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## BOARD NOTICES

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### BOARD NOTICE 124 OF 2011

#### 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  
22 June 2011

Contractor Name	CRS Number	Company/Corporation Registration Number	Nature of complaint
Lenong General Road Maintenance cc	115024	1997/047368/23	<p>Charge 1:</p> <p>That an invalid Tax Clearance Certificate (validity period 18 January 2010 to 17 January 2011) was presented to the CIDB on behalf of Lenong.</p> <p>Charge 2:</p> <p>That information with respect to its Qualified Professionals has been misrepresented on behalf of Lenong to the CIDB in an application, as the information is inaccurate and/or false.</p>
<b>Sanction imposed by CIDB Board</b>			
<p>Effective Date: 22 June 2011</p> <p>The Board orders:</p> <ul style="list-style-type: none"><li>a. that the close corporation is guilty on both counts,</li><li>b. that the close corporation be ordered to pay a fine in the amount of R60 000.00,</li><li>c. that such fine is to be paid before the pending new application can be assessed by the CIDB.</li></ul>			



Gazette notice for concluded hearings  
22 June 2011

Contractor Name	CRS Number	Company/Corporation Registration Number	Nature of complaint
Mosama Building and Civil Enterprises cc	100172	2001/057839/23	Charge 1: Presented to the CIDB that professional persons have been affiliated to Mosama, which presentation contains false and/or inaccurate information; and/or created the impression that professional persons signed on Mosama's application form, knowing that these professional persons have not signed themselves.
<b>Sanction imposed by CIDB Board</b>			
Effective Date: 22 June 2011			
The Board orders:			
a. that the close corporation is guilty of having presented to the CIDB false and or inaccurate information and or created the impression that professional persons signed on Mosama's application form, knowing that these professional persons have not signed themselves,			
b. that the close corporation be ordered to pay a fine in the amount of R50 000.00,			
c. that such fine is to be paid within 3 months of the receipt of the ruling by the close corporation.			



Contractor Name	CRS Number	Company/Corporation Registration Number	Nature of complaint
Actisol cc & Riodor 36 cc	161023 & 188294	2005/120800/23 & 2005/004168/07	<p><b>Charge 1:</b></p> <p>Submitted track record documentation to the CIDB that contains false and/or forged and/or inaccurate information, namely:</p> <ul style="list-style-type: none"> <li>• Letter of payment from P &amp; D Construction dated 13 April 2006 to FNB indicating that the amount of R680,000.00 was transferred to Actisol's FNB account on 13 October 2006 • Certificate of Completion of work at Jeppe Station from P &amp; D Construction dated 30 November 2007 to Actisol, stating that the work was completed on 30 November 2007 • Certificate of Payment from P &amp; D Construction dated 30 March 2007 to Actisol, certifying that an amount of R1,420,000.00 was paid to Actisol regarding the project • Letter from P &amp; D Construction dated 23 March 2007 stating that Actisol sub-contracted with P &amp; D Construction on the project at Jeppe Station.</li> </ul> <p><b>Charge 2:</b></p> <p>Submitted track record documentation to the CIDB that contains false and/or forged and/or inaccurate information, namely:</p> <ul style="list-style-type: none"> <li>• Letter of Award from Aida dated 27 January 2007 to Actisol for the "Construction of 36 units in Summerset ext 20" with the approved budget of R8,300,000.00 • Letter of Completion from Aida dated 28 November 2007 to Actisol confirming that the project was completed by Actisol</li> </ul>



		<ul style="list-style-type: none"><li>• Bank statements from FNB Carlswald relating to the account of Actisol for the period 16 April to 16 July 2008 to indicate the flow of funds in the Actisol account</li></ul> <p><b>Charge 3:</b></p> <p>Submitted track record documentation to the CIDB that contains false and/or forged and/or inaccurate information, namely:</p> <ul style="list-style-type: none"><li>• Letter of Award from FNB Carlswald dated 20 March 2007 to Actisol for the "Construction of office blocks Fourways Mall ext 8" with the approved budget of R42,534,800.00</li><li>• Letter of Completion from FNB Carlswald dated 04 July 2008 to Actisol confirming the completion of the project • Certificate of Final Payment from FNB Carlswald dated 15 July 2008 to Actisol, indicating various payments to Actisol on the project for the total amount of R42,534,800.00; and</li><li>• Bank statements from FNB Carlswald relating to the account of Actisol for the period 12 March to 15 August 2008 to indicate the flow of funds in the Actisol account.</li></ul> <p><b>Charge 4:</b></p> <p>Submitted documentation to the CIDB that contains false and/or forged and/or inaccurate information, namely a letter from FNB Carlswald indicating Actisol's over draft limit to be R7,350,000.00 and dated 27 January 2009, purportedly signed by Albert Teffo in his designation as Business Manager for FNB.</p>
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**Sanction imposed by CIDB Board**

Effective Date: 22 June 2011

The Board orders:

- a. that the close corporations (both Actisol and Riodor 36) are guilty of all the charges,
- b. that both Actisol and Riodor be (individually and separately) ordered to pay a fine in the amount of R100 000.00 each,
- c. That in respect of Riodor Mr Blake be directly the person liable for the payment of the fine in so far as the sanction is concerned,
- d. That both fines are to be paid in full before any application can be made to the CIDB,
- e. That each of the close corporation be held liable to pay all the costs incurred by the CIDB to initiate and prosecute the matters and that the condition with regards to full payment state in d. above be equally applicable in this instance,
- f. That Mr Olysmas Chitanga Blake be ordered to disclose the above conviction in all the subsequent legal entities that he may get involved in whether as a member, employee or director and whenever those entities seek to make any form of applicatio to the CIDB,
- g. That criminal charges should be preferred against Mr Olysmas Chitanga Blake and the close corporations.
- h. That the application for grading made by Riodor is declared void ab initio and that it should be removed from the CIDB system.



Gazette notice for concluded hearings  
22 June 2011

Contractor Name	CRS Number	Company/Corporation Registration Number	Nature of complaint
Dakoena Road Maintenance cc & Oos – Vrystaat Grondverskuiwing cc	110938 & 110944	2003/075189/23 & 1989/010609/23	Charge 1: By representing false and/or inaccurate information to the CIDB on behalf of Dakoena Road Maintenance, in applications and/or when providing information to the CIDB as required by the CID regulations.
<b>Sanction imposed by CIDB Board</b>			
Effective Date: 22 June 2011			
The Board orders:			
a. that the close corporations (both Dakoena Road Maintenance CC and Oost-Vrystaat and their representatives) are guilty of the charges,			
b. that Oos-Vrystaat Grondverskuiwing CC be ordered to pay a fine in the amount of R100,000.00,			
c. That the fine is to be paid in full before any application can be made to the CIDB,			
d. That a recommendation is made that the current grading of the Oos-Vrystaat Grondverskuiwing CC be left intact, and			
e. That Dakoena Road Maintenance CC be removed from the CIDB Registration Database with immediate effect.			

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.

