

**TENDER No.: KRLMTEC/BID: 02/2022-23**

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

# **THE TENDER**

<p><b>CIBD CATEGORY : 5CEPE FOR POTENTIALLY EMERGING ENTERPRISES &amp; 6CE OR HIGHER</b></p>
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**PART T1: TENDERING PROCEDURES**

**PART T2: RETURNABLE DOCUMENTS**

**TENDER No.: KRLMTEC/BID: 02/2022-23**

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

## **PART T1: TENDERING PROCEDURES**

T1.1	TENDER NOTICE AND INVITATION TO TENDER .....	T.3
T1.2	TENDER DATA .....	T.5

TENDER No.: KRLMTEC/BID: 02/2022-23

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**



**BID NO: KRLMTEC/BID: 02/2022-23**

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**T1.1 TENDER NOTICE AND INVITATION TO TENDER**

**KGETLENGRIVIER LOCAL MUNICIPALITY**

**TENDER NO: KRLMTEC/BID: 02/2022-23**

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
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Suitable service providers are invited to bid for the **Appointment of Professional Contractor for Construction of Internal Roads & Stormwater in Reagile Ext 6 & 7**. Bidders are requested to bid as per specification attached to the bid documents that will be obtainable on **11 August 2021** from 07h30 to 15h00 (Mondays to Fridays) at the offices of Kgetlengrivier Local Municipality Cashier, corner Smuts and De Wet Street, Koster upon payment of a non-refundable amount of **R 1000.00**.

A compulsory briefing session will be held on 22 August 2022 at Reagile Community Hall at 14H00.

Municipality bank account number: 1700000032 Absa Bank or can be downloaded on the E-Tender portal for free.

Completed bid documents signed by a duly authorised person, sealed in an envelope clearly marked "**Tender No. KRLMTEC/BID: 02/2022-23: Appointment of Professional Contractor for Construction of Internal Roads and Stormwater in Reagile Ext 6 & 7**" must reach the undersigned by depositing it into the tender box at the foyer of the main entrance to the Kgetlengrivier Local Municipality by not later than **30 August 2022 at 12:00** when all tenders received will be opened in public in the Executive Committee Chamber, Cnr De Wet & Smuts Ave, Koster, 0348.

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

The Municipality is not bound to accept the lowest or any bid and reserves the right to accept any part of a bid. Bids must remain valid for a period of ninety (90) days after closing date of submission thereof.

**Submitted tenders will be evaluated on 80/20 score points.**

**Functionality will be used for evaluation process only and details for functionality will be documented in the tender document.**

Bids which are late, incomplete, unsigned or submitted in pencil or by telegraph or facsimile or electronically by e-mail, or not having the following documents attached for evaluation or not complying with the tender specifications, will not be evaluated and will be disqualified:

- Original valid Tax Clearance Certificate or proof of SARS TCS PIN
- Company Registration Certificate
- Attendance of Compulsory Briefing Session
- Certified Copies of Company Owners' ID Book(s) not older than 3 months
- Proof of company municipal account / lease agreement or proof of residential address by Traditional Authority, not older than 3 months
- Relevant CIDB Grading- 5CEPE for potentially emerging enterprises & 6CE or higher
- B-BBEE Certificate (for preferential points)
- Audited Annual Financial Statements for 3 years
- Authority for Signatory
- Completion of Form of Offer
- Completion and Compliance with Addendum (if applicable)
- Joint Venture Agreement
- Receipt / Proof of Purchase of Bid Document
- Completion of Schedule of Quantities
- Insurance Statement
- Completion of MBD Documents
- Price Alterations without Signature or using Tippex
- Completion of Bid Document using Pencil

All technical enquiries can be directed to Director Technical Services Mr TJ Meerken , e-mail: [tmeerken@gmail.com](mailto:tmeerken@gmail.com) or Tel Number at (014) 543 2004/5/6, during office hours while procurement enquiries should be directed to Ms. Sonto Ntshangase, e-mail [ntshangases@kgetlengrivier.gov.za](mailto:ntshangases@kgetlengrivier.gov.za) or Tel Number at (014) 543 2004/5/6.

The Kgetlengrivier Local Municipality is not compelled to accept the lowest or any tender. No late, faxed, e-mail or telephonic tenders will be accepted.

NOTE: Successful bidders will be subjected to Security Check.

**MR. R.J MOGALE**

**MUNICIPAL MANAGER**

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

**T1.2 TENDER DATA**

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of SANS 294:2004.

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 of inconsistency between it and the Standard Conditions of Tender.

Each item of data given below is cross-referenced to the sub-clause in the Standard Conditions of Tender to which it mainly applies.

<b>Subclause</b>	<b>Data</b>
F.1.1	The employer is the <b>KGETLENGRIVIER LOCAL MUNICIPALITY</b> .
F.1.2	<p>The Project Document issued by the employer consists of the following:</p> <p><b>THE TENDER</b></p> <p>Part T1: Tendering procedures:</p> <p style="padding-left: 40px;">T1.1 Tender notice and invitation to tender</p> <p style="padding-left: 40px;">T1.2 Tender Data</p> <p>Part T2: Returnable documents</p> <p style="padding-left: 40px;">T2.1 Returnable Schedules required for Tender Evaluation</p> <p style="padding-left: 40px;">T2.2 Other Documents required for Tender Evaluation</p> <p style="padding-left: 40px;">T2.3 Returnable Schedules that will be incorporated into the Contract</p> <p><b>THE CONTRACT</b></p> <p>Part C1: Agreements and contract data</p> <p style="padding-left: 40px;">C1.1 Form of Offer and Acceptance</p> <p style="padding-left: 40px;">C1.2 Agreement in Terms of the Occupational Health &amp; Safety Act</p> <p style="padding-left: 40px;">C1.3 Performance Guarantee</p> <p style="padding-left: 40px;">C1.4 Abstracts of the Mine Health and Safety Act No.29</p> <p style="padding-left: 40px;">C1.5 Contract Data</p> <p>Part C2: Pricing data</p> <p style="padding-left: 40px;">C2.1 Pricing instructions</p> <p style="padding-left: 40px;">C2.2 Bills of quantities</p> <p style="padding-left: 40px;">C2.3 Summary of Bill of Quantities</p> <p style="padding-left: 40px;">C2.4 Calculation of Tender Sum</p> <p>Part C3: Scope of work</p> <p style="padding-left: 40px;">C3.1 Description of Works</p>

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

Subclause	Data
	<p>C3.2 Engineering</p> <p>C3.3 Procurement</p> <p>C3.4 Construction</p> <p>C3.5 Management</p> <p>Part C4: Site information</p> <p>C4.1 Site Information</p> <p>C4.2 Locality Plan</p> <p>Part C5: Annexures</p> <p>C5.1 : Proforma Documents</p> <p>C5.2 : Contract Drawings</p>
F.1.4	<p>The employer's agent is:</p> <p>Name: EKS Consulting Engineers</p> <p>Address: 570 Moreleta Street, Silverton, Pretoria, 0184</p> <p>Tel: 087 094 6046 Fax: 087 094 6047</p> <p>e-mail : info@eksengineers.co.za</p>
F.2.1	<p>Only those tenderers who are registered with the CIDB, or can provide proof of having applied for registration, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 5 CE PE or 6 CE or higher class of construction work, or by a contractor who is registered as a potentially emerging enterprise in terms of these Regulations at a contractor grading designation, one level higher than the contractor's registered grading designation, provided that the client</p> <p>(a) is satisfied that such a contractor has the potential to develop and qualify to be registered in that higher grade; and</p> <p>(b) ensures that financial, management or other support is provided to that contractor to enable the contractor to successfully execute that contract are eligible to submit tenders.</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> <li>every member of the joint venture is registered with the CIDB or can provide proof of having registered;</li> <li>the lead partner has a contractor grading designation in the <b>6 class</b> of construction work; and</li> <li>the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a <b>6</b> class of construction work are eligible to submit tenders.</li> </ol>

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

<b>Subclause</b>	<b>Data</b>
F.2.7	<p>The arrangements for a compulsory clarification meeting are:</p> <p>Location: <b>At Koster Reagile Community Hall at 14H00</b></p> <p>Date: <b>22 August 2022</b></p>
F.2.12	<p>If a tenderer wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the employer's standards and requirements, the details of which may be obtained from the employer's Agent.</p> <p>Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.</p> <p>Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the employer's standards and requirements.</p> <p>The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the employer's costs of confirming the acceptability of the detailed design before it is constructed.</p>
F.2.13.5	<p>The employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: <b>Kgetlengrivier Local Municipality, corner Smuts and De Wet Street, Koster.</b></p> <p>Identification details: <b>KRLMTEC/BID: 02/2022-23 – Appointment of Professional Contractor for Construction of Internal Roads &amp; Stormwater in Reagile Ext 6 &amp; 7.</b></p>
F.2.13. & F.3.5	<p>A two-envelope procedure will not be followed.</p>
F.2.15	<p><b>Closing time for submission of tender offers is: 12h00 on the 30 August 2022.</b></p>
F.2.15	<p><b>Telephonic, telegraphic, telex facsimile or e-mailed tender offers will not be accepted.</b></p>

**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
INTERNAL ROADS & STORMWATER IN REAGILE EXT 6 & 7**

<b>Subclause</b>	<b>Data</b>
F.2.1.5	The tender offer validity period is <b>90 days</b> .
F.2.1.7	The tendered lump sums and rates shall be final and binding irrespective of the total tender price.
F.2.23	<b>The tenderer is required to submit with his tenders an original Tax Clearance Certificate from the South African Revenue Services (“SARS”) certifying that the tenderer’s taxes are in order or that suitable arrangements have been made with SARS.</b>
F.3.11	<p>Responsive tenders will be evaluated according to the MFMA, Circular No.53 of the Municipal Finance Act No.56 of 2003.</p> <p><b><u>First stage – Compliance to administrative requirements</u></b></p> <p>Bidders must comply with the following administrative requirements and noncomplying bidders will be considered as nonresponsive and will be disqualified for further evaluation:</p> <ul style="list-style-type: none"> <li>➤ <b>Original valid Tax Clearance Certificate or proof of SARS TCS PIN</b></li> <li>➤ <b>Company Registration Certificate</b></li> <li>➤ <b>Attendance of Compulsory Briefing Session</b></li> <li>➤ <b>Certified Copies of Company Owners’ ID Book(s) not older than 3 months</b></li> <li>➤ <b>Proof of company municipal account / lease agreement or proof of residential address by Traditional Authority, not older than 3 months</b></li> <li>➤ <b>Relevant CIDB Grading</b></li> <li>➤ <b>B-BBEE Certificate (for preferential points)</b></li> <li>➤ <b>Audited Annual Financial Statements for 3 years</b></li> <li>➤ <b>Authority for Signatory</b></li> <li>➤ <b>Completion of Form of Offer</b></li> <li>➤ <b>Completion and Compliance with Addendum (if applicable)</b></li> <li>➤ <b>Joint Venture Agreement</b></li> <li>➤ <b>Receipt / Proof of Purchase of Bid Document</b></li> <li>➤ <b>Completion of Schedule of Quantities</b></li> <li>➤ <b>Insurance Statement</b></li> <li>➤ <b>Completion of MBD Documents</b></li> <li>➤ <b>Price Alterations without Signature or using Tippex</b></li> <li>➤ <b>Completion of Bid Document using Pencil</b></li> </ul>



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Subclause	Data													
	<p><b><u>Second stage – Evaluation of functionality :</u></b></p> <p>Responsive tenders will then be evaluated on functionality. The minimum score for functionality is <b>70%</b>, and a bidder who scores below this minimum shall not be considered for further evaluation in terms of the preference point systems.</p> <p><b>FUNCTIONALITY COMPETENCE ACHIEVEMENT SCHEDULES</b></p> <table><tr><th>DESCRIPTION OF FUNCTIONALITY CRITERIA AND SUB-CRITERIA</th><th>Minimum number of bid evaluation points</th><th>Maximum number of bid evaluation points</th></tr><tr><td>Approach paper which responds to the proposed scope of work and outlines proposed approach = 10 points</td><td rowspan="3">30</td><td rowspan="3">40</td></tr><tr><td>Methodology = 15 points</td></tr><tr><td>And work plan complete with time frame = 15 points</td></tr><tr><td><b>QUALIFICATIONS</b></td><td rowspan="3">20</td><td rowspan="3">30</td></tr><tr><td><b>Director:</b><ul style="list-style-type: none"><li>B-Tech degree/ similar in Civil Engineering = 10 points</li></ul></td></tr><tr><td><b>Manager/Site Agent:</b>  National Diploma/ or similar in Civil Engineering = 10 Points</td></tr></table>	DESCRIPTION OF FUNCTIONALITY CRITERIA AND SUB-CRITERIA	Minimum number of bid evaluation points	Maximum number of bid evaluation points	Approach paper which responds to the proposed scope of work and outlines proposed approach = 10 points	30	40	Methodology = 15 points	And work plan complete with time frame = 15 points	<b>QUALIFICATIONS</b>	20	30	<b>Director:</b> <ul style="list-style-type: none"><li>B-Tech degree/ similar in Civil Engineering = 10 points</li></ul>	<b>Manager/Site Agent:</b>  National Diploma/ or similar in Civil Engineering = 10 Points
DESCRIPTION OF FUNCTIONALITY CRITERIA AND SUB-CRITERIA	Minimum number of bid evaluation points	Maximum number of bid evaluation points												
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Subclause	Data		
	<b>EPWP – Labour Intensive Certificates:</b> <ul style="list-style-type: none"> <li>1-2 personnel = 5 points</li> <li>Or more personnel = 10 points</li> </ul>		
	<b>EXPERIENCE</b>  Similar contract with any organ of state or private sector <ul style="list-style-type: none"> <li>1 Previous Contract = 10 points</li> <li>2 Previous Contract = 20 points</li> <li>3 or more Contract = 30 points</li> </ul> <b>Attach References – Appointment Letters with Completion Certificates</b>	20	30
	<b>Total Evaluation points for functionality (W<sub>Q</sub>)</b>	<b>70</b>	<b>100</b>
	<p>The minimum score required for functionality is <b>70%</b>, and a bidder who scores below this minimum shall be disqualified and shall not be considered for further evaluation in terms of the 80/20 preference point system.</p> <p><b><u>Third Stage – Evaluation in terms of the 80/20 Preference Point System:</u></b></p> <p>Responsive tenders which have achieved the minimum qualification score for functionality will be evaluated further, using the 80/20 preference point system.</p> <p><b><u>Step 1: Calculation of points for Price</u></b></p> <p>The PPPFA prescribes that the lowest acceptable bid will score 80 points for price. Bidders that quoted higher prices will score lower points for price on a pro-rata basis. The formula to be used for calculating points scored for price is the following:</p> $P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$ <p>Where</p>		

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	<p>Ps = Points scored for price of the bid or tender under consideration</p> <p>Pt = Price (Rand value) of bid or tender under consideration</p> <p>Pmin = Price (Rand value) of the lowest acceptable bid or tender</p> <p>Points scored must be rounded off to the nearest 2 decimal places</p> <p><u>Step 2: Calculation of points for B-BBEE status level of contributor</u></p> <p>Points shall be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:</p> <table border="1"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th><th>Number of points (80/20 system)</th></tr> </thead> <tbody> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>18</td></tr> <tr><td>3</td><td>14</td></tr> <tr><td>4</td><td>12</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>6</td></tr> <tr><td>7</td><td>4</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td>Non-compliant contributor</td><td>0</td></tr> </tbody> </table> <p>A bid shall not be disqualified from the bidding process if the bidder does not submit a certificate substantiating the B-BBEE status level of contribution nor is a non-compliant contributor. Such a bidder will score zero (0) out of a maximum of 20 points for B-BBEE.</p> <p>The points scored for price shall be added to the points scored for B-BBEE status level of contribution to obtain the bidder's total points scored out of 100.</p> <p><b>Award of contract to bids not scoring the highest number of points</b></p> <p>(a) A contract must be awarded to the bidder who scored the highest total number of points in terms of the 80/20 preference point system.</p> <p>(b) In exceptional circumstances a contract may, on reasonable and justifiable grounds, be awarded to a bidder that did not score the highest number of points. The reasons for such a decision must be approved and recorded for audit purposes and must be defensible in a court of law.</p>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
B-BBEE Status Level of Contributor	Number of points (80/20 system)																				
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Subclause	Data
	<p><b>Evaluation of bids that scored equal points</b></p> <p>(a) In the event that two or more bids have scored equal total points, the successful bid must be the one that scored the highest points for B-BBEE.</p> <p>(b) If two or more bids have equal points, including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.</p> <p>(c) In the event that two or more bids are equal in all respects, the award must be decided by the drawing of lots.</p>
F3.13.1	<p>Tender offers will only be accepted on condition that:</p> <p>a) the tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation;</p> <p>b) the tenderer or any of its directors is not listed in 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; and</p> <p>c) the tenderer has not over the last five years failed to satisfactorily perform a contract for the employer and has been issued with a written notice to this effect.</p>
F.3.18	<p>The number of paper copies of signed contract to be provided by the Engineer is <b>one (1)</b>.</p>
The Municipality Special No.1	<p><b>SMME's:</b></p> <p><b>It is not a requirement of this contract that participation in the contract must be granted to local SMME companies. Local</b> is defined as "having their head office within the Limpopo Province boundaries". A SMME company should be a registered company, but not necessarily be registered with CIDB, although it is preferred.</p>
The Municipality Special No.2	<p><b>Local Labour Content:</b></p> <p>The minimum target for expenditure on wages of Local Labour for this project shall be <b>5% of the Tender Sum</b></p>
	<p><b>Eligibility requirements</b></p> <p>A contract will only be entered into with a tenderer who has in his employ management and supervisory staff satisfying the requirements of the scope of work for labour intensive competencies for supervisory and management staff .</p>

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**APPOINTMENT OF PROFESSIONAL CONTRACTOR FOR CONSTRUCTION OF  
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