

PLANNING, DESIGN AND CONSTRUCTION OF CLUSTER 1
MWIS PROJECTS IN MODIMOLE LOCAL MUNICIPALITY
WDM/2014/15-14

Mabatlane Ext 6: Install Skeleton Network for 300 Erven
Tender No: ZLPWNOD02

AGREEMENT

Form of Offer and Acceptance

This document formalizes the legal process of offer and acceptance. It contains:

- the offer to provide the engineering and construction works for a price, or in accordance with the terms of the financial proposal made;
- confirmation from the employer that he accepts the tender offer following his tender evaluation, and that a contract therefore exists; and
- A schedule of deviations, which records any, agreed changes to the documentation that may occur during the process 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:

MABATLANE EXT 6: INSTALL SKELETON NETWORK FOR 300 ERVEN

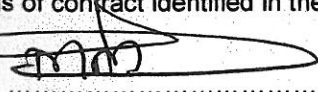
The Tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data and Addenda thereto as listed in the Returnable Schedules, and by submitting this offer has accepted the Conditions of Tender.

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 PRICES INCLUSIVE OF VALUE ADDED TAX IS

One million and twenty thousand three hundred and thirty-four rand and seventy-seven cents.
Rand (in words); R 1 020 334,77 (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 under the conditions of contract identified in the Contract Data.

Signature(s) 

Name(s) MATTHEW MHLANGA

Capacity DIRECTOR

For the Tenderer
UNIT 1 CONSTRUCTION, 26 KATBERS ROAD, THE REEDS, CENTURION
(Name and address of organization)

Name & Signature of Witness
Mamela - JOHANNAH MANAMELA Date 18/08/2015

DB Registration Number 105230

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:

- | | |
|----------|---|
| Part C.1 | Agreements and contract data, (which includes this agreement) |
| Part C.2 | Pricing data |
| Part C.3 | Scope of work. |
| Part C.4 | Site information |

Drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto 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. No amendments to or deviations from the documents are valid unless contained in this Schedule.

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 as 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 Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Or if dispatched by courier, this Agreement comes into effect two working days after submission by the Employer of one fully completed original copy of this document including the Schedule of Deviations (if any), to a courier-to-counter delivery / counter-to-counter delivery / door-to-door delivery / door-to-door delivery / courier service (delete that which is not applicable), provided that the Employer notifies the Tenderer of the tracking number within 24 hours of such submission. Unless the Tenderer (now Contractor) within five working days of the date of such receipt notifies the Employer of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

Signature



MAROTHA M

Municipal Manager

WATERBERG DISTRICT MUNICIPALITY, 41 HARRY GWALA STR

and address of organization)

Signature of



12/02/2016

MS

