

T1.2: BID DATA

The Conditions of bid in the Standard Conditions of bid as contained in Annex F of SANS 10845-3 – *Construction Procurement Part 3: Standard Conditions of Tender* contains references to the bid Data for details that apply specifically to this bid.

The Bid Data shall be read with the Standard Conditions of bid in order to expand on the Bidder's obligations and the Employer's undertakings in administering the bid process in respect of the project under consideration.

The BID Data hereafter shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of bid.

Each item of bid Data given below is cross-referenced to the relevant clause in the standard Conditions of BID.

F.1.1 The Employer for this Contract is: **ELIAS MOTSOLEDI LOCAL MUNICIPALITY.**

F.1.2 Bid Documents

The Bid Document consists of the following:

BID

Part T1:Bidding Procedures

Part T2:Returnable Documents

CONTRACT

Part C1: Agreements and Contract Data

Part C2: Pricing Data

Part C3: Scope of Work

Part C4: Site Information

DRAWINGS

The book of bid drawings is included in this document.

The bid Document with the drawings shall be obtained from the Employer or his authorized representative at the physical addresses stated in the bid Notice, upon payment of the deposit stated.

APPOINTMENT OF SERVICE PROVIDER FOR MAINTENANCE, RESEALING, REHABILITATION AND STORMWATER CONTROL ON ROADS WITHIN THE MUNICIPAL BOUNDARIES AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS (3YEARS)

F.1.4 The Employer's agent is:

Name : J Malaka
Address : 2nd Grobler Avenue
Groblersdal
0470

Telephone : (013) 262 3056 Fax: (013) 262 2547
E-Mail Address : jmalaka@emlm.gov.za

F.1.5 The Employer's right to accept or reject any bid offer

The Employer is not obliged to accept the lowest or any bid offer.

F.2.1 Eligibility

A bidder will not be eligible to submit a bid if:

- (a) The Contractor submitting the bid is under restrictions or has principals who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices;
- (b) The bidder does not have the legal capacity to enter into the contract;
- (c) The Contractor submitting the BID is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing;
- (d) The bidder does not comply with the legal requirements stated in the Employer's procurement policy;
- (e) The bidder cannot demonstrate that he possesses the necessary professional and technical qualifications and competent, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract;
- (f) The Bidder cannot 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.

Only those bidders who are registered with the Construction Industry Development Board (CIDB) in a contractor-grading equal to or higher than a contractor grading designation **6CE** or higher or a combined grading (in the case of a joint venture) equal or higher than **6CE** as defined in the Regulations (09 August 2004 and 22 July 2005), in terms of the CIDB Act No 38 of 2000, are eligible to submit BIDs for this contract.

F.2.1	Only those Bidders who have in their employ management and supervisory staff satisfying the requirements of the scope of work for labour intensive competencies for Supervisory and management staff are eligible to submit bids.
F.2.18	The Bidder shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labor-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.

F.2.10 Pricing the bid offer

(a) Value Added Tax

- The Valued Added Tax (VAT) rate shall be 15% or as otherwise provided for by legislation.
- The successful bidder shall be required to produce a VAT invoice that shall only be prepared once measurements and valuations for work done in terms of the contract offer have been agreed with the Employers agent and a certificate of payment issued.
- Payment of VAT to non-VAT vendors shall be processed from the month in which the bidder's liability with the South African Revenue Services is effective.

F.2.11 Alterations to document

A BID offer shall not be considered if alterations have been made to the forms of bid data or contract data (unless such alterations have been duly authenticated by the bidder) or if any particulars required therein have not been completed in all respects.

F.2.12 Alternative bid offers

No alternative offers will be considered.

F2.13 Submitting a bid Offer

F.2.13.3 Bid offers shall be submitted as an original only.

Under no circumstances whatsoever may the bid forms be retyped or redrafted.

The original tender document, issued to the Bidder, shall be submitted in its entirety. No copies are required.

F.2.15 Two envelope system

A two-envelope procedure will not be followed.

F.2.15 Closing Time

The closing time for submission of bid Offers is: **11:00am on 21 February 2025**. Telephonic, telegraphic, telex, facsimile, electronic or e-mailed bids will not be accepted.

F.2.16 Bid offer validity

The bid Offer validity period is 90 days from the closing time for submission of bids.

F.2.17 Clarification of tender offer after submission

Delete the last part of the second sentence, commencing with the word “and”. Furthermore, delete the last two sentences of Cl. F2.17.

Add the following sentence: “The rates stated by the Bidder shall be binding”.

F.2.18 Provide other Material

Upon request by the Employer, the Bidder shall promptly supply any other material that has a bearing on the tender offer, the bidder’s commercial position (including, where applicable, notarized joint venture agreements), Preferencing arrangements, or samples of materials, considered necessary by the Employer for the purpose of a full and fair assessment. Should the Bidder not provide the information or material called for, by the time for submission stated in the Employer’s request, the Employer will regard the tender offer as being non-responsive.

F.2.19 Access

Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.

F.2.22 Return of bid Documents

Not applicable.

F.2.23 Certificates

The bidder is required to submit with his bid the following Mandatory documents:

- Compensation Fund registration certificate
- Certificate of Contractor Registration issued by the Construction Industry Development Board or a copy of the application Form for registration in terms of the Construction Industry Development Board Act (Form F006). A minimum grading of **6CE** is required

In the event of a Joint Venture submitting a tender, every member of the joint venture must submit proof of registration with the CIDB within 10 days from the closing date for tenders; and the lead partner must have a minimum contract grading designation

Important Note:

Failure to provide the required particulars as per the above-listed certificates implies a non-responsive tender and warrants rejection of the tender on account of non-compliance with the requirements of the Tender Data.

F.3.4 Opening of bid Submissions

The time and location for opening of the **bid** offers are:

The time and location for opening of the tender offers are:

Date : **11H00am on 21 February 2025**

Location : **Elias Motsoaledi Local Municipality offices, Groblersdal**

F.3.5 The two-envelope system will **not** apply to this bid.

F.3.9.1 Arithmetical errors

Delete paragraphs (b) and (c) of Cl. F.3.9.1 and replace with:

- b) If a bill of quantities (or schedule of quantities or schedule of rates) applies and there is an error in the line item resulting from the product of the unit rate and the quantity, the rate shall be binding and the error of extension as entered in the tender offer will be corrected by the Employer in determining the Contract Price.
- c) Where there is an error in addition, either as a result of other corrections required by this checking process or in the Bidder's addition of prices, such error will be corrected by the Employer in determining the Contract Price.
- d) The Contract Price for the completed Contract shall be computed from the actual quantities of authorised work done and compliant with the Contract Data, valued at rates contracted against the respective items in the bill of quantities, schedule of Quantities or schedule of rates and shall include such authorised Provisional Sums and items of extra work as have become payable in terms of the Contract Data.

F.3.11 Evaluation of bid Offers

F.3.11 Evaluation of bid Offers

Bidders will be evaluated on quality, price and preference. It is important that the relevant information is included to enable the Technical Proposal to be evaluated in accordance with the procedure outlined below. All information must be submitted in a separate file. Tampering with the original Bid document will render the Bid non-responsive. Failure to comply with the above requirements will result in the Bid being disqualified.

The Bid evaluation will be conducted as follows:

1(a) First

Bidders will be checked for compliance with Bid Conditions and administrative responsiveness. Non-compliance with any of the requirements will render the Bid non-responsive and it will not be carried forward to the next stage. (refer to 2(a) below).

1(b) Second

The Bidder's experience, staffing and methodology will be evaluated. Each Bid will be assessed and awarded points for Functionality. **Failure to achieve 70 percent out of the 100 for Functionality will render the Bid non-responsive. The bidder has to provide three (3) contactable references of similar road maintenance projects.**

Only Bidders that score the specified minimum number of points for Functionality will be deemed to be acceptable and carried forward to the next stage. The rest will be disqualified. The points for functionality will not be carried forward to the remainder of the evaluation. (refer to 2(b) below)

1(c) Third

Points will be calculated for price on the relevant prices in accordance with the preference point system, 90/10 or 80/20. (refer to 2(c) below)

1(d) Fourth

Points will be awarded in terms of specific goals

1(e) Final

The Bid will be awarded to the short listed Bidder who has scored the highest points for price and specific goal, unless there are justifiable, objective reasons to award the Bid to another Bidder. However, the Employer retains the right not to accept any Bid. Refer to (2e) below)

2(a) Compliance with Bid Conditions and other Requirements

The Bid will be checked to ensure that they comply with the Bid Conditions and all other requirements of the project document. In particular, the following documentation must be completed, signed and included in the Bid:

- a) Form A - Certificate of attendance at site inspection, to be signed in the Bid document or Signature
On-site inspection attendance register.
- b) Form B - Certificate of Authority for Signature. For JV's a JV Agreement shall be provided (if
applicable)
- c) Form F - Record of addenda to Bid documents.

APPOINTMENT OF SERVICE PROVIDER FOR MAINTENANCE, RESEALING, REHABILITATION AND STORMWATER CONTROL ON ROADS WITHIN THE MUNICIPAL BOUNDARIES AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS (3YEARS)

- d) Form I - Certificate of non- collusive Bid
- e) Form J – Compliance with Occupational Health and Safety Act
- f) Form L – Compulsory enterprise questionnaire.
- g) Form Q – Declaration of good standing regarding tax
- h) Form N – Financial details, statements and bank references.
- i) Form U– Declaration of bidder's past supply chain management practices.
- j) Form R – Declaration of interest
- k) Form W – Construction industries development board registration.
- l) Form C1.1 – Form of Offer and Acceptance
- m) Contract Data Section 2: Data provided by the contractor

Failure to comply with the Bid Conditions or to supply the necessary information at Bid closure **WILL** result in the Bid being rejected. Non-submission of any of the forms listed above will result in the Bid being rejected as non-responsive.

2(b) Second Stage in Evaluation: Quality or Functionality: Points System

A brief description of the scoring system is given below. A tabulated score sheet which will be used in the evaluation is as shown below.

The Bidder must be able to demonstrate that he understands the project and the various tasks required. Innovative solutions will be viewed favorably. For a definition of all terms, refer to Scope of Works. Bidders' submissions will be evaluated based on compliance with the following criteria to determine the responsiveness to the bid requirements:

- I. Organogram and CV's for key personnel
- II. Capability statement of the company with regard to this type of work in general, and the

Specifications of this bid in particular. Provide project descriptions of similar completed projects, highlighting similarities between the completed projects and the specifications of this project. Highlight experience with similar projects in South Africa for similar roads authorities in the past 5 years. Provide contact details of employers for these projects. Points will be awarded for each project completed that is at least one grading lower than the CIDB grading called for this project.

- III. Plant and equipment: Indicate own and hired equipment, clearly indicating equipment to be used specifically, for this project.

APPOINTMENT OF SERVICE PROVIDER FOR MAINTENANCE, RESEALING, REHABILITATION AND STORMWATER CONTROL ON ROADS WITHIN THE MUNICIPAL BOUNDARIES AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS (3YEARS)

Functionality Scorecard (Maximum 100 points)					
Criteria	Scoring guide				Maximum Points
Company Experience: NB: The Tender must submit successfully completed roads projects to qualify for maximum points. Note 1: Tenderers to submit names of the completed projects with valid contact details, appointment letters and completion certificates. Non-submission will result in loss of points.	Road Maintenance experience (Company) (Max 50 points) The Tenderer should have a proven track record of road maintenance experience (Attach both copies of Appointment letter and Completion Certificate per project). Points for projects successfully completed will be awarded as follows: *Completed similar Projects of value between R1 million and R6.5 million = 5 points per project *Completed similar Projects of value above R6.5M = 10 points per project				50
Specific Personnel Knowledge – (Max 20 points) Well detailed curriculum vitae and certified copies of academic qualification certificates need to be attached for functionality points scoring otherwise no points will be allocated	Key personnel	Qualification	work experience (years)	Maximum points to score (20)	20
	Contracts Manager has attached CV and certified copy of qualifications. <u>NB: Certification not older than 6 months.</u>	National Diploma Civil Engineering or Higher (as per attached CV)	0-4	0	
			5-6	4	
			7-8	8	
			9-10	10	
	Site Agent has attached CV and certified copy of qualification. NB: Certification not older than 6 months.	Diploma in Civil Engineering, Building Science or higher (as per attached CV)	0-2	0	
			3-4	4	
			5-6	6	
	Safety Officer has attached CV and certified copy of qualification NB: Certification not older than 6 months.	National Diploma Safety Management or Environmental health or Equivalent (as per attached CV)	0-1	2	
			2-3	4	

APPOINTMENT OF SERVICE PROVIDER FOR MAINTENANCE, RESEALING, REHABILITATION AND STORMWATER CONTROL ON ROADS WITHIN THE MUNICIPAL BOUNDARIES AS AND WHEN REQUIRED FOR A PERIOD OF 36 MONTHS (3YEARS)

List of plant- (Max 20 points) 1. Tenderer to submit certified copy of proof of ownership (certification not older than six months). 2. And in case of hiring, a letter of intent must be submitted with certified copy of proof of ownership (certification not older than six months). Bidders will score full points where the total minimum plant required has a letter of intent and also proof of ownership by a rental company If the contractor does not own some or any of the plant listed above, and chooses to hire some or all of the required plant, then the points indicated above will be awarded at 100% of the stated points for any of the relevant items of plant or equipment hired. The letter is to clearly indicate that the Plant intended for the contract will be available for the full duration of the project. Such Letter of Intent is to be unqualified and certified by a plant owner. For the contractor who owns the plant proof of ownership need					
	Required plant	Points	Owned	Hired	
	1xTLB	4			
	1 x Saw cutter <i><u>NB:(Attach proof of purchase; if not attached no points will be allocated)</u></i>	6			
	1x Tipper Truck	4			
	1x Roller Compactor <i><u>NB:(Picture should be attached with proof of ownership (if not attached no points will be allocated).</u></i>	4			
	1x Grader	8			
	1x Pneumatic Roller <i><u>NB:(Picture should be attached with proof of ownership (if not attached no points will be allocated)</u></i>	4			
	Total points	30			30

to be attached for the point to be allocated to the contractor.		
Functionality Threshold (Minimum score)		70 (70%)
Total Points for Functionality		100

It is important that the Bidder provides information as requested as this information will be used for functionality in which a **minimum of 70 percent** must be scored to move to the next stage of evaluation. The scoring will be according to the table below

Bidders must score a minimum of 70 percentage points out of the 100 percentage to qualify for further adjudication.

2(c) Fourth Stage in Evaluation: Price

The following must be completed in full

- * The pricing schedules
- * The form of offer. No alterations, subtractions or additions may be made to the items in the pricing schedule. All items must be priced or calculated.

A total of 80 points will be awarded to the Bid with the lowest balanced price. The other Bidders will be awarded points based on the ratio of the price under consideration to the lowest price.

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

where

P_s = Points scored for comparative price of bid under consideration
 P_t = Comparative price of bid under consideration
 $P_{\min}$ = Comparative price of lowest acceptable bid

2(d) Fifth Stage in Evaluation: Specific goals

2.1 POINTS AWARDED FOR SPECIFIC GOALS

- 2.1.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender
- 2.1.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states
- that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of

state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

*For quotes with a Rand value up to R50 000 000, the preference point system of 80/20 will apply, where 80 points will be for **(Price)** and 20 points will be for **specific goals** (Black, Women, Disability & people living in rural underdeveloped areas) in terms of section 2(1)(d) of the Preferential Procurement Policy Framework Act, 2000, (Act No 5 Of 2000)*

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% Black owned Company	10	
Company which 51% is owned by people living in rural underdeveloped areas	10	
TOTAL POINTS	20	

2(e) Final Stage in Evaluation : Calculation of Final Total Points

The final score or final total points for each Bid will be calculated by adding the scores from the; calculations.

$$P = P_s + P_h$$

F.3.13 Acceptance of bid Offer

F.3.13.1 Accept tender offer only if the bidder complies with the legal requirements stated in the Tender Data.

F.3.13.2 Notify the successful bidder of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period. Providing the

form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful bidder as described in the form of offer and acceptance.

F.3.14 Notice to unsuccessful bidders

After the successful bidder has acknowledged the employer's notice of acceptance, notify other bidders that their tender offers have not been accepted.

F.3.15. Prepare contract documents

If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) Addenda issued during the tender period,
- b) Inclusion of some of the returnable documents,
- c) Other revisions agreed between the employer and the successful bidder, and
- d) The schedule of deviations attached to the form of offer and acceptance, if any.

F.3.16 Issue final contract

Prepare and issue the final draft of contract documents to the successful bidder for acceptance as soon as possible after the date of the employer's signing of the form of offer and acceptance (including the schedule of deviations, if any). Only those documents that the conditions of tender require the bidder to submit, after acceptance by the employer, shall be included.

F.3.17 Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

F.3.18 Copies of Contract

The number of paper copies of the signed contract to be provided by the Employer is ONE.

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1. RESPONSIVENESS CRITERIA

ELIAS MOTSOLEDI LOCAL MUNICIPALITY WILL NOT CONSIDER ANY BID UNLESS IT MEETS THE FOLLOWING RESPONSIVENESS CRITERIA:

- Tender will be evaluated on PPPFA 80/20 points system;
- Price(s) quoted must be valid for at least ninety (90) days from the closing date of the tender;

MINIMUM REQUIREMENTS:

1. Attach CSD registration report (**Detailed report not Summary report**).
2. Valid copy Entity / Company registration certificate.
3. Annexure Forms (**A, B, C, D, E and G**) fully completed and signed.
4. Sign any alteration on the tender document (**NB: Do not Initialize**).
5. Sign every page on the tender document (**NB: Do not Initialize**).
6. Forms must be completed in a **Black ink**.
7. CIPC Abridged Certificate Annual returns (**Figures / Amount page**) (**NB applicable to entities that are in business for more than 12 months and must be paid before the closing date of the tender**).
8. Annual financial statement (**if the bidder is required by law to prepare annual financial statements for auditing, their audited annual financial statements - for the past three years; or since their establishment if established during the past three years**).
9. Letter of good standing (**Compensation for Occupational Injuries and Disease Act (COIDA) / Letter to tender** from Department of Labour.
10. Company profile (**Detailing; name of client; service provided; award amount; contact person and contact number**).
11. Proof of Municipal rates and taxes or services charges:
 - Of the company and all of its directors not in arrears for more than 90 days or
 - Confirmation from the municipality if municipal rates and taxes are not levied (for the company and all its director(s)) as per CK/Company form of address on the registration certificate or
 - If leasing, a signed lease agreement by the lessor and the lessee and municipal rates in the name of the lessor for both company and directors.
12. Original Certified copies of ID's of the Director(s) (**Certification not older than 6 months before the closing date**).
13. **In case of a Joint Venture**, Association or Consortium a formal contract agreement must be signed by both parties and be attached and the following must be adhered to:
 - All of the above requirements must be for both entities.
 - Consolidated Valid CIDB grading.

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MUNICIPAL MANAGER:

Ms. N.R MAKGATA Pr TECH ENG.

MUNICIPAL MANAGER

2ND GROBLER AVENUE

GROBLERSDAL

0470