



# Compiler guidance note

## Component document: T1.1 - Tender Notice and Invitation to Tender

### Function and broad outline of contents

Alerts tenderers to the nature of the supplies, services and engineering and construction works required by the employer and should contain sufficient information to enable them to respond appropriately.

### Notes

The **Tender Notice and Invitation to Tender** is based on the wording provided in Annex B of the Standard for Uniformity in Construction Procurement. Sub-clause 4.4.1.2 of the Standard for Uniformity in Construction Procurement requires that the Notice and Invitation to Tender, as a minimum, contain the wording provided in Annex B.

Sub-clause 4.5.2 of the Standard prescribes the wording that is to be included in the Tender Notice and Invitation to Tender where the register of contractors is applied. Sub-clause 4.5.7 prescribes the wording where an employer promotes emerging enterprises within a framework of a targeted development programme as contemplated in terms of Regulation 25(8) of the Construction Industry Development Regulations.

Regulation 22 (1)(b)(ii) of the Local Government: Municipal Finance Management Act, 2003, Municipal Supply Chain Management Regulations (Government Gazette 27636 of 30 May, 2005) requires that the information for a public advertisement for a competitive tender must contain a statement that tenders may only be submitted on the tender documentation provided by the municipality or municipal entity.

Media advertisements should be based on this document.

### Commentary:

- 1 The tender notice and invitation to tender should, as a minimum, contain:
  - a) a reference number,
  - b) the name of the employer,
  - c) the title of the proposed contract,
  - d) a brief description of the supplies, services or engineering and construction works which are required,
  - e) the closing date and time for the submission of tenders,
  - f) the date, time and place of the compulsory clarification meeting, if any, and
  - g) the time and place for collecting the procurement documents.

It should also to enable prospective tenderers to make informed decision regarding the drawing of documents relating to the tender.:

- a) providing the name and contact particulars of a person to whom queries in relation to the tender may be directed; and
  - b) briefly describing any:
    - i) eligibility criteria, e.g. contractor registration in a particular contractor grading designation,
    - ii) deposits payable for procurement documentation, and
    - iii) preferences offered
- 2 The tender notice and invitation does not form part of any subsequent contract and as such must not establish or infer any requirements for the contract.
  - 3 The Construction Industry Development Regulations require that public sector tenders for engineering and construction works be advertised on the cidb website i.e. through the i-Tender@cidb service. (The private

sector may also advertise tenders on this website). The i-Tender@cidb service is aligned with the Standard for Uniformity requirements in this regard.

- 4 The Standard for Uniformity requires that advertisements for tenders be placed on the CIDB website using the CIDB's i-Tender@cidb service at least 10 working days before the closing date for tenders and at least 5 working days before any compulsory site meeting.
- 5 Regulations 16A6.3(a) of the Public Finance Management Act, 1999, Supply Chain Management Regulations requires the accounting officer or accounting authority to ensure that bids are advertised in at least the Government Tender Bulletin for a minimum period of 21 days before closure, except in urgent cases when bids may be advertised for such shorter period as the accounting officer or accounting authority may determine
- 6 Regulation 22(1)(b) of the Local Government: Municipal Finance Management Act, 2003, Municipal Supply Chain Management Regulations (Government Gazette 27636 of 30 May, 2005) requires that the closing date for tenders having an estimated value in excess of R 10 million including VAT or of a long term nature be not less than 30 days and 14 days in all other cases except where a shorter period is permitted by the accounting officer on the grounds of urgency or emergency or in exceptional cases where it is impractical or impossible to follow the official procurement process.
- 7 Regulation 22(1)(b) of the Local Government: Municipal Finance Management Act, 2003, Municipal Supply Chain Management Regulations (Government Gazette 27636 of 30 May, 2005) requires the advertisement to state that tenders may only be submitted on the tender documentation that is issued.