Part T2: Returnable Schedules

**T.2.1 LIST OF RETURNABLE SCHEDULES**

The tenderer must complete the following returnable schedules:

**Notes to tenderer:**

1. **Failure to submit fully completed relevant returnable documents may render such a tender offer non-responsive.**
2. **Tenderers shall note that their signature appended to each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided.**
3. **Notwithstanding any check or audit conducted by or on behalf of the Employer, the information provided in the returnable documents is accepted in good faith and as justification for entering into a contract with a tenderer. If subsequently any information is found to be incorrect such discovery shall be taken as wilful misrepresentation by that tenderer to induce the contract. In such event:**
   1. **the Employer shall inform the tenderer and give the tenderer an opportunity to make representations within 14 days as to why the tender submitted should not be disqualified;**
   2. **if the Employer has already entered into a contract with the Tenderer, the Employer has the discretionary right under FIDIC Particular Condition 15.2(g) to terminate the contract.**
4. **These forms must be completed in non-erasable ink (electronically signed submission is deemed non-erasable ink) and any alterations made prior to tender closure countersigned by an authorised signatory.**

**Part T2: RETURNABLE SCHEDULES**

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**FORM A1: APPLICANT’S COMPANY DETAILS**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| * 1. **General:** | | | | | | | | | | | | | |
| 1. Name of Firm | | | | | |  | | | | | | | |
| 1. Postal address | | | | | |  | | | | | | | |
|  | | | | | | | |
| 1. Physical address (Company Head Office Domicilium citandi) | | | | | |  | | | | | | | |
| 1. Telephone no | | | | | |  | | | | | | | |
| 1. E-mail address | | | | | |  | | | | | | | |
| 1. Contact person (full name) | | | | | |  | | | | | | | |
| 1. Income tax reference no | | | | | |  | | | | | | | |
| 1. VAT registration no | | | | | |  | | | | | | | |
| 1. Company registration no | | | | | |  | | | | | | | |
| * 1. **Type of business:** | | | | | | | | | | | | | |
|  |  |  | Sole Trader | |  | Close Corporation |  | | Company | |  | (Pty) Ltd. | |
| * 1. **List all shareholders, or owners of enterprises as follows:** | | | | | | | | | | | | | |
| Name | | | | ID Number /  Citizenship | | | | Black Y/N | | Male / Female | | | % Owned |
|  | | | |  | | | |  | |  | | |  |
|  | | | |  | | | |  | |  | | |  |
|  | | | |  | | | |  | |  | | |  |
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|  | | | |  | | | |  | |  | | |  |
|  | | | |  | | | |  | |  | | |  |
| * 1. **Total number of years the firm has been in business:** \_\_\_\_\_\_\_\_\_\_\_ | | | | | | | | | | | | | |
| * 1. Number of permanent staff members employed by your business: \_\_\_\_\_\_\_\_\_\_\_\_ | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | |

***NOTE: A CERTIFIED COPY OF THE APPLICANT’S BUSINESS/COMPANY REGISTRATION FORM SHALL BE ATTACHED.***

SIGNED BY TENDERER:

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

**FORM A2 LOCATION OF BUSINESS AND PROOF**

The onus lies with the Applicant to ensure that adequate proof is provided that the Business is located at the address declared. Supporting documentation, e.g. Municipal Rates or other utility bill, is preferable.

***Note: A certified copy of proof of business address shall be attached.***

Business

street address (being the

place at which the applicant

operates its business): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District municipality: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Province: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Distance from

N3 Toll Road: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Number of years

at present address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Additional justifications,

if applicable: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNED BY TENDERER:

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

#### **FORM A3: CERTIFICATE OF AUTHORITY FOR SIGNATORY**

**Notes to tenderer:**

* + - * 1. **The signatory for the tenderer shall confirm his/her authority thereto by attaching, on the tendering company’s letterhead, a duly signed and dated copy of the relevant resolution of the board of directors/partners.**
        2. **In the event that the tenderer is a joint venture, a certificate is required from each member of the joint venture clearly setting out:**
* **authority for signatory,**
* **undertaking to formally enter into a joint venture contract should an award be made to the joint venture,**
* **name of designated lead member of the intended joint venture, as required by tender condition 4.13.2.**
  + - * 1. **The resolution below is given as an example of an acceptable format for authorisation, but submission of this page with the example completed shall not be accepted as authorisation of the tenderer’s signatory.**

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

Mr/Ms ,whose signature appears below, has been duly authorised to sign all documents in connection with the tender for

N3TC N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

and any contract which may arise there from on behalf of ***enter name of tenderer in block capitals***

SIGNED ON BEHALF OF THE COMPANY:……………………………………………………………………

IN HIS/HER CAPACITY AS:………………………………………………………………………………………

DATE:……………………………………………………………………………………………………………….

SIGNATURE OF SIGNATORY:………………………………………………………………………………….

WITNESS: ………………………………………….

SIGNATURE SIGNATURE

………………………………………….

NAME (PRINT) NAME (PRINT)

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

**FORM A4: CERTIFICATE OF TAX COMPLIANCE**

Notes to tenderer:

1. The tenderer shall attach to this page an original or certified copy of his Tax Clearance and VAT Registration certificate which shall be obtained by the tenderer from the South African Revenue Service (SARS) and which shall be valid on the closing time for submission of tenders.
2. In the event of a joint venture each member shall comply with the above requirement.
3. Where such certificates are no longer issued by SARS, the tenderer shall complete the declaration below:

I, …………………………………………………………………………………………………………….(name)

the undersigned in my capacity as ………………………………………………………………..(position)

on behalf of ………..…………………………………………………………………..……(name of company)

herewith grant consent that SARS may disclose to the N3TC our tax compliance status. For this purpose, our unique security personal identification number (PIN) is ……………………………………. our tax reference number is ………………………………………..and our tax clearance certificate number is …………………………………...

SIGNED ON BEHALF OF THE TENDERER:

#### 

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

#### **FORM A5: CERTIFICATE OF INSURANCE COVER**

**Note to tenderer: In the event of the tenderer being a joint venture/consortium the details of the individual members must also be provided.**

The tenderer shall provide the following details of this insurance cover:

1. Name of Tenderer:
2. Period of Validity:
3. Value of Insurance:

* Insurance for Works and Contractor’s Equipment

Company:

Value:

* Insurance for Contractor’s Personnel

Company:

Value:

* General public liability

Company:

Value:

* SASRIA

Company:

Value:

SIGNED ON BEHALF OF THE TENDERER:

#### 

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

#### **FORM A6: TENDERER’S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS**

**Notes to tenderer:**

1. **The tenderer shall attach to this form:**
   1. **A letter (dated less than 3 months prior to the tender closing date) from a Registered Financial Service Provider (registered with the FSB) which declares how the entity conducts its account and confirms that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) available to meet the construction cash flow requirements estimated for the subject contract.**
2. **In the event that the tenderer is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.**
3. **In the event that the Employer at its sole discretion is not satisfied with the financial capability of the tenderer as a result of whatsoever nature and reason, the Employer reserves the right to invoke the provisions under tender data 5.13.**

DATE

Bank Name

FSB Number

Bank Address

(Letter to be on the Financial Service Provider’s letter head)

**RE: ACCOUNT CONDUCT AND CASHFLOW CONFIRMATION**

To Whom It May Concern:

We hereby confirm that Tenderer Name has been banking with xxxx bank for a period of xxx years and the account has been conducted in a satisfactory manner. Tenderer Name has the financial means, net of current commitments available to meet the construction cash flow requirements to the value of xxxxx for contract (insert contract number).

1. Name of Account Holder:
2. Account Number:
3. Bank name:
4. Branch Number:
5. Bank and branch contact details

Yours Sincerely,

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BANK STAMP

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNED ON BEHALF OF TENDERER: ……………………………………

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

#### **FORM A7: CERTIFICATE OF REGISTRATION WITH CIDB**

The tenderer shall provide the following details of his registration with the Construction Industry Development Board. In the case of a joint venture, each member of the joint venture shall complete a separate form attached to this one.

The tenderer shall provide a printed copy of the Active Contractor’s Listing off the CIDB website. (www.cidb.org.za). Tenderers whose CIDB registration expires within 21 days after close of tender should attach proof of their application for re-registration (refer to Tender Data Clause 4.1.1). In the case of a Joint Venture, a printed copy of the Active Contractor’s Listing must be provided for each member of the Joint Venture.

Name of Contractor:……………....................................................................................................

Contractor Grading Designation: .................................................................................................

CIDB Contractor Registration Number: ........................................................................................

Expiry Date: ..............................................................................................................................

SIGNED ON BEHALF OF THE TENDERER:

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

**FORM B1: CERTIFICATE OF COMPLIANCE WITH OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 AND CONSTRUCTION REGULATIONS**

Notes to applicant:

1. Discovery that the applicant has failed to make proper disclosure may result in N3TC disqualifying the applicant from this pre-qualification process on the ground that it has been rendered invalid by the applicant’s misrepresentation.
2. The applicant shall attach to this Form evidence that he is registered and in good standing with the compensation fund or with a licensed compensation insurer who is approved by the Department of Labour in terms of section 80 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993).

SIGNED BY TENDERER:

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

#### **FORM C1: TENDERER’S B-BBEE VERIFICATION CERTIFICATE**

**Notes to tenderer:**

1. **The tenderer shall attach to this form a valid B-BBEE verification certificate issued in accordance with:**

* **the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry.**
* **in the event that the Measured Entity operates in more than one sector or sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of Annual Revenue) are located will be acceptable.**

1. **The certificate shall:**

* **have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or**
* **be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and**
* **be valid at the original advertised tender closing date; and**
* **have a date of issue less than 12 (twelve) months prior to the tender closing date (see Tender Data 4.15).**

1. **In the event of an un-incorporated joint venture (JV), a project specific (SANRAL project number indicated) consolidated B-BBEE verification certificate in the name of the JV, shall be attached, as well as a valid B-BBEE verification certificate for each member of the JV on which the JV certificate was calculated.**
2. **The attached verification certificate and the associated assessment report shall comply with the requirements of Tender Data clause 5.11.8 and shall identify:**
3. **The name and domicilium citandi et executandi of the tenderer.**
4. **The registration and VAT number of the tenderer.**
5. **The dates of granting of the B-BBEE score and the period of validity.**
6. **The expiry date of the verification certificate.**
7. **A unique identification number.**
8. **The standard and/or normative document, including the issue and/or revision used to evaluate the tenderer.**
9. **The name and/or mark/logo of the B-BBEE verification agency.**
10. **The category (Generic, QSE, EME) in which the tenderer has been measured.**
11. **The B-BBEE status level.**
12. **The South African National Accreditation System (SANAS) logo on the verification certificate once verification agencies have been accredited.**
13. **The B-BBEE procurement recognition level.**
14. **The score achieved per B-BBEE element.**
15. **The % black shareholding.**
16. **The % black women shareholding.**
17. **The % black persons with disabilities shareholding**
18. **The % black youth shareholding**
19. **The % black people living in rural or underdeveloped areas or townships shareholding**
20. **The % black military veterans shareholding**
21. **The value added status of the tenderer.**

**5. The Employer will not be responsible to acquire data that it needs for its own reporting systems and which may not form part of a verification agency’s standard certificate format. The tenderer, at its own cost, must acquire any missing specified data listed in 4 above from its selected verification agency and have it recorded on the certificate. Alternatively, such missing data must be supplied separately, but certified as correct by the same verification agency and also attached to this form.**

SIGNED BY TENDERER:

N3TC TENDER N3 MOW 2022: RETURNABLE SCHEDULES: PACKAGE 4

#### **FORM F1: CERTIFICATE OF TENDER COMPLIANCE**

**Note to tenderer**

**This form has been created as an aid to ensure a tenderer’s compliance with the completion of the returnable forms and schedules and subsequent placement in the correct envelope.**

|  |  |  |
| --- | --- | --- |
| **Form No** | **Form description** | **Tick if completEd** |
| A1 | APPLICANT’S COMPANY DETAILS |  |
| A2 | LOCATION OF BUSINESS AND PROOF |  |
| A3 | CERTIFICATE OF AUTHORITY FOR SIGNATORY |  |
| A4 | CERTIFICATE OF TAX COMPLIANCE |  |
| A5 | CERTIFICATE OF INSURANCE COVER |  |
| A6 | TENDERER’S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS |  |
| A7 | CERTIFICATE OF REGISTRATION WITH CIDB |  |
| B1 | CERTIFICATE OF COMPLIANCE WITH OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 AND CONSTRUCTION REGULATIONS |  |
| C1 | TENDERER’S B-BBEE VERIFICATION CERTIFICATE |  |

SIGNED ON BEHALF OF THE TENDERER: …………………………………………………………………

Part C1: Agreements and Contract Data

**PART C1: AGREEMENTS AND CONTRACT DATA**

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C1.1 FORMS OF OFFER AND ACCEPTANCE

**C1.1 FORMS OF OFFER AND ACCEPTANCE**

##### C1.1.1 FORM OF OFFER

The N3 TOLL CONCESSION (RF) PROPRIETARY LIMITED

Block D

Southdowns Office Park

22 Karee Street

Irene

[n3mow2022.tender@n3tc.co.za](mailto:n3mow2022.tender@n3tc.co.za)

Sir,

**CONTRACT: N3TC/RM-2022-604: PACKAGE 4**

**N3 TOLL ROAD: CEDARA INTERCHANGE TO HEIDELBERG SOUTH INTERCHANGE**

**MOWING, CUTTING AND REMOVAL OF VEGETATION ON THE N3– PACKAGE 4**

1. I/we, by signing this part of the forms of offer and acceptance, confirm that we have examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules and am/are duly authorised to represent and commit the tenderer to the contractual obligations contained therein.

2. I/we further confirm that by submitting this offer the tenderer accepts the conditions of tender and offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of tender and the conditions of contract identified in the contract data.

**THE OFFERED TOTAL OF THE PRICES (INCLUSIVE OF VALUE ADDED TAX) IS**

……………………………………………………………………………………………………………..

…………………………………………………………………………………………………(in words)

(R…………………………………. in figures)

3. You may accept this offer by signing and returning to the tenderer one copy of the Form of acceptance before the end of the period of validity stated in the tender data, (or at the end of any agreed extension thereof), whereupon the tenderer becomes the party named as the contractor in the conditions of contract identified in the contract data.

4. Notwithstanding anything contained in a covering letter to this tender, I/we declare this offer is submitted entirely without variations or deviations.

Yours faithfully

SIGNATURE: …………………………………… DATE: ……………………………………………………

NAME (IN CAPITALS): …………………………………………………………………………………………..

CAPACITY: ……………………………………………………………………………………………………….

NAME AND ADDRESS OF ORGANISATION: ……………………………………………………………….

……………………………………………………………………………………………………………………….

NAME AND SIGNATURE OF WITNESS:

SIGNATURE: ………………………………… DATE: …………………………………………..............

##### NAME (IN CAPITALS): …………………………………………………………………………………………..