



## TENDER DATA

1.	The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050						
2.	Tender Documents						
	<p><b>Tendering Procedures</b> Tender notice and invitation to tender Tender data</p> <p><b>Returnable Documents</b> List of Returnable Documents</p> <p><b>The Contract</b> <b>Agreements and Contract data</b> Forms of Offer and Acceptance Contract Data</p> <p><b>Pricing Data</b> Pricing Instruction Bill of Quantities</p> <p><b>Terms of Reference</b> Terms of Reference</p> <p><b>Additional Relevant Documents</b> Supply Chain Management Policy</p>						
3.	<p><b>Interpretation</b></p> <p>The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.</p>						
4	<p><b>Communication.</b></p> <p>The Employer's Representative is;</p> <table border="1"><thead><tr><th><u>Accounting Officer;</u></th><th><u>Procurement Eng.</u></th><th><u>Technical Enquiries.</u></th></tr></thead><tbody><tr><td><b>Mrs MM SKOSANA</b> P. O. Box 437 Middelburg 1050. Tel : 013 249 2006</td><td><b>Ms SA MASHABA</b> P.O. Box 437 Middelburg 1050 013 249 2104</td><td><b>Mr JE NKOSI</b> P.O. Box 437 Middelburg 1050 Tel : 013 249 2130</td></tr></tbody></table>	<u>Accounting Officer;</u>	<u>Procurement Eng.</u>	<u>Technical Enquiries.</u>	<b>Mrs MM SKOSANA</b> P. O. Box 437 Middelburg 1050. Tel : 013 249 2006	<b>Ms SA MASHABA</b> P.O. Box 437 Middelburg 1050 013 249 2104	<b>Mr JE NKOSI</b> P.O. Box 437 Middelburg 1050 Tel : 013 249 2130
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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>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 Nkangala District Municipality.</p>
6	<p><b>Tenderer Obligations</b></p> <p>6.1 The Council retains the right to call for any additional information that it may deem necessary</p> <p>6.2 If tendering as a Joint Venture, Joint venture must be constituted by means of a comprehensive and fair, written agreement between the members, which sets out their obligations, rights, risks and rewards. Joint venture members should share at least the following aspects of the joint venture activities in a meaningful and equitable manner:</p> <ol style="list-style-type: none"> <li>1. Control</li> <li>2. Management</li> <li>3. Operations</li> <li>4. Risk</li> <li>5. Profit and Loss</li> </ol> <p>6.3 If a Tenderer, or any person employed by him is found to have either directly or indirectly, promised or given to any person in the employment of Council, any commission, gratuity, gift or other consideration, The Council shall have the right to summarily and without recourse to law and without prejudice to any other legal remedy which it may have in regard to any loss and/ or additional costs or expenses, to disqualify the Tender or cancel the Contract without paying any compensation to the aforesaid Tender or Contract.</p> <p>6.4 At the request of the Municipal Manager or his authorised representative from furnishing him with additional information, or with a sample or specimen for testing purposes or otherwise, or from giving a demonstration so as to enable the recommendation to the Council's responsible Committee on the award of the contract be formulated,</p>
7	<p><b>Warranty</b></p> <p>The employer shall not award a contract to any bidder who does not offer warranty on the complete Medium Pumper (Fire Engine) to be provided. Only warranties from manufactures will be accepted (no warranties from the bidder will be accepted unless the bidder is the manufacturer as well)</p>
8	<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>
9	<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>
10	<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</p>



	documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation						
11	<b>Eligibility</b>  All registered companies who provide similar service may submit tenders where applicable.  Only tenderers who submitted MIB (Manufacturer, Importer and Builder) registration certificates will be considered for this projects (MIB registration certificates of manufactures or subcontracted contractors will be acceptable)						
12	<b>Clarification Meeting</b>  No clarification meeting will be held.  For any enquiries bidders may contact the municipality on the contact numbers given above.						
13	<b>Submitting tender offer:</b>  13.1 No Tender document will be considered unless submitted on Council's Official Tender Document  13.2 Return all the returnable documents to the employer after completing them.  13.3 Tenders must be deposited in the tender box clearly marked: <b>Project no. 149744: Supply, Registration, Licensing and Delivery of Medium Pumper Fire Engine for Nkangala District Municipality</b>  <b>Location of tender Box:</b> Main Entrance Ground floor Nkangala DM Building <b>Physical Address:</b> Nkangala District Municipality, 2A Walter Sisulu Street, Middleburg 1050.  Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered  13.4 All tender received by the Nkangala District Municipality will remain in the Municipality's possession until after the stipulated closing date and time.  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: <table border="1" data-bbox="252 1563 865 1758"><tr><td>Closing Time:</td><td>12:00</td></tr><tr><td>Closing Date:</td><td><b>30 September 2021</b></td></tr><tr><td>Location:</td><td>Nkangala District Municipality 2A Walter Sisulu Street Middelburg 1050</td></tr></table> Tenders will be opened in public at the same time.	Closing Time:	12:00	Closing Date:	<b>30 September 2021</b>	Location:	Nkangala District Municipality 2A Walter Sisulu Street Middelburg 1050
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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 NDM.						



15	<p><b>Pricing the tender</b></p> <p>State the rates and prices in Rand</p>								
16	<p><b>Alterations to the Tender Documents.</b></p> <p><b>No</b> alterations may be made to the tender document issued by the employer.</p> <p>Proposals and any other supporting documents must be attached to the back of this tender document.</p>								
17	<p><b>Alternative tender offer.</b></p> <p>No alternative tender offers will be considered or accepted</p>								
18	<p><b>Tender Offer Validity</b></p> <p>The Tender offer validity period is 90 days from the closing date.</p>								
19	<p><b>Tender clarification after submission</b></p> <p>A tender may be regarded as non-responsive if the tenderer fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.</p>								
20	<p><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 point 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.</li> </ul>								
21	<p>The maximum points for this bid are allocated as follows:</p> <table border="1" data-bbox="252 1464 1174 1655"> <thead> <tr> <th></th> <th style="text-align: center;"><b>POINTS</b></th> </tr> </thead> <tbody> <tr> <td><b>PRICE</b></td> <td style="text-align: center;"><b>80</b></td> </tr> <tr> <td><b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b></td> <td style="text-align: center;"><b>20</b></td> </tr> <tr> <td><b>Total points for Price and B-BBEE must not exceed</b></td> <td style="text-align: center;"><b>100</b></td> </tr> </tbody> </table>		<b>POINTS</b>	<b>PRICE</b>	<b>80</b>	<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	<b>20</b>	<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>
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22	<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 NDM.</p> <p>The Bidders responsiveness in relation to points is therefore summarized as follows:</p> <table data-bbox="252 1912 963 2033"> <tr> <td>MIB Registration</td> <td style="text-align: right;">15</td> </tr> <tr> <td>Experience of firm</td> <td style="text-align: right;">20</td> </tr> <tr> <td style="text-align: right;">Sub-Total</td> <td style="text-align: right;"><b><u>35</u></b></td> </tr> </table>	MIB Registration	15	Experience of firm	20	Sub-Total	<b><u>35</u></b>		
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**A firm must obtain a minimum of 25 points out of the 35 points above to be considered for price and BBB-EE evaluation.**

<b>Evaluation Criteria</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>		<b>Points Claimed</b>
MIB (Manufactures, Importer and Builders Certificate) Registration	Yes	15		
Company Experience in Similar Projects (fire Engines; Rapid Intervention units, Fire response vehicles)	No	0-1	05	
		2-3	10	
		3+	20	
<b>TOTAL POINTS OBTAINED</b>		<b>35</b>		

**Note 1: Compliance Certificates**

Proof of MIB (Manufacturer, Importer and Builder) registration certificates must be submitted with the bid (MIB registration for subcontracted contractors will be acceptable)

**Note 2: Company Experience**

A minimum of 1 year experience is required. Proof of company's involvement in similar projects in form of appointment letters of previous and current projects implemented by the service provider with contactable references.

22.1 **The following steps will be followed in evaluation;**

1. Determination of whether or not tender offers are complete.
2. Determination of whether or not tender offers are responsive.
3. Determination of the reasonableness of tender offers.
4. Confirmation of the eligibility of preferential points claimed by tenderers.
5. Determination of expertise and experience of tenderers.
6. Awarding of points for financial offer.
7. Ranking of tenderers according to the total points
8. Performance of risk analysis by checking the credit record of the tenderers

22.2.1 **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.



	<p>With regard to the above, certain actions or errors are unacceptable and warrants <b>REJECTION OF THE TENDER</b>, for example</p> <ul style="list-style-type: none"> <li>▪ Pages to be completed, removed from the Tender document, and have therefore not been submitted.</li> <li>▪ If tender document is not fully completed as required and as stipulated in the tender data.</li> <li>▪ If any tender document is tempered with or it is unbundled or unbundled.</li> <li>▪ Scratching out without initialling next to the amended rates or information.</li> <li>▪ Writing over / painting out rates / the use of tippex or any erasable ink, e.g. pencil.</li> <li>▪ Failure to attend compulsory site inspections</li> <li>▪ The Tender has not been properly signed by a party having the authority to do so, according to the <b>Form D – “Authority for Signatory”</b></li> <li>▪ 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.</li> <li>▪ Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.</li> <li>▪ The Tenderer’s attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.</li> <li>▪ The Tender has been submitted after the relevant closing date and time</li> <li>▪ Failure to complete and sign Form C1.1 Form of Offer and Acceptance</li> <li>▪ If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.</li> <li>▪ If any Tenderer who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that Tenderer that performance was unsatisfactory.</li> </ul>
22.2.2	<p><b>Staffing profile</b></p> <p>Evaluation of the Tenderer’s position in terms of:</p> <ul style="list-style-type: none"> <li>▪ Staff available for this contract being Tendered for</li> <li>▪ Qualifications and experience of key staff to be utilised on this contract.</li> </ul>
22.2.3	<p><b>Previous experience</b></p> <p>The procedure for the evaluation of responsive Bids will be on the average of the <b>previous three projects</b> where the firm was involved.</p> <p>The tenderer shall list in the appropriate Forms the appropriate related projects undertaken by the member firms of the tenderer within the last five (5) years.</p> <p>Evaluation of the Tenderer’s position in terms of his previous experience. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> <li>▪ Experience in the relevant technical field</li> <li>▪ Experience of contracts of similar size</li> <li>▪ Some or all of the references will be contacted to obtain their input.</li> </ul>
22.2.4	<p>The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects.</p>



22.2.5	<p><b>Financial ability to execute the contract:</b></p> <p>Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> <li>▪ Contact the Tender's bank manager to assess the Tenderer's financial ability to execute the contract and the Tenderer hereby grants his consent for this purpose.</li> </ul>
22.2.6	<p><b>Good standing with SA Revenue Services</b></p> <ul style="list-style-type: none"> <li>▪ Determine whether a valid tax clearance certificate has been submitted.</li> <li>▪ The Tenderer <b>must affix a valid Tax Clearance Certificate and/or pin.</b></li> </ul>
22.2.7	<p>If the Tender does <b>not</b> meet the requirements contained in the NDM Procurement Policy, and the mentioned framework, it will be rejected by the Council, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.</p>
22.2.8	<p><b>Penalties</b></p> <p>The Nkangala District Municipality will if upon investigation it is found that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, on discretion of the Municipal Manager, one or more of the following penalties will be imposed:</p> <ul style="list-style-type: none"> <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 Nkangala District Municipality for a period of 5 years</li> </ul>
23	<p><b>The additional conditions of Tender are:</b></p> <ol style="list-style-type: none"> <li>1. Nkangala District Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.</li> <li>2. The Nkangala District Municipality reserves the right to appoint a firm of chartered accountants and auditors and / or execute any other financial investigations on the financial resources of any Tenderer. The Tenderer shall provide all reasonable assistance in such investigations.</li> </ol>
24	<p><b>Declaration Certificate for Local Production and Content for Designated Sectors</b></p> <p>Failure to complete and comply with minimum threshold of MBD 6.2, Annexure C, and D &amp; E for Local Content is an automatic disqualification. Tenderers must ensure that products/materials supplied are manufactured/produced locally. Tenderers must also ensure that imported products/material are exempted by the Department of Trade and Industry (DTI).</p>



Project no. 149744:  
Supply, Registration, Licensing and Delivery of Medium Pumper Fire  
Engine for Nkangala District Municipality