

C1.1A FORMS OF OFFER AND ACCEPTANCE

C1.1.1 FORM OF OFFER

The N3 TOLL CONCESSION (RF) PROPRIETARY LIMITED
1st Floor, Block D,
Southdowns Office Park
22 Karee Street, Irene, Centurion, 0157

Sir,

CONTRACT: N3TC/RM-2022-601

DRAINAGE MAINTENANCE ON THE N3 TOLL ROAD: HIGHWAY SECTION 4:
CONSTRUCTION OF A CONCRETE LINED DRAIN

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:

Date and minute reference of Board resolution if different from returnable schedule Form A3: Certificate of Authority for signature

NAME AND ADDRESS OF ORGANISATION:

.....

NAME AND SIGNATURE OF WITNESS:

SIGNATURE: DATE:.....

NAME (IN CAPITALS):

PART T2: RETURNABLE SCHEDULES

T.2.1 LIST OF RETURNABLE SCHEDULES

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The tenderer must complete the following returnable schedules:

Notes to tenderer

1. Returnable schedules have been separated into the following categories:
 - i) Forms, certificates and schedules for completion by the tenderer for use in the quantitative and qualitative evaluation of the tender (Forms A)
 - ii) A list of other returnable documents for completion by the tenderer and which will subsequently be incorporated into the contract (Section C1: Agreement and Contract data)
2. Failure to fully complete the relevant returnable documents shall render such a tender offer unresponsive.
3. Tenderers shall note that their signatures appended to each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided.
4. 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 influence the contract. In such event the Employer has the discretionary right under particular condition 15.2 to terminate the contract.
5. Should a tenderer wish to offer a different period of completion than that required by the employer, it shall be submitted as an alternative tender.
6. If more than one alternative tender is submitted, each one shall be numbered and submitted on a separate copy of form C1.1.1 Form of Offer, completed and signed, and accompanied by the prescribed priced Pricing Schedule and supporting documents.
7. A retention money guarantee will be considered for acceptance in lieu of cash deductions provided that the tenderer submits his proposal as an alternative tender indicating the discount he proposes to give.
8. These forms must be completed in black ink and any alterations made prior to tender closure countersigned by an authorised signatory.

FORM A1: APPLICANT'S COMPANY DETAILS AND PREVIOUS EXPERIENCE

a. General:				
1. Name of Firm				
2. Postal address				
3. Physical address (Company Head Office Domicilium citandi)				
4. Telephone no				
5. E-mail address				
6. Contact person (full name)				
7. Income tax reference no				
8. VAT registration no				
9. Company registration no				
b. Type of business:				
		Sole Trader	Close Corporation	Company (Pty) Ltd.
c. List all shareholders, or owners of enterprises as follows:				
Name	ID Number / Citizenship	Black Y/N	Male / Female	% Owned
d. Relevant previous experience*				
Date	Project	Type of Work	Value	

* Only list Most Relevant experience. Full list of completed projects to be added to the business profile to be attached.

e. Total number of years the firm has been in business: _____

f. Number of permanent staff members employed by your business: _____

NOTE: A CERTIFIED COPY OF THE APPLICANT'S BUSINESS/COMPANY REGISTRATION FORM SHALL BE ATTACHED AS WELL AS A BUSINESS PROFILE LISTING ALL RELEVANT PREVIOUS EXPERIENCE AND PROJECTS.

SIGNED BY TENDERER:

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: Wembezi Interchange

Number of years
at present address:

Additional justifications,
if applicable:

SIGNED BY TENDERER:

FORM A3: CERTIFICATE OF AUTHORITY FOR SIGNATORY

Notes to tenderer:

1)The signatory for the tenderer shall confirm his/her authority thereto by attaching a duly signed and dated copy of the relevant resolution of the board of directors/partners. Alternatively this form may be used directly. It is deemed that whoever authorizes the signatory has the capacity to commit the tenderer to enter into contracts.

2) In the event that the tenderer is a joint venture, a certificate of authority for signatory is required from all members of the joint venture and the designated lead member shall be clearly identified as required by tender condition F.2.13.4.

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 contract no.

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DRAINAGE MAINTENANCE ON THE N3 TOLL ROAD: HIGHWAY SECTION 4:
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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:

WITNESS:
SIGNATURE

.....
SIGNATURE

.....
NAME (PRINT)

.....
NAME (PRINT)

FORM A4: CERTIFICATE OF TAX CLEARANCE

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 relevant Revenue Service and which shall be valid on the closing time for submission of tenders.

In the event of a joint venture each member shall comply with the above requirement.

SIGNED ON BEHALF OF THE TENDERER:

FORM A5: TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS

Notes to tenderer:

1. The tenderer shall attach to this form:
 - a) 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 F3.13.

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 RM-2022-601.

- i) Name of Account Holder:
- ii) Account Number:
- iii) Bank name:
- iv) Branch Number:
- v) Bank and branch contact details

Yours Sincerely,

Name

Signature

BANK STAMP

SIGNED ON BEHALF OF TENDERER:

FORM A6: CERTIFICATE OF INSURANCE COVER

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

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

- i) Name of Contractor:.....
- ii) Period of Validity:
- iii) 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:.....

**FORM A7: CERTIFICATE OF COMPLIANCE WITH OCCUPATIONAL HEALTH AND SAFETY ACT, 1993
AND CONSTRUCTION REGULATIONS, 2003**

Note to tenderer:

Discovery that the tenderer has failed to make proper disclosure may result in the Employer terminating a contract that flows from this tender on the ground that it has been rendered invalid by the tenderer's misrepresentation.

The tenderer shall attach to this Form evidence that he is registered and in good standing with a compensation insurer who is approved by Department of Labour in terms of section 80 of the Compensation for Injury and Disease Act (COLD) (Act 130 of 1993).

The tenderer is required to disclose, by also attaching documentary evidence to this form, all inspections, investigations and their outcomes conducted by the Department of Employment and Labour into the conduct of the tenderer at any time during the 36 months preceding the date of this tender.

SIGNED ON BEHALF OF THE TENDERER:

FORM A8: 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:

FORM B1: 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.
2. 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).
3. 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.
4. The attached verification certificate and the associated assessment report shall comply with the requirements of Tender Data clause 5.11.8 and shall identify:
 - (a) The name and domicilium citandi et executandi of the tenderer.
 - (b) The registration and VAT number of the tenderer.
 - (c) The dates of granting of the B-BBEE score and the period of validity.
 - (d) The expiry date of the verification certificate.
 - (e) A unique identification number.
 - (f) The standard and/or normative document, including the issue and/or revision used to evaluate the tenderer.
 - (g) The name and/or mark/logo of the B-BBEE verification agency.
 - (h) The category (Generic, QSE, EME) in which the tenderer has been measured.
 - (i) The B-BBEE status level.
 - (j) The South African National Accreditation System (SANAS) logo on the verification certificate once verification agencies have been accredited.
 - (k) The B-BBEE procurement recognition level.
 - (l) The score achieved per B-BBEE element.
 - (m) The % black shareholding.
 - (n) The % black women shareholding.
 - (o) The % black persons with disabilities shareholding
 - (p) The % black youth shareholding
 - (q) The % black people living in rural or underdeveloped areas or townships shareholding
 - (r) The % black military veterans shareholding
 - (s) 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:

FORM C1: 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 AND PREVIOUS EXPERIENCE	
A2	LOCATION OF BUSINESS AND PROOF	
A3	CERTIFICATE OF AUTHORITY FOR SIGNATORY	
A4	CERTIFICATE OF TAX COMPLIANCE	
A5	TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS	
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