

CONTRACT NO: SAPR NO403801/1 AND 184/CONC/96

VOLUME MDC 1: BOOK 1 OF 1

TENDER DOCUMENT



LIST OF DOCUMENTS

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VOLUME MDC 1

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**DEPARTMENT OF TRANSPORT
CHIEF DIRECTORATE ROADS
ON BEHALF OF
SOUTH AFRICAN ROADS BOARD**

**DIRECCÃO NACIONAL DE
ESTRADAS E PONTES DE
MOCAMBIQUE**

AS IMPLEMENTING AUTHORITY

CONTRACT NO SAPR NO403801/1

CONTRACT NO. 184/CONC/96

**TENDER DOCUMENT FOR THE DESIGN, CONSTRUCTION, FINANCING,
OPERATION AND MAINTENANCE OF A PORTION OF NATIONAL ROUTE 4 IN
THE REPUBLIC OF SOUTH AFRICA AND THE ROAD FROM RESSANO GARCIA
TO MAPUTO IN THE REPUBLIC OF MOZAMBIQUE AS A TOLL HIGHWAY,
TOGETHER WITH DEVELOPMENTS AND ASSOCIATED FACILITIES UNDER A
CONCESSION CONTRACT.**

TENDER NOTICE

Tender proposals are hereby invited from experienced firms, organisations, groups or consortia for the design, construction, financing, operation and maintenance of a portion of the National Route 4 in the Republic of South Africa and Road N4 from Ressano Garcia to Maputo in the Republic of Moçambique as a Toll Highway, together with the Associated Facilities under a Concession Contract.

Tender documents, giving an outline of the scope of work, relevant information, together with tender submission forms to be completed by prospective firms, groups, organisations or consortia may be obtained from:

Department of Transport
Chief Directorate: Roads
Room 2056, Second Floor
Forum Building
Cnr Bosman and Struben Streets
PRETORIA, 0002
South Africa

Direccão Nacional de Estradas e Pontes
Av. De Moçambique, 1225
MAPUTO
Moçambique

Telephone: +27 (0)12 290-2622
Fax: +27 (0)12 325-1001

Telephone: +258 1 475157
Fax: +258 1 475290

The tender documents remain the property of the Implementing Authority. An amount of R1000.00 per set (non-refundable) is payable on collection of the documents. Cheques must be made payable to the "Director-General: Transport, NRF" (South Africa).

A compulsory Site Inspection will be held on 22 and 23 March 1996 and prospective Tenderers are requested to meet the representatives of the Implementing Authority at the Forum Building (Room 2098B), 159 Struben Street, Pretoria, South Africa at 08:30 on 22 March 1996. From the Forum Building the prospective Tenderers will be taken by bus over the said portion of the N4 in the RSA and Road N4 in Moçambique. Only two representatives per Tenderer (firm, organisation, group or consortia) will be allowed to travel on the busses. Tenderers are requested to advise Mr N. Alli at the address below or Mr C. Fragozo at the address below of the names of the representatives attending by close of business on 18 March 1996.

The bus will travel as far as the Border Country Inn Hotel in Komatipoort on 22 March 1996. Tenderers shall meet again on the Moçambique side of the border post at 08:30 the following morning, from where they will be taken by appropriate transport over the proposed route to Maputo. Arrival at DNEP's office in Maputo is expected to be around 14:00 on 23 March 1996.

Tenderers are requested to make their own arrangements in respect of passports, visas, health and accommodation requirements as well as arrangements for their return journey from Maputo. All accommodation and transport costs, other than the one-way journey to Maputo for which transport is provided, shall be borne by the Tenderers themselves. Tenderers are advised to make these arrangements without delay.

Please note that all enquiries in connection with this document must be received in writing by close of business on 4 April 1996. Enquiries sent by facsimile are to be confirmed by the original letter. Enquiries should be addressed to the following:

Department of Transport
Chief Directorate: Roads
P O Box 415
Pretoria, 0002
South Africa

Direccão Nacional de Estradas e Pontes
Av. De Moçambique, 1225
MAPUTO
Moçambique

Facsimile: +27 (0)12 325-1001
Attention: Mr N. Alli

Facsimile: +258 1 475290
Attention: Mr C. Fragozo

A further meeting will be held on 12 April 1996 and prospective Tenderers are requested to meet the representatives of the Implementing Authority in the Board Room of the South African Roads Board on the first floor of the Forum Building, 159 Struben Street, Pretoria at 08:30. Besides a general briefing on the technical and financial aspects, all enquiries received from prospective tenderers will be dealt with at this meeting.

Only tender proposals from Tenderers who attended both the Site Inspection on 22 and 23 March 1996 and the meeting 12 April 1996 shall be considered. Neglect to sign the attendance register prior to departing from any of the aforementioned meetings will be regarded as non-attendance.

Negotiations for this contract will be conducted only with those firms, organisations, groups or consortia whose tender proposals have been selected by the Implementing Authority. The tender proposals will from the basis of the subsequent negotiations.

Any firm, group, organisation and consortium outside the Republic of South Africa or the Republic of Moçambique which does not have *domicilium citandi et excutandi* at an address within the Republic of South Africa or the Republic of Moçambique, or does not have an existing association with a South African or a Moçambique firm or organisation must indicate this fact clearly in its tender proposal.

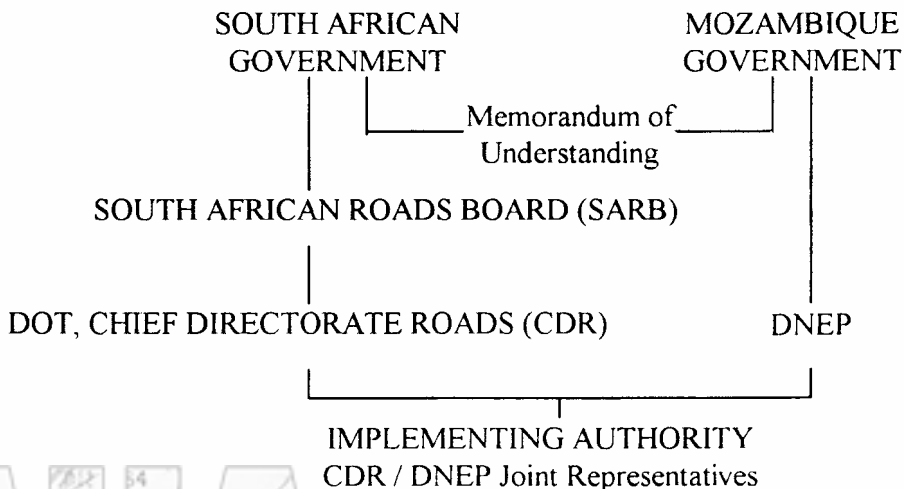
Five copies of tender proposal submissions, in English, endorsed "TENDER PROPOSAL: MAPUTO DEVELOPMENT CORRIDOR: CONTRACT NO SAPR NO 403801/1 - 184/CONC/96" with the name of the Tenderer, shall be placed in the tender box in Room 2056, Forum Building, cnr Bosman and Struben Streets, Pretoria, South Africa not later than 11:00 on 30 April 1996 when the receipt of the proposal will be recorded in public.

The Implementing Authority is under no obligation to accept any Tender Proposal.

TENDER DOCUMENT FOR THE DESIGN, CONSTRUCTION, FINANCING, OPERATION AND MAINTENANCE OF A PORTION OF NATIONAL ROUTE 4 IN THE REPUBLIC OF SOUTH AFRICA AND THE ROAD FROM RESSANO GARCIA TO MAPUTO IN THE REPUBLIC OF MOZAMBIQUE AS A TOLL HIGHWAY, TOGETHER WITH DEVELOPMENTS AND ASSOCIATED FACILITIES UNDER A CONCESSION CONTRACT.

1 INTRODUCTION

- 1.1 Proposals are invited from interested organisations for the purposes of being selected to negotiate for the concession to design, construct, finance, operate and maintain a portion of the National Route 4 in the Republic of South Africa and the road from Ressano Garcia to Maputo in the Republic of Mozambique as a Toll Highway, together with developments and associated facilities, as more fully described in the body of this document.
- 1.2 The opportunity is extended to the private sector to become involved in the provision of transport infrastructure by getting involved in a joint Highway project, spanning two countries, with the respective governments.
- 1.3 The Governments of South Africa and Mozambique are committed to introduce private sector skills and disciplines into the public sector and embark on a holistic approach to the provision of transport infrastructure. It is envisaged that a partnership between Government and Private Sector will be developed. This approach was formulated from numerous discussions held between the Department of Transport (DOT), Direcção Nacional de Estradas e Pontes de Moçambique (DNEP) and potential participants in this partnership between the respective Governments and Private Sector in providing transport infrastructure. The probable relationship of the Governments of South Africa and Mozambique and the implementation mechanisms are as shown in the diagram below :



The Implementing Authority is the Governments of the Republic of Mozambique and the Republic of South Africa, respectively represented by the DNEP and the SARB. The CDR acts on behalf of the SARB under delegated authority.

- 1.4 Notices will be placed in various publications and organisation bulletins, inviting requests (“Tenders”) from interested parties (“Tenderers”) to be selected to negotiate with a view to entering into a design, construct, finance, operation and maintenance contract, or other as agreed between the contracting parties, in respect of this international project.
- 1.5 These series of documents Volume MDC 1 to Volume MDC 6 constitute the information documents and, inter alia, describe the procedure for selection to negotiate. These documents together with any other written communications signed by the Chief Director: CDR and Director, DNEP, issued during the period of consideration (“Tender Preparation Period”), shall be regarded as mutually inclusive and so read.
- 1.6 The DNEP and the CDR recognise the many different views Tenderers may have as to the institutional arrangements, scope of obligations and allocation of risk under the proposal, through the envisaged structure or any other type of structure proposed by the Tenderers. The Governments do not have a fixed position and/or view on the full extent of these obligations nor on the final allocation of risk. Nor can they prejudge what potential Tenderers may be prepared to offer. It is envisaged that any such structure may at some point in time obtain a listing on the Johannesburg Stock Exchange.

However, in order to initiate the negotiations these Tender Documents include the following documents which are collectively known as the ‘Model Contracts’:-

- Concession Contract
- Design and Construction Contract Term Sheet
- Operation and Maintenance Contract Term Sheet

- 1.7 Tenderers will be encouraged to propose their own design for the project, incorporating innovative ideas which will deliver better value for money for the Implementing Authority. Tenderers are invited to consider the broader aspects of socio-economic development within the corridor known as the Maputo Development Corridor (MDC), and not only confine themselves to the Highway component of this undertaking but also consider other developments. Any such other developments will be taken into consideration during the evaluation of the project.

Proposals for other developments must be presented on a stand-alone financing basis and with all relevant information to facilitate full evaluation.

- 1.8 Following an analysis of the various proposals received, the Implementing Authority will negotiate as necessary to refine and finalise the definition of obligations and the allocation of risk in the Model Contracts. At the conclusion of the negotiations the Implementing Authority will select the successful Tenderer on the basis of the most socially and economically advantageous offer. Further details of the procedure and criteria are given in Section 11. Minimising the cost and the risk to the public sector while achieving good value for money will be key factors in the Implementing Authority's evaluation. The successful Tenderer will be required to enter into a Concession Contract with the Implementing Authority duly authorised thereto. The Concession Contract will set out the agreed definition of obligations and allocation of risk between the Implementing Authority and the successful Tenderer.
- 1.9 The information provided is offered in good faith for the guidance of "Tenderers", and no warranty or representation is given as to the accuracy or completeness of any of it and the Implementing Authority and its advisers shall not be under any liability for any error, misstatement or omission. None of the information shall constitute a representation of the substance of a contract or part of a contract.
- 1.10 Advisers to the Implementing Authority for the evaluation are:

Financial Advisers:

Hill Samuel SA (Pty) Ltd
and
Z Cossa
and
O Machachame

Legal Advisers:

Ismail Ayob and Partners
and
Philip Loots & Associates/White & Case
and
José Manuel Caldeira

Engineering Advisers:

Chief Directorate Roads of the Department
of Transport of South Africa
and
Direccão Nacional de Estradas e Pontes de
Moçambique

2 **TENDER PERIOD PROCEDURAL ASPECTS**

2.1 **Site Inspection**

An inspection of the Site will be held as detailed in the Tender Notice on the 22nd and 23rd of March 1996.

2.2 **Briefing Meeting**

A meeting will be held on the 12 April 1996 and prospective Tenderers are requested to meet the representatives of the Implementing Authority in the Board Room of the South Africa Roads Board on the first floor of the Forum Building, 159 Struben Street, Pretoria at 08:30. Besides a general briefing on the technical and financial aspects, all enquiries received from prospective Tenderers will be dealt with at this meeting.

2.3 **Queries**

All enquiries in connection with this document are to be submitted in writing by close of business on 4 April 1996. Enquiries sent by facsimile are to be confirmed by the original letter. Enquiries should be addressed to the following :

Department of Transport
Chief Directorate: Roads
P O Box 415
0001 PRETORIA
South Africa

Direccão Nacional de Estradas e Pontes
Av. De Moçambique, 1225
MAPUTO
Mozambique

Facsimile : +27 (0)12 325-1001
Attention : Mr N Alli

Facsimile : +258 1 475290
Attention : Mr C Fragoso

Verbal replies/comments of any nature by representatives of the Chief Directorate: Roads or DNEP will not have any standing in regard to the Tendering procedure unless they have been confirmed in writing.

2.4 **Confidentiality**

It will be a requirement that all exchanges shall be kept confidential by the parties and their advisors and consultants. Tenderers selected to negotiate will also be asked to enter into undertakings of confidentiality should it become appropriate to release confidential information to them.

All tender proposals will be treated on a confidential basis by the Implementing Authority and their advisors.

2.5 **Membership of Groups**

The membership of any group selected to negotiate, and the principal relationship between the members, may be changed only with the prior consent of the Implementing Authority.

2.6 **Post Submission Interviews**

The Implementing Authority reserves the right to request Tenderers to attend interviews with the Implementing Authority before they are selected to negotiate.

2.7 **Prerequisites for Consideration for Selection**

Only tender proposals from Tenderers who attended both the Site inspection on the 22nd and the 23rd March 1996 and the meeting on 12 April 1996 shall be considered. Neglect to sign the attendance register prior to departing from any of the aforementioned meetings will be regarded as a non-attendance.

2.8 **Selection for Negotiations**

Negotiations for this contract will be conducted only with those firms, organisations, groups or consortia whose tender proposals have been selected by the Implementing Authority. The tender proposals will form the basis of the subsequent negotiations.

2.9 **Consideration of Tender proposals**

It is anticipated that the Implementing Authority will require a period of at least 3 weeks after the closing date for consideration of the Tender proposals made in terms of this document.

3 **TENDER PROPOSAL SUBMISSION CONDITIONS**

3.1 **Preparation of proposals and subsequent expenses**

The Implementing Authority will not be held responsible for any expenses incurred by Tenderers submitting Tender Proposals for this project. The Implementing Authority will also not be held liable for any costs entailed in any subsequent preparation and lodging of Contract Documents; and time spent at negotiations by Tenderers which have been selected to negotiate in terms of these documents.

3.2 Confidentiality

All data and details submitted by Tenderers will be kept strictly confidential by the Implementing Authority. Should it be deemed necessary to discuss any matter relating to such submissions with third parties, the necessary permission will first be obtained from the prospective Tenderer concerned.

3.3 Ability to perform

In the adjudications of proposals, due account will be taken of the Tenderer's past experience and the degree to which it possesses the necessary technical, financial and other resources to enable it to complete the project successfully.

3.4 Submissions

Five copies of all details relating to the proposals, in English, must be submitted, and distinction is to be made between the original and the copies thereof. In the event of conflict, the contents of the original will be held to be applicable.

3.5 Information contained in this document

The information provided in these documents, together with information/data given subsequently is given in good faith for the guidance of Tenderers wishing to submit proposals, but no warranty or representations are given as to the accuracy or completeness of any of it; nor shall any such information be deemed to constitute any part of the subsequent contract documentation for this project. The Implementing Authority or its advisers shall not be under any liability for any error, misstatement or omission.

3.6 Late and incomplete submissions

Proposals reaching the Implementing Authority later than the date and time given in the Tender Notice above, and incomplete submissions may be rejected without further consideration.

3.7 Implementing Authority's Decision Final

The decision as to which Tenderers the Implementing Authority enters into negotiations with for this project rests solely with the Implementing Authority.

4 CORE REQUIREMENTS

The Implementing Authority's Core Requirements will be finalised at the negotiation stage. They will, however, include:

- the standards and design requirements as given in Volume MDC2 and referenced elsewhere in the tender documentation
- existing agreements between the State and Persons which grant access or way-leaves to the Site shall continue to be honoured by the Concessionaire.

4.1 **Funding**

4.1.1 **General**

Proposals regarding the funding of the project are not prescribed in any way. Tenderers may submit more than one presentation of funding approaches to the project. Organisations whose proposals are not necessarily in accordance with existing legislation will be considered. It is the request of the Implementing Authority that the funding proposals should be as innovative as deemed desirable by the Tenderer submitting the Tender Proposal submission.

The selection of Tenderer(s) who will be invited to enter into negotiations, will to a large extent, be determined by the funding proposals submitted in the Tender Proposal submission.

It is a sine qua non that the ability of the funding organisation to provide the level of finance required must be clearly demonstrated in the proposal submitted.

The strength of the level of committed finance to the project provided by debt and equity funders will be taken into account in selecting a preferred Tenderer for negotiations. In order to more accurately evaluate the proposals, the information detailed in the following two paragraphs must be provided.

4.1.2 **Sources of Finance**

Tenderers must provide details of the intended sources of finance for the project. Each source of finance including, inter alia, equity, subordinated debt, commercial debt, leasing or other structured finance, export credit finance and multilateral finance must be clearly defined.

It is known that certain multilateral agencies are not prepared to provide letters of commitment in support of a bid until a preferred Tenderer has

been selected. This would not be viewed unfavourably during the evaluation procedure if the overall funding package is considered suitable from a specific Tenderer. It would be the intention of the Implementing Authority to work with such agencies to assist the preferred Tenderer in arranging funding with any such organisation.

Equity details must include the amount of funds that each shareholder is prepared to commit, the level and nature of any parent company support and details of any future equity subscriptions.

Debt providers must include the following information for each separate facility : type of facility, purpose of facility, level of commitment, amount of facility, currency, maturity, grace period, repayment schedule, margin and all associated fees, conditions precedent to drawdown, covenants, events of default and security requirements. Details of any working capital facilities, contingency finance and any proposed refinancing must also be provided.

4.1.3 Financial Model

Tenderers are required to submit a financial model detailing the financial cash projections for the life of the concession. The model must be provided in a hard copy printout and on a computer disk compatible with Lotus Version 4 for Windows. A full list of all assumptions incorporated in the financial model must be provided. The financial model should produce cash flow projections, a balance sheet and a profit and loss account all in nominal terms. In developing the financial model the following issues should be addressed : macro economic assumptions, capital expenditure, operating costs, traffic forecasts, revenues, financing assumptions, depreciation policy and taxation. All price sensitive information defined in the Model Contracts must be based on a base date defined as April 1996. The model must produce the following financial information : Net Present Value of revenues at a real discount rate of 8 % with potential for alternative scenario rates, Project Internal Rate of Return (IRR) before financing and tax in both real and nominal terms, return on equity and shareholder subordinated debt in both real and nominal terms, the minimum debt to equity ratio, the minimum debt service cover ratio (DSCR) and the minimum loan life cover ratio (LLCR).

Separate financial models are to be submitted for each separate development in addition to the financial model for the Toll Highway. Furthermore, an overall financial model encompassing the Toll Highway and all developments must be provided.

4.2 **Design and construction**

The successful Tenderer will be required to design, construct, upgrade, rehabilitate the works in accordance with the standards and design requirements given in Volume MDC2.

Tenderers shall submit details of their proposals.

4.3 **Operation and Maintenance**

The successful Tenderer will be required to undertake all operation and maintenance of the Toll Highway and associated facilities.

Tenderers shall submit details of their proposals.

4.4 **Quality Assurance**

The successful Tenderer and its contractors will be required to adopt quality assurance regimes and checking processes acceptable to the Implementing Authority to ensure that the required quality is delivered.

4.5 **Representatives**

The Implementing Authority may appoint independent representatives to act on its behalf to ensure that Contract requirements are met throughout the Contract period.

4.6 **Liaison**

The successful Tenderer will be required to co-operate with and respond to requests for assistance from the police and other emergency services. To assist in this process the successful Tenderer will be required to enter into liaison, procedures with such parties and to maintain a stock of emergency equipment.

Also, the successful Tenderer will be required to assist the Implementing Authority, (on the Mozambican side) with the relocation of residents within the road reserve as and when required. Tenderers shall make an allowance in their Tender for the relocation costs. This matter is subject to further discussion with the Implementing Authority.

4.7 **Toll Strategy**

A toll strategy, especially on an upgraded existing Highway, should be perceived by road users as equitable and fair in order to be effective in attracting the largest possible portion of the toll eligible traffic.

In order to achieve this, the following guidelines are suggested to determine a suitable toll strategy for submission:

- The Tenderer shall propose the toll strategy and toll tariffs with a base year commencement date of April 1996.
- A toll plaza should, as far as possible, be located directly on a new Highway section or a Highway section which has undergone significant upgrading.
- Although it is expected that the legislation concerning the availability of an alternative road to a toll road could be repealed, it is considered that the availability of an alternative route, where possible, will make the tolling of a new or upgraded Highway more acceptable to the public.
- The specific location of a plaza should not encourage significant toll avoidance. It should, furthermore, minimise the required number of mainline and ramp toll plazas in order to minimise toll-related capital, operating and maintenance costs.
- A toll plaza on an upgraded existing Highway should be located in order to minimise the impact upon local traffic. i.e. traffic to and from properties adjacent to the toll road section or traffic undertaking short trips between adjacent towns close to each other.
- Toll plaza spacing should be adequate in order not to lead to too many stops for toll payment.
- The vehicle classification for the purposes of tolling is defined in Volume MDC2.

5. BACKGROUND, INFORMATION AND SPECIFIC REQUIREMENTS FOR THE PROJECT

5.1 Background and Information on the Maputo Development Corridor

Volume MDC3 contains general information and background to the Maputo Development Corridor.

5.2 Specific Project Requirements

Volume MDC2 prescribes the project technical and performance requirements.

6. BASIS OF CONTRACT AND FINANCIAL ASPECTS

6.1 Introduction

- 6.1.1 The works and services called for are to be designed and carried out in accordance with the contract documentation which inter alia, will include the Concession Contract and associated agreements as well as specifications, detailed design drawings and associated documentation prepared by the successful Tenderer. Within guidelines relating to minimum service and safety levels as well as minimum acceptable pavements conditions, the Tenderer will be allowed latitude to seek innovative procedures which will lead to a lowering of cost.
- 6.1.2 It is a requirement that the construction, upgrading and rehabilitation on the sections listed below will start immediately after the award of the Contract and be completed within the times indicated :
- (i) the rehabilitation of the existing Highway (N4) between Ressano Garcia and Moambo in the Republic of Mozambique, to be complete within 18 months from the date of hand over of site (± 40 km).
 - (ii) the construction of a new Highway (Continuation of N4) between Moambo and Machava in the Republic of Mozambique, to be completed within 18 months from the date of hand over of site (± 36 km).
 - (iii) the construction and upgrade of the Highway between Machava and the Maputo Harbour, to be completed within 18 months from the date of handover of Site (± 13 km).
 - (iv) the upgrading of a section of the N4 Highway between Machadadorp and Montrose in the Republic of South Africa to be completed within 2 years of the date of hand over of Site (± 72 km).
 - (v) the construction of a section of the N4 Highway between Kaapmuiden and Strathmore (new alignment) in the Republic of South Africa, to be completed within 2 years from the date of hand over of Site (± 9 km).

- (vi) the upgrading of a section of the N4 Highway between the Malelane gate of the Kruger National Park and Hectorspruit in the Republic of South Africa to be completed within 2 years from the date of hand over of Site (\pm 16km).
- (vii) the construction of the Border Post at Ressano Garcia and agreed Toll Plazas, the completion times to be determined in conjunction with the Concessionaire's programme.

6.1.3 The maintenance and operation requirements of the Concession Contract are described and referenced in Volume MDC2 and Volume MDC6.

6.1.4 Tenderers should submit their intended programme for the required future Highway expansion beyond the times indicated in clause 6.1.2 until the end of the Concession Contract.

6.2 Basis of the Concession Contract

6.2.1 The Contract

The successful Tenderer will be:

- responsible for the design, construction, rehabilitation, operation and maintenance of the Highway and associated facilities, as defined in the Concession Contract.
- responsible for financing the project; and
- granted a long-term right of access (30 years or other period as agreed) to the project road reserve by the Governments of Mozambique and South Africa for a Toll Highway.

6.2.1.1 The successful Tenderer will be required to enter into a Concession Contract based on the Model Contracts with the Implementing Authority which is conducive to the promotion of an equitable partnership between the public and private sectors.

6.2.2 Public Sector Contribution

It is envisaged that the public sector contribution to the project will be the granting to the Concessionaire of the concession rights for the Highway. The Implementing Authority will secure the Highway reserve on which the successful Tenderer will be required to construct the Highway, including the existing road where it falls within the Highway reserve.

The Implementing Authority reserves the right to approve all contracts between the Concessionaire and other parties with respect to the use of the road reserve.

6.2.3 Objectives

- to ensure that the Toll Highway is designed, constructed, maintained and operated safely and satisfactorily and so as to minimise any adverse impact on the environment;
- to promote innovation;
- to foster the development of a private sector road operation and financing for transport infrastructure in both countries;
- to minimise the contribution required from, and the extent of the risk borne by, the public sector. The Governments may, however, be prepared to accept certain specific risks, which will be defined and agreed at the negotiation stage.

6.2.4 The Model Contracts

The Concession Contract and the proposed terms of related contracts are enclosed in Volumes MDC4, MDC5 and MDC6 of these documents.

Volume MDC5 (Design and Construction Contract Term Sheet) and Volume MDC6 (Operation and Maintenance Contract Term Sheet) are proposed terms of contract. However the Concessionaire must satisfy himself that the terms fully describe the obligations, risk allocation, and protection of the Concessionaire's rights. The Governments, Implementing Authority and other Relevant Authorities and their advisers will accept no liability whatsoever arising from the use of these terms of contract.

6.3 Payment

6.3.1 Toll payment currencies shall be proposed by the Tenderer based on the following proposed strategy -

- Rand in South Africa with change given in Rand

- Meticais in Mozambique with change given in Meticais

6.3.2 All toll tariffs will be set in the currency of South Africa and the equivalent Mozambique currency will be posted at the relevant toll plazas.

6.3.3 Ownership of the Highway and associated facilities will be vested in the relevant State. At the end of the Concession period the Concessionaire will be required to handover the Toll Highway to the relevant state free of charge as described in the Concession Contract.

6.3.4 Payments by the Concessionaire to the Implementing Authority shall be proposed by the Tenderers.

6.4 **Other Key Contractual/Financial Matters**

6.4.1 The successful Tenderer ('Concessionaire') shall be required to provide the following bonds:-

- Condition Precedent Bond on signature of the Concession Contract. Such Bond shall be in force until the conditions precedent are satisfied.
- Performance Bond for the principal Design and Construction Contract duration.
- Operation and Maintenance Bond
- Final Maintenance Bond

The Bonds are detailed in the Model Contracts

6.4.2 The Tenderer and all its parent firms shall be held jointly and severally liable.

7. **LEGAL JURISDICTION**

The Tender Proposal submission, the subsequent documentation and the contract arising therefrom will be governed by and be construed according to the laws of the Republic of South Africa.

8. **INDISPENSABLE REQUIREMENTS FOR TENDER PROPOSAL**

The essential elements for the success of any Tender proposal are as follows:

- (a) The ability to manage and arrange adequate financial resources for the duration of the contract, and the provision of acceptable securities.
- (b) Extensive experience and ability in the design and construction of buildings, tunnels, major roads and their associated works.
- (c) Comprehensive experience and ability in the operation and maintenance of toll plazas; coupled with routine road maintenance and pavement rehabilitation.
- (d) Minimising the cost and the risk to the public sector while achieving good value for money in conjunction with socially desirable benefits.

9. **NEGOTIATIONS**

Following analysis of the various proposals received, the Implementing Authority will negotiate with selected Tenderers to finalise an acceptable definition of obligations and allocation of risk.

10. **THE TENDER PROPOSAL SUBMISSION FORMAT**

10.1 **Format of Submission**

Tender proposals must be in English.

All documentation must be signed by an Executive Director or a Principal (as applicable) of the organisation(s) concerned. Each such person shall be properly authorised to sign such documentation by way of a formal resolution by the Board of Directors (or its equivalent) of the organisation concerned; and copies of such resolutions, properly dated and signed by the Chairperson (or his/her equivalent) must accompany each application.

In addition, every signatory shall make a written declaration to the effect that all documentation signed by him/her is factually correct and true.

Each submission must contain the following:

- 10.1.1 If the Tenderer is an established company, joint venture, consortium or similar group:

A covering letter on the organisation's letterhead acknowledging its receipt and understanding of the Tender Proposal submission, written answers to queries raised and similar correspondence subsequent to the issue of the Tender Proposal submission. If the Tenderer is an established joint venture, consortia or similar organisation, a formal resolution to participate in the project signed by properly authorised executive directors or principals of all the parent firms must accompany this letter.

- 10.1.2 If the Tenderer is a joint venture, consortium or similar group which has not as yet been constituted by way of a formal written agreement:

A letter on the letterhead of each of the parent firms - signifying their intention of forming a joint venture/consortium/other group (as applicable) if their Tender Proposal submission bid is successful. Each of these letters must also acknowledge receipt and understanding of the Tender Proposal submission, written answers to queries raised and similar correspondence subsequent to the issue of the Tender Proposal submission.

- 10.1.3 All copies of correspondence from the Tenderer to the Implementing Authority must be signed by an executive director or principal (as applicable) of the Tenderer; or, in the case of joint ventures, consortia and similar groups yet to be formally constituted, an executive director or principal (as applicable) of each of the parent firms. All such signatures must be accompanied by the name of the person(s) signing them, their position and the name of their organisation.

- 10.1.4 The submission must be bound into a Tender Proposal submission document and compiled in the following manner:

- (a) Contents listing.
- (b) Items 10.1.1 to 10.1.3 (above) in that order, as section 1 of the Tender Proposal submission inclusive of the relevant board resolutions with the authority of the signatures of Volume MDC1.
- (c) The fully completed forms based on those in Annexure B of this Tender Document shall be submitted as section 2 of the Tender Proposal submission.
- (d) Technical and financial information as required in terms of sections 4.1, 4.2, 4.3 and 11 of this document shall be contained in subsequent sections of the Tender Proposal submission.
- (e) Informational literature such as drawings, company brochures and the like

and bound annual reports which cannot conveniently be bound into the Tender Proposal submission may be submitted separately, but the covers thereof are to be clearly endorsed with the Tenderer's name and the project title

For the Tenderer's convenience, the basic forms contained in Annexure B of Volume MDC1 are issued with this document in Word for Windows 95 (version 7.0) format on electronic medium disk.

While Tenderers are at liberty to modify the lengths of columns, add tables, etc. to suit their submission, all items of each form must remain in their original format, whether or not these are applicable to the submission concerned. Inapplicable items must be stuck through with a line marked "N/A". Every form must be signed by the Tenderer at its end, and, where applicable, by the participating organisation (e.g. parent firm / subsidiary / prospective sub-contractor). The signatory's name, designation and organisation must accompany each signature.

The original and four copies of the submission are to be put in a sealed envelope or parcel endorsed in the manner described in the Tender Proposal notice.

11. TENDER PROPOSAL SUBMISSION EVALUATION ASSESSMENT

The Implementing Authority will wish to be satisfied that the Tenderers selected to negotiate in respect of the Toll Highway has the appropriate qualities and resources available to it to undertake the tasks required from the Tenderer. The selection of the Tenderers for negotiation will be based on the following criteria:-

11.1 Technical, track record and potential to meet the Implementing Authority's requirements for the project, including:

- (a) proven experience and expertise in undertaking or procuring the design, construct, finance, operation and maintenance of such projects; and
- (b) the organisational, managerial and technical capability to carry out the project;
- (c) the capability to achieve an environmentally and aesthetically acceptable and safe project;
- (d) the capability to promote the objectives of the respective Governments.
- (e) Proven understanding and track record of the skills required for major road building, maintenance and operation, including technical ability, quality control, safety, effective management and the ability to co-ordinate with

the respective road networks of Mozambique and South Africa and other relevant authorities.

11.2 Financial and Economic potential to meet fully the Implementing Authority's requirements for the project, including:

- (a) a proven track record in financing such projects.
- (b) the capability to secure appropriate financing for the project;
- (c) an analysis of the financial robustness of the projected cash flows of the financial model, and
- (d) the allocation of risk.
- (e) the tariff and toll strategy

11.3 The capability and commitment to undertake the effective operation and maintenance of the Toll Highway.

11.4 Clarity in the separation of contract relationships and financial interests of any contractor members from those of the Tendering group or consortia as the Concessionaire.

11.5 Avoidance of arrangements which might be considered to constitute a conflict of interest.

11.6 The proven record and/or proposals for the implementation of the Tenderer's social responsibilities.

Annexure A:

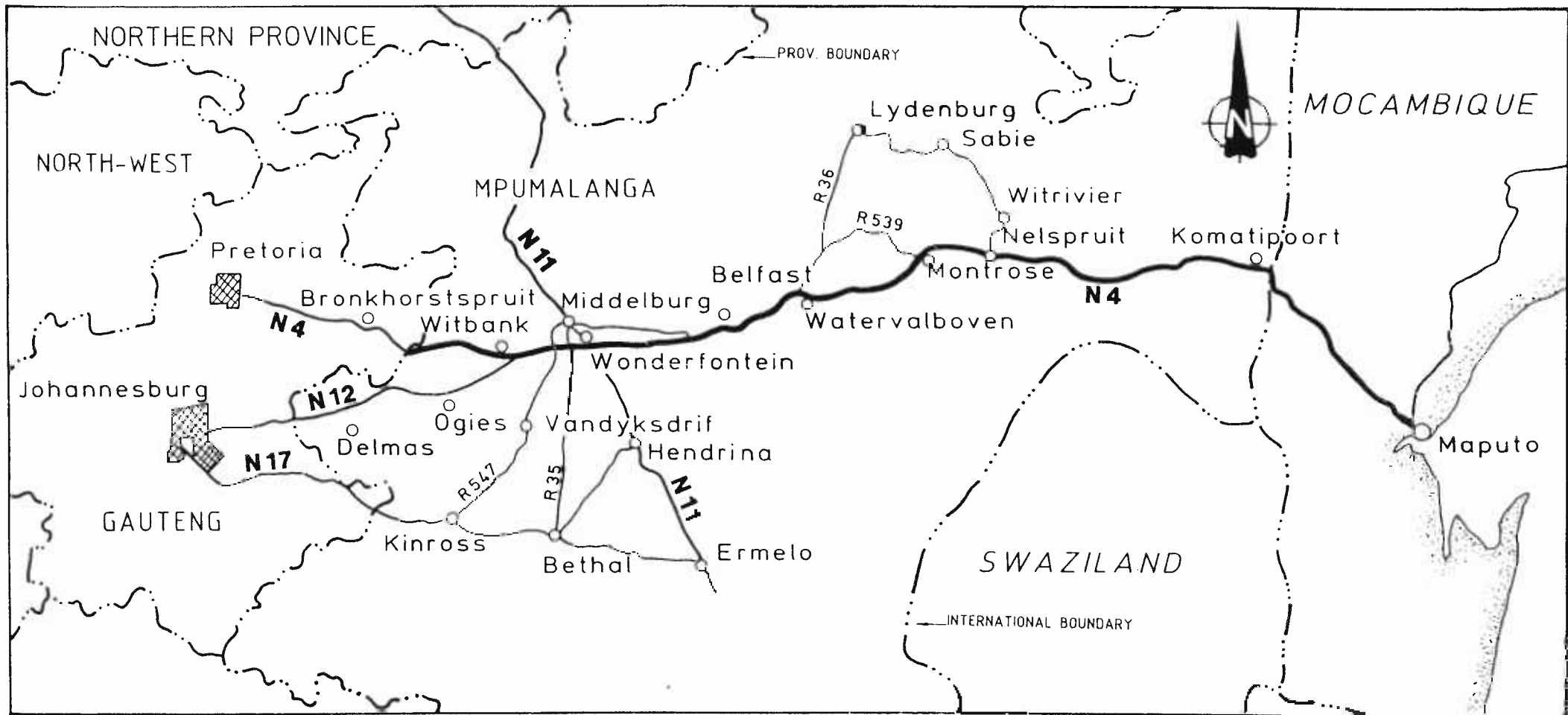
Figures

Figure 1

Major Road Network

Figure 2

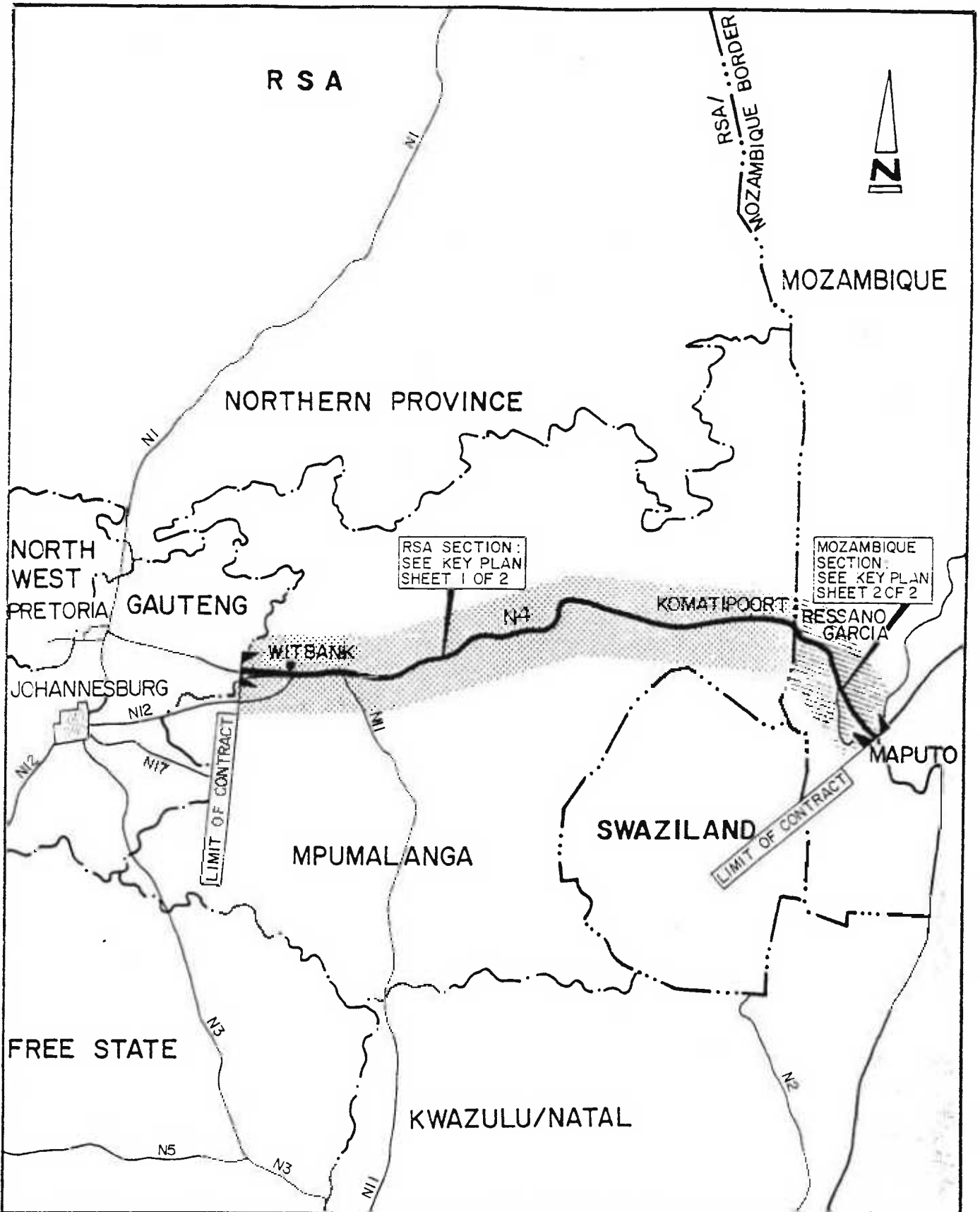
Diagrammatic Plan of the Project



— N4 TOLL HIGHWAY

PROPOSED N4 TOLL HIGHWAY BETWEEN THE
GAUTENG/MPUMALANGA BORDER AND MAPUTO

FIGURE 1



DIAGRAMMATIC EXTENT OF
THE MAPUTO DEVELOPMENT
CORRIDOR PROJECT

LOCALITY PLAN

SCALE 1 : 3 000 000

FIGURE

2

Annexure B:

Tender Submission Forms

CONTENTS

Form No.	Subject
1	Basic Information
2A	Personnel Resource Details - Applicable to Construction, Operation, Maintenance and Allied Works and Services for a Toll Road
2B	Personnel Resource Details - Applicable to Financial Institutions
2C	Personnel Resources - Summary
3	Plant Resources - Applicable only to Construction and Maintenance Activities
4A	Relevant Experience - Projects successfully completed or in progress - Applicable to Construction Activities only
4B	Relevant Experience - Applicable to Design Activities only.
4C	Relevant Experience - Applicable only to Pavement Rehabilitation Works successfully completed or in progress.
4D	Relevant Experience - Applicable to company financial arrangements in the execution of special projects.
4E	Relevant Experience - Projects successfully completed or in progress - Applicable to Toll Plaza Operation and Maintenance.
4F	Relevant Experience - Projects successfully completed or in progress - Applicable to Toll Road Equipment Manufacture/Supply/Installation only.
5	Financial Statements
6	Project Financial Structural Arrangements
7	Signatory's Authority
8	Additional Information
9	Form of Tender Proposal Submission
10	Implementation Proposals for Meeting the Social Responsibility Policy and Objectives

Chief Directorate of Roads
 Department of Transport
 on behalf of
 South African Roads Board

Direccào Nacional de
 Estradas e Pontes de
 Mocambique

CONTRACT NO SAPR NO403801/1

CONTRACT NO 184/CONC/96

FOR THE DESIGN, CONSTRUCTION, FINANCING OPERATION AND
 MAINTENANCE OF A PORTION OF NATIONAL ROUTE 4 IN THE REPUBLIC
 OF SOUTH AFRICA AND THE ROAD FROM RESSANO GARCIA TO MAPUTO
 IN THE REPUBLIC OF MOZAMBIQUE AS A TOLL HIGHWAY TOGETHER
 WITH DEVELOPMENTS AND ASSOCIATED FACILITIES UNDER A
 CONCESSION CONTRACT.

BASIC INFORMATION	
1.	Name of organisation wishing to Tender: -
2.	a) Type of organisation (e.g. Limited Liability Company / Joint Venture/ Consortium/Other):
	b) Company Registration No:
3.	Full street address of Head Office:
4.	Head Office registered postal address:
5.	Head Office Telephone No:
	Facsimile No:
	Telex No:
6.	Contact Persons : Name(s):
	Telephone No(s):
	Facsimile No(s):
	Telex No(s):

ITEMS 7. TO 8.5 BELOW NEED ONLY TO BE COMPLETED IF THE ORGANISATION WISHING TO TENDER IS A FOREIGN ORGANISATION

7. Does the organisation wishing to Tender have an office in the Republic of South Africa or Mozambique?
(Yes / No)

8. If the answer to 7 above is yes:
8.1 Name of South Africa and/or Mozambique Branch:

8.2 Full Street Address of South Africa and/or Mozambique Office:

8.3 South Africa and/or Mozambique Office Registered Postal Address:

8.4 South Africa and/or Mozambique Office Telephone No(s):
Facsimile No(s):
Telex No(s):

8.5 South Africa and/or Mozambique Contact Person(s): Names (s):
Telephone No(s):
Facsimile No(s):
Telex No(s):

ITEMS 9 TO 17 BELOW NEED ONLY BE COMPLETED IF THE ORGANISATION WISHING TO TENDER IS A JOINT VENTURE, CONSORTIUM OR SIMILAR ORGANISATION

9. Is the organisation already constituted by way of a formal written agreement?
Yes/No

10. Has the organisation been formed (or will it be formed) specifically to tender for this project?
Yes/No
11. If the answer to 9. above is YES, for how many years has the organisation been in business?
In own country:
Internationally :
12. If the answer to 9. Above is YES, give name, branch office and telephone number of the organisation's bankers:
12.1 Head Office
12.2 South Africa and/or Mozambique office (if applicable)
13. All the members of the Joint Venture, Consortium or similar organisation are to make a formal statement below to the effect that, if awarded the Contract, they will form and register a company to execute the project within one month of the date of award. Details of the nature of the Company and its shareholding are also to be provided, and this statement must be signed by an executive director of all members concerned.

14. Details of organisations forming the joint venture/consortium/other organisation:

NAME	TYPE OF ORGANISATION*	CATEGORY OF ORGANISATION**	NATIONALITY	YEARS EXPERIENCE ***	
				IN OWN COUNTRY	INTERNATIONALLY

* e.g., Private Limited Liability Company, Public Limited Liability Company, etc.

** e.g., Contractor, Financial Institution, Toll Plaza Operator, Toll Plaza Equipment and Manufacture / Installation (as applicable)

*** Enumerate only number of years experience in the fields of activity directly applicable to this project; e.g., if the category of the organisation is “Contractor, list the number of years experience in major road and bridge construction.

BASIC INFORMATION

15. Details relating to the bankers of the two principal members of the joint venture/consortium/other organisation

.....
.....
.....
.....
.....

15.1 Name of parent firm

.....

Name, branch office and telephone number of firm's bankers:

15.1.1 Head Office

.....
.....
.....

15.1.2 South Africa and/or Mozambique

.....
.....
.....

15.2 Name of parent firm:

.....

Name, branch office and telephone number of firm's bankers:

15.2.1 Head Office

.....
.....
.....

15.2.2 South Africa and/or Mozambique Office (if applicable)

.....
.....
.....

16. Details of subsidiaries of parent companies likely to be involved in the project:

NAME	TYPE OF ORGANISATION*	CATEGORY OF ORGANISATION**	NATIONALITY	YEARS EXPERIENCE ***	
				IN OWN COUNTRY	INTERNATIONALLY

* e.g., Private Limited Liability Company, Public Limited Liability Company, etc.

** e.g., Contractor, Financial Institution, Toll Plaza Operator, Toll Plaza Equipment and Manufacture / Installation (as applicable)

*** Enumerate only number of years experience in the fields of activity directly applicable to this project; e.g., if the category of the organisation is "Contractor, list the number of years experience in major road and bridge construction.



17. Details of principal sub-contractors likely to be involved in the project:

NAME	TYPE OF ORGANISATION*	CATEGORY OF ORGANISATION**	NATIONALITY	YEARS EXPERIENCE ***	
				IN OWN COUNTRY	INTERNATIONALLY

* e.g., Private Limited Liability Company, Public Limited Liability Company, etc.

** e.g., Contractor, Financial Institution, Toll Plaza Operator, Toll Plaza Equipment and Manufacture / Installation (as applicable)

*** Enumerate only number of years experience in the fields of activity directly applicable to this project; e.g., if the category of the organisation is "Contractor, list the number of years experience in major road and bridge construction.



ITEMS 18 TO 23 BELOW NEED ONLY BE COMPLETED IF THE ORGANISATION WISHING TENDER IS, EG. A REGISTERED COMPANY OR SIMILAR ORGANISATION

18. For how many years has the organisation been in business:

In own country:

Internationally

19. Category of organisation [please place a tick below the appropriate heading(s)]

Contractor	Financial Institution	Consulting Firm	Toll Plaza Operation & Maintenance	Toll Plaza Equipment Manufacture	Toll Plaza Equipment Installation

20. Name. Branch office and telephone number of the organisation's bankers:

20.1 Head Office :

20.2 South Africa and/or Mozambique Office (if applicable)

21. Years of experience in the fields of activity In own Country Internationally directly applicable to this project.

21.1	Major Road and Bridge Construction		
21.2	Financing of major projects with a capital value exceeding R200M		
21.3	Major Road, tunnel and bridge designs		
21.4	Toll Plaza Operation and Maintenance		
21.5	Toll Plaza Equipment manufacture / supply		
21.6	Other (please specify)		.....

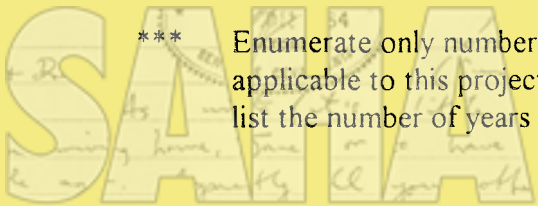
22. Details of subsidiaries of parent companies likely to be involved in the project

NAME	TYPE OF ORGANISATION*	CATEGORY OF ORGANISATION**	NATIONALITY	YEARS EXPERIENCE***	
				IN OWN COUNTRY	INTERNATIONALLY

* e.g., Private Limited Liability Company, Public Limited Liability Company, etc.

** e.g., Contractor, Financial Institution, Toll Plaza Operator, Toll Plaza Equipment and Manufacture/Installation (as applicable)

*** Enumerate only number of years experience in the fields of activity directly applicable to this project; e.g. if the category of the organisation is "Contractor, list the number of years experience in major road and bridge construction.



23. Details of principal sub-contractors likely to be involved in the project

NAME	TYPE OF ORGANISATION*	CATEGORY OF ORGANISATION**	NATIONALITY	YEARS EXPERIENCE***	
				IN OWN COUNTRY	INTERNATIONALLY

* e.g., Private Limited Liability Company, Public Limited Liability Company, etc.

** e.g., Contractor, Financial Institution, Toll Plaza Operator, Toll Plaza Equipment and Manufacture/Installation (as applicable)

*** Enumerate only number of years experience in the fields of activity directly applicable to this project; e.g. if the category of the organisation is "Contractor, list the number of years experience in major road and bridge construction.

ITEMS 24 TO 26 BELOW MUST BE PROVIDED FOR ALL TYPES ORGANISATIONS WISHING TO PRE-QUALIFY

24. Does the applicant have any objection to the Implementing Authority or its consultants/advisors contacting any of the bankers or other references listed in these forms directly:

Yes/No

.....

25. If the answer to 24 above is YES, please state requirements/procedures to be adopted:

.....
.....
.....
.....

26. Please attach the following organisation charts to this form:

26.1 The structure of the project team envisaged for this project, including the positions of the parent firms of joint ventures and the like (if applicable), and the various subsidiaries and principal sub-contractors listed above; together with the positions of key personnel and their roles.

26.2 The individual organisation charts for each organisation wishing to pre-qualify, the parent firms listed above (applicable only to joint ventures and the like), and the subsidiaries and principal sub-contractors listed above. Note that an organisation chart for financial institution(s) involved need not be included.

26.3 If available, brochures and similar documentation for the various participating organisations should be attached to the submission. Translations of these documents need not be made; but if they are in multi-lingual formats, the preferred order of language is English, Portuguese, Afrikaans, Dutch, German, Spanish, French. Please list all attachments below:

.....
.....
.....
.....

Chief Directorate of Roads
 Department of Transport
 on behalf of
 South African Roads Board

Direccão Nacional de
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PERSONNEL RESOURCE DETAILS - APPLIABLE TO CONSTRUCTION, OPERATION AND MAINTENANCE AND ALLIED WORKS AND SERVICES FOR A TOLL HIGHWAY

- Notes: (a) One of these forms should be completed for each of the following:
- The organisation wishing to pre-qualify
 - The organisation wishing to pre-qualify is a joint venture, consortium, or similar body, one form for each of the parent firms listed in Form 1
 - One form for each of the subsidiaries and principal sub-contractors listed in Form 1.
- (b) This form however, is not applicable to financial institutions [whether they are the organisation seeking to pre-qualify, a parent firm (joint venture, consortia and the like), a subsidiary or a sub-contractor].

1. Name of organisation to whom this data applies

.....

2. Role of organisation [i.e. organisation wishing to pre-qualify, parent firm (joint ventures, consortia and the like), subsidiary, principal sub-contractor]

.....

3. Total staff complement (excluding skilled/semi-skilled/unskilled labourers and the like)

3.1 Directors/Principals

.....

3.2 All Other Staff

.....

4.	Staff complement (excluding skilled/semi-skilled/unskilled labourers and the like) in the following fields of activity:	
4.1	Construction	
	Management level Technical with formal tertiary education	.....
	Management level Financial with formal tertiary education	.....
	Management level Administrative with formal tertiary education	.....
	Management level Other with formal tertiary education	.....
	Management level Technical without formal tertiary education	.....
	Management level Financial without formal tertiary education	.....
	Management level Administrative without formal tertiary education	.....
	Management level Other without formal tertiary education	.....
	Foremen and Artisans (all categories)	.....
	TOTAL	_____

4.2	Toll Plaza Operation and Maintenance	
	Management level Technical with formal tertiary education	.....
	Management level Financial with formal tertiary education	.....
	Management level Administrative with formal tertiary education	.....
	Management level Other with formal tertiary education	.....
	Management level Technical without formal tertiary education	.....
	Management level Financial without formal tertiary education	.....
	Management level Administrative without formal tertiary education	.....
	Management level Other without formal tertiary education	.....
	Foremen and Artisans (all categories)	.....
	TOTAL	..........

4.2	Toll Plaza Equipment Manufacture	
	Management level Technical with formal tertiary education	.....
	Management level Financial with formal tertiary education	.....
	Management level Administrative with formal tertiary education	.....
	Management level Other with formal tertiary education	.....
	Management level Technical without formal tertiary education	.....
	Management level Financial without formal tertiary education	.....
	Management level Administrative without formal tertiary education	.....
	Management level Other without formal tertiary education	.....
	Foremen and Artisans (all categories)	.....
	TOTAL	<hr/> <hr/>

4.2	Toll Plaza Equipment Installation	
	Management level Technical with formal tertiary education	.....
	Management level Financial with formal tertiary education	.....
	Management level Administrative with formal tertiary education	.....
	Management level Other with formal tertiary education	.....
	Management level Technical without formal tertiary education	.....
	Management level Financial without formal tertiary education	.....
	Management level Administrative without formal tertiary education	.....
	Management level Other without formal tertiary education	.....
	Foremen and Artisans (all categories)	.....
	TOTAL	<hr/> <hr/>

5. List present directorship/principals as follows:

NAME	PRESENT POSITION	SPECIALITY	QUALIFICATION	YEARS EXPERIENCE	YEARS WITH ORGANISATION

6. List key personnel (including directors/principals) likely to be deployed on project as follows:

Name: Present Position:

Speciality: Qualification:

Years Experience
In field of speciality:

With organisation:

Language Proficiency

Language
Speak
Read
Write

Brief Résumé of Relevant Experience

Name:

Present Position:

Speciality:

Qualification:

Years
Experience

In field of
speciality:

With
organisation:

Language
Proficiency

Language
Speak
Read
Write

Brief Résumé of Relevant Experience

Chief Directorate of Roads
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PERSONNEL RESOURCE DETAILS - APPLICABLE TO FINANCIAL INSTITUTIONS					
Notes: (a) One of these forms should be completed for each participating financial institution:					
1. Name of organisation to whom this data applies					
2. Role of organisation [i.e., organisation wishing to pre-qualify, parent firm (joint ventures, consortia and the like), subsidiary, principal sub-contractor].					
3. List present executive directorship/principals as follows:					
NAME	PRESENT POSITION	SPECIALI- TY	QUALIFI- CATION	YEARS EXPERI- -NCE	YEARS WITH ORGANISA- TION

4. List key personnel (including directors/principals) likely to be deployed on project as follows:

Name: _____ Present Position: _____

Speciality: _____ Qualification: _____

Years Experience

In field of speciality: _____

With organisation: _____

Language Proficiency

Language
Speak
Read
Write

Brief Résumé of Relevant Experience

Name:

Present Position:

Speciality:

Qualification:

Years
Experience

In field of
speciality:

With
organisation:

Language
Proficiency

Language
Speak
Read
Write

Brief Résumé of Relevant Experience

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PERSONNEL RESOURCE - SUMMARY

Note: One of these forms should be completed by the organisation wishing to tender.

1. Name of organisation wishing to tender:
2. Staff complement (including all parent firms and their subsidiaries, but excluding skilled/semi-skilled/unskilled labourers and the like), in the categories of activity:

Note: Staff complements of financial institutions (whether a parent firm, a subsidiary or a principal sub-contractor) must not be included in the figures below.

	Organisation	Principal sub-contractor likely to be employed on project
2.1 Construction Activities		
Management level Financial with formal tertiary education		
Management level Administrative with formal tertiary education		
Management level Other with formal tertiary education		
Management level Technical without formal tertiary education		
Management level Financial without formal tertiary education		
Management level Administrative without formal tertiary education		
Management level Other without formal tertiary education		
Foremen and Artisans (all categories)		
TOTALS		

	Organisation	Principal sub-contractor likely to be employed on project
<p>2.2 Toll Plaza Operation and Maintenance:</p>		
<p>Management level Financial with formal tertiary education</p>		
<p>Management level Administrative with formal tertiary education</p>		
<p>Management level Other with formal tertiary education</p>		
<p>Management level Technical without formal tertiary education</p>		
<p>Management level Financial without formal tertiary education</p>		
<p>Management level Administrative without formal tertiary education</p>		
<p>Management level Other without formal tertiary education</p>		
<p>Foremen and Artisans (all categories)</p>		
<p>TOTALS</p>		

	Organisation	Principal sub-contractor likely to be employed on project
2.3 Toll Plaza Equipment Manufacture:		
Management level Financial with formal tertiary education		
Management level Administrative with formal tertiary education		
Management level Other with formal tertiary education		
Management level Technical without formal tertiary education		
Management level Financial without formal tertiary education		
Management level Administrative without formal tertiary education		
Management level Other without formal tertiary education		
Foremen and Artisans (all categories)		
TOTALS		

	Organisation	Principal sub-contractor likely to be employed on project
2.4 Toll Plaza Equipment Installation:		
Management level Financial with formal tertiary education		
Management level Administrative with formal tertiary education		
Management level Other with formal tertiary education		
Management level Technical without formal tertiary education		
Management level Financial without formal tertiary education		
Management level Administrative without formal tertiary education		
Management level Other without formal tertiary education		
Foremen and Artisans (all categories)		
TOTALS		

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PLANT RESOURCES - APPLICABLE ONLY TO CONSTRUCTION AND MAINTENANCE ACTIVITIES	
1.	Name of organisation wishing to tender: _____
2.	List the total value of construction plant and equipment owned by the various participating firms as at the date of their last annual accounting date as follows:
	Name of participating firm: _____
	Role of firm [i.e. organisation wishing to tender, parent firm (joint ventures, consortia, and the like), subsidiary, sub-contractor]: _____
	Value of plant and equipment owned by firm at its last annual accounting date: _____
	Name of participating firm: _____
	Role of firm [i.e. organisation wishing to tender, parent firm (joint ventures, consortia, and the like), subsidiary, sub-contractor]: _____
	Value of plant and equipment owned by firm at its last annual accounting date: _____

Name of participating firm:	.....
Role of firm [i.e. organisation wishing to tender, parent firm (joint ventures, consortia, and the like), subsidiary, sub-contractor]:	.....
Value of plant and equipment owned by firm at its last annual accounting date:	.....
Name of participating firm:	.....
Role of firm [i.e. organisation wishing to tender, parent firm (joint ventures, consortia and the like), subsidiary, sub-contractor]:	.....
Value of plant and equipment owned by firm at its last annual accounting date:	.....
Name of participating firm:	.....
Role of firm [i.e. organisation wishing to tender, parent firm (joint ventures, consortia and the like), subsidiary, sub-contractor]:	.....
Value of plant and equipment owned by firm at its last annual accounting date:	.....
Name of participating firm:	.....
Role of firm [i.e. organisation wishing to tender, parent firm, (joint ventures, consortia and the like), subsidiary, sub-contractor]:	.....
Value of plant and equipment owned by firm at its last annual accounting date:	.....

3. On the basis of the information given in the tender document, please indicate the main plant and equipment considered to be necessary for executing the works to be constructed for the project, and whether this plant and equipment is already owned by the participating firms or whether it will be purchased or hired:

[A large rectangular box containing multiple horizontal dotted lines for writing the answer to question 3.]

[A large rectangular area containing horizontal dotted lines for text entry.]

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**RELEVANT EXPERIENCE
PROJECTS SUCCESSFULLY COMPLETED OR IN PROGRESS
- APPLICABLE TO CONSTRUCTION ACTIVITIES ONLY**

1. Name of organisation wishing to tender:

2. List below up to fifteen relevant construction projects undertaken by you during the last ten years which involved major road and bridge works.

The following information should be included for each project:

- Name of participating organisation which executed (or is executing) the project.
- Name of the client for whom the project was (or is being) executed together with the name, position, address and telephone number of the person in the client's organisation to whom reference may be made by the Implementing Authority or its consultants/advisors.
- Name of the consulting engineers for whom the project was (or is being) executed, together with name, position, address and telephone number of the person in the consulting engineer's organisation to whom reference may be made by the Implementing Authority or its consultants/advisors.
- Geographical location of project.
- Year started and year completed (or % completed as applicable).
- Total value of project.
- Value of work under taken by the organisation concerned.
- Role of organisation in the project, e.g. main contractor/sub-contractor/other.
- Whether the project was completed, or will be completed within the completion period tendered and , if not, reasons for late completion.
- Brief description of the project and its leading features, highlighting the work undertaken by the organisation concerned.

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(Add further pages as required.)

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Chief Directorate of Roads
Department of Transport
on behalf of
South African Roads Board

Direccào Nacional de
Estradas e Pontes de
Mocambique

CONTRACT NO SAPR NO403801/1

CONTRACT NO 184/CONC/96

FOR THE DESIGN, CONSTRUCTION, FINANCING OPERATION AND MAINTENANCE OF A PORTION OF NATIONAL ROUTE 4 IN THE REPUBLIC OF SOUTH AFRICA AND THE ROAD FROM RESSANO GARCIA TO MAPUTO IN THE REPUBLIC OF MOZAMBIQUE AS A TOLL HIGHWAY TOGETHER WITH DEVELOPMENTS AND ASSOCIATED FACILITIES UNDER A CONCESSION CONTRACT.

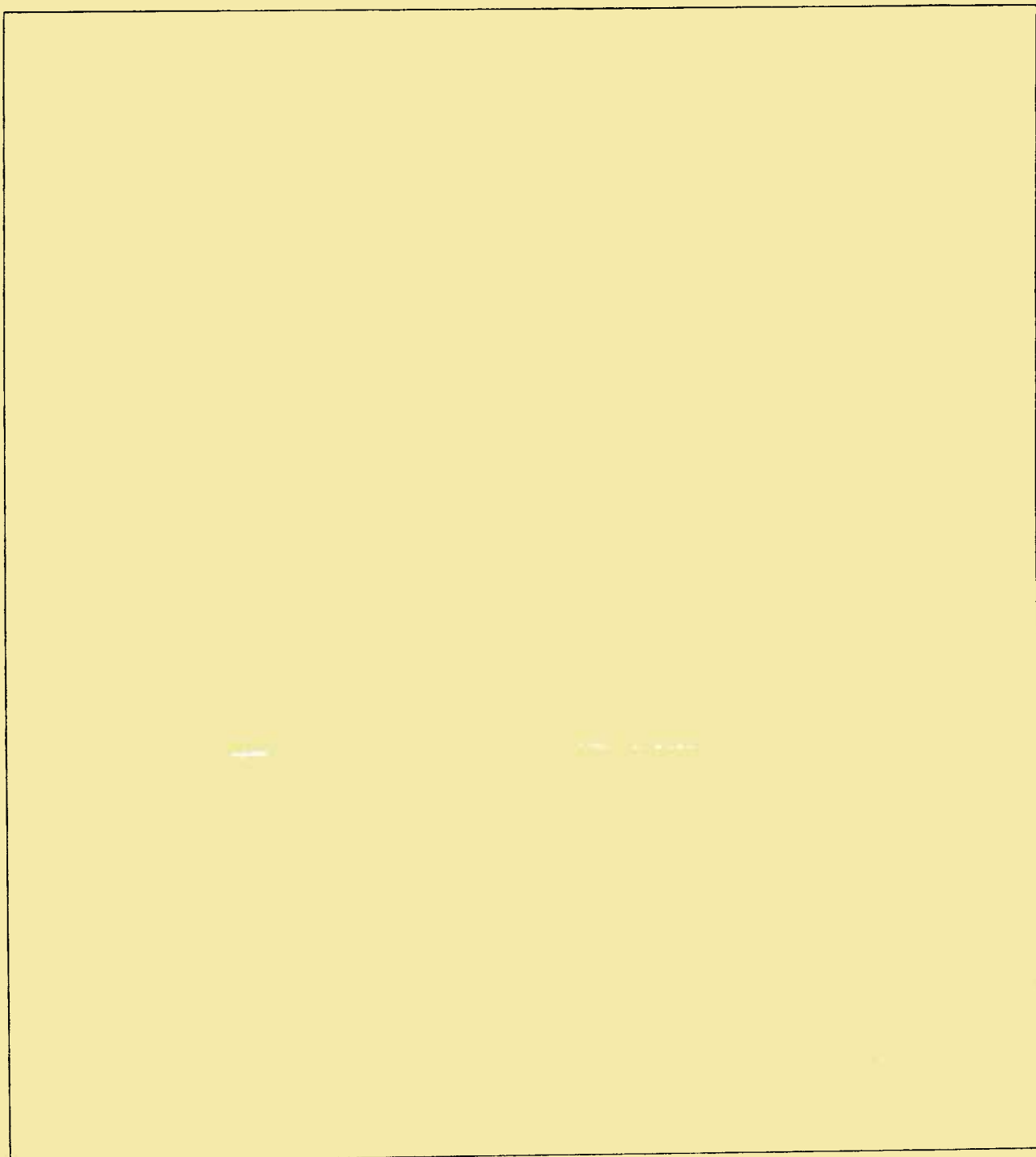
RELEVANT EXPERIENCE
APPLICABLE ONLY TO PROJECTS DESIGNED WORKS SUCCESSFULLY
COMPLETED OR IN PROGRESS

1. Name of organisation wishing to tender:

2. List below up to five relevant projects involving pavement rehabilitation works which have been completed by you during the last five years, or which are currently in progress.

The following information should be included for each project:

- Name of participating organisation which executed (or is executing) the project.
- Name of the client for whom the project was (or is being) executed together with the name, position, address and telephone number of the person in the client's organisation to whom reference may be made by the Implementing Authority or its consultants/advisors.
- Geographical location of projects.
- Year started and year completed (or % completed as applicable).
- Total value of work executed.
- Brief description of works including nature of pavement surface rehabilitated, whether or not base and sub-base layers were involved, traffic deviation, etc.



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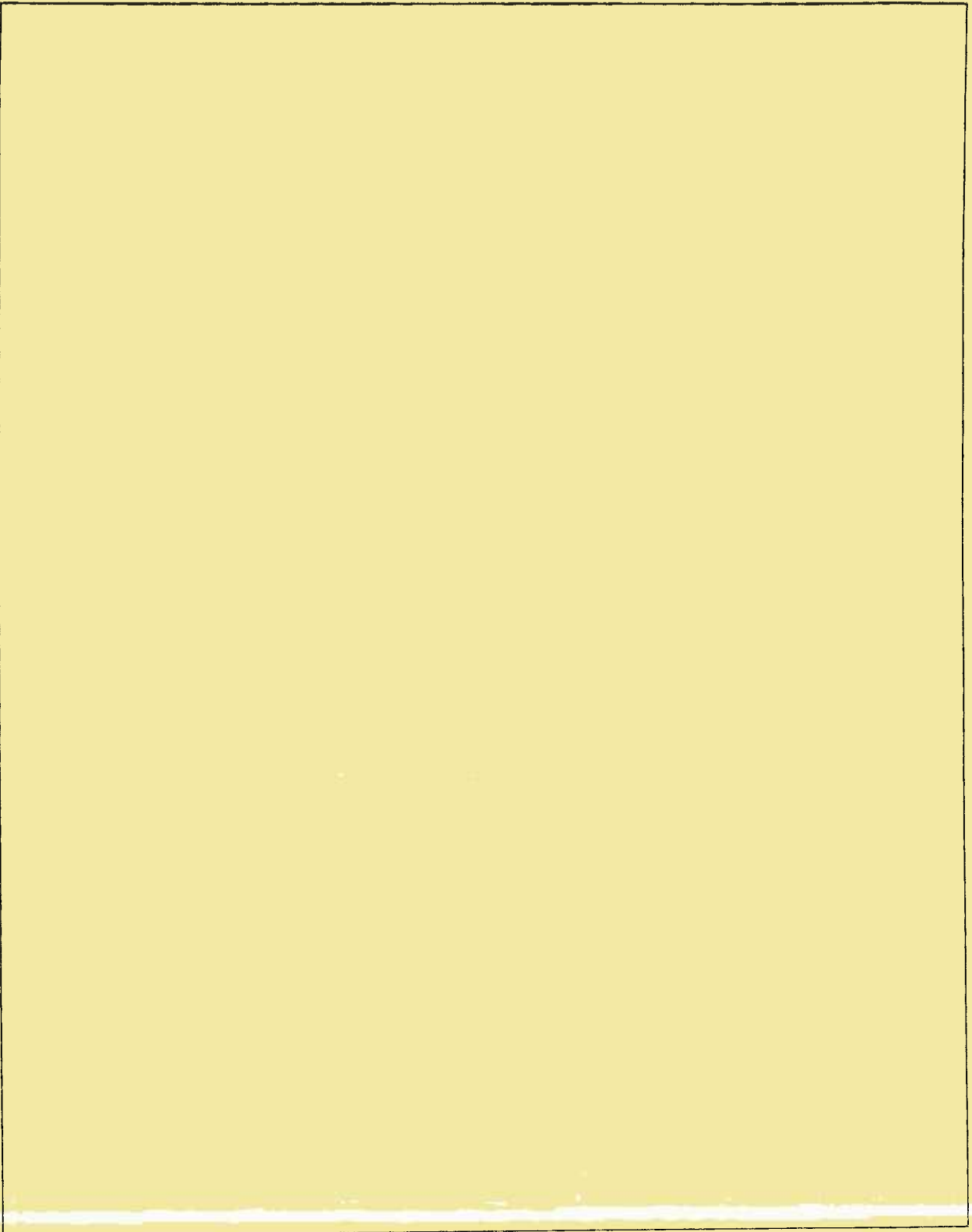
**RELEVANT EXPERIENCE
APPLICABLE ONLY TO PAVEMENT REHABILITATION WORKS
SUCCESSFULLY
COMPLETED OR IN PROGRESS**

1. Name of organisation wishing to tender:

2. List below up to five relevant projects involving pavement rehabilitation works which have been completed by you during the last five years, or which are currently in progress.

The following information should be included for each project:

- Name of participating organisation which executed (or is executing) the project.
- Name of the client for whom the project was (or is being) executed together with the name, position, address and telephone number of the person in the client's organisation to whom reference may be made by the Implementing Authority or its consultants/advisors.
- Geographical location of pavement rehabilitation works.
- Year started and year completed (or % completed as applicable).
- Total value of work executed.
- Brief description of works including nature of pavement surface rehabilitated, whether or not base and sub-base layers were involved, traffic deviation, etc.



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RELEVANT EXPERIENCE APPLICABLE TO COMPANY FINANCIAL ARRANGEMENTS IN THE EXECUTION OF SPECIAL PROJECTS

Name of organisation wishing to tender:

2. List below up to ten significant projects which during the last eight years called for special financial arrangements by your company.

The following information should be included for each project:

- Name of any participating organisation which assisted in the financial arrangements in the project concerned.
- Name of the client for whom the project was (or is being) executed together with the name, position, address and telephone number of the person in the client's organisation to whom reference may be made by the Implementing Authority on its consultants / advisors.
- Geographical location of project.
- Total value of project, and extent and period of the financial arrangements.
- Brief details relating to the nature and structure of the financing, repayment terms, debt: equity structure, key sources of finance and the like.

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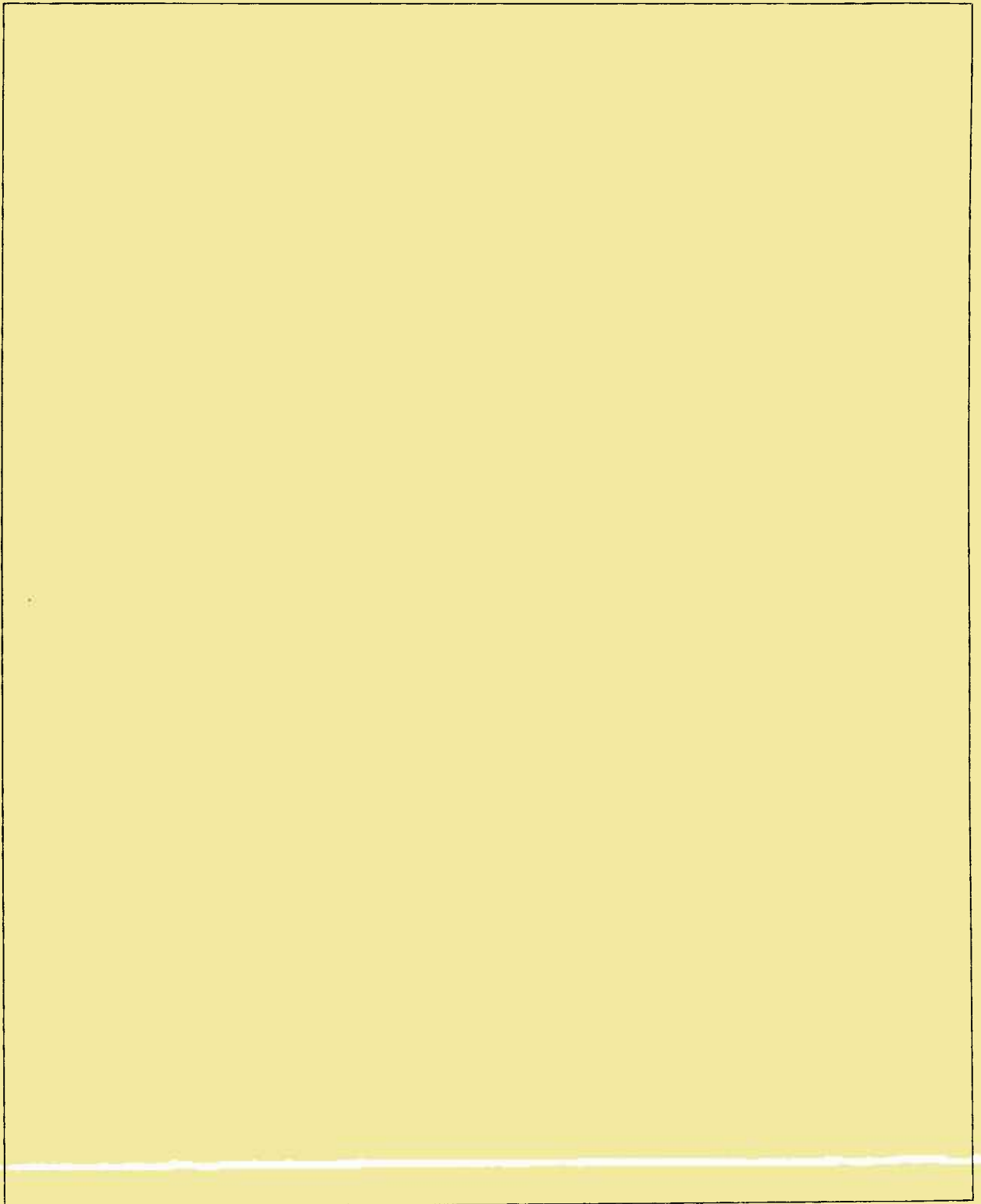
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RELEVANT EXPERIENCE	
PROJECTS SUCCESSFULLY COMPLETED OR IN PROGRESS	
- APPLICABLE TO TOLL PLAZA OPERATION AND MAINTENANCE	
1.	Name of organisation wishing to tender:
2.	List below up to ten significant toll plaza operation and maintenance contracts undertaken by you during the last en years which are similar to those required for this project..
	The following information should be included for each project:
	<ul style="list-style-type: none">• Name of participating organisation which executed (or is executing) the project.• Name of the client for whom the project was (or is being) executed together with the name, position, address and telephone number of the person in the client's organisation to whom reference may be made by the Implementing Authority on its consultants / advisors.• Geographical location of project.• Year started and year completed (or % completed as applicable).• Range of traffic volumes handled from commencement to completion (or current year, whichever is applicable).• Whether or not routine road maintenance was (or is) included in the contract; and if so, what maintenance operations were undertaken.• Whether or not toll plaza maintenance was (or is) included in the contract, and details thereof.• Nature of tolling facilities operated and numbers of toll booths involved.• Method of remuneration and penalties/incentives involved.• Any other relevant information including emergency / ancillary services provided.

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RELEVANT EXPERIENCE
PROJECTS SUCCESSFULLY COMPLETED OR IN PROGRESS
-APPLICABLE TO TOLL HIGHWAY EQUIPMENT
MANUFACTURE / SUPPLY / INSTALLATION ONLY

1. Name of organisation wishing to tender:
2. List below up to ten significant toll equipment was, or is being manufactured/supplied/installed by you (as applicable) during the last six years.

The following information should be included for each project:

- Name of participating organisation which manufactured/supplied/installed the equipment.
- Name of the client for whom the project was (or is being) executed together with the name, position, address and telephone number of the person in the client's organisation to whom reference may be made by the Implementing Authority or its consultants / advisors.
- Geographical location of project.
- The scope of the work - i.e. manufacture/supply/installation (as applicable).
- Total value of installation.
- Year completed or % completed (as applicable).
- Nature of installation - i.e., cash/credit card/AVI.
- Brief description of the installation.

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FINANCIAL STATEMENTS

- Note:
- a) One of these forms to be completed by each participating organisation, including the applicant itself.
 - b) It is expected that, in order to offer the resources and the range and depth of skills required, companies may wish to collaborate to form consortia (Groups) which will then apply as Tenderer for tender. Each Tenderer, whether Group or a single entity, should supply the requested information.
 - c) In the Case of a Tenderer which is a Group, the name of each member of the Group and description of the relationship between the participants should be supplied.
 - d) Participating financial institutions need not complete these forms, but they should provide a copy of their last annual report. Such reports need not be translated; but if they are readily available in a multilingual format, the preferred order of language is English, Portuguese, Afrikaans, Dutch, German, Spanish, French.

1. Name of organisation wishing to tender

2. Name of organisation to whom this data applies

3. Role of organisation [i.e., organisation wishing to tender, parent firm (joint ventures, consortia, and the like), subsidiary, principal sub-contractor].

.....

3.1 The approximate likely shareholding of each member of the Group.

.....



3.2 Details of how the internal relationship between the members of the Group may change during the design, construction, rehabilitation, operation, maintenance and financing phases of the Contract :

.....
.....

4. Category of organisation [i.e. contractor, financial institution, toll plaza operation and maintenance, toll plaza equipment manufacture / supply / installation (as applicable)]:

.....

5. Capital:

Authorised:

Issued:

6. Financial indicators for the last three financial years:

INDICATOR	YEAR	YEAR	YEAR	
Return on Equity				
PBIT				
Total Equity (Net tangible worth or net asset value)				
Return on Assets				
PBIT				
Total Assets				
Debt Equity (Gross Gearing)				
Interest Bearing Debt				
Total Equity (Net tangible worth or net asset value)				
Debt Equity (Net Gearing)				
Interest Bearing Debt <i>less</i> cash or equivalents				
Total Equity (Net tangible worth or net asset value)				
Asset Turnover				
Sales				
Total Assets				
Net Profit Margin				
PBIT				
Sales				
Interest Cover				
PBIT (add back investment income)				
Interest				
Solvency Ratio				
Assets				
Liabilities				

7. A statement of overall turnover and the turnover on road projects (shown separately) for the previous two years:

YEAR	CURRENT					
Home						
Abroad						
YEAR	CURRENT					
Home						
Abroad						

YEAR	CURRENT					
Home						
Abroad						
YEAR	CURRENT					
Home						
Abroad						

8. Approximate value of work in hand:

.....

.....

9. Attach copies of the organisation's previous three years' accounts (profit/loss, assets/liabilities) and other financial data which is considered to be useful.

List all attachments below:

[Dotted lines for listing attachments]

10. **The Tenderer and each member of the Group, as well as the ultimate holding company of any Tenderer or member of a Group which is a subsidiary company, must supply the following:**

10.1 A statement, as at the last reporting date, for any contingent liability of loss (where not otherwise reported) which would require disclosure in accordance with

10.2 A statement of any material pending or threatened litigation or other legal proceedings.

List of statements

.....
.....
.....
.....

11. **For the Tenderer and each member of a Group, a statement of any contracts where there has been a failure to complete the contract, or where there have been claims for damages or where damages have been deducted or recovered, within the last five years and where the value of such contract or amount of damages is greater than R5 million.**



12. In the case of a Tenderer which is a Group, a description of the arrangements proposed to separate the financial interests of any contractors which are members of the Group from those of the Group as a whole as the successful Tenderer / Concessionaire.

ORGANISATION CHART

(Key contractual relationships between the Tendering group and any contractors to the group to be given. In addition any agreements prepared should be included)

LIST OF ADVISERS

Chief Directorate of Roads
Department of Transport
on behalf of
South African Roads Board

Direccào Nacional de
Estradas e Pontes de
Mocambique

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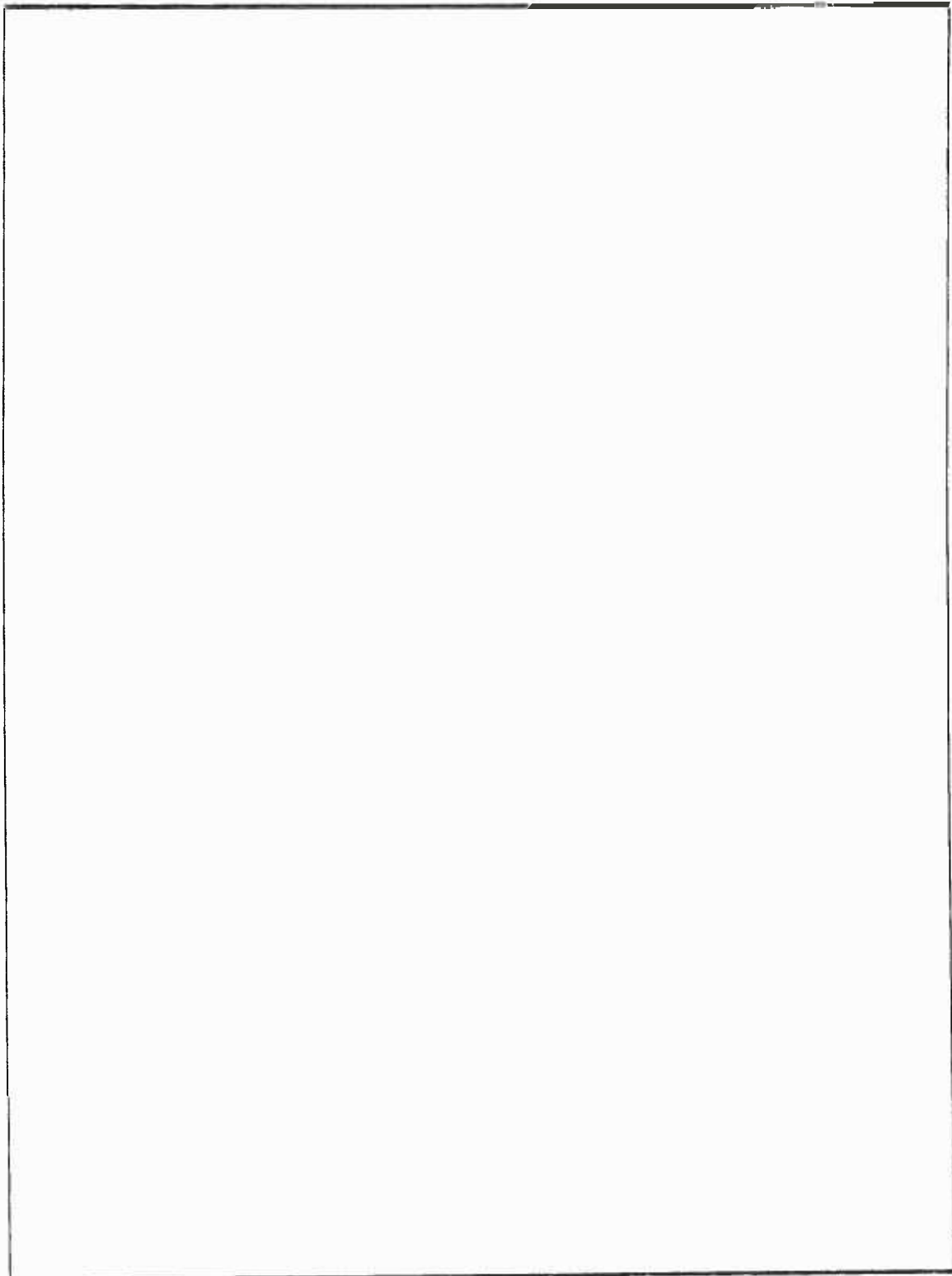
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PROJECT FINANCIAL STRUCTURAL ARRANGEMENTS

The applicant should provide below a brief description of its financial structural arrangements envisaged for the project, together with the major conditions likely to be attached to such arrangements. Details of all finance related documents which are envisaged should be outlined or included. It is essential that all applicants provide the information called for, and it is stressed that such information will be kept strictly confidential.





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SIGNATORY'S AUTHORITY

The Signatory for a company or association must establish his authority by enclosing a copy of the relevant resolution(s) of the Board of Directors for each constituent company, duly signed and dated. An example is show below:

COMPANY NAME

By resolution of the Board of Directors at a meeting on _____
1996 at _____ Mr _____ whose signature
appears below, has been duly authorised to sign all documents in connection with the
Tender Proposal submission for the design, construction, financing, operation and
maintenance, of the Maputo Development Corridor Toll Highway together with
Developments and Associated Facilities.

On behalf of

_____ (BLOCK CAPITALS)

SIGNED FOR AND ON BEHALF OF COMPANY _____

IN HIS CAPACITY AS _____

DATE _____



SPECIMEN SIGNATURE OF SIGNATORY

WITNESS

1.

2.

Chief Directorate of Roads
Department of Transport
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Direccào Nacional de
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ADDITIONAL INFORMATION

The applicant should add any further information it considers to be relevant to its application for pre-qualification below. In addition, in other documents are attached, these should be listed below. If no additional information is submitted, this form should be marked "N/A" (not applicable).

Chief Directorate of Roads
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FORM OF TENDER PROPOSAL SUBMISSION

The Director General : Transport
Chief Directorate : Roads
P.O Box 415
011 PRETORIA

Sir

CONTRACT NO SAPR NO403801/1

CONTRACT NO 184/CONC/96

TENDER PROPOSAL SUBMISSION FOR THE DESIGN, CONSTRUCTION, FINANCING OPERATION AND MAINTENANCE OF A PORTION OF NATIONAL ROUTE 4 IN THE REPUBLIC OF SOUTH AFRICA AND THE ROAD FROM RESSANO GARCIA TO MAPUTO IN THE REPUBLIC OF MOZAMBIQUE AS A TOLL HIGHWAY TOGETHER WITH DEVELOPMENTS AND ASSOCIATED FACILITIES UNDER A CONCESSION CONTRACT.

CLOSING DATE AND TIME :

30 APRIL 1996 AT 11H00

1. Having examined the content of, I/we, the undersigned, guarantee the truthfulness and exactness of all statements made and information supplied in the Tender Proposal submission.
2. I/We acknowledge that this form and all parts of our Tender Proposal submission and other referenced documents constitute my/our Tender Proposal submission.



3. I/we authorise you or your delegate(s) to carry out any investigation you may deem necessary to verify the truthfulness of the statements and documents submitted and to obtain clarification of my/our technical and financial ability to provide the services detailed in the scope of contract.
4. I/We agree that the instructions contained in the Tender Notice will be binding upon me/us.
5. I/We understand that you are not bound to accept any Tender Proposal submission which you may receive and that you will not defray any expenses incurred by me/us in the preparation of this Tender Proposal submission.
6. I/We choose domicilium citandi and executandi at

in the Republic of South Africa or Republic of Mozambique.

Yours faithfully

(SIGNATURE) (POSITION)

DATED THIS _____ DAY OF _____ 1996
ON BEHALF OF _____ (block capitals)
ADDRESS _____

(block capitals)

WITNESS _____ NAME _____
(SIGNATURE) (block capitals)

ADDRESS : _____

OCCUPATION : _____



SOCIO-POLITICAL CONTRIBUTIONS AND ECONOMIC UPLIFTMENT
ADDITIONAL CRITERIA FOR SELECTION OF CONTRACTOR
PROPOSED MAPUTO CORRIDOR PROJECT

The Governments of Mozambique and South Africa propose a new framework for public and private governance and development. Your answer to the following questions will serve to determine the tenderer's commitment to the respective Governments aims, and also to guide the tenderer in making proposals to further the aims of the Reconstruction and Development Programme in South Africa and, in a similar vein, to promote social and economic development in Mozambique.

Where the word "firm" is used it shall be deemed to be a company on any other business entity and all its principals and individual members of staff tendering for or acting as contractor on the proposal.

1.0 Democratisation in the Workplace

1.1 What is the policy of the firm on participative structures involving workers and senior management? Give examples where such structures exist, where they do not, state firm's intention. Attach an organizational chart - existing intended - of all such structures and the policy statements.

1.2.1 South African Firms

Has the firm made progress towards equalising/creating opportunities for the previously disadvantaged and for women? If so, give details.

1.2.2 Non South African Firms

(i) How would the firm promote and implement the policies of the respective Governments regarding gender equality? Give details.

(ii) What is the policy of the firm on gender equality? Give details of status women in senior positions within the firm.

1.3 Has there been any judgement in the last three years against the firm in respect of the following and if so, give details and describe the steps taken to avoid a recurrence.

	Yes	No
i) unfair labour practices		
ii) unfair dismissals		
iii) unsafe working conditions		

1.4 Has the firm experienced any labour unrest, strikes or lockouts in the past three years? If so, describe the circumstances in which these occurrences took place and how these matters were handled by the parties concerned.

2.0 **Human Resource Development**

2.1 Describe briefly the firm's commitment to the development of Human Resources.

2.2 Does the firm's personnel policies actively promote race and gender equality and strive to prevent discrimination in the workplace at all levels with respect to :

	Yes	No
i) recruitment?		
ii) training?		
iii) placement and promotion?		

- 2.3 Does the firm's personnel policies actively improve the quality of life of its employees and their dependants through:

	Yes	No
i) providing educational assistance?		
ii) home ownership promotion?		
iii) medical aid and pension provision?		
iv) youth development programmes?		
v) acquisition of shares in the Company?		

- 2.4 Does the firm support any programmes, or have any policies which may contribute to a reduction in social illnesses such as crime, vice, violence and substance abuse? Is so, give details.

- 2.5 Indicate the programmes together with brief details which the firm has to promote the following :

- i various levels of education.
- ii a prorata increase in the labour force vis-à-vis capital.
- iii the transfer of skills (e.g. computer literacy, personnel management, labour relations, bookkeeping) applicable to the toll industry.
- iv the development of entrepreneurial skills

- 2.6 Does the firm have any programmes or policies with respect to the combating of transmittable diseases, such as Tuberculosis, sexually transmitted diseases, etc. If so, give details.

2.7 Does the firm pursue, or intend to pursue any programmes or policies in respect of education concerning better living, such as disease prevention, environmental awareness and family planning? If so, give details.

3.0 **Attending to the Needs of the Workers in Non-management Positions**

3.1 Describe the scope of the firm's involvement in the supply of water, electrification and sanitation to your employees.

3.2 Describe the scope of the firm's involvement in assisting your employees with transportation.

3.3 Describe the scope of the firm's involvement to promote responsible utilisation of environmental resources by both the firm and its employees.

3.4 Does the firm encourage/assist employees to pursue their independent self improvement with schemes such as the provision of company buying orders for building materials, or incentive schemes to encourage high performance on training courses, or any other incentives. If so, give details.

3.5 Would the firm in any way assist staff to improve their housing standards by providing training or advice in certain elementary skills, or by providing short term loans, or transporting of materials, or any other form of assistance? If so, give details.

4.0 Economic Development

- 4.1 To what extent do your general business practices promote job creation?
- 4.2 To what extent do your general business practices promote the creation and development of small, medium and micro enterprises through outsourcing and subcontracting?
- 4.3 Give examples of how you intend to pursue the advancement of low-paid workers into positions where their earning potential within your organisation is increased. (Example: train a cashier to reach supervisor level within three years, or appoint apprentice electricians etc.) If so give details and programme time scales.
- 4.4 Does the firm have any programmes to train internal staff to the point where they may become separate business units or sub-contractors, and if so, what measures will be taken to ensure their viability, continued existence and competitiveness?
- 4.5 Does your organisation promote equity, allocate shares to or share profits with employees in any way? If so, give details.

5.0 General

5.1 Would you subject the representations made in your tender documents regarding your achievements and future plans in regard to this section to an independent review and audit?

5.2 Do you have a department dedicated to the strategic implementation of these policies?

Yes	No

5.3 Do your management evaluation key performance indicators reflect your endorsement of these policies, and how important are these in your job evaluation process?

5.4 To what extent do your general business practices promote sound labour practices and relations?