

BOARD NOTICES

BOARD NOTICE 7 OF 2008

CONSTRUCTION INDUSTRY DEVELOPMENT BOARD

THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT, 38 of 2007

The Construction Industry Development Board has in terms of Regulation 29 of the Construction Industry Development regulations, 2004, conducted hearings against the following contractors and is publishing the findings and sanctions imposed by the Investigations Committee:

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Sondile General Works CC, Polokwane	113333	2004/075364/23	Presenting forged documentation to the CIDB in order to create a fictitious track record, on the basis of vicarious liability.
Penalty and effective date, where appropriate			
Effective Date: 20 August 2007 The Board orders: <ol style="list-style-type: none"> 1. That the name of Sondile General Works CC (CRS number 113333) be removed from the Register of Contractors, with effect from 20 August 2007; and 2. That Sondile General Works CC is barred from applying for registration on the Register of Contractors, in any class of construction works listed in Schedule 3 of the CIDB regulations, for a period of six (6) months (calculated on calendar days), which period of suspension will commence from 20 August 2007. 			
Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Bobcon Builders & Renovators CC, Chatsworth	110844	2001/024982/23	Misrepresenting to the CIDB that an Accredited Master Installation Electrician with the Electrical Contractor Board, has been affiliated with Bobcon Builders & Renovators CC, as contemplated in Regulation 7(4)(i) of the CIDB regulations.
Penalty and effective date, where appropriate			
Effective Date: 20 August 2007 The Board orders: <ol style="list-style-type: none"> 1. That the name of Bobcon Builders & Renovators CC (CRS number 110844) be removed from the CIDB Register of Contractors from all classes of construction works, with effect from 20 August 2007. 2. That Bobcon Builders & Renovators CC may re-apply for registration on the Register of Contractors immediately after the removal of its name from the Register of Contractors, which application will be assessed as a new application, in terms of the CIDB regulations. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Young, Black and Gifted Corporation CC, Esikhawini	122071	2000/058752/23	Presenting forged documentation to the CIDB in order to create a fictitious track record.
Penalty and effective date, where appropriate			
Effective Date: 20 August 2007			
The Board orders:			
<ol style="list-style-type: none"> 1. That Young Black & Gifted Corporation CC and any other legal entity of which Ms Thabile Rachel Jali (Identity number 5710300711081) is a member or director, be suspended from the CIDB Register of Contractors, for a period of six (6) months (calculated on calendar days), which period of suspension will commence from 20 August 2007; and 2. Impose a final warning on Young Black & Gifted Corporation CC and Ms Thabile Rachel Jali and any other legal entity of which Ms Thabile Rachel Jali is a member or director, which reads as follows: <i>That, should the Committee, in terms of Chapter V of the CIDB Regulations, find Young Black & Gifted Corporation CC and Ms Thabile Rachel Jali and any other legal entity of which Ms Thabile Rachel Jali is a member or director, guilty of an act or omission committed within a period of 24 (twenty four) months commencing from 20 August 2007, the Committee may take its finding pertaining to the present matter into consideration as an aggravating circumstance during the later proceedings.</i> 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Khazimula Investments CC, Esikhawini, Richards Bay	104070	2000/015233/23	Presenting forged documentation to the CIDB in order to create a fictitious track record.
Penalty and effective date, where appropriate			
Effective Date: 20 August 2007			
The Board orders:			
<ol style="list-style-type: none"> 1. That Khazimula investments CC and any other legal entity of which Ms Anna-Joseph Zanele Mjadu (Identity number 5602010762084) is a member or director, be suspended from the CIDB Register of Contractors, for a period of six (6) months (calculated on calendar days), which period of suspension will commence from 20 August 2007; and 3. Impose a final warning on Khazimula investments CC and Ms Anna-Joseph Zanele Mjadu and any other legal entity of which Ms Thabile Rachel Jali is a member or director, which reads as follows: 2. That, should the Committee, in terms of Chapter V of the CIDB Regulations, find Young Black & Gifted Corporation CC and Ms Thabile Rachel Jali and any other legal entity of which Ms Thabile Rachel Jali is a member or director, guilty of an act or omission committed within a period of 24 (twenty four) months commencing from 20 August 2007, the Committee may take its finding pertaining to the present matter into consideration as an aggravating circumstance during the later proceedings. the contents of which are set out in Annexure B to this document. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Tobie's Civil Construction CC, Richards Bay	115343	2005/154994/23	Presenting a forged CIDB certificate to the City of Umhlatuze, in contravention of Section 18(4) of the CIDB Act, in that you have attempted to carry out construction works under a public sector contract, whilst not being a registered contractor of the Board.
Penalty and effective date, where appropriate			
<p>Effective Date: 20 August 2007</p> <p>The Board orders:</p> <ol style="list-style-type: none"> 1. That Tobie Civils Construction CC and any other legal entities of which Mr Zagina Tobias Ngcobo (Identity number 5801275818082) and Mr Floris Maree (Identity number 5408095097082) are members or directors, be prohibited from tendering for or attempt to tender for any construction-related work falling within the ambit of the CIDB's mandate, for a period of six (6) months (calculated on calendar days), which period of suspension will commence from 20 August 2007; and 2. That the construction – related works Tobie Civils Construction CC and Mr Zagina Tobias Ngcobo (Identity number 5801275818082) and Mr Floris Maree (Identity number 5408095097082) are delivering for clients or employers, which construction – related works have commenced prior to 20 August 2007, are excluded from the imposed 6 months suspension period, and such construction works contracts may be continued with or completed; and 3. That Tobie Civils Construction CC retains its designated registered status in the Register of Contractors as at 20 August 2007, with the condition that the registration status may not be used to tender for or attempt to tender for any construction-related work falling within the ambit of the CIDB's mandate during the suspension period, as contemplated in paragraph 1 above; and 4. That Tobie Civils Construction CC must pay a fine of R50 000,00 (fifty thousand rand) in not more than three installments, of which the final installment shall be paid on or before 31 June 2008, which amount(s) shall be paid into the official bank account of the CIDB. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Nduluka Construction & Cleaning Services CC, Kokstad	134283	2001/047632/23	Misrepresenting to the CIDB that an Accredited Master Installation Electrician with the Electrical Contractor Board, has been affiliated with Nduluka Construction & Cleaning Services CC, as contemplated in Regulation 7(4)(i) of the CIDB regulations.
Penalty and effective date, where appropriate			
Effective Date: 5 December 2007			
The Board orders:			
<ol style="list-style-type: none">1. That the name of Nduluka Construction and Cleaning Services CC (CRS number 134283) be removed from the CIDB Register of Contractors in the class Electrical Engineering, and2. That the reason for such removal is illustrated in the Register of Contractors, and3. That Nduluka Construction and Cleaning Services CC may re-apply for registration in the Electrical Engineering class of works immediately after the removal of its name from the class Electrical Engineering in the Register of Contractors.			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Molimo Trading CC, Nelspruit	Not registered.	2000/030055/23	Presenting a forged CIDB certificate to the Department of Public Works, Mpumalanga Provincial Government, in order to be awarded work from them, in contravention of Section 18(2) of the Act, in that an attempt was made to carry out construction works or a portion thereof under a public sector contract, whilst not being a registered contractor of the Board.
Penalty and effective date, where appropriate			
<p>Effective Date: 4 December 2007</p> <p>The Board orders:</p> <ol style="list-style-type: none"> 1. That Molimo Trading CC and any other legal entity of which Mrs Bernadine Mandisa Dlozi (ID number 6310200430087) and Mr Samson Dlozi (ID number 6710015440082) are directors or members as per the CIPRO database, is barred from applying for registration on the Register of Contractors, in any class of construction works listed in Schedule 3 of the CIDB regulations, for a period of sixty (60) months (calculated on calendar days), and 2. That any other legal entity of which Mrs Bernadine Mandisa Dlozi (ID number 6310200430087) and Mr Samson Dlozi (ID number 6710015440082) are directors or members as per the CIPRO database as at 16 August 2007 (the date of conviction), is removed from the Register of Contractors in any class of construction works listed in Schedule 3 of the CIDB regulations, and 3. That Molimo Trading CC must pay a fine of R30 000.00 (thirty thousand rand) in 3 (three) equal installments and within a period of 12 months from the effective date, which amount(s) shall be paid into the official following bank account of the CIDB. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on (both Pedisha and Niloti)
Pedisha Construction CC, Polokwane	112371	2001/031011/23	Requesting a CIDB employee to create a fictitious track record as contemplated in regulation 11(2) of the Regulations, to mislead the Board in order to obtain a higher contractor grading designation than you qualified for; and
Niloti Construction CC, Polokwane	112374	2001/031019/23	Signing the application for upgrading your contractor grading designation, containing that fictitious and forged track record, knowing it to be such in order to mislead the Board; and
			Paying a CIDB employee an amount of R20 000.00 in cash to create the fictitious and forged track record.
Penalty and effective date, where appropriate			
<p>Effective Date: 4 December 2007</p> <p>The Board orders:</p> <ol style="list-style-type: none"> 1. That Pedisha Construction CC and Niloti Construction CC and any other legal entity of which Mr Percy Motimela (ID number 690303 5954 089) is a director or member as per the CIPRO database, be suspended from the CIDB Register of Contractors for a period of six (6) months (calculated on calendar days), and 2. That Pedisha Construction CC and Niloti Construction CC and any other legal entity of which Mr Percy Motimela (ID number 690303 5954 089) is a director or member as per the CIRPO database, is barred from applying for an upgrade from its current grading designation on the Register of Contractors, as at the effective date of this sanction, or from applying for registration on the Register of Contractors, to or in any class of construction works listed in Schedule 3 of the CIDB regulations; for a period of 24 (twenty-four) months from the effective date, and 3. That Pedisha Construction CC and Niloti Construction CC must pay a fine of R50 000-00 (fifty thousand rand) each, thus, R100 000-00 (one hundred thousand rand) in total, within 12 (twelve) months from the effective date of this sanction, which payment(s) shall be made in the official bank account of the CIDB. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Sebenzile Communications CC, Umzinto	Not registered Application reference number 537280	1998/041556/23	Presenting a forged CIDB certificate to the Ugu District Municipality, in order to be awarded work from them, in contravention of Section 18(2) of the Act, in that an attempt was made to carry out construction works under a public sector contract, whilst not being a registered contractor of the Board.
Penalty and effective date, where appropriate			
<p>Effective Date: 7 December 2007</p> <p>The Board orders:</p> <ol style="list-style-type: none"> 1. That Sebenzile Communications CC (registration number 1998/041556/23) and any other legal entity of which Mr Dumisani Clement Xolo (ID number 6104165600085) is a director or member as per the CIPRO database, is barred from applying for registration on the Register of Contractors, in any class of construction works listed in Schedule 3 of the CIDB regulations, for a period of 6 (six) months (calculated on calendar days), and 2. That any other legal entity registered on the Register of Contractors, of which Mr Dumisani Clement Xolo (ID number 6104165600085) is a director or member as per the CIPRO database as at 15 August 2007 (the date of conviction) be suspended from the Register of Contractors for a period of 6 (six) months, and 3. That the current application of Sebenzile Communications CC (reference number 537280) be null and void, and 4. That Sebenzile Communications CC may re-apply for registration on the Register of Contractors immediately after the expiry of the six month suspension period, which application will be assessed as a new application, in terms of the CIDB regulations; and 5. That Sebenzile Communications CC must pay a fine of R6 000–00 (six thousand rand) in 3 (three) equal installments and within a period of 6 (six) months, into the official bank account of the CIDB. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Mfundo's Electrical Contractor CC, Phoenix	101363	2001/079720/23	Misrepresenting to the CIDB that an Accredited Master Installation Electrician with the Electrical Contractor Board, has been affiliated with Mfundo's Electrical Contractor CC, as contemplated in Regulation 7 (4) (i) of the CIDB regulations.
Penalty and effective date, where appropriate			
Effective Date: 7 December 2007			
The Board orders:			
<ol style="list-style-type: none"> 1. That Mfundo's Electrical Contractor CC be removed from the Register of Contractors in any class of construction works listed in Schedule 3 of the CIDB regulations, and 2. That Mfundo's Electrical Contractor CC is barred from applying for registration on the Register of Contractors, for a period of 12 (twelve) months (calculated on calendar days). 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Tshenolelo Business Enterprise CC, Phuthaditjhaba	106027	2002/059245/23	Payment of R1 000-00 to a CIDB employee, in order to speed up the process with regard to its application for registration, which payment is in contravention of the CIDB code of conduct [see Regulation 10(6)(a)].
Penalty and effective date, where appropriate			
Effective Date: 7 December 2007			
The Board orders:			
<ol style="list-style-type: none"> 1. That Tshenolelo Business Enterprise CC be prohibited to procure or attempt to procure any construction-related work falling within the ambit of the CIDB's mandate, for a period of six (6) months (calculated on calendar days), and 2. That the construction – related works Tshenolelo Business Enterprise CC is delivering for clients or employers, which construction – related works have commenced prior to the effective date of this sanction, are excluded from the imposed 6 months suspension period, and such construction works contracts may be continued with or completed, and 3. That Tshenolelo Business Enterprise CC must pay a fine of R15 000-00 on or before 31 June 2008, which amount(s) shall be paid into the official bank account of the CIDB. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Matilda Catering and Plumbing CC, Newcastle	120633	2001/079296/23	Payment of R900-00 to a CIDB employee, in order to assist with its application for registration, which payment is in contravention of the CIDB code of conduct [see Regulation 10(6)(a)].
Penalty and effective date, where appropriate			
<p>Effective Date: 7 December 2007</p> <p>The Board orders that Matilda Catering and Plumbing CC must pay a fine of R10 000-00 (ten thousand rand) on or before 31 June 2008, which amount(s) shall be paid into the official bank account of the CIDB.</p>			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint found guilty on
Sam Sokolo Construction, Schoemansdal	110469	Sole propriety	Presenting forged documentation to the CIDB in order to create a fictitious track record.
Penalty and effective date, where appropriate			
<p>Effective Date: 14 August 2007</p> <p>The Board orders:</p> <ol style="list-style-type: none"> 1. That Sam Sokolo Construction (sole proprietary) and any other legal entity of which Mr Shata Simon Shokane (ID number 620913 5795 087) is a director or member as per the CIPRO database, or obtain such a membership or directorship during the period of suspension referred to below, is barred from applying for registration on the Register of Contractors, in any class of construction works listed in Schedule 3 of the CIDB regulations, for a period of six (6) months (calculated on calendar days), and 2. That Mr Shata Simon Shokane must pay a fine of R10 000-00 (ten thousand rand) within 30 (thirty) calendar days, which amount shall be paid into the official bank account of the CIDB. 			