



## TENDER DATA

1.	<p>The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050</p>				
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"> <tr> <td> <p><b><u>Accounting Officer;</u></b> MM Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000 / 2006</p> </td><td> <p><b><u>Procurement Enquiries.</u></b> Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2104 / 3 / 5 / 6 / 7</p> </td><td> <p><b><u>Technical Enquiries.</u></b> TT Mabunda P.O. Box 437 Middelburg 1050 Tel : 013 249 2020</p> </td></tr> </table>		<p><b><u>Accounting Officer;</u></b> MM Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000 / 2006</p>	<p><b><u>Procurement Enquiries.</u></b> Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2104 / 3 / 5 / 6 / 7</p>	<p><b><u>Technical Enquiries.</u></b> TT Mabunda P.O. Box 437 Middelburg 1050 Tel : 013 249 2020</p>
<p><b><u>Accounting Officer;</u></b> MM Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000 / 2006</p>	<p><b><u>Procurement Enquiries.</u></b> Supply Chain Unit P.O. Box 437 Middelburg 1050 013 249 2104 / 3 / 5 / 6 / 7</p>	<p><b><u>Technical Enquiries.</u></b> TT Mabunda P.O. Box 437 Middelburg 1050 Tel : 013 249 2020</p>			
4.1	<p>Attention is drawn to the fact that verbal communication given by the Employer's representative prior to the close of tenders will not be regarded as binding on the employer. Only information issued formally by the employer in writing to the tenders, under the signature of the Accounting Officer will be regarded as amending the tender documents.</p>				
5	<p><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	<b>Tenderer Obligations</b>				



6.1	The Council retains the right to call for any additional information that it may deem necessary
6.2	<p>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>
6.3	<p>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>
6.4	<p>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>Eligibility</b> In order to be considered for this tender the company have to be registered with <b>Agricultural Sectoral Education Training Authority (AGRISETA)</b>.</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> <p><b>Nkangala District Municipality reserves the right to request the bidder to submit original documents (as detailed in the proposed key personnel of the tender document and but not limited to, company CK document, qualifications of key personnel) for review and certification by its Commissioner of Oath.</b></p>
10.1	<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> <p><b>In submitting any information or documentation requested in this tender or any other information that may be requested pursuant to this Tender, you are consenting to the processing by NDM or its stakeholders of your personal information and all other personal information contained therein, as</b></p>



	<p>contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable. Thus, you hereby indemnify NDM against any civil or criminal action, administrative fine or other penalty or loss that may arise as a result of the processing of any personal information that you submit.</p>
10.2	<p><b>Clarification Meeting</b></p> <p>No compulsory clarification meeting</p>
11	<p><b>Submitting tender offer:</b></p>
11.1	No Tender document will be considered unless submitted on Council's Official Tender Document
11.2	Return all the returnable documents to the employer after completing them.
11.3	<p>Tenders must be deposited in the tender box clearly marked: <b>APPOINTMENT OF A CONSULTANT TO IMPLEMENT AN ACCREDITED AGRISETA LEARNERSHIP PROGRAMME WITHIN NKANGALA DISTRICT MUNICIPALITY FOR 150 LEARNERS FOR A PERIOD OF THREE FINANCIAL YEARS (2023/24, 2024/25 AND 2025/26)</b></p> <p><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.</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p>
11.4	All tender received by the Nkangala District Municipality will remain in the Municipality's possession until after the stipulated closing date and time.
11.5	Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered
12.	<p><b>Closing Time:</b></p>
12.1	<p>The time and location for opening of the Tender offers are:</p> <p>Closing Time: <b>12:00</b>  Closing Date: <b>02 October 2023</b>  Location: <b>Nkangala District Municipality</b>  <b>2A Walter Sisulu Street</b>  <b>Middelburg</b>  <b>1050</b></p> <p>Tenders will be opened in public at the same time.</p>
12.2	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.
13.	<p><b>Pricing the tender</b></p> <p>State the rates and prices in Rand</p>



<b>14.</b>	<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>								
<b>15</b>	<p><b>Alternative tender offer.</b></p> <p><b>No</b> alternative tender offers will be considered or accepted</p>								
<b>16</b>	<p><b>Tender Offer Validity</b></p> <p>The Tender offer validity period is <b>90</b> days from the closing date.</p>								
<b>17</b>	<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>								
<b>18</b>	<p><b>Tender evaluation points</b></p> <p><b>18.1</b> 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><b>18.2</b> Preference points for this bid shall be awarded for:</p> <p style="margin-left: 40px;">(a) Price; and</p> <p style="margin-left: 40px;">(b) Specific Goals.</p> <p><b>18.3</b> The maximum points for this bid are allocated as follows:</p> <table border="1" style="margin-left: 40px;"> <tr> <td></td><td><b>POINTS</b></td></tr> <tr> <td><b>PRICE</b></td><td><b>80</b></td></tr> <tr> <td><b>SPECIFIC GOALS</b></td><td><b>20</b></td></tr> <tr> <td><b>Total points for Price and Specific Goals</b></td><td><b>100</b></td></tr> </table>		<b>POINTS</b>	<b>PRICE</b>	<b>80</b>	<b>SPECIFIC GOALS</b>	<b>20</b>	<b>Total points for Price and Specific Goals</b>	<b>100</b>
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<b>Total points for Price and Specific Goals</b>	<b>100</b>								
<b>19.</b>	<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><b>19.1</b> <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. Awarding of points for financial offer.</li> <li>6. Ranking of tenderers according to the total points</li> <li>7. Performance of risk analysis by checking the credit record of the tenderers</li> </ol> <p><b>19.2</b> <b>Evaluation Criteria</b></p>								



	The procedure for the evaluation of responsive Bids will be on the average of the previous three projects where the firm was involved																				
20.	Tenders are adjudicated in terms of NDM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.																				
20.1	<p><b>Tender Responsiveness</b></p> <p>Tender responsiveness shall mean tender compliance with all the prescribed key requirements for submission with this tender which are regarded as eliminating factors. Elimination factors include non-compliance with key requirements specified for the following:</p> <ul style="list-style-type: none"><li>• Project Director/Team Leader (30 Points).</li><li>• Programme Facilitator (18 Points).</li><li>• Physical and Other Resources (20 Points)</li><li>• Experience of firm (32 Points)</li><li>•</li></ul> <p>The Project Director/Team Leader and Programme Facilitator combined are regarded as Personnel and carry combined total of 48 points while Physical and Other Resources carry a total of 20 points. The firms experience carries 32 points.</p> <p>The service provider's tender responsiveness in relation to points is therefore summarized as follows:</p> <table><tr><td>Personnel</td><td>48</td></tr><tr><td>Physical and Other Resources</td><td>20</td></tr><tr><td>Experience of Firm</td><td>32</td></tr><tr><td>Sub-Total</td><td><u>100</u></td></tr></table> <p><b><u>A firm must obtain a minimum of 70 points out of the 100 points above to be considered for price and Specific goals evaluation.</u></b></p> <p><b>Project Director / Team Leader :</b> <i>(Maximum Points obtainable 30)</i></p> <p><b>Name:</b>.....</p> <table><tr><th>Evaluation Criteria</th><th>Minimum Required</th><th>Elimination Factor</th><th></th><th>Points obtainable</th><th>Points Claimed</th></tr><tr><td>Academic Qualifications</td><td>Degree in Agriculture (NQF Level 7)</td><td>No</td><td></td><td>10</td><td></td></tr></table>	Personnel	48	Physical and Other Resources	20	Experience of Firm	32	Sub-Total	<u>100</u>	Evaluation Criteria	Minimum Required	Elimination Factor		Points obtainable	Points Claimed	Academic Qualifications	Degree in Agriculture (NQF Level 7)	No		10	
Personnel	48																				
Physical and Other Resources	20																				
Experience of Firm	32																				
Sub-Total	<u>100</u>																				
Evaluation Criteria	Minimum Required	Elimination Factor		Points obtainable	Points Claimed																
Academic Qualifications	Degree in Agriculture (NQF Level 7)	No		10																	



(Note 1)					
	Diploma in Agriculture (NQF Level 6)	Yes		5	
<b>Sub-total</b>				<b>10</b>	
		<b>Elimination Factor</b>			
Years of experience after qualification (Note 3)	3 - 5	No		4	
	6 - 8	No		5	
	9 - 11	No		6	
	12 upwards	No		8	
<b>Sub-Total</b>				<b>8</b>	
Involvement in comparable projects (Note 4)	3 - 5	No		5	
	6 - 8	No		6	
	9 - 11	No		7	
	12 upwards	No		9	
<b>Sub-total</b>				<b>9</b>	
Current Employment (Note 4)	Full time employed by the Consulting Firm	No		3	
	Not Full time employed by the Consulting Firm	No		2	
<b>Sub-total</b>				<b>3</b>	
<b>Total</b>				<b>30</b>	

#### **Project Director / Team Leader**

It must be noted that a minimum of **18 points** must be obtained by the proposed Team Leader during evaluation failure which a tender shall be automatically eliminated from any further evaluation.

#### **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 certificate from Qualifications Certification Body. The proposed Team Leader shall be in possession of at least a Diploma in Agriculture.

#### **Note 3: Experience after qualification**

A minimum of 3 years post qualification experience is required for the team leader.



**Note 4: Employment History (Involvement in comparable projects)**

Proof of employment history must be contained in the curriculum vitae (CV) and must include references and contact details. The CV must be containing only necessary and relevant information for the purpose of this project.

**Programme Facilitator:**

***(Maximum Points obtainable 18)***

**Name:**.....

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>	<b>Points Claimed</b>
Academic Qualifications (Note 6)	Degree in facilitation ( NQF Level 7)	No	4	
	Diploma in facilitation (NQF Level 6)	No	3	
	Certificate in facilitation	Yes	0	
<b>Sub-total</b>			<b>4</b>	
Years of experience after qualification (Note 7)	2-5	No	3.5	
	6 - 8	No	4	
	9 - 11	No	5	
	12 upwards	No	6	
<b>Sub-total</b>			<b>6</b>	
Involvement in comparable projects (Note 4)	2 - 5	No	2.5	
	6 - 8	No	3	
	9 - 11	No	4.5	
	12 upwards	No	5	
<b>Sub-total</b>			<b>5</b>	
Current Employment (Note 8)	Full time employed by the Consulting Firm	No	3	
	Not full time employed by the consulting firm	No	2	
<b>Sub-total</b>			<b>3</b>	
<b>Total</b>			<b>18</b>	

**Programme Facilitator**

It must be noted that a minimum of **10.5 points** must be obtained by the proposed Programme facilitator



during evaluation failure which a tender shall be automatically eliminated from any further evaluation. The Programme Facilitator should not be the same as the project director. Zero points will be allocated in case of similarity.

#### **Note 6: Academic Qualifications**

Proof of academic qualifications in the form of copies must be attached to the Programme Facilitator's CV. Foreign qualifications must be accompanied by certificate from SAQA. The proposed Programme Facilitator shall be in possession of at least a Certificate in facilitation/moderator/assessor.

#### **Note 7: Employment History**

A minimum of 2 years post qualification experience is required for the Programme Facilitator.

#### **Physical and Other Resources**

It must be noted that a total of **20 points** must be obtained by the Consulting Firm in relation to the requirements as mentioned on the table below.

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>	<b>Points Claimed</b>
Hardware Resources (Note 16)	Computers x 1	No	4	
	Laptop X 3	No	4	
	Projector x 1	No	4	
	Printers (able to print A4 and A3) X 1	No	4	
<b>Sub-total</b>			<b>16</b>	
Company's vehicles (Note 18)	Vehicles x 2	No	4	
<b>Sub-total</b>			<b>4</b>	
<b>Total</b>			<b>20</b>	

#### **Experience of Firm**

It must be noted that the experience of the firm carries a maximum of **32 points** as indicated in the table below. A firm must obtain a minimum of **22.5 points** to be considered for further evaluation. If a tenderer fails to obtain the minimum **22.5 points** then, tender shall be automatically eliminated from any further evaluation.

<b>Evaluation Criteria</b>	<b>Evaluation Criteria</b>	<b>Elimination Factor</b>	<b>Points obtainable</b>	<b>Points Claimed</b>
Company experience in	1-3 Projects	No	8	





terms of similar projects completed <b>(Note 19)</b>	4-6 Projects	No	12	
	7+ Projects	No	20	
<b>Sub-Total</b>			<b>20</b>	
Company experience in terms of value of similar Projects Completed <b>(Note 19)</b>	R300 000-R500 000	No	8	
	R600 000-R1 mil	No	10	
	+ R1,1 mil and more	No	12	
<b>Sub-Total</b>			<b>12</b>	
<b>TOTAL</b>			<b>32</b>	

**Note 16: Hardware Resources**

Company's asset register with the required listed resources in the form of copies must be attached.

**Note 18: Company's Vehicles**

A company's asset register with the required listed resources must be attached. Attach a copy vehicle registration certificate.

**Note 19: Company's previous completed projects**

Provide proof of the company's previous completed projects which is appointment letters and completion



	<p>certificates must be attached.</p> <p>The procedure for the evaluation of responsive Bids will be on the average of the previous three projects where the firm was involved.</p>
20.2	<p><b>Technical adjudication and General Criteria</b></p> <ul style="list-style-type: none"> <li>▪ Tenders will be adjudicated in terms of inter alia:</li> <li>▪ Compliance with Tender conditions</li> <li>▪ Technical specifications</li> </ul> <p>If the Tenderer does not comply with the Tender Conditions, the Tenderer may be rejected. If technical specifications are not met, the Tender may also be rejected.</p> <p>With regard to the above, certain actions or errors are unacceptable and warrants <b>REJECTION OF THE TENDER</b>, for example</p> <ul style="list-style-type: none"> <li>• A Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS must be submitted.</li> <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 unbanded or unbundled.</li> <li>• Failure to complete the schedule of quantities as required – only lump sums provided.</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>• The Tender has not been properly signed by a party having the authority to do so, according to the <b>Form E – “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>



20.3	<p><b>Size of enterprise and current workload</b></p> <ul style="list-style-type: none"><li>▪ Evaluation of the Tenderer's position in terms of:</li><li>▪ Previous and expected current annual turnover</li><li>▪ Current contractual obligations</li><li>▪ Capacity to execute the contract</li></ul>
20.4	<p><b>Proposed Key Personnel</b></p> <p>In this part of the tender, the Tenderer shall also supply Curriculum Vitae (CV's) for the Staff available named and working for the Tenderer. The CV should follow the normal Professional Format as used by Professional Service Providers.</p> <p>Each CV should give at least the following:</p> <ul style="list-style-type: none"><li>○ Position in the firm and within the organisation of this assignment</li><li>○ PDI status (describing population group, gender and disabilities)</li><li>○ Educational qualifications</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>
20.5	<p><b>Previous experience</b></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/her previous experience. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"><li>▪ Experience of contracts of similar size</li><li>▪ Service Provider to attach order or appointment letter from previous experience.</li></ul>
20.6	<p><b>Financial ability to execute the contract:</b></p> <p>Evaluation of the Tenderer's financial ability to execute the contract will not be considered. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"><li>▪ Professional Indemnity <b>for R500 000 per claim</b></li></ul>
20.7	<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 Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS must been submitted.</b></li></ul>



<b>20.8</b>	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
<b>20.9</b>	<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>
<b>21</b>	<p><b>The additional conditions of Tender are:</b></p> <ol style="list-style-type: none"><li>1. Service providers who has scored the highest points for Price and Specific Goals in terms of the Preferential Procurement Regulations 2022 will be appointed and the maximum number is limited to <b>One (01)</b></li><li>2. 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>