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**ELUNDINI LOCAL MUNICIPALITY
TENDER NOTICE AND INVITATION TO TENDER**

The Municipality seeks to go into a Framework contract with three (3) to five (5) service providers in each of the categories listed below over a period of three (3) years without a guarantee of the quantum of work:

PROJECT NAME	Contract Number	CIDB Grading	Compulsory Briefing
Framework Contract for Project and contract management services for Civil SMME development	ELM-3/016/2022-2023	Valid Grade 7 CE and above	Town: Nqanqarhu Venue: Town Hall Date: Friday, 26 August 2022 Time: 11H00
Framework Contract for Project and contract management services for Building SMME development	ELM-3/017/2022-2023	Valid Grade 7 GB and above	Town: Nqanqarhu Venue: Town Hall Date: Friday, 26 August 2022 Time: 11H30
RE-ADVERTISEMENT			
Framework contract for Professional Services: Architectural	ELM-3/021/2021-2022	N/A	
Framework contract for Professional Services: Land Surveying	ELM-3/022/2021-2022	N/A	
Framework contract for Professional Services: Geotechnical	ELM-3/023/2021-2022	N/A	

1. The Municipality intend to enter into Framework contract with three (3) to five (5) contractors to provide all required personnel, materials, equipment and plant required for the construction of unpaved roads, building works and associated works over a three (3) year term, as and when the specific package order is issued to the service provider.

RE-ADVERTISEMENT:

At least one (1) member of the tendering entity directors or members be professionally registered in the designated statutory councils as follows:

Project No.	Service area	Key person must be registered with the relevant Statutory Council as follows:
1.	Architectural	Registered in a professional category of registration in terms of the Architectural Profession Act or the Landscape Architectural Profession Act
2.	Land Surveying	Registered Land Surveyor with the South African Geomatics Council (SAGC) in terms of the Geomatics Profession Act (for those bidding on Land Surveying component) and be legally eligible to work in the Republic of South Africa
3.	Geotechnical	Registered in a professional category of registration in terms of the Geotechnical Profession Act or the Landscape Geotechnical Profession Act

Bid ELM-3/016/2022-2023 and ELM-3/017/2022-2023 Contracts will be based on the NEC 3 Engineering and Construction Contract (Option F) **RE-ADVERTISEMENTS** Contracts will be based on the NEC 3 Professional Services Contract - Option G

Tender documents may be obtained from the Elundini Local Municipality SCM Unit upon payment of a non-refundable amount of R250 (two hundred and fifty Rand), either paid in cash or by means of electronic funds transfer (EFT) to the Elundini Local Municipality. The cash amount is to be paid at the cashier's office between the hours of 08:00 and 16:00, prior to the collection of the tender documents from the SCM unit. The tender documents will be available from **Monday, 22 August 2022.**

NB: For EFT payment deposit at ELM FNB cheque account No: 62159933772 and use this reference No. 020114350000. Proof of payment to be sent to: kwaneles@elundini.gov.za upon receiving proof payment, Elundini Municipality will email the tender document to the service providers who are unable to make collections.

Stage 1 of Evaluation: Eligibility Criteria will be available on Tender Data that will be uploaded on ELM Website. www.elundini.gov.za and will be also attached in the tender document

Stage 2 of Evaluation – Quality criteria and maximum score in respect of each of the criteria are as follows:

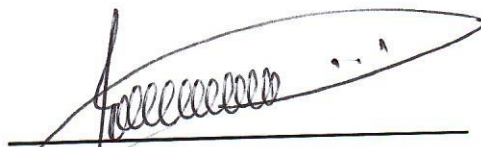
ELM-3/016/2022-2023 and ELM-3/017/2022-2023		ELM-3/021/2021-2022, ELM-3/022/2021-2022 and ELM-3/022/2021-2022	
Quality Criteria	Maximum number of points	Quality Criteria	Maximum number of points
Experience of the tenderer	20	Experience of the tenderer	20
Relevant Expertise	30	Relevant Expertise	60
Company Resources (Plant and Equipment)	30	Approach Paper	20
Company Quality Management System	20		
Maximum possible score for quality (Ms)	100	Maximum possible score for quality (Ms)	100

The minimum number of evaluation points for quality will be 70 points

The Tender Data, Detailed breakdown Quality Criteria, Detailed Scheduled with minimum threshold for Local Content, scope of work including mandatory documents (eligibility criteria) and bid conditions will be uploaded on ELM Website. www.elundini.gov.za and will be also attached in the tender document. Queries relating to the issue of these documents may be addressed to Ms S. Sako, Tel No. 045 932 8216 or email: sisekhos@elundini.gov.za

Completed bid documents and CD or Memory-Stick of the whole tender submission converted into PDF format and supporting documentation must to be placed in a sealed envelope endorsed with **RELEVANT PROJECT NAMES AND BID NUMBERS**: must be delivered to the **Elundini Local Municipality, at No. 1 Seller Street, Nqanqarhu, Finance Department, Cashier's reception area, and placed in the Tender Box not later than 12H00 Noon on Tuesday, 27 September 2022** for this bids at which time the tenders will be opened in public. Failure to adhere to the above conditions shall deem a bidder non-responsive.

Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted. Tenders may only be submitted on the tender documentation that is issued. Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.



JACK MDANI
MUNICIPAL MANAGER



Elundini Local Municipality

Tender no: ELM-3/023/2021-2022

Framework contract for Professional Services: Geotechnical

T1.2 Tender Data

The conditions of tender are the latest edition of SANS 10845-3:2015, *Construction and maintenance Procurement – Part 3: Standard conditions of tender*.

SANS 10845-3:2015 makes 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 or inconsistency between it and the provisions of SANS 10845-3:2015.

Each item of data given below is cross-referenced to the clause in SANS 10845-3:2015 to which it mainly applies. These standards should be read in conjunction with the National Treasury's Standard for Infrastructure Procurement and Delivery Management (SIPDM).

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 or inconsistency between it and the Standard Conditions of Tender.

Clause number	Tender Data
3.1	The employer is the Elundini Local Municipality
3.2	The tender documents issued by the employer comprise the following documents: THE TENDER Part T1: Tendering procedures T1.1 – Tender notice and invitation to tender T1.2 – Tender data Part T2: Returnable documents T2.1 – List of returnable documents T2.2 – Returnable schedules THE CONTRACT PartC1: Agreements and Contract data C1.1 – Form of offer and acceptance C1.2 – Contract data Part 1 – Data by the <i>Employer</i> Part 2 – Data by the <i>Contractor</i> Part C2: Pricing data C2.1 – Pricing assumptions C2.2 – Pricing schedule Part C3: Scope of work C3.1 – Scope of work Part C4: Site information C4.1 – Site Information

3.2	The tender documents issued by the employer comprise the documents listed on the contents page
3.4	The employer's representative for Technical Queries: Name: Ms. Sisekho Sako Elundini Local Municipality 1 Seller Street, Nqanqarhu, 5480. Tel No.: 045 932 8216 Fax No.: 045 932 1094 E-mail: sisekhos@elundini.gov.za The employer's representative for SCM Processes: Name: Ms. Hlubikazi Mduzulwana Elundini Local Municipality 1 Seller Street, Nqanqarhu, 5480. Tel No.: 045 932 8225 Fax No.: 045 932 1094 E-mail: hlubikazi@elundini.gov.za
3.4	The language for communications is English
F.2. 18	The tenderer must submit to the Employer the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirement.
F.3.8	Test for responsiveness This serves as part of the returnable document: Each tender offer must be submitted as an original and CD or Memory- Stick of the whole tender submission converted into PDF format. Failure to adhere to this condition shall deem a bidder non-responsive
F.3.8.1	Determine, after opening and before detailed evaluation, whether each tender offer properly received: - complies with the requirements of these Conditions of Tender, - has been properly and fully completed and signed, and - is responsive to the other requirements of the tender documents.
F.3.8.2	A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would: - detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work, - significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or - affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified. Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation
4	Tenderer's Obligations

4.1	Only those tenderers who satisfy the following eligibility criteria and who provide the required evidence in their tender submissions are eligible to submit tenders and have their tenders evaluated: 1. The tenderer: (a) Is registered in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984) or, if a partnership, has in place a partnership agreement that enables the partnership to continue to function in the event of a death or withdrawal of one of the partners; (b) JV Eligibility requirements: • A Joint venture must submit a consolidated valid original or certified copy of B-BBEE certificate must be submitted with the bid OR a valid original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths prepared and issued in terms of the amended B-BBEE Construction Sector Codes (CSC000) must be submitted in order to qualify for preference points for B-BBEE. Failure to comply with this, will automatically results in the non-awarding of points for B-BBEE.(This will not disqualify bidders but points for B-BBEE will not be allocated) • Submit Joint Venture agreement in the case of joint venture. • Fully completed Compulsory Returnable Documents for JV 2. The Tenderer can demonstrate that he will have in his employ during the contract period the necessary personnel satisfying the requirements of the Scope of Work. Suitable personnel must be registered with the relevant Statutory Council as follows: - Registered in a professional category of registration in terms of the Geotechnical Profession Act or the Landscape Geotechnical Profession Act . - 3. The Tenderer can 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. - Proof of good standing with the Compensation for Occupational Injuries and Diseases (COID) 4. At least one (1) member of the tendering entity directors or members (as reflected on the company registration certificate), in the case of a company and close corporation respectively or partners in the case of partnerships, be professionally registered in the designated statutory councils as per point 2 above. (SAGC, SACNASP stand for South African Council for Natural Scientific Professions or ECSA or any other relevant statutory body) 5. The Tenderer does comply with the legal requirements stated in the Employer's procurement policy; 6. The tenderer can provide at least three contactable client references for the provision of engineering services relating to the category of works tendered which generated a cumulative fee income of at least R850 000.00 including VAT. 7. The tendering entity has professional indemnity insurance cover issued by a reputable insurer in an amount of not less than R 2,0 million in respect of a claim. 8. Directors or company is not in the Treasury's database of restricted suppliers
4.2	The tenderer accepts that, unless otherwise stated in the tender data, the employer does not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer comply with requirements.
4.3	It is the responsibility of the tenderer to check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.
4.4	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.

4.5	The tenderer shall obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are incorporated into the tender documents by reference.
4.6	Acknowledge receipt of addenda to the tender documents, which the employer may issue, and, if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.
4.8	Request clarification of the tender documents, if necessary, by notifying the employer at least 5 (Five) working days before the closing time stated in the tender data
4.10	Tenderers are required to state the rates and currencies in Rands. Include in the rates, prices, and the tendered total of the prices (if any), all duties, taxes which the law requires to be paid [except value added tax (VAT)], and other levies payable by the successful tenderer, that are applicable 14 days before the closing time stated in the tender data. Show the VAT payable by the employer separately as an addition to the tendered total of the prices. Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data. State the rates and prices in monetary value of the contract unless otherwise instructed in the tender data
4.10(a)	If after the commencement of the Contract, the cost or duration of the services is altered as a result of changes in, the amount of the main contractor or contract amount from which estimate were based, or amounts or additions to, any statute, regulation or by-laws, or the requirements of any authority having jurisdiction over any matter in respect of the Project, then the Contract Price and time for completion shall be adjusted in order to reflect the impact of those changes, provided that, within 90 days of first having become aware of the change, the Contractor furnished the Employer with detailed justification to the Price or Period of the Performance (or both).
4.11	Alterations to the documents Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer or to correct errors made by the tenderer and ensure that all signatories to the tender offer initial all such alterations. Do not make erasures using masking fluid.
4.12	No alternative tender offers will be considered
4.13.1	Parts of each tender offer communicated on paper shall be submitted as an original. No copies are required
4.13.2	Sign the original and all copies of the tender offer where required in terms of the tender data. NOTE The employer holds all authorized signatories liable on behalf of the tenderer.
4.13.4	Tender offers will only be accepted if: a) Submits a valid SARS Tax Clearance Certificate or a tax compliance status document reflecting the pin for the Employer to verify that the tenderer is in good standing; b) the tenderer is registered on the Central Supplier Database (CSD) for the South African government (see https://secure.csd.gov.za/) unless it is a foreign supplier with no local registered entity c) the tenderer or any of its directors/shareholders is not listed on 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; d) e) the tenderer has not: i) abused the Employer's Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect; and f) The tenderer has completed the Compulsory Declaration and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process. g) The tenderer is not more than three months in arrears in its municipal rates and taxes or municipal service charges, if applicable

4.13.5 4.15	The employer's details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are: Location of tender box: Elundini Local Municipality Cashier's reception area Finance Department Physical address: 1 Seller Street Nqanqarhu 5480 Identification details : Tender no, Title of Tender and the closing date and time for tenders Closing Date : Tuesday, 27 September 2022 Closing Time : 12H00 The tender box is only open on weekdays between 08:00 and 16:00
4.13.6	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
4.15	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
4.16.1	The tender offer validity period is 12 weeks .
4.17	The tenderer shall provide clarification of a tender offer during the evaluation of tender offers, in response to a request from the employer to do so. NOTE: Such clarifications can include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.
4.19	The employer shall grant during working hours to premises for inspections, tests and analysis, as provided for in the tender data.
5	Employer's Undertaking
5.1	The employer will respond to requests for clarification received up to Five (5) working days before the tender closing time.
5.2	The employer shall issue addenda until Five (5) working days before tender closing time.
5.4	Tenders will be opened immediately after the closing time for tenders as stated in the Tender Notice and Invitation to Tender
5.6	Do not disclose to tenderers, or to any person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer

5.8	Determine, after opening and before detailed evaluation, whether each tender offer that was properly received a) complies with the requirements of the standard conditions of tender in this part of SANS 10845-3:2015 b) has been properly and fully completed and signed, and c) is responsive to the other requirements of the tender documents. A responsive tender is one that conforms to all the terms, conditions, and scope of work of the tender documents, without material deviation or qualification. A material deviation or qualification is one which, in the employer's opinion, would d) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the scope of work, e) significantly change the employer's or the tenderer's risks and responsibilities under the contract, or f) affect the competitive position of other tenderers presenting responsive tenders if it were to be rectified. Reject a non-responsive tender offer, and do not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.
5.9	Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern. For Vat related discrepancies, National and Provincial Treasury prescripts in relation to VAT procedures apply.

5.11.1 Evaluation of tender offers

The procedure for the evaluation of responsive tenders is Method 4: Financial offer, quality and preferences

STAGE ONE: RESPONSIVENESS TO THE BID REQUIREMENTS AND RULES

Bidders' proposals must meet the following minimum requirements and supporting documents must be submitted with the completed bid document in a sealed envelope in the bid box at the closing date and time. Failure to comply will automatically eliminate the bid for further consideration.

1. Bid Document (This Document) must be submitted in its original format.
2. Bids which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted.
3. A copy of the CSD report showing, amongst other things, that tax matters of the service provider are in order with the South African Revenue Services.
4. Failure to comply will automatically eliminate the bid for further consideration.
5. Bidders must be a legal entity or partnership or consortia or joint ventures with a signed agreement in place.
6. Form of offer and Acceptance (fully completed and signed)
7. Invitation to bid must be completed and signed.
8. Declaration of Interest (fully completed and signed)
9. Preference Points Claim form in terms of the Preferential Procurement Regulations 2017 (fully completed and signed)
10. Declaration of Bidder's past Supply Chain Management Practices. (Completed and signed)
11. Certificate of Independent Bid Determination. (Completed and signed)
12. Compulsory Enterprise Questionnaire (Completed and signed)
13. Declaration certificate for local production and content for designated sectors and Annexure C.(Completed and signed)
14. Proof of Authority of Signatory
15. Declaration of Employees of the State or other State Institutions.
16. Proof of attendance of clarification meeting, an attendance register will be circulated for record purposes.
17. A valid original or certified copy of B-BBEE certificate must be submitted with the bid OR a valid original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths prepared and issued in terms of the amended B-BBEE Construction Sector Codes (CSC000) must be submitted in order to qualify for preference points for B-BBEE. Failure to comply with this, will automatically results in the non-awarding of points for B-BBEE. (This is not an Elimination factor).
18. This tender will be awarded as a whole. All Items listed in the Bills of Quantities or Pricing schedule must be priced for (except provisional sums and allowances which must also be added to the total), failure to do so will increase commercial risk of the bid and may lead to elimination or passing over of the bidder.
19. If the offer (any of the items quoted for) is "Vat Inclusive", the VAT registration number of service provider must be indicated. Bidders are not entitled to claim the VAT if they are not VAT registered.

STAGE TWO: EVALUATION OF QUALITY

The quality criteria and maximum score in respect of each of the criteria in accordance with 5.11.9 are as follows:

- 20. Schedule 1: Company Experience – **20 points**
- 21. Schedule 2: Relevant Expertise – **60 points**
- 22. Schedule 3: Approach Paper– **20 Points**

A minimum number of evaluation points for quality is **70**.

STAGE THREE: EVALUATION POINTS ON PRICE AND B-BBEE REGULATIONS OF 2017

The **80/20 preference point system** shall be applied for the purposes of this bid as per the requirements of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and B-BBEE/ PPPFA Regulations of 2017

Criteria	Points
Points on Price	80
B-BBEE	20
TOTAL	100

The **80/20 preference point system for acquisition of services, works or goods up to Rand value of R 50 million:**

The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a Rand value equal to, or above R 30 000 and up to Rand value of R 50 000 (all applicable taxes included):

A maximum of 80 or 90 points is allocated for price on the following basis:
80/20 or **90/10**

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration

5.11.1 The financial offer derived from the bill of quantities will only be used for comparative basis.

5.11.5 The procedure for the evaluation of responsive tenders is Method 4: Financial offer, quality and preferences

The total number of tender evaluation points (T_{EV}) shall be determined in accordance with the following formula.

$$T_{EV} = 0,6 (N_{FO} + N_P) + 0,4 N_Q$$

N_{FO} is the number of tender evaluation points awarded for the financial offer made in accordance with 5.11.7 where the score for financial offer is calculated using Formula 2 and W_1 equals 80.
 N_P is the number of tender evaluation points awarded for preferences claimed in accordance with the Preferencing Schedule
 N_Q is the number of tender evaluation points awarded for quality offered in accordance with 5.11.9 where, $W_2 = 100$.
Up to 100 minus W_1 tender evaluation points will be awarded to tenderers who complete the preferencing schedule and who are found to be eligible for the preference claimed.

5.11.7 Scoring financial Offers

Score the financial offers using the following formula:

$$N_{FO} = W1 \times A$$

where

N_{FO} is the number of tender evaluation points awarded for the financial offer.

$W1$ is the maximum possible number of tender evaluation points awarded for the financial offer as stated in the tender data.

A is the number calculated using the relevant formula described in Table 1, as stated in the tender data.

Table 1 — Formulae for calculating the value of A^a

Formula number	Basis for comparison	Formula
1	Highest price or discount	P/P_m
2	Lowest price or percentage commission or fee	P_m/P
^a P_m is the comparative offer of the most favourable comparative offer. P is the comparative offer of the tender offer under consideration.		

5.11.9 Scoring Quality

The quality criteria and maximum score in respect of each of the criteria are as follows:

No.	Functionality Area	Maximum number of points
1	Company Experience	20
2	Relevant Expertise	60
3	Approach Paper	20
	Total	100

The minimum number of evaluation points for quality is **70**

5.11.9 Each evaluation criteria will be assessed in terms of five indicators – no response, poor, satisfactory, good and very good. Scores of 0, 40, 70, 90 or 100 will be allocated to no response, poor, satisfactory, good and very good, respectively. The scores of each of the evaluators will be averaged, weighted and then totalled to obtain the final score for quality.

5.13	Tender offers will only be accepted if: h) Submits a valid SARS Tax Clearance Certificate or/and a tax compliance status document reflecting the pin for the Employer to verify that the tenderer is in good standing. i) the tenderer is registered on the Central Supplier Database (CSD) for the South African government (see https://secure.csd.gov.za/) unless it is a foreign supplier with no local registered entity j) Prospective bidders must register on CSD prior submitting bids (open tenders). Any prospective bidder found to have Tax matters not in order with SARS (verified through CSD) during the evaluation process (after being given an opportunity to rectify tax matters) will be eliminated and not be considered further in the process. Preferred bidder/s will be afforded an opportunity to rectify their tax affairs within 7 days. A bidder that fails to rectify its tax matters with SARS will be eliminated. k) the tenderer or any of its directors/shareholders is not listed on 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. l) the tenderer has not: i) abused the Employer's Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect; and m) the tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract n) the tenderer is not more than three months in arrears in its municipal rates and taxes or municipal service charges, if applicable. Proof of payment to be supplied. Where no municipal rates are applicable, a proof of residence from the Councillor and a Sworn Affidavit from the SAPS stating that the tenderer is not liable for municipal rates must be supplied. o) NOTE: The amount reflected on the Form of Offer and Acceptance takes precedence over any other total amount indicated elsewhere in bidder's tender submission. If the Form of Offer and Acceptance has no value or figure, the bidder will be regarded as having made no offer. p) the tender has offered a market related offer. If the offer is believed not to be market related, the Municipality through its Supply Chain Management bid committees will attempt to negotiate the offer with identified bidder/s to a reasonable amount. Bidders are not allowed to increase their tender offers during this process. q) A Resolution of signatory form has been completed and signed by director/s or a letter bearing a letterhead of the tenderer has been attached (specific to this bid) to the bid submission; it must be duly signed by all directors and submitted the bid. Only a duly authorized official can sign the bid. r) The Municipality reserves the right not to award the bid to the most favourable tenderer, if any of the situations occur: • if it is not assisting in the advancement of designated groups. • the bidder has been awarded a considerable number of projects by the Municipality. • has performed unsatisfactorily in the past.
5.17	The number of paper copies of the signed contract to be provided by the employer is one.

Evaluation factors	Description	Evidence	Points
Experience of Tenderer	Relevant projects undertaken with supporting evidence	Previous experience in the form of an appointment letter as well as signed reference letters or completion certificates 3 Appointment letters as well as 3 reference letters or 3 completion certificates of the same project =20 points 2 Appointment letters as well as 2 reference letters or 2 completion certificates of the same project =15 points 1 Appointment letter as well as 1 reference letter or 1 completion certificate of the same project =10 points	20
Relevant Expertise	Key person general experience and qualifications in relation to the proposed contract	CVs and qualifications with proposed organogram showing key person 11 - 15 years and above = 15 points 6- 10 years = 10 points 5 years or less = 5 points Honours Degree /Post Graduate Diploma = 15 points Bachelors Degree = 10 points National Diploma = 5 points Total of 30 points for the key person	30
	Supporting personnel with adequacy of experience for the proposed contract	Additional team members with suitable qualifications and experience must be provided in line with the company organogram. At least three (3) or more team members registered with a statutory body (SAGC, SACNASP stand for South African Council for Natural Scientific Professions or ECSA or any other relevant statutory body) = 15 points At least two (2) team members registered with a statutory body (SAGC, SACNASP stand for South African Council for Natural Scientific Professions or ECSA or any other relevant statutory body) = 10 points At least one (1) team member registered with a statutory body (SAGC, SACNASP stand for South African Council for Natural Scientific Professions or ECSA or any other relevant statutory body) = 5 points Average support team experience: 20 years and above= 15 points 15 years=10 points 10 years or less=5 points Total of 30 points for the supporting personnel	30
Approach paper	Methodology	Draft project plan coupled with gannt chart to undertake the works Very Good = 20 points Good = 15 points Fair = 10 points Poor = 0 points	20
TOTAL POINTS			100

The above will be subject to due diligence and verification, which may include visiting the employers to verify claimed experience

The minimum number of evaluation points for quality will be 70 points

Schedule 1: Experience of the tenderer

The experience of the tenderer as a company (as opposed to key staff members) in terms of the tendered category of works as a consultant over the last five (5) years:

Tenderers should very briefly describe company's experience in this regard, emphasising the nature of the works and complexity and attach this to this schedule. Proof of appointment and letters of reference or completion letters from a client should be attached to this schedule for scoring.

The description should be put in tabular form with the following headings separated into each of the tendered category of works. To secure full points, the bidder will require a minimum of three contactable references in each category tendered for and suitable proof of claimed experience must be provided for each claimed reference to secure points:

Employer, and	Description of contracts relating to:	Contract value of the works inclusive of VAT (Rand)	Date	
			Start	Completion
Employer: Contact person: Telephone number: Email address:	Title of the project: Brief description:			
Employer: Contact person: Telephone number: Email address:	Title of the project: Brief description:			
Employer: Contact person: Telephone number: Email address:	Title of the project: Brief description:			

The scoring of the tenderer's experience will be as follows:

0	Tenderer has submitted no information or inadequate information to determine scoring level.
Poor (score 10)	Limited experience. Tenderer <u>only has one (1)</u> relevant project completed
Satisfactory (score 15)	Average experience. Tenderer <u>only has two (2)</u> relevant projects completed
Good (score 20)	Above average experience. Tenderer has <u>three (3) or more</u> relevant projects completed

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Schedule 2.1: Experience of Principal Consultant

(If this person is changed during the course of the contract, the bidder will have to make suitable replacement with equal or superior qualified person)

The experience of the Principal Consultant (Key person whose name is stated as such in Part 2 of the Contract Data) will be evaluated i.e. the person who will provide the services or under whose direction the services is to be provided (see scope of work).

This will be undertaken in relation to:

- 1) Professional profile: general experience (total duration of professional activity), level of education and training and positions held which have a bearing on the required service.
- 2) Experience in relation to the required services

A CV of the Principal Consultant must be attached to this schedule. Each CV should be structured under the following headings:

- 1 Personal particulars
 - name
 - date and place of birth
 - place (s) of tertiary education and dates associated therewith
 - professional awards
- 2 Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)
- 3 Name of current employer and position in enterprise
- 4 Overview of post graduate experience (year, organization and position / responsibilities)
- 5 Outline of assignments / experience that has a bearing on the required services giving dates, nature and scope of that has been undertaken including the level of responsibility
- 6 Professional activities which have a bearing on the service

Certificates / suitable proof of membership must be attached to this schedule

The scoring will be as follows:

	General experience and qualifications in relation to the service	Adequacy for the contract
Score 0	Tenderer has submitted insufficient information to score the schedule	
Fair (score 10)	Key person has reasonable levels of general experience (5 years' or less experience in tendered category of works) 5 points	Key person has reasonable levels of project specific education, training and experience that are pertinent to the scope of work (diploma in relevant field to the category tendered) 5 points
Good (score 20)	Key person has extensive levels of general experience (6 - 10 years' or less experience in tendered category of works) 10 points	Key persons has extensive levels of project specific education, training and experience that are pertinent to the scope of work (degree in relevant field to the category tendered) 10 points
Very good (score 30)	Key person has outstanding levels of general experience(11 - 15 years' or less experience in tendered category of works) 15 points	Key person has outstanding levels of project specific education, training and experience that are pertinent to the scope of work (Honours or post graduate degree in relevant field to the category tendered) 15 points

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the tendering entity, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Schedule 2.2: Experience of Support team (A project organogram and CV's of team must be provided)

The experience of the support team will be evaluated. This will be undertaken in relation to:

- 1) Professional profile: general experience (total duration of professional activity), level of education and training and positions held which have a bearing on the required service.
- 2) Experience in relation to the required services

A CV's and qualifications of the support team must be attached to this schedule. Each CV should be structured under the following headings:

- 1 Personal particulars
 - name
 - date and place of birth
 - place (s) of tertiary education and dates associated therewith
 - professional awards
- 2 Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)
- 3 Name of current employer and position in enterprise
- 4 Overview of post graduate experience (year, organization and position / responsibilities)
- 5 Outline of assignments / experience that has a bearing on the required services giving dates, nature and scope of that has been undertaken including the level of responsibility
- 6 Professional activities which have a bearing on the service

Certificates / suitable proof of membership must be attached to this schedule

The scoring will be as follows:

	General experience and qualifications in relation to the service	Adequacy for the contract
Score 0	Tenderer has submitted insufficient information to score the schedule	
Fair (score 10)	The support team has reasonable levels of general experience Combined support team experience: 20 years and above= 15 points 15 years=10 points 10 years or less=5 points	The support team has reasonable levels of project specific education, training and experience that are pertinent to the scope of work At least one more team member registered with a statutory body as reflected in point 2 of eligibility criteria – 5 points
Good (score 20)	The support team has reasonable levels of general experience Combined support team experience: 15 years=10 points	The support team has reasonable levels of project specific education, training and experience that are pertinent to the scope of work At least two more team members registered with a statutory body as reflected in point 2 of eligibility criteria – 10 points
Very good (score 30)	The support team has reasonable levels of general experience Combined support team experience: 20 years and above= 15 points	The support team has reasonable levels of project specific education, training and experience that are pertinent to the scope of work At least one more team members registered with a statutory body as reflected in point 2 of eligibility criteria – 15 points

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the tendering entity, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Evaluation Schedule 3: Value add by tenderer

The value added by the tenderer in delivering the service will be evaluated i.e. the answer to the question as to why the Employer will derive better value for money by contracting with the tenderer rather than with any other tenderer.

Examples of value add include:

- internal quality control systems
- previous or current work related to the required service
- local knowledge
- office in the vicinity where the works are required
- depth of in-house expertise in the design and implementation of surfaced roads apart from that residing in the Principal Consultant
- approach to the provision of the required service
- software packages, proprietary products, etc

The tenderer must briefly outline the value add offered in not more than four pages and attach this to this page. The tenderer should also state what value add other staff members will provide to the service.

The approach paper must respond to the scope of work, the nature of the contract, the required resources and outline the proposed approach /methodology including that relating to the programming and management of key processes. The approach paper as such needs to:

- Outline the proposed methodology and systems which will be employed.
- Articulate what value add the tenderer will provide in achieving the stated and implied objectives for the project including the secondary (developmental) objectives.

The tenderer should as such explain his / her understanding of the objectives of the project, highlight the issues of importance and explain the strategic approach they would adopt to address them. The approach paper should explain the methodologies which are to be adopted, demonstrate the compatibility of those methodologies with the proposed approach. The approach should also include a high level quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management.

The approach paper will be evaluated in relation to the scope of work from the approach to delivering projects. The approach paper should not be longer than 05 pages.

The scoring of the tenderer's value added will be as follows:

	Delivering projects as the main contractor
Score 0	Tenderer has submitted insufficient information to score the schedule
Poor (score 5)	The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.
Fair (score 10)	The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is to be managed etc is generic.
Good (score 15)	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk etc is specifically tailored to the critical characteristics of the project.
Very good (score 20)	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs / outcomes

C3: Scope of Work

Project Description

The scope of this Framework Contract is the provision of professional services relating to the development of Topographical and Cadastral Surveys for infrastructure projects within Elundini Local Municipality over a 3-year framework term, as and when the specific Package Order is issued to the Service Provider. The municipality seeks to go into a framework contract with 3-5 service providers over a period of 3 years.

Back Background

Framework of contract for professional services: Geotechnical was established with the following:

2.1 Vision

To have a panel of service providers for a period of time without a guarantee of quantum of works, this will provide efficient turnaround time in attending infrastructure.

2.2 Mission

- To promote broad based black economic empowerment;
- To promote local employment (temporary and permanent) through the delivery of the works;
- To retain as much of the project expenditure within the Elundini Local Municipality; and
- To Support skills development by increasing the number of people who have part qualifications, national qualifications and professional designations awarded by statutory councils.

2.3 Objectives

- The Employer's primary objective in entering into this framework contracts over a 3 year framework term for professional services relating to the development of Municipal Infrastructure Projects within the Elundini Municipal area of jurisdiction, on an as and when instructed basis without a commitment to a quantum of work, is to secure the services of a limited number of suitably qualified Service Providers to serve the Employer's current and emerging needs.
- The secondary or developmental objectives of the Employer are to provide employment and business opportunities to persons residing or located within the Elundini Municipal area.

2.4 Specific

- The Service Provider is required to provide all required personnel, materials, equipment and plant required for Professional Services relating to the development of Municipal Infrastructure Projects and associated works as instructed through a Package Order within the Elundini Local Municipality
- Each Package Order will specify its own Works Information with the necessary details applicable for the construction of that Work Package. This will include but not be limited to reporting, technical details, drawings, location, Site Information, invoicing as well as people employment requirements.

Scope of work

The scope of works has been adopted from Guideline for Services and Processes for Estimating Fees for Persons Registered in terms of the Engineering Profession Act, 2000, (Act No.46 of 2000), Board Notice 22 of 2022

3. GUIDELINE SCOPE OF SERVICES

3.1 Planning, studies, investigations and assessments: These typical services relate to carrying out studies and investigations as well as the preparation and submission of reports embodying preliminary proposals or initial feasibility studies and will normally be remunerated on a time and cost basis.

1. Consultation with the client or client's authorised representative.
2. Inspection of the project site.
3. Developing and defining the scope of work where required.
4. Preliminary investigation, route location, planning and a level of design appropriate to allow decisions on feasibility.
5. Assessment of existing infrastructural elements with the view of informing the project on options of how to integrate existing works with proposed new works.
6. Consultation with authorities having rights or powers of sanction as well as consultation with the public and stakeholder groups.
7. Advice to the client as to regulatory and statutory requirements, including environmental management and the need for surveys, analysis, tests and site or other investigations, as well as approvals, where such are required for the completion of the report, and arranging for these to be carried out at the client's expense.
8. Searching for, obtaining, investigating and collating available data, drawings and plans relating to the works.
9. Investigating financial and economic implications relating to the proposals or feasibility studies.
10. Clause (9) does not normally apply to civil and structural services or on building projects, where these services are provided by a quantity surveyor, except as far as the interpretation of cost figures concerning the engineer's scope of works.
11. Assist the client to develop timeframes for next stages of the project where required.

Deliverables will typically include:

- collation of information
- reports on technical and financial feasibility and related implications
- list of consents and approval
- schedule of required surveys, tests, analyses, site and other investigations
- time frames for upcoming deliverables.

3.2 Normal Service: These services are applicable to projects where the nature, form and function of the project have been defined through previous investigations and reports and the engineering services are required to take the project through to successful completion of construction. In the case where only a single consulting engineer is appointed on a project, the services and deliverables of the principal agent are included as normal and must be agreed between the parties to see the project through all stages.

3.2.1 Stage 1 – Inception

3.2.2 Stage 2 – Concept and Viability (often called preliminary design)

3.2.3 Stage 3 – Design Development (also termed Detail Design)

3.2.4 Stage 4 – Documentation and Procurement

3.2.5 Stage 5 – Contract Administration and Inspection

3.2.6 Stage 6 – Close-Out

1. CONDITIONS OF APPOINTMENT

The company shall be an entity whose core business is provision of professional services in the development of Municipal Infrastructure Projects that is registered with the relevant statutory body. The Project Leader of the company should hold a Geotechnical and registered as a professional and its facilitators should have relevant experience.

2. SCOPE OF WORK

■ Provision of Geotechnical

3. REQUIREMENTS

- Certificates for professional qualifications and registration certificates with professional bodies (ECSA & SACPCMP etc.).
- Company profile.
- References as indicated in the criteria.

Requirements

5.1 The Consultant shall in the provision of the services observe all relevant statutes, by-laws and associated regulations, standards of professional conduct and industry norms established in relevant South African national standards published in terms of the Standards Act of 2008 or standards recommended by professional associations.

5.2 The *key person* shall be intimately involved in the provision of the services and any interactions which may be required with statutory councils and authorities.

5.3 The Consultant shall provide the services in accordance with the relevant provisions of the Elundini Local Municipality's *Standard Scope of Professional Services associated with the delivery of a Package* (see Annexure 4).

5.4 No member of, or technical adviser or subject matter expert who participates in the work of the any of the procurement committees or a family member or associate of such a member, may tender for any work associated with the tender which is considered by these committees

6 Facilities and equipment to be provided by the Employer

No facilities or equipment are provided by the Employer.

6 Facilities and equipment to be provided by the Consultant

The Consultant shall provide all equipment and facilities required to provide the services.

7 Retention of Consultant's documents

All documents produced by the Consultant shall be retained in an electronic format that can be accessed and read by the Employer.

8 Rights to material

The Consultant may use material prepared by him under the contract for any purpose.

9 Invoices

Invoices submitted shall be a Tax invoice and contain the information required by the Employer.

10 Skills development requirements

10.1 General

The *Consultant* shall attain or exceed a Contract Skills Development Goal in the execution of an order by providing structured work experience opportunities for persons who are residents of the Elundini Municipality and the Joe Gqabi District Municipality at large and who are South Africans by birth, decent or naturalisation towards registration as an engineering professional registered in terms of the Engineering Profession Act of 2000.

10.2 Contract Skills Development Goal

A Contract Skills Development Goal is the number of hours of skills development opportunities that a *Consultant* contracts to provide in relation to work directly related to a Task Order up to Completion.

The *Consultant* attains or exceeds the Contract Skills Development Goal in the execution of an order by providing structured work experience opportunities for residents of the Elundini Municipality and the Joe Gqabi District Municipality at large and who are South Africans by birth, decent or naturalisation towards registration as an engineering professional registered in terms of the Engineering Profession Act of 2000.

10.3 Structured mentorship opportunities for candidates

Mentoring associated with structured work experience for candidates is in accordance with the prescripts of the Engineering Council of South Africa (ECSA).

The *Consultant*:

- a) appoints a supervisor who is actively engaged in work directly associated with the contract to issue tasks, oversee their implementation and provide input to the candidate on an on-going basis;
- b) identifies a suitable mentor for the candidate, if such candidate does not have a mentor, who enters into a mentoring agreement with the candidate or the Consultant as required by the ECSA; and
- c) issues each candidate with a portfolio of evidence file which is kept up to date with all the documentation issued or prepared including the workplace training plan and all revisions thereof as well as copies of the logbook entries and training period reports;

The mentor provides and updates from time to time a workplace training plan for a candidate outlining the activities in which the candidate will be involved that includes activities required by ECSA. The mentor requires candidates to maintain a logbook issued by ECSA. The mentor signs off such logbook at quarterly presentations and progress review meetings.

The Consultant submits to the Employer's Agent, in respect of each candidate:

- a) within one month of commencing work directly related to the contract or order, a workplace training plan together with name of the candidate's mentor and supervisor
- b) within three months of commencing work directly related to the contract or order:

- 1) proof of registration as a candidate with the relevant professional body or statutory council; and
- 2) a copy of the mentorship agreement entered into with the candidate or the company mentorship agreement entered into ECSA;
- c) within two weeks of updating a workplace training plan, the revised workplace training plan.
- d) a quarterly progress report and a final report at the end of the structured mentorship period including a log of exposure and interactions with the mentor in sufficient detail to demonstrate compliance with requirements, signed off by the mentor, the supervisor and the candidate.

Candidates are required by the mentor to complete training reports required by ECSA whenever a substantial activity or training period has been completed.

The mentor and supervisor signs off all reports and logbooks to allow the candidate to move to other projects or employment and continue on the path towards registration where the work related to the Task Order ends for whatever reason prior to the candidate gaining sufficient experience for registration.

10.4 Granting and denial of credits

Credits towards the Contract Skills Development Goal are granted by summing the hours of opportunities provided. No more than 8 hours may be claimed for any 24 hour period for any individual. Credits towards the Contract Skills Development Goal is denied should:

- a) the opportunities not be directly linked to the Task Order;
- b) a mentorship plan for a candidate not be provided;
- c) the training reports covering a period not be provided;
- d) the required records, specified documents and signatures not be provided;
- e) the structured mentorship is found not to be in accordance with the requirements of SACAP;
- f) the *Consultant* does not maintain the required training records or an audit reveals that there is insufficient information to substantiate claims for credits; and
- g) a candidate fails to present their credentials for assessment when they have, in the opinion of the mentor, sufficient structured work experience or structured mentorship to do so.

10.5 Records

The Consultant, upon termination of the opportunities provided in order to satisfy the contract skills development goal, certifies the quantum and nature of the opportunity and submits the certificate, counter-certified by the relevant individual, to the Employer's Agent for record-keeping purposes.