



**ATTENTION TO: ALL CONTRACTORS**

**30 June 2021**

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**CC: ELIAS MOTSOALEDI LOCAL MUNICIPALITY**

**PROJECT: UPGRADING OF UITSPANNING A TO BLOOMPOORT ACCESS ROAD AND  
STORMWATER CONTROL**

**PROJECT NUMBER: EMLM 28/2021**

**RE: ADDENDUM 01**

We hereby bring it to your attention that page C1 to C8 of the tender document are not included in the hard copy documents purchased at Elias Motsoaledi Local Municipality.

Refer to the attached pages for the missing section.

***The Addendum will be sent to those who purchased the tender document.***

**Confirmation for receiving the Addendum 01:**

Received by: .....

Company Name: .....

Name of Representative: .....

Signature: .....

Date: .....

***Please send back the confirmation of receiving the addendum with the  
completed tender document.***

## **THE CONTRACT**

**PART C1: AGREEMENTS AND CONTRACT DATA**

**PART C2: PRICING DATA**

**PART C3: SCOPE OF WORK**

**PART C4: SITE INFORMATION**

## ELIAS MOTSOLEDI LOCAL MUNICIPALITY

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**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**

**UPGRADING OF UITSPANNING A TO BLOOMPOORT ACCESS ROAD AND STORMWATER CONTROL**

**C1.1 Form of Offer and Acceptance**

**Offer**

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

**CONTRACT NO: EMLM 28/2021: UPGRADING OF UITSPANNING A TO BLOOMPOORT ACCESS ROAD AND STORMWATER CONTROL**

The bidder, identified in the offer signature block, has examined the documents listed in the bid data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of bid.

By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the bidder offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:**

.....

..... Rand (in words);

**R** ..... (in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the bidder before the end of the period of validity stated in the bid data, whereupon the bidder becomes the party named as the contractor in the conditions of contract identified in the contract data.

Signature Block: Bidder	
Signature .....	Date .....
Name .....	
Capacity .....	
Name of organization .....	
Address of organization .....	
.....	
Signature of witness .....	Date .....
Name of witness .....	

# Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the bidder's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the bidder's offer shall form an agreement between the employer and the bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

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 Parts C1 to C4 above.

Deviations from and amendments to the documents listed in the bid data and any addenda thereto as listed in the bid schedules as well as any changes to the terms of the offer agreed by the bidder and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The bidder shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) for delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the bidder receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the bidder (now contractor) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

<b>Signature Block: Employer</b>	
Signature .....	Date .....
Name .....	
Capacity .....	
For the Employer: <b>Municipal Manager</b> <div style="text-align: center;"><b>Elias Motsoaledi Local Municipality</b></div>	
Signature of witness .....	Date .....
Name of witness .....	

**Schedule of Deviations**

- 1 Subject .....
- Details .....
- 2 Subject .....
- Details .....
- 3 Subject .....
- Details .....
- 4 Subject .....
- Details .....
- 5 Subject .....
- Details .....

By the duly authorized representatives signing this agreement, the employer and the bidder agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the bid data and addenda thereto as listed in the bid schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the bidder and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the bid documents and the receipt by the bidder of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

**For the Bidder:**

Signature(s) \_\_\_\_\_

Name(s) \_\_\_\_\_

Capacity \_\_\_\_\_

\_\_\_\_\_

(Name and address of organization)

Name &  
Signature of  
Witness \_\_\_\_\_

**For the Employer:**

Signature(s) \_\_\_\_\_

Name(s) \_\_\_\_\_

Capacity \_\_\_\_\_

\_\_\_\_\_

(Name and address of organization)

Name &  
Signature of  
Witness \_\_\_\_\_

**ELIAS MOTSOLEDI LOCAL MUNICIPALITY**

**UPGRADING OF UITSPANNING A TO BLOOMPOORT ACCESS ROAD AND STORMWATER CONTROL**

**C1.1 Conditional Form of Offer and Acceptance**

**THIS SECOND FORM OF OFFER WILL TAKE EFFECT ONLY UPON WRITTEN CONFIRMATION BY THE CLIENT OF THE AVAILABILITY OF FUNDS FOR THE WORKS DESIGNATED**

**Offer**

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

**CONTRACT NO: EMLM 28/2021: UPGRADING OF UITSPANNING A TO BLOOMPOORT ACCESS ROAD AND STORMWATER CONTROL**

The bidder, identified in the offer signature block, has examined the documents listed in the bid data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of bid.

By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the bidder offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:**

.....  
.....Rand (in words);  
**R** ..... (in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the bidder before the end of the period of validity stated in the bid data, whereupon the bidder becomes the party named as the contractor in the conditions of contract identified in the contract data.

<b>Signature Block: Bidder</b>	
Signature .....	Date .....
Name .....	
Capacity .....	
Name of organization .....	
Address of organization .....	
.....	
Signature of witness .....	Date .....
Name of witness .....	

# Conditional Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the bidder's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the bidder's offer shall form an agreement between the employer and the bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

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 Parts C1 to C4 above.

Deviations from and amendments to the documents listed in the bid data and any addenda thereto as listed in the bid schedules as well as any changes to the terms of the offer agreed by the bidder and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The bidder shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) for delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the bidder receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the bidder (now contractor) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature Block: Employer	
Signature .....	Date .....
Name .....	
Capacity .....	
For the Employer: Municipal Manager <b>Elias Motsoaledi Local Municipality</b>	
Signature of witness .....	Date .....
Name of witness .....	



**Schedule of Deviations**

- 1 Subject .....
- Details .....
- .....
- 2 Subject .....
- Details .....
- .....
- 3 Subject .....
- Details .....
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- 4 Subject .....
- Details .....
- .....
- 5 Subject .....
- Details .....
- .....

By the duly authorized representatives signing this agreement, the employer and the bidder agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the bid data and addenda thereto as listed in the bid schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the bidder and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the bid documents and the receipt by the bidder of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

**For the Bidder:**

Signature(s) \_\_\_\_\_

Name(s) \_\_\_\_\_

Capacity \_\_\_\_\_

\_\_\_\_\_

(Name and address of organization)

Name & Signature of Witness \_\_\_\_\_

**For the Employer:**

Signature(s) \_\_\_\_\_

Name(s) \_\_\_\_\_

Capacity \_\_\_\_\_

\_\_\_\_\_

(Name and address of organization)

Name & Signature of Witness \_\_\_\_\_