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**Postal Address:** P.O. Box 1 | Nqanqarhu | 5480

**Tel:** 045 9328100 | **Fax:** 045 9321094 | **Facebook:** @Elundini Local Municipality | **Twitter:**

@ ElundiniLM | **YouTube Channel:** @Elundini Local Municipality | **Instagram:** @elundini\_lm

**ELUNDINI LOCAL MUNICIPALITY  
TENDER NOTICE AND INVITATION TO TENDER  
RE-ADVERTISEMENTS**

The Elundini Local Municipality is requesting for proposals on the following services:

Project No.	Project Name	Bid Number	Closing Date
1.	Township Establishment on Erven 2014 and 2017 Maclear under Elundini Local Municipality	ELM-6/005/2021-2022	Wednesday, 09 February 2022
2.	Supply and Delivery of Hawke's Stalls	ELM-6/008/2021-2022	Wednesday, 09 February 2022
3.	Strategic Private Partner for investment Facilitation and implementing Agent for Ugie Agro HUB Development	ELM-6/009/2021-2022	Monday, 21 February 2022

The Elundini Local Municipality is looking for one service provider in each of the following service:

1. The specialist in Town planning services with an assembled team from different relevant disciplines to establish a Township with necessary supporting studies and statutory authorizations/approvals, proclaim it as a registered Township on the Provincial Government gazette and preparation of relocation plan prioritizing lower blocks informal settlement dwellers for the period of eleven (11) months.
2. Manufacturing, Delivery and erecting of twelve (12) Hawkers Stalls in Mount Fletcher
3. A two-envelope system will be followed, the Technical Proposal inclusive of all eligibility and functionality requirements on a separate envelope and the Financial Proposal inclusive of proposed professional services fee and the Average Credit Facility in its separate envelope. These envelopes will be submitted at the same time. The Private Partner will be expected within 6 months of appointment, at its own cost, amongst the critical activities, do the following:-
  - Cultivate the Tenants;
  - Development of the Hub infrastructure master plan and business plan;
  - Final funding proposals for National Treasury BFL application and any other /finance development institutions;
  - Develop an incentive policy and any other required policies;
  - Commission other critical studies;
  - Identify all critical pre-establishment/establishment studies and cost there off. The municipality will within the legislation and capacity of the successful bidder utilise the services of the Successful Bidder to conduct critical professional studies needed for the project and in some cases the Municipality and the successful bidder will agree on a cost-sharing method in certain activities that shall be agreed upon prior commencement of such studies or activities. NB: the private partner will be expected to incur some of the projects costs in the same stage.
  - A full report with all evidence, on the above mentioned areas will be submitted to the municipality by end of the financial year.
  - The tender will sign a 30-year lease agreement as approved by the Council
  - The municipality will only pay for the critical studies

Contracts will be based on the National Treasury General Condition of Contracts. The bids will be evaluated on the basis of the Preferential Procurement Policy Framework Act (Act No. 5, 2000), and the regulations pertaining thereto (2017) **PRICE AND B-BBEE:** Price 80, B-BBEE 20

Tender documents may be obtained from the Elundini Local Municipality SCM Unit upon payment of a non-refundable amount of R250 (two hundred and fifty Rand) each document, either paid in cash or by means of electronic funds transfer (EFT) to the Elundini Local Municipality. The cash amount is to be paid at the cashier's office between the hours of 08:00 and 16:00, prior to the collection of the tender documents from the SCM unit. Bidders should note that these two bids were cancelled, therefore all the bidders that bought the tender document are not going to pay again. The tender documents will be available from **Wednesday, 19 January 2022.**

NB: For EFT payment deposit at ELM FNB cheque account No: 62159933772 and use this reference no. 020114350000. Proof of payment to be sent to: [kwaneles@elundini.gov.za](mailto:kwaneles@elundini.gov.za). Upon receiving proof payment, Elundini Municipality will email the tender document to the service providers who are unable to make collections.

**Stage 1 of Evaluation – Eligibility Criteria**

The tenders must certify the following eligibility criteria. Only those tenders that are eligible will have their tenders evaluated.

ELM-6/005/2021-2022		
No	Key Resources / Expert	Minimum qualification category of Registration professionals to the relevant professional bodies
1.	Project Leader	Professional/ Technical Planner with post registration experience of 5 years with The South African Council for Planners (SACPLAN).
2.	Land Surveyor	Professional land surveyor with post registration experience of 3 years with South African Geometrics Council (SAGC) or The South African Council for Professional and Technical Surveyors (PLATO) or The Institute of Professional Land Surveyors.
3.	Environmental Practitioner	Environmental practitioner/ Specialist Registered with the Environmental Assessment Practitioners (EAPSA) or The South African Council for Natural Scientific Professions (SACNASP) or any other regulatory body (Must be compliant).
4.	Geotechnical Engineer / Technologist / Technician	Geotechnical Engineer/ Technologist/ Technician/ Geologist with post registration experience of 3 years with South African Institution of Civil Engineering (SAICE) or Engineering Council of South Africa (ECSA) or The South African Council for Natural Scientific Professions (SACNASP).
5.	Professional Engineer/ Technician/ Technologist (Water Sanitation )	Professional Engineer / Technologist/ Technician with post registration experience of 3 years with South African Institution of Civil Engineering (SAICE) or Engineering Council of South Africa (ECSA).
6.	Professional Engineer /Technician / Technologist (Roads, Storm water, and Transport Infrastructure	Professional Engineer/ Technologist/ Technician with post registration experience of 3 years with South African Institution of Civil Engineering (SAICE) or Engineering Council of South Africa (ECSA).

In the event that one of the key recourse does not meet the eligible criteria, the team will be disqualified

Bidders with non-compliant with the above requirements will be disqualified and not be considered for further evaluation.

**Please Note:** The service provider is expected to provide information on available human resource capacity that will be directly involved in the project, including but not limited to: detailed CV, indicating relevant qualifications and experience list of projects completed as required by this Terms of Reference; full contact details (office, fax and cell phone, and email) Staffing requirements identified on the onset of the project shall remain unchanged for the duration of the project, unless prior written consent has been granted by the and list of projects Municipality.

**Stage 1 of Evaluation – Eligibility Criteria ELM-6/009/2021-2022**

Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders, and to have their tender submissions evaluated:

- The tenderer’s list of registered professionals that are in compliance with the requirements stated below, and that are capable of providing such services listed in the table below:
- Compulsory composition of company/firm’s directors due to the long-term nature of this assignment and its contractual obligations (the first 8 key resource/ expert) required from the directors of the company which the municipality will make partnership with.
- In the event that the key eight expects required are not found in one company registration a registered joint venture it’s required.
- Names of the directors must be provided, assigned to portfolios and presentation of qualification and experience as per the bid specifications.
- The last eight key resources/ Expert (from 8 to16) are eligible to submit the requirements however the expertise can be outsourced (not necessarily obtained from the tender itself).
- The tenderer confirms that it has put in place specifically for the purpose of this tender, professional indemnity insurance cover (which cover is effective from not later than the closing date of this tender)issued by a reputable insurer of an amount of not less than R 5 million in respect of a claim without limit to the number of claims. In the case of a Joint Venture or Consortium, a consolidated or use of a nominated lead party to cover the Joint Venture or Consortium to meet this minimum requirement. Provide proof of Professional Indemnity Insurance to the value specified in the tender data.

In the event that one of the key resources and the information above does not meet the eligible criteria, the tender will be disqualified

Item	Key Resources / Expert	(Returnable) Minimum Qualifications, Category of Professional Registration and Experience	Key Service(s) Discipline
1)	Project/Business Development and investment Management.	Proof of Registration as a Professional Project Management/Investment Planning/Development Facilitation Body. Must be registered with a professional body have experience in the delivery (leadership, planning and implementation) of projects and investments in South Africa. Attach CV & Registration Certificate <b>Regulating bodies: PMISA / IBASA.</b>	Programme Leadership, Management, Development and Investment Facilitation.

2)	Architect.	Proof of Registration as a Professional Architect in terms of the Architectural Professions Act, 2000. Must have at least <b>5 years post-registration</b> experience in the provision of architectural services in the delivery (planning and implementation) of buildings, infrastructure and related works in South Africa. Attach CV& Registration Certificate <b>Regulatory Body: SACAP</b>	Architectural Services.
3)	<b>Professional Engineer</b> (Water, Sanitation and Waste Management Infrastructure).	Proof of Registration as a Professional Engineer or as a Professional Engineering Technologist in terms of the Engineering Professions Act, 2000. Must have at least <b>5 years post-registration</b> experience in the delivery (planning and implementation) of water, sanitation and waste management infrastructure in South Africa. Attach CV & Registration Certificate <b>Regulatory body: ECSA</b>	Civil Engineering Services: (Water, Sanitation and Waste Management
4)	<b>Professional Engineer</b> (Roads, Rail, Storm Water and Transport Infrastructure).	Proof of Registration as a Professional Engineer or as a Professional Engineering Technologist in terms of the Engineering Professions Act, 2000. Must have at least <b>5 years post-registration</b> experience in the delivery (planning and implementation) of roads and transport infrastructure in South Africa. Attach CV& registration certificate <b>Regulatory body: ECSA</b>	Infrastructure Services).
5)	<b>Professional Engineer</b> (Structural).	Proof of Registration as a Professional Engineer or as a Professional Engineering Technologist in terms of the Engineering Professions Act, 2000. Must have at least <b>5 years post-registration</b> experience in the delivery of structural engineering planning and implementation projects. Attach CV& Registration certificate <b>Regulatory body : ECSA</b>	Civil Engineering Services: (Roads, Rail, Storm Water and Transport Infrastructure
6)	<b>Professional Electrical Engineer</b> (Electricity / Energy Infrastructure).	Proof of Registration as a Professional Engineer or as a Professional Engineering Technologist in terms of the Engineering Professions Act, 2000. Must have at least <b>5 years post-registration</b> experience in the delivery (planning and implementation) of electricity / energy infrastructure in South Africa. Attach CV& registration certificate <b>Regulatory body: SAIEE</b>	Services).
7)	Sustainable Development Specialist	<b>NO REGISTRATION OF REGULATORY BODY REQUIRED</b> Master Degree in social policy/public policy/politics/ economics/ development studies/development agriculture/ Natural Science or a related area. Must have <b>at least 5 years' experience</b> within any of the following areas: Review of sustainable production mechanism including agriculture) or policies, Research or review regulatory, technical, or market issues related to sustainability. Identify or create new sustainability indicators. Identify or investigate violations of natural resources, waste management, and recycling, environmental policies. Attach CV& Qualification certificate	Structural Engineering.
8)	Property Law Expert.	Proof of Registration post the qualification for a Bachelors' degree in Law (LLB). Must be registered as an attorney by the Law Society of South Africa. Must have <b>at least 5 years post-registration experience</b> in property law in in South Africa. Attach CV & registration certificate Regulatory body : Law Society	Property Law Expert
9)	Geotechnical Engineer.	Geotechnical Engineering, or in Engineering Geology. Must be registered as a Professional Engineer or Professional Engineering Technologist, or as a Professional Natural Scientist in-terms of the Engineering Professions Act, 2000 or the Natural Scientific Professions Act, 2003. Must have at least <b>5 years post-registration</b> experience in the provision of geotechnical engineering services on civil engineering infrastructure projects in South Africa. Attach CV& registration certificate <b>Regulatory Body: e,g ECSA/ SAICE</b>	Development Policy Research, and Planning, Strategy.
10)	Land Surveyor.	Proof of registration for a Bachelor's degree in Land Surveying plus professional registration as a Professional Land Surveyor in terms of the Professional and Technical Surveyor's Act, 1984. Must have at least <b>5 years post-registration</b> experience in the provision of land surveying services in South Africa. Attach CV& registration certificate <b>Regulatory body: e,g PLATO</b>	Land Surveyor
11)	Town/Urban and Regional Planner.	Proof of registration for a Bachelor's degree in City/Town/Urban and Regional Planning or equivalent plus professional registration as a Technical Planner in terms of the Planning Professions Act, 2003. Must have at least <b>5 years post-registration experience</b> in city/town/urban planning in South Africa. Attach CV& Registration certificate <b>Regulatory body: e,g SACPLAN</b>	With respect to Property e.g. Conveyancing, Registrations,
12)	Financial Analyst / Infrastructure Investment Analyst/ Development Fund Facilitation &	Proof of Registration as a Professional registration as a Chartered Accountant CA (SA), or as a Chartered Financial Analyst (CFA). Must be a member of the Chartered Institute of Public Finance and Accountancy (CIPFA) or similar public-sector professional body. Must have <b>at least 5 years post-registration experience</b> within any of the following areas: Project	Transfers, Sub-divisions, etc.)

	Management and Deal structuring.	Finance, Investment Analysis, Investment Planning, Financial Planning, Financial Analysis, and Municipal Financial Management. Attach CV& registration certificate <b>Regulatory body: e,g SAICA</b>	
13)	Geo-Information Science (GISc) Expert.	Proof of Registration for a Bachelors' Degree in information Science or in Land Surveying. Must be registered as a Professional Geo- Information Science Practitioner PrGISc by the South African Council of Professional and Technical Surveyors established in terms of the Professional Land and Technical Surveyors (PLATO) Act No. 40 of 1984, (or registered by the South African Geometrics Council in terms of the Geometrics Profession Act - Act 19 of 2013), and preferably be a member of the Geo-Information Society of South Africa (GISSA). Must have <b>at least 5 years post- registration experience</b> in the planning and establishment of GIS systems for public or private sector entities in South Africa. Attach CV& registration certificate <b>Regulatory body: SAGC</b>	Geotechnical Engineering Services.
14)	Market and Economic Research Expert.	Proof of Registration for a Bachelor's Degree in Commerce / Marketing/ Economics or equivalent. Should preferably have <b>at least 5 years'</b> post-graduation (working) experience in market research / economic research in the trade / economic development Sector in South Africa. Attach CV& qualification certificate	Land Surveying Services.
15)	Project Manager and Team Leader.	Proof of Registration as a Professional Engineer in terms of the Engineering Professions Act, 2000, or as a Professional Architect in terms of the Architectural Professions Act, 2000. Must have <b>at least 5 years post-registration</b> experience in the delivery (planning and implementation) of buildings, municipal services (water, sanitation, roads, storm water, electricity, etc.) and related physical infrastructure in South Africa. Attach CV <b>Regulatory Body : ECSA SACPCMP/any other Regulatory Body</b>	Town/Urban Planning Services
16	Environmental and Heritage Management Practitioner.	Proof of Registration as a Professional Natural Scientist in terms of the National Scientific Professions Act, 2003. Must have <b>at least 5 years post-education experience of 5 years</b> in the environmental assessments, climate change mitigation, compliance and management aspects of integrated waste and materials management field in South Africa. Attach CV & registration certificate <b>Regulatory body: e.g EAPSA / any other Regulatory Body</b>	Infrastructure Investment Analysis.

#### Stage 2 of Evaluation – Functionality

ELM-6/005/2021-2022		ELM-6/008/2021-2022		ELM-6/009/2021-2022	
Key Resources	Points scored	Description	Points scored	Company/Registered joint venture and Directors	Points scored
Leading Company	30	Experience	40	Company /Registered joint venture	20
Project Leader	30	Methodology	20	Project/Business Development and investment Management.	9
Land Surveyor	10			Architect.	9
Environmental Practitioner	10			Professional Engineer (Water, Sanitation)	9
Geotechnical Engineer /Technologist/Technician	10			Electrical Engineer (Electricity / Energy Infrastructure).	9
Professional Engineer/ Technician/	10			Professional Engineer (Structural).	9

Technologist (Water & Sanitation and)					
Professional Engineer/ Technician / Technologist (Roads, Storm water, and Transport Infrastructure)	10			Professional (Roads, Rail, Storm Water and Transport Infrastructure).	9
Project Plan	10			Property Law Expert	9
				Sustainable Development Specialist	9
				Proposed Methodology and Approach	18
Total Points	120	Total Points	60	Total Points	110

**A minimum score of 70% out of total points must be score in order to proceed to the Financial Evaluation in all of the above bids.**  
**Stage 3 Evaluation – Price and Preferential Points**

The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286:2011 as follows:

$$LC = (1-x/y)*100$$

Where

X is the imported content in Rand

Y is the bid price in Rand excluding value added tax (VAT)

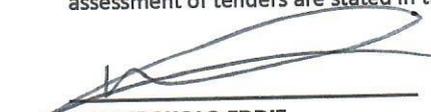
The designated local production with minimum local content thresholds of industries, sectors and sub-sectors for Steel and Galvanised will be 100%. Bidders may apply for exemption through process elucidated on page 26 of the tender documents for these bids: **ELM-6/008/2021-2022**

The scope of work, specification, detailed eligibility criteria and functionality including mandatory documents and bid conditions will be uploaded on ELM Website. [www.elundini.elundini.gov.za](http://www.elundini.elundini.gov.za) and will be also attached in the tender document.

Queries relating to the issue of these documents may be addressed to Ms H. Mdzulwana, Tel No. 045 932 8125 or email: [hlubikazi@elundini.gov.za](mailto:hlubikazi@elundini.gov.za) Technical enquires for both tenders may be addressed to Mr V. Madolo, Tel No. 045 932 8163 or email: [viwem@elundini.gov.za](mailto:viwem@elundini.gov.za)

Completed bid document and CD or Memory-Stick of the whole tender submission converted into PDF format and supporting documentation must to be placed in a sealed envelope endorsed with **RELEVANT PROJECT NAME AND BID NUMBER**: must be delivered to the **Elundini Local Municipality, at No. 1 Seller Street, Nqanqarhu, Finance Department, Cashier's reception area, and placed in the Tender Box not later than 12H00 Noon** on the above mentioned dates for this bid at which time the tenders will be opened in public. Failure to adhere to the above conditions shall deem a bidder non-responsive

Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted. Tenders may only be submitted on the tender documentation that is issued. Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the tender data and tender documents.

  
**NTOMBOXOLO EDDIE**  
**ACTING MUNICIPAL MANAGER**

# Bid Conditions and Information

Town Establishment on Erven 2014 and  
2017 Maclear under ELM

## BID CONDITIONS AND INFORMATION

1. Bidders must adhere to the bid conditions , otherwise the bid will be disqualified.

### 2. Agreement

The successful bidder will be expected to sign the service Level agreement within 30 days of the date of notification by the Elundini Municipality that his/her bid has been accepted.

### 3. Completion of Bid Documents

- a) The original bid document must be completed fully in black ink and signed by the authorised signatory to validate the proposal. All the pages must be initialled by the authorised signatory. Failure to do so may result in the invalidation of the bid.
- b) By initialling and signing the bid document you agree to the terms and conditions of this bid and you understand that the ELM is administered by ELM Supply Chain Management Policy , MFMA Act 56 of 2003 and MFMA SCM Regulations and shall act in accordance with the said legislative prescripts.
- c) Bid documents may not be retyped or altered in any way, Bidder must complete the original issued bid document and original issued returnables .
- d) Tender documents must be completed with non-erasable ink. Any tender document completed with pencil will not be acceptable and shall be disqualified.
- e) Ensure that there are no errors or omissions.
- f) Bids price submitted must include vat where applicable.
- g) Failure to comply with any of the above will result in the invalidation of the bid.

### 4. Alteration or Qualification of Bid

- a) No unauthorised alteration of this set of bid documents will be allowed after the closing date. Any unauthorised alteration will disqualify the proposal automatically. Any ambiguity has to be cleared with contact person for the bid before the closure date.
- b) The submission should be entirely legible. Any changes made to the original text of bid should be crossed through and signed for. DO NOT USE CORRECTION FLUID as this may invalidate your submission

### 5. Signatory

- (a) A copy of the recorded Resolution taken by the Board of Directors, members, partners or trustees authorising the representative to submit this bid on the bidder's behalf must be attached to the Bid Document on submission of same.
- (b) A bid shall be eligible for consideration only if it bears the signature of the bidder or of some person duly and lawfully authorised to sign it for and on behalf of the bidder.

### 6. Submission of Bid

- (a) Completed bid document and CD or Memory-Stick of the whole tender submission converted into PDF format and supporting documentation must to be placed in a sealed envelope endorsed with **RELEVANT PROJECT NAME AND BID NUMBER as well as closing date and time:** must be delivered to the **Elundini Local Municipality, at No. 1 Seller Street, Nqanqarhu, Finance Department, Cashier's reception area, and placed in the Tender Box not later than 12H00 Noon on Wednesday, 09 February 2022** for this bid at which time the tenders will be opened in public. Failure to adhere to the above conditions shall deem a bidder non-responsive.

- (b) Faxed, e-mailed and late bids will not be accepted. Bids may be delivered by hand, by courier, or posted at the bidder's risk and must be received by the deadline specified above, irrespective of how they are sent or delivered.
- c) Clearly mark the back of the envelope with your bidder's name and address.

#### **7. Opening, Recording and Publications of Bids Received.**

- a) Bids will be opened in public immediately after the bid closure date, or at such time as specified in the bid documents. If requested by any bidder present, names of the bidders, and if practical the total amount of each bid and of any alternative bids will be read out loud.
- b) Bids received in time recorded and entered in a register which is open for public inspection.
- c) Late bids will be registered and returned unopened unless the bidder did not clearly specify their address at the back of the envelope.

#### **8. Tax Clearance Certificate , Tax Matters and VAT**

- a) Tender offers will only be accepted if the tenderer provides written proof from SARS that the tenderer either has no Tax obligations or has made arrangements to meet outstanding Tax obligations.
- b) Upon submission of a bid/quote the bidder automatically grants confirmation that SARS may, on an ongoing basis during the contract term disclose the bidders Tax Compliance status to the municipality
- c) Prices must always be VAT inclusive where applicable.

#### **9. Evaluation of Bids**

Bids will be evaluated in terms of their responsiveness to the bid specifications and requirements as well as such additional criteria as set out in the bid document.

#### **10. Acceptance or Rejection of a Bids**

The Elundini Municipality reserves the right to withdraw any invitation to submit a bid and/or to re-advertise or to reject any bid or to accept a part of it. The Elundini Municipality does not bind itself to accepting the lowest bid.

#### **11. Registration on Accredited Supplier Database**

It is expected of all prospective service providers who are not yet registered on the Central Supplier Database to register online ([www.csd.gov.za](http://www.csd.gov.za)) and verify their company information Elundini Municipality Database Department. The Elundini Municipality reserves the right not to award proposals to prospective suppliers who are not registered on the CSD (Central Supplier Database).

#### **12. BBBEE Certificate**

For the proof of B-BBEE status level of contributor the bidder must submit an original or certified copy of a valid verification certificate from a verification agency accredited by SANAS and recognized as an Accredited B-BBEE Verification Agencies ([www.sanas.co.za/afdirectory/bbbee\\_list.php](http://www.sanas.co.za/afdirectory/bbbee_list.php)) or original or certified completed AFFIDAVIT downloaded from [www.thedti.gov.za/economic\\_empowerment/bee\\_codes.jsp](http://www.thedti.gov.za/economic_empowerment/bee_codes.jsp)

#### **13. Tender offers will only be accepted if:-**

- a) the financial offer is market related (See Regulation 6 (9) and section 7 (9) of the 8(9) OF Preferential Procurement Regulation 2017.
- b) the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- c) the tenderer has not:
  - i) abused the Employer's Supply Chain Management System; or
  - ii) failed to perform on any previous contract and has been given a written notice to this effect; and

- iii) the tenderer has completed the Compulsory Declaration and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.

**14. Requirements for the Joint Venture**

- a) J V agreement,
- b) original or certified copy of consolidated BBBEE certificate, and
- c) letter of signatory.

**15. Site / Information Meetings**

None

**16. Procurement Policy**

- a) Bids will be awarded in accordance with the Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act, No 5 of 2000.
- b) The latest General Conditions of Contract and any Special Conditions of Contract will apply
- c) The Elundini Local Municipality Supply Chain Management Policy will apply. This policy is obtainable from Elundini Local Municipality offices in Maclear and is available on ELM Website: [www.elundini.gov.za](http://www.elundini.gov.za)

**17. Expenses Incurred in Preparation of Bid**

The Elundini Municipality shall not be liable for any expenses incurred in the preparation and submission of the bid.

**18. Wrong Information Furnished**

Where a contract has been awarded on the strength of the information furnished by the bidder which, after the conclusion of the relevant agreement, is proved to have been incorrect, the Elundini Municipality may, in addition to any other legal remedy it may have, recover from the contractor all costs, losses or damages incurred or sustained by the Municipality as a result of the award of the contract.

**19. Validity Period**

Bids shall remain valid for **90 days** after the bid closure date.

**20. General and Special Conditions of Contract**

The General Conditions of Contract as well as any Special Conditions of Contract that may form part of this set of bid documents will be applicable to this bid in addition to the conditions of bid.

**21. Municipal Rates, Taxes and Charges**

The bidder to provide their municipal account of rates and taxes of both the Bidding entity and its directors' in its Bid Document submission. Any bidder which is or whose directors are in arrear with their municipal rates and taxes due to any Municipality within South Africa for more than three months and have not made an arrangement for settlement of or same before the bid closure date will be disqualified.

If the bidder is renting the office a Lease Agreement must be attached to the bid document

OR Affidavit from SAPS stating that the bidder is not obliged to pay municipal rates with a letter from a ward councilor is submitted with the tender document.

**22. Contact with Municipality after Bid Closure Date**

Bidders shall not contact the Elundini Municipality on any matter relating to their bid from the time of the opening of the bid to the time the contract is awarded for additional information or amendments of bids. Any effort by the firm to influence the Elundini Municipality in the bid evaluation, bid comparison or contract award decisions may result in the rejection of the bid.

**23. Vetting Of The Supplier/Due diligence**

- Tenderers must furnish the municipality with the details of similar services, which they have satisfactorily completed in the past to allow vetting process. Failure to do so will invalidate the bid.

**SPECIFICATIONS  
& SCHEDULE OF  
QUANTITIES**

# TERMS OF REFERENCE FOR THE PROPOSED TOWNSHIP ESTABLISHMENT ON ERVEN 2014 AND 2017 MACLEAR UNDER ELUNDINI LOCAL MUNICIPALITY

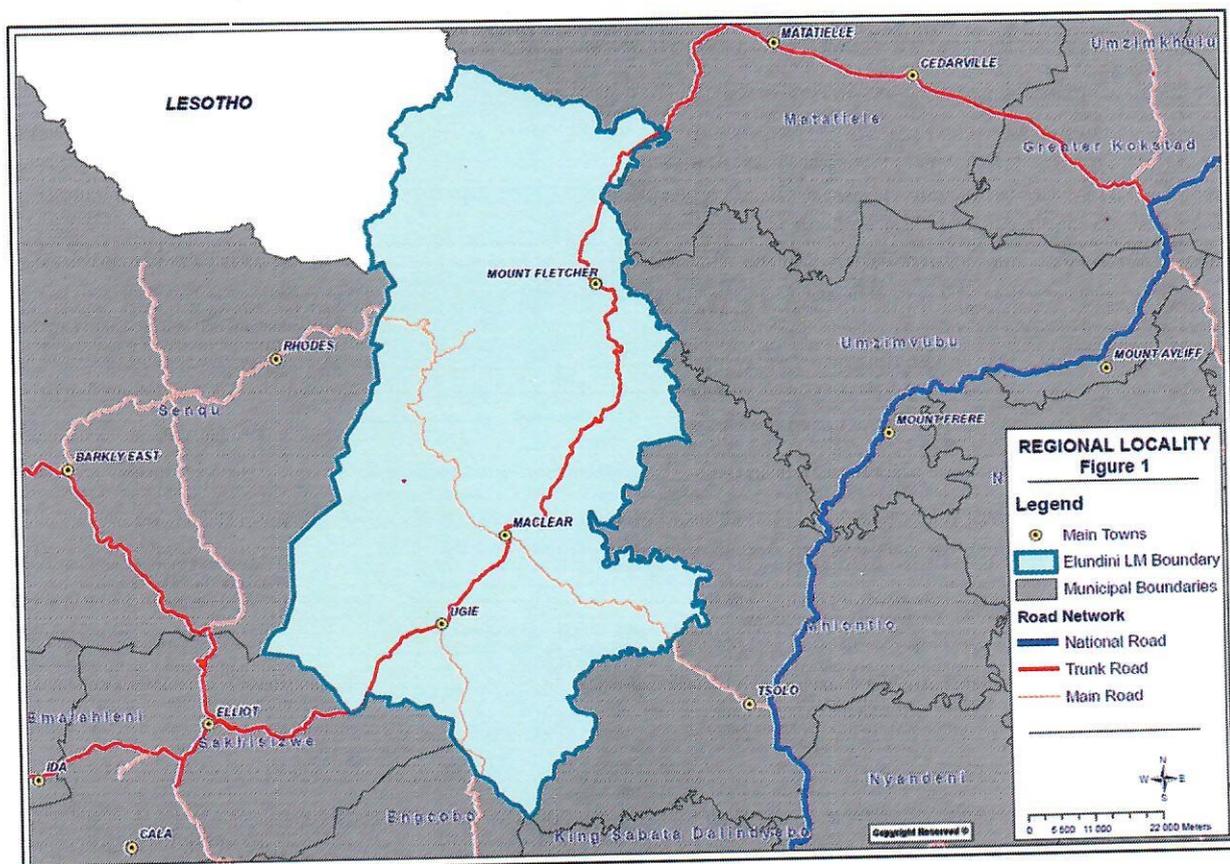
## 1. BACKGROUND AND PURPOSE OF THE PROJECT

The Elundini Municipality is looking for qualified company, specialising in Town planning services with an assembled team from different relevant disciplines. The objective of this project is to establish a Township with necessary supporting studies and statutory authorizations/approvals, proclaim it as a registered Township on the Provincial Government gazette and preparation of relocation plan prioritizing lower blocks informal settlement dwellers. This project is aimed at addressing housing backlog by properly planning for the relocation sites where the informal settlement dwellers can be relocated to.

## 2. PROPERTY DESCRIPTION

PROPERTY DESCRIPTION	PROJECT EXTENT (HA)	ESTIMATED NUMBER OF ERVEN
Erf 2014, Maclear	13.26 Ha	300
Erf 2017, Maclear	24.05 Ha	500

## 3. LOCALITY MAPS:





**Spatial Information**



**Elundini Municipality**

**Legend**

Base Map

General

- ▲ Street Name

Formal Properties

- History
- Registered
  - Registered Erven
  - Registered Farm Portions
  - Registered Streets
- Surveyed
  - Surveyed Erven
  - Surveyed Farm Portions
  - Surveyed Streets

Encumbrances

- Servitudes
- Mineral Rights
- Proclamations

Maps Worked By



Scale 1:7500



Disclaimer: I/We and our staff are not responsible for the quality and accuracy of the data presented on this map.

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#### **4. SCOPE OF WORK**

The proposed Township Establishment on Erven 2014 and 2017 Maclear, though not limited to below, shall include:

- Conducting Basic/Environmental Impact Assessment (if necessary);
- Conducting Geotechnical Assessment;
- Obtaining necessary Authorization in terms of Act 70 of 70 from department of Agriculture.
- Preparation and submission of township establishment application and obtain all necessary comments from relevant Departments in line with provisions of SPLUMA and Elundini Bylaw on Spatial Planning and Land Use Management;
- Drafting of the scheme clauses/maps;
- Compilation of proposed Conditions of Establishment;
- Compilation of a Service Level Agreement (where necessary);
- Obtaining Township Establishment (with conditions of establishment) approval from the relevant authority;
- Proclamation of the Township in the Provincial Government gazette
- Drafting of the new General Plan;
- Submission to the Surveyor-General for approval;
- Proclamation of the Township in the Government gazette
- Pegging of sites in accordance with approved general plan;

#### **5. DELIVERABLES**

In accordance with the relevant standards and procedures for professional practice, and contracted scope of work, the professional service provider will submit and make oral presentation on the following outputs and deliverables:

- Inception Report with communication plan;
- Basic Environmental Assessment Report;
- Geotechnical Report
- Act 70 of 70 authorization
- Approved Township Establishment application;
- Approved conditions of Establishments;
- Scheme clauses & Maps;
- Approved General Plan;

- Proclamation Notice and
- Preparation of relocation plan, prioritizing Lower Blocks Informal Settlements Dwellers

## 6. TIME FRAME

This project should be completed over a period of eleven (11) Months. If the service provider fails to meet the required timeframe without valid reasons put forward in writing, they will be penalized.

## 7. BUDGET

The successful service provider shall compile a detailed breakdown of costs and submit it together with the proposal. Comprehensive pricing and functional competence of the Service Provider will be major considerations in the evaluation of proposals.

## 8. PROJECT MANAGEMENT WITHIN THE MUNICIPALITY

This project will be facilitated by a steering committee that will be established once the appointed service provider has been finalised.

## 9. ELIGIBILITY CRITERIA

The tenders must certify the following eligibility criteria. Only those tenders that are eligible will have their tenders evaluated

No	Key Resources	Minimum Qualification category of Registered professionals to the relevant professional bodies	Key services
1.	Project Leader	Professional/ Technical Planner with post registration experience of 5 years with The South African Council for Planners (SACPLAN).	Project Manager
2.	Land Surveyor	Professional land surveyor with post registration experience of 3 years with South African Geometrics Council (SAGC) or The South African Council for Professional and Technical Surveyors (PLATO) or The Institute of Professional Land Surveyors.	Land surveying services
3.	Environmental Practitioner/ Specialist	Environmental practitioner/ Specialist Registered with the Environmental Assessment Practitioners (EAPSA) or The South African Council for Natural Scientific Professions (SACNASP) or any other regulatory body (Must be compliant).	Environmental Impact Assessment
4.	Geotechnical Engineer / Technologist /Technician/ Geologist	Geotechnical Engineer/ Technologist/ Technician/ Geologist with post registration experience of 3 years with South African Institution of Civil Engineering (SAICE) or Engineering Council of South Africa (ECSA) or The South African Council for Natural Scientific Professions (SACNASP).	Geotechnical Assessment
5.	Professional Engineer/ Technician/ Technologist (Water Sanitation)	Professional Engineer / Technologist/ Technician with post registration experience of 3 years with South African Institution of Civil Engineering (SAICE) or Engineering Council of South Africa (ECSA).	Civil Engineer (Water and Sanitation)
6.	Professional Engineer /Technician / Technologist (Roads, Storm water, and Transport Infrastructure)	Professional Engineer/ Technologist/ Technician with post registration experience of 3 years with South African Institution of Civil Engineering (SAICE) or Engineering Council of South Africa (ECSA).	Civil Engineer (Roads, Storm water, and Transport Infrastructure)

**In the event that one of the key recourse does not meet the eligible criteria, the team will be disqualified**

**Please Note:** The service provider is expected to provide information on available human resource capacity that will be directly involved in the project, including but not limited to: detailed CV, indicating relevant qualifications and experience list of projects completed as required by this Terms of Reference; full contact details (office, fax and cell phone, and email) Staffing requirements identified on the onset of the project shall remain unchanged for the duration of the project, unless prior written consent has been granted by the and list of projects Municipality.

## 10. REPORTING AND ACCOUNTABILITY

During the execution of the project, the service provider must submit regular progress reports and attend meetings at intervals as determined by the project team managing the service provider.

## 11. Stage 2 of Evaluation – Functionality FUNCTIONALITY POINTS AS PART OF THE ASSESSMENT CRITERIA

### Projects completed

Item no.	Key Resources	Minimum Qualification category of Registered professionals to the relevant professional bodies	Points scored
1.	Leading Company	<p>A company specialising in Town Planning services. The company must have experience in Land Use management and Spatial planning (Obtaining Approval for Township Establishment/ Settlement Development projects), The company must provide 3 reference letters/recommendation letter/ letter of completion from the client.</p> <p>3 reference letters/recommendation letter/ letter of completion = 30 points                      2 reference letters/recommendation letter/ letter of completion = 20 points                      1 reference letters/recommendation letter/ letter of completion = 10 points</p>	30
2.	Project Leader	<p>A detailed CV with contactable reference and with list of 5 similar projects (Township establishment projects/ Settlement Development projects).</p> <p>Five(5) and above completed projects = 30 Points                      Three (3) to Four (4) completed projects = 20 Points                      One(1) to Two (2) completed projects = 10 Points</p>	30
3.	Land Surveyor	<p>A detailed CV with contactable reference with the list of 3 similar projects (Producing Township layouts/ general plans/ Subdivision diagrams).</p> <p>Three (3) and above completed projects = 10 Points                      Two (2) completed projects = 5 Points                      One (1) completed project = 3 Points</p>	10
4.	Environmental Practitioner/ Specialist	<p>A detailed CV with contactable reference with List of 3 projects in Environmental Impact Assessment/ Basic impact assessment or scoping has been completed.</p> <p>Three (3) and above completed projects = 10 Points                      Two (2) completed projects = 5 Points                      One (1) completed project = 3 Points</p>	10
5.	Geotechnical Engineer /Technologist/Technician/ Geologist	<p>A detailed CV with contactable references with the list of 3 geological surveys or geotechnical studies being completed.</p> <p>Three (3) and above completed projects = 10 Points                      Two (2) completed projects = 5 Points                      One (1) completed project = 3 Points</p>	10
6.	Professional Engineer/ Technician/ Technologist (Water & Sanitation and)	<p>List of 2 similar projects where planning for water and sanitation has been completed. A Professional Engineer/ Technician/ Technologist must provide a detailed CV with contactable references for the project.</p> <p>Two (2) and above completed projects = 10 Points                      One (1) completed project = 5 Points</p>	10
7.	Professional Engineer/ Technician / Technologist (Roads, Storm water, and	<p>List of 2 similar projects where planning of storm water and roads were completed. A Professional Engineer/ Technician/ Technologist must provide a detailed cv with contactable references.</p> <p>Two (2) and above completed projects = 10 Points                      One (1) completed project = 5 Points</p>	10

	<b>Transport Infrastructure</b>		
<b>8.</b>	<b>Project Plan</b>	A company should develop a project plan for a period of 11 months or less  Good: 10 Points (Gantt chart with activities and within 11 months period) Fair : 5 Points Limited information Poor: 0 Points No clear activities and timeframe	<b>10</b>
<b>Total Points</b>			<b>120</b>

Functionality will be scored out of 120 points and a Bidder must score 70 % in order to proceed to the next stage. Any Bidder that scores less than 70 % in Functionality shall automatically be disqualified

## **12. PRICING SCHEDULE**

<b>ITEM</b>	<b>KEY RESOURCES</b>	<b>HOURLY PROFESSIONAL RATE PER CATEGORY</b>
1.	Project Leader (Town Planner)	
2.	Land Surveyor	
3.	Environmental Specialist	
4.	Geotechnical Engineer / Technologist / Technician	
5.	Professional Engineer/ Technician/ Technologist (Water & Sanitation and)	
6.	Professional Engineer/ Technician / Technologist (Roads, Storm water, and Transport Infrastructure	

## **13. BRIEFING SESSION**

There will be no briefing session.

## **14. TERMS AND CONDITIONS**

- Elundini Local Municipality undertakes to pay the service provider within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- No payment will be made where there is an outstanding information/work by the service provider/s.
- Awarding of the proposal will be subject to the Service provider's express acceptance of the Municipality Supply Chain Management's general contract conditions. The municipality and Service provider will sign a Service Level Agreement upon appointment.
- The service provider should commence with the project within five (5) days after receiving the letter of appointment and the service level agreement signed.
- During the execution of the project, the service provider is required to give reports on the progress of the project. It is the responsibility of the service provider to provide progress report meetings, and have one of their representatives assigned to taking minutes and circulating them to the steering committee members.

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- Any deviation from the project plan should be put in writing and signed by the project manager.
  - Any suggestions during the progress meetings, once accepted by both parties, shall form part of the contract.
  - Payments will be on work-completed basis i.e. on set milestones as per the project plan.
  - When the Municipality accepts the final product, the appointed service provider will be liable to correct errors and fill gaps that may be discovered in the data/ project, at no charge to the Municipality. This condition will apply for a period of Six (6) month from the day the project was completed and submitted to the Municipality.
  - The Municipality reserves the right to terminate the contract in the event that there is clear evidence of non-performance.

## **15. SUBMISSION OF PROPOSALS**

Proposals should be submitted in a sealed envelope clearly marked "Township Establishment: Erven 2014 and 2017 Maclear" and deposited in a tender box at the finance department within 21 days on or before the Wednesday, 09 February 2022 not later than 12H00 to the following address:

Elundini Local Municipality

1 Celler Street

**Nqanqarhu**

5480

- a) Further information regarding technical matters may be sent to the Director: Planning and Economic Development (Mr D.E. Muthelo) via email to: [dakalom@elundini.gov.za](mailto:dakalom@elundini.gov.za) or telephonically on 045 923 8160.
- b) Further information regarding supply chain matters and queries may be sent to the Manager Supply Chain (Hlubikazi Mdzulwana) via email to: [hlubikazi@elundini.gov.za](mailto:hlubikazi@elundini.gov.za) or telephone 045 932 8125.