

WATERBERG DISTRICT MUNICIPALITY

CONTRACT No. WDM/2012/13-14

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:

Tender No: WDM/2012/13-14 UPGRADING OF STREETS IN MARAPONG TOWNSHIP the tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the tender schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer 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 PRICE INCLUSIVE OF VALUE ADDED TAX IS

(CONTRACT PRICE)

TWO MILLION FIVE HUNDRED AND SEVENTY SEVEN THOUSAND FOUR HUNDRED AND FORTY SEVEN RANDS AND SEVENTY FOUR CENTS

Rand (in words); R 2 577 447 -74 (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 tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the contractor in the conditions of contract identified in the contract data.

Signature(s) [Handwritten Signature]

Name(s) MADIMETJA DOUGLAS MAFAFU

Capacity MANAGER

for the tenderer MAFAFU Building Construction cc (Name and address of organization)

Name of Witness Tshesiso Ntshwane Signature [Handwritten Signature]

Date 29/04/2013

Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer'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 tenderer's offer shall form an agreement between the employer and the tenderer 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:

[Handwritten initials/signature and 'MD' at the bottom right]

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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 tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the tenderer 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.

The tenderer 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) to arrange the 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 at, or just after, the date this agreement comes into effect. Failure to fulfil 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 tenderer receives one copy of the fully signed original document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five 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(s)
Name(s)
Capacity
for the Employer
(Name and address or organization)
Name of Witness Signature
Date
MV LETOTO
MUNICIPAL MANAGER
Waterberg District Municipality
Seshoka M.S
14/08/2013

Schedule of Deviations

Item	Deviation Details

WATERBERG DISTRICT MUNICIPALITY

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By the duly authorised representatives signing this schedule of deviations, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer 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 tender documents and the receipt by the tenderer 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 Contractor:

Signature(s) MIM LK

Name(s) MADIMETJA DOUSAM MAFAFU

Capacity MANAGER

MAFAFO BUILDING CONSTRUCTION 19 VORSTE MOKOPANE
(Name and address of organization)

Name of Witness ISHUPA S. H. BAKENG Signature [Signature]

Date 14/08/2013

For the Employer:

Signature(s) [Signature]

Name(s) MV LETSAMA

Capacity MUNICIPAL MANAGER

(Name and address of organization)

Name of Witness Sefhoka M.J Signature [Signature]

Date 14/08/2013

[Handwritten marks]