



INDEPENDENT DEVELOPMENT TRUST

REQUEST FOR BID ON

THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE
JUNIOR SECONDARY SCHOOL, EASTERN CAPE

8 GB or Higher

EMIS NO:20500475

DISTRICT: OR TAMBO

IDTEC/62/DOE/2024/25

Consisting of: Three Volumes

BIDDER:

CRS NO:

CSD SUPPLIER NO:.....

Compiled for:

SUPPLY CHAIN MANAGEMENT
INDEPENDENT DEVELOPMENT TRUST
PALM SQUARE BUSINESS PARK
SILVERWOOD HOUSE
BONZA BAY ROAD, BEACON BAY
EAST LONDON . 5241

20 MARCH 2025

PNO: 9010636

VOLUME 2 OF 3



VOLUME 2 OF 3

TENDER RETURNABLES

RETURNABLE DOCUMENT CHECKLIST & COMPILATION INSTRUCTIONS

Tenderers are to complete the checklist, by indicating **YES** or **NO** within the Compliance column, to ensure that all information in the Tender Document is read, completed, and included in full by the Tenderer.

- 1) All forms must be properly completed and signed as required and the document shall not be taken apart or altered in any way whatsoever.
- 2) Tenderers must ensure each of the listed Returnables are populated and signed in full.
- 3) All forms must be duly completed in black ink as required.

Name: Signature

Capacity:

LIST OF RETURNABLES CHECKLIST			
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Name: Signature

Capacity:



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CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY
SCHOOL,EASTERN CAPE

PART T2:RETURNABLE DOCUMENTS

Notes:

Refer to Page 1 of Volume 2 of 3 for Instructions to be followed.

SECTION	MAIN INDEX	T2.1 - T2.4		TENDERER COMPLIED?
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T2.2	Other forms, certificates and schedules that will be incorporated into the contract			
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Name: Signature

Capacity:



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PART T2.1: RETURNABLE DOCUMENTS

Notes:

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T2.1.5	Tax Compliance Requirements			
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Capacity:



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PART T2.1.1: BRIEFING / SITE INSPECTION ATTENDANCE REGISTER

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL,EASTERN CAPE
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PART T2.1.2: CERTIFICATE OF AUTHORITY FOR SIGNATORY

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL, EASTERN CAPE
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Duly signed Letter of Authority should be submitted authorising the individual to sign on behalf of the bidder if

- a) If there are more than one Owner/ Director / Shareholder / Member / Trustee etc.
OR
b) If there is only one Director / Shareholder / Member / Trustee / Owner etc. and the they are not the one completing the bid document.

NOTE: This returnable document must be on a company letterhead

Signatory for companies shall confirm their authority hereto by attaching a duly signed and dated copy of the relevant resolution of the board of directors to this form on the company's letterhead.

An example is given below:

"By resolution of the board of directors passed at a meeting held on _____

Mr/Ms _____, whose signature appears below, has been duly authorized to
sign all documents in connection with the bidder for Contract No. _____
and any Contract which may arise there from on behalf of (Block Capitals) _____

SIGNED ON BEHALF OF THE COMPANY: _____

IN HIS/HER CAPACITY AS: _____

DATE: _____

SIGNATURE OF SIGNATORY: _____

WITNESSES:



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1. _____ SIGNATURE: _____

2. _____ SIGNATURE: _____

T2.2.2: CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL, EASTERN CAPE
Tender No:	IDTEC/62/DOE/2024/25

This returnable schedule is to be completed by joint ventures.

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

Name of Firm	Address	Duly Authorized Signatory
Lead Partner		Signature: _____ Name: _____ Designation: _____
		Signature: _____ Name: _____ Designation: _____
		Signature: _____ Name: _____ Designation: _____
		Signature: _____ Name: _____ Designation: _____



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PART T2.1.3: REGISTRATION CERTIFICATES/AGREEMENTS/IDENTITY DOCUMENTS

Attach hereto certified copies of Registration Certificates for Companies and Closed Corporations and certified copies of Identity Documents for Partnerships and Sole proprietors as well as signed Agreements and Powers of Attorney for Joint Venture / Consortium if applicable.

Including relevant Identity Documents and complete disclosure of Shareholding of the tenderer.

Non-submission hereof may deem your tender non-responsive.

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the documents submitted are true and accurate copies of the originals.

(Signature)

(Date)

PART T2.1.4: JOINT VENTURE/CONSORTIUM DISCLOSURE FORM

**TO BE COMPLETED ONLY IF TENDER IS SUBMITTED IN A
JOINT VENTURE OR CONSORTIUM**

GENERAL

- i) All the information requested must be filled in the spaces provided. If additional space is required, additional sheets may be used and attached to the original documents.
- ii) A copy of the joint venture agreement must be attached to this form, to demonstrate the Affirmable, Joint Venture Partner's share in the ownership, control, management responsibilities, risks and profits of the joint venture, the proposed joint venture agreement must include specific details relating to:
 - a) the contributions of capital and equipment
 - b) work items to be performed by the Affirmable Joint Venture Partner's own forces
 - c) work items to be performed under the supervision of the Affirmable Joint Venture Partner.
- iii) Copies of all written agreements between joint venture partners concerning the contract must be attached to this form including those, which relate to ownership options and to restrictions/limits regarding ownership and control.
- iv) Affirmable Business Enterprise (ABE) partners must complete ABE Declaration Affidavits.
- v) The joint venture must be formalised. All pages of the joint venture agreement must be signed by all the parties concerned. A letter/ notice of intention to formalise a joint venture once the contract has been awarded will not be considered.
- vi) Should any of the above not be complied with, the joint venture tenderer will be deemed null and void and will be considered non-responsive.

1. JOINT VENTURE PARTICULARS

- a) Name
- b) Postal address.....
.....
- c) Physical address
- d) Telephone
- e) Fax

2. IDENTITY OF EACH NON-AFFIRMABLE JOINT VENTURE PARTNER

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12.1. (a) Name of
Postal Address
Physical Address
Telephone
Fax
Contact person for matters pertaining to Joint Venture Participation Goal requirements.....

2.2. (a) Name of Firm
Postal Address
Physical Address
Telephone
Fax
Contact person for matters pertaining to Joint Venture Participation Goal requirements.....
(Continue as required for further non-Affirmable Joint Venture Partners)

3. IDENTITY OF EACH AFFIRMABLE JOINT VENTURE PARTNER

3.1. (a) Name of Firm
Postal Address
Physical Address
Telephone
Fax
Contact person for matters pertaining to Joint Venture Participation Goal requirements.....

3.2. (a) Name of Firm
Postal Address
Physical Address
Telephone
Fax
Contact person for matters pertaining to Joint Venture Participation Goal requirements.....



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- 13.3. (a) Name of
Postal Address
Physical Address
Telephone
Fax
Contact person for matters pertaining to Joint Venture Participation Goal
requirements.....
(Continue as required for further Affirmable Joint Venture Partners)

4. BRIEF DESCRIPTION OF THE ROLES OF THE AFFIRMABLE JOINT VENTURE
PARTNERS IN THE JOINT VENTURE

.....
.....
.....

5. OWNERSHIP OF THE JOINT VENTURE

- a) Affirmable Joint Venture Partner ownership percentage(s) %
b) Non-Affirmable Joint Venture Partner ownership percentage(s)..... %
c) Affirmable Joint Venture Partner percentages in respect of: *
(i) Profit and loss sharing.....
(ii) Initial capital contribution in Rands.....
.....
.....
(*Brief descriptions and further particulars should be provided to clarify percentages).
(iii) Anticipated on-going capital contributions in Rands
.....
.....
(iv) Contributions of equipment (specify types, quality, and quantities of equipment)
to be provided by each partner.
.....
.....
.....

6. RECENT CONTRACTS EXECUTED BY PARTNERS IN THEIR OWN RIGHT AS PRIME CONTRACTORS OR AS PARTNERS IN OTHER JOINT VENTURES

	NON-AFFIRMABLE JOINT VENTURE PARTNERS	PARTNER NAME
a)		
b)		
c)		
d)		
e)		
	AFFIRMABLE JOINT VENTURE PARTNERS	PARTNER NAME
a)		
b)		
c)		
d)		
e)		

7. CONTROL AND PARTICIPATION IN THE JOINT VENTURE

(Identify by name and firm those individuals who are, or will be, responsible for, and have authority to engage in the relevant management functions and policy and decision making, indicating any limitations in their authority e.g., co-signature requirements and Rand limits).

(a) Joint Venture payment approvals

.....
.....
.....

(b) Authority to enter contracts on behalf of the Joint Venture

.....
.....
.....



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(c) Signing, co-signing and/or collateralizing of loans

.....

.....

.....

(d) Acquisition of lines of credit

.....

.....

.....

(e) Acquisition of performance guarantees

.....

.....

.....

(f) Negotiating and signing labour agreements

.....

.....

.....

8. MANAGEMENT OF CONTRACT PERFORMANCE

(Fill in the name and firm of the responsible person).

(a) Supervision of field operations

.....

(b) Major purchasing

.....

(c) Estimating

.....

(d) Technical management

.....

9. MANAGEMENT AND CONTROL OF JOINT VENTURE

(a) Identify the “managing partner”, if any,

.....

.....

- (b) What authority does each partner have to commit or obligate the other to financial institutions, insurance companies, suppliers, subcontractors and/or other parties participating in the execution of the contemplated works?

- (c) Describe the management structure for the Joint Venture's work under the contract

MANAGEMENT FUNCTION / DESIGNATION	NAME	PARTNER*

* Fill in "ex Affirmable Joint Venture Partner" or "ex non-Affirmable Joint Venture Partner".

10. PERSONNEL

- (a) State the approximate number of operative personnel (by trade/function/discipline) needed to perform the Joint Venture work under the Contract.

TRADE/FUNCTION/ DISCIPLINE	NUMBER EX AFFIRMABLE JOINT VENTURE PARTNERS	NUMBER EX NON-AFFIRMABLE JOINT VENTURE PARTNERS



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(Fill in “ex Affirmable Joint Venture Partner” or “ex non-Affirmable Joint Venture Partner”).

(b) Number of operative personnel to be employed on the Contract who are currently in the employ of partners.

(i) Number currently employed by Affirmable Joint Venture Partners

.....
(ii) Number currently employed by the Joint Venture

.....
(c) Number of operative personnel who are not currently in the employ of the respective partner and will be engaged on the project by the Joint Venture

.....
(d) Name of individual(s) who will be responsible for hiring Joint Venture employees

.....
(e) Name of partner who will be responsible for the preparation of Joint Venture payrolls

.....
.....

11. CONTROL AND STRUCTURE OF THE JOINT VENTURE

Briefly describe the way the Joint Venture is structured and controlled.

.....
.....
.....



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.....
.....
The undersigned warrants that he/she is duly authorized to sign this Joint Venture Disclosure Form and affirms that the foregoing statements are true and correct and include all material information necessary to identify and explain the terms and operations of the Joint Venture and the intended participation of each partner in the undertaking.

The undersigned further covenants and agrees to provide the Employer with complete and accurate information regarding actual Joint Venture work and the payment therefore, and any proposed changes in any provisions of the Joint Venture agreement, and to permit the audit and examination of the books, records, and files of the Joint Venture, or those of each partner relevant to the Joint Venture, by duly authorized representatives of the Employer.

Signature

Duly authorized to sign on behalf of.....

Name

Address

Telephone

Date

Signature

Duly authorized to sign on behalf of.....

Name

Address

Telephone

Date

Signature

Duly authorized to sign on behalf of.....

Name

Address

Telephone



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Date

Signature

Duly authorized to sign on behalf of.....

Name

Address

Telephone

Date

Signature

Duly authorized to sign on behalf of.....

Name

Address

Telephone

Date

Signature

Duly authorized to sign on behalf of.....

Name

Address

Telephone

Date

PART T2.1.5: TAX COMPLIANCE REQUIREMENTS

IT IS A CONDITION OF THIS TENDER THAT THE TAXES OF THE TENDERER **MUST** BE IN ORDER, OR THAT SATISFACTORY ARRANGEMENTS HAVE BEEN MADE WITH THE SOUTH AFRICAN REVENUE SERVICES (SARS) TO MEET THE RESPONDENT'S TAX OBLIGATIONS. (AS PER NATIONAL TREASURY INSTRUCTION NOTE 9 of 2017/18)

Tax Compliance Requirements:

- Bidders must ensure compliance with their tax obligations.
- In Bids where Consortia/Joint venture/Sub-Contractors are involved; each party must submit a separate proof of Tax Compliance Status.

The bidders' Tax status will be verified on the CSD prior to the bid award and where the preferred bidders is not compliant, 7 working days will be granted for remedy, failing which the bidder will be disqualified.

PART T2.1.6: PROOF OF VALID REGISTRATION WITH CIDB & CSD

The Tenderer must provide CRS NO and CSD Supplier number on the first page of tender document.

In the case of Consortium/Joint Venture Tenders, each partner shall provide their own valid CIDB registration certificate and CSD, including for the Joint Venture.

Registration on the Central Supplier Database (CSD) site of the National Treasury is a compulsory requirement for a tenderer to conduct business with IDT. The onus is on each tenderer to register on the CSD site and provide proof of registration on the CSD site in the form of a report as prescribed in this returnable

All prospective tenderers must have a tax compliant status on the Central Supplier Database (CSD) of the National Treasury and is required to attach proof of compliant status in the form of a CSD Summary Report at the time of tender submission.

Bidders must be registered on the National Treasury Central Supplier Database (CSD).

The following information will be verified on the National Treasury Central Supplier Database:

Business Registration including details of directorship and membership,

- ID Number,
- Government Employee
- Tender Defaulting and Restriction Status.

Should the Tender be a restricted supplier or a defaulting supplier they will be disqualified

Director –Company involve in (If the director fails to declare the companies listed on csd, it will be considered a false declaration and result in disqualification.)

Responsibility of the Service Provider

It is the Service Provider to make sure that all these are active and compliant on the CSD at the time of bid closing and tender award.

IDT will verify if the Service Provider has been registered on CSD. Service Provider to submit CSD Number as required in the Cover Page. It is the responsibility of the Service Provider to ensure that the correct CSD Number is provided.

If Service Provider is not registered on CSD they will not be considered for evaluation.

JV's and Consortium

Where the Bidder is a JV/Consortium, each firm must be registered on the CSD.

PART T2.1.7: PROOF OF WORKMEN'S COMPENSATION REGISTRATION (COIDA)

The Tenderer shall attach hereto valid proof of workmen's compensation registration or proof of payment of contributions in terms of the Compensation of Occupational Injuries and Diseases Act, No. 130 of 1993).

PART T2.2: RETURNABLE DOCUMENTS

Notes:

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T2.2.1	Record of Addenda to Tender documents			
T2.2.2	Local Employment & Sourcing			
T2.2.3	Unemployment Insurance Fund (UIF) – Registration Certificate (Act 4 of 2004)			
T2.2.4	Form Concerning Fulfilment of the Construction Regulations, 2014			
T2.2.5	Bidder's Closure			
T2.2.6	Service Provider Code of Conduct			
T2.2.7	Compulsory Enterprise Questionnaire			
T2.2.8	Certificate of Acquaintance with Tender Document			

Name: Signature

Capacity:

PART T2.2.1: RECORD OF ADDENDA TO TENDER DOCUMENTS

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL,EASTERN CAPE
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We confirm that the following communications received from the Employer before the submission of this Request for Quotation offer, amending the Request for Quotation documents, have been taken into account in this Request for Quotation offer:

	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed

Date

Name

Position

Bidder

PART T2.2.2: LOCAL EMPLOYMENT & SOURCING

A CONDITION OF THIS BIDDER THAT THE SUCCESSFUL BIDDER SHALL BE REQUIRED TO SUBCONTRACT A MINIMUM VALUE OF WORK TO SMME'S EQUAL TO 30% OF THE BUILDING WORKS IN LINE WITH THE PPPFA, Preferential Procurement Regulations 2022.

Mandatory Sub-Contracting (Only for projects above R 30 Million)

The Contractor must sub-contract 30% of the work to Domestic Sub-Contractors. The Sub-Contractors shall have a CIDB grading.

The Contractor shall, directly after appointment and without delay, enter into domestic sub-contracts with the Domestic Sub-Contractors and forward a copy of these agreements to the Principal Agent. The Contractor shall remain responsible for providing the subcontracted portion of the works as if the work had not been subcontracted.

The Contractor will be responsible for all assistance and training required by the Sub-Contractor/s to complete the Project successfully. Irrespective of the mandatory sub-contracting requirement of this contract, the Contractor will at all times be the responsible party in accordance with the conditions of contract.

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the documents submitted are true and accurate copies of the originals.

(Signature)

(Date)

**PART T2.2.3: UNEMPLOYMENT INSURANCE FUND (UIF) – REGISTRATION CERTIFICATE
(ACT 4 OF 2004)**

A valid Tenderer's Unemployment Insurance Fund (UIF) Registration Certificate to be inserted here.

PART T2.2.4: FORM CONCERNING FULFILMENT OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO 85 OF 1993), EDITION 23(LATEST EDITION) INCLUDING THE CODE OF PRACTICE

In terms of regulation 5 (g), (h), (i) of the Construction Regulations, 2014 (hereinafter referred to as the Regulations), promulgated on 7 February 2014 in terms of Section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) the Client/Client Agent shall ensure:

- that potential principal contractors submitting tenders have made adequate provision for the cost of health and safety measures;
- that the Principal contractor to be appointed has the necessary competencies and resources to carry out the construction work safely; and
- take reasonable steps to ensure co-operation between all contractors appointed by the client to enable each of those contractors to comply with these Regulations:

1. I confirm that I am fully conversant with the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and Construction Regulations 2014 and that my company has (or will acquire/procure) the necessary competencies and resources to timeously, safely and successfully comply with all of the requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), Edition 23(latest edition) including the Code of Practice: Managing exposure to SARS-CoV-2 in the workplace.

(Tick)

YES	
------------	--

NO	
-----------	--

2. Proposed approach to achieve compliance with all Regulations (Tick)

Own resources, competent in terms of the Regulations (refer to 3 below)	
Own resources, still to be hired and/or trained (until competency is achieved)	
Specialist sub-contract resources (competent) - specify:	

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.....	
.....	
.....	
.....	

3. Provide details of proposed key persons, competent in terms of the Regulations, who will form part of the Contract team as specified in the Regulations (CV's to be attached).

.....

.....

.....

4. Provide proof of Legal Liability training conducted from accredited service provider for all legal appointees as per legislation requirements:

.....

.....

.....

.....

5. Potential key risks identified and measures for addressing risks:

.....

.....

.....

6. I have fully included in my Tendered rates and prices (in the appropriate payment items provided in the Schedule of Quantities) for all resources, actions, training, and any other costs required for the due fulfilment of the Regulations for the duration of the construction and defects repair period.

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(Tick)

YES	
NO	

7. I confirm that I am fully conversant with Construction Regulations 2014 “Duties of Principal Contractor and contractor and that my company comply with all of the requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), Edition 23(latest edition) including the Code of Practice: Managing exposure to SARS-CoV-2 in the workplace.

(Tick)

YES	
NO	

8. I confirm that I am fully conversant with Construction Regulations 2014 “Duties of Principal Contractor and contractor and that my company comply with all of the requirements of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), Regulations and Exemptions

(Tick)

YES	
NO	

9. I confirm that I have read the Safety, Health, Environment and Quality Policy for Construction and Maintenance Programmes and that my company will comply with all requirements stated in all Annexures and Amendments.

(Tick)

YES	
NO	

SIGNATURE OF PERSON(S) AUTHORIZED TO SIGN THIS TENDER:

1. Date
2. Date

PART T2.2.5: BIDDER'S DISCLOSURE – SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

2.2

Full Name	Identity Number	Name of State institution

Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF

PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY
CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

VOLUME 2 OF 3
NEC ECC OPTION A
TENDER RETURNABLES

Tender No: IDTEC/62/DOE/2024/25

THE APPOINTMENT OF A CONTRACTOR(TURNKEY)FOR THE
CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY
SCHOOL,EASTERN CAPE

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

2.0 DEFINITIONS (NOT APPLICABLE)

3.0 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES (NOT APPLICABLE)

3.1 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT (NOT APPLICABLE)

3.1.1 POINTS AWARDED FOR PRICE

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

$$P_s = 8888 \frac{80}{20} + \frac{P_t - P_{max}}{P_{max}} \quad \text{or} \quad P_s = 9988 \frac{90}{10} + \frac{P_t - P_{max}}{P_{max}}$$

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4.0 POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state

must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

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	3	6		
Ownership with Disabilities	3	6		
Youth Ownership	2	4		
Enterprises located in the Eastern Cape Province	2	4		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3 Name of company/firm.....

4.4 Company registration number:

4.5 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6 I, the undersigned, who is duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME: DATE: ADDRESS:	

PART T2.2.10: COMPULSORY ENTERPRISE QUESTIONNAIRE

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL,EASTERN CAPE		
Tender No.:	IDTEC/62/DOE/2024/25		
The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.			
Section 1: Name of enterprise:			
Section 2: VAT registration number, if any:			
Section 3: CIDB registration number, if any:			
Section 4: CSD number:			
Section 5: Particulars of sole proprietors and partners in partnerships:			
Name*	Identity number*	Personal income tax number*	
<i>*Complete only if sole proprietor or partnership and attach separate page if more than 3 partners</i>			
Section 6: Particulars of companies and close corporations			
Company registration number:			
Close corporation number:			
Tax reference number:			
Section 7: SBD4 issued by National Treasury must be completed for each Bidder and be attached as a Request for Quotation requirement.			
Section 8: SBD6 issued by National Treasury must be completed for each Bidder and be attached as a Request for Quotation requirement.			
The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:			
i) authorizes the employer to verify the Bidders tax clearance status from the South African Revenue Services that it is in order;			
ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;			
iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise control over the enterprise appears, has within the last five years been convicted of fraud or corruption;			
iv) confirms that I / we are not associated, linked or involved with any other bidding entities submitting Request for Quotation offers and have no other relationship with any of the Bidders or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and			
v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.			
Signed		Date	
Name		Position	
Enterprise name			

PART T2.2.8: SERVICE PROVIDER CODE OF CONDUCT

IDT aims to achieve the best value for money when buying or selling goods and obtaining services. This however must be done in an open and fair manner that supports and drives a competitive economy. Underpinning our process are several acts and policies that any service provider dealing with IDT must understand and support. These are:

- Section 217 of the Constitution of the Republic of South Africa, 1996 - the five pillars of Public Procurement and Supply Chain Management: fair, equitable, transparent, competitive, and cost effective;
- The Public Finance Management Act, Act 1 of 1999 (PFMA);
- The Broad Based Black Economic Empowerment Act, Act 53 of 2003 (B-BBEE);
- The Companies Act, Act 71 of 2008,
- The Prevention and Combating of Corrupt Activities Act, Act 12 of 2004 (PRECCA);
- The Protected Disclosures Act, Act 26 of 2000,
- The Construction Industry Development Board Act, Act 38 of 2000(CIDB Act); and
- The Preferential Procurement Policy Framework Act, Act 5 of 2000.

This code of conduct has been included in this contract to formally appraise IDT Service providers of IDT's expectations regarding behavior and conduct of its Service providers. The tenderer will share this code of conduct with its subcontractor(s) prior to submitting the tender and ensure adherence to it by the subcontractor(s).

PART T2.3: RETURNABLE DOCUMENTS

Notes:

Refer to Page 1 of Volume 2 of 3 for Instructions to be followed.

SECTION	SUB-INDEX	T2.3		TENDERER COMPLIED?
T2.3.	Functionality Evaluation			
T2.3.1	Related Experience of Tenderer			
T2.3.2	Management and CV's of Key Persons			
T2.3.3	Schedule of Plant and Equipment			
T2.3.4	Schedule of Proposed Consultants			
T2.3.5	Programme			
T2.3.6	Financial Standing / Bank Rating-INCLUDE			
T2.3.7	Quality Plan			
T2.3.8	Health and Safety File			
T2.3.9	Capacity and Ability to meet Delivery Schedule			

Name: Signature

Capacity:

Functional Evaluation – Only Bidders who score 70 points and above will be evaluated further.

Functional Evaluation (Summary)																
The following main criteria with detailed score breakdown will be used to score functionality:																
CATEGORY	FUNCTIONALITY CRITERIA	POINTS (MAXIMUM)														
1.	Experience of Tenderer (Appointment Letter and Completion Certificates)	35														
2.	Experience of Tenderer (Client References)	10														
3.	Construction Programme and Methodology	5														
4.	Key Personnel (CV, Qualifications and Professional Registration)	35														
	<table><tr><td>Project Manager (Team leader) - Pr.CPM (SACPCMP). 5 years post-registration experience.</td><td>5</td></tr><tr><td>Architect - Pr. Arch / Pr. Sen Arch Tech (SACAP). 5 years post-registration experience.</td><td>5</td></tr><tr><td>Quantity Surveyor- (Pr. QS- SACQSP). 5 years post-registration experience.</td><td>5</td></tr><tr><td>Civil/Structural Engineer- (Pr. Eng / Pr. Tech. Eng -ECSA). 5 years post-registration experience.</td><td>5</td></tr><tr><td>Electrical/Mechanical Engineer- (Pr. Eng / Pr. Tech. Eng - ECSA). 5 years post-registration experience.</td><td>5</td></tr><tr><td>Professional Construction Health and Safety Agent (Pr. CHSA) (SACPCMP) 5 years post-registration experience</td><td>5</td></tr><tr><td>Site Agent- Pr.CPM (SACPCMP). 20 years or more related working experience.</td><td>5</td></tr></table>	Project Manager (Team leader) - Pr.CPM (SACPCMP). 5 years post-registration experience.	5	Architect - Pr. Arch / Pr. Sen Arch Tech (SACAP). 5 years post-registration experience.	5	Quantity Surveyor- (Pr. QS- SACQSP). 5 years post-registration experience.	5	Civil/Structural Engineer- (Pr. Eng / Pr. Tech. Eng -ECSA). 5 years post-registration experience.	5	Electrical/Mechanical Engineer- (Pr. Eng / Pr. Tech. Eng - ECSA). 5 years post-registration experience.	5	Professional Construction Health and Safety Agent (Pr. CHSA) (SACPCMP) 5 years post-registration experience	5	Site Agent- Pr.CPM (SACPCMP). 20 years or more related working experience.	5	
Project Manager (Team leader) - Pr.CPM (SACPCMP). 5 years post-registration experience.	5															
Architect - Pr. Arch / Pr. Sen Arch Tech (SACAP). 5 years post-registration experience.	5															
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Professional Construction Health and Safety Agent (Pr. CHSA) (SACPCMP) 5 years post-registration experience	5															
Site Agent- Pr.CPM (SACPCMP). 20 years or more related working experience.	5															
5.	Financial Capacity Bank Rated Letter confirming bidders financial capacity to execute the works <table><tr><td>Bidder has provided Bank Confirmation letter confirming Financial Capacity to execute works</td><td>10</td></tr><tr><td>Bidder has NOT provided Bank Confirmation letter confirming Financial Capacity to execute works</td><td>0</td></tr></table>	Bidder has provided Bank Confirmation letter confirming Financial Capacity to execute works	10	Bidder has NOT provided Bank Confirmation letter confirming Financial Capacity to execute works	0	10										
Bidder has provided Bank Confirmation letter confirming Financial Capacity to execute works	10															
Bidder has NOT provided Bank Confirmation letter confirming Financial Capacity to execute works	0															
6.	Locality	5														
Total		100														

1.	Company Experience (Part A- Appointment Letter and Completion Certificates) Tenderer must have completed at least 4 general building Projects in the last 10 years, with a minimum total value of R30m per project. Only a letter of appointment (on the Client’s letterhead and showing the project value) and a completion certificate will be accepted as evidence of track record. Maximum points will be awarded to a bidder who submits 4 or more projects per the criteria stated above. <table><tr><td>4 Similar or more projects completed over the last 10 years</td><td>35</td></tr><tr><td>3 Similar projects completed over the last 10 years</td><td>20</td></tr><tr><td>2 Similar projects completed over the last 10 years</td><td>10</td></tr><tr><td>1 Similar project completed over the last 10 years</td><td>5</td></tr><tr><td>0 The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	4 Similar or more projects completed over the last 10 years	35	3 Similar projects completed over the last 10 years	20	2 Similar projects completed over the last 10 years	10	1 Similar project completed over the last 10 years	5	0 The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0	35
4 Similar or more projects completed over the last 10 years	35											
3 Similar projects completed over the last 10 years	20											
2 Similar projects completed over the last 10 years	10											
1 Similar project completed over the last 10 years	5											
0 The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0											
2.	Company Experience (Part B- Client Reference) Tenderer must have completed at least 4 general building Projects in the last 10 years, with a minimum total value of R30m per project. Attach stamped Letters of Reference. Refer to page 20 for the Template. Bidders Can also replicate the format on a Client Letter Head. NB make sure the replicated format is aligned with the template in page 20 <table><tr><td>4 or more client references with a rating of Fair, Good or Excellent</td><td>10</td></tr><tr><td>3 or more client references with a rating of Fair, Good or Excellent</td><td>8</td></tr><tr><td>2 or more client references with a rating of Fair, Good or Excellent</td><td>6</td></tr><tr><td>1 or more client references with a rating of Fair, Good or Excellent</td><td>4</td></tr><tr><td>0 The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	4 or more client references with a rating of Fair, Good or Excellent	10	3 or more client references with a rating of Fair, Good or Excellent	8	2 or more client references with a rating of Fair, Good or Excellent	6	1 or more client references with a rating of Fair, Good or Excellent	4	0 The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0	10
4 or more client references with a rating of Fair, Good or Excellent	10											
3 or more client references with a rating of Fair, Good or Excellent	8											
2 or more client references with a rating of Fair, Good or Excellent	6											
1 or more client references with a rating of Fair, Good or Excellent	4											
0 The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0											
3	Construction Programme and Methodology Bidders must submit a project construction programme and methodology. Construction programme and methodology to demonstrate a clear understanding of the project scope and cover the following: 1. Project Specific Construction Programme 2. Clearly articulated project scope 3. Clearly articulated construction activities 4. Project timelines aligned with the stated project duration. 5. Systems and Software required for execution of Professional Disciplines duties ie. Project management software, Drawing Preparation Software, Bill of quantities production software, etc <table><tr><td>The construction Programme covers all 4 of the above-listed requirements.</td><td>5</td></tr><tr><td>The construction Programme covers 3 of the above-listed requirements.</td><td>4</td></tr><tr><td>The construction Programme covers 2 of the above-listed requirements.</td><td>3</td></tr><tr><td>The construction Programme covers 1 of the above-listed requirements.</td><td>2</td></tr></table>	The construction Programme covers all 4 of the above-listed requirements.	5	The construction Programme covers 3 of the above-listed requirements.	4	The construction Programme covers 2 of the above-listed requirements.	3	The construction Programme covers 1 of the above-listed requirements.	2	5		
The construction Programme covers all 4 of the above-listed requirements.	5											
The construction Programme covers 3 of the above-listed requirements.	4											
The construction Programme covers 2 of the above-listed requirements.	3											
The construction Programme covers 1 of the above-listed requirements.	2											

	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0													
4.	Key Personnel		35												
4.1	Project Manager (Team Leader). <i>Key Personnel Experience. Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration (Pr. CPM-SACPCMP). Attach CV, qualifications, and professional registration.</i> <table><tr><td>Project Manager with 5 or more years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>5</td></tr><tr><td>Project Manager with 4 to less than 5 years of relevant post-registration experience and National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>4</td></tr><tr><td>Project Manager with 3 to less than 4 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>3</td></tr><tr><td>Project Manager with 2 to less than 3 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>2</td></tr><tr><td>Project Manager with 1 to less than 2 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification or in the built environment.</td><td>1</td></tr><tr><td>The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	Project Manager with 5 or more years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.	5	Project Manager with 4 to less than 5 years of relevant post-registration experience and National Diploma, B-tech, Degree, or higher qualification in the built environment.	4	Project Manager with 3 to less than 4 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.	3	Project Manager with 2 to less than 3 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.	2	Project Manager with 1 to less than 2 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification or in the built environment.	1	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0		5
Project Manager with 5 or more years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.	5														
Project Manager with 4 to less than 5 years of relevant post-registration experience and National Diploma, B-tech, Degree, or higher qualification in the built environment.	4														
Project Manager with 3 to less than 4 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.	3														
Project Manager with 2 to less than 3 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the built environment.	2														
Project Manager with 1 to less than 2 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification or in the built environment.	1														
The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0														
4.2	Architect. <i>Key Personnel Experience. Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration Pr. Arch-SACAP). Attach CV, qualifications, and professional registration.</i> <table><tr><td>Architect with 5 or more years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.</td><td>5</td></tr><tr><td>Architect with 4 to less than 5 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.</td><td>4</td></tr><tr><td>Architect with 3 to less than 4 years of relevant post-registration experience. B Bachelor of Architectural Studies (BAS), or higher.</td><td>3</td></tr><tr><td>Architect with 2 to less than 3 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.</td><td>2</td></tr><tr><td>Architect with 1 to less than 2 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.</td><td>1</td></tr><tr><td>The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	Architect with 5 or more years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	5	Architect with 4 to less than 5 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	4	Architect with 3 to less than 4 years of relevant post-registration experience. B Bachelor of Architectural Studies (BAS), or higher.	3	Architect with 2 to less than 3 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	2	Architect with 1 to less than 2 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	1	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0		5
Architect with 5 or more years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	5														
Architect with 4 to less than 5 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	4														
Architect with 3 to less than 4 years of relevant post-registration experience. B Bachelor of Architectural Studies (BAS), or higher.	3														
Architect with 2 to less than 3 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	2														
Architect with 1 to less than 2 years of relevant post-registration experience. Bachelor of Architectural Studies (BAS), or higher.	1														
The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0														

4.3	Quantity Surveyor. Key Personnel Experience. <i>Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration (Pr. QS- SACQSP). Attach CV, qualifications, and professional registration.</i> <table><tr><td>Quantity Surveyor with 5 or more years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.</td><td>5</td></tr><tr><td>Quantity Surveyor with 4 to less than 5 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.</td><td>4</td></tr><tr><td>Quantity Surveyor with 3 to less than 4 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.</td><td>3</td></tr><tr><td>Quantity Surveyor with 2 to less than 3 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.</td><td>2</td></tr><tr><td>Quantity Surveyor with 1 to less than 2 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.</td><td>1</td></tr><tr><td>The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	Quantity Surveyor with 5 or more years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	5	Quantity Surveyor with 4 to less than 5 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	4	Quantity Surveyor with 3 to less than 4 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	3	Quantity Surveyor with 2 to less than 3 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	2	Quantity Surveyor with 1 to less than 2 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	1	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0	5
Quantity Surveyor with 5 or more years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	5													
Quantity Surveyor with 4 to less than 5 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	4													
Quantity Surveyor with 3 to less than 4 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	3													
Quantity Surveyor with 2 to less than 3 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	2													
Quantity Surveyor with 1 to less than 2 years of relevant post-registration experience. National Diploma: Building, B-Tech, Degree, or higher qualification in Quantity Surveying.	1													
The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0													
4.4	Civil/Structural Engineer. Key Personnel Experience. Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration (Pr.Eng-ECSA). Attach CV, qualifications, and professional registration. <table><tr><td>Civil/Structural Engineer with 5 or more years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.</td><td>5</td></tr><tr><td>Civil/Structural Engineer with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Civil/Structural Engineering.</td><td>4</td></tr><tr><td>Civil/Structural Engineer with 3 to less than 4 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.</td><td>3</td></tr><tr><td>Civil/Structural Engineer with 2 to less than 3 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering..</td><td>2</td></tr><tr><td>Civil/Structural Engineer with 1 to less than 2 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.</td><td>1</td></tr><tr><td>The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	Civil/Structural Engineer with 5 or more years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.	5	Civil/Structural Engineer with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Civil/Structural Engineering.	4	Civil/Structural Engineer with 3 to less than 4 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.	3	Civil/Structural Engineer with 2 to less than 3 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering..	2	Civil/Structural Engineer with 1 to less than 2 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.	1	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0	5
Civil/Structural Engineer with 5 or more years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.	5													
Civil/Structural Engineer with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Civil/Structural Engineering.	4													
Civil/Structural Engineer with 3 to less than 4 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.	3													
Civil/Structural Engineer with 2 to less than 3 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering..	2													
Civil/Structural Engineer with 1 to less than 2 years of relevant post-registration experience. Degree, or higher qualification in Civil/Structural Engineering.	1													
The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0													
4.5	Electrical/Mechanical Engineer. Key Personnel Experience. Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration (Pr. Eng / Pr. Tech. Eng -ECSA). Attach CV, qualifications, and professional registration. <table><tr><td>Electrical/Mechanical Engineer with 5 or more years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Electrical/Mechanical Engineering</td><td>5</td></tr><tr><td>Electrical/Mechanical Engineer with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-Tech,</td><td>4</td></tr></table>	Electrical/Mechanical Engineer with 5 or more years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Electrical/Mechanical Engineering	5	Electrical/Mechanical Engineer with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-Tech,	4	5								
Electrical/Mechanical Engineer with 5 or more years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Electrical/Mechanical Engineering	5													
Electrical/Mechanical Engineer with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-Tech,	4													

	Degree, or higher qualification in Electrical/Mechanical Engineering .		
	Electrical/Mechanical Engineer with 3 to less than 4 years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Electrical/Mechanical Engineering	3	
	Electrical/Mechanical Engineer with 2 to less than 3 years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Electrical/Mechanical Engineering	2	
	Electrical/Mechanical Engineer with 1 to less than 2 years of relevant post-registration experience. National Diploma, B-Tech, Degree, or higher qualification in Electrical/Mechanical Engineering	1	
	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0	
4.6	Professional Construction Health and Safety Agent 5 years post-registration experience . Key Personnel Experience. Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration (Pr.CHSA-SACPCMP). Attach CV, qualifications, and professional registration.	5	
	Professional Health and Safety Agent with 5 or more years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the Safety Management or Equivalent.	5	
	Professional Health and Safety Agent with 4 to less than 5 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the Safety Management or Equivalent.	4	
	Professional Health and Safety Agent with 3 to less than 4 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the Safety Management or Equivalent.	3	
	Professional Health and Safety Agent with 2 to less than 3 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the Safety Management or Equivalent.	2	
	Professional Health and Safety Agent with 1 to less than 2 years of relevant post-registration experience. National Diploma, B-tech, Degree, or higher qualification in the Safety Management or Equivalent.	1	
	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0	
4.7	Site Agent. Key Personnel Experience. <i>Points are allocated based on the required competencies and qualifications of personnel assigned to the project. Mandatory Professional registration (Pr. CPM-SACPCMP). Attach CV, qualifications, and professional registration.</i>	5	

	<table><tr><td>Site Agent with 20 or more years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>5</td></tr><tr><td>Site Agent with 15 to less than 20 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>4</td></tr><tr><td>Site Agent with 12 to less than 15 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>3</td></tr><tr><td>Site Agent with 10 to less than 12 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>2</td></tr><tr><td>Site Agent with 8 to less than 10 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.</td><td>1</td></tr><tr><td>The tenderer/bidder failed to address the question and meet the minimum requirements for this section.</td><td>0</td></tr></table>	Site Agent with 20 or more years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	5	Site Agent with 15 to less than 20 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	4	Site Agent with 12 to less than 15 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	3	Site Agent with 10 to less than 12 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	2	Site Agent with 8 to less than 10 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	1	The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0					
Site Agent with 20 or more years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	5																	
Site Agent with 15 to less than 20 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	4																	
Site Agent with 12 to less than 15 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	3																	
Site Agent with 10 to less than 12 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	2																	
Site Agent with 8 to less than 10 years working experience on similar projects. National Diploma, B-tech, Degree, or higher qualification in the built environment.	1																	
The tenderer/bidder failed to address the question and meet the minimum requirements for this section.	0																	
5.	Financial Capacity Bank Rated Letter or equivalent documentation confirming bidders financial capacity to execute the works <table><tr><td>Bidder has provided Bank Confirmation letter or equivalent documentation confirming Financial Capacity to execute works</td><td>10</td></tr><tr><td>Bidder has NOT provided Bank Confirmation letter confirming Financial Capacity to execute works</td><td>0</td></tr></table> Bank Rated Letter equivalent documentation confirming bidder’s financial capacity to execute the works Points will be allocated as follows: <table><tr><td>Bank Ranking A</td><td>10</td></tr><tr><td>Bank Ranking B</td><td>8</td></tr><tr><td>Bank Ranking C</td><td>6</td></tr><tr><td>Bank Ranking D</td><td>4</td></tr><tr><td>Bank Ranking E</td><td>2</td></tr><tr><td>Bank Ranking F,G,H,I</td><td>0</td></tr></table>	Bidder has provided Bank Confirmation letter or equivalent documentation confirming Financial Capacity to execute works	10	Bidder has NOT provided Bank Confirmation letter confirming Financial Capacity to execute works	0	Bank Ranking A	10	Bank Ranking B	8	Bank Ranking C	6	Bank Ranking D	4	Bank Ranking E	2	Bank Ranking F,G,H,I	0	10
Bidder has provided Bank Confirmation letter or equivalent documentation confirming Financial Capacity to execute works	10																	
Bidder has NOT provided Bank Confirmation letter confirming Financial Capacity to execute works	0																	
Bank Ranking A	10																	
Bank Ranking B	8																	
Bank Ranking C	6																	
Bank Ranking D	4																	
Bank Ranking E	2																	
Bank Ranking F,G,H,I	0																	
6.	Locality Bidder has offices in the Eastern Cape province. Proof of locality to be provided in the form of Municipal Rates/levies Account ,Lease Agreement <table><tr><td>Bidder has office premises in the Eastern Cape Province</td><td>5</td></tr><tr><td>Bidder does NOT have office premises in the Eastern Cape Province</td><td>0</td></tr></table>	Bidder has office premises in the Eastern Cape Province	5	Bidder does NOT have office premises in the Eastern Cape Province	0	5												
Bidder has office premises in the Eastern Cape Province	5																	
Bidder does NOT have office premises in the Eastern Cape Province	0																	

PART T2.3.1: RELATED EXPERIENCE OF TENDERER

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL,EASTERN CAPE
Tender No.:	IDTEC/62/DOE/2024/25

Bidders must submit a max one-page description of at least three projects successfully completed.

Attach a Completion Certificate for each of the project provided.

The description of each project must include the following information:

1. Essential introductory information:
 - 1.1. Name of project.
 - 1.2. Name of client.
 - 1.3. Contact details of client.
 - 1.4. Contact details (including telephone numbers and email addresses) of currently contactable references.
 - 1.5. The period during which the project was performed, and also, if this is different, the period during which the Bidder's team members were contracted.
 - 1.6. Cost of works and/or contract value (making it clear in broad terms what this cost/value purchased, and to what extent (if any) this cost/value was part of a larger project budget or programme budget).

NO.	NAME OF PROJECT	NAME OF CLIENT	CONTACT DETAILS OF CLIENT	PROJECT VALUE	DATE COMPLETED
1					
2		Example only			
3					

Attach a separate page to address this issue (the above table is just for reference purposes).

The undersigned, who warrants that she/ he is duly authorized to do so on behalf of the enterprise, confirms that the content of this schedule that presented by the Bidder are within my personal knowledge and are to the best of my knowledge both true and correct.
--

Signed _____ Date _____

Name _____ Position _____

Bidder _____

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1. CURRENT PROJECTS UNDERTAKEN:

Project title:	THE APPOINTMENT OF A CONTRACTOR (TURNKEY) FOR THE CONSTRUCTION OF LUSIKISIKI VILLAGE JUNIOR SECONDARY SCHOOL,EASTERN CAPE
Tender No.:	IDTEC/62/DOE/2024/25

Bidders must submit a max one-page description of at least three projects under construction/ on hold/ just handed over/ towards completion (if they exist).

Attach an Appointment letter for each of the project provided.

The description of each project must include the following information:

2. Essential introductory information:

- 2.1. Name of project.
- 2.2. Name of client.
- 2.3. Contact details of client.
- 2.4. Contact details (including telephone numbers and email addresses) of currently contactable references.
- 2.5. The period during which the project was performed, and also, if this is different, the period during which the Bidder's team members were contracted.
- 2.6. Cost of works and/or contract value (making it clear in broad terms what this cost/value purchased, and to what extent (if any) this cost/value was part of a larger project budget or programme budget).

NO.	NAME OF PROJECT	NAME OF CLIENT	CONTACT DETAILS OF CLIENT	CONTACT DETAILS OF REFERENCES	PROJECT VALUE	STAGE OF PROJECT
1						
2						
3						

Attach a separate page to address this issue (the above table is just for reference purposes).

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

Signed _____ Date _____

Name _____ Position _____

Bidder _____

PART T2.3.2: MANAGEMENT AND CV'S OF KEY PERSONS

Resources for Construction of Lusikisiki Village JSS: Key Project Team Qualifications, relevant professional registration, and Experience.

The experience of assigned staff members in relation to the Scope of Services will be evaluated from three different points of view:

- 1) General experience (total duration of professional activity), level of education and training and positions held of each discipline specific team leader.
- 2) The education, training, skills, and experience of the Assigned Staff in the specific sector, field, subject, etc. which is directly linked to the scope of work.
- 3) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g., local conditions, legislation, techniques, etc.
- 4) Additionally, refer to Volume 1, Tender Data, and Clause F3.11.3 for functional evaluation criteria if applicable.

For purpose of evaluation, the Tenderer shall attach hereto a shortened CV for each key member available to work on the project in the Categories **1)** Site Foreman, **2)** Full-time Construction Health and Safety Officer – (Pr.CHSO SACPCMP)

Resources for construction of Tyelinzima HS: Key professional Team that will be responsible for the design and planning stage, Tenderer shall attach hereto a shortened CV for each key members Qualifications, relevant professional registration, and Experience.

1. Project Manager (Team leader) - Pr.CPM (SACPCMP)
2. Architect (SACAP)
3. Quantity Surveyor (SACQSP)
4. Civil– Engineer (ECSA)
5. Structural – Engineer (ECSA)
6. Electrical – Engineer/Technologist (ECSA)
7. Mechanical – Engineer/Technologist (ECSA)
8. Professional Construction Health and Safety Agent (Pr. CHSA) (SACPCMP)

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the information submitted are true and accurate.

(Signature) (Date)

PART T2.3.4: SCHEDULE OF PROPOSED SUB-CONTRACTORS/ CONSULTANTS

*This returnable is to be read in conjunction with **T2.4.2 PPPFA Prequalify & Subcontracting Schedule**. By signing this returnable, the tenderer confirms alignment in full.*

We notify you that it is our intention to employ the following subcontractors / sub consultants for work in this contract.

If we are awarded a contract, we agree that this notification does not change the requirement for us to submit the names of proposed Subcontractors / Sub consultants in accordance with requirements in the contract for such appointments and to provide copies of the subconsultants. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

	Name and address of proposed Subcontractors / Subconsultants	Nature and extent of work	Previous experience with Subconsultants.
1.			
2.			
3.			
4			

I, _____ of _____,
 (Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the information submitted are true and accurate.

 (Signature) (Date)

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PART T2.3.5: PROGRAMME

Note to tenderers: the schedule must be based on a 4 -months total duration of design and 20 months for construction.

Construction Methodology & Construction Programme for implementation phase (Activity scheduling / programme for the process), which outlines & defines in sufficient detail the following MINIMUM Requirements (MR): Assessment (Confirmation and Verification of Works Quantities); Design; Manufacture / Supply; Installation / Construction; Contract Management; Quality Assurance & Control.

The Tenderer need to submit a high level (minimum level 3 breakdown) programme to illustrate a comprehensive understanding of the work required as well as a pragmatic approach in performing the work required:

The successful Tenderer **must** submit a detailed programme within **7 days** after the commencement date.

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the information submitted are true and accurate.

(Signature)

(Date)

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PART T2.3.7: QUALITY PLAN

Due consideration must be given to the deliverables required to execute and complete the contract as per the Quality Management Standard stated in the Works Information and should include but not be limited to:

1. Project Quality Plan for the contract.
2. The Contractor's Quality Policy.
3. Index of procedures to be used during the contract.
4. Audit Schedule for internal and external audits during the contract.
5. ISO 9001 certification.
6. Typical Quality Manual.
7. Typical Quality Control Plan.
8. Typical data book index.

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the information submitted are true and accurate.

(Signature)

(Date)

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PART T2.3.8: HEALTH AND SAFETY

Submit the following documents as a minimum with your tender:

1. Valid letter of good standing with UIF insurance body.
2. Proof of Effective Safety Management System.
3. Six months synopsis of SHE incidents, description, type, and action taken.
4. SHE challenges envisaged for the project and how they will be addressed and overcome.
5. Construction Safety File (Index).
6. Additionally, refer to Volume 1, Tender Data, and Clause F3.11.3 for functional evaluation criteria if applicable.

Index of documentation attached to this schedule:

.....

.....

.....

.....

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the information submitted are true and accurate.

(Signature)

(Date)

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PART T2.3.9: CAPACITY AND ABILITY TO MEET DELIVERY SCHEDULE

Note to tenderers:

The Tenderer is required to demonstrate to the Employer that he has sufficient current and future capacity to carry out the work as detailed in the Service Information and that he has the capacity and plans in place to meet the required delivery schedule as required. To this end, the following must be provided by the Tenderer:

A schedule detailing the following:

- Maximum quantity of work concurrently performed by the Tenderer in the recent past to illustrate his potential capacity to design, fabricate and/or construct work of a similar nature;
- Current and future work on his order book, showing quantity and type of equipment;
- Quantity of work for which the Tenderer has tenders in the market or is currently tendering on; and
- The work as covered in the Works Information, planned, and scheduled as per the Tenderer's capacities and methods but meeting the required delivery schedule.

- Additionally, refer to Volume 1, Tender Data, and Clause F3.11.3 for functional evaluation criteria if applicable.

I, _____ of _____,
(Authorized Signatory) (Company Name)

Hereby acknowledge having read, understood, and agree to the terms and conditions set out in this Returnable and warrant that the information submitted are true and accurate.

(Signature)

(Date)

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PART T2.4: RETURNABLE DOCUMENTS

Notes:

Refer to Page 1 of Volume 2 of 3 for Instructions to be followed.

SECTION	SUB-INDEX T2.4		TENDERER COMPLIED?
T2.4.1	Form of the Performance Guarantee		
T2.4.2	Subcontracting Schedule		
T2.4.3	SBD6.1: Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2022		

Name: Signature

Capacity:

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PART T2.4.1: FORM OF THE PERFORMANCE GUARANTEE

In terms of clause X13 of the NEC3 ECC Option A Reviewed 2013 allows for provision of a variable performance guarantee from an approved financial institution which the *Employer* has accepted.

For this contract only performance bonds provided by a financial institution registered in South Africa will be accepted.

It is hereby agreed that a Performance Guarantee drafted exactly, or substantially similar, as provided in this returnable and Volume 3 section C1.3 will be provided by the Guarantor named below, which is a bank or insurer registered in South Africa:

Name of Guarantor (Bank/insurer).....

Address

The Performance Guarantee shall be provided with the other returnables as set out in the conditional Letter of Acceptance of the successful tenderer's tender unless otherwise agreed to by the parties.

Signed

Name

Capacity

On behalf of (name of tenderer)

Date

CONFIRMED BY Guarantor's Authorized Representative

Signature(s)

Name (print)

Capacity

On behalf of Guarantor
(Bank/insurer)

Date

The Tenderer must attach hereto a letter from the guarantor with whom he has made the necessary arrangements, to the effect that the said guarantor will be prepared to provide the required performance

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guarantee when asked to do so. The acceptable proforma wording is as per section below and in Volume 3, C1.3.

Pro-Forma NEC3 ECC Variable on Demand Performance Guarantee

To: The Development Bank of Southern Africa Limited

Dear Sirs

Reference No. [●] *[Drafting Note: Guarantor/Bank reference number to be inserted]*

Performance Bond: *[Drafting Note: Name of Contractor to be inserted]*

Employer: Contract Reference - [●] *[Drafting Note: Contract reference number to be inserted]*

1. In this Guarantee

1.1 The following words and expressions have the following meanings:

1.1.1 “Guarantor” - means [●], [●] Branch, (Registration No. [●]); *[Drafting Note: Name of Guarantor to be inserted]* [●] **Financial Services Board Registration number**

1.1.2 “Guarantor’s Address” - means [●]; *[Drafting Note: Guarantor’s physical address to be inserted]*

1.1.3 “Contract” - means the written agreement entered between the Employer and the Contractor on or about [●] [●] 201[●] (Contract Reference No. [●]), as amended, varied, restated, novated, or substituted from time to time; *[Drafting Note: signature date and Contract reference number to be inserted]*

1.1.4 “Contractor” - means [●] a [●] registered in accordance with the laws of [●] with registration number [●]; *[Drafting Note: Name and details of Contractor to be inserted]*

1.1.5 “Employer” - means The Independent Trust

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- 1.1.6 “Expiry Date” - means one month after the Defects Date [*Drafting Note: This date should align with the date of final completion*];
- 1.1.7 1.1.7
- 1.1.8 “this Guarantee” - means this document;
- 1.1.9 1.1.9
- 1.1.10 “Guaranteed Sum” – means, subject to clause 4, the sum of [**• - figure**] (**[• - words]**) the maximum aggregate Guarantee amount (not exceeding 10.0% of the total of the Prices as at the Contract Date) which amount will reduce with 50% when the Completion certificate is issued until the Expiry Date .
- 1.2 Words or expressions capitalised shall bear the same meaning as assigned to them under the Contract albeit that the Contract itself, and any terms as defined therein, are merely referenced for convenience and not to create an accessory obligation.
2. At the instance of the Contractor, the Guarantor hereby confirms that we hold the Guaranteed Sum at the disposal of the Employer, as security for the proper performance by the Contractor of all of his obligations in terms of and arising from the Contract, and hereby irrevocably and unconditionally both agree and undertake to pay to the Employer, on written demand from the Employer envisaged in paragraph 3 below and received prior to the Expiry Date, any amount or amounts as may be so demanded from time to time, subject to a maximum of the Guaranteed Sum in the aggregate.
3. A demand for payment under this Guarantee shall be made in writing at the Guarantor’s address or by email to the following email [..... insert..] and shall:
- 3.1 state the amount claimed (“the Demand Amount”);
- 3.2 state that the Demand Amount is payable to the Employer in the circumstances contemplated in the Contract:
4. The Guaranteed Sum may be reduced from time to time upon receipt by the Guarantor of the Employer’s written certificate certifying the amount of such reduction and the Contractor’s entitlement thereto under the Contract.
5. Notwithstanding the reference herein to the Contract the Guarantor acknowledges that:
- 5.1 the liability of the Guarantor in terms hereof is as principal and not as surety

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- and the Guarantor's obligation/s to make payment:
- 5.1.1 is and shall be absolute and unconditional in all circumstances; and
- 5.1.2 is not, and shall not be construed to be, accessory or collateral on any basis whatsoever;
- 5.2 the Employer shall be entitled to arrange its affairs with the Contractor in any manner which it sees fit, without advising us and without affecting the Guarantor's liability under this Guarantee. This includes, without limitation, any extensions, indulgences, release, or compromise granted to the Contractor or any variation under or to the Contract or termination of the Contract.
- 5.3 should the Employer cede its rights against the Contractor to a third party where such cession is permitted under the Contract, then the Employer shall be entitled to cede to such third party the rights of the Employer under this Guarantee on written notification to the Guarantor of such cession.
6. The Guarantor's obligations in terms of this Guarantee:
- 6.1 shall be restricted to the payment of money only and shall be limited to the maximum of the Guaranteed Sum; and
- 6.2 shall not be discharged and compliance with any demand for payment received by the Guarantor in terms hereof shall not be delayed, by the fact that a dispute may exist between the Employer and the Contractor.
7. This Guarantee:
- 7.1 shall expire on the Expiry Date until which time it is irrevocable;
- 7.2 is, save as provided for in 5.3 above, personal to the Employer and is neither negotiable nor transferable;
- 7.3 shall be returned to the Guarantor upon the earlier of payment of the full Guaranteed Sum or expiry hereof;
- 7.4 shall be regarded as a liquid document for, firstly, the purpose of demonstrating and/or determining the amount due by the Guarantor to the Employer and, secondly, **obtaining** any court order; and
- 7.5 shall be governed by and construed in accordance with the law of the Republic

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of South Africa and shall be subject to the jurisdiction of the Courts of the Republic of South Africa.

8. The Guarantor chooses the *domicilium citandi et executandi* for all purposes in connection with this Guarantee at the Guarantor's Address.

Signed at _____ Date _____

For and behalf of the Guarantor, which signatories by appending their signatures warrant that they are authorized to bind the Guarantor as above stated:

Guarantor Signatory 1: _____ Guarantor Signatory 2: _____

Name: _____ Name: _____

Capacity of Guarantor Capacity of Guarantor
Signatory 1: _____ Signatory 2: _____

Witness: _____ Witness: _____
(Printed Name of Witness) (Printed name of witness)

Guarantor's seal or stamp _____

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3. SUBCONTRACTING AFTER AWARD OF TENDER

After Award, the following are contractual obligations for notification:

- 3.2** A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 3.3** A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

I, THE UNDERSIGNED (*FULL NAME OF AUTHORIZED PERSON*)

ON BEHALF OF (*FULL NAME OF TENDERING ENTITY*)

FORMALLY CONFIRM THAT THIS TENDER SUBMISSION IS FULLY COMPLIANT AND ADHERES IN FULL, TO ALL THE REQUIREMENTS STIPULATED IN THIS RETURNABLE IN ITS ENTIRITY.

I ACCEPT THAT, IF THESE REQUIREMENTS ARE NOT MET IN FULL, OR IF FALSELY PORTRAYED, THE DBSA MAY, IN ADDITION TO DISQUALIFICATION OF THE TENDER SUBMISSION, OR CANCELLATION OF A CONTRACT; TAKE LEGAL ACTION.

SIGNATURE: _____

DATE: _____