

**REQUEST FOR PROPOSAL – THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.**



**TENDER NUMBER: HO/PT/ENG/SSCB/248/02/2024**

**FORM-C**

**FORM C: TENDER FORM**

**CURRENT TENDER DETAILS**

Request number: **TENDER NUMBER: HO/PT/ENG/SSCB/248/02/2024**

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I / We \_\_\_\_\_

(Insert Name of Tendering Entity)

of \_\_\_\_\_

(Full address)

Conducting business under the style or title of:

\_\_\_\_\_

Represented by:

\_\_\_\_\_

in my capacity as:

\_\_\_\_\_

being duly authorised thereto by a Resolution of the Board of Directors / Certificate of Partners, Members or Participants, as the case may be, dated \_\_\_\_\_, a certified copy of which is annexed hereto, hereby offer to undertake and complete the above-mentioned work (hereinafter called “the WORKS”) at the prices quoted in the bills of quantities / schedule of quantities or, where these do not form part of the contract, at a lump sum, in accordance with the terms set forth in the accompanying letter(s) reference \_\_\_\_\_ and dated \_\_\_\_\_ (if any)

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and the documents listed in the accompanying schedule of tender documents for the sum of R

\_\_\_\_\_ (amount in words),

(All applicable taxes included)

**N.B.** (i) In the event of any discrepancy, the amount in words will take precedence over the amount in figures.

(ii) Where items in the priced bills of quantities submitted with the tender for the WORKS other than architectural building work are incorrectly extended arithmetically, the unit rate will be treated as decisive.

(iii) In tenders for architectural building work the total amount will be treated as decisive. If amounts for individual items cannot be reconciled with the total amount, the amounts for individual items shall be adjusted to the satisfaction of the PRASA to conform to the total amount.

I / We accept that unless the PRASA should otherwise decide and so inform me / us in the notice of acceptance, this tender (and, if any, its covering letter and any subsequent exchange of correspondence together with the PRASA acceptance thereof) shall constitute a binding contract between the PRASA and me / us. Should the PRASA decide that a formal contract should be signed and so inform me / us in the notice of acceptance, this tender (and, if any, its covering letter and any subsequent exchange of correspondence) together with the PRASA notice of acceptance, shall constitute a binding contract between the PRASA and me / us until the formal contract is signed.

I / We undertake to produce acceptable documentary proof of the necessary coverage for Workmen's Compensation, Securities and Insurance within **30 (thirty)** working days of notification of awarding of the contract, and to sign a formal contract if called upon by the PRASA to do so within **7 (seven)** working days of notification by the PRASA that the contract documents are ready for signature, failing which I / we accept that the PRASA may, in its sole discretion, withhold any payments due for work done until such time as these formalities have been completed.

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I / We undertake to complete the whole of the WORKS within \_\_\_\_\_ (in words) from the date of notification to me / us of acceptance of the tender, subject to completion in stages if and as laid down in the project specification and to such extensions of time as may be granted. Failing completion of the WORKS or any stage of the WORKS within the period(s) stipulated or by such extended date(s) as may be allowed by the PRASA I / we shall pay to the PRASA in terms of the Conventional Penalties Act 15 of 1962, the penalty for which provision is made in the project specification. The ordering of any alterations, extras, additions, or omissions shall not in any way prejudice the PRASA claim for such penalty.

Application for relief from the obligation to pay a penalty will be considered by the PRASA but shall be granted only if I / we can prove to the reasonable satisfaction of the PRASA that the penalty is out of proportion to the prejudice suffered by the PRASA by reason of the act or omission in respect of which the penalty was stipulated.

I / We declare that this tender holds good until \_\_\_\_\_

**(a minimum period of 90 days from closing date is required).**

I / We further agree that if, after I / we have been notified of the acceptance of my / our tender, I / we fail to enter into a formal contract if called upon to do so, or fail to furnish satisfactory security for the due and proper completion of the WORKS, the PRASA may, without prejudice to any other legal remedy which it may have, recover from me / us any expense to which it may have been put in calling for tenders afresh and / or having to accept any less favourable tender.

I / We declare that being a company / partnership / close corporation / joint venture, I / we have duly completed the annexe hereto and certified it as correct.

The several documents involved are to be taken as complementary to each other. In the event of any conflict between the content of any of the documents listed in the schedule of tender documents (other than the project specification) and the project specification, the latter shall prevail. In the event of any conflict between the letter that accompanies the tender or other relevant correspondence and the contents of the documents listed in the schedule of tender documents (including the project specification) such letter or correspondence shall prevail.

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THUS, DONE and SIGNED at \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_

DULY AUTHORISED SIGNATORY(IES)

WITNESSES

1. \_\_\_\_\_ 1. \_\_\_\_\_

2. \_\_\_\_\_ 2. \_\_\_\_\_

3. \_\_\_\_\_ 3. \_\_\_\_\_

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## **SBD 5 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME**

**This document must be signed and submitted together with your bid**

### **INTRODUCTION**

#### **THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME**

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

Bidders are therefore required to complete SBD 5 to give effect to the above. **Bidders who do not complete this form will be automatically disqualified.**

#### **1 PILLARS OF THE PROGRAMME**

1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:

(a) Any single contract with imported content exceeding US\$10 million.

or

(b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2-year period which in total exceeds US\$10 million.

or

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(c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.

or

(d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.

1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.

1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.

1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

## **2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY**

2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **USD10 million** (ten million dollars), submit details of such a contract to the DTI for reporting purposes.

2.2 The purpose for reporting details of contracts in excess of the amount of USD10 million (ten million Dollars) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

## **3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)**

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3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid on the closing date and time.

3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1

(d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:

- Bid / contract number.
- Description of the goods works or services.
- Date on which the contract was accepted.
- Name, address and contact details of the government institution.
- Value of the contract.
- Imported content of the contract, if possible.

3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Dr Tebogo Makube within five (5) working days after award of the contract. Dr Makube may be contacted on telephone (012) 394 3927, facsimile (012) 394 4927 or e-mail at TMakube@thedti.gov.za for further details about the programme.

#### **4 PROCESS TO SATISFY THE NIP OBLIGATION**

4.1 Once the successful bidder (contractor) has contacted and furnished the DTI with the information required the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation.
- b. the contractor and the DTI will sign the NIP obligation agreement.
- c. the contractor will submit a performance guarantee to the DTI.

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- d. the contractor will submit a business concept for consideration and approval by the DTI.
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts.
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor)and, therefore, does not involve the purchasing institution.

Bid number ..... Closing date:.....

Name of bidder.....

Postal address .....

.....

Signature..... Name (in print).....

Date.....



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**FORM C PRICING SCHEDULE -**

**The Guidance pricing schedule is attached as Annexure A and shall be used when responding to the REQUEST FOR PROPOSAL:**

**NOTE: BIDDERS SHOULD NOTE ALL RELEVANT RATE AND PRICES CELLS SHOULD BE COMPLETED. UNCOMPLETED ITEMS WILL RENDER THE BID AS NON-RESPONSIVE.**

The Tenderer shall enter each rate or lump sum for each item in the Pricing Schedule in **BLACK INK**.

Bidders should note that the 10% contingency included in the schedule of quantity shall be managed by PRASA and the decision to utilise or not utilise the contingency shall be made solely by PRASA. Various interventions are being put in place to ensure that most risks are identified and mitigated to reduce the probability of having unforeseen circumstances that will prompt the use of the contingency.

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**ANNEXURE A**

**PRICING SCHEDULE**

**REQUEST FOR PROPOSAL FOR THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.**

<b>Item</b>	<b>Description</b>	<b>Amount</b>
<b>1</b>	<b>Design Development</b>	
1.1	Carry out requisite studies including concept design to attain written approval from all relevant stakeholders (e.g., Location City, local community leaders, Department of Forestry, Fisheries, and the Environment) for the works to commence.	
1.2	i) Environmental Assessments	
	ii) Geotechnical Studies	
	iii) Topographical and cadastral surveying services	
	iv) Registered Land Surveyors to ascertain boundaries of PRASA Land by sites	
1.3	Design development of the bridges, from concept to detailed design, of all bridges approaches and components including the overhead traction equipment, service road, site drainage, lighting around the bridge and locality.	
<b>2</b>	<b>Bridges Construction</b>	

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2.1	Preliminary and General Items	
2.2	Site Establishment	
2.3	Provision of safe access road and maintaining the existing service road and rail crossing structures for the duration of the bridge's construction works.	
2.4	Provision of flagmen, security and health and safety personnel for the duration of the project	
2.5	Provision for Community Liaison Officers (CLO's) appointed from each ward affected by the project and compliance to all community related matters as described in specification.	
2.6	Construction of bridges and required ramps.  All items, including temporary works, scaffolding, occupation planning, all construction activities, foundation works, fabrication, corrosion protection, assembly, transport to site, erection into place, provision of walkaway, handrailing, lighting and general earthworks.	
3	<b>Handover and Commissioning</b>	
3.1	Includes preparation of a close out report and as built drawings.	
<b>Sub Total</b>		
Add VAT		
<b>Grand Total</b>		

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NB:

- The above serves only as indicative list of items.

**ANNEXURE 2**

Payment Milestones

- Payment will be made as stipulated in the payment schedule below.

<b>Item</b>	<b>Description</b>	<b>Payment Milestone</b>
<b>1</b>	<b>Design Development</b>	
1.1	Carry out requisite studies including concept design to attain written approval from all relevant stakeholders (e.g., Location City, local community leaders, Department of Forestry, Fisheries, and the Environment) for the works to commence.	Max 2%
1.2	i) Environmental Assessments	Max 3%
	ii) Geotechnical Studies	
	iii) Topographical and cadastral surveying services	
	iv) Registered Land Surveyors to ascertain boundaries of PRASA Land by sites	
1.3	Design development of the bridges, from concept to detailed design, of all bridges approaches and components including the overhead traction equipment, service road, site drainage, lighting around the bridge and locality.	Max 5%
<b>2</b>	<b>Bridges Construction</b>	

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2.1	Preliminary and General Items	Max 10%
2.2	Site Establishment	Max 10%
2.3	Provision of safe access road and rail crossing structures.	Max 5%
2.4	Monthly provision of flagmen, security and health and safety personnel. Bi-monthly payment of services.	Max 5%
2.5	Monthly provision for Community Liaison Officers (CLO's) appointed from each ward affected by the project and compliance to all community related matters as described in specification. Bi-monthly payment of services.	Max 5%
2.6	Construction of bridges and required ramps.	
2.6.1	Completion of all items, including temporary works, scaffolding, foundation works and general earthworks up to foundation level.	Max 20%
2.6.2	Completion of all construction works to bridge soffit level. (Fabrication, corrosion protection, assembly, and transport.)	Max 20%
2.6.3	Completion of the erection of superstructure (Provision of walkaway, handrailing, lighting.)	Max 10%
2.6.4	Completion of finishes	Max 2%
3	<b>Handover and Commissioning</b>	
3.1	Submission of a close out report and as built drawings.	Max 1%
3.2	Completion of snag list	Max 2%