

PROJECT NAME: APPOINTMENT OF A PANEL OF CONTRACTORS FOR WATER RELATED PROJECTS
FOR A PERIOD OF 36 MONTHS ON AN AS AND WHEN REQUIRED BASIS

T1.2: BID DATA

The Conditions of bid in the Standard Conditions of bid as contained in Annex F of SANS 294 – *Construction Procurement Processes, Methods and Procedures* contains references to the bid Data for details that apply specifically to this bid.

The BID Data shall be read with the Standard Conditions of bid in order to expand on the Bidder's obligations and the Employer's undertakings in administering the bid process in respect of the project under consideration.

The BID Data hereafter shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of bid.

Each item of bid Data given below is cross-referenced to the relevant clause in the standard Conditions of BID.

Clause Number	Tender Data
3.1	<p>The Employer is: Ephraim Mogale Local Municipality</p> <p>The Employer's domicilium citandi et executandi (permanent physical business address) is: 13 Ficus Street MARBLEHALL 0450</p> <p>The Employer's address for communication relating to this project is: P.O.Box 111 MARBLEHALL 0450</p>
3.2	<p>The tender documents issued by the Employer comprise:</p> <p>THE TENDER</p> <p>Part T1 Tendering procedures</p> <p>T1.1 Tender Notice and Invitation to Tender T1.2 Tender Data</p> <p>Part T2 Returnable documents</p> <p>T2.1 List of returnable documents T2.2 Returnable schedules</p> <p>THE CONTRACT</p> <p>Part C1 Agreements and Contract Data</p> <p>C1.1 Form of Offer and Acceptance C1.2 Contract Data C1.3 Form of Guarantee C1.4 CIDB Adjudicator's appointment</p>

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	<p>Part C2 Pricing Data</p> <p>C2.1 Pricing Instructions C2.2 Bill of Quantities</p> <p>Part C3 Scope of Work</p> <p>C3.1 Project Scope of Work C3.2 Tender Drawings</p> <p>Part C4 Site Information</p> <p>C4.1 Extract from Transport Infrastructure Act 2001 (Act No 8 of 2001) C4.2 Locality Plan</p> <p>Part C5 Annexures</p> <p>C5.1 Annex I – Environmental Management Plan C5.2 Annex II – Abstracts of the Mine Health and Safety Act No 29 of 1996 and Amendment Act No 72 of 1997 C5.3 Annex III – Borrow Pit Guarantee C5.4 Annex IV – Health and Safety Specification</p>
3.4	<p>The Employer's Agent is:</p> <p>Contact person: Mr TJ Ramatselela Name: Ephraim Mogale Local Municipality Address: 13 Ficus Street MARBLE HALL 0450 Tel: (013) 261 8400 / 8449 Email: tramatselela@emogalelm.gov.za</p>
3.4	The language for communications is English
4.1.1	<p>Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:</p> <p>Only those tenderers who score the minimum score in respect of the quality criteria stated in 5.11.9 of this Tender Data shall be considered responsive and have their tenders evaluated further.</p> <p>a) CIDB registration</p> <p>The following tenderers who are registered with the CIDB, or are capable of being so registered prior to the evaluation of submissions, are eligible to have their tenders evaluated:</p> <p>(i) Contractors who have a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, for a (insert correct grading) class of construction work; and</p> <p>(ii) Contractors registered as potentially emerging enterprises with the CIDB who are registered in one contractor grading designation lower than that required in terms of (a) above and who satisfy</p>

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	<p>the following criteria:</p> <p>(1) the Employer is satisfied that such a contractor has the potential to develop and qualify to be registered in that higher grade as determined in accordance with the provisions of the <i>CIDB Specification for Social and Economic Deliverables in Construction Works Contracts</i>; and</p>
4.1.1	<p>(2) the Employer agrees to provide the financial, management or other support that is considered appropriate to enable the Contractor to successfully execute that Contract.</p> <p>Joint ventures are eligible to submit Tenders provided that:</p> <p>(1) every member of the joint venture is registered with the CIDB.</p> <p>(2) the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations.</p> <p>b) National Treasury Central Supplier Database</p> <p>Tenderers who are not registered on the National Treasury Central Supplier Database at close of tender, shall submit a copy of their application of registration, with their tender submission. Tenders received from such tenderers who have not submitted proof of their registration within 21 days after the closing date for tender submissions, will not be considered.</p> <p>c) Local content (Form C5)</p> <p>Only locally produced or locally manufactured products and components for construction with a minimum threshold for local content and production as stipulated in Form C5 will be considered.</p> <p>d)Key Personnel</p> <p>In order to be considered for an appointment in terms of this tender, the tenderer must have in its permanent employment key personnel who will be the single point accountability and responsibility for the management of the construction works.</p> <p>Individuals must be identified, and their names listed in Form D3 for each of the key personnel listed below.</p> <p>Where the key personnel are no longer available to undertake the necessary work after the award of the tender, the contractor shall, within a period of 14 working days, replace the key personnel listed in Form D3 with personnel with equivalent competencies, subject to approval by the Employer. Such approval shall not be unreasonably withheld.</p> <p>Tenderers can demonstrate that they will have in their employ during the contract period the necessary personnel satisfying the requirements of the Scope of Work for labor-intensive competencies for management and supervisory personnel.</p> <p>e) financial viability</p> <p>Tenderers who are under business rescue or liquidation.</p>
4.1.2	<p>It is an absolute requirement that the taxes of the successful tenderer <u>must</u> be in order, or that suitable arrangements have been made with the Receiver of Revenue to satisfy them.</p>

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4.1.2	<p>If the Tax Clearance Certificate is found to be incorrect, Ephraim Mogale Local Municipality may, in addition to any other remedy it may have: -</p> <p>Recover from the Contractor all costs, losses or damages incurred or sustained by the State as a result of the award of the contract; and/or</p> <p>Cancel the contract and claim any damages which the State may suffer by having to make less favorable arrangements after such cancellation; and/or</p> <p>Each party to a Consortium / Joint Venture / Sub-Contractors must attach their original Tax Clearance Certificate from the Receiver of Revenue.</p>
4.5.2	<p>Tenderers are hereby earnestly warned that, in terms of section 23(1) of the Roads Ordinance of Transvaal (Ordinance No. 22 of 1957, as amended), it is essential that the owners of property be advised accordingly.</p> <p>Unless the provisions of this section are strictly adhered to, the acquisition of material may be illegal and could result in a claim by the owner, inter alia that the property be restored to its original condition by the Contractor.</p>
4.5.3	<p>Where reference is made to the standard specifications in the contract documents, it shall mean the COLTO Standard Specifications for Road and Bridge Works (1998).</p>
4.6	<p>Failure to apply instructions contained in addenda may render a tenderer's offer non-responsive in terms of Condition of Tender 5.8.</p>
4.7	<p>There will be no compulsory clarification meeting.</p>
4.8	<p>Request clarifications at least 7 working days before closing time.</p>
4.10	<p>Tenderers are required to state the rates and currencies in Rand.</p>
4.11.2	<p><u>Tenders submitted in accordance with these tender documents shall not have any qualifications.</u> Any point of difficulty of interpretation shall be cleared with the Employer's Agent as early as possible before submission of a tender. Should any query be found to be of significance, all tenderers will be informed accordingly by the Employer's Agent as early as possible.</p> <p><u>Tenders shall not be qualified by the conditions of tender of the tender himself.</u></p> <p>Failure to comply with this requirement may cause the tender to become invalid.</p> <p>Should the tenderer, notwithstanding the above, wish to make any amendment or qualification of the tender documents, such amendment or qualification shall be set out explicitly in full details on Form A4. Any qualification or amendment not set out on the prescribed form will not have any force and effect even though it may be contained elsewhere in the tender documents or in the covering letter to the tender. Any qualification or amendment appearing in or to be inferred from a program and submitted with any tender will not have any force and effect unless set out in writing in accordance with the above requirements.</p>
4.12	<p>If a tenderer wishes to submit an alternative tender offer, the tenderer shall in addition to the conforming Tender submit a separate complete set of Tender Documents clearly marked as an "Alternative</p>

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	<p>Tender" in order to distinguish it from the unqualified Tender. The only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements, the details of which may be obtained from the Employer's Agent.</p> <p>Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate if the efficacy of the alternative complies with the Employer's standards and requirements and its principal elements, to take a view on the degree to which the alternative and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.</p> <p>Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the Contract for the tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.</p> <p>The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.</p>
4.13.2	Parts of each tender offer communicated on paper shall be submitted as an original.

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4.13.4	<p>The tenderer is required to submit the following:</p> <p>The tenderer is required to submit the following with his tender</p> <ol style="list-style-type: none"> (1) an original valid Tax Clearance Certificate issued by the South African Revenue Services; and (2) Proof of Contractor Registration drawn from the Construction Industry Development Board website should be attached to Returnable Schedule Form A12. (3) Evidence of registration and proof of good standing with a compensation insurer who is approved by the Department of Labour in terms of Section 80 of the Compensation for Occupational Injuries and Diseases Act (Act No 130 of 1993)(COID). The tenderer is required to disclose all inspections, investigations and their outcomes conducted by the Department of Labour into the conduct of the tenderer at a time during the 36 months preceding the date of this Tender; (4) Proof of Registration in respect of each partner, where a tenderer satisfied the CIDB contractor grading designation requirements through the formation of a joint venture. (5) Submit their Broad-Based Black Economic Empowerment status level certificate or certified copy thereof issued by a registered verification agency in accordance with the Preferential Procurement Policy Framework Act, 2000; Preferential Procurement Regulations, 2017. Joint ventures/consortiums will qualify for preference points, provided that the entity submits the relevant certificate/score card in terms of Preferential Procurement Regulations, 2017. Note that in the case of unincorporated entities, a verified score card must be submitted with the Tender. (6) A tender submitted jointly by two companies shall be accompanied by a copy of the document establishing the joint venture, registered and authenticated by an official who is authorized to witness sworn statements. The document shall clearly state the reason for the amalgamation, its period of validity and the persons who will represent it, how their assets will be legally obligated, and any further information that will explain the functions of the joint venture.
4.13.5	Submit only the signed "Original" Tender offer.
4.13.6	<p>Place and seal the printed and completed tender document in an envelope clearly marked "PROJECT NAME: APPOINTMENT OF A PANEL OF CONTRACTORS FOR WATER RELATED PROJECTS FOR A PERIOD OF 36 MONTHS ON AN AS AND WHEN REQUIRED BASIS" and bearing the Employer's name, the contract number and description, the tender's authorized representative's name, the tender's postal address and contact telephone numbers.</p> <p>Telephonic, facsimile or emailed tender offers will not be accepted.</p>
4.13.7	The Ephraim Mogale Local Municipality is not bound to accept the lowest or any tender and reserves the right to accept the whole or any part of a tender.
4.13 4.15	<p>The Employer's address for the delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: Finance and Infrastructure Building, Marble Hall Physical address: Ephraim Mogale Local Municipality 2 Ficus Street Marble Hall 0450</p> <p>Identification details: Place the signed original tender offer in a package marked:</p>

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	<p>TENDER Number: EPMLM/8/3/522 for the “APPOINTMENT OF A PANEL OF CONTRACTORS FOR WATER RELATED PROJECTS FOR A PERIOD OF 36 MONTHS ON AN AS AND WHEN REQUIRED BASIS</p> <p>Tenders must be submitted during office hours (08:00 to 16:00 hrs.) Monday to Friday at the Employer’s address.</p>
	<p>The closing time for submission of tender offers is 12:00pm on Monday 20 October 2025.</p>
4.16.1	<p>The tender offer validity period is 90 days calculated from the tender closure date.</p>
4.16.2	<p>Where a tenderer, at any time after the opening of his tender offer but prior to entering a contract based on his tender offer:</p> <p>(a) withdraws his tender.</p> <p>(b) gives notice of his inability to execute the contract in terms of his tender; or</p> <p>such a tender shall be barred from tendering on any of the Employer’s future tenders for a period to be determined by the Employer, but not less than six (6) months, from the date of tender closure. The Employer may fully or partly exempt a tenderer from the provisions of this condition if he is of the opinion that the circumstances justify the exemption.</p>
4.18	<p>Any additional information requested under this clause must be provided within 5 working days of the date of request.</p> <p>The tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labor-intensive portion of the Works together with satisfactory evidence that such staff members satisfy the eligibility requirements.</p>
4.19	<p>No access for tests and inspections are required during the tendering period.</p>
4.20	<p>The tenderer must submit to the Employer the names of all management and supervisory staff that will be employed to supervise the labor-intensive portion of the work together with satisfactory evidence that such staff members satisfy the eligibility requirement</p>
	<p>The Employer’s Right to accept or reject any bid offer</p> <p>The Employer is not obliged to accept the lowest or any bid offer.</p>
5.1	<p>The Employer shall respond to clarifications received up to 7 working days before the tender closing time.</p>
5.4	<p>The time and location for the opening of tender offers are:</p> <p>Time: 12:00pm on Monday 20 October 2025</p>
	<p>Location: Ephraim Mogale Local Municipality Infrastructure and Budget and treasury Building 2 Ficus Street Marble Hall 0450</p>

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5.5	The two-envelope system will not be followed for this Tender.															
5.7	In the event of disqualification, the Employer may, at his sole discretion, impose a specified period during which tender offers will not be accepted from the offending tenderer and report same to the CIDB and National Treasury.															
5.11.7	<p>The value of <i>W1</i> is:</p> <ol style="list-style-type: none"> 1) 90 where the financial value, inclusive of VAT, of all responsive tender offers received has a value in excess of R50 000 000,00; or 2) 80 where the financial value, inclusive of VAT, of one or more responsive tender offers has a value that equals or is less than R50 000 000,00. <p>The value of <i>A</i> will be calculated utilizing the following formula: $A=(1-(P-P_m)/P_m)$ Where <i>P</i> is the comparative offer of the tender offer under consideration and <i>P_m</i> is the comparative offer of the most favorable comparative offer</p> <p>In the event that the calculated value is negative, the allocated score shall be 0.</p>															
5.11.8	<p>A maximum of 20 points (80/20) preference points system), may be allocated. Bidder may score preference points based on company ownership. If an organ of state applies ownership as specific goal, the department may advertise the tender with a specific tendering preferential procurement requirement that in order for a tenderer to claim 20 points for specific goals, a tendering company must have the following ownership:</p> <table border="1"> <thead> <tr> <th>The specific goals allocated points in terms of this tender</th> <th>Means of Verification</th> <th>Number of points allocated (80/20 system) (To be completed by the organ of state)</th> </tr> </thead> <tbody> <tr> <td>Atleast 51% Black ownership</td> <td>Identification documents / CSD Report / CIPC Certificate</td> <td>10</td> </tr> <tr> <td>Atleast 51% Women Ownership</td> <td>Identification document / CSD Report / CIPC Certificate</td> <td>5</td> </tr> <tr> <td>Atleast 51% People with Disability</td> <td>Medical Report indicating disability</td> <td>3</td> </tr> <tr> <td>Atleast 51% Youth ownership (18 to 35 Years of age)</td> <td>Identification document / CSD Report / CIPC Certificate</td> <td>2</td> </tr> </tbody> </table>	The specific goals allocated points in terms of this tender	Means of Verification	Number of points allocated (80/20 system) (To be completed by the organ of state)	Atleast 51% Black ownership	Identification documents / CSD Report / CIPC Certificate	10	Atleast 51% Women Ownership	Identification document / CSD Report / CIPC Certificate	5	Atleast 51% People with Disability	Medical Report indicating disability	3	Atleast 51% Youth ownership (18 to 35 Years of age)	Identification document / CSD Report / CIPC Certificate	2
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5.11.9	<p>Evaluation OF TENDER OFFERS</p> <p>Evaluation of bid Offers</p> <p>Bidders will be evaluated on quality, price and preference. It is important that the relevant information</p>															

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	<p>is included to enable the Technical Proposal to be evaluated in accordance with the procedure outlined below. All information must be submitted in a separate file. Tampering with the original Bid document will render the Bid non-responsive. Failure to comply with the above requirements will result in the Bid being disqualified. The Bid evaluation will be conducted as follows:</p> <p>(a) Compliance with Bid Conditions and other Requirements</p> <p>The Bid will be checked to ensure that they comply with the Bid Conditions and all other requirements of the project document. In particular, the following documentation must be completed, signed and included in the Bid:</p> <ul style="list-style-type: none"> a) Form A – Certificate of attendance at site inspection, to be signed in the Bid document or Signature onsite inspection attendance register. b) Form B – Certificate of Authority for Signature. For JV's a JV Agreement shall be provided (if applicable) c) Form F – Record of addenda to Bid documents. d) Form I – Certificate of non- collusive Bid e) Form J – Compliance with Occupational Health and Safety Act f) Form L – Compulsory enterprise questionnaire. g) Form Q – Declaration of good standing regarding tax h) Form N – Financial details, statements and bank references. i) Form U– Declaration of bidder's past supply chain management practices. j) Form R – Declaration of interest k) Form W – Construction industries development board registration. l) Form C1.1 – Form of Offer and Acceptance m) Contract Data Section 2: Data provided by the contractor <p>Failure to comply with the Bid Conditions or to supply the necessary information at Bid closure WILL result in the Bid being rejected. Non submission of any of the forms listed above will result in the Bid being rejected as non-responsive.</p> <p>(b) Second Stage in Evaluation: Quality or Functionality: Points System</p> <p>It is important that the Bidder provides information as requested as this information will be used for functionality in which a minimum of 70 points must be scored to move to the next stage of evaluation.</p> <table border="1" data-bbox="272 1559 1422 1758"> <thead> <tr> <th></th> <th>TARGETED GOALS:</th> <th>POINTS</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Points for functionality</td> <td>Company's Experience</td> <td>40</td> </tr> <tr> <td>Specific Personnel Knowledge</td> <td>25</td> </tr> <tr> <td>Financial status</td> <td>05</td> </tr> <tr> <td>Plant & equipment</td> <td>10</td> </tr> </tbody> </table>		TARGETED GOALS:	POINTS	Points for functionality	Company's Experience	40	Specific Personnel Knowledge	25	Financial status	05	Plant & equipment	10
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	<p>FUNCTIONALITY FOR CIDB GRADING 3</p> <table border="1" data-bbox="280 461 1517 2065"> <thead> <tr> <th colspan="3" data-bbox="280 461 1347 524">Functionality for Contractor</th> <th data-bbox="1347 461 1517 524">Points Allocation</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="280 524 1347 586">Company Experience for Construction Service in Water projects</td> <td data-bbox="1347 524 1517 1055" rowspan="6">40</td> </tr> <tr> <td data-bbox="392 586 472 649">No.</td> <td data-bbox="472 586 1043 649">List reference with details</td> <td data-bbox="1043 586 1347 649">Maximum points (40)</td> </tr> <tr> <td data-bbox="392 649 472 712">1.</td> <td data-bbox="472 649 1043 712">Completed projects with value of R2m to R3.0m</td> <td data-bbox="1043 649 1347 712">10 points each project</td> </tr> <tr> <td data-bbox="392 712 472 745">2.</td> <td data-bbox="472 712 1043 745">Completed projects with value of R1m to R2m</td> <td data-bbox="1043 712 1347 745">8 points each project</td> </tr> <tr> <td data-bbox="392 745 472 808">3.</td> <td data-bbox="472 745 1043 808">Completed projects with value of R1m to R0.5m</td> <td data-bbox="1043 745 1347 808">6 points each project</td> </tr> <tr> <td data-bbox="392 808 472 871">4.</td> <td data-bbox="472 808 1043 871">Completed projects with value of less than R0.5m</td> <td data-bbox="1043 808 1347 871">2 points each project</td> </tr> <tr> <td colspan="3" data-bbox="280 871 1347 1055"> <p>[attach Appointment Letters and Completion Certificates] The tenderer to attach 4 largest appointment letters & their respective completion certificates. 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PROJECT NAME: APPOINTMENT OF A PANEL OF CONTRACTORS FOR WATER RELATED PROJECTS FOR A PERIOD OF 36 MONTHS ON AN AS AND WHEN REQUIRED BASIS

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5.13	<p>In addition to the requirements of the Condition of Tender, offers will only be accepted if:</p> <ul style="list-style-type: none"> • The tenderer has in his or her possession an original valid Tax Clearance Certificate issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations; • The tenderer is registered with the Construction Industry Development Board with an appropriate contractor grading designation. • The tenderer or any of its directors 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. • The tenderer has not abused the Employer's supply chain management system; • The tenderer has not failed to perform on any previous contract and has not been given a written notice to this effect; • The tenderer is registered on the National Treasury Central Supplier Database; • The tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tender's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process.
5.17	The number of paper copies of the signed contract to be provided by the Employer is 1.
5.19	All requests shall be in writing.
ADDITIONAL CONDITIONS OF TENDER CLAUSES:	
3.7	<p>Jurisdiction</p> <p>Unless stated otherwise in the tender data, each tenderer and the Employer undertake to accept the jurisdiction of the law courts of the Republic of South Africa.</p>