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**ELUNDINI LOCAL MUNICIPALITY  
TENDER NOTICE AND INVITATION TO TENDER**

**The Elundini Local Municipality is Requesting for Proposals on the following goods and services:**

| PROJECT NAME                                                      | Contract Number     | Technical Enquires contacts                                         |
|-------------------------------------------------------------------|---------------------|---------------------------------------------------------------------|
| Hiring of Yellow Plant and Management of Landfill Site Operations | ELM-5/019/2022-2023 | Ms N. Tshabeni Tel. 045 932 8133<br>E-mail: noluvot@elundini.gov.za |

1. Hiring of yellow plant and assist in the daily operations and management of the land fill sites in Ugie and Tlokoeng for the period of one (1) year.

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, 2022, the Elundini Local Municipality's Supply Chain Management Policy and the 80/ 20 preferential procurement point system for acquisition of goods or services with Rand value equal to or below R50 million will be applied.

**Stage 1 of Evaluation: Test for responsiveness of goods and services are as follows:**  
**Special conditions for this bid**

| Evidence of Quality Criteria                                                         |
|--------------------------------------------------------------------------------------|
| 1. Reference letter of experience in landfill operations                             |
| 2. CV of team leader and organisational structure                                    |
| 3. Team Leader with certificate in Environmental Management or Environmental Science |

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

**Bidder that fail to submit proof of specific goal as stipulated below will not be allocated points**

| Specific Goals                                                      | Proof of specific goal                                                                            |
|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| -EME or QSE which is at least 51% owned by Black people = 20 Points | -Company registration document and valid certified B-BBEE certificate or original sworn affidavit |

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), 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. The tender documents will be available from **Tuesday, 25 April 2023.**

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.

The Tender Data, Detailed breakdown test for responsiveness conditions, scope of work including mandatory documents (eligibility criteria) and bid conditions will be uploaded on ELM Website. [www.elundini.elundini.gov.za](http://www.elundini.elundini.gov.za), National Treasury E-tender portal 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)

A copy of a tender document must be submitted electronically and converted into PDF in a form of Memory stick/USB/CD. (Manual tender document and electronic document must be submitted together)

Tender submission and supporting documentation must to be placed in a sealed envelope endorsed with **RELEVANT PROJECT NAMES AND BID NUMBERS**: 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 Monday, 29 May 2023** at which time the tenders will be opened in public.

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.

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**JACK MDENI**  
**MUNICIPAL MANAGER**

## 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) The bid must be put in a sealed envelope, or envelopes when the two-envelope system is specified, clearly marked with the bid number, title as well as closing date and time and placed in the Tender Box at the Elundini Local Municipality Municipality by not later than 12h00 on Monday, 29 May 2023
- (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 .
- d) A copy of a tender document must be submitted electronically and converted into PDF in a form of Memory stick/USB/CD. (Manual tender document and electronic document must be submitted together)

### 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 2022
- 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, 2022 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.

**Terms of Reference: Hiring of yellow plant and management of landfill site operations for a period one (1) of year**

**1. Project Description**

Hiring of yellow plant and management of landfill site operations for a period one (1) of year

**1 Project Background**

The Hiring of yellow plant will assist in the daily operations and management of the landfill sites. The services are procured because the existing PPP contract for landfill management will lapse at the end of May 2023, as such, the ELM Council resolved to undertake a phase-in approach towards insourcing the function. This service is and should be prioritised as landfill site management should be undertaken within the relevant legal prescripts.

**TERMS OF REFERENCE**

**1. OBJECTIVE**

The main purpose of this engagement is to solicit the proposals from the experienced service providers to assist the Elundini Local Municipality (ELM) with hiring of yellow plant for landfill site operation / management.

**2.** This service provider must provide the ELM with the yellow plant as described in section 2.1 below.

**2.1. Scope of work**

The service provider must provide the following:

| DESCRIPTION                                                                                                                        | SPECIFICATION / Deliverables                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Legislative Requirements / mandate                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Services required from a competent service provider for hiring of yellow plant for the operation and management of landfill sites. | <p>Interested and competent service providers will be expected to:</p> <ul style="list-style-type: none"><li>• Hire out yellow plant for landfill operations and management.</li><li>• Management of landfill site operations</li><li>• Hire out the yellow plant at a wet fuel rate.</li><li>• Own / have access to a low-bed at own cost for the transportation / rotation of yellow plant to and between Ugie and Tlokoeng landfill sites.</li><li>• Yellow plant to be based on each site from 8:00 – 16:30 as per schedule for each site.</li><li>• Have operator/s competent to operate each plant at own cost.</li><li>• Source landfill cover material for covering and compaction of waste in the landfill sites.</li></ul> | <ul style="list-style-type: none"><li>• National Waste Management Act, act 59 of 2008 (NEM: WA)</li><li>• Waste Act regulations.</li><li>• National Environmental Management Act, act 108 of 1998 (NEMA).</li><li>• ECA waste licenses for all landfill sites</li><li>• Any other relevant legislative Framework.</li></ul> |

**GENERAL CONDITIONS**

- The yellow plant will be based / utilised in Ugie landfill and in Tlokoeng the plant will be requested as and when required.
- The appointed service provide will be responsible for all operations / management of the sites, that is, ensure all sites are managed and operated as per licence conditions, including waste disposed/landfilled prior commencement of the contract.
- The bidder must ensure that the yellow plant (all) as requested on the specification is available and quoted for.
- The bulldozer and compactor are recommended to NOT have tyres but must have TRACKS to avoid tyre punctures or damage due to the nature of the operations in the landfill sites.
- Service provider/s to utilise own operator/s for the yellow plant.
- Ensure availability of all the required plant for all landfill sites as per schedule that will be developed for landfill operation and management.
- Service provider/s will be responsible for safety of the plant if parked on municipal premises upon approval (the municipality will not be liable for any damage, vandalism or theft thereof).

#### **PRICING SCHEDULE:**

| Type of plant                                        |  | Plant Rate p/day |  |
|------------------------------------------------------|--|------------------|--|
| Bulldozer with tracks (no tyres preferably)          |  |                  |  |
| Landfill compactor with tracks (no tyres preferably) |  |                  |  |
| Articulated dumping truck (ADT)                      |  |                  |  |
| TLB                                                  |  |                  |  |
| Low-bed (as when required)                           |  |                  |  |
| Total number of plant                                |  | Total p/day      |  |

#### **SPECIAL CONDITIONS:**

Special Conditions: The following are compulsory requirements, failure to provide any, the bidder will be deemed non-responsive

| CRITERIA OF ASSESSMENT                                                                             | EVIDENCE                                                                                                                              |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Preferred service provider/s to have experience in landfill operation or management.               | At least 1 Reference letter which must be signed by the accounting officer of the institution giving evidence of previous performance |
| CV of a Team Leader and Organisational Structure.                                                  | CV's to be submitted                                                                                                                  |
| Team Leader must have a minimum qualification in Environmental Management or Environmental Science | Certificate in Environmental Management or Environmental Science the respective team leader must be submitted.                        |

**Bidder that fail to submit proof of specific goal as stipulated below will not be allocated points**

| Specific Goals                                                      | Proof of specific goal                                                                            |
|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| -EME or QSE which is at least 51% owned by Black people = 20 Points | -Company registration document and valid certified B-BBEE certificate or original sworn affidavit |