

BOARD NOTICE 138 OF 2009**CONSTRUCTION INDUSTRY DEVELOPMENT BOARD****THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT, 38 OF 2000**

The Construction Industry Development Board has in terms of Regulation 29 of the Construction Industry Development Regulations, 2004, (as amended), Regulations No 692 of 9 June 2004 (as amended) conducted hearings against the following contractors and is publishing the findings and sanctions imposed by the Investigations Committee:



Ronnie Khoza

Chief Executive Officer: Construction Industry Development Board

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Kedibone Construction CC	111332	2001/014947/23	Submitted financial statements to the CIDB, which statements contain, false information and/or were forged and/or are not compliant with the CIDB Regulation2 (A) and/or 7(4) (b) and/or accounting/auditing standards.
Sanction imposed by CIDB Board			
Effective Date: 26 August 2009			
The Board orders:			
1. Kedibone Construction (CRS Nr 111332) be barred from tendering under the auspice of the CIDB for a period until after the entity has re-applied for the renewal of its grading designation, re-assessed and registered in the CIDB register of contractors.			
2. Kedibone Construction (CRS Nr 111332) to pay a fine of R45 000.00 over a period of 12 months, commencing from the date of the panel's final decision.			
3. Kedibone Construction's (CRS Nr 111332) pending applications to the CIDB register of contractors be deemed null and void, however it be allowed to immediately re-apply for renewal and re-evaluation of the desired grading designation from the start and to submit new supporting financial information.			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Inkonjane Civil Works CC (Inkonjane CC)	167367	2007/187434/23	Submitted financial statements to the CIDB, which statements were not compliant with the CIDB Regulation 2(A) and/or 7(4)(b) and/or accounting/auditing standards.
Sanction imposed by CIDB Board			
Effective Date: 26 August 2009			
The Board orders:			
1. Inkonjane Civil Works CC (CRS Nr 167367) be barred from tendering under the auspice of the CIDB for a period until after the entity has re-applied for the renewal of its grading designation, re-assessed and registered in the CIDB register of contractors.			
2. Inkonjane Civil Works CC (CRS Nr 167367) to pay a fine of R25 000.00 over a period of 6 months, commencing from the date of the panel's final decision.			
3. Inkonjane Civil Works CC's (CRS Nr 167367) previous grading designation of 3CEPE on the CIDB register of contractors be deemed valid and acceptable, however it be allowed to immediately re-apply for renewal and re-evaluation of the desired grading designation. The payment of the fine of R25 000.00 over a period of 6 months not hinder or be a suspensive condition for any renewal application by Inkonjane Civil Works CC irrespective of whether or not the said fine has been paid in full.			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Sha-Bash Quarry Services (Pty) Ltd t/a (Mandlethu Civils)	108228	2000/000555/07	Presented information to the CIDB pertaining to professional persons affiliated to Sha-Bash as part of Sha-Bash's works capability, which contains untrue/false information, namely that Messrs Peter Hope and Rory Cox (respectively registered with the Engineering Council of South Africa) are/have been/will be affiliated to Sha-Bash Quarry Services as required by the CIDB regulatory framework.
Sanction imposed by CIDB Board			
Effective Date: 26 August 2009			
The Board orders:			
<ol style="list-style-type: none"> 1. Mandlethu Civils (CRS Nr 108228) be barred from tendering under the auspice of the CIDB for a period until after the entity has re-applied for the renewal of its grading designation, re-assessed and registered in the CIDB register of contractors. 2. Mandlethu Civils (CRS Nr 108228) to pay a fine of R75 000.00 with equal monthly installments over a period of 12 months, commencing from the date of the panel's final decision. 3. Mandlethu Civils (CRS Nr 108228) previous grading designation of 7GBPE and 8CEPE on the CIDB register of contractors be deemed valid and acceptable if the entity can proof through the re-application for renewal and re-evaluation for the same grading designation that professional members be employed by the entity. In absence of such proof, the CIDB to award an applicable Contractor's grading to the entity. This arrangement is irrespective of the imposed fine not being paid in full yet. 4. Mandlethu Civils (CRS Nr 108228) be barred and not be considered for any upgrade application on the CIDB register of contractors for a period of 12 months from the date of the panel's final decision, and once the imposed fine referred to in 2 above has been paid in full. 			

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Makuya Construction CC (Makuya Construction)	115573	1997/038151/23	Submitted financial statements to the CIDB for the 2007/2008 financial year in their 2008 application and 2008/2009 financial year in their 2009 application, which statements contain false information and/or were forged and/or are not compliant with the CIDB Regulation 2(A) and/or accounting/auditing standards. Presented information to the CIDB pertaining to professional persons in their 2008 application, which contains untrue/false information i.e. the affiliation of Messrs Henning and Chauke to Makuya Construction (respectively members of SACPCMP and SACQSP), in an application during December 2008 and in their 2009 application, which contains untrue/false information, i.e. the affiliation of Mr Henning to Makuya Construction (member of SACPCMP).

Sanction imposed by CIDB Board

Effective Date: 25 August 2009

The Board orders:

1. Makuya Construction (CRS Nr 115573) be barred from tendering under the auspice of the CIDB for a period until after the entity has re-applied, re-assessed and registered in the CIDB register of contractors.
2. Makuya Construction (CRS Nr 115573) to pay a fine of R80 000.00 over a period of 12 months in equal monthly installments, commencing from the date of the panel's final decision.
3. Makuya Construction's (CRS Nr 115573) current grading designation on the CIDB register of contractors be removed, however it be allowed to immediately re-apply for re-evaluation of the desired grading designation from the start and to submit new supporting financial information.
4. Amount of R10 400.00 paid by Makuya Construction not be forfeited to the CIDB, instead be taken into consideration as application fee for the new application.

Notice of publication in terms of Construction Industry Development Board Regulation 29(21) of the findings and sanctions imposed by the Investigations Committee at regulatory hearings held in Pretoria.