



APPOINTMENT OF A PANEL OF SERVICE PROVIDER FOR THE
SUPPLY AND DELIVERY OF 500ML BOTTLED WATER FOR
NKANGALA DISTRICT MUNICIPALITY FOR A PERIOD OF THREE
(03) YEARS (AS AND WHEN REQUIRED) RE-ADVERT

TENDER DATA

Clause				
1.	The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050			
2.	<p>Tendering procedures: Tender notice and invitation to tender Tender Data</p> <p>Returnable documents Returnable Schedules required for Tender Evaluation</p> <p>The Contract Agreements and contract data Form of Offer and Acceptance Contract Data</p> <p>Pricing data Pricing instructions Bills 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><tr><td><p><u>Accounting Officer</u></p><p>Mrs MM Skosana P.O. Box 437 Middelburg 1050 013 249 2006</p></td><td><p><u>Procurement Eng.</u></p><p>Mrs AM Motau- Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2104 / 3 / 5 / 6 / 7</p></td><td><p><u>Technical Enquiries</u></p><p>Mr SI Masilela P.O. Box 437 Middelburg 1050 Tel: 013 249 2104/2107</p></td></tr></table>	<p><u>Accounting Officer</u></p> <p>Mrs MM Skosana P.O. Box 437 Middelburg 1050 013 249 2006</p>	<p><u>Procurement Eng.</u></p> <p>Mrs AM Motau- Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2104 / 3 / 5 / 6 / 7</p>	<p><u>Technical Enquiries</u></p> <p>Mr SI Masilela P.O. Box 437 Middelburg 1050 Tel: 013 249 2104/2107</p>
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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.	<p>The Employer's right to accept or reject any tender offer</p> <ul style="list-style-type: none"> 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. The number of recruited companies for this tender will be capped to five companies
6.	Tenderer Obligations
6.1	The Council retains the right to call for any additional information that it may deem necessary.
6.2	<p>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.</p> <p>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
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 to enable the recommendation to the Council's responsible Committee on the award of the contract be formulated
7.	<p>Tender Eligibility</p> <p>Only those bidders who satisfy the following criteria will be considered and eligible to submit tenders:</p> <ul style="list-style-type: none"> Attach proof of the company's South African National Standards (SANS) 241 specification for drinking water quality and/or an agreement between the service provider and SANS Accredited water supplier. Attach the Certificate of Acceptability by Municipal Health Services.



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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> <p>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 for review and certification by its Commissioner of Oath.</p>						
10.	<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>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 because of the processing of any personal information that you submit.</p>						
11.	<p>Clarification Meeting</p> <table border="1"> <tr> <td>Date</td><td>01ST February 2024</td></tr> <tr> <td>Time</td><td>14:00pm</td></tr> <tr> <td>Venue</td><td>Virtual</td></tr> </table>	Date	01ST February 2024	Time	14:00pm	Venue	Virtual
Date	01ST February 2024						
Time	14:00pm						
Venue	Virtual						
12.	Submitting tender offer:						
12.1	No Tender document will be considered unless submitted on Council's Official Tender Document						
12.2	Return all the returnable documents to the employer after completing them as per details on T2.1 below.						
12.3	<p>Tenders must be deposited in the tender box clearly marked:</p> <p>APPOINTMENT OF A PANEL OF SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF 500ML BOTTLED WATER FOR NKANGALA DISTRICT MUNICIPALITY FOR A PERIOD OF THREE (03) YEARS (AS AND WHEN REQUIRED) RE-ADVERT Location of tender Box: Main Entrance Ground floor Nkangala DM Building</p> <p>Physical Address: Nkangala District Municipality, 2A Walter Sisulu Street, Middleburg 1050.</p>						



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13.	Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered.
14.	All tender received by the Nkangala District Municipality will remain in the Municipality's possession as confidential until after the award is made.
15.	Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.
16.	<p>Public Liability Insurance</p> <p>The Employer shall not award a contract to any bidder that does not hold a valid public liability insurance policy cover in amount of R50 000.00 per claim.</p>
17.	Closing Time:
17.1	<p>The time and location for opening of the Tender offers are:</p> <p>Closing Time: 12:00 pm</p> <p>Closing Date: 29 February 2024</p> <p>Location: Nkangala District Municipality Room D22 Ground Floor 2A Walter Sisulu Street Middelburg 1050</p>
17.2	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 bidder or persons not concerned with such process until the award of the Tender has been announced by the NDM.
18	<p>Pricing the tender</p> <p>State the rates and prices in Rand.</p>
19	<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>
20	<p>Alternative tender offer.</p> <p>No alternative tender offers will be considered or accepted.</p>
21	<p>Tender Offer Validity</p> <p>The Tender offer validity period is 90 days from the closing date.</p>
22	<p>Tender clarification after submission</p> <p>A tender may be regarded as non-responsive if the bidder fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.</p>
23	Tender evaluation points



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23.1	The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.								
23.2	<p>Preference points for this bid shall be awarded for:</p> <p>(a) Price; and (b) Specific Goals</p>								
23.4	<p>The maximum points for this bid are allocated as follows:</p> <table border="1"> <tr> <td></td><td>POINTS</td></tr> <tr> <td>PRICE</td><td>80</td></tr> <tr> <td>SPECIFIC GOALS</td><td>20</td></tr> <tr> <td>Total points for Price and Specific Goals</td><td>100</td></tr> </table>		POINTS	PRICE	80	SPECIFIC GOALS	20	Total points for Price and Specific Goals	100
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24.	<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 NDM.</p>								
24.1	<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 bidders. 5. Determination of expertise and experience of bidders. 6. Awarding of points for financial offer. 7. Ranking of bidders according to the total points 8. Performance of risk analysis by checking the capacity of the bidders 								
24.2	<p>Evaluation Criteria</p> <p>The procedure for the evaluation of responsive Bids will be on the average of the previous projects where the firm was involved.</p>								
25.	Tenders are adjudicated in terms of NDM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.								
26.	Evaluation Criteria								
	<p>The Consulting Firm's tender responsiveness in relation to points is therefore summarized as follows:</p> <table> <tr> <td>Accreditation</td><td>30</td></tr> <tr> <td>Experience of Firm</td><td>30</td></tr> <tr> <td>Company's Vehicles</td><td>10</td></tr> <tr> <td align="right">Sub-Total</td><td><u>70</u></td></tr> </table> <p><u>A firm must obtain a minimum of 40 points out of the 70 points above to be considered for</u></p>	Accreditation	30	Experience of Firm	30	Company's Vehicles	10	Sub-Total	<u>70</u>
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price and specific goals.

ACCREDITATION AND CERTIFICATE OF ACCEPTABILITY:

(Maximum Points obtainable 30)

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable	Points Claimed
Proof of company South African National Standards (SANS) 241 specification for drinking water quality and/or an agreement between the service provider and SANS Accredited water supplier(Note 1)		Yes	10	
Certificate of Acceptability (Note 2)		Yes	10	
Proof of valid public liability insurance policy (Note 3)		Yes	10	
Sub-Total			30	
TOTAL			30	

EXPERIENCE OF THE FIRM

(Maximum Points obtainable 30)

The Tenderer must attach copies of Appointment Letters/ Purchase Orders. Points claimed without these requested evidence documents will not be considered.

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Company Experience in terms of Supply and Delivery of bottled water or other similar projects. (Note 4)	1 - 5 Projects	No	10	
	6 -10 Projects	No	20	
	11+ Projects	No	30	
Sub-Total			30	
TOTAL			30	

COMPANY'S VEHICLES

(Maximum Points obtainable 10)

Company's vehicles (Note 5)	Vehicles	Elimination Factor	Owned	Leased	Points Claimed
	1 LDV	No	4	2	



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		2 or more LDVs	No	10	5	
	Sub-Total			10	5	
	TOTAL			10	5	
<p>TOTAL SCORE: _____/70</p> <p>The tenderers that scored a minimum number of 40 points will qualify to be evaluated in terms of the 80/20 preference point systems.</p> <p><u>NOTES</u></p> <p>Note 1: SANAS Accreditation Attach proof of the company's South African National Standards (SANS) 241 specification for drinking water quality and/or an agreement between the service provider and SANS Accredited water supplier. Failure to provide proof of the company's South African National Standards (SANS) 241 specification for drinking water quality and/or an agreement between the service provider and SANS Accredited water supplier, will result in the bidder being regarded as not having minimum prescribed accreditation and will eliminate tender from further evaluation.</p> <p>Note 2: Certificate of acceptability Attach Certificate of Acceptability by Municipal Health Services</p> <p>Note 3: Proof of public liability insurance Attach Proof of valid company's public liability insurance policy cover in amount of R50 000.00 per claim</p> <p>Note 4: Experience of the Firm Provide proof of appointment letters/ Purchase Orders for the Supply and Delivery of bottled water and other similar projects.</p> <p>Note 5: Company's Vehicles A company's vehicles registration documents in the name of the company or the directors with the required listed resources must be attached. In case of leased vehicles, a lease agreement of the vehicles as well as the registration documents must be attached.</p>						
27.	<p>Technical adjudication and General Criteria Tenders will be adjudicated in terms of inter alia:</p> <ul style="list-style-type: none"> i. Compliance with Tender conditions. ii. Technical specifications <p>If the Tenderer does not comply with the Tender Conditions, the Tenderer may be rejected. If</p>					



	<p>technical specifications are not met, the Tender may also be rejected.</p> <p>Regarding the above, certain actions or errors are unacceptable and warrants REJECTION OF THE TENDER, for example.</p> <ul style="list-style-type: none"> • A Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS must be 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. <p>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</p>
28.	<p>Size of enterprise and current workload</p> <p>Evaluation of the Tenderer's position in terms of:</p> <ul style="list-style-type: none"> ▪ Previous and expected current experience of the company. ▪ Current contractual obligations ▪ Capacity to execute the contract
29.	<p>Proposed Key Personnel</p> <p>In this part of the tender, the Bidder shall also supply Curriculum Vitae (CV's) for the Staff available named and working on full time basis for the Bidder. 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>



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	<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) <p>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.</p>
28.	<p>Previous experience</p> <p>The Tenderer shall list in the appropriate Forms the appropriate related projects undertaken by the member firms of the bidder within the last five (5) years.</p> <p>Evaluation of the Tenderer's position in terms of his previous experience. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> ▪ Experience in the relevant technical field ▪ Experience of contracts of similar size
29.	<p>Financial ability to execute the contract:</p> <p>Evaluation of the Tenderer's financial ability to execute the contract will not be considered. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> ▪ Public Liability Insurance of R50 000.00 per claim
30.	<p>Good standing with SA Revenue Services</p> <ul style="list-style-type: none"> ▪ Determine whether an original valid tax clearance certificate has been submitted. ▪ 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.
30.1	<p>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.</p>
31.	<p>Penalties</p> <p>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:</p> <ul style="list-style-type: none"> ▪ Cancel the contract and recover all losses or damages incurred or sustained from the Bidder. ▪ 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



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32.	<p>The additional conditions of Tender are:</p> <ol style="list-style-type: none">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.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.3. 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.
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