



TENDER DATA

1.	The Employer is: Thembisile Hani Local Municipality Private Bag X 4041 Empumalanga 0458			
2.	Tender Documents			
	<p>Tendering Procedures Tender notice and invitation to tender Tender data</p> <p>Returnable Documents List of Returnable Documents</p> <p>The Contract Agreements and Contract data Forms of Offer and Acceptance Contract Data</p> <p>Pricing Data Pricing Instruction Bill of Quantities</p> <p>Terms of Reference Terms of Reference</p> <p>Additional Relevant Documents Supply Chain Management Policy</p>			
3.	<p>Interpretation</p> <p>The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.</p>			
4	<p>Communication.</p> <p>The Employer's Representative is;</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 33%; padding: 5px;"> <u>Accounting Officer</u> Mr. D.J.D. Mahlangu Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9100 </td> <td style="width: 33%; padding: 5px;"> <u>Procurement Eng.</u> Supply Chain Unit Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9187 </td> <td style="width: 33%; padding: 5px;"> <u>Technical Enquiries.</u> Amina Aphane Private Bag X 4041 Empumalanga 0458 Tell: 013 986 9168 </td> </tr> </table>	<u>Accounting Officer</u> Mr. D.J.D. Mahlangu Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9100	<u>Procurement Eng.</u> Supply Chain Unit Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9187	<u>Technical Enquiries.</u> Amina Aphane Private Bag X 4041 Empumalanga 0458 Tell: 013 986 9168
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4.1	<p>Attention is drawn to the fact that verbal communication given by the Employer's representative prior to the close of tenders will not be regarded as binding on the employer. Only information issued formally by the employer in writing to the tenders, under the signature of the Accounting Officer will be regarded as amending the tender documents.</p>			
4.2	<p>Eligibility Criteria and Requirements</p> <p>Only those tenderers who complies with these tender requirements will be considered.</p>			



5	<p>The Employer’s right to accept or reject any tender offer</p> <p>The employer has the right not to accept the lowest tender and to accept the whole or part of any tender or not to consider any tender not suitably endorsed is fully reserved by the Thembisile Hani Local Municipality.</p>
6	<p>Tenderer Obligations</p> <p>6.1 The Council retains the right to call for any additional information that it may deem necessary</p> <p>6.2 If tendering as a Joint Venture, Joint venture must be constituted by means of a comprehensive and fair, written agreement between the members, which sets out their obligations, rights, risks and rewards. Joint venture members should share at least the following aspects of the joint venture activities in a meaningful and equitable manner:</p> <ol style="list-style-type: none"> 1. Control 2. Management 3. Operations 4. Risk 5. Profit and Loss <p>6.3 If a Tenderer , or any person employed by him is found to have either directly or indirectly, promised or given to any person in the employment of Council, any commission, gratuity, gift or other consideration, The Council shall have the right to summarily and without recourse to law and without prejudice to any other legal remedy which it may have in regard to any loss and/ or additional costs or expenses, to disqualify the Tender or cancel the Contract without paying any compensation to the aforesaid Tender or Contract.</p> <p>6.4 At the request of the Municipal Manager or his authorised representative from furnishing him with additional information, or with a sample or specimen for testing purposes or otherwise, or from giving a demonstration so as to enable the recommendation to the Council’s responsible Committee on the award of the contract be formulated,</p>
7.	<p>Proof of warrantee</p> <p>None</p>
8	<p>Compensation of tendering</p> <p>The employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the cost of any testing necessary to demonstrate that aspects of the offer satisfy requirements.</p>
9	<p>Check documents</p> <p>The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.</p>
10.1	<p>Confidentiality and Copyright of Documents.</p> <p>Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation</p>



<p>10.2</p>	<p>Clarification Meeting</p> <p>A compulsory clarification meeting is not applicable</p>
<p>10.3</p> <p>10.4</p>	<p>In the case of a Joint Venture a representative of each of the Companies in the Joint Venture partnership should attend the meeting.</p> <p>No individual may represent more than one tenderer at the compulsory briefing session. Non-completion in full of the fields required on the attendance register may lead to automatic disqualification</p>
<p>11</p> <p>11.1</p> <p>11.2</p> <p>11.3</p> <p>11.4</p> <p>11.5</p>	<p>Submitting tender offer:</p> <p>No Tender document will be considered unless submitted on Council's Official Tender Document</p> <p>Return all the returnable documents to the employer after completing them.</p> <p>The employer's address for delivery of tender offers and identification details to be shown on such tender offer package are:</p> <p>Location of tender box: Thembisile Hani Local Municipality Physical address : Stand no 24, Corner Police Station Kwaggafontein C, Empumalanga.</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p> <p>All tender received by the Thembisile Hani Local Municipality will remain in the Municipality's possession until after the stipulated closing date and time.</p> <p>Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered</p>
<p>12.</p> <p>12.1</p> <p>12.2</p>	<p>Closing Time:</p> <p>The time and location for opening of the Tender offers are:</p> <p>Closing Time: 12:00pm Closing Date: 02 November 2023 Location: Thembisile Hani Local Municipality Stand No. 24 Corner Police Station Kwaggafontein C Empumalanga 0458</p> <p>Tenders will be opened in public at the same time.</p> <p>After the opening of the tender proposals, no information relating to the clarification, determination of responsiveness, evaluation and comparison of tender proposals and recommendations concerning the award of the tender shall be disclosed to any other tenderer or persons not concerned with such process until the award of the Tender has been announced by the THLM.</p>
<p>13.</p>	<p>Pricing the tender</p>



	<p>State the rates and prices in Rand</p> <p>NB: Should exchange rates and price fluctuations, bidders affect prices should take forward cover and this be incorporated in the price tendered.</p>								
14.	<p>Alterations to the Tender Documents.</p> <p>No alterations may be made to the tender document issued by the employer.</p> <p>Proposals and any other supporting documents must be attached to the back of this tender document</p>								
15	<p>Alternative tender offer.</p> <p>No alternative tender offers will be considered or accepted</p> <p>Alternative offers may be submitted only if a main tender offer, strictly in accordance with all the requirements of the tender document is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender document with the alternative requirements the tenderer proposes.</p>								
16	<p>Tender Offer Validity</p> <p>The Tender offer validity period is 120 days from the closing date.</p>								
17	<p>Tender clarification after submission</p> <p>A tender may be regarded as non-responsive if the tenderer fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.</p>								
18	<p>Tender evaluation points</p>								
18.1	<p>The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.</p>								
18.2	<p>Preference points for this bid shall be awarded for:</p> <ul style="list-style-type: none"> (a) Price; and (b) Specific Goals. 								
18.3	<p>The maximum points for this bid are allocated as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: center;">POINTS</th> </tr> </thead> <tbody> <tr> <td>PRICE</td> <td style="text-align: center;">80</td> </tr> <tr> <td>SPECIFIC GOALS</td> <td style="text-align: center;">20</td> </tr> <tr> <td>Total points for Price and Specific Goals must not exceed</td> <td style="text-align: center;">100</td> </tr> </tbody> </table>		POINTS	PRICE	80	SPECIFIC GOALS	20	Total points for Price and Specific Goals must not exceed	100
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19.	<p>Evaluation of Tenders</p> <p>The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy of the THLM.</p>								
19.1	<p>The following steps will be followed in evaluation;</p>								



	<ol style="list-style-type: none"> 1. Determination of whether or not tender offers are complete. 2. Determination of whether or not tender offers are responsive. 3. Determination of the reasonableness of tender offers. 4. Confirmation of the eligibility of preferential points claimed by tenderers. 5. Awarding of points for financial offer. 6. Ranking of tenderers according to the total points 7. Performance of risk analysis by checking the credit record of the tenderers 								
19.2	<p>Evaluation Criteria</p> <p>The procedure for the evaluation of responsive Bids will be on the average of the previous three projects where the firm was involved</p> <p>The tenders shall be considered for further evaluation when they score 75 points out of 100 points of the maximum 100 points allocated.</p> <table border="1" data-bbox="277 719 1449 1039"> <thead> <tr> <th colspan="2" style="background-color: #92d050;">Summary of Functionality</th> </tr> </thead> <tbody> <tr> <td>Submission of critical specific documents</td> <td style="text-align: center;">60</td> </tr> <tr> <td>Experience of Firm on similar or comparable projects</td> <td style="text-align: center;">40</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">100</td> </tr> </tbody> </table>	Summary of Functionality		Submission of critical specific documents	60	Experience of Firm on similar or comparable projects	40	Total	100
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	<p>Tenders are adjudicated in terms of THLM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.</p>								
19.3.1	<p>Technical adjudication and General Criteria</p> <ul style="list-style-type: none"> ▪ Tenders will be adjudicated in terms of inter alia: <ul style="list-style-type: none"> ▪ Compliance with Tender conditions ▪ Technical specifications <p>If the Tenderer does not comply with the Tender Conditions, the Tenderer may be rejected. If technical specifications are not met, the Tender may also be rejected.</p> <p>With regard to the above, certain actions or errors are unacceptable and warrants REJECTION OF THE TENDER, for example</p> <ul style="list-style-type: none"> ▪ Pages to be completed, removed from the Tender document, and have therefore not been submitted. ▪ If tender document must be completed in full as required and as stipulated in the tender data. ▪ If any tender document is tempered with or it is unbided or unbundled. ▪ Failure to complete the schedule of quantities as required – only lump sums provided. ▪ Scratching out without initialling next to the amended rates or information. 								



	<ul style="list-style-type: none">▪ Writing over / painting out rates / using correction fluid (without initialising thereof) or use of any erasable ink, e.g. pencil.▪ Failure to attend compulsory site inspections where applicable▪ The Tender has not been properly signed by a party having the authority to do so, according to the Form D – “Authority for Signatory”▪ A Resolution by a Board of Directors of the Company authorizing the Tenderer to sign the Tender document on behalf of the Company. No authority for signatory submitted.▪ Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.▪ The Tenderer’s attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.▪ The Tender has been submitted after the relevant closing date and time▪ Failure to complete and sign Form C1.1 Form of Offer and Acceptance▪ If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.▪ If any Tenderer who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that Tenderer that performance was unsatisfactory.
19.3.2	<p>Size of enterprise and current workload</p> <ul style="list-style-type: none">▪ Evaluation of the Tenderer’s position in terms of:▪ Previous and expected current annual turnover▪ Current contractual obligations▪ Capacity to execute the contract
19.3.3	<p>Staffing profile</p> <p>Evaluation of the Tenderer’s position in terms of:</p> <ul style="list-style-type: none">▪ Staff available for this contract being Tendered for▪ Qualifications and experience of key staff to be utilised on this contract.
19.3.4	<p>Proposed Key Personnel</p> <p>In this part of the tender, the Tenderer shall also supply Curriculum Vitae (CVs) for the Staff available named and working on full time basis for the Tenderer. The CV should follow the normal Professional Format as used by Professional Service Providers.</p> <p>Each CV should give at least the following:</p> <ul style="list-style-type: none">○ Position in the firm and within the organisation of this assignment○ PDI status (describing population group, gender and disabilities)○ Educational qualifications○ Professional Registrations○ Relevant experience (actual duties performed, involvement and responsibility), including



locations, dates and durations of assignments, starting with the latest.

- Language proficiency and
- References (company name, individual name, position held, contact details)

Much importance will be placed on the experience of the staff proposed. The Tender must ensure that, if selected, the nominated staff will be assigned as proposed. Failure to do so may result in the annulment of any acceptance of the Tenders' proposal and/ or Agreement entered into by the Client for the execution of the services

19.3.5 **Previous experience**

The procedure for the evaluation of responsive Bids will be on the average of the **previous three projects** where the firm was involved

The tenderer shall list in the appropriate Forms the appropriate related projects undertaken by the member firms of the tenderer within the last five (5) years.

Evaluation of the Tenderer's position in terms of his previous experience. Emphasis will be placed on the following:

- Experience in the relevant technical field
- Experience of contracts of similar size
- Some or all of the references will be contacted to obtain their input.

19.3.6 The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects.

19.3.7 **Financial ability to execute the contract:**

Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:

- Proof of warrantee
- Contact the Tender's bank manager to assess the Tenderer's financial ability to execute the contract and the Tenderer hereby grants his consent for this purpose.

19.3.8 **Good standing with SA Revenue Services**

- The Tenderer **must affix a valid SARS tax verification PIN Certificate**

19.3.9 If the Tender does **not** meet the requirements contained in the THLM Procurement Policy, and the mentioned framework, it will be rejected by the Council, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation

19.3.10 **Penalties**

The Thembisile Hani Local Municipality will if upon investigation it is found that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, on discretion of the Municipal Manager, one or more of the following penalties will be imposed:



	<ul style="list-style-type: none"> ▪ Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer. ▪ Impose a financial penalty at the discretion of Council ▪ Restrict the contractor, its shareholders and directors on obtaining any business from the Thembisile Hani Local Municipality for a period of 5 years
20	<p>The additional conditions of Tender are:</p> <p>1 Thembisile Hani Local Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.</p> <p>2 The Thembisile Hani Local Municipality reserves the right to appoint a firm of chartered accountants and auditors and / or execute any other financial investigations on the financial resources of any Tenderer. The Tenderer shall provide all reasonable assistance in such investigations.</p>



EVALUATION SCHEDULE: TENDER COMPLIANCE

Tender Compliance by the Contracting Firm

It must be noted that a total of **40 points** must be obtained by the Contracting Firm in relation to the requirements as mentioned on the table below failure which a tender shall be automatically eliminated from any further evaluation.

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Delegation of Authority (Note 01)	A letter of signatory/authority authorizing the nominated person to sign the document	Yes	5	
Completing of bid document (Note 02)	Must initial every page in the tender document, signing the tender document in full	Yes	5	
Company registration (Note 03)	Proof of Company Registration with Company Intellectual Property Registration Office (CIPRO) and proof of shareholding	Yes	5	
Tax Verification Pin (Note 04)	Proof of Tax Registration and Compliance with South African Revenue Service (SARS)	Yes	5	
Municipal Account (Note 05)	A statement of the municipal account or Lease Agreement must be attached.	Yes	5	
COIDA (Note 06)	Letter of good standing with the Compensation Commissioner must be attached	Yes	5	



Bank Rating Letter (Note 7)	A copy of confirmation of a bank financial capacity with a level mentioned on the letter or amount must be attached	Yes	5	
Registration with the Central Supplier's Database (Note 07)	CSD Summary Report not older than one month must be provided	Yes	5	
Total 40 points				

Note 01: Delegation of Authority

In case of a Company, a delegation of Authority signed by the Consulting Firm's Board of Directors nominating a Team Leader as a delegated and authorized Signatory must be attached. In case of a Closed Corporation, a delegation of Authority signed by the Contracting Firm's majority Shareholders nominating a Team Leader as a delegated and authorized Signatory must be attached. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 02: Completing bid document

As stipulated in the tender rules or in addition thereto, a tender document shall be completed in full with all the provided spaces signed, every page initialed accordingly and required documentation attached. Failure which shall warrant an automatic elimination of tender from any further evaluation.

Note 03: Company registration

A proof of company registration in the form of a copy from Company Intellectual Property Registration Office (CIPRO) shall be attached including a copy of a certificate for proof of shareholding. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 04: SARS Verification PIN

Proof of tax registration and compliance with relevant tax legislation in the form of an original tax clearance certificate shall be attached. An attached tax clearance certificate must be original and valid at the time of closing of tenders. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 05: Municipal Account Statement

Attach an original or a copy of a municipal utility account (not older than three (3) months) and the account must not be in arrears for more 90 days of any of the registered Director(s) or Company.



Attach a copy lease agreement along with the utility account of the Landlord, whereby the company is leasing the property its operating from. Failure to attach the municipality utility and or lease agreement shall warrant an automatic elimination of tender from any further evaluation.

Note 06: COIDA

Attach proof of a valid Letter of Good Standing with COIDA issued by the Department of Labour. The attached letter must be valid at the time of closing of tenders. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 07: Bank Rating

A copy of confirmation of a bank financial capacity with a level mentioned on the letter or amount must be attached. Failure to attach the confirmation of a bank financial capacity certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 08: Registration on Central Suppliers Database

Attach a copy of the CSD Summary Report of the company which is not older than one (1) month upon closing date. Failure to attach the report shall warrant an automatic elimination of tender from any further evaluation.



EVALUATION SCHEDULE: FUNCTIONALITY

The bidding company's responsiveness in relation to points is therefore summarized as follows:

Summary of Functionality	
Submission of critical specific documents	60
Experience of Firm on similar or comparable projects	40
Total	100

A firm must obtain a minimum of 75 points out of the 100 points above to be considered for price and evaluation on Specific Goals.

Evaluation Criteria	Description	Elimination Factor	Maximum Points obtainable	Points Claimed
Submission of critical documents pertaining to Project	Manufacturers Certificates (Refer to Note 1 on page 2.11)	Yes	20	
	Warranty Plan (Refer to Note 2 on page 2.11)	Yes	20	
	Breakdown of Service Maintenance (Refer to Note 3 on page 2.11)	Yes	20	
Sub-Total			60	
Company Experience in Similar or Comparable projects (Refer to Note 5 on page 2.11)		Elimination Factor	Maximum Points obtainable	Points Claimed
Number of Trucks, or Earth Moving Equipment Supply Projects Successfully Executed e.g. Water/Sewer Tanker Trucks, Tipper Trucks, other Trucks heavy duty Trucks, Graders, TLB, Rollers, Loader, Excavators, etc.	1	No	20	
	2 - 3	No	30	
	4 and above	No	40	
Sub-Total			40	
Total			100	



C3.2.1. Manufacturers Certificates

The Tenderer shall attach a copy of Manufacturers Certificates. Should this not be attached, the tender shall be regarded as non-responsive and therefore eliminated from further evaluation.

C3.2.2. Warranty Plan

The Tenderer shall attach a copy of Manufacturers' Warranty Plan. Should this not be attached, the tender shall be regarded as non-responsive and therefore eliminated from further evaluation.

C3.2.3. Breakdown of Service Maintenance

The Tenderer shall attach a Breakdown of Service Maintenance. Should this not be attached, the tender shall be regarded as non-responsive and therefore eliminated from further evaluation.

C3.2.4. Company Experience in Similar or Comparable projects

The Tenderer shall attach **for each project** copies of the following two (2) signed documents, failure which, the tender shall be disadvantaged in terms of the allocation of points:

- **Appointment Letter**; and
- **Completion Certificate** or a **letter from the previous Employer** indicating that the project was successfully and duly completed

TOTAL SCORE:/100