The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption.
Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33
Email : dbsa@whistleblowing.co.za
Free Post : Free Post KZN 665 | Musgrave | 4062
SMS : 33490

PART B	TERMS AND CONDITIONS FOR BIDDING	SBD1
1. BID SUBMISSION:		
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT MICROSOFT ONE DRIVE FOLDER AS PER LINK PROVIDED . LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.		
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE		
1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.		
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.		
1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022 (PPR2022), THE NEC3 SUPPLY CONTRACT (SC) APRIL 2013 REVISION AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.		
2. TAX COMPLIANCE REQUIREMENTS		
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.		
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.		
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.		
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.		
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.		
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.		
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.		

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

VOLUME 1 OF 3

THE TENDER

TENDER NO. RFP159-162/2023

DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED

Client: DEPARTMENT OF WATER AND SANITATION

Implementing Agent: Development Bank of Southern Africa Limited 1258 Lever Road Midrand Johannesburg Gauteng 1685 Contact: As per T1.1	Project Manager: Mr. Cobus Nienaber – Senior Construction Project Manager 1258 Lever Road Midrand Johannesburg Gauteng 1685 Contact: As per T1.1
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T1.2	Tender Data	9	<input checked="" type="checkbox"/>

VOLUME 2 OF 3

SECTION	PART T2: RETURNABLE DOCUMENTS	PAGE	TICK IF APPLICABLE
T2.1.1	Tender Brief Attendance	3	<input checked="" type="checkbox"/>
T2.1.2	Certificate of Authority for Signatory	4	<input checked="" type="checkbox"/>
T2.1.3	Joint Venture Consortium / Disclosure Form	8	<input checked="" type="checkbox"/>
T2.1.4	Record of Addenda to Tender document	17	<input checked="" type="checkbox"/>
T2.1.5	Declaration of Default and Termination	18	<input checked="" type="checkbox"/>
T2.1.6	Bidder's Disclosure (SBD4)	20	<input checked="" type="checkbox"/>
T2.1.7	Service Provider Code of Conduct	23	<input checked="" type="checkbox"/>
T2.1.8	RFP Declaration Form	26	<input checked="" type="checkbox"/>
T2.1.9	Enterprise Questionnaire	28	<input checked="" type="checkbox"/>
T2.1.10	Certificate of Acquaintance with Tender Document	31	<input checked="" type="checkbox"/>
T2.1.11	Proof of Registration with CSD & CIDB	33	<input checked="" type="checkbox"/>
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T2.1.17	Subcontracting Schedule	39	<input type="checkbox"/>
T2.1.18	SBD6.1: Broad Based Black Empowerment Status Level Certificate	44	<input checked="" type="checkbox"/>
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SECTION	THE CONTRACT	PAGE	TICK IF APPLICABLE
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C2	Pricing Data	28	<input checked="" type="checkbox"/>
C3	Purchasers Good Information	33	<input checked="" type="checkbox"/>
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 <small>DEVELOPMENT BANK OF SOUTHERN AFRICA</small> <i>Building Africa's Prosperity</i>	<p style="text-align: center;">VOLUME 1 OF 3</p> <p style="text-align: center;">TENDERING PROCEDURES</p>	<p>TENDER NO. RFP159-162/2023</p> <p>APPOINTMENT OF SUPPLIERS TO DELIVER VARIOUS MATERIAL AND OTHER ITEMS REQUIRED ON AN AS-AND-WHEN REQUIRED BASIS FOR THE CONSTRUCTION OF THE TZANEEN DAM</p>
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T1.1 TENDER NOTICE AND INVITATION TO TENDER

The Development Bank of Southern Africa Limited (DBSA) invites tenders for **RFP159-162/2023 : APPOINTMENT OF SUPPLIERS TO DELIVER VARIOUS MATERIAL AND OTHER ITEMS REQUIRED ON AN AS-AND-WHEN REQUIRED BASIS FOR THE CONSTRUCTION OF THE TZANEEN DAM**

The Tender Document and Supporting Documents are as published and to be sourced as detailed in the applicable media.

TENDER REQUIREMENTS		
SPECIALISTION	Minimum CIDB GRADING required:	N/A or higher
	Professional Service:	N/A

LOCAL CONTENT	Applicable to Bid?
Tenderers are required to submit a <u>fully populated and signed</u> SBD6.2 (Declaration Certificate for Local Content) as per T2.1.19 of Volume 2 of the Tender Document as a condition not this tender.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<p><u>Note:</u> Tenderers are to ensure that they have a <u>fully completed and signed</u> Annexures C fully aligned and costed with the data and Designated Sectors stipulated in SBD6.2. readily available, which will form part of the conditional appointment letter and subsequent contract if successful.</p> <p>Annexure C <u>must contain</u> every product as listed in the Designated Sectors stipulated in Tender Volume 2, T2.1.19 – SBD6.2 Local Production and Content.</p>	

CIDB B.U.I.L.D Programme	Applicable to Bid?
Reference to the application of the CIDB's B.U.I.L.D Programme , in relation to the fact that this tender is estimated that tenderers must have a CIDB contractor grading designation of 7 GB or higher	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
The CIDB Standard for Developing Skills through Infrastructure Contracts Gazette Notice No 36760 is applicable on the project in question and will apply.	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
The CIDB Standard for Indirect Targeting for Enterprise Development through Construction works Contracts Gazette Notice No 36190 of 25 February 2013 is applicable on the project in question and will apply.	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

KEY ACTIVITIES AND DATES

TENDER BRIEF	Date:	15/08/2023
	Time:	11h00
	Method:	Online (MS Teams) <input checked="" type="checkbox"/> Physical <input type="checkbox"/>
	Location:	<p>Microsoft Teams (Online)</p> <p>Online Link:</p> <p>Microsoft Teams meeting</p> <p>Join on your computer, mobile app or room device</p> <p>Click here to join the meeting</p> <p>Meeting ID: 382 112 835 640</p> <p>Passcode: CFongV</p> <p>Download Teams Join on the web</p>

Instructions for TENDER BRIEF:


A. If ONLINE:

- i. Access published link (Microsoft Teams).
 - Ensure platform if accessible, through prior testing.
- ii. Stipulate *Company Name, Email, Contact Number and Attendee Name* in chat box, as proof of attendance.
- iii. The DBSA will initiate presentation and tender discussion.
- iv. Some briefs may not allow bidders to ask verbal questions, due to quantity of attendees
 - Irrespective of this, bidders are required to issue any questions in writing, only to the stipulated email address under T1.1 Tender Notice and Invitation to Tender.

B. If PHYSICAL:

- i. Access physical location as stipulated under T1.1 Tender Notice and Invitation to Tender.
- ii. Attendees will be required to populate and sign the Tender Brief Attendance Register, as proof of attendance.
- iii. The DBSA will initiate presentation and tender discussion.
- iv. Some briefs may not allow bidders to ask verbal questions, due to quantity of attendees
 - Irrespective of this, bidders are required to issue any questions in writing, only to the stipulated email address under T1.1 Tender Notice and Invitation to Tender.

BIDDER QUERIES	May only be addressed to the Procurement & Tender Officer:	Noma Rakoma NomaScm@dbsa.org
	The cut-off date for tender queries is:	23/ 08/ 2023 at 12h00
	<p>Bidders to submit written questions / clarifications.</p> <ul style="list-style-type: none"> • Each bidder is encouraged to submit one (01) consolidated questions/ clarifications email. • No questions will be entertained post the stipulated date. 	
RESPONSE TO QUERIES	Date for query response:	25/ 08/ 2023 at 16h30
	<p>DBSA to respond to written questions/ clarifications posed by bidders not prior to this date.</p> <ul style="list-style-type: none"> • Such consolidated response will be issued via email to all invitees (or attendees where a compulsory brief is applicable) 	

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<p>ADDENDA NOTIFICATIONS</p>	<p><u>OPEN TENDER</u></p> <ul style="list-style-type: none"> Optional Tender Brief: <ul style="list-style-type: none"> The DBSA will publish addenda via the DBSA tender website. Mandatory Tender Brief: <ul style="list-style-type: none"> The DBSA will only issue addenda directly to the email address of the brief attendee.
	<p><u>CLOSED TENDER</u></p> <ul style="list-style-type: none"> Optional Tender Brief: <ul style="list-style-type: none"> The DBSA will publish addenda via the DBSA tender website. Mandatory Tender Brief: <ul style="list-style-type: none"> The DBSA will only issue addenda directly to the email address of the brief attendee.
	<p>It is the bidders responsibility to ensure all addenda are taken into consideration prior to tender closure.</p>

TENDER SUBMISSION REQUEST	Bidders to <u>request</u> Tender Submission Link by latest this date:		30/ 08/ 2023 at 16h30
	<ul style="list-style-type: none">Request may <u>only</u> be issued to the email address as stipulated under T1.1 Tender Notice and Invitation to Tender.Any requests post this date will not be accepted, since this date is the required advertisement lead time.		
TENDER CLOSE & SUBMISSION	Date:	31/ 08/ 2023	
	Time:	23h55	
	Method:	Online (MS OneDrive) <input checked="" type="checkbox"/> Physical <input type="checkbox"/>	
	Location:	Microsoft OneDrive Link as issued for specific RFP	
	Tenders may only be submitted on the tender documentation that has been issued. Telegraphic, telephonic, telex, facsimile and late tenders will <u>not</u> be accepted. Tenderers should ensure that Bids are delivered timeously and to the correct address (reflected on the cover of this document). If the bid is late, or not submitted in the designated tender link, it will not be considered for evaluation.		
<u>Instructions for TENDER SUBMISSION:</u>			
<ul style="list-style-type: none">i. All bidders are required to request a Tender submission Link before the deadline stipulated under T1.1 Tender Notice and Invitation to Tender (KEY DATES AND ACTIVITIES).<ul style="list-style-type: none">o Only bidders who requested a Tender submission Link as per above, will receive the link to submit a bid.ii. Bidders are required to click on the Tender Submission Link to initiate submission.iii. Bidders are required to ensure the documents as correctly named as prescribed.iv. Bidders are to ensure the documents being loaded are correct and accurate – once they are loaded, they cannot be accessed again, edited or deleted.v. Only Files can be loaded, not folders.vi. As such, Folders with all its required content should be created on the Bidders PC, then be converted to either a Compressed or Zipped Folder.vii. This will allow Bidders to easily load the whole Compressed/Zipped Folder as a file format to the Tender Submission Link.viii. Once documents have been loaded, the Bidder will receive a confirmation email of the upload, which should be kept as proof.ix. Bidders are requested to not create and submit excessively large files, but rather to break it up into its stipulated components.			

- x. Uploading of submission must be in the structure and order as prescribed in this tender and **MUST BE LABELLED CORRECTLY.**

T.1.2 TENDER DATA

The Conditions of Tender applicable to this contract are the Standard Conditions of Tender as contained in Annexure C of the CIDB Standard for Uniformity in Construction Procurement (August 2019) as published in Government Gazette No. 42622, Department of Public Works Notice 423 & SANS 10845. (See www.cidb.org.za), to which tenderers are referred to for their information purposes in relation to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this Tender. Data shall have preference in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of Tender Data given below is cross-referenced to the relevant clause in the Standard Conditions of Tender to which it mainly applies.

All references to the terms: "Tender" and "Tenders" and/or "Tenderer" and "Tenderers" in these documents and the Conditions of Tender shall have the same meaning as each other and shall be of equal force.

The following variations, amendments and additions to the Standard Conditions of Tender as set out in the Tender Data below shall apply to this tender:

Clause number	Tender Data
C.1.1	The employer for this Contract is Development Bank of Southern Africa Limited.
C.1.2	<p>The Tender Documents issued by the Employer comprise the following documents:</p> <p>THE TENDER</p> <p>Part T1: Tendering procedures (Volume 1 of 3) T1.1 - Tender notice and invitation to tender T1.2 - Tender data</p> <p>Part T2: Returnables documents (Volume 2 of 3) T2.1 - List of returnable documents T2.2 - Returnable schedules</p> <p>THE CONTRACT (Volume 3 of 3)</p> <p>Part C1: Agreements and Contract data C1.1 - Form of offer and acceptance C1.2 - Contract data C1.3 - Performance Guarantee</p> <p>Part C2: Pricing data C2.1 - Pricing instructions C2.2 - Pricing Schedules C2.3 - Amendments, Qualifications and Alternatives by Tenderer</p> <p>Part C3: Scope of work C3.1 - Project Specifications C3.2 - Particular Specifications C3.3 - Drawings</p>

Part C4: Site information

C4.1 - Site information

Below CIDB B.U.I.L.D applicable to this process: YES ☐ NO ☒

This tender applies both the (a) Skills Development Standard and the (b) Indirect Targeting Standard. Although there are no returnable documents, tenderers are sensitised that the proforma documents as listed below, shall be completed by the successful contractor after award of the contract within the stipulated period. (The proforma documents are provided in the tender data for information purposes only).

- Form A 1 List of Recognised Skills Development Agencies, Form A 2 Baseline Training Plan, Form A 3 Project Interim Report, Form A 4 Supervisor Agreement, Form A 5 Project Completion Report.
- Project Interim Report, Project Completion Report and Declaration.

C.1.4

The Employer is:

Name: Development Bank of Southern Africa Limited

Address: 1258 Lever Road, Headway Hill, Midrand, Gauteng, 1685

Tel: (011) 313 3911

Attention is drawn to the fact that verbal information given by the Employer or any other person prior to the close of tenders will not be regarded as binding on the Employer. Only information issued formally by the employer in writing to tenderers will be regarded as amending the tender documents.

C.1.5

The employer reserves the right to reject award to the highest scoring tenderer (as calculated according to Clause C.3.11 should the offer pose a commercial and/ or delivery risk to the successful completion of the project and the Employer, or in line with PPR 2022 and Other Objective Criteria as detailed.

C.1.6

The competitive negotiation procedure **shall not be** applied.

C.1.7

A two-stage system **will not be** applied.

C.2.1

~~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:~~

- ~~a) 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) and 25(7A) of the Construction Industry Development Board Regulations, for a **7GB** class or higher of construction work; and~~
- ~~b) submit an offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with the employer~~
- ~~c) the tenderer is registered on the National Treasury Central Supplier Data Base (<https://secure.csd.gov.za>)~~
- ~~d) the tenderer accepts that documents that have correction fluid on them will be deemed non-responsive and the documents must remain intact~~
- ~~e) tenderers adhere to the pre-qualification criteria stated in the tender document, if any.~~
- ~~f) 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 and who satisfy the following criteria:

 - ~~i) the employer is satisfied that such a contractor has the potential to develop and qualify to be registered in that higher grade as determined in accordance with the provisions of the *CIDB Specification for Social and Economic Deliverables in Construction Works Contracts*; and~~
 - ~~ii) the employer agrees to provide the financial, management or other support that is considered appropriate to enable the contractor to successfully execute that contract.~~~~

Joint ventures are eligible to submit tenders provided that:

- ~~1) the entity is registered as a JV, on the approved DBSA panel invited from, if not advertised in the open market;~~
- ~~2) every member of the joint venture is registered with the CIDB in the General Building (GB) class of work;~~
- ~~3) the lead partner has a contractor grading designation in the **7GB** class or higher of construction work; and~~

	<p>4) 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 7GB class or higher of construction work or a value determined in accordance with Regulation 25 (1B) and 25(7A) of the Construction Industry Development Regulations</p> <p>5) The members / parties have signed a joint venture agreement</p> <p>6) A consolidated B-BBEE verification certificate in the name of the joint venture must be submitted in order to qualify for the preference points</p>																						
C.2.7	<p>The arrangements for a Tender Brief is as stated in the Tender Notice and Invitation to Tender T1.1</p> <p>Tenderers must sign the attendance register in the name of the tendering entity/ indicate attendance via online platform by communicating full details of attendee. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list.</p>																						
C.2.8	Request clarification in line with the dates stipulated under T1.1 .																						
C.10.3	Rates and prices are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data																						
C.2.12	Alternative tender offers, Deviations or Qualified tenders will not be considered.																						
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, the details of which may be obtained from the Employer.</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 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 in confirming the acceptability of the detailed design.</p>																						
C.2.13.1	Where the tendering entity is a joint venture, it is recommended that the standard CIDB Joint Venture Agreement document be used.																						
C.2.13.3	<p>Parts of each tender offer communicated on paper shall be submitted in the <u>following specific format only:</u></p> <ol style="list-style-type: none"> Your RFP submission must be filled in the exact order as stipulated in the below table. All forms must be properly completed and signed as required and the document shall not be taken apart or altered in any way whatsoever. All forms must be duly completed and signed as required. <table border="1"> <thead> <tr> <th>Section</th><th>Description Contents & Order for RFP Submission</th></tr> </thead> <tbody> <tr> <td>1.</td><td><u>Submission Folder Structure</u></td></tr> <tr> <td>1.1</td><td>Complete Volume 1 – file clearly named</td></tr> <tr> <td>1.2</td><td>Complete Volume 2 – file clearly named</td></tr> <tr> <td>1.3</td><td>Complete Volume 3 – file clearly named</td></tr> <tr> <td>1.4</td><td>B-BBEE Certificate – file clearly named</td></tr> <tr> <td>1.5</td><td>Supporting Evidence for Volume 2 with Index – file clearly named</td></tr> <tr> <td>1.5.1</td><td>Document order to be exactly as per Table of Contents in Volume 2 – accurate Content List required.</td></tr> <tr> <td>1.5.2</td><td>Tenderer may not scan submission in order other than specified in Volume 2.</td></tr> <tr> <td>1.5.3</td><td>All other supporting documents for evaluation criteria to be included here as well.</td></tr> <tr> <td>1.6</td><td>Price Schedule – file clearly named</td></tr> </tbody> </table>	Section	Description Contents & Order for RFP Submission	1.	<u>Submission Folder Structure</u>	1.1	Complete Volume 1 – file clearly named	1.2	Complete Volume 2 – file clearly named	1.3	Complete Volume 3 – file clearly named	1.4	B-BBEE Certificate – file clearly named	1.5	Supporting Evidence for Volume 2 with Index – file clearly named	1.5.1	Document order to be exactly as per Table of Contents in Volume 2 – accurate Content List required.	1.5.2	Tenderer may not scan submission in order other than specified in Volume 2.	1.5.3	All other supporting documents for evaluation criteria to be included here as well.	1.6	Price Schedule – file clearly named
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	NB: FAILURE TO SUBMIT IN THE FORMAT/ ORDER REQUIRED MAY RENDER THE BID INVALID.
C.2.13.4	The tender shall be signed by a person duly authorized to do so. Tenders submitted by joint ventures of two or more firms shall be accompanied by the document of formation of the joint venture, authenticated by a notary public or other official deputed to witness sworn statements, in which is defined precisely the conditions under which the joint venture will function, its period of duration, the persons authorized to represent and obligate it, the participation of the several firms forming the joint venture, and any other information necessary to permit a full appraisal of its functioning.
C.2.13.5	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 Folder: Refer to T1.1 Physical address: Refer to T1.1 Identification details: Tenderers full name
C.2.13.6	A two-envelope system is not required. (Envelope 1 must contain Volumes 1 & 2 of 3) / (Envelope 2 must contain Volume 3 of 3 only). Non-adherence to this will disqualify the submission.
C.2.13.9	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
C.2.14	By signing the offer part of C1.1 Form of Offer and Acceptance the tenderer declares that all information provided in the tender submission is true and correct.
C.2.15	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
C.2.16	The tender offer validity period is 90 day from the closing time for submission of Tenders.
C.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.
C.2.19	Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.
C.2.20	The tenderer is required to submit with his tender a letter of intent from an approved insurer or financial institution undertaking to provide the Performance Bond to the format included in Part T2.2 of this procurement document.
C.2.23	The tenderer is required to submit with his tender: a) All documents as requested in the tender data and evaluation stages. b) All documents as stipulated in tender Volume 2.
C.3.1.1	The Employer will respond to requests for clarification received as stipulated under T1.1 .
C.3.4	Tenders will not be opened in public. Tenders will be opened immediately after the closing time (23:55hrs Telkom Time) for receipt of tenders as stated in the Tender Notice and Invitation to Tender, or as stated in any Addendum extending the closing date.
C.3.11	The procedure for the evaluation of responsive tenders is as per below selected Method .

Evaluation will be as per stages modified to comply with the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2022.

☒ **CIDB Method 1**

3 Stage Evaluation:

Stage 1: Responsiveness
Stage 2: Financial Offer & Preference
Stage 3: Risk Analysis & Other Objective Criteria

☐ **CIDB Method 2**

4 Stage Evaluation:

Stage 1: Responsiveness
Stage 2: Functionality
Stage 3: Financial Offer & Preference
Stage 4: Risk Analysis & Other Objective Criteria

☐ Other (list applicable stages)

N/A

Stage 1 : Responsiveness Evaluation

The Tenderer should be able to provide all the relevant information required in the Supplier Information Form (SIF) which will include but not limited criteria selected in below table.

A. Tenderers who do not adhering to those criteria listed as **PRE-QUALIFIER, will be **disqualified immediately**;**

Responsiveness Criteria		Prequalifying Criteria
1	Attendance of Compulsory Online (Microsoft Teams) Tender Briefing.	Pre-Qualifier
2	<p>Tenderer must have successfully completed in the last 10 years, a minimum of two (2) supply & delivery of <u>construction commodity contracts</u>, each of the value greater than R5 million..</p> <p>The tenderer must submit the following documents for each completed project</p> <ul style="list-style-type: none"> Letter of Appointment/ Purchase Order on the client's letterhead (for appointment letter), showing the appointment date and value; and Letter on client letterhead confirming completion of successful contract/ delivery, or similar. 	Pre-Qualifier
3	A bank rating letter of Grade C or above (Lead JV Partner's bank letter will be used).	Pre-Qualifier
4	Full compliance with Specifications and Delivery Timelines as stipulated in Tender Volume 3.	Pre-Qualifier

B. Tenderers who do not adhere to the response time indicated for clarification inquiries by the Employer will be deemed non-responsive and not be evaluated further.

Responsiveness Criteria		Clarification Time
5	Adherence to the Standard Conditions of Tender as required.	48 hours

6	Returnable Documents completed and signed	48 hours
7	Submission of Registration with National Treasury Central Supplier Database (CSD) Summary Report: - Bidder must be registered in order to do business with the DBSA.	48 hours
8	A Tax Pin issued by SARS.	48 hours
9	Recent 2 Years (3 Years view) Audited Financial Statements or Financial Statements signed off by an Accountant.	48 hours
10	BBBEE Certificate/ Affidavit. (Consortiums, Joint Venture Companies and Partnership must submit a consolidated BBBEE Certificate) Bidder will score 0 points for preference if not responded to.	48 hours

Stage N/A : Functional Evaluation

N/A

Stage 2 : Financial Offer and Preference Evaluation

With reference to the PPR 2022, the evaluation shall be based on the Principle and the points for evaluation criteria as follows:

Tick applicable Threshold: ☒ ☒

Evaluation Criteria		Points	RFP#	Points	RFP#
1.	Price	80	160-162/2023	90	159/2023
2.	Specific Goals (namely, BBBEE status level of contributor)	20		10	
3.	Total	100		100	

Below option selected: YES ☐ NO ☒

(Where it is unclear which preference point system will be applicable, either the 80/20 or 90/10 preference point system will apply, and the lowest acceptable tender will be used to determine the applicable preference point system).

Stage 3 : Objective Criteria & Risk Analysis

- a) Firstly, in addition to the financial offer and preference evaluation, the Tenderers having the highest ranking / number of points, will additionally be reviewed against the following points listed as “**Other Objective Criteria**” in terms of the PPR2022, in order to ascertain suitability for award – we reserve the right to clarify any aspects listed hereunder where applicable.
- If having passed Responsiveness, the tenderer will again be checked in terms of having a Compliant Tax Status at time of recommendation to confirm that the status has not changed, based on an active and Tax Complaint Pin issued by the South African Revenue Services.
 - Fully compliant and registered with the National Treasury Central Supplier Database.
 - No misrepresentation in the tender information submitted.
 - 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; and
 - 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.
 - Convicted by a court of law for fraud and corruption
 - Removed from a contract between them and any organ of state on account of failure to perform on or comply with the contract.
 - Financial health of the bidder may be assessed if deemed necessary, to ensure that the service provider will be able to operate as per required deliverables (Ratios: Accounts Receivable & Payable Turnover,

	<p>Liquidity & Solvency).</p> <p>ix. Unduly high or unduly low Tendered rates in the Tender offer. In this regard, a financial risk analysis will be performed to verify that the costs are reasonable and balanced. Tenders may be disqualified if tendered rates are found to be distorted. The market average of received bid prices excluding Outliers, as well as the DBSA QS estimate will be used as a guide to indicate financial risk.</p> <p>x. In terms of unduly high Tendered amounts in the Tender offer, refer to the PPR2022.</p> <p>xi. PEP Check and Procure Check to be initiated and if negative, may result in exclusion.</p> <p>xii. A check against any other requirement as stipulated in the Additional Conditions of Tender.</p> <p>xiii. Use of adherence to the stipulated requirement of Local Content Declaration as Objective Criteria.</p> <p>b) Secondly, a further risk analysis may be performed on the Tenderers having the highest ranking / number of points to ascertain if any of the following, as relevant, presents an unacceptable commercial risk to the employer in terms of:</p> <p>i. The contents of project specific tender returnable will be assessed where relevant i.e. project specific resources, professional indemnity insurance other insurance required, professional registration, approach and methodology which are to be included in the contract.</p>
C.3.11.1	The financial offer may be reduced to a comparative basis using the Tender Assessment Schedule.
C.3.17	<p>The number of paper copies of the signed contract to be provided by the employer is one (1).</p> <hr/> <p><u>Below Subcontracting Clause applicable to this processAp:</u> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p>1. Application of Subcontracting as an Objective Criteria:</p> <p><u>Additional information to subcontracting requirement:</u></p> <p>i. It is the responsibility of the tenderer to select competent subcontractors that meet all the requirements of the tender. The fact that the DBSA/Employer may make a list of potential subcontractors available as registered on the National Treasury CSD or on a DBSA Client database does not result in any liability of the DBSA/Employer or a warranty that the listed suppliers are competent.</p> <p>ii. Subcontractors may not be allocated work which contradicts any regulations, regulatory body and/or compliance requirements relevant to the work being sub-contracted for i.e., requirements by CIDB Regulations, accreditations, and registrations to professional / regulatory institutions in the case of professional services etc.</p> <p>iii. The lead tenderer will be responsible for all due diligence on the selected subconsultants and will be held liable for any non-performance.</p> <p>iv. <i>A person awarded a contract <u>may not subcontract more than 25% of the value of the contract to any other enterprise, that does not have an equal or higher B-BBEE status level of contributor than the person concerned.</u></i></p> <ul style="list-style-type: none"> • <i>"<u>Unless</u> the contract is subcontracted to an <u>EME</u> that has the capability and ability to execute the subcontract".</i> • Or the tenderer <u>may not be awarded points for B-BBEE status level of contribution.</u> <p>v. The Tenderer, if successful in this bid offer, will be provided a specific time stipulated in the Conditional Appointment Letter from communication of the Conditional Appointment Letter, to provide the Signed/</p>

Proposed Subcontracting Agreement(s) and Supporting Documents, in line with the information detailed in this Returnable. Failure to adhere to this will result in the immediate retraction of the Conditional Appointment Letter, without an option to rectify.

- vi. The successful tenderer is to provide the following documentation for each of the relevant subconsultants, as a minimum, in support of the Signed/ Proposed Subcontracting Agreement(s) when appointed – Conditional Appointment Letter:

Supporting Documents to Subcontracting Agreement/s
Certified Copy of valid B-BBEE Certificate/ Affidavit.
Copy of valid/ active CIDB registration in the case of construction work.
Copy of valid/ active registration to application regulatory institutions (where stipulated) in the case of professional services work.
A valid and active Tax Compliance Status Pin issued by SARS.
Submission of National Treasury Central Supplier Database (CSD) Summary Report.

Note: It is incumbent and expected that the Tenderer will apply the same due care and diligence in selecting and managing its sub-consultants / joint venture partner as would have been the case in their own appointment.

The Additional Conditions of Tender are:

- i. The tenderer is required to cover all cost items and failure to do so, will result in a non-compliant offer.
- ii. The Price offer must be inclusive of all other costs such as delivery, offloading, placing etc (refer to Vol3) over the full contract period.
- iii. All commodities are to be priced on a fixed cost basis for the contract period.
- iv. The DBSA reserves the right to negotiate to ensure the value for money principle is not compromised.
- v. The DBSA reserves the right to award the scope in full or part thereof, subject to budget availability.
- vi. In the event of a partial award, the DBSA reserves the right for items excluded from the award, to be retendered in a new tender process.
- vii. The values stipulated in the tender is not a guaranteed minimum or maximum quantity per commodity.
- viii. The DBSA reserves the right to utilise less or more quantity per commodity.
- ix. The DBSA reserves the right to utilise the next ranked tenderer to supply the commodities as per RFP, in the situation of the awarded tenderer not being able to meet contractual requirements.

Utilisation Requirements:

- i. The supplier will be appointed on a set value/ quantity per commodity.
- ii. The commodity rate is fixed for the duration of the contract, whereas the commodity quantity is purely a guide to scale.
- iii. The values stipulated in the tender is not a guaranteed minimum or maximum quantity per commodity.
- iv. The DBSA reserves the right to utilise less or more quantity per commodity
- v. The supplier will be required to supply and deliver commodities on an as-and-when basis, with differing quantities over the contracted period.
- vi. The supplier will receive Purchase Orders on an as-ad-when basis, based on the required commodity.
- vii. The supplier must deliver in accordance with the agreed Terms, Specifications and Delivery Timelines.
- viii. By submitting an offer, the tenderer acknowledges and agrees to source the minimum percentage as stipulated per RFP, from Local Suppliers (Limpopo), to be implemented as a Condition of Contract.
- ix. The DBSA reserves the right to utilise the next ranked tenderer to supply the commodities as per RFP, in the situation of the awarded tenderer not being able to meet contractual requirements.

The following circumstances may deem a bid invalid if not addressed:

	<p>a) If the tender offer is not submitted on the Form of Offer and Acceptance bound into this tender document (form C1.1, Part C1: Agreements and Contract Data);</p> <p>b) If the tender is not completed in non-erasable ink;</p> <p>c) If the Form of Offer and Acceptance has not been signed, or priced;</p> <p>d) If the Form of Offer and Acceptance is signed, but the name of the tenderer is not stated or is indecipherable.</p>
	<p>Negotiations with preferred tenderers</p> <p>The Employer may negotiate the final terms of a contract with tenderers identified through the competitive tendering process as preferred tenderers, provided that such negotiation:</p> <p>a) does not allow any preferred tenderer a second or unfair opportunity;</p> <p>b) is not to the detriment of any other tenderer; and</p> <p>c) Does not lead to a higher price than the tender as submitted.</p> <p>Minutes of any such negotiations shall be kept for record purposes.</p>

The following documents are relevant to this Tender and Tenderers are advised to obtain their own copies thereof:

#	Document	Tick if Applicable
1.1	NEC3 SUPPLY CONTRACT (SC) 2013 including amendments and Z-clauses	<input checked="" type="checkbox"/>
2	Standardized Specifications for Civil Engineering Construction SANS 1200	<input checked="" type="checkbox"/>
3	Code of Practice for the application of the National Building Regulations" SABS 0400-1990	<input checked="" type="checkbox"/>
4	The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, Edition 23(latest edition) including the Code of Practice: Managing exposure to SARS-CoV-2 in the workplace.	<input checked="" type="checkbox"/>
5	Safety, Health, Environmental and Quality Policy for Construction and Maintenance Programmes	<input checked="" type="checkbox"/>
6	The conditions of tender are the Standard Conditions of Tender as contained in Annexure C of the CIDB Standard for Uniformity in Construction Procurement in Board Notice 423 of 2019 as published in Government Gazette No.42622 of 8 August 2019 (See www.cidb.org.za),, which contains references to the Tender Data for details that apply specifically to the Tender.	<input checked="" type="checkbox"/>
7	In addition, Tenderers are advised, in their own interest, to obtain their own copies of the following acts, regulations and standards referred to in this document as they are essential for the Tenderer to get acquainted with the basics of construction management, the implementation of preferential construction procurement policies and participation of targeted enterprise and labour.	<input checked="" type="checkbox"/>
7.1	The Construction Industry Development Board Act No 38 of 2000 and the Regulations in terms of the CIDB Act 38/2000, Government Gazette Notice No 42622 of 10 August 2019	<input checked="" type="checkbox"/>
7.2	SANS 1921:2004 Construction and Management:	<input checked="" type="checkbox"/>
7.2.1	Part 1 : General Engineering and Construction Works;	<input checked="" type="checkbox"/>
7.2.2	Part 2 : Accommodation of Traffic on Public Roads occupied by the Contractor;	<input checked="" type="checkbox"/>
7.2.3	Part 3 : Structural Steelwork;	<input checked="" type="checkbox"/>
7.2.4	Part 5 : Earthworks Activities which are to be performed by hand.	<input checked="" type="checkbox"/>
7.3	Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and its Regulations as published in the Government Gazette No. 40553 of 2022	<input checked="" type="checkbox"/>
7.4	cidb Standard for Skills Development	<input type="checkbox"/>
7.5	cidb Standard for Indirect Targeting for Enterprise Development	<input type="checkbox"/>
7.6	CIDB Competence Standard for Contractors Gazette No. 41237, 10 November 2017 under 7.1	<input type="checkbox"/>