



APPOINTMENT

A PANEL OF SERVICE PROVIDERS FOR THE REPAIRS AND MAINTENANCE OF MUNICIPAL BUILDINGS AND FACILITIES FOR A PERIOD OF 36 MONTHS AS AND WHEN REQUIRED

OF

TENDER DATA

1.	<p>The Employer is: Thembisile Hani Local Municipality Private Bag X 4041 Empumalanga 0458</p>			
2.	<p>Tender Documents</p>			
	<p>Tendering Procedures Tender notice and invitation to tender Tender data</p> <p>Returnable Documents List of Returnable Documents</p> <p>The Contract Agreements and Contract data Forms of Offer and Acceptance Contract Data</p> <p>Pricing Data Pricing Instruction Bill of Quantities</p> <p>Terms of Reference Terms of Reference</p> <p>Additional Relevant Documents Supply Chain Management Policy</p>			
3.	<p>Interpretation</p> <p>The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.</p>			
4	<p>Communication.</p> <p>The Employer's Representative is;</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 33%; padding: 5px; vertical-align: top;"> <p><u>Accounting Officer:</u> O.N. Nkosi Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9100</p> </td> <td style="width: 33%; padding: 5px; vertical-align: top;"> <p><u>Procurement Eng.</u> Supply Chain Unit Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9187</p> </td> <td style="width: 33%; padding: 5px; vertical-align: top;"> <p><u>Technical Enquiries.</u> B.A. Nkwanyana Private Bag X 4041 Empumalanga 0458 Tel : 013 986 9101</p> </td> </tr> </table>	<p><u>Accounting Officer:</u> O.N. Nkosi Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9100</p>	<p><u>Procurement Eng.</u> Supply Chain Unit Private Bag X 4041 Empumalanga 0458 Tel: 013 986 9187</p>	<p><u>Technical Enquiries.</u> B.A. Nkwanyana Private Bag X 4041 Empumalanga 0458 Tel : 013 986 9101</p>
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4.1	<p>Attention is drawn to the fact that verbal communication given by the Employer's representative prior to the close of tenders will not be regarded as binding on the employer. Only information issued formally by the employer in writing to the tenders, under the signature of the Accounting Officer will be regarded as amending the tender documents.</p>			
5	<p>The Employer's right to accept or reject any tender offer</p> <p>The employer has the right not to accept the lowest tender and to accept the whole or part of any tender or not to consider any tender not suitably endorsed is fully reserved by the Thembisile Hani</p>			



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	Local 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: 1. Control 2. Management 3. Operations 4. Risk 5. 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.	Proof of warrantee None
8	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.
10.1	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



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10.2	<p>Clarification Meeting</p> <p>Prospective bidders should take note that due to the current COVID-19 pandemic, the municipality must adhere to the Regulations of Disaster Management Act in avoiding gatherings. Therefore, there will be no briefing session and public tender opening.</p>
11	<p>Submitting tender offer:</p> <p>11.1 No Tender document will be considered unless submitted on Council's Official Tender Document</p> <p>11.2 Return all the returnable documents to the employer after completing them.</p> <p>11.3 The employer's address for delivery of tender offers and identification details to be shown on such tender offer package are:</p> <p>Location of tender box: Thembisile Hani Local Municipality Physical address : Stand no 24 , Corner Police Station Kwaggafontein C , Empumalanga</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p> <p>11.4 All tender received by the Thembisile Hani Local Municipality will remain in the Municipality's possession until after the stipulated closing date and time.</p> <p>11.5 Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered</p>
12.	<p>Closing Time:</p> <p>12.1 The time and location for opening of the Tender offers are:</p> <p>Closing Time: 12:00pm Closing Date: 11 May 2021 Location: Thembisile Hani Local Municipality Stand No. 24 Corner Police Station Kwaggafontein C Empumalanga 0458</p> <p>Prospective bidders should take note that because of the current situation of COVID-19, the Municipality must adhere to the Regulations of Disaster Management Act in avoiding gatherings. Therefore, there will be no briefing session and public tender opening.</p> <p>12.2 After the opening of the tender proposals, no information relating to the clarification, determination of responsiveness, evaluation and comparison of tender proposals and recommendations concerning the award of the tender shall be disclosed to any other tenderer or persons not concerned with such process until the award of the Tender has been announced by the THLM.</p>



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13.	<p>Pricing the tender</p> <p>State the rates and prices in Rand</p> <p>NB: Should prices be affected by exchange rates and price fluctuations, bidders should take forward cover and this be incorporated in the price tendered.</p>								
14.	<p>Alterations to the Tender Documents.</p> <p>No alterations may be made to the tender document issued by the employer.</p> <p>Proposals and any other supporting documents must be attached to the back of this tender document</p>								
15	<p>Alternative tender offer.</p> <p>No alternative tender offers will be considered or accepted</p> <p>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.</p>								
16	<p>Tender Offer Validity</p> <p>The Tender offer validity period is 120 days from the closing date.</p>								
17	<p>Tender clarification after submission</p> <p>A tender may be regarded as non-responsive if the tenderer fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.</p>								
18	<p>Tender evaluation points</p> <p>18.1 The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.</p> <p>18.2 Preference points for this bid shall be awarded for:</p> <p style="padding-left: 40px;">(a) Price; and</p> <p style="padding-left: 40px;">(b) B-BBEE Status Level of Contribution.</p> <p>18.3 The maximum points for this bid are allocated as follows:</p> <table border="1" data-bbox="277 1715 1190 1924"> <thead> <tr> <th></th> <th>POINTS</th> </tr> </thead> <tbody> <tr> <td>PRICE</td> <td>80</td> </tr> <tr> <td>B-BBEE STATUS LEVEL OF CONTRIBUTION</td> <td>20</td> </tr> <tr> <td>Total points for Price and B-BBEE must not exceed</td> <td>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
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<p>19.</p> <p>19.1</p>	<p>Evaluation of Tenders</p> <p>The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy of the THLM.</p> <p>The following steps will be followed in evaluation;</p> <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. Awarding of points for financial offer. 6. Ranking of tenderers according to the total points 7. Performance of risk analysis by checking the credit record of the tenderers 								
<p>19.2</p>	<p>Evaluation Criteria</p> <p>The procedure for the evaluation of responsive Bids will be on the average of the previous three projects where the firm was involved</p> <p>The tenders shall be considered for further evaluation when they score a minimum of 25 points out of 35 points of the maximum 35 points allocated.</p> <table border="1" data-bbox="277 1037 1450 1328"> <thead> <tr> <th colspan="2" style="background-color: #92d050;">Summary of Functionality</th> </tr> </thead> <tbody> <tr> <td>Personnel</td> <td style="text-align: center;">25</td> </tr> <tr> <td>Previous related work experience</td> <td style="text-align: center;">10</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">35</td> </tr> </tbody> </table>	Summary of Functionality		Personnel	25	Previous related work experience	10	Total	35
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	<p>Tenders are adjudicated in terms of THLM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.</p>								
<p>19.3.1</p>	<p>Technical adjudication and General Criteria</p> <ul style="list-style-type: none"> ▪ Tenders will be adjudicated in terms of inter alia: <ul style="list-style-type: none"> ▪ 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"> ▪ 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. 								



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	<ul style="list-style-type: none"> ▪ 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 ▪ 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. ▪ 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.
19.3.2	<p>Size of enterprise and current workload</p> <ul style="list-style-type: none"> ▪ Evaluation of the Tenderer’s position in terms of: ▪ Previous and expected current annual turnover ▪ Current contractual obligations ▪ Capacity to execute the contract
19.3.3	<p>Staffing profile</p> <p>Evaluation of the Tenderer’s position in terms of:</p> <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.
19.3.4	<p>Proposed Key Personnel</p> <p>In this part of the tender, the Tenderer shall also supply Curriculum Vitae (CVs) for the Staff available named and working on full time basis for the Tenderer. The CVs should follow the normal Professional Format as used by Professional Service Providers.</p> <p>Each CV should give at least the following:</p> <ul style="list-style-type: none"> ○ Position in the firm and within the organisation of this assignment ○ PDI status (describing population group, gender and disabilities) ○ Educational qualifications ○ Professional Registrations ○ Relevant experience (actual duties performed, involvement and responsibility), including locations, dates and durations of assignments, starting with the latest.



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- Language proficiency and
- References (company name, individual name, position held, contact details)

Much importance will be placed on the experience of the staff proposed. The Tender must ensure that, if selected, the nominated staff will be assigned as proposed. Failure to do so may result in the annulment of any acceptance of the Tenders' proposal and/ or Agreement entered into by the Client for the execution of the services

19.3.5 **Previous experience**

The procedure for the evaluation of responsive Bids will be on the average of the **previous three projects** where the firm was involved

The tenderer shall list in the appropriate Forms the appropriate related projects undertaken by the member firms of the tenderer within the last five (5) years.

Evaluation of the Tenderer's position in terms of his previous experience. Emphasis will be placed on the following:

- Experience in the relevant technical field
- Experience of contracts of similar size
- Some or all of the references will be contacted to obtain their input.

19.3.6 The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects.

19.3.7 **Financial ability to execute the contract:**

Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:

- Proof of warrantee
- Contact the Tender's bank manager to assess the Tenderer's financial ability to execute the contract and the Tenderer hereby grants his consent for this purpose.

19.3.8 **Good standing with SA Revenue Services**

- Determine whether an original valid Tax Pin certificate has been submitted.
- The Tenderer **must attach a valid SARS tax verification PIN**

19.3.9 If the Tender does **not** meet the requirements contained in the THLM 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

19.3.10 **Penalties**

The Thembisile Hani Local 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:



	<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 Thembisile Hani Local Municipality for a period of 5 years
20	<p>The additional conditions of Tender are:</p> <p>1 Thembisile Hani Local Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.</p> <p>2 The Thembisile Hani Local 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.</p>

FORM EVALUATION SCHEDULE: TENDER COMPLIANCE

Tender Compliance by the Contracting Firm

It must be noted that a total of **50 points** must be obtained by the Contracting Firm in relation to the requirements as mentioned on the table below failure which a tender shall be automatically eliminated from any further evaluation.

Evaluation Criteria	Evaluation Criteria	Elimination Factor	Points obtainable	Points Claimed
Delegation of Authority (Note 01)	Delegation of Authority for authorised Signatory signed by Senior Directors and/or Shareholders nominating the representative of the project must be attached.	Yes	5	
Completing tender document (Note 02)	Must initial every page in the tender document, signing and filling the tender document in full.	Yes	5	
Company registration (Note 03)	Proof of Company Registration with Company Intellectual Property Registration Office (CIPRO) and proof of shareholding.	Yes	5	
Tax verification PIN (Note 04)	Proof of tax registration and Compliance with South African Revenue Service (SARS Tax PIN)	Yes	5	
COIDA Certificate (Note 05)	Proof of valid letter of good standing with the Compensation Commissioner must be attached.	Yes	5	



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Municipal Account (Note 06)	A statement of municipal account of the company or directors must be attached.	Yes	5	
Bank Confirmation Letter (Note 07)	Proof in the form bank stamped letter from the bank not older than three (3) months confirming the bank account and details must be attached.	Yes	5	
CSD Report (Note 08)	A copy of CSD summary report of the company which is not older than one (01) month must be attached.	Yes	5	
CIDB Grading (Note 09)	A copy of confirmation of CIDB grading of the contractor with designation equal to 2 GB or higher which is not older than one (01) month.	Yes	5	
UIF certificate (Note 10)	Proof of valid registration and compliance with the UIF must be attached.	Yes	5	
Total 50 points				

Note 01: Delegation of Authority

In case of a Company, a delegation of authority letter signed by the firm’s Board of Directors nominating a Team Leader as a delegated and authorised signatory must be attached. In case of a Closed Corporation, a delegation of Authority letter signed by the firm’s majority shareholders nominating a Team Leader as a delegated and authorised signatory must be attached. Failure to attach the letter shall warrant an automatic elimination of tender from any further evaluation.

Note 02: Completing the tender document

As stipulated in the tender rules or in addition thereto, a tender document shall be completed in full with all the provided spaces signed, every page initialled accordingly and required documentation attached. The usage of correction fluid (e.g Tippex) is strictly prohibited. Failure to complete the document in full shall warrant an automatic elimination of tender from any further evaluation.

Note 03: Company registration

Proof of company registration in the form of a copy from the Company Intellectual Property Registration Office (CIPRO) shall be attached including a copy of the certificate of proof of shareholding. Failure to attach the company registration documents and certificate of shareholding shall warrant an automatic elimination of tender from any further evaluation.

Note 04: South African Revenue Services Tax verification PIN



Proof of SARS registration in compliance with relevant tax legislation in the form of a valid tax verification PIN certificate shall be attached. Failure to attach the SARS tax PIN shall warrant an automatic elimination of tender from any further evaluation.

Note 05: The Compensation for Occupational Injuries and Diseases Act

Proof of registration/letter to tender in compliance with the Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993 must be attached in the form of a valid Letter of Good Standing (COIDA) issued by the Department of Labour. The attached certificate/letter must be valid at the time of closing of tenders. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 06: Municipal Account

Attach an original or copy of a municipal utility account which must not be in arrears for more than 90 days of any of the registered Director(s) or Company. Alternatively, attach a copy of the lease agreement along with the utility account of the Landlord, whereby the company is leasing the property it is operating from. Failure to attach the utility account shall warrant an automatic elimination of the tender from any further evaluation.

Note 07: Bank Confirmation Letter

Attach a proof in the form bank stamped letter from the bank not older than three (3) months confirming the bank account and details. Failure to attach the proof of banking details without a stamp from the bank shall warrant an automatic elimination of tender from any further evaluation.

Note 08: CSD Report

Attach a copy of CSD summary report of the company which is not older than one (01) month. Failure to attach the CSD summary report shall warrant an automatic elimination of tender from any further evaluation.

Note 09: CIDB Grading

A copy of confirmation of CIDB grading of the contractor designation equal to 2 GB or higher which is not older than one (01) month. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

Note 10: Unemployment Insurance Fund

Proof of registration and compliance with the Unemployment Insurance Fund in terms of the UIF Contribution Act No.4 of 2002 issued by the Department of Labour must be attached. The certificate must be valid at the time of closing of the tender. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.



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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.

Person Authorised to sign Tender:

FULL NAME:

.....

SIGNATURE: DATE:.....

FORM EVALUATION SCHEDULE: PERSONNEL AND PREVIOUS RELATED WORK EXPERIENCE

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

Summary of Functionality	
Personnel	25
Previous related work experience	10
Total	35

A firm must obtain a minimum of 25 points out of 35 points to be considered for price and B-BBEE evaluation.

Evaluation Criteria	Evaluation Criteria	Maximum Points	Points Claimed
Personnel Qualification and Experience (Note 11)	Contracts Manager: Certificate in Business management or higher		
	Less than 2 years experience	3	
	3 years' experience and above	5	
	Site Agent: N6 in Civil Engineering / Building Science		
	Less than 2 years experience	3	
	3 years' experience and above	5	
	Safety Officer: Certificate in OHS		
	Less than 2 years experience	3	
	3 years experience and above	5	



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	<p><u>Plumbing</u> Certificate in Plumbing N3 with trade test and one year experience Diploma in Plumbing with two years' experience in plumbing</p>	<p>3 5</p>	
	<p><u>Electrician</u> Electrical Certificate N3 with trade test and one years' experience Diploma in Electricity with two years' experience as electrician</p>	<p>3 5</p>	
Maximum 25 points			
Previous related work completed (Note 12)	<p>Projects of value between R 100 000 –R2 00 000 Projects of value between R 210 000- R 300 000 Projects of value between R 310 000- 500 000</p>	<p>3 5 10</p>	
Maximum 10 points			
Total Points Claimed = 35			

Note 11: Personnel Experience

Proof of the above must be attached for the PSP to qualify for the points claimed.

Experience of the key staff (assigned personnel) in relation to the scope of work will be evaluated from three different points of view:

- i) General experience (total duration of professional activity), level of education and training and positions held of each key staff member / expert member.
- ii) The education, training and experience of the key staff member / experts, in the specific sector, field, subject, etc. which is directly linked to the scope of work.
- iii) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.



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A CV of each key staff member of not more than 2 pages should be attached to this schedule. The 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

Note 12: Previous Related Work Completed

Proof of the above must be attached for the PSP to qualify for the points claimed.

The experience of the tenderer as opposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the scope of work will be evaluated.

Tenderers should very briefly describe their experience in this regard and attach this to this schedule. The description should be put in tabular form with the following headings:

Employer, contact person and telephone number,	Description of work (service)	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Date completed

TOTAL SCORE: _____/35