



TENDER DATA

1.	The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050			
2.	Tender Documents			
	<p>Tendering Procedures Tender notice and invitation to tender Tender data</p> <p>Returnable Documents List of Returnable Documents</p> <p>The Contract Agreements and Contract data Forms of Offer and Acceptance Contract Data</p> <p>Pricing Data Pricing Instruction Bill 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> MM Skosana P. O. Box 437 Middelburg 1050. Tel : 013 249 2000 / 2006</p></td><td><p><u>Procurement Eng.</u> Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2103/4/5/6/7</p></td><td><p><u>Technical Enquiries.</u> MM Machete P.O. Box 437 Middelburg 1050 Tel : 013 945 9013/2018</p></td></tr></table>	<p><u>Accounting Officer:</u> MM Skosana P. O. Box 437 Middelburg 1050. Tel : 013 249 2000 / 2006</p>	<p><u>Procurement Eng.</u> Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2103/4/5/6/7</p>	<p><u>Technical Enquiries.</u> MM Machete P.O. Box 437 Middelburg 1050 Tel : 013 945 9013/2018</p>
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4.1	<p>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.</p>			



5	<p>The Employer's right to accept or reject any tender offer</p> <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 Nkangala District Municipality.</p>
6	<p>Tenderer Obligations</p> <p>6.1 The Council retains the right to call for any additional information that it may deem necessary</p> <p>6.2 If tendering as a Joint Venture, Joint venture must be constituted by means of a comprehensive and fair, written agreement between the members, which sets out their obligations, rights, risks and rewards.</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. Control2. Management3. Operations4. Risk5. Profit and Loss <p>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.</p> <p>6.4 At the request of the Municipal Manager or his authorised representative from furnishing him with additional information, or with a sample or specimen for testing purposes or otherwise, or from giving a demonstration so as to enable the recommendation to the Council's responsible Committee on the award of the contract be formulated,</p>
7.	<p>Eligibility</p> <p>All registered companies who have similar experience in supply, registration and delivery of vehicles are eligible to submit a bid for this project. Bidders must provide proof of warranty and service plan for the vehicles.</p>
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 qualifications of key personnel, as well as the BBB-EE certificate) for review and certification by its Commissioner of Oath.</p>



10.1	<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 as a result of the processing of any personal information that you submit.</p>
10.2	<p>Clarification Meeting</p> <p>A tender briefing meeting will NOT be held for the project but tender related enquiries will be welcomed up to and until one day before the closing of tenders.</p>
11	<p>Submitting tender offer:</p> <p>11.1 No Tender document will be considered unless submitted on Council's Official Tender Document loaded on the system.</p> <p>11.2 Return all the returnable documents to the employer after completing them.</p> <p>11.3 Tenders must be deposited in the tender box clearly marked: Project No: 101848: Supply, Registration and Delivery of Two Rapid Response Vehicles for Nkangala District Municipality.</p> <p>Location of tender Box: Main Entrance Ground floor Nkangala DM Building Physical Address: Nkangala District Municipality, 2A Walter Sisulu Street, Middleburg 1050. Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p> <p>11.4 All tender received by the Nkangala District Municipality will remain in the Municipality's possession until after the stipulated closing date and time.</p> <p>11.5 Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.</p>
12.	<p>Closing Time:</p> <p>12.1 The time and location for opening of the Tender offers are:</p> <p>Closing Time: 12:00 Closing Date: 18th January 2023 Location: Nkangala District Municipality 2A Walter Sisulu Street Middelburg 1050</p> <p>12.2 After the opening of the tender proposals, no information relating to the clarification, determination of responsiveness, evaluation and comparison of tender proposals and recommendations concerning the</p>



	award of the tender shall be disclosed to any other tenderer or persons not concerned with such process until the award of the Tender has been announced by the NDM.								
13.	Pricing the tender State the rates and prices in Rand								
14.	Alterations to the Tender Documents. No alterations may be made to the tender document issued by the employer. Proposals and any other supporting documents must be attached to the back of this tender document.								
15	Alternative tender offer. No alternative tender offers will be considered or accepted								
16	Tender Offer Validity The Tender offer validity period is 90 days from the closing date.								
17	Tender clarification after submission A tender may be regarded as non-responsive if the tenderer fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.								
18	Tender evaluation points								
18.1	The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.								
18.2	Preference points for this bid shall be awarded for: (a) Price; and (b) B-BBEE Status Level of Contribution.								
18.3	The maximum points for this bid are allocated as follows: <table><tr><td></td><td>POINTS</td></tr><tr><td>PRICE</td><td>80</td></tr><tr><td>B-BBEE STATUS LEVEL OF CONTRIBUTION</td><td>20</td></tr><tr><td>Total points for Price and B-BBEE must not exceed</td><td>100</td></tr></table>		POINTS	PRICE	80	B-BBEE STATUS LEVEL OF CONTRIBUTION	20	Total points for Price and B-BBEE must not exceed	100
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18.4	Local Content Local content is not applicable for this tender								



19.	Evaluation of Tenders The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy of the NDM.																																					
19.1	The following steps will be followed in evaluation; <div><div>1.</div><div>Determination of whether or not tender offers are complete.</div></div> <div><div>2.</div><div>Determination of whether or not tender offers are responsive.</div></div> <div><div>3.</div><div>Determination of the reasonableness of tender offers.</div></div> <div><div>4.</div><div>Confirmation of the eligibility of preferential points claimed by tenderers.</div></div> <div><div>5.</div><div>Awarding of points for financial offer.</div></div> <div><div>6.</div><div>Ranking of tenderers according to the total points</div></div> <div><div>7.</div><div>Performance of risk analysis by checking the credit record of the tenderers</div></div>																																					
19.2	Evaluation Criteria Tenders are adjudicated in terms of NDM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard. The Bidders responsiveness in relation to points is therefore summarized as follows: <div><div>Proof of Warranty</div><div>20</div></div> <div><div>Service and Maintenance Plan</div><div>20</div></div> <div><div>Experience of firm</div><div>30</div></div> <div><div>Sub-Total</div><div>70</div></div> <div>A firm must obtain a minimum of 50 points out of the 70 points above to be considered for price and BBB-EE evaluation</div> <table><tr><th>Evaluation Criteria</th><th>Elimination Factor</th><th>Number of Projects</th><th>Points obtainable</th><th>Points Claimed</th></tr><tr><td>Warranty Plan</td><td>Yes</td><td></td><td>20</td><td></td></tr><tr><td>Service and Maintenance plan</td><td>Yes</td><td></td><td>20</td><td></td></tr><tr><td rowspan="4">Company Experience in Similar or related Projects (Response Vehicles)</td><td>No</td><td>6+</td><td>30</td><td></td></tr><tr><td>No</td><td>4-5</td><td>20</td><td></td></tr><tr><td>No</td><td>2-3</td><td>10</td><td></td></tr><tr><td>Yes</td><td>0-1</td><td>0</td><td></td></tr><tr><td colspan="2">TOTAL POINTS OBTAINED</td><td></td><td>70</td><td></td></tr></table> <div>Note 1: Proof of Warranty Proof of Warranty of the Vehicles offered from the manufacturer attached on of the returnable documents. Note 2: Service and Maintenance Plan A breakdown of the service and maintenance plan of the vehicles not less than 120000 KM or 5 years (whichever comes first) from the manufacturer attached of the chassis offered.</div>	Evaluation Criteria	Elimination Factor	Number of Projects	Points obtainable	Points Claimed	Warranty Plan	Yes		20		Service and Maintenance plan	Yes		20		Company Experience in Similar or related Projects (Response Vehicles)	No	6+	30		No	4-5	20		No	2-3	10		Yes	0-1	0		TOTAL POINTS OBTAINED			70	
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	<p>Note 3: Company Experience in similar projects</p> <p>Proof of company experience in similar projects (Supply, delivery and registration of vehicles). Appointment letters, purchase orders or delivery notes with full project details must be attached, failure to attach will warrant zero points to be allocated.</p>
20.	<p>Technical adjudication and General Criteria</p> <ul style="list-style-type: none">▪ Tenders will be adjudicated in terms of inter alia:▪ Compliance with Tender conditions▪ Technical specifications <p>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.</p> <p>With regard to the above, certain actions or errors are unacceptable and warrants REJECTION OF THE TENDER, for example:</p> <ul style="list-style-type: none">○ Technical adjudication and General Criteria○ Tenders will be adjudicated in terms of inter alia:○ Compliance with Tender conditions○ Technical specifications <p>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.</p> <p>With regard to the above, certain actions or errors are unacceptable and warrants REJECTION OF THE TENDER, for example</p> <ul style="list-style-type: none">• Tax Compliance Status (TCS) must be attached to the Tender document.• Pages to be completed, if removed from the Tender document, and would be deemed to 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 tampered.• 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 site inspections would render the tender non-responsive.• The Tender would be non-responsive if it has not been properly signed by a party having the authority to do so, according to the Form D – “Authority of Signatory”.• A Resolution by a Board of Directors of the Company is requires authorizing the Tenderer to sign the Tender document on behalf of the Company.• Particulars required in respect of the Tender have not been provided, implies non-compliance of Tender requirements and/or specifications.



	<ul style="list-style-type: none"> • The Tenderer's attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract will lead to disqualification. • Disqualification will ensue if 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, automatically disqualifies the tender. • 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 the tenderer is disqualified. • 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 leads to automatic disqualification. <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 annual turnover • Current contractual obligations • Capacity to execute the contract <p>Previous experience</p> <p>The procedure for the evaluation of responsive Bids will be on the previous projects where the firm was involved. The tenderer shall list in the appropriate Forms the appropriate related projects undertaken by firm.</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 • Some or all of the references will be contacted to obtain their input. <p>The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects.</p> <p>Financial ability to execute the contract:</p> <p>Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> • Contact the Tender's bank manager to assess the Tenderer's financial ability to execute the contract and the Tenderer hereby grants his consent for this purpose.
21.	<p>Good standing with SA Revenue Services</p> <ul style="list-style-type: none"> ▪ Determine whether a Tax Compliance Status (TCS) from SARS has been submitted. ▪ The Tenderer must affix the latest CSD report stating the status of the Tax Compliance Status (TCS).



22.	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.
23.	<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 Tenderer.▪ Impose a financial penalty at the discretion of Council <p>Restrict the contractor, its shareholders and directors on obtaining any business from the Nkangala District Municipality for a period of 5 years</p>
24.	<p>The additional conditions of Tender are:</p> <ol style="list-style-type: none">1. Nkangala District Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.2. The Nkangala District Municipality reserves the right to appoint a firm of chartered accountants and auditors and / or execute any other financial investigations on the financial resources of any Tenderer. The Tenderer shall provide all reasonable assistance in such investigations.3. The Nkangala District Municipality may award to more than one service provider per Local Municipality.