



## TENDER DATA

1.	The Employer is: Dr JS Moroka Local Municipality Private Bag X4012 Siyabuswa 0472					
2.	Tender Documents					
	<div><div><b>Tendering Procedures</b> Tender notice and invitation to tender Tender data</div><div><b>Returnable Documents</b> List of Returnable Documents</div><div><b>The Contract</b> <b>Agreements and Contract data</b> Forms of Offer and Acceptance Contract Data</div><div><b>Pricing Data</b> Pricing Instruction Bill of Quantities</div><div><b>Terms of Reference</b> Terms of Reference</div><div><b>Additional Relevant Documents</b> Supply Chain Management Policy</div></div>					
3.	<b>Interpretation</b>  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.					
4	<b>Communication.</b>  The Employer's Representative is; <table><tr><td><b><u>Accounting Officer:</u></b> <b>MM Mathebela</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101</td><td><b><u>Procurement Eng.</u></b> <b>D B Klaas</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101</td><td><b><u>Technical Enquiries.</u></b> <b>FLL Masombuka</b> Private Bag X 4012 Siyabuswa 0472 Tel : 013 973 1101</td></tr></table>			<b><u>Accounting Officer:</u></b> <b>MM Mathebela</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101	<b><u>Procurement Eng.</u></b> <b>D B Klaas</b> Private Bag X4012 Siyabuswa 0472 Tel : 013 973 1101	<b><u>Technical Enquiries.</u></b> <b>FLL Masombuka</b> Private Bag X 4012 Siyabuswa 0472 Tel : 013 973 1101
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4.1	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.
5	<p><b>Eligibility</b></p> <p>Tenderers must meet or employ staff that meet the following criteria:</p> <ul style="list-style-type: none"> <li>• Employing qualified staff with experience, appropriate certificates for work force used, i.e. academic qualifications, trade test certificates, previous experience, etc.</li> <li>• Meet the requirements of the evaluation criteria as set on 21.2 below.</li> </ul>
6	<p><b>The Employer's right to accept or reject any tender offer</b></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 Dr JS Moroka Local Municipality.</p>
7	<p><b>Tenderer Obligations</b></p> <p>7.1 The Council retains the right to call for any additional information that it may deem necessary</p> <p>7.2 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"> <li>1. Control</li> <li>2. Management</li> <li>3. Operations</li> <li>4. Risk</li> <li>5. Profit and Loss</li> </ol> <p>7.3 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>7.4 At the request of the Municipal Manager or her/his authorised representative from furnishing her/his 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>
8	<p><b>Professional Indemnity Insurance</b></p> <p>The employer shall not award a contract to any tenderer that does not hold valid Professional Indemnity Insurance of R1 000 000.00.</p>



9	<p><b>Compensation of tendering</b></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>
10	<p><b>Check documents</b></p> <p>The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.</p>
11	<p><b>Confidentiality and Copyright of Documents.</b></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>
12	<p><b>Clarification Meeting</b></p> <p>Compulsory clarification meeting will be held.</p>
13	<p><b>Submitting tender offer:</b></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: <b>JSM/WB-O&amp;M/05-22-23: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE REPAIR, MAINTENANCE, REPLACEMENT AND EQUIPPING OF BOREHOLES AND ASSOCIATED WORKS AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS</b></p> <p><b>Location of tender Box:</b> Main Entrance Reception  <b>Physical Address:</b> DR JS Moroka Local Municipality, 2601/3 Bongimfundo Street, Siyabuswa 0472.</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p> <p>13.4 All tender received by the DR JS Moroka Local Municipality will remain in the Municipality's possession until after the stipulated closing date and time.</p>



13.5	Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.
14	<b>Closing Time:</b>
14.1	The time and location for opening of the Tender offers are:  Closing Time: 11:00 Closing Date: <b>23 February 2023</b> Location: Dr JS Moroka Local Municipality 2601/3 Bongimfundo Street Siyabuswa 0472
14.2	After the opening of the tender proposals, no information relating to the clarification, determination of responsiveness, evaluation and comparison of tender proposals and recommendations concerning the 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 DRJSMLM.
15	<b>Pricing the tender</b>  State the rates and prices in Rand
16	<b>Alterations to the Tender Documents.</b>  <b>No</b> alterations may be made to the tender document issued by the employer.  Proposals and any other supporting documents must be attached to the back of this tender document
17	<b>Alternative tender offer.</b>  No alternative tender offers will be considered or accepted  Alternative offers may be submitted only if a main tender offer, strictly in accordance with all the requirements of the tender document is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender document with the alternative requirements the tenderer proposes.
18	<b>Tender Offer Validity</b>  The Tender offer validity period is 90 days from the closing date.
19	<b>Tender clarification after submission</b>  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.								
20	<p><b>Tender evaluation points</b></p> <p>The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.</p> <p>Preference points for this bid shall be awarded for:</p> <ul style="list-style-type: none"> <li>(a) Price; and</li> <li>(b) B-BBEE Status Level of Contribution and Specific goals based on IDP</li> </ul> <p>The maximum points for this bid are allocated as follows:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th></th><th>POINTS</th></tr> </thead> <tbody> <tr> <td>Price</td><td>80</td></tr> <tr> <td>Specific goals as listed below</td><td>20</td></tr> <tr> <td>Total points</td><td>100</td></tr> </tbody> </table> <p>The specific goals based on the IDP for Dr JS Moroka local municipality are as per following.</p> <ul style="list-style-type: none"> <li>a) Empowerment of women</li> <li>b) Empowerment of youth</li> <li>c) Empowerment of previously disadvantaged through Race</li> <li>d) BBBEE status level of contribution</li> <li>e) Empowerment of business established in the municipal jurisdiction.</li> </ul> <p>For this tender, specific goals shall be awarded as follows:</p> <ul style="list-style-type: none"> <li>a) Empowerment of women (5 points)</li> <li>b) Empowerment of business established in the municipal jurisdiction (5 points)</li> <li>c) BBBEE status level of contribution (10 points)</li> </ul>		POINTS	Price	80	Specific goals as listed below	20	Total points	100
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Price	80								
Specific goals as listed below	20								
Total points	100								
21	<p><b>Evaluation of Tenders</b></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 DRJSMLM.</p>								
21.1	<p><b>The following steps will be followed in evaluation;</b></p> <ol style="list-style-type: none"> <li>1. Determination of whether or not tender offers are complete.</li> <li>2. Determination of whether or not tender offers are responsive.</li> <li>3. Determination of the reasonableness of tender offers.</li> <li>4. Confirmation of the eligibility of preferential points claimed by tenderers.</li> <li>5. Determination of expertise and experience of tenderers.</li> <li>6. Awarding of points for financial offer.</li> <li>7. Ranking of tenderers according to the total points</li> </ol>								



8. Performance of risk analysis by checking the credit record of the tenderers

## 21.2 Evaluation Criteria

The procedure for the evaluation of responsive Bids will be on the average of the previous three projects where the firm was involved for DR JS MOROKA LOCAL MUNICIPALITY (DRJSMLM) projects or other clients. Reference of clients other than DRJSMLM **MUST** be provided.

The Bidders responsiveness in relation to points is therefore summarized as follows:

Personnel	30
Physical and experience of firm	70
Total	<b><u>100</u></b>

**A firm must obtain a minimum of 60 points out of the 100 points above to be considered for price and BBB-EE evaluation/ The functionality points shall be distributed as follows below:**

**Project Director / Team Leader :** *(Maximum Points obtainable 30)*

**Name of Project Director/Leader.....**

Evaluation Criteria	Minimum Required	Elimination Factor	Points obtainable	Points Claimed
<b>Academic Qualifications:</b> Project Leader (Note 1)	The project leader should have B tech degree in Electrical/Mechanical Engineering, with a minimum of 3 years experience .ECSA Registered <i>(attach CV and qualifications)</i>	Yes	10(5 point for qualification and 5 points for experience)	
<b>Academic Qualifications:</b> Team Members	Project team members: at least 4 members of the team should have obtained N4 in	No	20(5 points for each member)	



(Note 1)	Electrical/Mechanical qualification obtained from FET with 3 years experience (Trade Test Certificafied) <i>(attach CV and qualifications)</i>			
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**Physical workshop and company experience**

***(Maximum Points obtainable 20)***

**Physical Address of workshop:**

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<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>	<b>Points Claimed</b>
Availability of Physical Office/ premises or workshop	Proof of occupation of land and ISO 9001 Certified	No	10	
Workshop Equipment	- Pump test facility - Crane Truck (proof of ownership/ lease agreement)		5 5	
<b>Sub-total</b>			<b>20</b>	



### **Purchase Agreements with Hardware Firm(s)**

**(Maximum points obtained 50)**

**Active/Existing Account with a Hardware Firm .....**

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>	<b>Points Claimed</b>
A service provider must have a purchase account with a suppliers of required material of an amount of R500 000.00 firm(s) supplying materials specified in the BOQ	Account confirmation letter from the supplier (attach proof thereof)	No	20	
Previous Projects	6 Letter(s) of appointment from previous employer(s) for similar projects. Repairs/maintenance of pumps of at least R500 000.00	No	30(5 points for each letter or Purchase order)	
<b>Sub-total</b>			30	
<b>Total</b>			<b>70</b>	

### **Note 1: Academic Qualifications**

Proof of academic qualifications in the form of copies must be attached to the Team Leader/Project Director's CV. Foreign qualifications must be accompanied by a certificate from Qualifications Certification Body (SAQA).

### **Note 2: Purchase Agreements**

Purchase agreement(s) with suppliers of water services materials

### **Note 3: Experience after qualifications**





A minimum qualification and experience is required for the team leader as per the above. .

**Note 4: Employment History (Involvement in comparable company/project leader projects)**

Proof of employment history must be contained in the Curriculum Vitae (CV) and must include references and contact details. The CV must contain only necessary and relevant information for the purpose of this project. Failure to provide this shall warrant an automatic elimination of tender from any further evaluation.

**Note 5: Current Employment**

Confirmation of current employment in the form of letter from Supervisor must be attached. In the event a Project Director/Leader is his/her own Supervisor, a letter confirming same must still be attached. The proposed Project Director/Leader shall be a Senior Employee, an Associate, the Director, or a Shareholder and in the direct employ of the Contractor or service firm. A proof or separate written confirmation must be attached to the CV.

**Technical adjudication and General Criteria**

- Tenders will be adjudicated in terms of inter alia:
- Compliance with Tender conditions
- Technical specifications

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.

With regard to the above, certain actions or errors are unacceptable and warrants **REJECTION OF THE TENDER**, for example

- Copies of Tax Clearance Certificate. (**Only valid tax clearance certificates** must be attached to the Tender document).
- A copy of a valid CSD report and company CK documents
- A copy of COIDA
- Pages to be 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.
- Failure to complete the schedule of quantities as required – only lump sums provided.



- Scratching out without initialling next to the amended rates or information.
- Writing over / painting out rates / the use of tippex or any erasable ink, e.g. pencil.
- Failure to attend compulsory briefing meeting
- 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.
- 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 30 days.
  - If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its company to the municipality, or to any other municipality or municipal entity, are in arrears for more than 30 days

21.3.2 **Size of enterprise and current workload**

- Evaluation of the Tenderer's position in terms of:
- Previous and expected current annual turnover
- Current contractual obligations
- Capacity to execute the contract

21.3.3 **Staffing profile**

Evaluation of the Tenderer's position in terms of:

- Staff available for this contract being Tendered for
- Qualifications and experience of key staff to be utilised on this contract.

21.3.4 **Proposed Key Personnel**

In this part of the tender, the Tenderer shall also supply Curriculum Vitae (CV's) for the Staff available named and working on full time basis for the Tenderer. The CV should follow the normal Professional Format as used by Professional Service Providers.

Each CV should give at least the following:

- Position in the firm and within the organisation of this assignment
- PDI status (describing population group, gender and disabilities)
- Educational qualifications



	<ul style="list-style-type: none"> <li>○ Professional Registrations</li> <li>○ Relevant experience (actual duties performed, involvement and responsibility), including locations, dates and durations of assignments, starting with the latest.</li> <li>○ Language proficiency and</li> <li>○ References (company name, individual name, position held, contact details)</li> </ul> <p>Much importance will be placed on the experience of the staff proposed. The Tender must ensure that, if selected, the nominated staff will be assigned as proposed. Failure to do so may result in the annulment of any acceptance of the Tenders' proposal and/ or Agreement entered into by the Client for the execution of the services</p>
21.3.5	<p><b>Good standing with SA Revenue Services</b></p> <ul style="list-style-type: none"> <li>▪ Determine whether an original valid tax clearance certificate has been submitted.</li> <li>▪ The Tenderer <b>must affix a valid Tax Clearance Certificate</b></li> </ul>
21.3.6	<p>If the Tender does <b>not</b> meet the requirements contained in the DRJSMLM 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>
21.3.7	<p><b>Penalties</b></p> <p>The Dr JS Moroka Local 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 Administrator, one or more of the following penalties will be imposed:</p> <ul style="list-style-type: none"> <li>▪ Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.</li> <li>▪ Impose a financial penalty at the discretion of Council</li> <li>▪ Restrict the contractor, its shareholders and directors on obtaining any business from the Dr JS Moroka Local Municipality for a period of 5 years</li> </ul>
22	<p><b>Proposals</b></p>
22.1	<p>Proposals should be well organized, straight forward, clear and concise. Proposals must respond specifically to the criteria specified in this tender document. Colour: black Font: Aerial: Size 12: Spacing one and half: pages not more than 50 on one side. (excluding appendices)</p>
22.2	<p>The Consultant, in his/her proposal, shall state the categories and number of staff and personnel that he considers necessary to perform the services, including the core professional team and support staff. The Consultant shall provide brief descriptions of the responsibilities and duties envisaged for the professional</p>



	<p>positions of the supervision team. The Consultant shall make a clear distinction between resources required, time allocation and costs for the project.</p> <p>The proposals and all supplementary documents and correspondences shall be drawn up and submitted in English.</p>
23	<p><b>The additional conditions of Tender are:</b></p> <ol style="list-style-type: none"><li>1. Dr JS Moroka Local Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.</li><li>2. The Dr JS Moroka Local 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.</li></ol>