

## T1.2 TENDER DATA

### TENDER DATA

Clause	
1	<p>The Employer is: Thembisile Hani Local Municipality Stand No.24, Opposite Police Station Kwaggafontein C Mpumalanga 0458</p>
2	<p><b>The tender document's contents is as follows:</b></p> <p><b>Part T1: Tendering procedures:</b> T1.1 Tender notice and invitation to tender T1.2 Tender Data</p> <p><b>Part T2: Returnable documents</b> T2.1 Returnable Schedules required for Tender Evaluation</p> <p><b>The Contract</b></p> <p><b>Part C1: Agreements and contract data</b> C1.1 Form of Offer and Acceptance C1.2 Contract Data C1.3 Form of Guarantee</p> <p><b>Part C2: Pricing data</b> C2.1 Pricing instructions C2.2 Bills of quantities</p> <p><b>Part C3: Scope of work</b> C3.1 Description of Works</p> <p><b>Part C4: Annexures</b> C4 1 : Supply Chain Management Policy</p>

Service Provider

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3	<b>Interpretation</b> 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	<b>Communication.</b> The Employer's Representative is; <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;"><b>Accounting Officer:</b> Mr. D.J.D. Mahlangu Private Bag X4041 Kwaggafontein C Mpumalanga 0458 Tel : 013 986 9100</td> <td style="width: 33%; padding: 5px;"><b>Procurement Enquiries:</b> Ms. L. Sehlako Private Bag X4041 Kwaggafontein C Mpumalanga 0458 Tel : 013 986 9187</td> <td style="width: 33%; padding: 5px;"><b>Technical Enquiries:</b> <b>E-Risk:</b> Mr. T.E. Baloyi <a href="mailto:BaloyiT@thembisilehanilm.gov.za">BaloyiT@thembisilehanilm.gov.za</a> <b>E-PMS:</b> Ms. S. Moripe <a href="mailto:MoripeS@thembisilehanilm.gov.za">MoripeS@thembisilehanilm.gov.za</a></td> </tr> </table>			<b>Accounting Officer:</b> Mr. D.J.D. Mahlangu Private Bag X4041 Kwaggafontein C Mpumalanga 0458 Tel : 013 986 9100	<b>Procurement Enquiries:</b> Ms. L. Sehlako Private Bag X4041 Kwaggafontein C Mpumalanga 0458 Tel : 013 986 9187	<b>Technical Enquiries:</b> <b>E-Risk:</b> Mr. T.E. Baloyi <a href="mailto:BaloyiT@thembisilehanilm.gov.za">BaloyiT@thembisilehanilm.gov.za</a> <b>E-PMS:</b> Ms. S. Moripe <a href="mailto:MoripeS@thembisilehanilm.gov.za">MoripeS@thembisilehanilm.gov.za</a>
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	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 or his nominee will be regarded as amending the tender documents. Tender offer communicated on paper shall be submitted as an original.  In the event that no correspondence or communication is received from the THLM within ninety (90) days after the stipulated closing date and time of the tender, the tender proposal will be deemed to be unsuccessful.					
5	<b>The Employer's right to accept or reject any tender offer</b> 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 Local Municipality.					
6	<b>Cost of Tendering</b> 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.					
7	<b>Check documents</b> The Tenderer should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.					
8	<b>Confidentiality and Copyright of Documents.</b> 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					
9	<b>Submitting tender offer:</b> No Tender document will be considered unless submitted on Council's Official Tender Document  Return all the returnable documents to the employer after completing them.  Tenders must be deposited in the tender box clearly marked with project description.					

	<p><b>Location of tender Box:</b> Thembisile Hani Local Municipality Building, municipal entrance.</p> <p><b>Physical Address:</b> Thembisile Hani Local Municipality, Stand No.24 Kwaggafontein C, Mpumalanga, 0458.</p> <p>Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered</p> <p>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>Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered</p>
10	<p><b>Closing Time:</b></p> <p>The time and location for opening of the Tender offers are:</p> <p><b>Closing Time:</b> 12h00pm</p> <p><b>Closing Date:</b> 30 May 2024</p> <p><b>Location:</b> Thembisile Hani Local Municipality Stand No.24 Kwaggafontein C Mpumalanga 0458.</p> <p>Tenders will be opened in public at the same time.</p>
	<p>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>
11	<p><b>Pricing the tender</b></p> <p>State the rates and prices in Rands</p>
12	<p><b>Alterations to the Tender Documents.</b></p> <p><b>No</b> 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>
13	<p><b>Alternative tender offer.</b></p> <p><b>No</b> 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>
14	<p><b>Declaration Certificate for Local Production and Content for Designated Sectors</b></p> <p>Local Content is <b>NOT APPLICABLE</b> on this project.</p>

15	<b>Tender Offer Validity</b> The Tender offer validity period is <b>120 days</b> from the closing date.								
16	<b>Tender clarification after submission</b> 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.								
17	<b>Tender evaluation points</b> 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) Specific Goals.								
18	The maximum points for this bid are allocated as follows:								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;"></th> <th style="text-align: center;"><b>POINTS</b></th> </tr> </thead> <tbody> <tr> <td style="text-align: left;"><b>PRICE</b></td> <td style="text-align: center;"><b>80</b></td> </tr> <tr> <td style="text-align: left;"><b>Specific Goals</b></td> <td style="text-align: center;"><b>20</b></td> </tr> <tr> <td style="text-align: left;"><b>Total points for Price and Specific Goals must not exceed</b></td> <td style="text-align: center;"><b>100</b></td> </tr> </tbody> </table>		<b>POINTS</b>	<b>PRICE</b>	<b>80</b>	<b>Specific Goals</b>	<b>20</b>	<b>Total points for Price and Specific Goals must not exceed</b>	<b>100</b>
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<b>Specific Goals</b>	<b>20</b>								
<b>Total points for Price and Specific Goals must not exceed</b>	<b>100</b>								
	<p><b>Evaluation of Tenders</b> The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be terms of the Supply Chain Management Policy of the THLM.</p> <p><b>The following steps will be followed in evaluation;</b></p> <ol style="list-style-type: none"> <li>1. Determination of whether or not tender offers are complete.</li> <li>2. Determination of whether or not tender offers are responsive.</li> <li>3. Determination of the reasonableness of tender offers.</li> <li>4. Confirmation of the eligibility of preferential points claimed by tenderers.</li> <li>5. Determination of expertise and experience of tenderers.</li> <li>6. Awarding of points for financial offer.</li> <li>7. Ranking of tenderers according to the total points</li> <li>8. Performance of risk analysis by checking the credit record of the tenderers</li> </ol>								

19	<p><b>Technical adjudication and General Criteria</b></p> <ul style="list-style-type: none"> <li>▪ Tenders will be adjudicated in terms of inter alia:</li> <li>▪ Compliance with Tender conditions</li> <li>▪ Technical specifications</li> </ul> <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 <b>REJECTION OF THE TENDER</b>, for example</p> <ul style="list-style-type: none"> <li>▪ A valid Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS has been submitted.</li> <li>▪ Pages to be completed, removed from the Tender document, and have therefore not been submitted.</li> <li>▪ If tender document is not fully completed as required and as stipulated in the tender data.</li> <li>▪ If any tender document is tempered with or it is unbinded or unbundled.</li> <li>▪ Scratching out without initialling next to the amended rates or information.</li> <li>▪ Writing over / painting out rates / the use of correction fluid without initialising or the use of any erasable ink, e.g. pencil.</li> <li>▪ The Tender has not been properly signed by a party having the authority to do so, according to the <b>Form D – “Authority for Signatory”</b></li> <li>▪ 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.</li> <li>▪ Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.</li> <li>▪ The Tenderer's attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.</li> <li>▪ The Tender has been submitted after the relevant closing date and time</li> <li>▪ Failure to complete and sign Form C1.1 Form of Offer and Acceptance</li> <li>▪ 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.</li> <li>▪ 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.</li> </ul>
20	<p><b>Size of enterprise and current workload</b></p> <p><b>Evaluation of the Tenderer's position in terms of:</b></p> <ol style="list-style-type: none"> <li>1. Previous and expected current annual turnover</li> <li>2. Current contractual obligations</li> <li>3. Capacity to execute the contract</li> </ol>

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21	<p><b>Previous experience</b></p> <p>The procedure for the evaluation of responsive Bids will be on the <b>completed projects</b> where the firm was involved. Reference of clients <b>MUST</b> be provided.</p> <p>The tenderer shall list in the appropriate Forms the appropriate related projects undertaken by the member firms of the tenderer within the last three (3) years.</p> <p>Evaluation of the Tenderer's position in terms of his previous experience. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> <li>▪ Experience in the relevant technical field</li> <li>▪ Experience of contracts of similar size</li> </ul>
	<p>The tenderer shall provide documentation of company experience of each member of the Consortium/Joint Venture related projects.</p>
22	<p><b>Financial ability to execute the contract:</b></p> <p>Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:</p> <ul style="list-style-type: none"> <li>▪ 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.</li> </ul>
23	<p><b>Good standing with SA Revenue Services</b></p> <ul style="list-style-type: none"> <li>▪ Determine whether a valid Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS has been submitted.</li> </ul>
	<p>If the Tender does <b>not</b> 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.</p>
24	<p><b>Penalties</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>▪ Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.</li> <li>▪ Impose a financial penalty at the discretion of Council</li> <li>▪ Restrict the contractor, its shareholders and directors on obtaining any business from the Thembisile Hani Local Municipality for a period of 5 years.</li> </ul>
25	<p><b>Evaluation Method 4</b></p> <p>Which entails the balance between financial offer, preferences and Quality and 80-20 points system, will be adopted.</p>
26	<p><b>The additional conditions of Bid Document</b></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>

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	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.
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## FORM A: EVALUATION SCHEDULE: TENDER COMPLIANCE

### Tender compliance by the contracting Firm

It must be noted that a total of **40 points** must be obtained by the Contracting Firm in relation to the requirements as mentioned in 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
Completing tender document <b>(Note 01)</b>	Must initial every page in the tender document, signing the tender document in full	Yes	5	
Company registration <b>(Note 02)</b>	A Proof of Company Registration with the Company Intellectual Property Commission (CIPC) and proof of shareholding and valid proof of address.	Yes	5	
Delegation of Authority <b>(Note 03)</b>	Delegation of Authority for Signatory signed by Senior Directors and/or Shareholders nominating representative on the project	Yes	5	
Tax Verification PIN <b>(Note 04)</b>	Copy of Tax Registration and Compliance with South African Revenue Service (SARS) and a valid PIN.	Yes	5	
Municipal Account <b>(Note 05)</b>	A statement of municipal account statement not in arrears for a period of 90 days must be attached.	Yes	5	
CSD Report <b>(Note 06)</b>	A copy of Central Supplier Database (CSD) report must be attached (Including Supplier Number)	Yes	5	
Registration with Institute of Risk Management South Africa (IRMSA) <b>(Note 7)</b>	The firm has registered with the Institute of Risk Management South Africa.(IRMSA Certificate)	Yes	5	
Registration with the Institute of Internal Auditors(IIA) or South African Intitute of	The Director/s has to be registered with the IIA or SAICA (IIA or SAICA Certificates attached)	Yes	5	







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Charted Accountants (SAICA) <b>(Note 8)</b>				
<b>Total 40 points</b>				

**Note 01: 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. Failure which shall warrant an automatic elimination of tender from any further evaluation. Not make any alteration or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

**Note 02: Company registration**

A proof of company registration in the form of a copy from the Companies and Intellectual Property Commissions (CIPC) shall be attached including a copy of a certificate for proof of shareholding. Failure to attach the company registration certificate shall warrant an automatic elimination of tender from any further evaluation.

**Note 03: Delegation of Authority**

In case of a Company, a delegation of Authority signed by the Consulting Firm's Board of Directors nominating a Team Leader as a delegated and authorized Signatory must be attached. In case of a Closed Corporation, a delegation of Authority signed by the Contracting Firm's majority Shareholders nominating a Team Leader as a delegated and authorized Signatory must be attached. Failure to attach the certificate shall warrant an automatic elimination of tender from any further evaluation.

**Note 04: SARS Tax Verification PIN**

Proof of tax registration pin and compliance with relevant tax legislation shall be attached. Failure to attach verification PIN certificate shall warrant an automatic elimination of tender from any further evaluation.

**Note 05: Municipal Account**

Attach an original or a copy of a municipal utility account (not older than three (3) months) and the account **must not be in arrears for more than 90 days** of any of the registered Director(s) or Company. Attach a copy lease agreement along with the utility account of the Landlord, whereby the company is leasing the property its operating from Failure to attach the document/s shall warrant an automatic elimination of tender from any further evaluation.

**Note 06: CSD Report**

A copy of the Central Supplier Database (CSD) report must be attached (including supplier number). The CSD should not be a month older at the time of tender closing, failing which the Tender shall automatically be eliminated from any further evaluation.

**Note 07: Registration with the Institute of Risk Management South Africa (IRMSA)**

The firm must be registered with the Institute of Risk Management South Africa (IRMSA) and its membership must be up to date or valid. Failure to attach the certified copy of IRMSA membership shall automatically be eliminated from any further evaluation.

**Note 08: Registration with the Institute of Internal Auditors (IIA) or South African Institute of Chartered Accountants (SAICA)**

The Director of the firm/company must be a member of either IIA or SAICA. Failure to attach one of these certificates will lead to automatic disqualification.







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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 Authorized to sign Tender:**

**FULL NAME:** .....

**SIGNATURE:** ..... **DATE:** .....

*Service Provider*

*Witness 1*

*Witness 2*

*Employer*

*Witness 1*

*Witness 2*

**FORM B: EVALUATION SCHEDULE: FUNCTIONALITY**

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

<b>SUMMARY OF FUNCTIONALITY</b>	
Organising and Staffing	30
Infrastructure and resources (Electronic System)	40
Experience of Firm	30
<b>TOTAL</b>	<b>100</b>

**The bid will be evaluated based on the following criteria for functionality and the bidder must obtain a minimum score of 75 points of the points allocated for functionality to qualify for further pricing evaluation:**

**Project Manager / Team Leader** **(Maximum points 10)**

**Name and Surname:**.....

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Maximum Points obtainable</b>	<b>Points Claimed</b>
Academic Qualifications	Post Graduate Qualification in Business Management (NQF Level 8 and above)	No	5	
	Bachelor's Degree in Business Management (NQF level 7)	No	3	
	National Diploma in Business Management (NQF level 6)	No	2	
<b>Sub-total</b>				<b>5</b>
<b>Experience of Team Leader in similar projects</b>		<b>Elimination Factor</b>	<b>Maximum Points obtainable</b>	<b>Points Claimed</b>
Involvement of project leader in similar and comparable projects	1- 4	No	1	
	5 – 9	No	3	
	10 and above	No	5	
<b>Sub-total</b>				<b>5</b>
<b>Total</b>				<b>10</b>







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**Performance Management Consultant:** **(Maximum points 10)**

**Name and Surname:**.....

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Maximum Points obtainable</b>	<b>Points Claimed</b>
Academic Qualifications	Post Graduate Qualification in Accounting, Finance or Performance Management (NQF Level 8)	No	5	
	B-tech/ B-Degree Qualification in Accounting, Finance or Performance Management (NQF Level 7)	No	3	
	National Diploma Qualification in Accounting, Finance or Performance Management (NQF Level 6)	No	2	
<b>Sub-total</b>			<b>5</b>	
Involvement of performance management projects/system of the municipality. (Organisational and Individual Performance Assessment and Agreements)	1 – 3 years	No	1	
	4 – 7 years	No	3	
	8 years and above	No	5	
<b>Sub-total</b>			<b>5</b>	
<b>Total</b>			<b>10</b>	

**Risk Management Consultant:** **(Maximum points 10)**

**Name and Surname:**.....

<b>Evaluation Criteria</b>	<b>Minimum Required</b>	<b>Elimination Factor</b>	<b>Maximum Points obtainable</b>	<b>Points Claimed</b>
Academic Qualifications	Post Graduate Qualification in Accounting, Finance or Risk Management (NQF Level 8)	No	5	







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	B-tech/ B-Degree Qualification in Accounting, Finance or Risk Management (NQF Level 7)	No	3	
	National Diploma Qualification in Accounting, Finance or Risk Management (NQF Level 6)	No	2	
<b>Sub-total</b>			<b>5</b>	
Involvement in conducting the risk assessments of the municipalities	1 – 3 years	No	1	
	4 – 7 years	No	3	
	8 years and above	No	5	
<b>Sub-total</b>			<b>5</b>	
<b>Total</b>			<b>10</b>	

Note: Team/Project Leader and PMS/Risk Consultants must be a different person, the bidder must not use one person as Team/Leader and also as PMS/Risk Consultant.

**Infrastructure and Resources (Electronic System): (Maximum points 40)**

Evaluation Criteria	Minimum Required	Elimination Factor	Maximum Points obtainable	Points Claimed
	The performance management module must accommodate for POE uploading, previewing and the approval/rejection thereon.	Yes	5	
	The performance management module must accommodate for Audit Trails including reports that can be exported per user access	Yes	5	
	The performance management module must accommodate for Performance assessment calculator together with reports that can be exported	Yes	5	
	The system must accommodate for Ability to upload performance agreements	Yes	5	
	eRisk module integration- Ability for the following a) An electronic risk register that can be exported;	Yes	20	







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	<ul style="list-style-type: none"> <li>b) Action plans assigned to employees for reporting.</li> <li>c) The uploading of POE per action plan</li> <li>d) The approval/rejection of action plans reported</li> <li>e) The extraction of risk monitoring reports</li> <li>f) Risk assessment facilitation support (Reports generated from the system should also be attached)</li> </ul>			
<b>Sub-total</b>		<b>40</b>		
<b>Total</b>		<b>40</b>		

### COMPANY'S EXPERIENCE

**(Maximum Points 30)**

#### **Note 3: Company experience in similar projects**

It must be noted that the experience of the company carries a maximum of **30 points** as indicated in the table below. Proof in the form of appointment letters **OR** purchase orders with verifiable references with contact details must be attached. Failure to provide this shall warrant for scoring zero (0) in this category.

<b>Evaluation criteria</b>	<b>Minimum required</b>	<b>Elimination factor</b>	<b>Points obtainable</b>	<b>Points claimed</b>
<b>Implementation of an Automated Web Based PMS and Risk Management System in at District Municipality Level.</b>		<b>Successful Implementation of WEB Based e-PMS and e-Risk Systems at District Municipality Level</b>		
0 – 1 District Municipality	Yes		0	
2 – 6 District Municipalities	No		7	
7 and above District Municipalities NB: (Appointment letters including contract value to be attached, together with a reference letter.)	No		15	
<b>Sub Total</b>			<b>15</b>	
<b>Implementation of an Automated Web Based PMS and Risk Management System in at Local Municipality Level.</b>		<b>Successful Implementation of WEB Based e-PMS and e-Risk Systems at Local Municipality Level</b>		
0 – 1 Local Municipality	Yes		0	
2 – 6 Local Municipalities	No		5	
7 – 13 Local Municipalities	No		10	
14 and above Local Municipalities (Appointment letters including contract value to be attached, together with a	No		15	







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Evaluation criteria	Minimum required	Elimination factor	Points obtainable	Points claimed
	reference letter.)			
<b>Sub Total</b>			<b>15</b>	
<b>Grand Total of Company Experience</b>			<b>30</b>	

**TOTAL SCORE:** \_\_\_\_\_ /100

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