



*in the footprints •••*  
an agency of the  
Department of Sport, Arts and Culture

## **NELSON MANDELA MUSEUM**

**CONTRACT No. NMM -GOR-2025-01**

**FOR**

**APPOINTMENT A CONTRACTOR TO RENDER  
(TURNKEY SERVICES) FOR DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN  
OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVINCE**

**CLOSING DATE: 21 OCTOBER 2025**

**CLOSING TIME: 12:00**

**PREPARED BY**

**NELSON MANDELA MUSEUM**

Corner Owen Street and Nelson Mandela Drive

MTHATHA

5099

**FIELD OF INTEREST**

Tick the applicable box ✓

<b>General Building Works (GB)</b>	
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**NAME OF TENDERER:**

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**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVENCE  
CONTRACT NO. NMM-GOR- **2025-01****

**TABLE OF CONTENTS**

PART T1: TENDERING PROCEDURES .....	3
T1.0 TENDER NOTICE .....	4
T1.1 TENDER NOTICE AND INVITATION TO TENDER SBD:1 .....	6
T1.2 TENDEDER DATA .....	9
T1.3: FUNCTIONALITY SCORING SCHEDULES .....	21
PART T2: RETURNABLE DOCUMENTS .....	23
T2.1 RETURNABLE SCHEDULES .....	24
PART C3: SCOPE OF WORK .....	93

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

**PART T1: TENDERING PROCEDURES**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

## **T1.0 TENDER NOTICE**

This invitation for bids is issued by Nelson Mandela Museum (NMM), an agency of the Department of Sport, Arts and Culture. The Nelson Mandela Museum intends entering into agreements with interested and qualifying contractors and hereby Request of Quotation for **“Appointment of a Contractor to render (Turnkey Service) for the Design and Construction of additional Ablution Facilities in OR Tambo Garden of Remembrance, Eastern Cape Province.** The Interested bidders are hereby invited to submit proposals for evaluation.

### **Eligibility**

**1. CIDB Grading:**

- a) Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations, for a **1GBPE/2GB** or higher class of construction work, are eligible to submit tenders:
- b) Joint ventures are eligible to submit tenders provided that:
  - i) every member of the joint venture is registered with the CIDB;
  - (ii) the lead partner has a contractor CIDB grading designation in the **1GBPE/2GB** or higher class of construction work; or not lower than one level below the required grading designation in the class of construction works under consideration and possess the required recognition status;
  - (iii) the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered of CIDB **1GBPE/2GB** class of construction work or a value determined in accordance with the Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations.
- c) Only tenderers who comply with the following are eligible to submit tenders:
  - (i) Have the required and valid CIDB grading stated.
  - (ii) Achieved the minimum score for Functionality
  - (iii) Tenderer is not listed in the Register of Tender Defaulters and prohibited from doing business with the public sector.
  - (iv) The tenderer has not abused the Employer's supply chain management system
- (v) The tenderer has not failed to perform on any previous contract with the employer.

**1. Functionality Criteria:**

Tenderers are required to score a minimum of 70 points out of a possible 100 points in order to be responsive: Tender Data, of the proposed functionality criteria and point system for evaluation. Refer to Clause F2.1 in the Tender Data

**2. Briefing Session:**

A **mandatory** briefing meeting will be conducted at **2:00pm** on **Wednesday 15<sup>th</sup> October 2025** at **OR Tambo Garden of Remembrance in Bizana, Eastern Cape**, where representatives

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCIAL  
CONTRACT NO. NMM-GOR- 2025-01**

from the Nelson Mandela Museum will meet prospective bidders. The sharing of information and clarifications of issues related to this Bid as given by the Nelson Mandela Museum will form part of this Bid and responses.

**Obtaining of Tender Documents:**

The Request for Quote (RFQ) for this bid will be available from the Nelson Mandela Museum website and [www.etenders.gov.za](http://www.etenders.gov.za) for prospective bidders to download starting from **09 October 2025**

**Submission of RFQ:**

Completed RFQ in a sealed envelope endorsed with the name of bidder, bid number and description must be deposited in the designated tender box located at Nelson Mandela Museum, Bhunga Building, Corner Owen Street and Nelson Mandela Drive, Mthatha, not later than **12h00 on 21 October 2025**

- Faxed, e-mailed, unsigned or incomplete bids will not be accepted
- Posted bids must be made such that there is sufficient time for it to be placed in the Tender Box before closing time.
- It must be expressly understood that Nelson Mandela Museum disclaims any responsibility for seeing that bids sent by post or delivered in any other way to Nelson Mandela Museum are logged in the Tender Box.
- No late submissions will be accepted.

**Enquiries:**

No telephonic or any other form of communication with any other NMM member of staff, other than the named individual on the tender advert, relating to this request for the tender will be permitted. All enquiries regarding this tender must be in writing only, and must be directed to:

Bid Administration & service provider specifications:

- Ms P Mfundisi
- Email: [phakama@nelsonmandelamuseum.org.za](mailto:phakama@nelsonmandelamuseum.org.za)

Technical Enquiries:

- Mr L Nongcaula
- Email: [lihle@nelsonmandelamuseum.org.za](mailto:lihle@nelsonmandelamuseum.org.za)

*The NMM reserves the right not to accept the lowest quotation in part or in whole or any proposal.*



**Mr Mandisi Msongelwa CA(SA)**

**Acting Chief Executive Officer**

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
 CONTRACT NO. NMM-GOR- **2025-01**

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

**SBD:1**

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NELSON MANDELA MUSEUM</b>				
BID NUMBER:		CLOSING DATE:		CLOSING TIME:
DESCRIPTION	APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE			
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>				
Nelson Mandela Museum				
Bhunga Building, Corner Owen Street and Nelson Mandela Drive				
Mthatha				
5099				
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Ms P Mfundisi	CONTACT PERSON	Mr L Nongcaula	
TELEPHONE NUMBER	047 501 9528	TELEPHONE NUMBER	047 501 9517	
FACSIMILE NUMBER	n/a	FACSIMILE NUMBER	n/a	
E-MAIL ADDRESS	<a href="mailto:phakama@nelsonmandelamuseum.org.za">phakama@nelsonmandelamuseum.org.za</a>	E-MAIL ADDRESS	<a href="mailto:lihle@nelsonmandelamuseum.org.za">lihle@nelsonmandelamuseum.org.za</a>	
<b>SUPPLIER INFORMATION</b>				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCIAL**  
**CONTRACT NO. NMM-GOR- 2025-01**

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/ SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No <small>[IF YES ENCLOSURE PROOF]</small>	<small>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS/ SERVICES OFFERED?</small>	<input type="checkbox"/> Yes <input type="checkbox"/> No <small>[IF YES, ANSWER THE QUESTIONNAIRE BELOW]</small>	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>				
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?		<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?		<input type="checkbox"/> YES <input type="checkbox"/> NO		
<b>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>				

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**PART B**

**TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BID WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED- (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVENCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

## **T 1.2 TENDEDER DATA**

The tender conditions are the Standard Conditions of Tender as contained in Annexure F of the CIDB Standard for Uniformity for Construction Procurement, Board Notice 136 Government Gazette No 38960 of 10 July 2015 (see [www.cidb.org.za](http://www.cidb.org.za) ) which are reproduced without amendment or alteration for the convenience of Tenderers and attached to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data which specifically applies to the tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of data given below shall be cross-referenced to the Clause in the Standard Conditions of Tender to which it mainly applies.

**The additional conditions of Tender are:**

<b>Clause Number</b>	<b>Description</b>
<b>F.1</b>	<b>GENERAL</b>
<b>F.1.1</b>	The Employer is the <b>NELSON MANDELA MUSEUM</b>
	The purpose of this tender is to appoint service provider to provide turnkey services for design and construction of the additional ablution facilities at Nelson Mandela Museum OR Tambo Garden of Remembrance in Bizana, Eastern Cape Province.
<b>F.1.2</b>	<b>Tender documents</b>  The tender documents issued by the Employer comprise of:  <b>The Tender</b>  <b>Part T1 Tendering Procedures</b>  Part T1.1 Tender notice and invitation to tender  Part T1.2 Tender Data  <b>Part T2 Returnable documents</b>  Part T2.1 List of Returnable documents  Part T2.2 Returnable schedules  <b>The Contract</b>  <b>Part C1 Agreements and contract data</b>  Part C1.1 Form of Offer and Acceptance

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVENCE  
CONTRACT NO. NMM-GOR- 2025-01**

	<p>Part C1.2 Contract Data (Part 2: Data provided by the contractor)</p> <p><b>Part C2 Pricing data</b></p> <p>Part C2.1 Pricing Instructions</p> <p>Part C2.2 Pricing Schedule</p>
<b>F1.3.3</b> (Interpretation)	g) A tendered sum and or rate(s) may be regarded as being unduly low should it be considered to compromise the ability of a service provider to complete the contract i.e. it presents an unacceptable commercial risk to the Employer, or the Tenderer will have insufficient financial capability to perform the contract.
<b>F1.4</b>	<p><b>Communication and employer's agent</b></p> <p><b>Delete the first sentence of the clause and replace with the following:</b></p> <p>Verbal or any other form of communication, from the Employer, its employees, agents or advisors during site visits/clarification meetings or at any other time prior to the award of the Contract, will not be regarded as binding on the Employer, unless communicated by the Employer be in writing to the tenderers. In addition, this communication shall only be to or from, the authorised person as stated below.</p> <p>Technical Enquiries:</p> <p>Name: Lihle Nongcaula</p> <p>Address: Nelson Mandela Museum</p> <p style="padding-left: 40px;">Corner Owen Street and Nelson Mandela Drive</p> <p style="padding-left: 40px;">Mthatha, 5099</p> <p>E-mail: <a href="mailto:lihle@nelsonmandelamuseum.org.za">lihle@nelsonmandelamuseum.org.za</a></p> <p>No telephonic or any other form of communication with any other Nelson Mandela Museum member of staff, other than the named individuals on the Tender Notice and Tender Data, relating to this tender will be permitted.</p>
<b>F1.5</b>	<p><b>Cancellation and Re-Invitation of RFQ</b></p>
<b>F1.5.1</b>	e) where it is believed that the RFQ sum or specific rate(s) is excessive, the employer may request the tenderer to adjust his tendered sum and or affected rate(s) downward during tender evaluation stage through Bid Evaluation and or Adjudication Committee. Should a tenderer not elect to do so, the employer may consider moving to the next highest ranked tenderer or tenderer scoring the highest points and the process would be repeated until the risk has reached an acceptable level.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

	If the risk cannot be brought to acceptable level through this process (all responsive tenderers have been requested), the employer may consider cancellation of the tender, revise the scope of work, and call for fresh tenders.
<b>F.2</b>	<b>TENDERER'S OBLIGATIONS</b>
<b>F.2.1</b>	<b>Eligibility and Determination of responsive Bidders</b>
<b>F2.1 cont.</b>	<b>Eligibility</b>
	<p>A Tenderer will <u>not be eligible</u> to submit a tender if:</p> <ul style="list-style-type: none"> <li>• The Contractor submitting the tender is under restrictions or has principals who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices.</li> <li>• The Tenderer does not have the legal capacity to enter into the contract.</li> <li>• The Contractor submitting the tender is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court, or a judicial officer has suspended his business activities, or is subject to legal proceedings in respect of the foregoing.</li> <li>• The Tenderer does not comply with the legal requirements stated in the Employer's procurement policy applicable to this tender.</li> <li>• The Tenderer cannot demonstrate that he possesses the necessary professional and technical qualifications and competent, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract.</li> <li>• The Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.</li> </ul>
<b>F.2.1.2</b>	<b><i>Construction Industry Development Board (CIDB) Registration</i></b>

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCIAL**  
**CONTRACT NO. NMM-GOR- 2025-01**

	<p><i>Only those tenderers who are registered with the CIDB as defined in the Regulations (09 June 2004 and 22 July 2005), in terms of the CIDB Act No 38 of 2000, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered.</i></p> <p><i>A contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, the following Categories are required</i></p> <table border="1"> <thead> <tr> <th>Categories</th><th>Abbreviation</th><th>Grade</th></tr> </thead> <tbody> <tr> <td>General Building Works</td><td>GB</td><td>1GBPE/2GB or Higher</td></tr> </tbody> </table> <p><i>Joint Ventures are eligible to submit tenders provided that:</i></p> <ul style="list-style-type: none"> <li>(a) <i>Every member of the Joint Venture is registered with the CIDB.</i></li> <li>(b) <i>The lead partner must be registered in the relevant class of construction work.</i></li> <li>(c) <i>The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for the following Categories are required</i> <table border="1"> <thead> <tr> <th>Categories</th><th>Abbreviation</th><th>Grade</th></tr> </thead> <tbody> <tr> <td>General Building Works</td><td>GB</td><td>1GBPE/2GB or Higher</td></tr> </tbody> </table> <li>(d) <i>The lead partner is mandated by the joint venture to attend meetings, answer questions and sign documentation of a legal nature.</i></li> </li></ul>	Categories	Abbreviation	Grade	General Building Works	GB	1GBPE/2GB or Higher	Categories	Abbreviation	Grade	General Building Works	GB	1GBPE/2GB or Higher
Categories	Abbreviation	Grade											
General Building Works	GB	1GBPE/2GB or Higher											
Categories	Abbreviation	Grade											
General Building Works	GB	1GBPE/2GB or Higher											
F.2.7	<b>Clarification meeting</b>												
	<p>A <b>mandatory</b> briefing meeting will be conducted on <b>at 10h00 on Wednesday, 07<sup>th</sup> of May 2025</b> at <b>OR Tambo Garden of Remembrance</b> Location co-ordinates: 30°45'23.95"S Latitude 29°43'3.66"E Longitude</p>												
F.2.10	<p><b>Pricing the tender offer:</b></p> <p>(a) <u>Value Added Tax</u></p> <p>The Valued Added Tax (VAT) rate shall be <b>15%</b> or as otherwise provided for by Legislation.</p> <p>The successful Tenderer shall be required to produce a VAT invoice that shall only be prepared once measurements and valuations for work done in terms of the contract offer has been agreed with the Employer's agent and a certificate of payment issued.</p>												

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

	Payment of VAT to non-VAT vendors shall be processed from the month in which the Tenderer's liability with the South African Revenue Services is effective.
<b>F.2.11</b>	<b>Alterations to document:</b>
	A Tender offer shall not be considered if alterations have been made to the forms of tender data or contract data (unless such alterations have been duly authenticated by the Tenderer) or if any particulars required therein have not been completed in all respects.
<b>F.2.12</b>	<b>Alternative tender offers:</b>
F.2.12.1	No alternative Tender offer will be considered.
<b>F.2.13</b>	<b>Submitting a Tender offer:</b>
F.2.13.1	Submit one tender offer only, either as a single tendering entity or as a member of a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.
F.2.13.2	Return all returnable documents to the employer after completing them in their entirety in non-erasable black ink. Under no circumstances whatsoever may the tender forms be retyped or redrafted.
F.2.13.3	Tender offers shall be submitted as an original.
F.2.13.4	Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint venture shall state which of the signatories is the lead partner, whom the employer shall hold liable for the purpose of the tender offer.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

F.2.13.5	<p>One original of the completed bid document shall be placed in a sealed envelope clearly marked: <b>“NMM -GOR-2025-01: APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE”</b></p> <p>The Employer's address for delivery of tender offers and identification details are:</p> <p><b>Nelson Mandela Museum, Bhunga Building, Cnr Owen and Nelson Mandela Drive, Mthatha-Tender Box</b></p> <p>The identification details are: <b>“NMM -GOR-2025-01: APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE”</b></p>
F.2.13.9	Accept that tender offers submitted by facsimile or email will be rejected by the employer, unless stated otherwise in the tender data.
F.2.15	<b>Closing Time: 12H00</b>
F.2.15.1	<p>Ensure that the employer received the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.</p> <p>The closing time for submission of tender offers is <b>12H00 at Nelson Mandela Museum, Cnr Owen and Nelson Mandela Drive, Mthatha</b>, in the tender box at <b>on 21 October 2025</b>.</p> <p><b>Telephonic, facsimile, electronic or e-mailed tenders will not be accepted.</b></p>
F.2.16	<b>Tender Offer Validity</b>
F.2.16.1	The Tender offer validity period is Ninety (90) calendar days from closing time for submission of tenders.
F.2.17	<b>Clarification of Tender after submission</b>
F.2.18	Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.
F.2.18	<b>Provide other Material</b>

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

F.2.18.1	Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), referencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.
<b>F.2.23</b>	<b>Certificates</b>
	The tenderer is required to submit with his tender the following: <ul style="list-style-type: none"><li>• National Treasury - Central Supplier Database Registration (Full Report not Summary)</li><li>• Certified Certificate of Contractor Registration issued by the Construction Industry Development Board</li><li>• Unemployment Insurance Fund - certificate of good standing</li><li>• CIPC Registration Certificates</li></ul>

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCIAL**  
**CONTRACT NO. NMM-GOR- 2025-01**

<b>F.3</b>	<b>THE EMPLOYER'S UNDERTAKINGS</b>
<b>F.3.4</b>	<b>Opening of Tender submissions:</b>
F.3.4.1	<p>Tenders will not be opened immediately after the closing. Opening Register shall be distributed to all the Contractors that made submission within 48 hours by email.</p> <p>Contractors are required to include contactable email address in the Contract of the Service Provider – Contract Data</p>
<b>F3.5</b>	<b>Two-envelope system</b>
	A two-envelope procedure will NOT be followed.
<b>F.3.11</b>	<b>Evaluation of Tender Offers</b>
F.3.11.3	<p>Only Responsive tenders will be evaluated in terms of <b>Method 2: Functionality, Price and Preference</b>.</p> <p>The responsive tender with the highest combined total points for financial offer and preferences, is the preferred tender.</p> <p>The responsive tender with the highest total points of <math>Ps + N_p</math> as defined below, will be considered, but NMM reserves the right not to award the bidder with highest points:</p> <p>(a) <math>Ps</math> (Financial Offer)</p> <p>The points awarded for price in terms of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2022 is calculated as follows:</p> <p>The contract shall be awarded in line with the NMM SCM Policy, which is based on the Preferential Procurement Policy Framework Act 5 of 2000, Preferential Procurement Regulations 2022 and Section 217 (1) and Section 217(2) of the Constitution of the Republic of South Africa,</p>
	<p><b>THE 80/20 PREFERENCE POINT SYSTEMS:</b></p> <p>A maximum 80 points is allocated for price on the following basis:</p> $Ps = 80 \left( 1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVINCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

	<p>Where:</p> <p>Ps = Points scored for comparative price of tender or offer under consideration.</p> <p>Pt = Comparative price of tender or offer under consideration; and</p> <p>Pmin = Comparative price of lowest acceptable tender or offer.</p> <p><b>4. POINTS AWARDED FOR SPECIFIC GOALS</b></p> <p>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:</p> <p>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—</p> <p>(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</p> <p>(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,</p> <p>then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.</p>				
	<p><b>Specific Goals</b></p>				
	<b>Category</b>	<b>Points</b>	<b>Sub-categories</b>	<b>Specific goals points</b>	<b>Verification documents</b>
	Local Supplier	5	OR Tambo	5	CIPC Registration Certificate and Proof of Address
			Eastern Cape	4	
			South African	3	
			Non-South African	0	
	Women Owned	4	Black African Women	4	CIPC Certificate, Certified ID Copy, Share
			No-Black South African Women	2	

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVENCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

				Certificate and BBBEE Certificate, CSD
Youth Owned	4	Youth Owned (<35-year-old person)	4	CIPC Certificate, Certified ID Copy, Share Certificate and BBBEE Certificate, CSD
		Youth Owned (> 35-year-old person)	2	CIPC Certificate, Certified ID Copy, Share Certificate and BBBEE Certificate, CSD
People living with disability	3	People living with Disability	3	CSD Full Report (Confirmation letter from the Doctor required)
Small Micro, Medium Enterprise	4	SME – Owned by people with disability	4	BBBEE Certificate or Construction Sector compliant BBBEE Sworn Affidavit
		SME – Owned by black people	3	
		SME – Other	0	
<b>F.3.11.2</b>	<b>Scoring Financial offers:</b>			
	The procedure for the evaluation of responsive tenders is contained in the <b>Part T1.3 Evaluation and Scoring of Tender Offers on Empowerment Objectives and Price.</b>			
<b>F.3.11.3</b>	<b>Scoring quality (Functionality)</b>			
	For Functionality scoring bidders must achieve a minimum threshold of 70% in order to be considered for next stage evaluation			
<b>F.3.11.6</b>	<b>Decimal Places</b>			
	Score price, preference and functionality, as relevant, to two decimal places.			
<b>F.3.13</b>	<b>Acceptance of Tender Offer:</b>			
	<b>Tender offers will be accepted if:</b>			

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVENCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

	<ul style="list-style-type: none"> <li>(a) the Tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.</li> <li>(b) The Tenderer submits a letter of intent from an approved insurer undertaking to provide the Construction Guarantee to the format included in Part T2.2 of the procurement document.</li> <li>(c) The Tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation and has submitted proof of CIDB grading.</li> <li>(d) the Tenderer has not: <ul style="list-style-type: none"> <li>(i) abused the Employer's Supply Chain Management System; or</li> <li>(ii) failed to perform on any previous contract and has been given a written notice to this effect.</li> </ul> </li> <li>(e) The tender offer is signed by a person authorized to sign on behalf of the Tenderer.</li> <li>(f) The Tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Tenderer's ability to perform the Contract in the best interests of the Employer or potentially compromise the tender process.</li> </ul>
	<ul style="list-style-type: none"> <li>(g) the Tenderer is registered and in good standing with the Compensation Fund or with a licensed compensation insurer.</li> <li>(h) the Employer is reasonably satisfied that the Tenderer has in terms of the Construction Regulations, 2014, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.</li> <li>(i) The Tenderer has submitted certified copies of the directors, owners and shareholders identity documents with the tender offer.</li> <li>(j) The Tenderer or any of its principals, directors or managers are not employed in the service of the State. In the event that such principals are involved, official approval from the Executing Authority regarding carrying out remunerative work outside of the public service must be included in the tender submission.</li> <li>(k) Tenderer who submitted a tender as a Joint Venture has included an acceptable Joint Venture Agreement with his/her tender signed by all parties.</li> <li>(l) The Tenderer complies with the specifications and conditions applicable to the product and submitted all the required documentation as stipulated in part C3: Scope of Works.</li> </ul>

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN  
CAPE PROVENCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

	<p>(m) The Tenderer or any of its principals is <u>not</u> listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.</p> <p>The Employer is satisfied that the tenderer or any of his principals have <u>not influenced</u> the tender offer and acceptance by the following criteria:</p> <ul style="list-style-type: none"> <li>(a) having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining or execution of this Contract.</li> <li>(b) having acted in a fraudulent or corrupt manner in obtaining or executing this Contract.</li> <li>(c) having approached an officer or employee of the Employer or the Employer's Agent with the objective of influencing the award of a Contract in the tenderer's favour.</li> <li>(d) having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from tendering for this Contract or as to the amount of the tender to be submitted by either party.</li> <li>(e) having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed tender.</li> <li>(f) The Employer may, in addition to using any other legal remedies, repudiate the tender offer and acceptance and declare the Contract invalid should it have been concluded already.</li> </ul>
<b>F.3.17</b>	<b>Provide copies of the contracts</b>
	The employer will provide the successful tenderer with one (1) paper copy of the signed contract as soon as possible after completion and signing of the form of offer and acceptance.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND  
CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF  
REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

**T 1.3: FUNCTIONALITY SCORING SCHEDULES**

Civil Engineering (CE), Electrical Engineering Works (EB), General Building Works (GB), Plumbing Work (SO), General External Infrastructure (SQ), Mechanical Engineering (ME), Landscaping (SH)

<b>Company Experience</b>	<b>Projects</b>	<b>Allocation</b>	<b>Max. Points</b>
<b>Discipline (Max 40 points) NMM will only consider three (3) Reference letters</b>	Submit 3 Reference Letters OR Certificate of Completion with appointment letters/Purchase Orders for projects with a value of R 130 000 and above	Three letters or more Two letters One letter Non-submission	40 20 10 0
<b>Project Management Organogram, Management &amp; CVs of Key Persons (Max 20 points)</b>	<p>The experience of assigned key persons in relation to the scope of work will be evaluated from three different points of view, namely: Refer to page 76</p> <p>i. An Organisation Chart showing key technical skills on site management. (see Schedule 2 G Qualifications and Experience of proposed Site Supervision Team for the project on page 76)</p> <p>ii. Years of experience.</p> <p>iii. CV of key personnel to be submitted.</p> <p>Key Person: General Building Works</p>	(8 – 10 years' experience) (5 - 8 years' experience) (2 - 5 years' experience) (1 -2 years' experience) (0 years' experience)	20 15 10 5 0
<b>Methodology (Max 15 points)</b>	<p>The Tenderer must provide an overall method statement with full details on how the works will be executed. The method statement should include the following aspects:</p> <p>1. Detail the technical approach and management.</p> <p>2. Demonstrate an understanding of the project deliverables and implementation.</p> <p>3. Method statement to indicate hold points for inspections and approvals.</p> <p>4. Identify key risk elements associated with the project and indicate how the key risks will be managed</p>	Excellent Good Poor Non-submission	15 10 5 0

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND  
CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF  
REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

<b>Programme (Max 15 points)</b>	<p>The Tenderer details the programme for evaluation and attaches it to this schedule. Tenderer is to provide proposed programme showing the following:</p> <ol style="list-style-type: none"> <li>1. Logical sequence of events aligned to activities (schedule vs methodology).</li> <li>2. Milestones with project duration and project completion date.</li> <li>3. Provisions of procurement of long lead items.</li> <li>4. Provision for Health and safety requirements.</li> <li>5. Ability to execute the work in terms of the Employer's requirements within the required timeframe.</li> </ol>	Excellent	15
		Good	10
		Poor	5
		Non-submission	0
<b>COIDA (Max 10 points)</b>	<p>Valid Letter of good standing with the Compensation Fund.</p>	Valid COIDA	10
		Non-submission/expired COIDA	0

The minimum qualifying score for the CIDB GB Category is **70** points.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

**PART T2: RETURNABLE DOCUMENTS**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

**T2.1 RETURNABLE SCHEDULES**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**T2.1: LIST OF RETURNABLE DOCUMENTS**

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable are required for the purpose of evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return **all the information requested**.

**1. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES (It is compulsory to submit all the returnable documents, failure to submit will lead to disqualifications)**

Schedule: 1A	Authority for Signatory
Schedule: 1B	Letter of Good Standing with Workmen's Compensation Commissioner (COIDA)
Schedule: 1C	Joint Venture Disclosure Form
Schedule: 1D	Record of Addenda to Tender Documents
Schedule: 1E	Pricing Schedule (SBD3.3)
Schedule: 1F	Declaration of Interest (SBD4)
Schedule: 1G	Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2022 (SBD6.1)
Schedule: 1H	Local Content (SBD6.2)
Schedule: 1I	Declaration of Tenderer's Past Supply Chain Management Practices (SBD 8)
Schedule: 1J	Certificate of Independent Tender Determination (SBD 9)
Schedule: 1K	Compulsory Enterprise Questionnaire
Schedule: 1L	Particulars of Tenderer
Schedule: 1M	CIDB proof or registration
Schedule: 1N	CSD Full Report (Latest CSD Report)
Schedule: 1O	Unemployment Insurance Fund – Certificate of Good Standing

**2. OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES (to be attached with submission)**

Schedule: 2A	Tax Clearance Requirements
Schedule: 2B	CIPC Registration Certificate
Schedule: 2C	Proof of Locality (Billing Clearance Certificate of Municipal Accounts or letter from Councilor for non-rate payers not older than 3 months)
Schedule: 2D	Schedule of Tenderer's Experience
Schedule: 2E	Particulars of Commitment which the tenderer are presently engaged with
Schedule: 2F	Work Capacity
Schedule: 2G	Qualification and Experience of the proposed Site Supervision Team

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

Schedule: 2H Curriculum Vitae of Personnel (All shown in Organogram)

Schedule: 2I Certified copy of Identity Documents (All Company Directors) of the tendering entity(ies)

**SCHEDULE 1A: AUTHORITY FOR SIGNATORY**

Indicate the status of the tenderer by ticking the appropriate box (x) hereunder. The tenderer must complete the certificate set out below for the relevant category.

A Company	B Partnership	C Joint Venture	D Sole Proprietor	E Close Corporation

**A. Certificate for Company**

I, ..... , chairperson of the board of directors of .....  
..... , hereby confirm that by resolution of the board (copy attached) taken on ..... 20..., Mr/Ms .....  
acting in the capacity of ..... , was authorized to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

**As witnesses:**

1. ..... Chairman : .....  
2. ..... Date : .....

**B. Certificate for Partnership**

We, the undersigned, being the key partners in the business trading as .....  
..... hereby authorize Mr/Ms ..... ,  
acting in the capacity of ..... to sign all documents in connection with the tender for Contract ..... and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**


**NOTE:** This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole

**C. Certificate for Joint Venture**

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize Mr/Ms

....., authorized the signatory of the company .....  
....., acting in the capacity of lead partner, to sign all documents in connection with the tender offer for contract ..... and any contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME & CAPACITY

Note:

A Copy of the Joint Venture Agreement showing Clearly the percentage contribution of each partner to the joint venture shall be appended to the schedule.

**D. Certificate for Sole Proprietor**

I, ..... hereby confirm that I am the sole owner of the business trading as

**As witnesses:**

1.

Signature: Sole owner : .....

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

2.

Date :

**E. Certificate for Close Corporation**

We, the undersigned, being the key members in the business trading as .....  
..... hereby authorize Mr/Ms .....  
acting in the capacity of ....., to sign all documents in connection with the tender  
for Contract ..... and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

**NOTE:** This certificate is to be completed and signed by all of the key partners upon who rests  
the direction of the affairs of the Partnership as a whole.

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1B: LETTER OF GOOD STANDING WITH WORKMEN'S COMPENSATION  
COMMISIONER**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 1C: JOINT VENTURE DISCLOSURE FORM**

**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, in order 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 contribution 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 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) ABE partners must complete ABE Declaration affidavits
- v) The joint venture must be formalized. All pages of the joint venture agreement must be signed by all the parties concerned. A letter / notice of intention to formalize 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 will be deemed null and void and will be considered non-responsive.

**1. JOINT VENTURE PARTICULARS**

a) Name.....

b) Postal Address

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

c) Physical Address

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

Telephone Number

a) Fax Number/E-Mail

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 1D: RECORD OF ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

No.	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 .....

Tenderer .....

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1E: PRICING SCHEDULE (SBD3.3)**

NAME OF BIDDER: .....

BID NO.: ..... CLOSING TIME ..... ON .....

OFFER TO BE VALID FOR ..... DAYS FROM THE CLOSING DATE OF BID.

ITEMNO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED TAX
--------	-------------	---

1. The accompanying information must be used for the formulation  
of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all  
phases and including all expenses inclusive of VAT for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES  
MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS  
TO BE SPENT**

.....	R.....	..... days

**TOTAL R .....**

**5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs  
are recoverable. Proof of the expenses incurred must accompany certified invoices.**

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

**TOTAL R .....**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

5.2 Other expenses, for example accommodation (specify, e.g. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
			<b>TOTAL R .....</b>

6. Period required for commencement with project after acceptance of bid

.....

7. Estimated man-days for completion of project .....

8. Are the rates quoted firm for the full period of contract? .....

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index

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

Any enquiries regarding bidding procedures may be directed to the –

The Nelson Mandela Museum

Tel: 047 5019504

Or for technical information –

Lihle Nongcaula

Tel: 047 501 9517

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1F: DECLARATION OF INTEREST(SDB4)**

1. No Bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to Bid. In view of possible allegations of favouritism, should the resulting Bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the Bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the Bid.**

3.1. Full Name of Bidder or his or her representative:

.....

3.2. Identity Number:

.....

3.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):

.....

3.4. Company Registration Number:

.....

3.5. Tax Reference Number:

.....

3.6. VAT Registration Number:

.....

3.7. The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

3.8. Are you presently in the service of the state? **YES / NO**

3.8.1. If yes, furnish particulars. ....

.....

<sup>1</sup>PFMA Regulations: "in the service of the state" means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any state entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

<sup>2</sup> "Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9. Have you been in the service of the state for the past twelve months? ..... **YES / NO**

3.9.1 If yes, furnish particulars.....

3.10 Do you have any relationship (family, friend, other) with persons

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

in the service of the state and who may be involved with  
the evaluation and or adjudication of this Bid? ..... **YES / NO**

3.10.1 If yes, furnish particulars.....  
.....

3.11 Are you, aware of any relationship (family, friend, other) between  
any other Bidder and any persons in the service of the state who  
may be involved with the evaluation and or adjudication of this Bid? **YES / NO**

3.11.1 If yes, furnish particulars .....

3.12 Are any of the company's directors, trustees, managers,  
principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.....  
.....

3.13 Are any spouse, child or parent of the company's directors  
trustees, managers, principal shareholders or stakeholders  
in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.....  
.....

3.14 Do you or any of the directors, trustees, managers,

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMIM-GOR- 2025-01**

principle shareholders, or stakeholders of this company

have any interest in any other related companies or

business whether or not they are Bid for this contract.

**YES / NO**

3.14.1 If yes, furnish particulars.....

4. Full details of directors / trustees / members / shareholders.

**Note:** The full details disclosed hereunder must correlate to “**ownership information**” as per Central Supplier Database (CSD).

Full Name	Identity Number	State Employee Number

### Signature

Date

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

..... Name of Bidder  
Position

In the presence of:

1. ....

2. ....

**CERTIFICATION OF CORRECTNESS**

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE

Signature..... Date.....

..... Name of Bidder  
Position

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1G: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2022 (SBD 6.1)**

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.

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

**2. DEFINITIONS**

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
- (b) **“price”** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES**

**3.1. POINTS AWARDED FOR PRICE**

**3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

**80/20**

or

**90/10**

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

**3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME  
GENERATING PROCUREMENT**

**3.2.1. POINTS AWARDED FOR PRICE**

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

**80/20**

or

**90/10**

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

Pmax = Price of highest acceptable tender

#### 4. 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)
Local Supplier		5		
Women Owned		4		

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

Youth Owned		4		
People living with disability		3		
Small Micro, Medium Enterprise		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 proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

4.6. I, the undersigned, who is duly authorised 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:** .....

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 1H: LOCAL CONTENT (SBD6.2)**

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

**1. General Conditions**

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract 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.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below

**The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrial development/ip.jsp> at no cost.**

A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<b>Description of services, works or goods</b>	<b>Stipulated minimum threshold</b>
1. Doors & frames in all facilities	100%
2. Aluminum Windows in all facilities	100%
3. Steel Windows	100%
4. Roof coverings in all facilities	100%
5. Solar PV Components <ul style="list-style-type: none"> <li>• Laminated PV Modules <b>15%</b></li> <li>• Module Frame <b>65%</b></li> <li>• DC Combiner boxes <b>65%</b></li> <li>• Mounting Structure <b>90%</b></li> <li>• Inverter <b>40%</b></li> </ul>	
6. Water piping and Fittings in all facilities	100%
7. Water pumps and motors in all facilities	100%
8. Cement	100%
9. PVC pipes	100%
10. Electrical cables	100%
11. Steel components	100%
12. Nails, Bolts and Nuts	100%
13. Wire products	100%
14. Electrical cables	90%
15. Prepaid electricity meters	70%
16. Post paid electricity meters	70%
17. SMART Meters	50%

**3. Does any portion of the goods or services offered  
have any imported content?**

**(*Tick applicable box*)**

YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/> X
-----	--------------------------	----	---------------------------------------

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the DTI must be informed accordingly in order for the DTI to verify and in consultation with the AO/AA provide directives in this regard.

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**LOCAL CONTENT DECLARATION**

**(REFER TO ANNEX B OF SATS 1286:2011)**

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY  
RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR  
SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE  
CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NO. ....**

**ISSUED BY:** (Name of Institution):  
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thdti.gov.za/industrial development/ip.jsp](http://www.thdti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as .....  
of .....(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content(x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1H: DECLARATION OF TENDER'S SUPPLY CHAIN MANAGEMENT PRACTISES(SBD8)**

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This State Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by state entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a. abused the state entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars:		

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME) .....

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS  
DECLARATION FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE  
TAKEN AGAINST ME. SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....

.....

**Signature**

**Date**

.....

.....

**Position**

**Name of Bidder**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 1J: CERTIFICATE OF INDEPENDENT TENDER DETERMINATION(SBD9)**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This State Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 National Treasury Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the organ of the state or has committed any improper conduct in relation to such system; and
  - c. cancels a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE  
CONTRACT NO. NMM-GOR- 2025-01**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of State Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that.: \_\_\_\_\_

(Name of Bidder)

1. I have read and understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 consortium<sup>3</sup> will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices.
- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices.
- (d) the intention or decision to submit or not to submit, a bid.
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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.

10. 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

<sup>3</sup> 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.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

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.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 1K : COMPULSORY ENTERPRISE QUESTIONNAIRE**

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: Particulars of sole proprietors and partners in partnerships**

Name*	Identity number*	Personal income tax number*

\* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

**Section 5: Particulars of companies and close corporations**

Company registration number .....

Close corporation number .....

Tax reference number .....

**Section 6: Record of service of the state**

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

<input type="checkbox"/> a member of any municipal council	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
<input type="checkbox"/> a member of any provincial legislature	<input type="checkbox"/> a member of an accounting authority of any national or provincial public entity
<input type="checkbox"/> a member of the National Assembly or the National Council of Province	<input type="checkbox"/> an employee of Parliament or a provincial legislature
<input type="checkbox"/> a member of the board of directors of any municipal entity	<input type="checkbox"/> an official of any state entity

If any of the above boxes are marked, disclose the following: (insert separate page if necessary)

		<b>Status of service (tick appropriate column)</b>
--	--	--

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	current	Within last 12 months

\* Insert separate page if necessary

**Section 7: Record of spouses, children and parents in the service of the state**

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

<input type="checkbox"/> a member of any municipal council <input type="checkbox"/> a member of any provincial legislature <input type="checkbox"/> a member of the National Assembly or the National Council of Province <input type="checkbox"/> a member of the board of directors of any municipal entity <input type="checkbox"/> an official of any state entity	<input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity <input type="checkbox"/> an employee of Parliament or a provincial legislature
--	---

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months

\* Insert separate page if necessary

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are 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 tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

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* \_\_\_\_\_

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 1L: PARTICULARS OF TENDERER**

Tenderer: .....

Address: .....

Contact Person: .....

Telephone Number: .....

Fax Number: .....

Bank:

Branch: .....

Name of Cheque Account: .....

Cheque Account Number: .....

Contact Person: .....

Telephone Number: .....

Guarantee:

Branch: .....

Contact Person: .....

Telephone Number: .....

VAT Registration No: .....

Attach original Tax Clearance Certificate to this page

Attach a letter from your bank to this page clearly stating your financial rating according to the codes on page ii, which must also be completed.

.....  
**DATE**

.....  
**SIGNATURE OF TENDERER**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

**SCHEDULE 1 M: PROOF OF CIDB REGISTRATION**

Bidders are required to submit proof valid CIDB registration

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1 N: CSD FULL REPORT (Latest Report)**

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 1 O: UNEMPLOYMENT INSURANCE FUND – CERTIFICATE OF GOOD  
STANDING**

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 2A: TAX CLEARANCE REQUIREMENTS**

**It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.**

1. In order to meet this requirement bidders are required to apply to SARS for a Tax Clearance Certificate at any SARS branch office nationally.
2. SARS will issue a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The Overall Tax Clearance status indicator of the bidder on the CSD must be **TAX COMPLIANT**.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must be Tax Compliant on the CSD.
5. Bidders must allow for timeous registration on the CSD and the application and issue of a Tax Clearance Certificate by SARS.
6. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).

**A non-compliant tax status on the CSD will result in the bid not being awarded.**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

**SCHEDULE 2 B: CIPC REGISTRATION CERTIFICATE**

Refer to Clause F.3.11 on Tender Data

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE  
CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 2 C: Proof of Locality**

Proof of locality relates to the location of the office that will be dealing with the project. The following is the only acceptable documentation:

- Most recent municipal statement
- Valid Lease Agreement if premises are Leased
- Letter from the Ward Councillor confirming Business Address

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 2D: SCHEDULE OF TENDERER'S EXPERIENCE**

The following is a statement of similar work successfully executed by the company in the past **10 years**.

No.	Employer, contact person and telephone number (Only Landline)	Description of Contract	Value of Work Inclusive of VAT (Rand)	Date Completed
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

\*Insert separate page if necessary

Signed ..... Date .....

Name ..... Position .....

Tenderer

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 2 E: PARTICULARS OF COMMITMENT WHICH THE TENDERER ARE  
PRESENTLY ENGAGED WITH**

Current Projects (Attach additional documents as proof)							
Item	Project	Place Town	Reference/ Contact Person	Contract Amount	Contract Period	Date of Commencement	Scheduled date of Completion
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**SCHEDULE 2 F: WORK CAPACITY**

<b>Skilled Personnel Employed</b>			
<b>Category of Personnel</b>	<b>Names/s of Employees</b>	<b>Number of Employees</b>	<b>Permanent Employed (Yes/No)</b>
Professional Architect			
Professional Structural Engineer			
Professional Civil Engineer			
Geotechnical Engineer			
Site Agent			
OHS Manager			
Environmental Specialist			
Foreman			
Carpenter			
Brick Layer			
Plaster			
Tiler			
Painter			
Plumber			
Electrician			

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

<b>Unskilled Personnel Employed (General Workers)</b>			
<b>Category of Personnel</b>	<b>Names/s of Employees</b>	<b>Number of Employees</b>	<b>Permanent Employed (Yes/No)</b>
General Workers:			

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 2 G: QUALIFICATIONS AND EXPERIENCE OF PROPOSED SITE  
SUPERVISION TEAM FOR THE PROJECT**

Tenderer to provide names, qualifications and experience of site supervision team that will supervise the project on behalf of the contractor attach additional documentation as proof

Item	Description
Contracts Manager (Provide copy of CV)	
Name of Person	
No of years 'experience	
Field of Experience	
Permanent employment (Yes/No)	
Site Agent (Provide copy of CV)	
Name of Person	
No of years 'experience	
Field of Experience	
Permanent employment (Yes/No)	
Foreman (Provide copy of CV)	
Name of Person	
No of years 'experience	
Field of Experience	
Permanent employment (Yes/No)	

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

**SCHEDULE 2H: CURRICULUM VITAE OF PERSONNEL**

The Tenderer must attach to this page, the organogram and copies of CVs for the Contracts Manager, Site Agent and Foreman,

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

**SCHEDULE 2I: CERTIFIED COPIES OF IDENTITY DOCUMENTS (ALL COMPANY  
DIRECTORS) OF TENDERING ENTITY**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**C1.0: CONTRACT**

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

**OFFER**

The **Employer**, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of a contractor for: **APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE**

The tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data and addenda thereto as listed in the Returnable Schedules, and by submitting this Offer has accepted the Conditions of Tender.

The tenderer, identified in the Offer signature block, has examined the draft contract as listed in the Acceptance section and agreed to provide this Offer.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance the tenderer offers to perform all of the obligations and liabilities of the Conditions of Contract are the *Annexure A – Government Procurement General Conditions of Contract*, 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 contract identified in the Contract Data.

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT IS:**

**R (in words)**

.....  
.....

**R (in figures) .....**

**THE OFFERED COST PARAMETERS TO PROVIDE THE WORKS, EXCLUSIVE OF VALUE ADDED TAX, ARE AS SET IN THE CONTRACT DATA.**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document including the Schedule of Deviations (if any) to the tenderer before the end of the agreed period of validity or other period as agreed, whereupon the tenderer becomes the party named as the **Contractor** in the conditions of contract identified in the Contract Data.

*Signature(s)* \_\_\_\_\_

*Name(s)* \_\_\_\_\_

*Capacity* \_\_\_\_\_

For the Tenderer

*Name & signature of witness* \_\_\_\_\_

*(Insert name and address of organization)* \_\_\_\_\_

*Date* \_\_\_\_\_

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

**ACCEPTANCE**

By signing this part of this Form of Offer and Acceptance, the **Employer** identified below accepts the tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the Contract Data. Acceptance of the tenderer's Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

**Part C1: Agreements and Contract Data, (which includes this Form of Offer and Acceptance)**

**Part C2: Pricing Data**

and drawings and documents (or parts thereof), which may be incorporated by reference into the above listed Parts.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.

Deviations from and amendments to the draft contract as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.

The tenderer shall within Fourteen (14) working days of receiving a completed copy of this agreement, including the Schedule of Deviations (if any), deliver to the Employer's agent (whose details are given in the Contract Data) proof of insurances, Safety, Health and Environmental Plans and any other documentation (except securities/ construction guarantees) to be provided in terms of the conditions of contract identified in the Contract Data. Failure to fulfil any of these obligations

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

in accordance with those terms shall constitute a repudiation of this agreement by the Contractor and the Employer shall be entitled at his discretion to terminate this agreement.

The tenderer shall within Twenty-one (21) working days of receiving a completed copy of this agreement, including the Schedule of Deviations (if any), deliver to the Employer's agent (whose details are given in the Contract Data) securities/ construction guarantees to be provided in terms of the conditions of contract identified in the Contract Data. Failure to fulfil this obligation in accordance with those terms shall constitute a repudiation of this agreement by the Contractor and the Employer shall be entitled at his discretion to terminate this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed copy of this document, including the Schedule of Deviations (if any). Unless the tenderer (now **Contractor**) within Five (5) working days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the Parties.

*Signature(s)* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Name(s)* \_\_\_\_\_

\_\_\_\_\_

*Capacity For the Employer* \_\_\_\_\_

*(Insert name and address of organization)*

*Name and signature of witness*

*Date:*

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01**

*Signature(s)* \_\_\_\_\_

*Name(s)* \_\_\_\_\_

*Capacity*  
\_\_\_\_\_

*For the Contractor Name and  
signature of witness* \_\_\_\_\_

*(Insert name and address of  
organization)*

*Date:*

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL  
ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

*Schedule of Deviations*

1 Subject:

Details

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

2 Subject:

Details

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

3 Subject:

Details

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

4 Subject:

Details

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

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL  
ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

5 Subject:

Details

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

By the duly authorized representatives signing this agreement, the Employer and the Tenderer agree to and accept the foregoing schedule of deviations as the only deviations from the contract and amendments to the documents listed in the Tender Data and addenda thereto as listed in the returnable schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

**Signature(s)** \_\_\_\_\_

**Name(s)** \_\_\_\_\_

**Capacity** \_\_\_\_\_

**For the  
Employer** \_\_\_\_\_

(Insert name and address of organization

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL  
ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

**Name and  
signature of  
witness** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature(s)** \_\_\_\_\_ \_\_\_\_\_

**Name(s)** \_\_\_\_\_ \_\_\_\_\_

**Capacity** \_\_\_\_\_ \_\_\_\_\_

**For the  
Contractor**  
**Name and  
signature of  
witness** \_\_\_\_\_ (Insert name and address of organization)

**Date** \_\_\_\_\_

**C1.2: CONTRACT DATA**

**CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER**

The Government Procurement General Conditions of Contract will form part of this contract and will not be amended. (National Treasury Document - Annexure A)

The Special Conditions of Contract (SCC) relevant to a specific category of works will supplement the General Conditions of Contract, whenever there is a conflict, the provisions in the SCC shall prevail.

For this contract the Special Conditions of Contract shall be the CIDB approved forms of contract which can be sourced by the bidders at their own costs:

- Joint Building Construction Committee (JBCC Series) [www.jbcc.co.za](http://www.jbcc.co.za)
- General Conditions of Contract for Construction Works (GCC 2015) [www.saice.co.za](http://www.saice.co.za)
- FIDIC Form of Contracts [www.cesa.co.za](http://www.cesa.co.za)
- NEC Form of Contract [www.cesa.co.za](http://www.cesa.co.za)

APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN

CAPE PROVICE

CONTRACT NO. NMM-GOR- **2025-01**

**ANNEXURE A – GOVERNMENT PROCUREMENT GENERAL CONDITIONS OF CONTRACT**

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN**

**CAPE PROVICE**

**CONTRACT NO. NMM-GOR- 2025-01**

**PART 2 : DATA PROVIDED BY THE SERVICE PROVIDER**

<b>Clause</b>	<b>Description</b>								
1.2	The Service Provider is: ..... Address..... Telephone..... Facsimile.....								
1.1	The authorised and designated representative of the service provider is: Name.....								
5.4.1	The address for receipt of communications is:  Telephone: ..... Facsimile: .....  Address (Postal) : ..... Address (Physical) : ..... ..... .....  E-mail address: .....								
10.2	The period of performance will be determined by the completion date of the contract								
9.1	The key persons and their jobs / functions in relation to the services are: <table><thead><tr><th>Name</th><th>Specific Duty</th></tr></thead><tbody><tr><td>.....</td><td>.....</td></tr><tr><td>.....</td><td>.....</td></tr><tr><td>.....</td><td>.....</td></tr></tbody></table>	Name	Specific Duty	.....	.....	.....	.....	.....	.....
Name	Specific Duty								
.....	.....								
.....	.....								
.....	.....								

**CONTRACT DATA: C2.2 – PRICING SCHEDULE**

**PRICING INSTRUCTION**

- The service provider must price in accordance with the pricing scheduled below, this will enable Nelson Mandela Museum to compare price offers.
- Failure to submit a priced offer using the prescribed scheduled (section A) will make the bid liable for disqualification.
- All rates quoted as part of this bid will apply to ad hoc works and as and when required (additional work outside scheduled maintenance).
- Do not leave any area blank in the pricing schedules (section A).
- Equipment, spares, and material will be charged at cost plus mark-up of 15% - VAT shall not form part of mark-up calculations.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE**  
**CONTRACT NO. NMM-GOR- 2025-01**

ITEM No.	DESCRIPTION	UNIT	QTY	RATE	AMOUNT
<b>SECTION 1: PRELIMINARY AND GENERAL</b>					
	PRELIMINARIES				
1.1	Provide for Preliminaries and all costs of a general nature that may affect the cost of works in order to comply with the contractual conditions and which are not otherwise provided for in the compilation of this quotation, including taking delivery, storing and safeguarding of materials, site establishment, setting out, welfare of workplace, clearing and cleaning, supervision, provision of all tools, equipment, labour force protective clothing, scaffolding, formwork, water supplies, electric power and communications and other temporary materials, provision of nails, screws, "polyfilla" etc.	Sum	1		R
	HEALTH & SAFETY				
1.2	Compilation of Health and Safety Plan, Compilation of Health and Safety File, Notice of Construction Work – Department of Labour	Sum	1		R
1.3	Compliance with all Construction Regulations (OHS Act); Compliance with all requirements of the Environmental Regulations;	Sum	1		R
<b>Sub-Total</b>					
<b>SECTION 2: WORKS</b>					
2.1	Design and Construction of approximately 70 m <sup>2</sup> brick and mortar waterborne ablution facilities (Turnkey project)  Work will entail but not limited to Bulk Excavation, Concrete works, Building, plumbing, Septic tank electrical works, roofing, plastering and painting and finishes	Sum	1		R
2.2	Clean up the whole site and remove rubble from site.	Sum	1		R
<b>Sub-Total</b>					
<b>SUB-TOTAL</b>					
Add 10% Contingencies					
<b>SUB-TOTAL</b>					
Add 15% Value Added Tax					
<b>TOTAL</b>					

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

**N.B** The estimated price escalation in percentage must not be included on the above pricing schedule (Section A)

**PREMISES AND EQUIPMENT**

- The Service Provider shall make own provision for water and electricity.
- The Service Provider shall ensure that all their staff comply with the regulations in terms of use of the facilities.
- The Service Provider should make their own provision for storage facilities for the equipment while the service provider is working on site only.
- The Service Provider shall have access to facilities while working on site only.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVINCE  
CONTRACT NO. NMM-GOR- 2025-01**

**PART C3: SCOPE OF WORK**

**3.1. BACKGROUND**

3.1.1 The objective of the Nelson Mandela Museum is to procure the services of a contractor with the requisite experience, skills, and competencies to render the turnkey services to Design and Construct Additional Ablution facilities at OR Tambo Garden of Remembrance in Bizana, Eastern Cape Province.

3.1.2 The Regular performance appraisal to monitor the identified Key Performance Indicators form part of the contract requirements.

**3.2. SCOPE OF WORK**

3.2.1 The successful service providers shall focus on rendering the turnkey services to Design and Construct Additional Brick and mortar Ablution Facilities, to match and blend in with the existing architectural Designs at OR Tambo Garden of Remembrance in Bizana, Eastern Cape Province in line with the Build Environment best practice.

**The Additional Brick and Mortar Ablution Facilities must have the following:**

- 4 Female Toilets (WC)
- 4 Male Toilets (WC) and 3 Urinal Toilets
- 1 Toilet for wheelchair bound people
- 7 Hand wash basins (3 in Male, 3 in Female and 1 in wheelchair bound toilet)

3.2.2 The service provider will be expected to: Design and Construct Additional Ablution Facilities complete in accordance with the project specifications

3.2.3 It may not be feasible to include every item on the above scope of work should material/service which is not on the above scope of work be required then the Nelson Mandela Museum will request from the successful service providers written quotations to supply such services.

3.2.4 The service provider shall ensure that routine general building and infrastructure maintenance, the Nelson Mandela Museum processes and all business areas are not adversely affected by the required services.

3.2.5 The service provider shall ensure safe working practices are followed when general building and infrastructure maintenance services are done in the buildings.

3.2.6 Appropriate safe signage must be used for warnings of work progress, etc.

3.2.7 The generic specifications listed below are applicable to this contract:

- I. SANS 1200

3.2.8 General building and infrastructure maintenance materials to be used in a safe and proper manner, in compliance with health and safety regulations.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- 2025-01**

3.2.9 General building and infrastructure maintenance materials are selected and used so as not to cause any damage to the building.

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#### **4. CERTIFICATE OF COMPLIANCE**

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- 4.1. General building and infrastructure maintenance materials are selected and used so as not to cause any damage to the building. The successful bidder must ensure that they self-certified their work and to ensure compliance to all regulatory Civil Works by issuing of the Certificate of Compliance to the Nelson Mandela Museum.
- 4.2. The purpose of the general building and infrastructure maintenance services is to ensure that the properties of Nelson Mandela Museum buildings are well maintained with regard to all general building and infrastructure maintenance services.

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#### **5. GENERAL BUILDING AND INFRASTRUCTURE MAINTENANCE SERVICE PERSONNEL**

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- 5.1. The service provider will provide Nelson Mandela Museum with qualified teams (qualified plumbers). This must be supported by a copy of certified of qualification.
- 5.2. The Service provider is to allow for the provision of adequate managerial and supervisory staff.
- 5.3. The Service provider is to allow for the provision of all general staff.
- 5.4. The Service provider is also to provide for intensive training of all the staff appointed to ensure conformity with Nelson Mandela Museum requirements.
- 5.5. The service provider must provide Nelson Mandela Museum with a vetted team. It is the responsibility of the service provider to vet all personnel and make sure that they have clear criminal records. (Clearance certificate will be required).
- 5.6. Medical fitness - Nelson Mandela Museum reserves the right to require that all service provider personnel be certified fit for duty.
- 5.7. The Nelson Mandela Museum recognizes the need for training, both induction and during the implementation of the project, and expects to derive both benefits and value-for-money from all training undertaken by employers of the service provider engaged in relation to this contract.
- 5.8. The appointed service provider will undergo induction prior to the commencement of duties.
- 5.9. The service provider should ensure that the absence from operational duty of staff attending a training course does not affect the satisfactory provision of the specified services and should provide relief staff.
- 5.10. All service provider staff are to wear protective clothing (including goggles, visors and masks) and fully covered shoes and/or boots and gloves (appropriate to their tasks and functions) whilst on duty.
- 5.11. The service provider shall supply all uniforms. All uniforms must bear the name and logo of the service provider, uniforms are to be worn at all times, without any exception.
- 5.12. The service provider should ensure that all its personnel employed to render the service are neatly dressed, presentable and hygienic.

**APPOINTMENT OF CONTRACTOR TO RENDER (TURNKEY SERVICES) DESIGN AND CONSTRUCTION OF  
ADDITIONAL ABLUTION FACILITIES AT OR TAMBO GARDEN OF REMEMBRANCE IN BIZANA, EASTERN CAPE  
PROVICE  
CONTRACT NO. NMM-GOR- **2025-01****

Staff Allocation and Management:

**The Service Provider shall: -**

- a. Provide service of high quality and standard to the satisfaction of the Nelson Mandela Museum
- b. Ensure fair labour practice by complying with the industrial relations.
- c. Provide relief-staff, in the event of labour unrest, seasonal workload peaks, leave or sick leave provided that Nelson Mandela Museum representative is given reasonable notice and details of this.
- d. The service provider will bear all costs related to the provision of relief staff.
- e. Recruitment of the labour force must go through the existing local community leadership structures

## **6. OPERATING HOURS**

6.1 The service provider will be required to provide services at normal working hours as stipulated in by labour during the Construction period as follows

Monday – Friday	(07:00am – 16:30pm)
Saturday	(07:00am – 13:00pm)
Sunday – Public Holiday	(No workday)