
BOARD NOTICES

BOARD NOTICE 69 OF 2010

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

Gazette notice for concluded hearings
15-19 March 2010

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Amukelani Industrial Service and Supplies CC	114228	2001/026275/23	Amukelani CC negligently submitted an invalid Tax clearance certificate with reference number 0063/1/2008/0001412416 with the validity period indicated as 14 October 2008 to 14 October 2009 to the CIDB in contravention of Sec 19(2) of the Act read with Regulations 30(1) (a) and (d) of the CIDB Regulations.
Sanction imposed by CIDB Board			
Effective Date: 15 March 2010			
The Board orders:			
<ol style="list-style-type: none"> 1. Amukelani CC be suspended from participating in any public sector tender relating to the Building and Construction and under the jurisdiction of the CIDB for a period of 6 months from the date of the panel's ruling. 2. Amukelani CC to pay a fine of R30 000.00 in 12 equal installments and the final installment to be effected on or before the 31 March 2011. 3. Any application for upgrade to a higher designation by Amukelani CC not be considered until the fine imposed is paid in full. However any renewal application to be considered subject to the lapse of six months as stated in 1 above. 			

Gazette notice for concluded hearings
15-19 March 2010

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Fanie Minerals and Mining CC	108204	2004/081065/23	Fanie Minerals submitted financial statements to the CIDB which statements were not compliant with the CIDB regulations 2(A) and/or 7(4) (b) and/or accounting/auditing standards.
Sanction imposed by CIDB Board			
Effective Date: 16 March 2010			
The Board orders:			
<ol style="list-style-type: none"> 1. The current application of Fanie Minerals and Mining CC for registration on the CIDB register of contractors, be null and void, and not considered by the CIDB at all. 2. Fanie Minerals be downgraded from 7GBPE to 5GBPE with effect from the effective date of the sanction and that the 4CEPE registration of Fanie Minerals not be tempered with and should remain intact. 3. Fanie Minerals to pay a fine of R60 000.00 in one lump sum within three months from the effective date of this sanction. 4. Any application for upgrade to a higher designation by Fanie Minerals not be considered until the fine imposed is paid in full. 			

Gazette notice for concluded hearings
15-19 March 2010

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Goldfields Development (Pty) Ltd	109640	1995/012308/07	<p>Goldfields supplied the CIDB with information pertaining to professional persons which contain false and/or inaccurate information, as follows:</p> <ul style="list-style-type: none"> • The affiliation of Mr David Roy van der Berg of Goldfields to ECSA • The affiliation or continued affiliation of Mr Frans Sebastian Vermaas to SACQSP • The affiliation of Mr Francois Du Plessis with the MBAFS
Sanction imposed by CIDB Board			
<p>Effective Date: 16 March 2010</p> <p>The Board orders:</p> <ol style="list-style-type: none"> 1. Goldfields be barred from tendering under the auspice of the CIDB for a period until after the entity has renewed its registration on the CIDB register of contractors. 2. Goldfields to pay a fine of R60 000.00 over a period of 12 months in equal monthly installments, commencing from the date of the panel's final decision. 3. Goldfields not be considered for any upgrade application on the CIDB register of contractors until the fine imposed has been paid in full. 			

Gazette notice for concluded hearings
15-19 March 2010

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
SDK Building Construction CC	170240	2007/247724/23	SDK CC submitted track record documentation to the CIDB which was forged and/or contained false information.
Sanction imposed by CIDB Board			
Effective Date: 16 March 2010			
The Board orders:			
<ol style="list-style-type: none">1. SDK CC pays a fine of R60 000.00 in installments over a period of 6 months from the date of the panel's ruling.2. Any renewal or upgrade application by SDK CC on the CIDB register of contractors not be considered until the fine imposed in 1 above has been paid in full.			

Gazette notice for concluded hearings
15-19 March 2010

Contractor Name and location	CRS Number	Company/Corporation Registration Number	Nature of complaint
Phagama Civils & Maintenance	115354	2002/038598/23	Mr Mathebula presented a fraudulent and/or false information to the CIDB in contravention of Section 19(1) and (2) of the Act, read with regulation 10(6)(a) and the Code of Conduct for parties engaged in construction procurement. The alleged fraudulent information and/or documentation related to the alleged forged track record submitted to the CIDB in support of an application for upgrade from 4CEPE to 6CEPE of the entity Phagama CC.
Sanction imposed by CIDB Board			
Effective Date: 19 March 2010			
The Board orders:			
<ol style="list-style-type: none"> 1. The current grading designation of Phagama not be interfered with. 2. Phagama be allowed to complete all its ongoing projects under the auspice of the CIDB 3. Phagama to pay a fine of R50 000.00 in five equal installments commencing immediately after the Board's final decision. 4. Phagama not be allowed to upgrade its status on the CIDB register of contractors until the fine imposed in 3 above has been paid in full. 			

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.