



TENDER DATA

1.	<p>The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050</p>			
2.	<p>Tender Documents</p>			
3.	<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 border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 33%; padding: 5px;"> <p><u>Accounting Officer.</u> MM SKOSANA P. O. Box 437 Middelburg 1050. Tel: 013 249 2000</p> </td> <td style="width: 33%; padding: 5px;"> <p><u>Procurement Enquiries.</u> SI Masilela P.O. Box 437 Middelburg 1050 013 249 2107</p> </td> <td style="width: 33%; padding: 5px;"> <p><u>Technical Enquiries</u> NM Motshwene P.O. Box 437 Middelburg 1050 Tel: 013 249 2164/2018</p> </td> </tr> </table>	<p><u>Accounting Officer.</u> MM SKOSANA P. O. Box 437 Middelburg 1050. Tel: 013 249 2000</p>	<p><u>Procurement Enquiries.</u> SI Masilela P.O. Box 437 Middelburg 1050 013 249 2107</p>	<p><u>Technical Enquiries</u> NM Motshwene P.O. Box 437 Middelburg 1050 Tel: 013 249 2164/2018</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. 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>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, failing which the tender shall be automatically disqualified.</p>
10	<p>Confidentiality and Copyright of Documents.</p> <p>Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.</p> <p>In submitting any information or documentation requested in this tender or any other information that may be requested pursuant to this Tender, you are consenting to the processing by NDM, or its stakeholders of your personal information and all other personal information contained therein, as contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). Further, you declare that you have obtained all consent 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>



11	<p>Eligibility</p> <p>Only those bidders who satisfy the following criteria are eligible to submit tenders: CIDB 5SH PE/ HIGHER</p> <p>Responsive tenders are ONLY those tenders with all documents and pages contained herein, that have been signed by the responsible person duly authorised to sign all documents indicated on the returnable document "FORM D Authority of signatory".</p>
12	<p>No Compulsory Site Visit</p> <p>There will be no compulsory briefing for this project.</p>
13	<p>Submitting tender offer:</p> <p>13.1 No Tender document will be considered unless submitted on Council's Official Tender Document</p> <p>13.2 Return all the returnable documents to the employer after completing them.</p> <p>13.3 Tenders must be deposited in the tender box clearly marked: <i>Appointment of a service provider for the routine horticultural and gardening maintenance services for NDM buildings for the period of 36 months</i></p> <p>Location of tender Box: Main Entrance Ground floor Nkangala DM Building Physical Address: Nkangala District Municipality, 2A Walter Sisulu Street, Middleburg 1050.</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p> <p>13.4 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>13.5 Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.</p>
14.	<p>Closing Time</p> <p>The time and location for opening of the Tender offers are:</p> <p>Closing Time: 12h00 Closing Date: 03rd February 2023 Location: Nkangala District Municipality 2A Walter Sisulu Street Middelburg 1050</p>
14.1	<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 NDM.</p>
15	<p>Pricing the tender</p> <p>State the rates and prices in Rand</p>
16	<p>Alterations to the Tender Documents.</p> <p>No alterations may be made to the tender document issued by the employer and the tender document must be completed by handwriting (black pen) and not typed. Proposals and any other supporting documents must be attached to the back of this tender document</p>



17	<p>Alternative tender offer.</p> <p>No alternative tender offers will be considered or accepted</p>								
18	<p>Tender Offer Validity</p> <p>The Tender offer validity period is 120 days from the closing date.</p>								
19	<p>Tender clarification after submission</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>								
20	<p>Tender evaluation points</p> <p>The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 point system shall be applicable.</p> <p>Preference points for this bid shall be awarded for:</p> <p style="margin-left: 40px;">(a) Price; and (b) B-BBEE Status Level of Contribution.</p>								
21	<p>The maximum points for this bid are allocated as follows:</p> <table border="1" data-bbox="185 965 1278 1160"> <thead> <tr> <th></th> <th style="text-align: center;">POINTS</th> </tr> </thead> <tbody> <tr> <td>PRICE</td> <td style="text-align: center;">80</td> </tr> <tr> <td>B-BBEE STATUS LEVEL OF CONTRIBUTION</td> <td style="text-align: center;">20</td> </tr> <tr> <td>Total points for Price and B-BBEE must not exceed</td> <td style="text-align: center;">100</td> </tr> </tbody> </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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22	<p>Evaluation of Tenders</p> <p>The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy of the NDM.</p> <p>22.1 The following steps will be followed in evaluation.</p> <ol style="list-style-type: none"> 1. Determination of whether or not tender offers are complete. 2. Determination of whether or not tender offers are responsive. 3. Determination of the reasonableness of tender offers. 4. Confirmation of the eligibility of preferential points claimed by tenderers. 5. Determination of expertise and experience of tenderers. 6. Awarding of points for financial offer. 7. Ranking of tenderers according to the total points 8. Performance of risk analysis by checking the credit record of the tenderers 								
22.2.1	<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"> ▪ A Valid Tax Compliance Status pin from SARS must be attached to the Tender document. ▪ Pages not duly 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. ▪ 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 ▪ 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 Tenderer’s attempts to influence or has in fact influenced the evaluation and/or awarding of the contract. ▪ Failure to attach required and specified documents ▪ The Tender has been submitted after the relevant closing date and time. ▪ Failure to complete and sign Form C1.1 Form of Offer and Acceptance ▪ If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months. ▪ 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.
22.2.2	<p>Staffing profile</p> <p>Evaluation of the Tenderer’s position in terms of:</p> <ul style="list-style-type: none"> ▪ Staff available for this contract being Tendered for ▪ Qualifications and experience of key staff to be utilised on this contract.
22.2.3	<p>Previous experience</p> <p>The procedure for the evaluation of responsive Bids will be on the minimum number of projects specified in this document, in terms of functionality.</p>
22.2.4	<p>The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects (if applicable).</p>
22.2.5	<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"> ▪ Professional Indemnity not less than R 500 000 per claim.
22.2.6	<p>Good standing with SA Revenue Services</p> <ul style="list-style-type: none"> ▪ Determine whether a valid tax compliance status from SARS PIN has been submitted.



<p>22.2.7</p> <p>22.2.8</p>	<ul style="list-style-type: none"> ▪ The Tenderer must attach a copy of a Valid Tax Compliance Status letter from SARS indicating Tenderer's SARS reference or login number and pin. <p>If the Tender does not meet the requirements contained in the NDM Procurement Policy, and the mentioned framework, it will be rejected by the Council, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.</p> <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 ▪ Restrict the service provider, its shareholders and directors on obtaining any business from the Nkangala District Municipality for a period of 5 years 								
<p>23</p>	<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. 								
<p>24</p>	<p>Local Content</p> <p>Local content is not applicable for this tender</p>								
<p>F.3.11.5</p>	<p>Evaluation Method 4</p> <p>Which entails the balance between financial offer, preferences and Quality and 80/20 points system, will be adopted.</p>								
<p>F.3.11.6</p>	<p>Evaluation Criteria</p> <p>The Legal Firm's tender responsiveness in relation to points is therefore summarized as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Personnel</td> <td style="text-align: right;">50</td> </tr> <tr> <td>Physical resources</td> <td style="text-align: right;">20</td> </tr> <tr> <td>Experience of Firm on similar or comparable projects</td> <td style="text-align: right;">30</td> </tr> <tr> <td style="text-align: right;">TOTAL</td> <td style="text-align: right;">100</td> </tr> </table> <p>Tender Responsiveness</p> <p>Tender responsiveness shall mean tender compliance with all the prescribed key requirements for submission with this tender which are regarded as eliminating factors. Elimination factors include non-compliance with key requirements specified for the following:</p>	Personnel	50	Physical resources	20	Experience of Firm on similar or comparable projects	30	TOTAL	100
Personnel	50								
Physical resources	20								
Experience of Firm on similar or comparable projects	30								
TOTAL	100								



Service Provider _____

Project Director / Team Leader: (Maximum Points obtainable 20)

Name.....

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable	Points Claimed
Academic Qualifications	Diploma in Horticulture or higher	No	4	
Academic Qualifications	Grade 12 Certificate or equivalent qualification	Yes	1	
Sub-total			5	
			Elimination Factor	
Years of experience after qualification	1-3	No	2	
	4-5	No	3	
	6 upwards	No	5	
Sub-Total			5	
Involvement in comparable projects – State number	3 - 5	No	2	
	6 upwards	No	5	
Sub-total			5	
			Elimination Factor	
Current Employment	Full time employed by the Firm	No	5	
Sub-total			5	
Total			20	

Resident Supervisor: (Maximum Points obtainable 20)

Name:.....

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable	Points Claimed
Grade 10/Equivalent Academic Qualification	Grade 10/ standard 8	No	4	
Grade 12/Equivalent Academic Qualification	Grade 12/ standard 10	No	10	
Sub-total			10	
Years of experience after qualification	1 - 2	No	1	
	3 - 4	No	2	
	5 – 6	No	3	
	6 - upwards	No	5	
Sub-total			5	



	Not in full time employment of the firm	yes	0	
Current Employment	Full time employed by the Firm	No	5	
Sub-total			5	
Total			20	

Note: Should the Resident Supervisor be the same as Project Director/Team Leader zero points will be allocated.

Safety officer: (Maximum Points obtainable 10)

Safety officer's Name) :.....				
	Minimum required	Elimination factor	Points obtainable	Points claimed
Safety officer academic qualifications	Occupational health and safety certificate	No	10	
Sub Total	10			
Total	10			

Note: Should the safety officer be the same as Resident Supervisor and Project Director/Team Leader zero points will be allocated

Note 1: Academic Qualifications

Proof of academic qualifications in the form of copies must be attached to all personnel. Foreign qualifications must be accompanied by a certificate from Qualifications Certification Body, namely SAQA (South African Qualifications Authority). Failure to provide this proof of academic qualifications will result in the Personnel being regarded as not having minimum prescribed qualifications, and will eliminate the tender from further evaluation

Note 2: Employment History Involvement in comparable projects

Attached CV for key personnel must clearly indicate experience and number of years in the field. Proof of employment history must be contained in the Curriculum Vitae (CV) and must include references and contact details. The CV must also show full time (current) employment history. The CV must contain only necessary and relevant information for the purpose of this project (not marital status, hobbies, number of children, etc.).

PERSONNEL		
PERSONNEL	TOTAL	SCORES
Project Director/Team Leader	20	
Resident Supervisor X1	20	
Safety officer	10	
TOTAL		50



PHYSICAL AND OTHER RESOURCES

It must be noted that a total points of **20** are obtainable by the Firm in relation to the requirements as mentioned on the table below, assets register is required as evidence or proof of purchase

Evaluation Criteria	Minimum Required		Points obtainable	Points Claimed
	Equipment	Number		
Hardware Resources Note: The firm must attach proof of ownership of LDV vehicle in the form of eNatis certificate in the name of the company or director (s). Proof of ownership of equipment in the form of company's asset register or lease agreement must be attached and failure to do so will result in forfeiting the points	Hedge shear	6	3	
	Handheld blower	6	3	
	750mm Rotary mowers	6	4	
	Edge Cutter	6	5	
	LDV Vehicle	2	5	
Sub-total			20	
Total			20	

EXPERIENCE

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Company experience in terms of (gardening and horticulture maintenance services related) projects completed	1 – 5 Projects	No	5	
	6 – 8 Projects	No	10	
	9 -12 Projects	No	15	
	13+ Projects	No	20	
Sub-Total			20	
Total			20	

TOTAL SCORE: _____/90

The tenderers that scored a minimum number of 60 points will qualify to be evaluated in terms of the 80/20 preference point systems