
BOARD NOTICES

BOARD NOTICE 11 OF 2009

CONSTRUCTION INDUSTRY DEVELOPMENT BOARD

**AMENDMENTS TO THE STANDARD FOR UNIFORMITY IN
CONSTRUCTION PROCUREMENT PUBLISHED IN TERMS OF THE
CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT, 2000 (ACT
NO. 38 OF 2000)**

The Construction Industry Development Board under sections 4(f), 5(3)(c) and 5(4)(b) of the Construction Industry Development Board Act, 2000 (Act no. 38 of 2000)(the Act) read with Regulation 24 of the Construction Industry Development Regulations, issued in terms of section 33 of the Act, hereby amends the **Standard for Uniformity in Construction Procurement** published in Board Notice 62 of 2004 in Government Gazette 2647 of 9 June 2004 and amended by Board Notice 67 of 2005 in Government Gazette No 27831 of 22 July 2005, Board Notice 99 of 2005 in Government Gazette No 28127 of 14 October 2005, Board Notice 93 of 2006 in Government Gazette No 29138 of 18 August 2006 and Board Notice 9 of 2008 in Government Gazette No 30692, of 1 February 2008, as set out in schedule 1.

These amendments:

- Amendments to align the content with the Construction Industry Development Regulations
- Improvements in the clarity and intent of the text
- The introduction of a basic cidb service contract to address very basic service requirements
- Additional requirements for quality evaluations in tender offers.
- The formatting and compilation of calls for expressions of interest.

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Schedule 1

AMENDMENTS TO THE STANDARD FOR UNIFORMITY IN CONSTRUCTION PROCUREMENT

1 Scope

No amendments

2 Normative references

Add the following:

- 2.17 General Conditions of Service as published by the Construction Industry Development Board

3 Definitions

Replace 3.8 with the following:

- 3.8 **list of returnable documents** means the document that lists everything the employer requires a respondent or tenderer to submit with his submission;

Add the following clause and renumber sub-clauses

- 3.9 **notice and invitation to submit an expression of interest** means the document that alerts respondents to submit their credentials in order to be admitted to an electronic database or to be invited to submit tenders should they satisfy the stated criteria.

Replace "pricing instructions" in 3.10 (previously 3.9) with "pricing assumptions"

Replace "supplies contract" in 3.16 (previously 3.15) with "supply contract"

Replace "supplies" in 3.5, 3.13 (previously 3.12) and 3.19 (previously 3.17) with "goods"

4 Requirements

4.1 General

No amendments

4.2 Solicitation of tender offers

Replace "supplies" in table 1 (Procedure PP2G) and table 3 (column 2) with "goods."

Replace "supplies" in column 1 of table 3 with "supply" and "supplies" with "goods" in column 2.

4.3 Quality (functionality)

Replace "supplies" in 4.3.2 with "goods."

Replace 4.3.5 with:

- 4.3.5** Where quality is evaluated, at least three persons who are fully conversant with the technical aspects of the procurement shall undertake such evaluation. Quality shall be scored in terms of the prompts for judgment with fixed scores assigned to each prompt, either individually and averaged or collectively, as appropriate.

Add the following clauses

- 4.3.6** To ensure consistency in scoring, members of the evaluation panel shall be provided with prompts for judgments or qualitative indicators relating to all quality criteria and any subcriteria that are linked to a specific score. Such prompts shall be communicated to respondents or tenderers in procurement documents. The rating of submissions shall be based on the information submitted or, where relevant, from interviews, and not on mere speculation or suspicion or the personal knowledge of a panel member.
- 4.3.7** The scoring of interviews shall not form a substantive portion of the overall scoring for quality.

4.4 Procurement documents

4.4.1 General

Replace clause 4.4.1.1 with the following:

- 4.4.1.1** Construction procurement documents for engineering and construction works, services and goods shall be formatted and compiled under the headings contained in:
- a) Table 5 when calling for expressions of interest; and
 - b) Table 6 where tenders are invited using a three volume approach or Table 7 where a single volume approach is adopted.

Add in new Table 5 and renumber existing Tables 5, 6, 7 and 8.

Table 5: Documents that relate to a call for expressions of interest

Contents	
Number	Heading
Part E1: Submission procedures	
E1.1	Notice and invitation to submit an expression of interest
E1.2	Submission data
Part E2: Returnable documents	
E2.1	List of returnable documents
E2.2	Submission schedules
Part E3: Indicative scope of work (where appropriate)	
E3	Indicative scope of work

Replace "pricing instructions" with "pricing assumptions" in Tables 6 (previously 5), 7 (previously 6) and 8 (previously 7).

Replace "Table 7" with "Table 8" in 4.4.1.2.

4.4.2 Preferencing schedules

No amendments.

4.4.3 Tender Data

Replace the box below 4.4.3.3 for method 4 with the following:

Method 4: Financial offer, quality and preferences

Clause number (refer to Annex F)	
F.3.11	<p>The procedure for the evaluation of responsive tenders is Method 4</p> <p>The value for W_2 is __*</p> <p>The score for financial offer is calculated using Formula 1 / 2** (option 2) where W_1 is the percentage score given to financial offer and equals 100 minus W_2:</p> <p>The score for quality and financial offer is to be combined, before the addition of the score for preference, as follows:</p> $W_C = W_3 \times \left(1 + \frac{(S - S_m)}{S_m}\right)$ <p>Where W_3 is the number of tender evaluation points for quality and financial offer and equals 80 / 90***</p> <p>S is the sum of score for quality and financial offer of the submission under consideration</p> <p>S_m is sum of the score for quality and financial offer of the submission scoring the highest number of points</p>

* Insert percentage

** Delete reference to formula and option that is not applicable

*** Delete inappropriate value in accordance with the Regulations issued in terms of the Preferential Procurement Policy Framework Act.

4.4.4 Contract data

Add the following subclause to 4.4.4.1c):

ii) CIDB General Conditions of Service

Replace "supplies" in 4.4.4.1d) with "supply"

4.4.5 Submission Data

No amendments.

4.4.6 Subcontracting arrangements

No amendments.

4.5 Applying the CIDB register of contractors to public contracts

Replace 4.5.2 with the following:

4.5.2 The following wording shall be included in the Notice and Invitation to Tender in all engineering and construction works contracts:

It is estimated that tenderers should have a CIDB contractor grading designation of or or higher..

Note: Delete "or" where only one class of construction works is applicable.

Replace 4.5.3 with the following:

4.5.3 The following wording shall be included in the Tender Data, where the class of work is designated in terms of column 2 of Table G2:

Clause number
(refer to Annex F)

F.2.1 Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a or* class of construction work, are eligible to have their tenders evaluated.

Joint ventures are eligible to submit tenders provided that:

1. every member of the joint venture is registered with the CIDB;
2. the lead partner has a contractor grading designation in the or* class of construction work; and
3. the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a or* class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations.

* insert class of construction work (see Table G2). Delete "or" where only one class of construction works is applicable.

Annex A: Best practice guidelines

Replace "supplies" with "supply" in Table A1

Amend the Best Practice Guideline editions as follows:

Best practice guideline		Edition
#	Title	
A3	Evaluating tender offers	Fifth edition (February 2008)
A4	Evaluating Quality in Tender Submissions	Fourth edition (December 2008)
A6	Applying the Registers to Construction Procurement	Fourth edition (December 2008)
A7	The procurement of professional services	Third edition (December 2008)
A8	Procurement measures to develop registered contractors	Third edition (December 2008)
C1	Preparing Procurement Documents	Third edition (December 2008)
C2	Choosing an appropriate Form of Contract for Engineering and Construction Works	Third edition (December 2008)
C3	Adjudication	Third edition (December 2008)
D1	Subcontracting Arrangements	Second edition (December 2008)

Annex B: Standard Notice and Invitation to Tender

Replace "supplies" with "goods" in the guidance notes

Delete the following row:

Tenderers must be registered with the CIDB in a orclass of construction works.

Provide where quotation procedure is used.

Insert class of construction works.

Annex C: Form of offer and acceptance

Replace the second and third paragraphs of the acceptance portion of the form with the following:

The terms of the contract, are contained in:

Part C1 Agreements and contract data, (which includes this agreement)

Part C2 Pricing data

Part C3 Scope of work.

Part C4 Site information

and drawings and documents or parts thereof, which may be incorporated by reference into the above listed Parts.

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

Add "securities, " before "bond" in the fourth paragraph of the acceptance portion of the form.

Replace "tender schedule" with "returnable schedule" in the second last paragraph of the Schedule of deviations

Annex D: Sample preferencing schedule where direct preferences are granted in respect of targeted enterprise status

No amendments.

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

No amendment.

Annex F: Standard Conditions of Tender

Replace F.1.3.3 b) with the following:

- b) **comparative offer** means the tenderer's financial offer after all tendered parameters that will affect the value of the financial offer have been taken into consideration in order to enable comparisons to be made between offers on a comparative basis

Replace F.2.16.2 with the following:

F.2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period with or without any conditions attached to such extension.

Replace F.3.1.1 with the following:

F.3.1.1 Unless otherwise stated in the tender Data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.

Change "7 days" to "3 working days" in F.3.2

Replace F.3.9.3 with the following:

F.3.9.3 Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered or accept the corrected total of prices.

Replace 3.11.5 b) with the following:

- b) Calculate the total number of tender evaluation points (T_{EV}) in accordance with the following formula, unless otherwise stated in the Tender Data:

Delete F.13.3.2 and delete numbering to F.13.3.1

Replace F.3.14, F3.15 and F3.16 with the following:

F.3.14. Prepare contract documents

F.3.14.1 If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents, and

c) other revisions agreed between the employer and the successful tenderer.

F.3.14.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

F.3.15 Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

F.3.16 Notice to unsuccessful tenderers

F.3.16.1 Notify the successful tenderer of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period.

F.3.16.2 After the successful tenderer has been notified of the employer's acceptance of the tender, notify other tenderers that their tender offers have not been accepted.

Renumber clause F.3.18 (Provide copies of the contracts) as F.3.17

Renumber clause F.3.19 (Provide written reasons for actions taken) as F.3.18

Annex G: Alpha-numerics associated with the Contractor Grading Designations

Replace Table G1 with the following:

Contractor Grading Designation	Tender Value Range ^a designation	Maximum value of contract that a contractor is considered capable of performing (R)
1(class of construction works)	1	200 000
2(class of construction works)	2	650 000
3(class of construction works)	3	2 000 000
4(class of construction works)	4	4 000 000
5(class of construction works)	5	6 500 000
6(class of construction works)	6	13 000 000
7(class of construction works)	7	40 000 000
8(class of construction works)	8	130 000 000
9(class of construction works)	9	No limit

Replace Table G2 with the following:

Table G2: Classes of construction work

Description	Designation	Definition	Work types	Examples
Civil engineering works	CE	Construction works that are primarily concerned with materials such as steel, concrete, earth and rock and their application in the development, extension, installation, maintenance, removal, renovation, alteration, or dismantling of building and engineering infrastructure	Water, sewerage, roads, railways, harbours and transport, urban development and municipal services	Structures such as a cooling tower, bridge, culvert, dam, grand stand, road, railway, reservoir, runway, swimming pool, silo or tunnel The results of operations such as dredging, earthworks and geotechnical processes. Township services, water treatment and supply, sewerage works, sanitation, soil conservation works, irrigation works, storm-water and drainage works, coastal works, ports, harbours, airports and pipelines.
Electrical engineering works (Infrastructure)	EP	Construction works that are primarily concerned with development, extension, installation, removal, renovation, alteration or dismantling of engineering infrastructure: a) relating to the generation, transmission and distribution of electricity; or b) which cannot be classified as EB.	Electrical power generation, transmission, control and distribution equipment and systems.	Power generation Street and area lighting Substations and protection systems Township reticulations Transmission Lines Supervisory control and data acquisition systems
Electrical engineering works (buildings)	EB	Construction works that are primarily concerned with the installation, extension, modification or repair of electrical installations in or on any premises used for the transmission of electricity from a point of control to a point of consumption, including any article forming part of such an installation	All electrical equipment forming an integral and permanent part of buildings and/or structures, including any wiring, cable jointing and laying and electrical overhead line construction	Electrical installations in buildings Electrical reticulations within a plot of land (erf) or building site Standby plant and uninterrupted power supply Verification and certification of electrical installations on premises
General building works	GB	Construction works that: a) are primarily concerned with the development, extension, installation, renewal, renovation, alteration, or dismantling of a permanent shelter for its occupants or contents; or b) cannot be categorised in terms of the definitions provided for civil engineering works, electrical engineering works, mechanical engineering works, or specialist works.	Buildings and ancillary works other than those categorised as being: a) civil engineering works; b) electrical engineering works; c) mechanical engineering works; or d) specialist works.	Buildings for domestic, industrial, institutional or commercial occupancies Car ports Fences other than classified as SS Stores Walls

Description	Designation	Definition	Work types	Examples
Mechanical engineering works	ME	Construction works that are primarily concerned with the development, extension, installation, removal, alteration, renewal of engineering infrastructure for gas transmission and distribution, solid waste disposal, heating, ventilation and cooling, chemical works, metallurgical works, manufacturing, food processing and, materials handling	Machine systems including those relating to the environment of building interiors. a) gas transmission and distribution systems b) pipelines c) solid waste disposal d) materials handling, lifting machinery, heating, ventilation and cooling, pumps, e) continuous process systems f) chemical works, metallurgical works, manufacturing, food processing such as that in concentrator machinery and apparatus, oil and gas wells, smelters, cyanide plants, acid plants, metallurgical machinery, equipment and apparatus, and works necessary for the beneficiation of metals, minerals, rocks, petroleum and organic substances or other chemical processes.	Air-conditioning and mechanical ventilation Boiler installations and steam distribution Central heating Centralised hot water generation Cranes and hoists Dust and sawdust extraction Compressed air, gas and vacuum installations Conveyor and materials handling installations Continuous process systems involving chemical works, metallurgical works, oil and gas wells, acid plants, metallurgical machinery, equipment and apparatus, and works necessary for the beneficiation of metals, minerals, rocks, petroleum and organic substances and other chemical processes Kitchen equipment Laundry equipment Lift installations and escalators Refrigeration and cold rooms Waste handling systems (including compactors)
	SB	A subset of construction works identified and defined by the Board that involves specialist capabilities for its execution		The extension, installation, repair, maintenance or renewal, or removal, of asphalt
	SC			The development, extension, installation, removal, and dismantling, as relevant, associated with building excavations, shaft sinking and lateral earth support
	SD			The development, extension, installation, repair, renewal, removal, or alteration of corrosion protection systems (cathodic, anodic and electrolytic)
	SE			Demolition of buildings and engineering infrastructure and blasting
	SF			The development, extension, installation, removal, renovation, alteration or dismantling of fire prevention and protection infrastructure (drencher and sprinkler systems and fire installation)
	SG			The development, extension, installation, removal, renovation, alteration or dismantling of glazing, curtain walls and shop fronts
	SH			The development, extension, installation, maintenance, renewal, removal, alteration or dismantling, as relevant, of landscaping, irrigation and horticultural works
	SI			The development, extension, installation, repair, maintenance, renewal, removal,
Specialist works				

Description	Designation	Definition	Work types	Examples
			renovation, alteration or, dismantling of lifts, escalators, travellers and hoisting machinery	
	SJ		The development, installation, removal, or dismantling, as relevant, of piles and other specialized foundations for buildings and structures	
	SK		The installation, renewal, removal, alteration or dismantling, as relevant, road markings and signage	
	SL		The development, extension, installation, renewal, removal, renovation, alteration or dismantling of structural steelwork and scaffolding	
	SM	A subset of construction works identified and defined by the Board that involves specialist capabilities for its execution	Timber buildings and structures	
	SN		The extension, installation, repair, maintenance, renewal, removal, renovation or alteration, as relevant, of the waterproofing of basements, roofs and walls using specialist systems.	
	SO		The development, extension, installation, renewal, removal, alteration or dismantling or demolition of water installations and soil and waste water drainage associated with buildings (wet services, plumbing)	
	SQ		The development, extension, installation, repair, removal, alteration, dismantling or demolition of precast concrete or steel fencing	

Annex H: Standard Conditions for the calling for Expressions of Interest

Delete H.2.11

Annex I: Selection of subcontractors by employers and contractors

No amendment

Annex J: Standard Notice and Invitation to submit an Expression of Interest

No amendment

Annex K: Record of Addenda to tender documents

No amendments

Annex L: Compulsory enterprise questionnaire

No amendments
