



**EASTERN CAPE PROVINCE**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

**FOR**

**THE APPOINTMENT OF A CONTRACTOR(TURNKEY) TO PROVIDE ADDITIONAL CLASSROOM AT LUTATENI  
SSS, EASTERN CAPE**

**8GB or Higher**

**EMIS NO: 200500479**

**DISTRICT: ALFRED NZO WEST**

**SCMU6-24/25-0008**

**Consisting of: Three Volumes**

**BIDDER: .....**

**CRS NO: .....**

**CSD REG. NO:.....**

Compiled for:

**SUPPLY CHAIN MANAGEMENT**

Eastern Cape Department of Education  
Steve Tshwete Complex, Zone 6

**ZWELITSHA**

5608

Website: <https://eceducation.gov.za/>

Compiled by:

**EASTERN CAPE DEPARTMENT OF  
EDUCATION INFRASTRUCTURE DELIVERY**

Eastern Cape Department of Education  
Steve Tshwete Complex, Zone 6

**ZWELITSHA**

5608

Website: <https://eceducation.gov.za/>

**APRIL 2024**

**PNO: 9013646**

**VOLUME 1 OF 3**



Province of the  
**EASTERN CAPE**  
EDUCATION

NEC 3 ECC Option A  
TENDERING PROCEDURES

THE APPOINTMENT OF A CONTRACTOR(TURNKEY) TO  
PROVIDE ADDITIONAL CLASSROOM AT LUTATENI SSS,  
EASTERN CAPE

PART A		INVITATION TO BID		SBD1	
<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF EASTERN CAPE DEPARTMENT OF EDUCATION</b>					
BID NUMBER:	SCMU6-24/25-0008	CLOSING DATE:	27 May 2024	CLOSING TIME:	11H00am
DESCRIPTION:	<b>THE APPOINTMENT OF A CONTRACTOR(TURNKEY) TO PROVIDE ADDITIONAL CLASSROOM AT LUTATENI SSS, EASTERN CAPE</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE SUBMITTED AT:					
FOR ATTENTION: <b>PAKAMILE NXOZANA, PROCUREMENT CONTACT OFFICIAL (DoE)</b>					
<b>SUPPLIER INFORMATION</b>					
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) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					



**NEC 3 ECC Option A  
TENDERING PROCEDURES**

**THE APPOINTMENT OF A CONTRACTOR(TURNKEY) TO PROVIDE ADDITIONAL CLASSROOM AT LUTATENI SSS, EASTERN CAPE**

<p>ARE YOU THE ACCREDITED REPRESENTATIVE <b>IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <i>[[IF YES ENCLOSE PROOF]]</i></p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <i>[[IF YES ANSWER PART B:3 BELOW]]</i></p>
<p>SIGNATURE OF BIDDER</p>	<p>.....</p>		<p>DATE</p>
<p><b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b> (<i>Attach proof of authority to sign this bid; e.g. resolution of directors, etc.</i>)</p>			
<p><b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b></p>		<p><b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b></p>	
<p>DEPARTMENT/ PUBLIC ENTITY:</p>	<p><b>EASTERN CAPE PROVINCE DEPARTMENT OF EDUCATION</b></p>		
<p>CONTACT PERSON:</p>	<p>As per Tender Notice</p>	<p>CONTACT PERSON:</p>	
<p>TELEPHONE NUMBER:</p>		<p>TELEPHONE NUMBER:</p>	
<p>FACSIMILE NUMBER:</p>		<p>FACSIMILE NUMBER:</p>	
<p>E-MAIL ADDRESS:</p>		<p>E-MAIL ADDRESS:</p>	

**PART B**

**TERMS AND CONDITONS FOR BIDDING  
SBD1**

**1. BID SUBMISSION:**

1.1. BIDS MAY ONLY BE SUBMITTED ON THE BID DOCUMENTATION THAT IS ISSUED. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

**1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED**

**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 **NEC 3 ENGINEERING AND CONSTRUCTION CONTRACTS I.E. OPTION A: PRICED CONTRACT WITH ACTIVITY SCHDULE OF APRIL 2013 (INCLUDING AMENDMENTS) AND NEC3 TERM SERVICES AGREEMENT (MAINTENANCE)** 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)?  YES  NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?  YES  NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  YES  NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?  YES  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. SCMU6-24/25-0008**

## **EASTERN CAPE PROVINCE DEPARTMENT OF EDUCATION**

**Client: DEPARTMENT OF EDUCATION**

<p><b>Compiled for:</b></p> <p><b>SUPPLY CHAIN MANAGEMENT</b> Eastern Cape Department of Education Steve Tshwete Complex, Zone 6 ZWELITSHA 5608</p> <p>Website: <a href="https://eceducation.gov.za/">https://eceducation.gov.za/</a></p>	<p><b>Compiled by:</b></p> <p><b>DEPARTMENT OF EDUCATION (DoE)</b> <b>INFRASTRUCTURE DELIVERY</b> Eastern Cape Department of Education Steve Tshwete Complex, Zone 6 ZWELITSHA 5608</p> <p>Website: <a href="https://eceducation.gov.za/">https://eceducation.gov.za/</a></p>
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Province of the  
**EASTERN CAPE**  
EDUCATION

**VOLUME 1 OF 3**  
**NEC 3 ECC Option A**  
**TENDERING PROCEDURES**

**TENDER NO. SCMU6-24/25-0008**

**THE APPOINTMENT OF A CONTRACTOR(TURNKEY) TO  
PROVIDE ADDITIONAL CLASSROOM AT LUTATENI SSS,  
EASTERN CAPE**

**THE TENDER**

<b>T1</b>	<b>:</b>	<b>TENDERING PROCEDURES</b>
<b>T1.1</b>	<b>:</b>	<b>TENDER NOTICE AND INVITATION TO TENDER</b>
<b>T1.2</b>	<b>:</b>	<b>TENDER DATA</b>



**PART T1: TENDERING PROCEDURES**

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**T1.1 TENDER NOTICE AND INVITATION TO TENDER**

EASTERN CAPE PROVINCE OF EDUCATION) invites tenders for **SCMU6-24/25-0008 : THE APPOINTMENT OF A CONTRACTOR(TURNKEY) TO PROVIDE ADDITIONAL CLASSROOM AT LUTATENI SSS, EASTERN CAPE**

The Tender Document and Supporting Documents are attached on the tender invitation. DOE will email addendums and responses to any queries related to this tender via the DOE Procurement contact person below and only written correspondence will be accepted.

**Queries may only be addressed to:**

**Procurement Contact Official**

Pakamile.nxozana@ecdoe.gov.za

The cut-off date for written tender enquiries is **five (5) working days** before tender closing date.

Document will be available on the 29<sup>th</sup> April 2024 at 08h00. Bid documents with the necessary Terms of Reference may be downloaded at the Eastern Cape Department of Education website: [www.eceducation.gov.za](http://www.eceducation.gov.za)

MIN. CIDB GRADING REQUIRED	COMPULSORY SITE TENDER BRIEFING	
8 GB or Higher	Lutateni SSS, Cofimvaba, Eastern Cape	03 May 2024 at 10h00

The closing time for receipt of tenders is **11h00 (Telkom time) on 27 May 2024** at **Department of Education, Steve Tshwete Complex, Zone 6, Zwelitsha** at the designated **Tender Box for SCMU6-24/25-0008**.

Tenders may only be submitted on the tender documentation that has been issued. Telegraphic, telephonic, telex, facsimile and late tenders will **not** 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 box, it will not be considered for evaluation.

**Instructions for TENDER BRIEF:**

- Tenderers to ensure on convene at **Lutateni SSS at 10h00** on site. (Tenderers must sign the **compulsory site briefing register**) (Please note the roll-call will be done to confirm attendance on the register)

**Instructions for TENDER SUBMISSION:**

- Bids must be submitted in a sealed envelope clearly marked with “Tender description and Tender Number” and must be deposited in the Tender Box on or before 11h00 am on the date of Tender Closing.
- Bidders to ensure the documents being submitted are correct and accurate

**KEY DATES AND ACTIVITIES**

No	Description	Date/Time
1.	Advertisement	29 April 2024
2.	There will be a Compulsory Site Briefing Session	03 May 2024 at 11h00
3.	Bidders to submit written questions/ clarifications. <ul style="list-style-type: none"> <li>• Each bidder is encouraged to submit <b>one (01) consolidated</b> questions/ clarifications <b>email</b>.</li> <li>• <b>No</b> questions will be entertained post the stipulated date.</li> </ul>	15 May 2024 @ 16:00
4.	DoE to respond to written questions/ clarifications posed by bidders not prior to this date. <ul style="list-style-type: none"> <li>• Such response will be issued via email to all invited tenderers.</li> <li>• Bidders are required to stay updated with such communications for any additional communications / addenda being issued.</li> </ul>	18 May 2024 @ 16:00
5.	<b>Tenders Closing Date and Time</b>	<b>27 May 2024 at 11h00</b>

**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 <b>Eastern Cape Department of Education.</b>
C.1.2	<p>The Tender Documents issued by the Employer comprise the following documents:</p> <p><b>THE TENDER</b></p> <p><b>Part T1: Tendering procedures</b> <span style="float: right;"><b>(Volume 1 of 3)</b></span>  T1.1 - Tender notice and invitation to tender  T1.2 - Tender data</p> <p><b>Part T2: Returnables documents</b> <span style="float: right;"><b>(Volume 2 of 3)</b></span>  T2.1 - List of returnable documents  T2.2 - Returnable schedules</p> <p><b>THE CONTRACT</b> <span style="float: right;"><b>(Volume 3 of 3)</b></span></p> <p><b>Part C1: Agreements and Contract data</b>  C1.1 - Form of offer and acceptance  C1.2 - Contract data  C1.3 - Performance Guarantee</p> <p><b>Part C2: Pricing data</b>  C2.1 - Pricing instructions  C2.2 - Activity Schedule (Detailed by Contractor)  C2.3 - Amendments, Qualifications and Alternatives by Tenderer <i>(Where applicable)</i></p> <p><b>Part C3: Scope of work</b>  C3.1 - Project Specifications  C3.2 - Particular Specifications  C3.3 - Drawings</p> <p><b>Part C4: Site information</b>  C4.1 - Site information</p>

C.1.4	<p>The Employer is:</p> <p><b>Name:</b> Department of Education Infrastructure Delivery <b>Address:</b> Steve Tshwete Complex, Zone 6, ZWELITSHA, 5608</p> <p><b>Tel:</b> (040) 608 4707</p> <p><b>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.</b></p>
C.1.5	<p>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 Other Objective Criteria as detailed.</p>
C.1.6	<p>The negotiation procedure <b>shall be</b> applied at the discretion of the Employer.</p>
C.1.7	<p>A two-envelope system <b>will not be</b> applied.</p>
C.2.1	<p>The following tenderers who are registered with the CIDB, or are capable of being so registered <b>prior to the evaluation of submissions</b>, are eligible to have their tenders evaluated:</p> <ol style="list-style-type: none"> <li>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 <b>8 GB</b> class or higher of construction work; and</li> <li>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</li> <li>c) the tenderer is registered on the National Treasury Central Supplier Data Base (<a href="https://secure.csd.gov.za">https://secure.csd.gov.za</a>)</li> <li>d) the tenderer accepts that documents that have correction fluid on them will be deemed non-responsive and the documents must remain intact</li> <li>e) tenderers adhere to the pre-qualification criteria stated in the tender document, if any.</li> <li>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: <ol style="list-style-type: none"> <li>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 <i>CIDB Specification for Social and Economic Deliverables in Construction Works Contracts</i>; and</li> <li>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.</li> </ol> </li> </ol> <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> <li>1) the entity is registered as a JV, on the approved DOE panel invited from, if not advertised in the open market;</li> <li>2) every member of the joint venture is registered with the CIDB in the General Building (GB) class of work;</li> <li>3) the lead partner has a contractor grading designation in the <b>8 GB</b> class or higher of construction work; and</li> <li>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 <b>8 GB</b> 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</li> <li>5) The members / parties have signed a joint venture agreement</li> </ol>
C.2.7	<p>The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender.</p> <p>Tenderers must sign the attendance register in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list.</p>



C.2.8

Request clarification in line with the dates stipulated under "KEY DATES AND ACTIVITIES" on **page 11**.

C.10.3	Rates and prices are the lump sum prices for each activity on the Activity Schedule unless later changed in accordance with this contract.												
C.2.12	Alternative tender offers or Qualified tenders will <b>not be</b> considered.												
C.2.12	<p><del>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.</del></p> <p><del>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.</del></p> <p><del>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.</del></p> <p><del>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.</del></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 to the <b>Tender Box</b> in the <b>following specific format only:</b></p> <ol style="list-style-type: none"> <li>i. Your TENDER submission must be filled in the exact order as stipulated in the below table.</li> <li>ii. All forms must be properly completed and signed as required and the document shall not be taken apart or altered in any way whatsoever.</li> <li>iii. All forms must be duly completed and signed as required.</li> </ol> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center; color: red;">1. Submission Folder Structure</th> </tr> </thead> <tbody> <tr> <td style="width: 10%; text-align: center;">1.1</td> <td>Complete <b>Volume 1</b> – file clearly named</td> </tr> <tr> <td style="width: 10%; text-align: center;">1.3</td> <td>Complete <b>Volume 3</b> – file clearly named</td> </tr> <tr> <td style="width: 10%; text-align: center;">1.5</td> <td><b>Supporting Evidence for Volume 2 with Index</b> – file clearly named</td> </tr> <tr> <td style="width: 10%; text-align: center;">1.5.2</td> <td>Tenderer may not scan submission in order other than specified in Volume 2.</td> </tr> <tr> <td style="width: 10%; text-align: center;">1.6</td> <td><b>Activity Schedule</b> – file clearly named</td> </tr> </tbody> </table> <p style="color: red; font-weight: bold; margin-top: 10px;">NB: FAILURE TO SUBMIT IN THE FORMAT/ ORDER REQUIRED MAY RENDER THE BID INVALID.</p>	1. Submission Folder Structure		1.1	Complete <b>Volume 1</b> – file clearly named	1.3	Complete <b>Volume 3</b> – file clearly named	1.5	<b>Supporting Evidence for Volume 2 with Index</b> – file clearly named	1.5.2	Tenderer may not scan submission in order other than specified in Volume 2.	1.6	<b>Activity Schedule</b> – file clearly named
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1.6	<b>Activity Schedule</b> – file clearly named												



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: <b>Location of tender Box: Steve Tshwete Complex</b> <b>Physical address: Department of Education, Steve Tshwete Complex, Zone 6, Zwelitsha</b> <b>Identification details:[write SCMU NO AND BID DESCRIPTION]</b>
C.2.13.6	A two (A2) -envelope system <b>is not</b> required. -
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 <b>120 days</b> 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 <b>Performance Bond</b> to the format included in <b>Part T2.2</b> of this procurement document.
C.2.23	The tenderer is <b>required to submit</b> with his tender: a) A copy of the entity's Professional Indemnity Insurance ( <i>where applicable</i> ). b) A Valid Copy of the Tenderer's Workmen's Compensation Certificate, Act 4 of 2002. c) A Valid Copy of the Tenderer's Unemployment Insurance Certificate, Act 4 of 2002. d) A Valid Copy of the CSD. e) A signed Joint Venture Agreement (if Tenderer is a Joint Venture). f) Letter of Intent for Performance Bond.
C.3.1.1	The Employer will respond to requests for clarification received as stipulated on <b>page 11</b> before the tender closing time.
C.3.4	Tenders will be opened in public. Tenders will be opened immediately after the closing time ( <b>11:00hrs</b> 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	<p>The procedure for the evaluation of responsive tenders is <b>Method 1: Price and Preference (specifically Excl. Preference)</b>.</p> <p>Evaluation will be in <b>three</b> stages modified to comply with the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2022, namely:</p> <ul style="list-style-type: none"> <li>• <b>Stage 1:</b> Responsiveness Evaluation</li> <li>• <b>Stage 2:</b> Financial Offer and Preference Evaluation</li> <li>• <b>Stage 3:</b> Objective Criteria &amp; Risk Analysis</li> </ul>
C.3.11.3	<p>The procedure for the evaluation of responsive tenders is <b>Method 2: Functionality, Price and Preference</b>.</p> <p>Evaluation will be in <b>four</b> stages modified to comply with the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017, namely:</p> <ul style="list-style-type: none"> <li>• <del>Stage 1: Responsiveness Evaluation</del></li> <li>• <del>Stage 2: Functionality Evaluation</del></li> <li>• <del>Stage 3: Financial and Preferential Evaluation</del></li> <li>• <del>Stage 4: Risk Analysis &amp; Objective Criteria</del></li> </ul>

**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**:**

	<b>Responsiveness Criteria</b>	<b>Prequalifying Criteria</b>	<b>Applicable to this Tender (Y/N)</b>
<b>1</b>	Attendance of <b>Compulsory On-site</b> Tender Briefing	<b>Pre-Qualifier</b>	Y
<b>2</b>	Only South African citizen owned companies and personnel. (Country of Birth/SA) can tender. <b>(Proof must be attached with tender submissions Certified ID Copies for Directors and project team members)</b>	<b>Pre-Qualifier</b>	Y
<b>3</b>	Tenderer must have successfully completed in the last <b>5 years, at least one project of R30 million (building works).</b>  The tenderer must submit the following documents for each completed project: <ul style="list-style-type: none"> <li>❖ Letter of Appointment on the client's letterhead, showing appointment value and</li> <li>❖ Completion Certificate or Completion letter of same project</li> </ul>	<b>Pre-Qualifier</b>	Y
<b>4</b>	<b><i>Tenderers must Submit CV's detailing experience and attach Proof of Registration with a recognized professional body/ institution, as part of the Qualifications listed below;</i></b>  <ul style="list-style-type: none"> <li>i. Professional Architect/ Senior Architectural Technologist/ Architectural Technologist (SACAP – Pr.Arch/ PrSArchT. / PrArchT.) – Min <b>5 years' experience</b></li> <li>ii. Professional Quantity Surveyor (SACQSP – Pr.QS) – Min <b>5 years' experience</b></li> <li>iii. Professional/Technical Electrical/Mechanical (ECSA – Pr.Eng / Pr.Tech Eng) - Min <b>5 years' experience</b></li> <li>iv. Professional/Technical Civil /STRUCTURAL (ECSA – Pr.Eng / Pr.Tech Eng) - Min <b>5 years' experience</b></li> <li>v. Health and Safety Consultant (SACPCMP – PrCHSM)) – Min <b>5 years' experience</b></li> <li>vi. Construction Health and Safety Officer (SACPCMP – PrCHSO) - Min <b>3 years' experience</b></li> </ul>	<b>Pre-Qualifier</b>	Y

**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	Applicable to this Tender (Y/N)
5	Standard conditions of tender as required.	48 hours	Y
6	Valid & Active CIDB contractor grading designation of <b>8 GB or higher</b> . – refer F2.1 of the Tender Data and Returnable <b>T2.1.6</b> . (CIDB application needed if update in progress)	48 hours	Y
7	Returnable documents completed and signed.	48 hours	Y
8	Submission of Registration with National Treasury Central Supplier Database (CSD) Summary Report: - Bidder must be fully registered to do business with the DOE.	7 Days	Y
9	Valid letter of good standing (COIDA).	48 hours	Y
10	Proof of Professional Indemnity Insurance to the value of <b>minimum R5 million</b> .	48 hours	Y
11	Proof of Letter of Intent for Performance Guarantee or retention amount to the value of <b>10% of the Contract Sum</b> . – refer to Volume 2 & 3.	48 hours	Y
12	Proof of registration with a recognized professional body/ institution for the listed project team.	48 hours	Y
13	Latest 2 Years (3-year view) Audited Financial Statements or Financial Statements signed off by an Accountant.	48 hours	Y
14	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 “ <b>Other Objective Criteria</b> ” in terms of the PPR2022, in order to ascertain suitability for award – we reserve the right to clarify any aspects listed hereunder where applicable. ( <i>Refer to Stage 3 evaluation criteria</i> )		Y

**Stage 2: Financial Offer and Preference**

With reference to the PPR 2022, the evaluation shall be based on the **90/10** Principle and the points for evaluation criteria are as follows:

Evaluation Criteria		Points
1.	Price	90
2.	Specific Goals	10
3.	Total	100

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Woman Ownership	2	5		
Ownership with Disabilities	1	2		
Youth Ownership	3	5		
Enterprises located in the Eastern Cape Province	4	8		

**1. CLAIMING OF PREFERENCE POINTS**

- 1.1. Preference points allocated Historically Disadvantaged individuals may be claimed by Persons who had no franchise in national elections prior to 1983 and 1993.
- 1.2. Preference points allocated for women may be claimed if there is sufficient evidence that such woman has ownership of 51% or more of the enterprise shareholding.
- 1.3. Preference points allocated for persons with disabilities may only be claimed if there is sufficient evidence that such person has ownership of 51% or more of the enterprise shareholding.
- 1.4. Preference points allocated for promotion of youth may only be claimed if there is sufficient evidence that such youth has ownership of 51% or more of the enterprise shareholding.
- 1.5. Preference points for Locality may be allocated for promotion of enterprises located within the Eastern Cape Province may be claimed by submission of proof that the enterprise is located within the borders of Eastern Cape Province. This includes an enterprise whose head office may be situated in another province but has a fully-fledged branch within Eastern Cape Province.

Enterprises located outside the borders of the Eastern Cape Province and who only appoints

agents and/or commission warehouses in this municipal area are expressly excluded from claiming points for this goal.

1.6. Preference points may be allocated to other RDP goals as follows:

- (i) Promotion of south African owned enterprises
- (ii) Promotion of export-oriented production to create jobs
- (iii) Creation of new jobs or intensification of labour absorption
- (iv) Promotion of enterprises located in the rural areas
- (v) Promotion of enterprises located in specific municipal area for work to be done or service to be rendered in that municipal area.

### **Stage 3: Risk Analysis & Other Objective Criteria**

- 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.
- i) 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.
  - ii) Fully compliant and registered with the National Treasury Central Supplier Database.
  - iii) No misrepresentation in the tender information submitted.
  - iv) 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
  - v) 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.
  - vi) Convicted by a court of law for fraud and corruption.
  - vii) Removed from a contract between them and any organ of state on account of failure to perform on or comply with the contract.
  - viii) 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, Liquidity & Solvency).
  - 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 DOE QS estimate will be used as a guide to indicate financial risk.
  - x) In terms of unduly high Tendered amounts in the Tender offer, refer to the PPR2022.
  - xi) PEP Check and Procure Check to be initiated and if negative, may result in exclusion.
- xii) As per **Additional Conditions of Tender**.
- 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:

	<ul style="list-style-type: none"> <li>i) The contents of project specific tender returnable will be assessed i.e. project specific resources, professional indemnity insurance other insurance required, professional registration, approach and methodology which are to be included in the contract</li> <li>ii) Bidder must provide a breakdown and schedule with activity list and pricing, programme of works.</li> </ul>
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 <b>one (1)</b>.</p> <ol style="list-style-type: none"> <li>1 . Application of Pre-Qualification Criteria in line with the PPPFA: PPR 2022;</li> <li>2 . Application of Subcontracting as a Condition of Tender, in line with the PPPFA: PPR 2022;</li> </ol> <p><b>2.1</b> The basis and conditions for sub-contracting as a condition of tender, is further detailed under Table 2 below.</p> <p>The Tenderer if successful in this bid offer, will be provided specific time stipulated in the Conditional Appointment Letter from communication of the Conditional Appointment Letter, to provide the Signed 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.</p>

**Additional Conditions to Tender**

- i. The offer of award will be informed by the best Value for Money, Risk Allocation and Risk Profile of the bidder.
  - **Value for Money** = Improved total cost.
  - **Risk Allocation** = Considering other awards made, including the logistical allocation of other projects.
  - **Risk Profile** = Considering the profiles of entities, such as but not limited to Procure Check, PEP Checks, Directorship and DOE Project non-performance concerns etc.
- ii. The DOE reserves the right to negotiate to ensure the value for money principle is not compromised.
- iii. The DOE reserves the right to award the scope in full or part thereof, subject to budget availability.
- iv. In the event of a partial award, the DOE reserves the right for items excluded from the award, to be retendered in a new tender process.
- v. All subcontractors need to be from the local area, i.e. Eastern Cape to be sourced through a localised procurement process post award. Subcontract more than 25% of the value of the contract to any other person not qualifying for at least the points that the tenderer qualifies for, unless the intended subcontractor is an EME that can execute the subcontract, may not score for preference.

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

- 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);
- b) If the tender is not completed in non-erasable ink;



- c) If the Form of Offer and Acceptance has not been signed;  
d) If the Form of Offer and Acceptance is signed, but the name of the tenderer is not stated or is indecipherable.

**Negotiations with preferred tenderers**

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:

- does not allow any preferred tenderer a second or unfair opportunity;
- is not to the detriment of any other tenderer; and
- does not lead to a higher price than the tender as submitted.

Minutes of any such negotiations shall be kept for record purposes.

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

#	Document	Applicable (Y/N)
1.1	<b>NEC 3 Engineering and Construction Contract Option A:</b> Priced Contract with Activity Schedule of April 2013 (including amendments).	Y
1.2	<b>NEC 3 Term Services Agreement</b>	Y
2	Standardized Specifications for Civil Engineering Construction SANS 1200	Y
3	Code of Practice for the application of the National Building Regulations” SABS 0400-1990	Y
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.	Y
5	Safety, Health, Environmental and Quality Policy for Construction and Maintenance Programmes, Health and Safety Baseline Specification, Baseline Risk Assessment.	Y
6	The Standard Conditions of Tender to follow is obtained from Annexure F of CIDB Standard for Uniformity in Construction Procurement, Board Notice 136 Government Gazette No. 38960 of 10 July 2015, which contains references to the Tender Data for details that apply specifically to the Tender.	Y
7	In addition, Tenderers are advised, in their own interest, to obtain their own copies of the following acts, regulations and standards referred to 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.	Y
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 33239 of 28 May 2010	Y
7.2	SANS 1921:2004 Construction and Management:	Y
7.2.1	Part 1: General Engineering and Construction Works;	Y
7.2.2	Part 2: Accommodation of Traffic on Public Roads occupied by the Contractor;	N
7.2.3	Part 3: Structural Steelwork;	Y
7.2.4	Part 5: Earthworks Activities which are to be performed by hand.	Y