



TENDER DATA

1.	The Employer is: Nkangala District Municipality P.O Box 437 Middelburg 1050			
2.	Tender Documents Tendering Procedures Tender notice and invitation to tender Tender data Returnable Documents List of Returnable Documents The Contract Agreements and Contract data Forms of Offer and Acceptance Contract Data Pricing Data Pricing Instruction Bill of Quantities Terms of Reference Terms of Reference Additional Relevant Documents Supply Chain Management Policy			
3.	Interpretation The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.			
4	Communication. The Employer's Representative is; <table border="1" data-bbox="284 1617 1327 1832"><tr><td><u>Accounting Officer;</u> M.M Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000</td><td><u>Procurement Enquiries.</u> S.A Mashaba P.O. Box 437 Middelburg 1050 013 249 2104</td><td><u>Technical Enquiries.</u> D.J.D Mahlangu P.O. Box 437 Middelburg 1050 Tel : 013 249 2004/2040</td></tr></table>	<u>Accounting Officer;</u> M.M Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000	<u>Procurement Enquiries.</u> S.A Mashaba P.O. Box 437 Middelburg 1050 013 249 2104	<u>Technical Enquiries.</u> D.J.D Mahlangu P.O. Box 437 Middelburg 1050 Tel : 013 249 2004/2040
<u>Accounting Officer;</u> M.M Skosana P. O. Box 437 Middelburg 1050. Tel: 013 249 2000	<u>Procurement Enquiries.</u> S.A Mashaba P.O. Box 437 Middelburg 1050 013 249 2104	<u>Technical Enquiries.</u> D.J.D Mahlangu P.O. Box 437 Middelburg 1050 Tel : 013 249 2004/2040		



Consultant



Witness 1



Witness 2



Employer



Witness 1



Witness 2



4.1	Attention is drawn to the fact that verbal communication given by the Employer's representative prior to the close of tenders will not be regarded as binding on the employer. Only information issued formally by the employer in writing to the tenders, under the signature of the Accounting Officer will be regarded as amending the tender documents.
5	The Employer's right to accept or reject any tender offer The employer has the right not to accept the lowest tender and to accept the whole or part of any tender or not to consider any tender not suitably endorsed is fully reserved by the Nkangala District Municipality.
6	Tenderer Obligations
6.1	The Council retains the right to call for any additional information that it may deem necessary
6.2	If tendering as a Joint Venture, Joint venture must be constituted by means of a comprehensive and fair, written agreement between the members, which sets out their obligations, rights, risks and rewards. Joint venture members should share at least the following aspects of the joint venture activities in a meaningful and equitable manner: <ol style="list-style-type: none">1. Control2. Management3. Operations4. Risk5. Profit and Loss
6.3	If a Tenderer, or any person employed by him is found to have either directly or indirectly, promised or given to any person in the employment of Council, any commission, gratuity, gift or other consideration, The Council shall have the right to summarily and without recourse to law and without prejudice to any other legal remedy which it may have in regard to any loss and/ or additional costs or expenses, to disqualify the Tender or cancel the Contract without paying any compensation to the aforesaid Tender or Contract.
6.4	At the request of the Municipal Manager or his authorised representative from furnishing him with additional information, or with a sample or specimen for testing purposes or otherwise, or from giving a demonstration so as to enable the recommendation to the Council's responsible Committee on the award of the contract be formulated,
7	Compensation of tendering The employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the cost of any testing necessary to demonstrate that aspects of the offer satisfy requirements.
9	Check documents The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

2. 2

Consultant

Witness 1

Witness 2

Employer

Witness 1

Witness 2



10	Confidentiality and Copyright of Documents. 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.
11	Eligibility Only those tenderers who have done similar projects will be considered.
12	Clarification Meeting A Compulsory clarification meeting will NOT be held for the project. However, project enquiries are welcomed up to and until a day before the closing of tenders.
13	Submitting tender offer:
13.1	No Tender document will be considered unless submitted on Council's Official Tender Document
13.2	Return all the returnable documents to the employer after completing them.
13.3	Tenders must be deposited in the tender box clearly marked: Supply and Delivery of skid units to Nkangala District Municipality. Location of tender Box: Main Entrance Ground floor Nkangala DM Building Physical Address: Nkangala District Municipality, 2A Walter Sisulu Street, Middleburg 1050. Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered
13.4	All tender received by the Nkangala District Municipality will remain in the Municipality's possession until after the stipulated closing date and time.
13.5	Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.
14	Closing Time:
14.1	The time and location for opening of the Tender offers are: Closing Time: 12h00 Closing Date: 28 August 2019 Location: Nkangala District Municipality 2A Walter Sisulu Street Middelburg 1050 Tenders will be opened in public at the same time.

Consultant

Witness 1

Witness 2

Employer

Witness 1

Witness 2



14.2	After the opening of the tender proposals, no information relating to the clarification, determination of responsiveness, evaluation and comparison of tender proposals and recommendations concerning the award of the tender shall be disclosed to any other tenderer or persons not concerned with such process until the award of the Tender has been announced by the NDM.								
15	Pricing the tender State the rates and prices in Rand								
16	Alterations to the Tender Documents. No alterations may be made to the tender document issued by the employer. Proposals and any other supporting documents must be attached to the back of this tender document								
17	Alternative tender offer. No alternative tender offers will be considered or accepted Alternative offers may be submitted only if a main tender offer, strictly in accordance with all the requirements of the tender document is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender document with the alternative requirements the tenderer proposes.								
18	Tender Offer Validity The Tender offer validity period is 90 days from the closing date.								
19	Tender clarification after submission A tender may be regarded as non-responsive if the tenderer fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.								
20	Tender evaluation points The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 point system shall be applicable. Preference points for this bid shall be awarded for: (a) Price; and (b) B-BBEE Status Level of Contribution.								
21	The maximum points for this bid are allocated as follows: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;"></th> <th style="width: 20%; text-align: center;">POINTS</th> </tr> </thead> <tbody> <tr> <td>PRICE</td> <td style="text-align: center;">80</td> </tr> <tr> <td>B-BBEE STATUS LEVEL OF CONTRIBUTION</td> <td style="text-align: center;">20</td> </tr> <tr> <td>Total points for Price and B-BBEE must not exceed</td> <td style="text-align: center;">100</td> </tr> </tbody> </table>		POINTS	PRICE	80	B-BBEE STATUS LEVEL OF CONTRIBUTION	20	Total points for Price and B-BBEE must not exceed	100
	POINTS								
PRICE	80								
B-BBEE STATUS LEVEL OF CONTRIBUTION	20								
Total points for Price and B-BBEE must not exceed	100								

2.4

Consultant

Witness 1

Witness 2

Employer

Witness 1

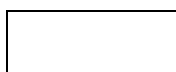
Witness 2



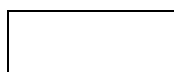
22	Evaluation of Tenders The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy of the NDM.
22.1	The following steps will be followed in evaluation; <ol style="list-style-type: none">1. Determination of whether or not tender offers are complete.2. Determination of whether or not tender offers are responsive.3. Determination of the reasonableness of tender offers.4. Confirmation of the eligibility of preferential points claimed by tenderers.5. Determination of expertise and experience of tenderers.6. Awarding of points for financial offer.7. Ranking of tenderers according to the total points8. Performance of risk analysis by checking the credit record of the tenderers
22.2.1	Technical adjudication and General Criteria <ul style="list-style-type: none">▪ Tenders will be adjudicated in terms of inter alia:▪ Compliance with Tender conditions▪ Technical specifications <p>If the Tenderer does not comply with the Tender Conditions, the Tenderer may be rejected. If technical specifications are not met, the Tender may also be rejected.</p> <p>With regard to the above, certain actions or errors are unacceptable and warrants REJECTION OF THE TENDER, for example</p> <ul style="list-style-type: none">▪ A copy of a Valid Tax Clearance Certificates. (Copy of a letter from SARS indicating Tenderer's SARS reference or login number and pin must be attached to the Tender document).▪ Pages not duly completed, removed from the Tender document, and have therefore not been submitted.▪ If tender document is not fully completed as required and as stipulated in the tender data.▪ If any tender document is tempered with or it is unbundled or unbundled.▪ Failure to complete the schedule of quantities as required – only lump sums provided.▪ Scratching out without initialling next to the amended rates or information.▪ Writing over / painting out rates / the use of tippex or any erasable ink, e.g. pencil.▪ Failure to attend compulsory site inspections



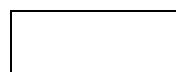
Consultant



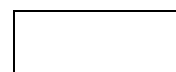
Witness 1



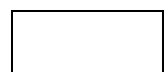
Witness 2



Employer



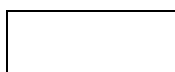
Witness 1



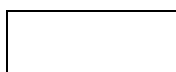
Witness 2



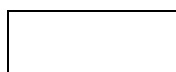
	<ul style="list-style-type: none">▪ The Tender has not been properly signed by a party having the authority to do so, according to the Form D – “Authority for Signatory”▪ A Resolution by a Board of Directors of the Company authorizing the Tenderer to sign the Tender document on behalf of the Company. No authority for signatory submitted.▪ Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.▪ The Tenderer’s attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.▪ Failure to attach required and specified documents▪ The Tender has been submitted after the relevant closing date and time.▪ Failure to complete and sign Form C1.1 Form of Offer and Acceptance▪ If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.▪ If any Tenderer who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that Tenderer that performance was unsatisfactory.
22.2.2	Staffing profile Evaluation of the Tenderer’s position in terms of: <ul style="list-style-type: none">▪ Staff available for this contract being Tendered for▪ Qualifications and experience of key staff to be utilised on this contract.
22.2.3	Previous experience The procedure for the evaluation of responsive Bids will be on the minimum number of projects specified in this document, in terms of functionality.
22.2.4	The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects.
22.2.5	Financial ability to execute the contract Evaluation of the Tenderer’s financial ability to execute the contract. Emphasis will be placed on the following: <ul style="list-style-type: none">▪ Warranty
22.2.6	Good standing with SA Revenue Services <ul style="list-style-type: none">▪ Determine whether an original valid tax clearance certificate has been submitted.▪ The Tenderer must a copy of a Valid Tax Clearance Certificates or a Copy of a letter from SARS indicating Tenderer’s SARS reference or login number and pin.



Consultant



Witness 1



Witness 2



Employer



Witness 1



Witness 2



22.2.7	If the Tender does not meet the requirements contained in the NDM Procurement Policy, and the mentioned framework, it will be rejected by the Council, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.
22.2.8	<p>Penalties</p> <p>The Nkangala District Municipality will if upon investigation it is found that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, on discretion of the Municipal Manager, one or more of the following penalties will be imposed:</p> <ul style="list-style-type: none">▪ Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.▪ Impose a financial penalty at the discretion of Council▪ Restrict the contractor, its shareholders and directors on obtaining any business from the Nkangala District Municipality for a period of 5 years
23	<p>The additional conditions of Tender are:</p> <ol style="list-style-type: none">1. Nkangala District Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.2. The Nkangala District Municipality reserves the right to appoint a firm of chartered accountants and auditors and / or execute any other financial investigations on the financial resources of any Tenderer. The Tenderer shall provide all reasonable assistance in such investigations.

Consultant

Witness 1

Witness 2

Employer

Witness 1

Witness 2



Technical adjudication and General Criteria

- Tenders will be adjudicated in terms of inter alia:
- Compliance with Tender conditions
- Technical specifications

If the Tenderer does not comply with the Tender Conditions, the Tenderer may be rejected. If technical specifications are not met, the Tender may also be rejected.

With regard to the above, certain actions or errors are unacceptable and warrants **REJECTION OF THE TENDER**, for example

- A copy of a Valid Tax Clearance Certificates or a **Copy of a letter from SARS indicating Tenderer's SARS reference or login number and pin** must be attached to the Tender document.
- Pages to be completed, removed from the Tender document, and have therefore not been submitted.
- If tender document is not fully completed as required and as stipulated in the tender data.
- If any tender document is tempered with.
- Failure to complete the schedule of quantities as required.
- Scratching out without initialling next to the amended rates or information.
- Writing over / painting out rates / the use of tippex or any erasable ink, e.g. pencil.
- Failure to attend compulsory site inspections
- The Tender that has not been properly signed by a party having the authority to do so, according to the **Form D – "Authority for Signatory"**
- Where a Resolution by a Board of Directors of the Company authorizing the Tenderer to sign the Tender document on behalf of the Company is not signed and/or attached.
- Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.
- The Tenderer's attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.
- Failure to attach required and specified documents
- The Tender has been submitted after the relevant closing date and time
- Failure to complete and sign Form C1.1 Form of Offer and Acceptance
- If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.
- If any Tenderer who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that Tenderer that performance was unsatisfactory.

Consultant

Witness 1

Witness 2

Employer

Witness 1

Witness 2



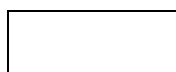
	<p>Good standing with SA Revenue Services</p> <ul style="list-style-type: none"> ▪ Determine whether tax clearance information has been submitted. ▪ The Tenderer must attach Tax access information to enable electronic access by NDM (username/pin) <p>If the Tender does not meet the requirements contained in the NDM Procurement Policy, and the mentioned framework, it will be rejected by the Council, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.</p> <p>Penalties</p> <p>The Nkangala District Municipality will if upon investigation it is found that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, on discretion of the Municipal Manager, one or more of the following penalties will be imposed:</p> <ul style="list-style-type: none"> ▪ Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer. ▪ Impose a financial penalty at the discretion of Council ▪ Restrict the contractor, its shareholders and directors on obtaining any business from the Nkangala District Municipality for a period of 5 years 						
F.3.11.5	<p>Evaluation Method 4</p> <p>Which entails the balance between financial offer, preferences and Quality and 80/20 points system, will be adopted.</p>						
F.3.11.6	<p>Evaluation Criteria</p> <p>The Construction Firm's tender responsiveness in relation to points is therefore summarized as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Submission of Critical Specified documents</td> <td style="text-align: right;">60</td> </tr> <tr> <td>Experience of Firm on similar or comparable projects</td> <td style="text-align: right;">40</td> </tr> <tr> <td style="text-align: right;">Sub-Total</td> <td style="text-align: right;">100</td> </tr> </table>	Submission of Critical Specified documents	60	Experience of Firm on similar or comparable projects	40	Sub-Total	100
Submission of Critical Specified documents	60						
Experience of Firm on similar or comparable projects	40						
Sub-Total	100						



Consultant



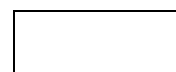
Witness 1



Witness 2



Employer



Witness 1



Witness 2



The Supplier's tender responsiveness in relation to points is therefore summarized as follows:

Submission of Critical Specified documents	60
Experience of Firm on similar or comparable projects	40
Sub-Total	100

A firm must obtain a minimum of 60 points out of the 100 points above to be considered for price and BBB-EE evaluation.

Evaluation Criteria	Description	Elimination Factor	Maximum Points obtainable	Points Claimed
Submission of critical documents pertaining to Project	Warranty Plan (Refer to Note 2 on page 2.11)	Yes	30	
	Breakdown of Service Maintenance (Refer to Note 3 on page 2.11)	Yes	30	
Sub-Total			60	
Company Experience in Similar or Comparable projects (Refer to Note 4 on page 2.11)		Elimination Factor	Maximum Points obtainable	Points Claimed
Number of Earth Moving Equipment Supply Projects Successfully Executed e.g. Graders, TLB, Rollers, Loader, Excavators, etc.	1	No	20	
	2 - 3	No	30	
	4 and above	No	40	
Sub-Total			40	
Total			100	

Note 1. Warranty Plan

The Tenderer shall attach a copy of Manufacturer's Warranty Plan. Should this not be attached, the tender shall be regarded as non-responsive and therefore eliminated from further evaluation.

Consultant

Witness 1

Witness 2

Employer

Witness 1

Witness 2



Note 2. Breakdown of Service Maintenance

The Tenderer shall attach a Breakdown of Service Maintenance. Should this not be attached, the tender shall be regarded as non-responsive and therefore eliminated from further evaluation.

Note 3. Company Experience in Similar or Comparable projects

The Tenderer shall attach **for each project** copies of the following two (2) signed documents, failure which, the tender may be disadvantaged in terms of the allocation of points:

- **Appointment Letter**

Consultant

Witness 1

Witness 2

Employer

Witness 1

Witness 2