

Physical Address: No. 01 Seller Street | Nqanqarhu | 5480

Postal Address: P.O. Box 1 | Nqanqarhu | 5480

Tel: 045 9328100 | **Fax:** 045 9321094 | **Facebook:** @Elundini Local Municipality | **Twitter:** @ElundiniLM | **YouTube Channel:** @Elundini Local Municipality | **Instagram:** @elundini_lm

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

The Elundini Local Municipality is looking for contractors for the following RE-ADVERTISEMENT

PROJECT NAME	Contract Number	CIDB Grading	Compulsory Briefing
Framework Contract for the Construction of Sports fields	ELM-3/021/2022-2023	Valid Grade 5GB and above	Town: Nqanqarhu Venue: Nqanqarhu Town Hall Date: Friday, 30 September 2022 Time: 11H00

The Elundini Local Municipality intend to enter into Framework contract with three (3) to five (5) contractors over a three (3) year term, as and when the specific package order is issued to the service provider for the construction of Sports fields within Elundini Local Municipality.

The contracts will be based on the NEC3 Engineering and Construction Contract (Option B Priced Contract with Bill of Quantities)

The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286:2011 as follows on this bid:

$$LC = (1-x/y) \times 100$$

Where

X is the imported content in Rand

Y is the bid price in Rand excluding value added tax (VAT)

Bidders may apply for exemption through process elucidated in page 35 of the tender document

The designated local production with minimum local content thresholds of industries, sectors and sub-sectors will be detailed in the Tender Data at will be uploaded on ELM Website. www.elundini.gov.za and will be also attached in the tender document.

Stage 1 of Evaluation: Local Production Content (MBD 6.2 and Annexure C to be completed)

Stage 2 of Evaluation: Eligibility Criteria for this projects will be available on Tender Data that will be uploaded on ELM Website. www.elundini.gov.za and will be also attached in the tender document

Stage 3 of Evaluation: Quality criteria and maximum score in respect of each of the criteria are as follows:

Quality Criteria	Maximum number of points
1. Experience of the tenderer in the provision of municipal General Building(GB)	40
2.1.Experience of Site Agent(Construction Management)Site Agent/Contacts Manager (LIC Training NQF L7)	20
2.2 Experience of Foreman (LIC training minimum NQF L5)	20
3.Approach paper	20
Maximum possible score for quality (Ms)	100

The minimum number of evaluation points for quality will be 70 points

The provisions of Preferential Procurement Regulations 2017 will apply.

The procedure for the evaluation of the responsive tenders will be Method 4

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 **Friday, 23 September 2022.**

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 upon receiving proof payment, Elundini Municipality will email the tender document to the service providers who are unable to make collections.

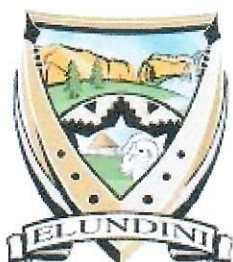
The Tender Data, Detailed breakdown Quality Criteria, Detailed Scheduled with minimum threshold for Local Content, scope of work including mandatory documents (eligibility criteria) and bid conditions will be uploaded on ELM Website. www.elundini.elundini.gov.za and will be also attached in the tender document.

Technical enquires may be addressed to Mr S. Mrenqwa, Tel No. 045 932 8216 or email: siqalom@elundini.gov.za. Queries relating to the issue of these documents may be addressed to Ms H. Mduzulwana, Tel No. 045 932 8125 or email: hlubikazi@elundini.gov.za

Completed bid documents and CD or Memory-Stick of the whole tender submission converted into PDF format 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 Tuesday, 01 November 2022** for this bids at which time the tenders will be opened in public. Failure to adhere to the above conditions shall deem a bidder non-responsive.

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.


JACK MDANI
MUNICIPAL MANAGER



Elundini Local Municipality
Tender no: ELM-3/021/2022-2023

FRAMEWORK CONTRACT FOR THE CONSTRUCTION OF SPORTS FIELDS

T1.2 Tender Data

The conditions of tender are the latest edition of SANS 10845-3, *Construction Procurement – Part 3: Standard conditions of tender*.

SANS 10845-3 makes several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the provisions of SANS 10845-3.

Tenderers shall be required to demonstrate that they will have in their employ during the contract period the necessary personnel satisfying the requirements of the Scope of Work for labour-intensive competencies for management and supervisory personnel.

Each item of data given below is cross-referenced to the clause in SANS 10845-3 to which it mainly applies.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Clause number	Tender Data
3.1	The employer is the Elundini Local Municipality

3.2	<p>The tender documents issued by the employer comprise the following documents:</p> <p>THE TENDER</p> <p>Part T1: Tendering procedures T1.1 – Tender notice and invitation to tender T1.2 – Tender data</p> <p>Part T2: Returnable documents T2.1 – List of returnable documents T2.2 – Returnable schedules</p> <p>THE CONTRACT</p> <p>PartC1: Agreements and Contract data C1.1 – Form of offer and acceptance C1.2 – Contract data Part 1 – Data by the <i>Employer</i> Part 2 – Data by the <i>Contractor</i></p> <p>Part C2: Pricing data C2.1 – Pricing assumptions C2.2 – Pricing schedule</p> <p>Part C3: Scope of work C3.1 – Scope of work</p> <p>Part C4: Site information C4.1 – Site Information</p>
3.4	<p>The employer's representative for Technical Queries: Name: Mr Sigalo Mrengqwa Elundini Local Municipality 1 Seller Street, Nqanqarhu, 5480 Tel No. 045 932 8216 Fax No. 045 932 1094 E-mail: sigalom@elundini.gov.za</p> <p>The employer's representative for SCM Processes: Name: Ms Hlubikazi Mduzulwana Elundini Local Municipality 1 Seller Street, Nqanqarhu, 5480 Tel No.: 045 932 8125 Fax No. 045 932 1094 E-mail: hlubikazi@elundini.gov.za</p>
3.4	The language for communications is English
F.2.18	The tenderer must submit to the Employer the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirement.

F.3.8	<p>Test for responsiveness</p> <p>This serves as part of the returnable document:</p> <p>Each tender offer must be submitted as an original and CD or Memory- Stick of the whole tender submission converted into PDF format.</p> <p>Failure to adhere to the this condition shall deem a bidder non-responsive</p>
F.3.8.1	<p>Determine, after opening and before detailed evaluation, whether each tender offer properly received:</p> <ul style="list-style-type: none"> a) complies with the requirements of these Conditions of Tender, b) has been properly and fully completed and signed, and c) is responsive to the other requirements of the tender documents.
F.3.8.2	<p>A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:</p> <ul style="list-style-type: none"> a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work, b) significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified. <p>Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.</p>
4.	<p>Tenderer's Obligations</p>

4.1

Only those tenderers who have been represented by one of their full time employees at the **compulsory clarification meeting**, who satisfy the following eligibility criteria and **who provide the required evidence in their tender submissions** are eligible to submit tenders and have their tenders evaluated:

1. The tenderer:

(a) Is registered in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984) or, if a partnership, has in place a partnership agreement that enables the partnership to continue to function in the event of a death or withdrawal of one of the partners;

JV Eligibility requirements:

(b) - A Joint venture must submit a consolidated valid original or certified copy of B-BBEE certificate must be submitted with the bid OR a valid original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths prepared and issued in terms of the amended B-BBEE Construction Sector Codes (CSC000) must be submitted in order to qualify for preference points for B-BBEE. Failure to comply with this, will automatically results in the non-awarding of points for B-BBEE. (This will not disqualify bidders but points for B-BBEE will not be allocated)

Submit Joint Venture agreement in the case of joint venture and

- Submit Joint Venture agreement in the case of joint venture.
- Fully completed Compulsory Returnable Document for JV

2. The Tenderer does comply with the legal requirements stated in the Employers procurement policy

3. The tenderer is registered with and active on the Construction Industry Development Board (CIDB) for Grading 5 GB and above

4. The Tenderer can provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract. Proof of good standing with the Compensation for Occupational Injuries and Diseases (COID)

5. The Tenderer can demonstrate that he will have in his 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.

a) Site Agent / Construction Manager at NQF level 7 "Manage Labour-Intensive Construction Processes" civils engineering or equivalent Quality Council for Trades and Occupations (QCTO) General Building engineering qualifications at NQF level 7.

b) Foremen / Supervisors with minimum NQF level 5 "Manage Labour-Intensive Construction Processes", National Certificate: Supervision of General or Civil Engineering Construction Processes"

6. The Tenderer can demonstrate that he possesses the necessary professional and technical qualifications and competence, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract; - The tenderer must provide three (3) contactable client references for the construction of sportsfields a cumulative contract value of at least R 6 million including VAT and which has been satisfactorily completed. **The municipality may conduct an intense due diligence which will include inspection of the claimed experience with all the preferred bidders**

7. Directors or company is not in the Treasury's database of restricted suppliers

8. Tax matters are in Order.

4.2	The tenderer accepts that, unless otherwise stated in the tender data, the employer does not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer comply with requirements.
4.3	It is the responsibility of the tenderer to check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.
4.4	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.
4.5	The tenderer shall obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are incorporated into the tender documents by reference.
4.6	Acknowledge receipt of addenda to the tender documents, which the employer may issue, and, if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.
4.7	<p>The Compulsory Briefing meeting details: Town: Nqanqarhu Venue: Nqanqarhu Town Hall Date: Friday, 30 September 2022 Time: 11H00</p> <p>Tenderers must complete the sales register with the following:</p> <ul style="list-style-type: none"> • Company Name • Contact Person • Address, Telephone, Fax, Cell, numbers and E-mail address <p>Tenderers who will be sending proof of payment must also send all of the above company details</p> <p>Addenda will be issued to and correspondences exchanged with only from those tendering entities appearing on the sales register.</p>
4.8	Request clarification of the tender documents, if necessary, by notifying the employer at least 5 (Five) working days before the closing time stated in the tender data
4.10	Tenderers are required to state the rates and currencies in Rands. Include in the rates, prices, and the tendered total of the prices (if any), all duties, taxes which the law requires to be paid [except value added tax (VAT)], and other levies payable by the successful tenderer, that are applicable 14 days before the closing time stated in the tender data. Show the VAT payable by the employer separately as an addition to the tendered total of the prices. Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data. State the rates and prices in monetary value of the contract unless otherwise instructed in the tender data
4.10(a)	If after the commencement of the Contract, the cost or duration of the services is altered as a result of changes in, the amount of the main contractor or contract amount from which estimate were based, or amounts or additions to, any statute, regulation or by-laws, or the requirements of any authority having jurisdiction over any matter in respect of the Project, then the Contract Price and time for completion shall be adjusted in order to reflect the impact of those changes, provided that, within 90 days of first having become aware of the change, the Contractor furnished the Employer with detailed justification to the Price or Period of the Performance (or both).
4.11	<p>Alterations to the documents</p> <p>Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer or to correct errors made by the tenderer and ensure that all signatories to the tender offer initial all such alterations. Do not make erasures using masking fluid.</p>
4.12	No alternative tender offers will be considered

4.13.1	Parts of each tender offer communicated on paper shall be submitted as an original. No copies are required
4.13.2	Sign the original and all copies of the tender offer where required in terms of the tender data. NOTE The employer holds all authorized signatories liable on behalf of the tenderer.
4.13.4	The tenderer is required to submit with his tender the following certificates: 1) a copy of the CSD report showing, amongst other things, that tax matters of the service provider are in order with the South African Revenue Services. 2) proof of good standing with the Compensation for Occupational Injuries and Diseases (COID) 3) a copy of valid Construction Industry Development Board (CIDB) for Grading 5GB and above
4.13.5 4.15	<p>The employer's details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are:</p> <p>Location of tender box: Elundini Municipality Cashier's reception area Finance Department</p> <p>Physical address: 1 Seller Street Nqanqarhu 5480</p> <p>Identification details: Tender no, Title of Tender and the closing date and time for tenders</p> <p>Closing Date: Tuesday, 01 November 2022</p> <p>Closing Time: 12H00</p> <p>The tender box is only open on weekdays between 08:00 and 16:00</p>
4.13.6	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
4.15	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
4.16.1	The tender offer validity period is 12 weeks.
4.17	<p>The tenderer shall provide clarification of a tender offer during the evaluation of tender offers, in response to a request from the employer to do so.</p> <p>NOTE: Such clarifications can include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.</p>
4.19	The employer shall grant during working hours to premises for inspections, tests and analysis, as provided for in the tender data.
5	Employer's Undertaking
5.1	The employer will respond to requests for clarification received up to five (5) working days before the tender closing time.
5.2	The employer shall issue addenda until Five (5) working days before tender closing time.
5.4	Tenders will be opened immediately after the closing time for tenders as stated in the Tender Notice and Invitation to Tender

5.6	Do not disclose to tenderers, or to any person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer
5.8	<p>Determine, after opening and before detailed evaluation, whether each tender offer that was properly received</p> <p>a) complies with the requirements of the standard conditions of tender in this part of SANS 10845-3:2015</p> <p>b) has been properly and fully completed and signed, and</p> <p>c) is responsive to the other requirements of the tender documents.</p> <p>A responsive tender is one that conforms to all the terms, conditions, and scope of work of the tender documents, without material deviation or qualification. A material deviation or qualification is one which, in the employer's opinion, would</p> <p>d) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the scope of work,</p> <p>e) significantly change the employer's or the tenderer's risks and responsibilities under the contract, or</p> <p>f) affect the competitive position of other tenderers presenting responsive tenders if it were to be rectified.</p> <p>Reject a non-responsive tender offer, and do not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.</p>
5.9	<p>Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.</p> <p>For Vat related discrepancies, National and Provincial Treasury prescripts in relation to VAT procedures apply.</p>

5.11.1

Evaluation of tender offers

The procedure for the evaluation of responsive tenders is Method 4: Financial offer, quality and preferences

STAGE ONE: RESPONSIVENESS TO THE BID REQUIREMENTS AND RULES

Bidders' proposals must meet the following minimum requirements and supporting documents must be submitted with the completed bid document in a sealed envelope in the bid box at the closing date and time. Failure to comply will automatically eliminate the bid for further consideration.

1. Bid Document (This Document) must be submitted in its original format.
2. Each tender offer must be submitted as an original and a CD or Memory-Stick of the whole tender submission converted into PDF format. Failure to adhere to this condition shall deem bidder non-responsive.
3. Bids which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted.
4. A copy of the CSD report showing, amongst other things, that tax matters of the service provider are in order with the South African Revenue Services.
5. Proof of good standing with the Compensation for Occupational Injuries and Diseases (COID)
6. A copy of valid Construction Industry Development Board (CIDB) for **Grading 5GB** and above.
7. JV Eligibility requirements:
 - A Joint venture must submit a consolidated valid original or certified copy of B-BBEE certificate must be submitted with the bid OR a valid original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths prepared and issued in terms of the amended B-BBEE Construction Sector Codes (CSC000) must be submitted in order to qualify for preference points for B-BBEE. Failure to comply with this, will automatically results in the non-awarding of points for B-BBEE. (This will not disqualify bidders but points for B-BBEE will not be allocated)
 - Submit Joint Venture agreement in the case of joint venture.
 - Fully completed Compulsory Returnable Document for JV
8. Form of offer and Acceptance (fully completed and signed)
9. Site Agent / Construction Manager at NQF level 7 "Manage Labour-Intensive Construction Processes" civils engineering or equivalent Quality Council for Trades and Occupations (QCTO) General Building engineering qualifications at NQF level 7.
10. Foremen/ Supervisors with minimum NQF level 5 "National Certificate : Supervision of General or Engineering Construction Processes"
11. Invitation to bid must be completed and signed.
12. Declaration of Interest (fully completed and signed)
13. Preference Points Claim form in terms of the Preferential Procurement Regulations 2017 (fully completed and signed)
14. Declaration of Bidder's past Supply Chain Management Practices. (Completed and signed)
15. Certificate of Independent Bid Determination. (Completed and signed)
16. Compulsory Enterprise Questionnaire (Completed and signed)
17. Proof of Authority of Signatory
18. Declaration of Employees of the State or other State Institutions.
19. Proof of attendance of clarification meeting, an attendance register will be circulated for record purposes.
20. A valid original or certified copy of B-BBEE certificate must be submitted with the bid OR a valid original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths prepared and issued in terms of the amended B-BBEE Construction Sector Codes (CSC000) must be submitted in order to qualify for preference points for B-BBEE. Failure to comply with this, will automatically results in the non-awarding of points for B-BBEE. (This is not an Elimination factor).

5.11.5

The procedure for the evaluation of responsive tenders is Method 4

The total number of tender evaluation points (T_{EV}) shall be determined in accordance with the following formula.

$$T_{EV} = 0,6 (N_{FO} + N_P) + 0,4 N_Q$$

N_{FO} is the number of tender evaluation points awarded for the financial offer made in accordance with 5.11.7 where the score for financial offer is calculated using Formula 2 and W_1 equals 80.

N_P is the number of tender evaluation points awarded for preferences claimed in accordance with the Preferencing Schedule

N_Q is the number of tender evaluation points awarded for quality offered in accordance with 5.11.9 where $W_2 = 100$

Up to 100 minus W_1 tender evaluation points will be awarded to tenderers who complete the preferencing schedule and who are found to be eligible for the preference claimed.

5.11.9

The quality criteria and maximum score in respect of each of the criteria are as follows:

Quality criteria	Sub-criteria	Maximum number of points
COMPANY EXPERIENCE Experience of the tenderer in the construction of municipal General Building Works particularly in Sportsfields or Multipurpose Centres	Construction of Sportsfields in Elundini Local Municipality 4 Appointment letters, 4 completion certificates or reference letters for the same projects = 40 points 3 Appointment letters, 3 completion certificates or reference letters for the same projects = 30 points 2 Appointment letters, 2 completion certificates or reference letters for the same projects = 20 points 1 Appointment letter, 1 completion certificates or reference letters for the same projects = 10 points	40
KEY PERSONNEL Experience of the Site Agent / Construction Manager at NQF level 7 "Manage Labour-Intensive Construction Processes" civils engineering or equivalent Quality Council for Trades and Occupations (QCTO) General Building engineering qualifications at NQF level 7	General experience and qualifications for site agent in relation to the proposed contract 10 years and above = 20 points 5-9 years = 10 points Less than 5 years = 5 points	20
Foremen/ Supervisors with minimum NQF level 5 "Manage Labour-Intensive Construction Processes" "National Certificate: Supervision of General or Engineering Construction Processes"	General experience and qualifications for foreman in relation to the proposed contract 10 years and above = 20 points 5-9 years = 10 points Less than 5 years = 5 points	20
Approach paper	Good = 20 points Detailed with Works Programme (Gantt Chart) = 20 points Generic = 10 points Poor (lack content) = 0	20
Maximum possible score for quality (M_s)		100

- Schedule 1: Experience of the tenderer
- Schedule 2: Experience of key person (construction management)
- Schedule 3: Approach

The minimum number of evaluation points for quality is 70

5.11.9

Each evaluation criteria will be assessed in terms of five indicators – no response, poor, satisfactory, good and very good. Scores of 0, 40, 70, 90 or 100 will be allocated to no response, poor, satisfactory, good and very good, respectively. The scores of each of the evaluators will be averaged, weighted and then totalled to obtain the final score for quality.

5.13	<p>Tender offers will only be accepted if:</p> <ul style="list-style-type: none"> a) Submits a valid SARS Tax Clearance Certificate or a tax compliance status document reflecting the pin for the Employer to verify that the tenderer is in good standing; b) The tenderer is registered with and active on the Construction Industry Development Board (CIDB) for Grading 5 GB and above c) Submits a proof of good standing with the Compensation for Occupational Injuries and Diseases (COID) d) Site Agent / Construction Manager at NQF level 7 "Manage Labour-Intensive Construction Processes" civils engineering or equivalent Quality Council for Trades and Occupations (QCTO) General Building engineering qualifications at NQF level 7. e) Foremen/ Supervisors with minimum NQF level 5 "National Certificate: Supervision of General or Engineering Construction Processes" f) the tenderer is registered on the Central Supplier Database (CSD) for the South African government (see https://secure.csd.gov.za/) unless it is a foreign supplier with no local registered entity g) 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; h) the tenderer has not: <ul style="list-style-type: none"> 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 i) 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. j) the tenderer is not more than three months in arrears in its municipal rates and taxes or municipal service charges, if applicable k) 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.
5.17	The number of paper copies of the signed contract to be provided by the employer is one.

Schedule 1: Experience of the tenderer

The experience of the tenderer as a company (as opposed to key staff members) in terms of the construction of municipal General Building Works particularly in Sportsfields or Multipurpose Centres as a main contractor over the last five (5) years:

The municipality may conduct an intense due diligence which will include inspection of the claimed experience of the two (2) highly preferred bidders

Tenderers should very briefly describe his or her experience in this regard, emphasising the nature of the works and complexity and attach this to this schedule.

The description should be put in tabular form with the following headings separated into each of the two categories of works:

Employer, and	Description of contracts relating to:	Contract value of the works inclusive of VAT (Rand)	Date	
			Start	Completion
Employer: Contact person: Telephone number: Email address:	Title of the project: Brief description:			
Employer: Contact person: Telephone number: Email address:	Title of the project: Brief description:			
Employer: Contact person: Telephone number:	Title of the project: Brief description:			

Email address:				
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The scoring of the tenderer's experience will be as follows:

0	Tenderer has submitted no information or inadequate information to determine scoring level.
Poor (score 10)	Limited experience. Contractor <u>only has one (1)</u> relevant project completed 1 Appointment letter, 1 completion certificates or reference letters for the same projects = 10 points
Satisfactory (score 20)	Average experience. Contractor <u>only has two (2)</u> relevant projects completed Appointment letters, 2 completion certificates or reference letters for the same projects = 20 points
Good (score 30)	Above average experience. Contractor has <u>three (3)</u> relevant projects completed 3 Appointment letters, 3 completion certificates or reference letters for the same projects = 30 points
Good (score 40)	Above average experience. Contractor has <u>four (4) or more</u> relevant projects completed 4 Appointment letters, 4 completion certificates or reference letters for the same projects = 40 points

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Schedule 2 a : Experience of Site Agent (Construction Manager / Contracts Manager)

The experience of the Site Agent who will be responsible for the management of the physical construction processes and the coordination, administration and management of resources on the Site will be evaluated in relation to the scope of work from two different points of view:

Contractors has in their employ in labour-intensive works only those supervisory and management staff that have completed the required Skills Programme in terms of Appendix C of the "Guidelines for the implementation of labour intensive infrastructure projects under the Expanded Public Works Programme (EPWP) Third Edition 2015":

Experience of the Site Agent / Construction Manager at NQF level 7 "Manage Labour-Intensive Construction Processes" civils engineering or equivalent Quality Council for Trades and Occupations (QCTO) General Building engineering qualifications at NQF level 7

CURRICULUM VITAE OF KEY PERSONNEL - MANAGEMENT

Curriculum Vitae of key management personnel to be attached to this page.

and

QUALIFICATIONS OF KEY PERSONNEL – LABOUR INTENSIVE ACTIVITIES

Relevant qualification certificates to be attached to this page for each person possessing the required qualifications in the supervision or management of LIC projects.

- 1) General experience (total duration of work activity), level of education and training and positions held.
- 2) The education, training, skills and experience and knowledge of issues which are pertinent to the scope of work.

A CV of the key person of **not** more than 3 pages needs to be attached to this schedule.

The CV should be structured under the following headings:

- 1 Personal particulars
 - name
 - date and place of birth
 - place (s) of tertiary education and dates associated therewith
 - professional awards
- 2 Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)(Attach copies of each)
- 3 Name of current employer and position in enterprise
- 4 Overview of work experience (year, organization and position)
- 5 Outline of recent assignments / experience that has a bearing on the scope of work

The scoring of the experience of key person (construction management) staff will be as follows:

	General experience and qualifications in relation to the service	Adequacy for the contract
Score 0	Tenderer has submitted insufficient information to score the schedule	
Satisfactory (score 05)	Key person has reasonable levels of general experience	Key person has reasonable levels of project specific education, training and experience that are pertinent to the scope of work (less than 5 years' experience in General Building Supervision)
Good (score 10)	Key person has extensive levels of general experience	Key persons has extensive levels of project specific education, training and experience that

		are pertinent to the scope of work (5-9 years' experience in General Building Supervision)
Very good (score 20)	Key person has outstanding levels of general experience	Key person has outstanding levels of project specific education, training and experience that are pertinent to the scope of work (10 or more years' experience in General Building Supervision)

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Schedule 2b: Experience of Foreman (construction supervision)

The experience of the Site Agent who will be responsible for the management of the physical construction processes and the coordination, administration and management of resources on the Site will be evaluated in relation to the scope of work from two different points of view:

Contractors has in their employ in labour-intensive works only those supervisory and management staff that have completed the required Skills Programme in terms of Appendix C of the "Guidelines for the implementation of labour intensive infrastructure projects under the Expanded Public Works Programme (EPWP) Third Edition 2015":

Foremen/ Supervisors with minimum NQF level 5 "Manage Labour-Intensive Construction Processes"
"National Certificate: Supervision of General or Civil Engineering Construction Processes"

CURRICULUM VITAE OF KEY PERSONNEL - MANAGEMENT

Curriculum Vitae of key management personnel to be attached to this page.

and

QUALIFICATIONS OF KEY PERSONNEL – LABOUR INTENSIVE ACTIVITIES

Relevant qualification certificates to be attached to this page for each person possessing the required qualifications in the supervision or management of LIC projects.

- 1) General experience (total duration of work activity), level of education and training and positions held.
- 2) The education, training, skills and experience and knowledge of issues which are pertinent to the scope of work.

A CV of the key person of not more than 3 pages needs to be attached to this schedule.

The CV should be structured under the following headings:

- 1 Personal particulars
 - name
 - date and place of birth
 - place (s) of tertiary education and dates associated therewith
 - professional awards
- 2 Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)(Attach copies of each)
- 3 Name of current employer and position in enterprise
- 4 Overview of work experience (year, organization and position)
- 5 Outline of recent assignments / experience that has a bearing on the scope of work

The scoring of the experience of key person (construction management) staff will be as follows:

	General experience and qualifications in relation to the service	Adequacy for the contract
Score 0	Tenderer has submitted insufficient information to score the schedule	
Fair (score 05)	Key person has reasonable levels of general experience	Key person has reasonable levels of project specific education, training and experience that are pertinent to the scope of work (less than 5 years' experience in General Building Supervision)

Good (score 10)	Key person has extensive levels of general experience	Key persons has extensive levels of project specific education, training and experience that are pertinent to the scope of work (5-9 years' experience in General Building Supervision)
Very good (score 20)	Key person has outstanding levels of general experience	Key person has outstanding levels of project specific education, training and experience that are pertinent to the scope of work (10 or more years' experience in General Building Supervision)

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Schedule 3 : Approach paper

The approach paper must respond to the scope of work, the nature of the contract, the required resources and outline the proposed approach / methodology including that relating to the controlling of costs and the sourcing, programming and management of key subcontractors and suppliers. The approach paper as such needs to:

- outline the proposed methodology and systems which will be employed to control costs and engage and manage subcontractors;
- identify the challenges that the tenderer may face in providing the works within the region in which the tender was invited to submit a tender; and
- articulate what value add the tenderer will provide in achieving the stated and implied objectives for the project including the secondary (developmental) objectives.

The tenderer should as such explain his / her understanding of the objectives of the project, highlight the issues of importance, and explain the technical and strategic approach they would adopt to address them. The approach paper should explain the methodologies which are to be adopted, demonstrate the compatibility of those methodologies with the proposed approach. The approach should also include a high level quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management.

The approach paper will be evaluated in relation to the scope of work from the following points of view:

- 1) Approach to delivering projects as the main contractor.

The tenderer must attach his / her approach paper to this page. The approach paper should not be longer than 10 pages.

The scoring of the approach paper will be as follows:

	Delivering projects as the main contractor
Score 0	Tenderer has submitted insufficient information to score the schedule
Fair (score 10)	The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is to be managed etc is generic.
Very Good (score 20)	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the-art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs / outcomes Detailed with Works Programme (Gantt Chart)

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Name Tenderer	Date Position
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Allocation of points in all the schedules will be subject to due diligence and verification, which may include visit of the sites of claimed experience

21. This tender will be awarded as a whole. All Items listed in the Bills of Quantities or Pricing schedule must be priced for (except provisional sums and allowances which must also be added to the total), failure to do so will increase commercial risk of the bid and may lead to elimination or passing over of the bidder.
22. If the offer (any of the items quoted for) is "Vat Inclusive", the VAT registration number of service provider must be indicated. Bidders are not entitled to claim the VAT if they are not VAT registered.
23. 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.

STAGE THREE: EVALUATION OF QUALITY

The quality criteria and maximum score in respect of each of the criteria in accordance with 5.11.9 are as follows:

EVALUATION CRITERIA

The quality criteria and maximum score in respect of each of the criteria are as follows:

- Schedule 1: Experience of the tenderer – 40 points
- Schedule 2 (a): Experience of Site Agent - 20 points
- Schedule 2 (b): Experience of Foreman – 20 points
- Schedule 4: Approach – 20 Points

A minimum number of evaluation points for quality is 70.

STAGE THREE: EVALUATION POINTS ON PRICE AND B-BBEE REGULATIONS OF 2017

The 80/20 preference point system shall be applied for the purposes of this bid as per the requirements of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and B-BBEE/ PPPFA Regulations of 2017

Criteria	Points
Points on Price	80
B-BBEE	20
TOTAL	100

The 80/20 preference point system for acquisition of services, works or goods up to Rand value of R 50 million:

The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a Rand value equal to, or above R 30 000 and up to Rand value of R 50 000 000 (all applicable taxes included):

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of bid under consideration
Pt = Price of bid under consideration

5.11.1

The financial offer derived from the bill of quantities will only be used for comparative basis.



Elundini Local Municipality

Tender no: ELM-3/021/2022-2023

FRAMEWORK CONTRACT FOR THE CONSTRUCTION OF SPORTS FIELDS

C3: Scope of work

C3.1 Framework Information

1. Project Description

The scope of this Framework Contract is the Construction of Sportsfields over a 3 year framework term, as and when the specific Package Order is issued to the Contractor. The municipality seeks to go into a framework contract with 3-5 service providers over a period of 3 years.

Project Background

Framework of contract for Construction of Sportsfields was established with the following:

1.1 Vision

To have a panel of service providers for a period of time without a quantum of works, this will provide efficient turnaround time in attending to infrastructure.

1.2 Mission

- To promote broad based black economic empowerment;
- To promote local employment (temporary and permanent) through the delivery of the works;
- To develop small enterprise capacity to undertake the portions of the work as subcontractors and the maintenance of the completed works;
- To retain as much of the project expenditure within the Elundini Local Municipality; and,
- To Support skills development by increasing the number of people who have part qualifications, national qualifications and professional designations awarded by statutory councils.

2. Employer's objectives

- The Employer's primary objective in entering into this framework contracts over a 3 year framework term for Construction of Sportsfields within the Elundini Municipal area of jurisdiction, on an as and when instructed basis without a commitment to a quantum of work, is to secure the services of a limited number of suitably qualified contractors to serve the Employer's current and emerging needs.
- The secondary or developmental objectives of the Employer are to provide employment and business opportunities to persons residing or located within the Elundini Municipal area.

Specific

- The Contractor is required to provide all required personnel, materials, equipment and plant required for the construction of Sportsfields and associated works as instructed through a Package Order issued by the Elundini Local Municipality.
- The Contractor will furthermore be required to subcontract up-to 30% of the Works to local businesses in order to develop them over the framework period to enable them to rise their CIDB grading.
- Each Package Order will specify its own Works Information with the necessary details applicable for the construction of that Work Package. This will include but not limited to reporting, invoicing, technical details, drawings, location, Site Information as well as people employment requirements

3. Scope of work / deliverables

Construction and Upgrade of Sportsfields that includes but not limited to;

- Earthworks
- Construction of soccer and rugby pitch platforms
- Installation of athletics running track
- Construction of combi courts (Netball/Basket Ball/ Tennis court)
- Construction of change rooms completion with Bathrooms and toilets
- Construction of ticket offices/Guardrooms
- Fencing
- Installation of water supply systems and sewer treatment facility

4. Management of the agreement

The Employer and Contractor will meet to discuss the management of this agreement at least on a monthly basis and when either Party requests such a meeting.

The contact person for the Employer for these meetings will be Mrs S. Sako or the senior accounting officer of the Municipality.

The Contractor will report on a quarterly basis to the Employer the status of the local business development as required in section 2 above.

5. The quotation procedure

The Employer will specify the specific requirements that the selected Contractor needs to adhere to for the quotation for a specific Package Order.

a) The quotation request will at least consist of:

- The quotation instructions;
- The completed Package Order Contract Data for the specific package order;
- The detailed Works Information and Site Information for the specific package order; and
- Any other relevant information.

b) The quotation instructions will at least indicate:

- The time and place for submission of a quotation;
- The information required as part of the quotation;
- The proposed timeline for the execution of the Package Order;
- The intended appointment date; and
- The person who can be contacted.

- c) **After submission of the quotation by the Contractor/s, the Employer may**
- 1) Accept the quotation by issuing a Package Order to the successful Contractor;
 - 2) Revise the Work Package and request a revised quotation; or
 - 3) Decides that the Work Package should not be carried out.

6 Issuing of Package Orders

- 6.1 The Employer will issue Package Orders in accordance with the provisions of the National Treasury Standard for Infrastructure Procurement and Delivery Management for framework agreements (see clause 14.3). (<http://www.treasury.gov.za/legislation/pfma/TreasuryInstruction/Annexure%20A%20-%20Standard%20for%20Infrastructure%20Procurement%20and%20Delivery%20Management.pdf>)
- 6.2 Performance in achieving and exceeding developmental targets and undertakings may form part of the justifiable reasons for awarding a Package Order to a particular framework contractor.

7 General specifications for materials

The Contractor shall only incorporate in the works materials (substances that can be incorporated into the works), products (item manufactured or processed for incorporation into the works), components (products manufactured as distinct units to serve a specific function or functions) and assemblies (set of related components attached to each other) which are:

- a) fit for their intended purpose; and
- b) capable of fulfilling required functions under intended use conditions or when in use, with planned maintenance, under the influence of the environmental actions or a result of a self-ageing process for a period of time within industry accepted norms.

8 Title to objects and materials within the site

Earth, stone, gravel and sand, and all other materials existing on, excavated from or obtained by the removal of vegetation or demolition of structures on the site, shall be at the Contractor's disposal in so far as they are required for incorporation into the works.

9 Promotion of developmental procurement objectives

9.1 Local direct employment goal

- 9.1.1 The Contractor shall achieve or exceed in the performance of the Package Order the contract local direct employment goal (CLDEG) established in Scope of Work associated with a Package Order where:
- a) contract local direct employment goal (CLDEG) means the percentage of the total number of equivalent person days worked by people employed by the Contractor or a Subcontractor for the performance of the works who are local people;
 - b) equivalent person-days means the total time worked by people within the Working Area divided by 8 hours;
 - c) local people means people who reside in the Elundini Municipal areas, within 20 km of the site
- 9.1.2 Credits towards the contract local direct employment goal shall be assessed and granted by the Employer's delegate, based on information provided by the Contractor whenever the amount due to the Contractor in terms of the contract is assessed.
- 9.1.3 The Contractor shall submit to the Employer's delegate in a format acceptable to the Employer's delegate the name, identity number, gender, youth, residential address, occupation and equivalent-person days employment in respect of each and every employee of the Contractor and subcontractors whenever the amount due to a Contractor in terms of the contract is assessed.
- 9.1.4 Credits towards the contract local direct employment goal shall be denied where:

- a) the wages and conditions of employment for local people are less favourable than those set by an applicable bargaining council, relevant sectoral determinations made by the Minister of Labour or, in the absence of any applicable bargaining council or sectoral determination, the local wages and conditions of employment for unskilled workers; and
- b) people work outside of the site.

9.1.5 The contractor shall also commit to sub-goals for women and youth (persons 16 – 35 years of age)

9.2 Development of local subcontractors

9.2.1 The Contractor shall at least subcontract 30% of the Works with local businesses to develop them over the framework period to enable them to rise their CIDB grading.

9.2.2 A local subcontractor is an enterprises who has the skill and expertise to provide services and the responsibility for the management and supervision relating thereto, in the discharge of a contractual obligation, from a building together with its land and outbuildings located within the Elundini Local Municipality and which can provide proof of ownership of such premises or a valid rental agreement with the owner of such premises.

9.2.2.1. The Contractor will be responsible to transfer skills and monitor the Local Sub-Contractor work done on site and check the quality of work done on site by the Sub-Contractor.

9.2.3 The Contractor shall provide the Employer with a proposed strategy and method statement for the development of local subcontractors whenever the contractor submits a quotation for a Package Order.

9.2.4 The Contractor shall report on a quarterly basis to the Employer the progress made in developing subcontractors.