

## T2.2 RETURNABLE SCHEDULES

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- Compulsory Enterprise Questionnaire
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- CV of the key personnel
- Schedule of Subcontractors
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- Supplier Declaration form (version 7)

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### Schedule of Proposed Subcontractors

We notify you that it is our intention to employ the following Subcontractors for work in this contract.

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

We confirm that all subcontractors who are contracted to construct a house are registered as home builders with the National Home Builders Registration Council.

	Name and address of proposed Subcontractor	Nature and extent of work	Previous experience with Subcontractor.
1.			
2.			
3.			
4.			
5.			

Signed

Date

Name

Position

Tenderer

### Schedule of Equipment

The following are lists of major items of relevant Equipment that I/we presently own or lease and will have available for this contract or will acquire or hire for this contract if my/our tender is accepted.

(a) Details of major Equipment that is owned by and immediately available for this contract.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

(b) Details of major Equipment that will be hired, or acquired for this contract if my/our tender is acceptable.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

Signed

Date

Name

Position

Tenderer

### 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:

	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

## 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 in the 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<br><input type="checkbox"/> a member of any provincial legislature<br><input type="checkbox"/> a member of the National Assembly or the National Council of Province<br><input type="checkbox"/> a member of the board of directors of any municipal entity<br><input type="checkbox"/> an official of any municipality or municipal 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)<br><input type="checkbox"/> a member of an accounting authority of any national or provincial public entity<br><input type="checkbox"/> an employee of Parliament or a provincial legislature |
|--|---|

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	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

**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:

- a member of any municipal council
- a member of any provincial legislature
- a member of the National Assembly or the National Council of Province
- a member of the board of directors of any municipal entity
- an official of any municipality or municipal entity
- 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)
- a member of an accounting authority of any national or provincial public entity
- 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; and
- iv) 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



## Preferencing schedule where direct preferences are granted in respect of targeted enterprise status

<p><b>1 Definitions</b></p> <p>The following definitions shall apply to this schedule: .....</p> <p><b>1 Conditions associated with the granting of preferences</b></p> <p>The tenderer, who being a Targeted Enterprise undertakes to:</p> <ol style="list-style-type: none"> <li>1) not subcontract more than ...% of the Contract Price to non-Targeted Enterprises;</li> <li>2) remain a Targeted Enterprise for the duration of the Contract;</li> <li>3) accept the sanctions set out in Section 3 below should conditions 1 or 2 be breached;</li> <li>4) complete the Tender Preference Claim Form contained in Section 4 below; and</li> <li>5) complete a Targeted Declaration Affidavit and submit this with the tender.</li> </ol> <p><b>3 Sanctions relating to breaches of preferencing conditions</b></p> <p>The sanctions for breaching the preferencing conditions are:</p> <ol style="list-style-type: none"> <li>1) termination of the Contract; or</li> <li>2) a financial penalty payable to the Employer equal to 1,25 times the number of tender evaluation points awarded in respect of the preference claimed, multiplied by the Contract Price exclusive of VAT, divided by 100.</li> </ol> <p><b>4 Tender preference claim in respect of enterprise status or structure of the tendering entity</b></p> <p>I/we apply on behalf of my/our firm for the following preference:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Category of Targeted Enterprise</th> <th style="width: 30%;">Percentage of maximum tender evaluation points provided for in the Preferential Procurement Policy Framework Act (Act 5 of 2000)</th> <th style="width: 40%;">Preference claimed for Targeted Enterprise status (Y=yes)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>The undersigned, who warrants that he / she is duly authorised to do so on behalf of the firm or sole proprietor confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.</p> <p>Signature : .....</p> <p>Name : .....</p> <p>Duly authorised to sign on behalf of : .....</p> <p>Telephone : .....</p> <p>Fax : .....</p> <p>Date : .....</p>	Category of Targeted Enterprise	Percentage of maximum tender evaluation points provided for in the Preferential Procurement Policy Framework Act (Act 5 of 2000)	Preference claimed for Targeted Enterprise status (Y=yes)										<p><b>Guidance notes</b></p> <p><i>Insert definitions for Targeted Enterprises</i></p> <p><i>Insert percentage (typically between 20 and 25%)</i></p> <p><i>Insert factor <math>\geq 1,0</math> (typically 1,25 to 1,5)</i></p> <p><i>Insert category description and percentage of maximum tender evaluation points tender schedule in table.</i></p>
Category of Targeted Enterprise	Percentage of maximum tender evaluation points provided for in the Preferential Procurement Policy Framework Act (Act 5 of 2000)	Preference claimed for Targeted Enterprise status (Y=yes)											

## Preferencing schedule where preferences are granted in respect of HDI equity

### 1 Definitions

The following definitions shall apply to this schedule:

**Equity ownership:** The percentage of an enterprise or business owned by individuals or, in respect of a company, the percentage of the company's shares that are owned by individuals, who are actively involved in the management of an enterprise or business and exercise control over the enterprise, commensurate with their degree of ownership at the closing date of the tender.

**Note:** All claims for HDI equity ownership by an HDI will be considered according to the following criteria:

- equity within private companies will be based on the percentage of equity ownership;
- preference points will not be awarded to public companies and tertiary institutions;
- equity claims for a trust will only be allowed in respect of those persons who are both trustees and beneficiaries and who are actively involved in the management of the Trust; and
- a consortium or Joint Venture may, based on the percentage of the contract value managed or executed by their HDI members, be entitled to equity ownership.

**Historically disadvantaged individual (HDI):** A natural person who, due to the apartheid policy that had been in place had no franchise in national elections prior to the introduction of the Constitution of the RSA, 1983 (Act 110 of 1983) or the Constitution of the RSA, 1993 (Act 200 of 1993) (the interim Constitution)

### 2 Conditions associated with the granting of preferences

The tenderer who claims a preference, undertakes to:

- 1) not subcontract more than 25% of the Net Amount of the Contract to a person who is not an HDI or does not qualify for such preference;
- 2) maintain a HDI equity ownership of not less than that upon which the preference is based upon for the duration of the Contract;
- 3) accept the sanctions set out in Section 3 below should conditions 1 or 2 be breached;
- 4) complete the Tender Preference Claim in respect of Enterprise Status or Structure in the Tendering Entity contained in Section 4 below; and
- 5) complete the Declaration with regard to Equity Ownership contained in section 5 below.

### 3 Sanctions relating to breaches of preferencing conditions

The sanctions for breaching the preferencing conditions are:

- 1) termination of the Contract; or
- 2) a financial penalty payable to the Employer equal to 1,25 times the number of tender evaluation points awarded in respect of the preference claimed, multiplied by the Contract Price exclusive of VAT, divided by 100.

### 4 Tender preference claim in respect of enterprise status or structure of the tendering entity

Number of preference points =  $\text{NOP} \times \text{EP} / 100$

NOP = maximum tender evaluation points provided for in the Preferential Procurement Policy Framework Act (Act 5 of 2000)

EP = the percentage of equity ownership by an HDI within the business enterprise

I/we apply on behalf of my/our firm for a preference based on an HDI equity ownership percentage of .....

### 5 Declaration with regard to equity ownership

5.1 How long has the Company been in existence ? .....

5.2 Describe principal business activities:

.....  
.....



**Sample preferencing schedule where preferences are granted in respect of the direct participation of targeted enterprises and / or labour**

<p><b>1 Definitions</b></p> <p>The following definitions shall apply to this schedule: .....</p> <p><b>2 Conditions associated with the granting of preferences</b></p> <p>The Tenderer, undertakes to:</p> <ol style="list-style-type: none"> <li>1) engage one or more.....in accordance with the provisions of the SANS 1914-.....as varied in Section 3 hereunder;</li> <li>2) deliver to the Employer, within 5 working days of being requested in writing to do so, a completed Joint Venture Disclosure Form (Annex D of SANS 1914-1) and a Joint Venture Agreement, should a joint venture be proposed at prime contract level with Targeted Partners to satisfy Contract Participation Goal undertakings (deliver to the Employer, within 5 working days of being requested in writing to do so, a Targeted Enterprise Declaration Affidavit in respect of all Targeted Enterprises engaged at prime contract level to satisfy Contract Participation Goal undertakings</li> <li>3) accept the sanctions set out in Section 4 below should such conditions be breached;</li> <li>4) complete the Tender Preference Claim Form contained in Section 5 below; and</li> <li>5) complete the Supporting Contract Participation Goal Calculation contained in this schedule.</li> </ol> <p><b>3 Variations to the targeted construction procurement specification SANS 1914- .....</b></p> <p>The variations to SANS 1914-..... are set out below. Should any requirements of the variations conflict with requirements of SANS 1914-, the requirements of the variations shall prevail. .....</p> <p><b>4 Sanctions</b></p> <p>In the event that the Tenderer fails to substantiate that any failure to achieve the Contract Participation Goal relating to the granting of a preference was due to quantitative under runs, the elimination of items, or any other reason beyond the Contractor's control which may be acceptable to the Employer, it shall be liable to pay to the Employer a financial penalty calculated in the following manner:</p> $P = \frac{0,15 \times (D - D_0) \times N_A}{100}$ <p>where D = tendered Contract Participation Goal percentage. Do = the Contract Participation Goal which the Employer's representative based on the credits passed, certifies as being achieved upon completion of the Contract. N<sub>A</sub> = Net Amount P = Rand value of penalty payable</p> <p><b>5 Tender preference claim in respect of enterprise status or structure of the tendering entity</b></p> <p>I / we hereby tender a Contract Participation Goal of .....% in order to claim a preference.</p>	<p><b>Guidance notes</b></p> <p><i>Insert definition for Targeted Enterprises and / or Targeted Labour.</i></p> <p><i>Insert targeted enterprises / targeted labour (or both) and insert appropriate SANS part number in 1). Adjust wording to 2) to reflect documentation that is required or delete if not required..</i></p> <p><i>Insert SANS part number.</i></p> <p><i>Insert SANS part number and title as relevant.</i></p> <p><i>Insert variations if any. If none, insert "There are no variations".</i></p>
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<p>The undersigned, who warrants that he / she is duly authorised to do so on behalf of the firm or sole proprietor confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.</p> <p>Signature : .....</p> <p>Name : .....</p> <p>Duly authorised to sign on behalf of : .....</p> <p>Telephone : .....</p> <p>Fax : ..... Date : .....</p> <p><b>Supporting contract participation goal calculation</b></p> <p>.....</p>	<p><i>Insert Annex A: Tendered goal calculation from relevant part of SANS 1914</i></p>
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