

## **THE CONTRACT**

**PART C1: AGREEMENTS AND CONTRACT DATA**

**PART C2: PRICING DATA**

**PART C3: SCOPE OF WORK**

**PART C4: SITE INFORMATION**

## **TABLE OF CONTENTS**

### **PART C1: AGREEMENTS AND CONTRACT DATA (YELLOW COLOUR)**

#### **C1.1: FORM OF OFFER AND ACCEPTANCE**

#### **C1.2: CONTRACT DATA**

##### **C1.2.1: CONDITIONS OF CONTRACT**

##### **C1.2.2: PART A: CONTRACT DATA PROVIDED BY THE EMPLOYER**

##### **PART B: CONTRACT DATA PROVIDED BY THE CONTRACTOR**

#### **C1.3: FORM OF GUARANTEE**

#### **C1.4: AGREEMENT WITH ADJUDICATOR**

#### **C1.5: AGREEMENT IN TERMS OF SECTION 37(2) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT No 85 OF 1993**

### **PART C2: PRICING DATA (YELLOW COLOUR)**

#### **C2.1: PRICING INSTRUCTIONS**

#### **C2.2: BILL OF QUANTITIES**

### **PART C3: SCOPE OF WORK (BLUE COLOUR)**

#### **C3.1: STANDARD SPECIFICATIONS**

#### **C3.2: PROJECT SPECIFICATIONS**

#### **C3.3: PARTICULAR SPECIFICATIONS**

### **PART C4: SITE INFORMATION (GREEN COLOUR)**

#### **C4.1: LOCALITY PLAN**

#### **C4.2: BID DRAWINGS**

**ELIAS MOTSOLEDI LOCAL MUNICIPALITY****MONSTERLUS TO MAKGOPHENG, KGOSHI MATSEPE & MATHEBE  
CONSTRUCTION OF ACCESS ROADS****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: BID NUMBER: EMLM 26/2018/PH1A**

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.

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	.....
	.....
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	_____	_____
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### For the Employer:

Signature(s)	_____	_____
Name(s)	_____	_____
Capacity	_____	_____

\_\_\_\_\_  
(Name and address of organization)

Name & Signature of Witness	_____	_____
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