TENDER DATA

1.	The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050
2.	Tender Documents
	Tendering Procedures Tender notice and invitation to tender Tender data **Returnable Documents** List of Returnable Documents **The Contract** **Agreements and Contract data** Forms of Offer and Acceptance Contract Data **Pricing Data** Pricing Instruction Bill of Quantities **Terms of Reference** Terms of Reference **Additional Relevant Documents** Supply Chain Management Policy
3.	**Interpretation** 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.
4.	**Communication.** The Employer's Representative is;

Accounting Officer;	**Procurement Enquiries.**	**Technical Enquiries.**
MM Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000 / 2006	Supply Chain Unit **Mr. Sipho Masilela** P.O. Box 437 Middelburg 1050 013 249 2104 / 5 / 6 / 2158	**Mr. Morwape Nchabeleng** P.O. Box 437 Middelburg 1050 Tel : 013 249 2192/2191.

4.1	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.
5	**The Employer's right to accept or reject any tender offer** 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 Nkangala District

	Municipality.
6	**Tenderer Obligations**
6.1	The Council retains the right to call for any additional information that it may deem necessary
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: 1. Control 2. Management 3. Operations 4. Risk 5. Profit and Loss
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.
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,
7.	**Eligibility** In order to be considered for this tender the firm must have completed a project or projects over R500,000.00 in any organ of state (Department/SOE/Municipality/Parastatal)
8	**Compensation of tendering** 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.
9	**Check documents** The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission. **Nkangala District Municipality reserves the right to request the bidder to submit original documents (as detailed in the proposed key personnel of the tender document and but not limited to, company CK document, qualifications of key personnel.**
10.1	**Confidentiality and Copyright of Documents.** 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

	In submitting any information or documentation requested in this tender or any other information that may be requested pursuant to this Tender, you are consenting to the processing by NDM or its stakeholders of your personal information and all other personal information contained therein, as contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable. Thus, you hereby indemnify NDM against any civil or criminal action, administrative fine or other penalty or loss that may arise as a result of the processing of any personal information that you submit.
10.2	**Clarification Meeting** **Compulsory clarification meeting as follows:** **Date : 07 November 2023** **Time : 10h00** **Venue : Nkangala District Municipality Offices, Middelburg, Training Centre**
11	**Submitting tender offer:**
11.1	No Tender document will be considered unless submitted on Council's Official Tender Document
11.2	Return all the returnable documents to the employer after completing them.
11.3	Tenders must be deposited in the tender box clearly marked: **APPOINTMENT OF TWO (2) SERVICE PROVIDERS TO SUPPLY, DELIVER, INSTALL AND COMMISSION TOOLS, MACHINES, MATERIAL AND EQUIPMENT TO SMMES, COOPERATIVES AND NPOSs/NGOs OPERATING WITHIN NKANGALA DISTRICT MUNICIPALITY OVER A PERIOD OF 18 MONTHS.** **Location of tender Box**: Main Entrance Ground floor Nkangala DM Building **Physical Address**: Nkangala District Municipality, 2A Walter Sisulu Street, Middleburg 1050. Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered
11.4	All tender received by the Nkangala District Municipality will remain in the Municipality's possession until after the stipulated closing date and time.
11.5	Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered
12.	**Closing Time:**
12.1	The time and location for opening of the Tender offers are: Closing Time: **12:00** Closing Date: **20 November 2023** Location: **Nkangala District Municipality** **2A Walter Sisulu Street** **Middelburg** **1050**
12.2	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 NDM.

13. Pricing the tender

State the rates and prices in Rand

14. Alterations to the Tender Documents.

No alterations may be made to the tender document issued by the employer.

Proposals and any other supporting documents must be attached to the back of this tender document

15 Alternative tender offer.

No alternative tender offers will be considered or accepted

16 Tender Offer Validity

The Tender offer validity period is **90** days from the closing date.

17 Tender clarification after submission

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.

18 Tender evaluation points

18.1 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.

18.2 Preference points for this bid shall be awarded for:

(a) Price; and
(b) Specific Goals.

18.3 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	**80**
SPECIFIC GOALS	**20**
Total points for Price and Specific Goals	**100**

19. Evaluation of Tenders

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 NDM.

19.1 The following steps will be followed in evaluation;

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 **Evaluation Criteria**

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

20. Tenders are adjudicated in terms of NDM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.

20.1 The Service Provider's tender responsiveness in relation to points is therefore summarized as follows:

Firm's Personnel	**50**
Firm's Infrastructure to Execute the Project	**15**
Firm's Experience	**20**
TOTAL	**85**

FIRM'S PERSONNEL ***(Maximum Points obtainable 50)***

Project Manager / Team Leader:

Name: ……

Qualifications of the Project Leader

Qualifications of the Project Leader		**Elimination Factor**	**Points obtainable**	**Points Claimed**
Possessing Minimum N6	N4 Qualification Administration/Business Management/Marketing/ Development Studies/Economics	Yes	**0**	
	N6 Qualification Administration/Business Management/Marketing/ Development Studies/Economics	No	**5**	
	Diploma Qualification Administration/Business Management/Marketing/ Development Studies/ Economics/Management	No	**7**	
	B-Tech/ Degree Qualification Administration/Business Management/Marketing/ Development Studies/Economics	No	**10**	
Sub-total			**10**	
Total			**10**	

Experience of the Project Leader

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Project Leader Experience in terms number of projects completed	0-1 Projects	Yes	0	
	2 – 3 Projects	No	5	
	4-5	No	10	
	6 and above	No	15	
Sub-Total			**15**	
TOTAL			**15**	

Project Technician:

Name: ……

Qualifications of the Project Technician

Qualifications of the Project Technician		Elimination Factor	Points obtainable	Points Claimed
Possessing Minimum N4	N3 in Mechanical/ Electrical Engineering		Yes	0
	N4 in Mechanical/Electrical Engineering		No	5
	N6 in Mechanical/Electrical Engineering		No	7
	Diploma in Mechanical/Electrical Engineering		No	10
Sub-total				**10**
Total				**10**

NB: Project Technician is required to provide technical expertise to complete projects, works, setting up, operating, testing, maintaining systems, troubleshooting on equipment, machines & tools delivered for SMMEs, Co-operatives, NGO/NPOs.

Experience of the Project Technician

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Project Leader Experience in terms number of projects completed	0-1 Projects	Yes	0	
	2 – 3 Projects	No	5	
	4-5	No	10	
	6 and above	No	15	
Sub-Total			**15**	
TOTAL			**15**	

2. FIRM'S INFRASTRUCTURE TO EXECUTE THE PROJECT

Note: Company's resources to execute the project

Proof of availability of appropriate vehicles, Light Duty Vehicles (LDV) to enable delivery of tools, implements and production inputs (Owned/ Leased/ Intend to Lease Agreement. Originally certified copies of vehicle registration certificates must be attached

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Number of Light Duty Vehicles (LDV) in possession for deliveries	0-1 Vehicles/ Bakkie	Yes	0	
	2 – 3 Vehicles/ Bakkie (Owned)	No	5	
	2-3 Vehicles (Leased/intend to lease)	No	3	
	4-5 LDV (Owned)	No	10	
	4-5 LDV (Leased/intend to lease)	No	8	
	6 and above (Owned)	No	15	
	6 and above (Leased/intend to lease)	No	13	
Sub-Total			**15**	
TOTAL			**15**	

N.B LDV is motor vehicles other than cars, used for the carriage of passengers and/or goods and having a gross vehicle mass not exceeding 3,500 kilograms

3. EXPERIENCE OF FIRM (Maximum Points obtainable 20)

Note: Company's previous completed projects

Provide Evidence of Experience in similar projects in the form of appointment letter/contract, a purchase order and/or delivery notes together with a confirmation letter from a relevant institution signed by the Accounting Officer or Accounting Authority

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Company experience in terms of number projects completed	0-1 Projects	Yes	0	
	2 – 3 Projects	No	10	
	4-5	No	15	
	6 and above	No	20	
Sub-Total			**20**	
TOTAL			**20**	

TOTAL SCORE: _____/85

A FIRM MUST OBTAIN A MINIMUM OF 60 POINTS OUT OF THE 85 POINTS ABOVE TO BE CONSIDERED FOR PRICE AND SPECIFIC GOALS EVALUATION.

20.2 Technical adjudication and General Criteria

- Tenders will be adjudicated in terms of inter alia:
- Compliance with Tender conditions

- Technical specifications

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.

With regard to the above, certain actions or errors are unacceptable and warrants **REJECTION OF THE TENDER**, for example

- A Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS must been submitted.
- Pages to be completed, removed from the Tender document, and have therefore not been submitted.
- If tender document is not fully completed as required and as stipulated in the tender data.
- If any tender document is tempered with or it is unbinded 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.
- Writing over / painting out rates / the use of tippex or any erasable ink, e.g. pencil.
- The Tender has not been properly signed by a party having the authority to do so, according to the **Form E – "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.

20.3 Size of enterprise and current workload

- Evaluation of the Tenderer's position in terms of:
- Previous and expected current annual turnover
- Current contractual obligations
- Capacity to execute the contract

20.4 Proposed Key Personnel

In this part of the tender, the Tenderer shall also supply Curriculum Vitae (CV's) for the Staff available named and working for the Tenderer. The CV should follow the normal Professional Format as used

by Professional Service Providers.

Each CV should give at least the following:

- Position in the firm and within the organisation of this assignment
- PDI status (describing population group, gender and disabilities)
- Educational qualifications
- 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

20.5 Previous experience

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/her previous experience. Emphasis will be placed on the following:

- Experience of contracts of similar size
- Service Provider to attach order or appointment letter from previous experience**.**

20.6 Financial ability to execute the contract:

In order to be considered for this tender the firm must have completed a project or projects over R500,000.00 in any organ of state (Department/SOE/Municipality/Parastatal)

20.7 Good standing with SA Revenue Services

- The Tenderer **must affix A Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS must been submitted.**

20.8 If the Tender does **not** meet the requirements contained in the NDM 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

20.9 Penalties

The Nkangala District 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:

- 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 Nkangala District Municipality for a period of 5 years
21	**The additional conditions of Tender are:** 1. Service providers who has scored the highest points for Price and Specific Goals in terms of the Preferential Procurement Regulations 2022 will be appointed and the maximum number is limited to **one (1).** 2. Nkangala District Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project. 2 The Nkangala District 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.