



Tender

**REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4
AND AE 6 CLADDING, ROOFS AND MINOR BUILDING
WORKS**

AT THE

EAST LONDON INDUSTRIAL DEVELOPMENT ZONE

**CONTRACT NO: ASP/18/REP/AE4&AE6
REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE
4 AND AE 6 CLADDING, ROOFS AND MINOR
BUILDING WORKS
ENVELOPE B: FINANCIAL PROPOSAL**

East London IDZ Contact person: G Whittaker Fax No: 086 605 0942 Email: gary@elidz.co.za	
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NOTE: DO NOT SPLIT/UN-BIND THIS DOCUMENT

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C1.2 JBCC FORM OF GUARANTEE

REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING,
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PART C2: PRICING DATA

REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING,
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C2.1 PRICING INSTRUCTIONS

REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING,
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C2.1 Pricing Instructions

- 1** The Bills of Quantities have been drawn up in accordance with the Standard System of Measuring Building Work as amended published and issued by the Association of South African Quantity Surveyors (Sixth Edition (Revised), 1999).
- 2** The agreement is based on the JBCC Series 2000 Principal Building Agreement, prepared by the Joint Building Contracts Committee, Edition 5, July 2007. The additions, deletions and alterations to the JBCC Principal Building Agreement as well as the contract specific variables are as stated in the Contract Data. Only the headings and clause numbers for which allowance must be made in the Bills of Quantities are recited.
- 3** It will be assumed that prices included in the Bills of Quantities are based on Acts, Ordinances, Regulations, By-laws, International Standards and National Standards that were published 28 days before the closing date for tenders. (Refer to www.stanza.org.za or www.iso.org for information on standards).
- 4** Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.
- 5** Where any item is not relevant to this specific contract, such item is marked N/A (signifying "not applicable")
- 6** The Contract Data and the standard form of contract referenced therein must be studied for the full extent and meaning of each and every clause set out in Bill No.1 (Preliminaries) of the Bills of Quantities.
- 7** The Bills of Quantities are not intended for the ordering of materials. Any ordering of materials, based on the Bills of Quantities, is at the Contractor's risk.

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C2.3 BILLS OF QUANTITIES

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T2.1 FINANCIAL PROPOSAL

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GUARANTOR PROFORMA LETTER OF INTENT

REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING,
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Guarantor Proforma Letter of Intent

**CONSTRUCTION OF A MANUFACTURING FACILITY IN ZONE 1A
AT THE
EAST LONDON IDZ**

TENDER No. EB/ASP2/03/18/ZIA

The following letter is to be reproduced on the Guarantor's company letterhead

EAST LONDON INDUSTRIAL DEVELOPMENT ZONE SOC LTD
Lower Chester Road
EAST LONDON
5201
Date:
Att: Mr G. Whittaker

Dear Sir,

**ELIDZ: CONSTRUCTION OF A MANUFACTURING FACILITY IN ZONE 1A
TENDER No. EB/ASP2/03/18/ZIA**

I/wethe undersigned undertake to provide an unaltered JBCC Construction Guarantee on behalf of(the Contractor) for the amount of R (in words) in favour of the East London Industrial Development Zone (Pty) Ltd should(the Contractor) be awarded the ELIDZ, Construction of a Manufacturing Facility in Zone 1A.

Yours faithfully,

.....
Guarantor

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FORM OF OFFER AND ACCEPTANCE

REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING,
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1.1.1 FORM OF OFFER AND ACCEPTANCE

Project title:	REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING, ROOFS AND MINOR BUILDING WORKS
Contract No:	ASP/18/REP/AE4&AE6

A. OFFER

The Employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of: **REPAIRS TO ASP (AUTOMOTIVE SUPPLY PARK) AE 4 AND AE 6 CLADDING, ROOFS AND MINOR BUILDING WORKS**

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.

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 Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:

Rand (in words):	
Rand in figures:	R

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 to the Tenderer before the end of the period of validity stated in the tender data, whereupon the Tenderer becomes the party named as the Contractor in the conditions of contract identified in the contract data.

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THIS OFFER IS MADE BY THE FOLLOWING LEGAL ENTITY: (cross out block which is not applicable)

Company or Close Corporation:	OR	Natural Person or Partnership: Whose Identity Number(s) is/are: Whose Income Tax Reference Number is/are:
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AND WHO IS (if applicable):

Trading under the name and style of:

AND WHO IS:

Represented herein, and who is duly authorised to do so, by: Mr/Mrs/Ms: In his/her capacity as:	Note: A Resolution / Power of Attorney, signed by all the Directors / Members / Partners of the Legal Entity must accompany this Offer, authorising the Representative to make this offer.
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SIGNED FOR THE TENDERER:

Name of Representative	Signature	Date

WITNESSED BY:

Name of Witness	Signature	Date

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GUARANTEE OFFERED:

The Tenderer offers to provide security as indicated below:

- i. **cash deposit** of 5 % of the Contract Sum (excl VAT) paid within 21 days after my /our Bid has been formally accepted Yes No
- ii. **bank guarantee** of 5 % of the Contract sum (excl VAT) submitted within 21 days after my /our Bid has been formally accepted. Yes No
- iii. **insurance guarantee** of 5 % of the Contract sum (excl VAT) submitted within 21 days after my /our Bid has been formally accepted. Yes No

NB. Guarantees submitted must be issued by either an insurance company duly registered in terms of the Short-Term Insurance Act, 1998 (Act 35 of 1998) or by a bank duly registered in terms of the Banks Act, 1990 (Act 94 of 1990) on the Form of Guarantee included in section 2.1.3. No alterations or amendments of the wording of the pro-forma will be accepted.

The Tenderer elects as its domicilium citandi et executandi in the Republic of South Africa, where any and all legal notices may be served, as (physical address):

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

Other Contact Details of the Tenderer are:

Telephone No Cellular Phone No

Fax No

Postal address

.....

B. 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:

- 2.1 Agreement and contract data
- 2.2 Pricing data
- 2.3 Scope of work
- 2.4 Site information

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 2.1 to 2.4 above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender 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 agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

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The Tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect, if delivered by hand on the day of delivery, or if delivered by courier within two working days after submission by the Employer to the courier services for a door-to-door delivery to the Tenderer, provided that the Employer notifies the Tenderer of the tracking number within 24 hours of such submission. Unless the Tenderer (now Contractor) within seven working days of the date of such submission 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.

FOR THE EMPLOYER:

Name of Signatory	Signature	Date

Name of Organisation:	East London Industrial Development Zone (Pty) Ltd
Address of Organisation	Lower Chester Road, Sunnyridge East London 5201

WITNESSED BY:

Name of Witness	Signature	Date

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SCHEDULE OF DEVIATIONS:

1. Subject:
Detail:

2. Subject:
Detail:

3. Subject:
Detail:

By the duly authorised representatives signing this agreement, the Employer and the Tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender 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.

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FINAL SUMMARY

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