

# **Request for Proposal (RFP)**

# Appointment of Civil Engineering Services to provide professional services to the CSIR Scientia, on roads condition assessment and walkways

# RFP No. 1043/07/11/2022

Date of Issue	Monday, 24 October 2022			
	Date: Monday, 31 October 2022			
Compulsory Briefing and Site	Time: 10H00			
Inspection Session	Venue: CSIR, Meiring Naude Road, Sciential Campus,			
	Knowledge Comms (parking area)			
Last date for submission of queries / clarifications	Thursday, 03 November 2022			
Enquiries and submission of proposals	Strategic Procurement Unit	E-mail: tender@csir.co.za		
	Date: Monday, 07 Nov	ember 2022		
Closing Date and Time	Time: 16h30			
(Late bids will not be accepted)		accepted)		
CSIR business hours	08h00 – 16h30	08h00 – 16h30		

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#### **SECTION A - TECHNICAL INFORMATION**

#### 1 INTRODUCTION

The Council for Scientific and Industrial Research (CSIR) is one of Africa's leading scientific research and technology development organisations. In partnership with national and international research and technology institutions, CSIR undertakes directed and multidisciplinary research and technology innovation that contributes to improving the quality of life of South Africans. The CSIR's main site is in Pretoria, while it is represented in other provinces of South Africa through regional offices.

#### 2 BACKGROUND

The CSIR network of roads and pathways is old and needs rehabilitation. The roads and walkways needs to be improved.

#### 3 INVITATION FOR PROPOSAL

Proposals are hereby invited from Civil Engineering service providers to provide professional services to the CSIR, for the road condition assessment and walkways.

#### 3.1 Scope of Services

The professional consultants are expected to provide their services according to stages 1 to 6 as per the government gazette. They are also expected to work closely with the maintenance and engineering staff of the CSIR to ensure that all equipment specified and designs comply with their campus wide practices and standards. The Professional Consultants Services Agreement Committee (PROCSA) agreement will be used as a form of contracting.

The expectation by the CSIR is for the appointed consultant to to provide the following

- Detailed cost estimate for the project, R2 Million
- Five (5) BoQ packages

That will enable the CSIR to implement in the next five (5) years.

#### 4 PROPOSAL SPECIFICATION

All proposals are to be submitted in the format specified in this request.

Bidders are to submit responses in the format prescribed below. Failure to adhere to this may result in disqualification, and the tender may be deemed as non-responsive.

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#### 4.1 Technical Proposal (Part A)

The following must be submitted as part of the technical proposal:

- 4.1.1 Bidders must submit a company profile indicating the company's age, resources, and capability.
- 4.1.2 Bidders must demonstrate their company experience by submitting a list of similar projects they have executed between 2015 and 2022. List of projects to be completed as indicated on Annexure A.
- 4.1.3 Bidders must submit contactable reference letters *or* completion certificates for similar projects completed between 2015 and 2022 from previous clients. Reference letters *or* completion certificates must be issued by the clients where the projects were completed.
- 4.1.4 Bidders must submit Curriculum Vitaes CVs of relevant engineers that will be deployed in the project, Civil Engineer (who will serve as the Principal Agent) and Resident / Site Engineer. The CVs must clearly indicate the experience of the key resource with at least more than seven (7) years experience in managing similar work.
  - CV of Civil Engineer (who will serve as the Principal Agent)
  - CV of Resident / Site Engineer

#### 4.2 Financial Proposal (Part B)

The following must be submitted as part of the <u>financial</u> proposal:

- 4.2.1 Bidders must submit a cover letter on company letterhead
- 4.2.2 Bidders must submit a completed price offer, Annexure B, the pricing must be firm for 90 calendar days and inclusive of all costs to render the required service. The price must also include disbursements (where applicable)
- 4.2.3 Bidders must submit a copy of a valid B-BBEE certificate or valid sworn Affidavit
- 4.2.4 Bidders must submit a CSD registration report (RSA suppliers only).

#### 4.3 Mandatory / Returnable Documents

The following documents must be submitted as part of the mandatory requirement.

- 4.3.1 Bidders must submit valid proof of registration for
  - Engineering Council of South Africa, ECSA as Pr.Eng or Pr.Tech.
- 4.3.2 Bidders must submit valid proof of professional indemnity insurance or letter of intent from an Insurance Company with a minimum of Ten Million (R10 000 000.00)

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#### 5 FUNCTIONAL EVALUATION CRITERIA

The evaluation of the functional/technical detail of the proposal will be based on the following criteria.

Functional Factor	Criteria Description	Weight (%)
Company Profile	Bidder must submit a company profile indicating their core function, age, resources, and capability.	10
Company Experience	<ul> <li>Bidders must demonstrate the company's relevant experience by submitting a list of similar projects executed between 2015 and 2022. The information is to be submitted in the prescribed format as indicated on Annexure A.</li> <li>The list of projects must be relevant to the project.</li> <li>A minimum of three (3) projects must be submitted.</li> </ul>	30
Reference Letters	<ul> <li>Bidder must submit contactable reference letters or completion certificates for work / projects completed between 2015 and 2022 from previous clients.</li> <li>The list of projects must be relevant to the project.</li> <li>A minimum of three (3) reference letters or completion certificate must be submitted.</li> <li>Reference letters must be written by the clients where the work was done. Reference letters from other team members or professional service providers will not be accepted.</li> </ul>	30
Curriculum Vitae	<ul> <li>Bidders must submit CV of Lead Engineers that will be deployed in the project. A minimum of seven (7) years experience in managing similar projects is required.</li> <li>CV of Civil Engineer (who will serve as the Principal Agent)</li> <li>CV of Resident / Site Engineer</li> </ul>	30
TOTAL POINTS	S FOR FUNCTIONALITY	100

- 5.1 Proposals with functionality / technical points of less than the pre-determined minimum overall percentage of 70% and a sub-minimum of 50% for each individual criteria will be eliminated from further evaluation.
- 5.2 Refer to Annexure D for the scoring sheet that will be used to evaluate functionality.

#### **6 ELIMINATION CRITERIA**

Proposals will be eliminated under the following conditions.

- 6.1 Bidders that submit late bids will not be considered
- 6.2 Bidders that submit to the incorrect location or email address will be eliminated
- 6.3 Bidders who fail to attend the compulsory briefing and site inspection will not be considered
- 6.4 Bidders that are listed on the NT database of restricted suppliers will not be considered
- 6.5 Bidders that are registered on the NT Register of Tender Defaulters will not be considered
- 6.6 Bidders that do not submit a fully completed and signed Bidder's Declaration of Interest Form, Annexure C will not be considered
- 6.7 Bidders that do not submit a fully completed and signed SBD 1 Form, Annexure E will not be considered
- 6.8 Bidders that do not submit a fully completed and signed SBD 4 Form, Annexure F will not be considered
- 6.9 Failure to submit valid proof of professional indemnity insurance or letter of intent from an Insurance Company with a minimum of R10 000 000.00 will not be considered
- 6.10 Bidders who fail to submit proof of registration with Engineering Council of South Africa, ECSA as Pr.Eng or Pr.Tech. will not be considered

# 7 NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION & B-BBEE CERTIFICATE

Before any negotiations with the winning bidder commence, the winning bidder shall be required to:

- 7.1 be registered on the National Treasury's Central Supplier Database (CSD). Registrations can be completed online at: <a href="https://www.csd.gov.za">www.csd.gov.za</a>;
- 7.2 provide their CSD registration number to the CSIR; and
- 7.3 provide the CSIR with a valid copy of their B-BBEE certificate or Sworn Affidavit. If no certificate can be provided, no points will be scored during the evaluation process. (RSA suppliers only).

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#### **SECTION B – TERMS AND CONDITIONS**

#### 8 COMPULSORY BRIEFING INFORMATION

A compulsory briefing session and/or site inspection will be held under the following details

Date	Monday, 31 October 2022
Time	10H00
Venue	CSIR, Meiring Naude Road, Sciential Campus, Knowledge
	Comms (parking area)

#### 9 TENDER PROGRAMME

The tender program, as currently envisaged, incorporates the following key dates:

Issue of tender documents: Mon, 24 October 2022
 Compulsory briefing and site inspection session: Mon, 31 October 2022
 Last date for submission of queries: Thu, 03 November 2022

Closing / submission Date:
 Mon, 07 November 2022

#### 10 SUBMISSION OF PROPOSALS

- 10.1 All proposals are to be submitted electronically to <u>tender@csir.co.za</u>
  No late proposals will be accepted.
- 10.2 Responses submitted by companies must be signed by a person or persons duly authorized.
- 10.3 All e-mailed proposal submissions are to be clearly subject referenced with the RFP number. Proposals must consist of two parts, each of which must be sent in two separate e-mails with the following subject:
  - PART 1: Technical Proposal RFP No.: 1043/07/11/2022
  - PART 2: Pricing Proposal RFP No.: 1043/07/11/2022
- 10.4 The CSIR will award the contract to qualified tenderer(s)' whose proposal is determined to be the most advantageous to the CSIR, taking into consideration the technical (functional) solution, price, and B-BBEE.
- 10.5 Proposals submitted must be in the following file formats:
  - PDF

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#### 11 DEADLINE FOR SUBMISSION

- 11.1 Proposals shall be submitted at the address mentioned above no later than the closing date of **Monday**, **07 November 2022** during CSIR's business hours. The CSIR business hours are between 08h00 and 16h30.
- 11.2 Where a proposal is not received by the CSIR by the due date and stipulated place, it will be regarded as a late tender. Late tenders will not be considered.

#### 12 AWARDING OF TENDERS

12.1 Awarding of tenders will be published on the National Treasury e-tender portal or the CSIR's tender website. No regret letters will be sent out.

#### 13 EVALUATION PROCESS

#### 13.1 Evaluation of proposals

All proposals will be evaluated by an evaluation team for functionality, price and B-BBEE. Based on the results of the evaluation process and upon successful negotiations, the CSIR will approve the awarding of the contract to successful tenderers.

A two-phase evaluation process will be followed.

- The first phase includes evaluation of elimination and functionality criteria,
- The second phase includes the evaluation of price and B-BBEE status.

Pricing Proposals will only be considered after functionality phase has been adjudicated and accepted. Only proposals that achieved the specified minimum qualification scores for functionality will be evaluated further using the preference points system.

#### 13.2 Preference points system

The 80/20 preference point system will be used where 80 points will be dedicated to price and 20 points to B-BBEE status. If all tenders received are more than R50m, the proposal will be cancelled and re-issued.

#### 14 PRICING PROPOSAL

- 14.1 Activity Schedule pricing must be cross-referenced to the deliverables identified in the Scope. Any options offered must be clearly labelled. Separate pricing must be provided for each option offered to ensure that pricing comparisons are clear and unambiguous.
- 14.2 Price needs to be provided in South African Rand (excl. VAT), with details on price elements that are subject to escalation and exchange rate fluctuations clearly indicated.
- 14.3 Price should include additional cost elements such as freight, insurance until acceptance, duty where applicable.

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14.4 Only firm prices\* will be accepted during the tender validity period. Non–firm prices\*\* (including prices subject to rates of exchange variations) will not be considered.

\*Firm price is the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax which, in terms of a law or regulation is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

\*\*Non-firm price is all prices other than "firm" prices.

14.5 Payment will be according to the CSIR payment terms.

#### 15 VALIDITY PERIOD OF PROPOSAL

Each proposal shall be valid for a minimum period of **90 calendar days** calculated from the closing date.

#### 16 APPOINTMENT OF SERVICE PROVIDER

- 16.1 The contract will be awarded to the tenderer who scores the highest total number of points during the evaluation process, except where the law permits otherwise.
- 16.2 Appointment as a successful service provider shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement CSIR reserves the right to appoint an alternative supplier.

#### 17 ENQUIRIES AND CONTACT WITH THE CSIR

Any enquiry regarding this RFP shall be submitted in writing to CSIR at <a href="tender@csir.co.za">tender@csir.co.za</a> with "RFP No 1043/07/11/2022 - Appointment of Civil Engineering Services to provide professional services to the CSIR Scientia, on roads condition assessment and walkways" as the subject.

Any other contact with CSIR personnel involved in this tender is not permitted during the RFP process other than as required through existing service arrangements or as requested by the CSIR as part of the RFP process.

#### 18 MEDIUM OF COMMUNICATION

All documentation submitted in response to this RFP must be in English.

#### 19 COST OF PROPOSAL

Tenderers are expected to fully acquaint themselves with the conditions, requirements and specifications of this RFP before submitting proposals. Each tenderer assumes all risks for resource commitment and expenses, direct or indirect, of proposal preparation and participation throughout the RFP process. The CSIR is not responsible directly or indirectly for any costs incurred by tenderers.

#### **20 CORRECTNESS OF RESPONSES**

- 20.1 The tenderer must confirm satisfaction regarding the correctness and validity of their proposal and that all prices and rates quoted cover all the work/items specified in the RFP.

  The prices and rates quoted must cover all obligations under any resulting contract.
- 20.2 The tenderer accepts that any mistakes regarding prices and calculations will be at their own risk.

#### 21 VERIFICATION OF DOCUMENTS

- 21.1Tenderers should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by the CSIR in regard to anything arising from the fact that pages are missing or duplicated.
- 21.2 Only electronic copy (pdf emailed) of each proposal must be submitted.
- 21.3 Pricing schedule and B-BBEE credentials should be submitted with the proposal, but as a separate document and no such information should be available in the technical proposal.

#### 22 SUB-CONTRACTING

- 22.1 A tenderer will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for, unless the intended sub-contractor is an exempted micro enterprise that has the capability and ability to execute the sub-contract.
- 22.2 A tenderer awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an exempted micro enterprise that has the capability and ability to execute the sub-contract.

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#### 23 PERSONAL INFORMATION

- 23.1 Each Party consents to the other Party holding and processing "personal information" (as defined in the POPI Act) relating to it for legal, personnel, administrative and management purposes (including, if applicable, any "special personal information" relating to him/her, as defined in the POPI Act). Notwithstanding the generality of the aforesaid, each Party hereby undertakes to comply with all relevant provisions of the POPI Act and any other applicable data protection laws. The Client further agrees to comply with all CSIR's reasonable internal governance requirements pertaining to data protection.
- 23.2 Each Party consents to the other Party making such information available to those who provide products or services to such parties (such as advisers, regulatory authorities, governmental or quasi-governmental organisations and potential purchasers of such Party or any part of their business).
- 23.3 The Client consents to the transfer of such information to CSIR's business contacts outside South Africa in order to further its business interests.
- 23.4 While performing any activity where a Party is handling personal information as a "responsible party" (as defined in the POPI Act), each Party undertakes that it will process the personal information strictly in accordance with the terms of the POPI Act, this Contract, and the other Party's instructions from time to time, and take appropriate operational measures to safeguard the data against any unauthorised access.
- 23.5 Each Party acknowledges that in the course of conducting business with each other, each Party intends to maintain and process personal information about the other Party in an internal database. By signing this Contract, each Party consents to the maintenance and processing of such personal information.
- 23.6 Where relevant, the Client shall procure that all of its personnel, agents, representatives, contractors, sub-contractors, and mandataries shall comply with the provisions of this clause 23 (Personal Information). The CSIR shall be entitled on reasonable notice to conduct an inspection or audit Client's compliance with the requisite POPI Act safeguards.

#### 24 ADDITIONAL TERMS AND CONDITIONS

- 24.1 A tenderer shall not assume that information and/or documents supplied to CSIR, at any time prior to this request, are still available to CSIR, and shall consequently not make any reference to such information document in its response to this request.
- 24.2 Copies of any affiliations, memberships and/or accreditations that support your submission must be included in the tender.

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- 24.3 In case of proposal from a joint venture, the following must be submitted together with the proposal:
  - Joint venture Agreement including split of work signed by both parties;
  - The original or certified copy of the B-BBEE certificate of the joint venture;
  - The Tax Clearance Certificate of each joint venture member;
  - Proof of ownership/shareholder certificates/copies; and
  - Company registration certificates.
- 24.4 An omission to disclose material information, a factual inaccuracy, and/or a misrepresentation of fact may result in the disqualification of a tender, or cancellation of any subsequent contract.
- 24.5 Failure to comply with any of the terms and conditions as set out in this document will invalidate the Proposal.

#### 25 CSIR RESERVES THE RIGHT TO

- 25.1 Extend the closing date;
- 25.2 Verify any information contained in a proposal;
- 25.3 Request documentary proof regarding any tendering issue;
- 25.4 Appoint one or more service providers, separately or jointly (whether or not they submitted a joint proposal);
- 25.5 Award this RFP as a whole or in part;
- 25.6 Award this RFP to one supplier or more than one suppliers
- 25.7 Cancel or withdraw this RFP as a whole or in part.

#### **26 DISCLAIMER**

This RFP is a request for proposals only and not an offer document. Answers to this RFP must not be construed as acceptance of an offer or imply the existence of a contract between the parties. By submission of its proposal, tenderers shall be deemed to have satisfied themselves with and to have accepted all Terms & Conditions of this RFP. The CSIR makes no representation, warranty, assurance, guarantee or endorsements to tenderer concerning the RFP, whether with regard to its accuracy, completeness or otherwise and the CSIR shall have no liability towards the tenderer or any other party in connection therewith.

#### 27 ANNEXURE A – SCHEDULE OF BIDDERS PROJECT LIST

The bidder must provide details of the bidder's current experience in providing similar service, for projects executed between 2015 and 2022. Duplications of this sheet may be created.

Company Name	Contact Person and contact details (email and telephone number)	Nature Of Work  (Description of service performed and extent of Bidder's responsibilities)	Value of contract (Inclusive of VAT)	Contract duration (Start and End Dates)

# 28 ANNEXURE B - PRICE SCHEDULE

#	Description	Rate	Total excluding VAT
1	Civil Engineer (Principal Agent {PA} role) stages 1 to 6		
2	Resident Engineer (Site Engineer) stages 1 to 6		
3	Inception		
4	Concept and viability		
5	Design development		
6	Documentation and procurement		
7	Contract administration and inspection		
8	Close out		
10	Disbursements		
		Sub-Total	
		20% Contingency	
		Sub-Total	
		15 % VAT	
		Total	

Note: Please submit a quotation on your company letterhead

# 29 ANNEXURE C - DECLARATION BY TENDERER

RFP No:				
I hereby undertake to render services described in the attached tendering documents to CSIR in accordance with the requirements and task directives / proposal specifications stipulated in RFP No				
I confirm that I am satisfied with regards to the correctness and validity of my proposal; that the price(s) and rate(s) quoted cover all the services specified in the proposal documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.				
I accept full responsibility for the proper execution and fu devolving on me under this proposal as the principal liable	•			
I declare that I have no participation in any collusive practices with any tenderer or any other person regarding this or any other proposal.				
I accept that the CSIR may take appropriate actions, deen of interest or if this declaration proves to be false.	ned necessary, should there be a conflict			
I confirm that I am duly authorised to sign this proposal.				
NAME (PRINT)	WITNESSES  1			

Only tenderers who completed the declaration below will be considered for evaluation.

#### 30 ANNEXURE D - SCORING SHEET

No.	Criteria	Proof required	Points allocation			Weigh
			No submission		- 0 point	
			1 to 4 years of operation		- 3 points	10%
1		Bidder must submit a company profile indicating their	5 to 6 years of operation		- 5 points	10%
•	Company profile	core function, age, resources, and capability.	7 to 9 years of operation		- 7 points	
			> 9 years of operation		- 10 points	
		Bidders must submit a list of similar relevant projects	No submission		0 point	
		executed between 2015 and 2022, as indicated under	1 to 2 relevant projects submitted	-	3 points	
		Annexure A. The list of projects must be relevant to the	3 to 4 relevant projects submitted	-	5 points	30%
2	Company	scope of work.	5 to 6 relevant projects submitted	-	- 7 points	30%
	Experience		> 7 relevant projects submitted	-	10 points	
		A minimum of 3 projects must be listed.				
		Bidders must submit contactable reference letters or	No submission	_	- 0 point	
		completion certificates for work / projects completed	1 to 2 relevant references submitted	-	· 3 points	
Reference Letters		between 2015 and 2022 from previous clients.	3 to 4 relevant references submitted	-	5 points	
3	or Completion	·	5 to 6 relevant references submitted	_	7 points	30%
	Certificates	A minimum of 3 reference letters or completion	> 7 relevant references submitted	-	10 points	
		certificates must be submitted.				
		Bidder must submit a detailed CV of the Civil Engineer	No submission of CV	– 0 point		
		(Principal Agent) to be assigned to the project.	1 to 6 years' experience	– 3 points		
			7 to 8 years' experience	– 5 points		
		A minimum of 7 year' experience in the built environment	9 to 10 years' experience	- 7 points	15%	
		is required.	> 10 years' experience	-10 points		
		·		•		
4	Curriculum Vitaes	Bidder must submit a detailed CV of the Resident / Site	No submission of CV	- 0 point		30%
		Engineer to be assigned to the project.	1 to 6 years' experience	- 3 points		
		Engineer to be assigned to the project.	7 to 8 years' experience	– 5 points	15%	
		A minimum of 7 year' experience in the built environment	9 to 10 years' experience	- 7 points	1576	
		is required.	> 10 years' experience	-10 points		
		is required.	7 TO years experience	- 10 points		
		'	1		Total	100%

# 31 ANNEXURE E - INVITATION TO BID FORM, SBD 1

A completed and signed SBD 1 Form must be submitted with your proposal.

# 32 ANNEXURE F - BIDDERS DISCLOSURE FORM, SBD 4

A completed and signed SBD 1 Form must be submitted with your proposal.

#### 33 ANNEXURE G - RETURNABLE DOCUMENTS

**NOTE:** The bidder is required to complete each and every schedule listed below to the best of his ability as the evaluation of tenders and the eventual contract will be based on the information provided by the bidder. Failure of a bidder to complete the schedules and forms to the satisfaction of the CSIR will inevitably prejudice the tender and may lead to rejection on the grounds that the tender is not responsive.

The bidder must complete and or submit the following returnable documents:

RETURNABLE DOCUMENTS						
T A: TECHNICAL RETURNABLES						
Returnable Schedules required only for Tender Evaluation Purposes.						
Submitted (please tick)						
ription	Yes	No				
Company profile						
Projects list, Annexure A						
Reference letters or Completion certificates						
CV of Civil Engineer (Principal Agent)						
CV of Resident / Site Engineer						
Proof of registration with ECSA						
Professional indemnity insurance						
Bidders Declaration of Interest form, Annexure C						
SBD 1, Annexure E						
SBD 4, Annexure F						
T B: PRICING PROPOSAL	1					
rnable Schedules that will be incorporated into the Co	ntract.					
Cover letter						
Completed Price Schedule, Annexure B						
Quotation on company letterhead						
Valid B-BBEE certificate or sworn affidavit						
CSD Registration Report						
	ription Company profile Projects list, Annexure A Reference letters or Completion certificates CV of Civil Engineer (Principal Agent) CV of Resident / Site Engineer Proof of registration with ECSA Professional indemnity insurance Bidders Declaration of Interest form, Annexure C SBD 1, Annexure E SBD 4, Annexure F T B: PRICING PROPOSAL rnable Schedules that will be incorporated into the Co Cover letter Completed Price Schedule, Annexure B Quotation on company letterhead Valid B-BBEE certificate or sworn affidavit	T A: TECHNICAL RETURNABLES rnable Schedules required only for Tender Evaluation Purposes.  Submitted Yes  Company profile  Projects list, Annexure A  Reference letters or Completion certificates  CV of Civil Engineer (Principal Agent)  CV of Resident / Site Engineer  Proof of registration with ECSA  Professional indemnity insurance  Bidders Declaration of Interest form, Annexure C  SBD 1, Annexure E  SBD 4, Annexure F  T B: PRICING PROPOSAL rnable Schedules that will be incorporated into the Contract.  Cover letter  Completed Price Schedule, Annexure B  Quotation on company letterhead  Valid B-BBEE certificate or sworn affidavit				