



## TENDER DATA

1.	The Employer is: Dr JS Moroka Local Municipality Private Bag X4012 Siyabuswa 0472					
2.	Tender Documents					
	<p><b>Tendering Procedures</b> Tender notice and invitation to tender Tender data</p> <p><b>Returnable Documents</b> List of Returnable Documents</p> <p><b>The Contract</b> <b>Agreements and Contract data</b> Forms of Offer and Acceptance Contract Data</p> <p><b>Pricing Data</b> Pricing Instruction Bill of Quantities</p> <p><b>Terms of Reference</b> Terms of Reference</p> <p><b>Additional Relevant Documents</b> Supply Chain Management Policy</p>					
3.	<p><b>Interpretation</b></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><b>Communication.</b></p> <p>The Employer's Representative is;</p> <table><tr><td><p><b><u>Accounting Officer:</u></b> <b>MM Mathebela</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101</p></td><td><p><b><u>Procurement Eng.</u></b> <b>DB Klaas</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101</p></td><td><p><b><u>Technical Enquiries.</u></b> <b>F L L Masombuka</b> Private Bag X 4012 Siyabuswa 0472 Tel : 013 973 1101</p></td></tr></table>			<p><b><u>Accounting Officer:</u></b> <b>MM Mathebela</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101</p>	<p><b><u>Procurement Eng.</u></b> <b>DB Klaas</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101</p>	<p><b><u>Technical Enquiries.</u></b> <b>F L L Masombuka</b> Private Bag X 4012 Siyabuswa 0472 Tel : 013 973 1101</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	<b>Eligibility</b> Tenderers must meet the following criteria: <ul style="list-style-type: none"> <li>Meet the requirements of the evaluation criteria as set on 21.2 and 20.3</li> </ul>
6	<b>The Employer's right to accept or reject any tender offer</b> <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 Dr JS Moroka Local Municipality.</p>
7	<b>Tenderer Obligations</b>
7.1	The Council retains the right to call for any additional information that it may deem necessary
7.2	<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. 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"> <li>Control</li> <li>Management</li> <li>Operations</li> <li>Risk</li> </ol>
7.3	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.
7.4	At the request of the Municipal Manager or her/his authorised representative from furnishing her/his 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,
8	<b>Compensation of tendering</b> <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><b>Check documents</b></p> <p>The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.</p>
10	<p><b>Confidentiality and Copyright of Documents.</b></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>
11	<p><b>Clarification Meeting</b></p> <p>Compulsory Briefing session will be applicable.</p>
12	<p><b>Submitting tender offer:</b></p> <p>12.1 No Tender document will be considered unless submitted on Council's Official Tender Document</p> <p>12.2 Return all the returnable documents to the employer after completing them.</p> <p>12.3 Tenders must be deposited in the tender box clearly marked: <b>CONTRACT NUMBER: JSM-E&amp;M0/01/22-23</b></p> <p><b>Location of tender Box:</b> Main Entrance Reception  <b>Physical Address:</b> DR JS Moroka Local Municipality, 2601/3 Bongimfundo Street, Siyabuswa 0472.</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered.</p> <p>12.4 All tender received by the DR JS Moroka Local Municipality will remain in the Municipality's possession until after the stipulated closing date and time.</p> <p>12.5 Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.</p>



13	<b>Closing Time:</b>
13.1	<p>The time and location for opening of the Tender offers are:</p> <p>Closing Time: <b>11:00</b>  Closing Date: <b>23 February 2023</b>  Location: Dr JS Moroka Local Municipality  2601/3 Bongimfundo Street  Siyabuswa  0472</p>
13.2	<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 DRJSMLM.</p>
14	<p><b>Pricing the tender</b></p> <p>State the rates and prices in Rand</p>
15	<p><b>Alterations to the Tender Documents.</b></p> <p><b>No</b> 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>
16	<p><b>Alternative tender offer.</b></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>
17	<p><b>Tender Offer Validity</b></p> <p>The Tender offer validity period is 90 days from the closing date.</p>
18	<p><b>Tender clarification after submission</b></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>



19	<p><b>Tender evaluation points</b></p> <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> <p>Preference points for this bid shall be awarded for:</p> <ul style="list-style-type: none"><li>(a) Price; and</li><li>(b) B-BBEE Status Level of Contribution.</li></ul> <p>The maximum points for this bid are allocated as follows:</p> <table><tr><th></th><th>POINTS</th></tr><tr><td>Price</td><td>80</td></tr><tr><td>Specific goals as listed below</td><td>20</td></tr><tr><td>Total points for Price and B-BBEE must not exceed</td><td>100</td></tr></table> <p>The specific goals based on the IDP for Dr JS Moroka local municipality are as per following.</p> <ul style="list-style-type: none"><li>a) Empowerment of women</li><li>b) Empowerment of youth</li><li>c) Empowerment of previously disadvantaged through Race.</li><li>d) BBBEE status level of contribution</li><li>e) Empowerment of business established in the municipal jurisdiction.</li></ul> <p>For this tender, specific goals shall be awarded as follows:</p> <ul style="list-style-type: none"><li>a) Empowerment of previously disadvantaged through Race (5 points)</li><li>b) Empowerment of business established in the municipal jurisdiction (5 points)</li><li>c) BBBEE status level of contribution (10 points)</li></ul>		POINTS	Price	80	Specific goals as listed below	20	Total points for Price and B-BBEE must not exceed	100
	POINTS								
Price	80								
Specific goals as listed below	20								
Total points for Price and B-BBEE must not exceed	100								
20	<p><b>Evaluation of Tenders</b></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 DRJSMLM.</p>								



20.1 **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. Determination of expertise and experience of tenderers.
6. Awarding of points for financial offer.

20.2

**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 for DR JS MOROKA LOCAL MUNICIPALITY (DRJSMLM) projects or other clients.

Reference of clients other than DRJSMLM **MUST** be provided.

The Bidders responsiveness in relation to points is therefore summarized as follows:

Personnel	40
Physical and experience of firm	40
Accreditations	20
Sub-Total	<b><u>100</u></b>

**A firm must obtain a minimum of 60 points out of the 100 points above to be considered for price and BBB-EE evaluation/ The functionality points shall be distributed as follows below:**

**Project Director / Team Leader :** *(Maximum Points obtainable 40 )*

**Name of Project Director/Leader.....**

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable	Points Claimed
Academic Qualifications (Note 1)	The project manager should have a BTech, BSc or equivalent qualification in Mechanical Engineering or Electrical Engineering, 3 years' experience and registered with ECSA as professional Technician, Technologist or	Yes	10 points for BTech or BSc 5 points for 3 years' Experience (Cv to be attached)	



	Engineer		5 points for ECSA registration. <b>( 20 Points)</b>	
Academic Qualifications (Note 1)	Project team (a minimum of 3 candidates with 1. Artisan millwright plus 2 years' Experience 2. Artisan Process instrumentation Plus 2 years 'Experience 3. Artisan Fitter and Turner plus 2 years' Experience 4. Artisan Plumber plus 2 years' Experience (CV and Qualification to be attached )	No	5 Points  5 Points  5 points  5 points <b>( 20 Points)</b>	
<b>Sub- total</b>			<b>40</b>	

**Physical workshop and company experience**

**(Maximum Points obtainable 40)**

**COMPANY EXPERIENCE**

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>	<b>Points Claimed</b>
Company experience in comparable projects (repairs and maintenance of pumps, motors, valve. Or maintenance of Water and Wastewater Treatment plants. <b>(appointment letters or Purchase order to be attached )</b>	4 Appointment letters in repairs and maintenance of pumps, valve and motors or Maintenance of water and wastewater treatment plants.	No	5 Point for each Relevant Appointment letter submitted or Purchase order.	
<b>TOTAL</b>			<b>20</b>	



**Address of Physical and other Resources [Physical Address of workshop] :**

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Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable (Own)	Points Claimed
Availability of A workshop( <b>Proof of ownership or Lease Agreement should be attached</b> )	A company must have at least one Registered Service workshop on their Company name or lease agreement where all service and repairs in the project will be carried.	Yes	Owned 20 Lease 10	
<b>Total</b>			<b>20</b>	

**Agreements with Accredited Repair and maintenance companies for Pumps,Motors,Valve and all relevant items on the Bill of Quantities(BOQ) (Maximum points obtained 20)**

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable	Points Claimed
Agreements with accredited supplies and repairs for pumps, Motors and all items on the Bill of Quantities.	Attachment of Agreements or Memorandum of understanding with accredited supplies and repairs for pumps, Motors and all items on the Bill of Quantities.	No	20	
<b>Sub-total</b>			20	
<b>Total</b>			<b>20</b>	

**It must be noted that a minimum of 60 Points must be obtained. If a Bidder fails to obtain a minimum points, a tender shall be eliminated from any further evaluation.**





#### **Note 1: Accreditation Certificates or Agreements**

Agreements with Accredited Repair and maintenance companies for Pumps, Motors, Valve and all relevant items on the Bill of Quantities (BOQ)

#### **Note 2: Employment History (Involvement in comparable company/project leader projects)**

Proof of employment history must be contained in the Curriculum Vitae (CV) and must include references and contact details. The CV must contain only necessary and relevant information for the purpose of this project. Failure to provide this shall warrant an automatic elimination of tender from any further evaluation.

#### **Note 3: Current Employment**

Confirmation of current employment in the form of letter from Supervisor must be attached. In the event a Project Director/Leader is his/her own Supervisor, a letter confirming same must still be attached. The proposed Project Director/Leader shall be a Senior Employee, an Associate, the Director, or a Shareholder and in the direct employ of the Contractor or service firm. A proof or separate written confirmation must be attached to the CV.

20.3

#### **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.

- Copies of Tax Clearance Certificates. (**Only valid tax clearance certificates** must be attached to the Tender document).
- Company registration and CSD
- COIDA
- 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 unbundled 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.
- Failure to attend compulsory briefing meeting.
- 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 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 directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.
- If any municipal rates and taxes or municipal service charges owed by company to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.
- Is there any director whom is restricted by national treasury.

20.4 **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

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

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

20.6 **Good standing with SA Revenue Services**

- Determine whether an original valid tax clearance certificate has been submitted.
- The Tenderer **must affix a valid Tax Clearance Certificate**

20.7 If the Tender does **not** meet the requirements contained in the DRJSMLM 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.



20.8	<p><b>Penalties</b></p> <p>The Dr JS Moroka 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 Administrator, one or more of the following penalties will be imposed:</p> <ul style="list-style-type: none"> <li>▪ Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.</li> <li>▪ Impose a financial penalty at the discretion of Council</li> <li>▪ Restrict the contractor, its shareholders and directors on obtaining any business from the Dr JS Moroka Local Municipality for a period of 5 years</li> </ul>
21	<p><b>Proposals</b></p> <p>21.1 Proposals should be well organized, straight forward, clear and concise. Proposals must respond specifically to the criteria specified in this tender document. Colour: black Font: Aerial: Size 12: Spacing one and half: pages not more than 50 on one side. (excluding appendices)</p> <p>21.2 The Consultant, in his/her proposal, shall state the categories and number of staff and personnel that he considers necessary to perform the services, including the core professional team and support staff. The Consultant shall provide brief descriptions of the responsibilities and duties envisaged for the professional positions of the supervision team. The Consultant shall make a clear distinction between resources required, time allocation and costs for the project.</p> <p>The proposals and all supplementary documents and correspondences shall be drawn up and submitted in English.</p>
22	<p><b>The additional conditions of Tender are:</b></p> <ol style="list-style-type: none"> <li>1. Dr JS Moroka Local Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.</li> <li>2. The Dr JS Moroka 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.</li> </ol>