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CONTENTS • INHOUD

No.

Page
No. Gazette
 No.**BOARD NOTICE**

86	Construction Industry Development Board Act (38/2000): Construction Industry Development Board: Amendments to the Standard for Uniformity in Construction Procurement.....	3	33239
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BOARD NOTICE

NOTICE 86 OF 2010

CONSTRUCTION INDUSTRY DEVELOPMENT BOARD

AMENDMENTS TO THE STANDARD FOR UNIFORMITY IN CONSTRUCTION PROCUREMENT PUBLISHED IN TERMS OF THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT, 2000 (ACT NO. 38 OF 2000)

The Construction Industry Development Board under section 4(f), 5(3)(c) and 5(4)(b) of the Construction Industry Board Act, 2000 (Act No.38 of 2000) ("the Act") read with Regulation 24 of the Construction Industry Development Regulations, issued in terms of section 33 of the Act, hereby amends Standard for Uniformity in Construction Procurement as set out in **Schedule 1**.

The Standard for Uniformity in Construction Procurement was first published in Board Notice 62 of 2004 in Government Gazette No 26427 of 9 June 2004 and was subsequently amended by Board Notice 67 of 2005 in Government Gazette No 27831 of 22 July 2005, Board Notice 99 of 2005 in Government Gazette 28127 of 14 October 2005, Board Notice 94 of 2006 in Government Gazette No. 29138 of 18 August 2006, Board Notice 9 of 2008 in Government Gazette No. 30692 of 1 February 2008 and Board Notice 11 of 2009 in Government Gazette No. 31823 of 30 January 2009 respectively.

These amendments to the Standard for Uniformity in Construction Procurement will:

- (a) include the FIDIC Gold Book for Design, Build and Operate projects in order to provide an alternative approach to certain types of design, build and operate contracts;
- (b) include the NEC3 Term Services Short Contract in order to provide a much needed basic term services contract which can readily be used as a framework agreement in routine maintenance work;
- (c) replace the existing CIDB Supply Contract and the CIDB Supply of Goods (Short) Contract with the recently published NEC3 Supply Contract and the NEC3 Supply Short Contract respectively;
- (d) to replace the GCC 2004 with the updated GCC 2010 edition; and
- (e) clarify which edition of the JBCC contracts should be used in the public sector.



PROF. RAYMOND NKADO
CHAIRPERSON: CONSTRUCTION INDUSTRY DEVELOPMENT BOARD

Schedule 1

AMENDMENTS TO THE STANDARD FOR UNIFORMITY IN CONSTRUCTION PROCUREMENT

Note: The amended Standard for Uniformity in Construction Procurement is available on the cidb website. The amendments to the existing clauses are indicated by underlining the new text and by deleting and putting in brackets [] the deleted text.

Amendment number	Clause	Amendments
1	2.4	Add the following clause as 2.4: 2.4 <u>Conditions of Contract for Design, Build and Operate Projects ("Gold Book") (2008) as published by the International Federation of Consulting Engineers (FIDIC).</u>
2	2.6	Add the following to the existing clause: 2.6 General Conditions of Contract for Construction Works <u>(2010)</u> as published by the South African Institution of Civil Engineering.
3	2.8 and 2.9	Add the following to the existing clause: 2.8 JBCC Series 2000 Principal Building Agreement <u>(Edition 5.0: July 2007)</u> as published by the Joint Building Contracts Committee. 2.9 JBCC Series 2000 Minor Works Agreement <u>(Edition 4.0: August 2007)</u> as published by the Joint Building Contracts Committee.

4	2.14	<p>Add the following clauses:</p> <p><u>2.14 NEC3 Term Services Short Contract as published by the Institution of Civil Engineers</u></p> <p><u>2.15 NEC3 Supply Contract as published by the Institution of Civil Engineers</u></p> <p><u>2.16 NEC3 Supply Short Contract</u></p>
5	2.15 and 2.16	<p>Delete the following clauses:</p> <p>[2.15 Supply of Goods (Short Contract) as published by the Construction Industry Development Board (1020).</p> <p>2.16 The Supply Contract as published by the Construction Industry Development Board (1021)].</p>
6	4.4.4.1 a) ii)	<p>Add the following to the existing clause:</p> <p>a) engineering and construction works contract;</p> <p>ii) Conditions of Contract for Construction, Conditions of Contract for Plant and Design-Build, Conditions of Contract for FIDIC EPC/Turnkey Projects, <u>Conditions of Contract for Design, Build and Operate Projects</u> or Short Form of Contract;</p>
7	4.4.4.1 c) i)	<p>Add the following to the existing clause:</p> <p>(c) services contract (facilities);</p> <p>i) <u>NEC3 Term Services Contract and the NEC3 Term Services Short Contract</u></p>

8	4.4.4.1 d)	<p>Add the following to the existing clause:</p> <p>(d) supply contract; i) <u>CIDB General conditions of purchase or the CIDB Contract for the Supply and Delivery of Goods; or;</u></p> <p>Delete clauses 4.4.4.1.(d) (ii),(iii) and (iv) and replace with the following:</p> <p>ii) CIDB Supply of Goods (Short Contract); iii) CIDB Contract for the Supply and Delivery of Goods. or iv) CIDB The Supply Contract.</p> <p><u>NEC3 Supply Contract or NEC3 Supply Short Contract;</u></p>
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