

THE TENDER

T1: TENDERING PROCEDURES

T2: RETURNABLE DOCUMENTS

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T1: TENDERING PROCEDURES

T1.1: TENDER NOTICE AND INVITATION TO TENDER: No PWBS-B023/23/24



**BID NOTICE:
 CONCRETE SURFACING OF TARSEVALLEY ACCESS ROAD
 BID No. PWBS-B023/23/24**

BID INVITATION

Bids are hereby invited from suitably qualified and experienced Service Providers for **CONCRETE SURFACING OF TARSEVALLEY ACCESS ROAD** within WARD 7 of Dr Nkosazana Dlamini – Zuma Municipality (KZN 436).

This bid will be evaluated in terms of **Ability and Capability of the Company** and 80/20 Preferential Procurement Point system and the points will be allocated as follows. **80 – Price, 20 –SPECIFIC GOALS.**

Specific Goals:

	POINTS	SUPPORTING DOCUMENTS
PRICE	80	
SPECIFIC GOALS	(20)	
Company operating within the Jurisdiction Dr NDZ LM	10	CIPC Document reflecting NDZ company physical Address
Company 100% owned by black South African	5	Summary of CSD reflecting Race and Identity document or Drivers Licence
Company 60% owned by black South African women or company 100% owned by black South African youth or company 50% owned by black South African with disability or company outside of Dr NDZ LM but within Harry Gwala District	5	1.Summary of CSD reflecting 60% company owned by black (Women) Gender and Identity document or Drivers Licence or Company 100% owned by black South African youth OR 2. Summary of CSD reflecting 50% owned by a black South African with (Disability) , a proof of medical certificate and Identity document or Drivers Licence OR 3.CIPC document reflecting physical address of a company outside of Dr NDZ LM but within Harry Gwala District
Total points for Price and SPECIFIC GOALS	100	

COMPULSORY SITE INSPECTION AND DOCUMENTS

The compulsory briefing meeting will be held on the **15th August 2023 @10h00** at Dr Nkosazana Dlamini Zuma Municipality (Creighton Office), a representative from Dr Nkosazana Dlamini – Zuma Municipality will meet prospective Bidders to provide details of the Contract.

Bid documents will be obtained on the same date from **08h00 to 10h00** at the BTO office. The cost of the bid document is **R 476.00** which is non-refundable.

NB: All SUPPLIERS are expected to join the meeting by 10:00 am, NO SUPPLIER Will be allowed to join the meeting after 10:15 am.

NB: Please be advised that only attendance register will be signed during the 1st session of briefing and Documents will be signed on site.

THE FOLLOWING DOCUMENTS ARE TO BE SUBMITTED WITH THE BID

- Valid tax clearance certificate or Tax Compliance Status PIN
- Submit proof that the bidder and its directors do not owe municipal rates and services.
- Copy of a certificate of Company Registration with the Registrar of Companies and CC's (CK).
- Specific Goals supporting documents
- Certified copies of ID's.
- Form of offer fully completed
- MDB 1, 4 ,6.1, 8 and 9 fully completed.
- Proof of registration with CSD
- **CIDB Grade Certificate 3CE or Higher**

CLOSING DATE

Bid documents must be submitted in a sealed envelope clearly marked with the Bid number and closing date and dropped off in the tender box at the **Dr Nkosazana Dlamini Zuma Municipality Offices, Main street, Creighton** by no later than **23rd August 2023 @ 12h00** Late or faxed bids will not be accepted. Failure to comply with the above conditions will invalidate your offer.

The Dr Nkosazana Dlamini Zuma Municipality reserves the right not to make an appointment.

NB: Bids will remain valid for a period of 90 days from date of the closing of the Bid. Enquiries may be directed to the following persons during office hours (08:00 – 16:30)

BID ENQUIRIES

Procedure related enquires: Miss N. Holiwe

Technical Enquiries: Mr S.V Mngadi or Mr Z. Dlamini

Dr Nkosazana Dlamini Zuma Municipality Tel No: (039) 833 1038

P O Box 62

Fax No.: (039) 833 1179

Creighton

3263

Mr N.C Vezi
MUNICIPAL MANAGER

MBD 1

**PART A
 INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
BID NUMBER:	PWBS-B023/23/24	CLOSING DATE:	23rd August 2023	CLOSING TIME:	12:00
DESCRIPTION	CONCRETE SURFACING OF TARSEVALLEY ACCESS ROAD				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
 SITUATED AT (STREET ADDRESS)

Main Street
Creighton
3263

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes	No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes	No
				[IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	BTO	CONTACT PERSON	Mr SV Mngadi and Mr Z Dlamini		
CONTACT PERSON	Miss N Holiwe	TELEPHONE NUMBER	(039) 833 1038		
TELEPHONE NUMBER	039 833 1039	FACSIMILE NUMBER			
FACSIMILE NUMBER	086 583 235	E-MAIL ADDRESS	mngadis@ndz.gov.za dlaminiz@ndz.gov.za		
E-MAIL ADDRESS	holiwen@ndz.gov.za				

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

T1.2: TENDER DATA

T1.2.1 Standard Conditions of Tender

The conditions of tender are the Standard Conditions of Tender as contained in of Board Notice 136 of 2016 in Government Gazette No 38960 of 10 July 2016, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. Annexure F and Table G1 of that notice are deliberately not reproduced in this document; tenderers may review the standard on the CIDB website (see www.cidb.org.za).

T1.2.2 Variations to the Standard Conditions of Tender

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall take precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The following variations, amendments and additions to the Standard Conditions of Tender shall apply to this tender.

Please note that the word “Client” is used in this document and referred to as “Employer” in the Standard Conditions of Tender document.

Clause Number	Description
F.1	General
F.1.1	Actions
	The Employer is Dr Nkosazana Dlamini Zuma Local Municipality, represented by Mr S.V Mngadi
F.1.2	Tender Documents
	<p>The tender documents issued by the employer comprise the following:</p> <p>THE TENDER</p> <p>T1: Tendering Procedures</p> <p>T1.1 Tender Notice and Invitation to Tender</p> <p>T1.2 Tender Data</p> <p>T2: Returnable Documents</p> <p>T2.1 List of Returnable Documents</p> <p>T2.2 Returnable Schedules</p> <p>THE CONTRACT</p> <p>C1: Agreements and Contract Data</p> <p>C1.1 Form of Offer and Acceptance</p> <p>C1.2 Contract Data</p> <p>C1.3 Performance Guarantee</p> <p>C1.4 Retention Money Guarantee</p> <p>C1.5 Agreement in terms of Section 37(2) of the Occupational Health and Safety Act No. 85 of 1993</p> <p>C1.6 Functionality Criteria</p> <p>C2: Pricing data</p> <p>C2.1 Pricing Instructions</p> <p>C2.2 Schedule of Quantities</p>

	<p>C3: Scope of work C3.1 Standard Specifications C3.2 Project Specifications C3.3 Particular Specifications</p> <p>C4: Site information C4.1 Locality Plan C4.2 Drawings</p> <p>Not issued to Tenderer's, but available from the Master Builders Association, The South Institute of Architects, the Government printers, the Construction Industry Development Board, and the Employer, as applicable:</p> <ol style="list-style-type: none"> 1. CIDB, "<i>The Standard for Uniformity in Construction Procurement Annex F, Standard Conditions of Tender</i>", Board Notice 136 of 2016 of Government Gazette 38960 of 10 July 2016. 2. GCCC SERIES 2015 "<i>General Conditions of Contract for Construction Works Agreement</i>", Third Edition– 2015. 3. The "<i>COLTO Standard Specifications for Road and Bridge Works for State Road Authorities</i>", 1998 edition. 4. The "<i>Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the Construction Regulations 2014 (Government Gazette No 37305 of 7 February 2014, Notice No R. 84)</i>". 5. The Preferential Procurement Policy Framework Act No 5 of 2000, and Terms Of The Preferential Procurement Regulations 2022
<p>F.1.4</p>	<p>Communication and the Employer's Agent</p>
	<p>Attention is drawn to the fact that verbal information, given by the Employer's Agent during site visits/clarification meetings or at any other time prior to the award of the Contract, will not be regarded as binding on the Employer. Only information issued formally by the Employers Agent in writing to tenderers will be regarded as amending the Tender Documents.</p> <p>The Employer's Agent is: FMA ENGINEERS (PTY) LTD</p> <p>Address: 18 York Road GILLITTS 3610</p> <p>Tel N^o: +27 (31) 764 2763 Fax N^o: +27 (86) 542 4084 Contact Person: Hlosokuhle Fuyana Email: admin@fmaengineers.co.za</p>
<p>F.2</p>	<p>Tenderer's Obligations</p>
<p>F.2.1</p>	<p>Eligibility</p>
<p>F.2.1.1</p>	<p>Tenderers must satisfy the following criteria in order to be eligible to submit a tender; A. Construction Industry Development Board (CIDB) Registration</p> <ol style="list-style-type: none"> 1. Be registered with the CIDB and reflect as "Active" at time of tender closing, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, but not less than 3CE OR HIGHER class of construction work.

B. Joint Ventures are eligible to submit a tender offer provided that:

1. Every member of the joint venture is registered (as "Active") with the CIDB (at the time of tender closing).
2. The lead partner has a contractor grading designation in the CE class of construction work and has a grading designation of not lower than one level below the required grading designation.
3. The value of work to be undertaken by each partner must be within their CIDB grading limit.
4. The combined contractor grading designation calculated in accordance with the Construction Industry Development Board Regulations (2016) is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a CE class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations:

Designation	Deemed to satisfy joint venture arrangements
3	Three contractors registered in contractor grading designation 2
4	Three contractors registered in contractor grading designation 3
5	Two contractors registered in contractor grading designation 4 One contractor registered in contractor grading designation 4 and two registered in contractor grading designation 3
6	Two contractors registered in contractor grading designation 5 One contractor registered in contractor grading designation 5 and two registered in contractor grading designation 4
7	Two contractors registered in contractor grading designation 6 One contractor registered in contractor grading designation 6 and two registered in contractor grading designation 5
8	Three contractors registered in contractor grading designation 7
9	Three contractors registered in contractor grading designation 8

5. Tenders submitted by joint ventures of two or more firms must be accompanied by the document of formation of the joint venture, authenticated by a notary public or other official deputed to witness sworn statements, in which is defines precisely the conditions under which the joint venture will function, its period of duration, the persons authorised to represent and obligate it, the participation of the several firms forming the joint venture, and any other information necessary to permit a full appraisal of its functioning.
6. The Tenderer, if a Joint Venture, must submit a signed JV Agreement with the tender specific to the tendered Contract and clearly showing the percentage contribution of each partner to the Joint Venture. The value of work to be undertaken by each partner must be within their CIDB grading limit.

C. National Treasury Central Supplier Database Registration

Only Tenderers who are to be registered on the National Treasury Central Supplier (CSD) Database and have provided proof of their registration will be eligible to submit a tender offer. Proof of registration must be in the form of the Tenderers CSD registration number. Tenderers who are not registered are not precluded from submitting bids but must be registered prior to Contract Award.

In the case of Joint Venture partnerships this requirement will apply individually to each party to the Joint Venture.

Tenderers who wish to register as service providers on the CSD can register online at <https://secure.csd.gov.za/Account/Register>.

D. Attendance of Compulsory Site Briefing

	<p>Tenderers must attend the compulsory site briefing and have Form A3 “Certificate of attendance of Site Inspection Meeting” signed by the Employers agent or his representative will be eligible to submit a tender offer.</p> <p>E. Labour Intensive Construction</p> <p>The tenderer must demonstrate that they have in their employment suitable qualified management and supervisory personnel with an NQF 5 from a CETA accredited training provider in labour intensive construction.</p> <p>F. Tenderer’s Tax Clearance Matters</p> <p>The Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.</p>																				
F.2.1.3	<p>Only those tenderers who can demonstrate that;</p> <ul style="list-style-type: none"> a. they will have in their employ, management and supervisory staff satisfying the requirements of the scope of work for labour intensive competencies; for supervisory and management staff during the validity of the contract, are eligible to submit tenders. <p>Tender Qualification: Labour Intensive Contracts</p> <p>To qualify for award of the Contract, tenderers shall meet the following minimum qualifying criteria:</p> <ul style="list-style-type: none"> a. Having participated in and graduated with fully satisfactory results from the relevant national qualification framework training organized under EPWP (or other similar project) and applying trained supervisory staff on a full-time basis for the execution of the works. LIC NQF Level 5. b. Liquid assets/or credit facilities covering the expected expenditures for two full work months c. Proposals for timely acquisition (own, lease, hire, etc.) of the essential minimum equipment d. The contractor will carry out the works using labour-based work methods as described in the Special Conditions of Contract <p>The tenderer must submit to the Employer, 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. The contractor shall ensure that the minimum supervisor to worker ratio of 1:15 for effective supervision of Labour-intensive works for all LI activities.</p>																				
F.2.1.4	<p>Schedule of Labour Content</p> <p>The minimum unskilled labour Content for this Project, i.e. the minimum job creation targets on the project shall be:</p> <table border="1" data-bbox="252 1525 1449 1720"> <thead> <tr> <th></th> <th>Total</th> <th>Men</th> <th>Women</th> <th>Youth</th> </tr> </thead> <tbody> <tr> <td>Minimum Work Opportunities</td> <td>20</td> <td>10</td> <td>6</td> <td>4</td> </tr> <tr> <td>Man Hours</td> <td>20,160</td> <td>10,080</td> <td>6,048</td> <td>4,032</td> </tr> <tr> <td>Man Days</td> <td>2,520</td> <td>420</td> <td>252</td> <td>168</td> </tr> </tbody> </table>		Total	Men	Women	Youth	Minimum Work Opportunities	20	10	6	4	Man Hours	20,160	10,080	6,048	4,032	Man Days	2,520	420	252	168
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F.2.7	<p>Clarification Meeting</p>																				
	<p>The arrangement for a compulsory clarification meeting is as stated in the Tender Notice and Invitation to Tender. Tenderers should be represented at the clarification meeting by a person or persons who are suitably qualified and experienced.</p>																				
F2.8	<p>Add the following to the clause</p> <p>Accept that failure to request clarification on tender documents, in at least 2 working days prior to the</p>																				

	closing time stated in the tender data, it shall be deemed that all matters in the tender documents are clearly understood. Accept that the Employer shall not be obligated to respond to any requests for clarification of tender documents submitted in less than 5 working days prior to the closing date.
F.2.10.3	Pricing the Tender Offer
	This tender is NOT subject to Contract Price Adjustment.
F.2.12	Alternative Tender Offers
	No alternative offers will be accepted. This includes offering fixed rates in lieu of Contract Price Adjustment.
F.2.13	Submitting a tender offer
F2.13.2	<p>“Return all returnable documents to the Employer after completing them in their entirety. Notwithstanding the format in which the tender documents are issued to Tenderers, no electronic form of tender offers will be accepted.</p> <p>Where additional supporting documentation is provided or required in terms of the Returnable Schedules listed in T2.1: List of Returnable Schedules, this shall be placed in a file labelled “Supporting Documentation”, and further labelled in accordance with F2.13.5 of T1.2: Tender Data. The file shall be provided with a Table of Contents matching the relevant items for T2.1 and shall be provided with labelled dividers for each of the corresponding sections wherein the supporting documentation shall be inserted. Failure to comply with these requirements may result in the tender being declared non-responsive.</p> <p>Notwithstanding any statement in any of the Returnable Schedules listed in T2.1 to the effect that supporting documentation must be attached to the associated Returnable Schedule, the supporting documentation must be placed in the supporting documentation files as stipulated above. The Schedule of Quantities must be fully and correctly filled in in by hand in black ink.”</p>
F2.13.3	<p>Number of copies required is One (1) original and one (1) complete copy.</p> <p>Telephonic, facsimile or e-mailed tender offers will not be accepted. The binding for the original volumes of the Tender Document may be dismantled, but must be submitted in the original format in which they were issued by the Employer.</p>
F.2.13.4	The tender shall be signed by a person duly authorised to do so.
F.2.13.5	<p>The Employer’s address for delivery of tender offers and identification details, to be shown on each tender offer package, are the following:</p> <p>Location of Tender Box: Dr Nkosazana Dlamini Zuma Local Municipality Offices</p> <p>Physical Address: Main Street, CREIGHTON, 3263.</p> <p>The identification details which must be stated in the tender offer outer package are:</p> <p>Tender Number: PWBS-B023/23/24</p> <p>Title of Tender: CONCRETE SURFACING OF TARSEVALLEY ACCESS ROAD</p>
F.2.13.6	A two-envelope Procedure as described in Clause F.3.5 will not be followed.
F.2.15	Closing Time
F.2.15.1	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
F.2.16	Tender offer validity
F.2.16.1	The tender offer validity period is one hundred and twenty (120) days from the closing date.

F.2.16.2	The maximum extension on the tender offer validity period is 90 days.																										
F.2.17	Clarification of Tender Offer after Submission																										
	<p>a. A tender may be rejected as non-responsive if the Tenderer fails to provide any clarification requested by the Employer, or confirmation of registration with CIDB within the time for submission stated in the Employer's written request for such clarification or confirmation.</p> <p>b. A tender may be rejected if the unit rates or lump sums for some of the items in the bills/schedules of quantities are, in the opinion of the Employer, unreasonable or out of proportion, and the Tenderer fails, within the time stated in writing by the Employer to justify any specific rates or lump sums (i.e. to provide a financial breakdown of how such rates or sums were obtained) or to adjust the unit rates or lump sums for such items while retaining the total of the prices unchanged.</p>																										
F.2.23	<p>The tenderer is required to submit with his tender:</p> <table border="1" data-bbox="300 582 1433 936"> <thead> <tr> <th data-bbox="300 582 1279 622">COMPULSORY DOCUMENTS</th> <th data-bbox="1279 582 1433 622">TICK</th> </tr> </thead> <tbody> <tr> <td data-bbox="300 622 1279 672">a) Proof of registration with CSD- starting with (MAAA)</td> <td data-bbox="1279 622 1433 672"></td> </tr> <tr> <td data-bbox="300 672 1279 721">b) Joint Venture Agreement (if necessary)</td> <td data-bbox="1279 672 1433 721"></td> </tr> <tr> <td data-bbox="300 721 1279 770">c) Form of offer fully completed</td> <td data-bbox="1279 721 1433 770"></td> </tr> <tr> <td data-bbox="300 770 1279 819">d) MBD 1,4,8, and 9 fully completed</td> <td data-bbox="1279 770 1433 819"></td> </tr> <tr> <td data-bbox="300 819 1279 869">e) CIDB Grading Certificate: 3CE or Higher</td> <td data-bbox="1279 819 1433 869"></td> </tr> <tr> <td data-bbox="300 869 1279 918">f) certificate of attendance compulsory site inspection/ Briefing must be fully completed and signed.</td> <td data-bbox="1279 869 1433 918"></td> </tr> <tr> <td data-bbox="300 918 1279 936">g) Proof of purchase of the tender document</td> <td data-bbox="1279 918 1433 936"></td> </tr> </tbody> </table> <p>NB: Failure to submit the above documents your tender will be disqualified</p> <table border="1" data-bbox="300 1124 1433 1944"> <thead> <tr> <th data-bbox="300 1124 1289 1164">DOCUMENTS TO BE SUBMITTED</th> <th data-bbox="1289 1124 1433 1164">TICK</th> </tr> </thead> <tbody> <tr> <td data-bbox="300 1164 1289 1214">a) Copies of CK Documents / Sole proprietary</td> <td data-bbox="1289 1164 1433 1214"></td> </tr> <tr> <td data-bbox="300 1214 1289 1290">b) Valid Tax clearance certificate (with your pin number print and attach on the document Tax Clearance Certificate)</td> <td data-bbox="1289 1214 1433 1290"></td> </tr> <tr> <td data-bbox="300 1290 1289 1366">c) MBD 6,1 fully completed</td> <td data-bbox="1289 1290 1433 1366"></td> </tr> <tr> <td data-bbox="300 1366 1289 1944"> <p>d) Submit proof that the bidder (Company) and its (directors) do not owe municipal services. -Attach updated municipal rates, water or electricity statement not in arrears for more than 90 days Or - Attach a valid lease agreement if the director is leasing offices and residential Property with a confirmation letter from the landlord confirming that the municipal rates and services are in order. Or - Attach exemption letter from the relevant municipality Or - Attach affidavit if the Municipal Account is under your parents or siblings and they are responsible for paying municipal rates (if the address is the same as yours) and attach the copy of the Municipal rates and services for the above mentioned. Or</p> </td> <td data-bbox="1289 1366 1433 1944"></td> </tr> </tbody> </table>	COMPULSORY DOCUMENTS	TICK	a) Proof of registration with CSD- starting with (MAAA)		b) Joint Venture Agreement (if necessary)		c) Form of offer fully completed		d) MBD 1,4,8, and 9 fully completed		e) CIDB Grading Certificate: 3CE or Higher		f) certificate of attendance compulsory site inspection/ Briefing must be fully completed and signed.		g) Proof of purchase of the tender document		DOCUMENTS TO BE SUBMITTED	TICK	a) Copies of CK Documents / Sole proprietary		b) Valid Tax clearance certificate (with your pin number print and attach on the document Tax Clearance Certificate)		c) MBD 6,1 fully completed		<p>d) Submit proof that the bidder (Company) and its (directors) do not owe municipal services. -Attach updated municipal rates, water or electricity statement not in arrears for more than 90 days Or - Attach a valid lease agreement if the director is leasing offices and residential Property with a confirmation letter from the landlord confirming that the municipal rates and services are in order. Or - Attach exemption letter from the relevant municipality Or - Attach affidavit if the Municipal Account is under your parents or siblings and they are responsible for paying municipal rates (if the address is the same as yours) and attach the copy of the Municipal rates and services for the above mentioned. Or</p>	
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b) Valid Tax clearance certificate (with your pin number print and attach on the document Tax Clearance Certificate)																											
c) MBD 6,1 fully completed																											
<p>d) Submit proof that the bidder (Company) and its (directors) do not owe municipal services. -Attach updated municipal rates, water or electricity statement not in arrears for more than 90 days Or - Attach a valid lease agreement if the director is leasing offices and residential Property with a confirmation letter from the landlord confirming that the municipal rates and services are in order. Or - Attach exemption letter from the relevant municipality Or - Attach affidavit if the Municipal Account is under your parents or siblings and they are responsible for paying municipal rates (if the address is the same as yours) and attach the copy of the Municipal rates and services for the above mentioned. Or</p>																											

	<ul style="list-style-type: none"> - Attach copy of a marriage certificate or affidavit and municipal account statement for rates and services, if Municipal account is under your spouse. 							
	e) Certified copies of Identification documents of all members/directors of the entity.							
	e) Specific Goals supporting documents :							
	<table border="1"> <tr> <td>Company operating within the Jurisdiction Dr NDZ LM</td> <td>CIPC Document reflecting NDZ company physical Address</td> </tr> <tr> <td>Company 100% owned by black South African</td> <td>Summary of CSD reflecting Race and Identity document or Drivers Licence</td> </tr> <tr> <td>Company 60% owned by black South African women, youth or company 50% owned by black South African with disability or company outside of Dr NDZ LM but within Harry Gwala District</td> <td> 1.Summary of CSD reflecting 60% company owned by black (Women), (Youth) Gender and Identity document or Drivers Licence OR 2. Summary of CSD reflecting 50% owned by a black South African with (Disability) , a proof of medical certificate and Identity document or Drivers Licence OR 3.CIPC document reflecting physical address of a company outside of Dr NDZ LM but within Harry Gwala District </td> </tr> </table>	Company operating within the Jurisdiction Dr NDZ LM	CIPC Document reflecting NDZ company physical Address	Company 100% owned by black South African	Summary of CSD reflecting Race and Identity document or Drivers Licence	Company 60% owned by black South African women, youth or company 50% owned by black South African with disability or company outside of Dr NDZ LM but within Harry Gwala District	1.Summary of CSD reflecting 60% company owned by black (Women), (Youth) Gender and Identity document or Drivers Licence OR 2. Summary of CSD reflecting 50% owned by a black South African with (Disability) , a proof of medical certificate and Identity document or Drivers Licence OR 3.CIPC document reflecting physical address of a company outside of Dr NDZ LM but within Harry Gwala District	
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F.3	The employer's undertakings							
F.3.1	Respond to Requests from the Tenderer							
F.3.1.1	The Employer will respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew tender documents.							
F.3.4	Opening of Tender Submissions							
F.3.4.1	The time and location for Public Opening of the tender offers received will be: Time: 12h00 on 23rd August 2023 Location: Dr Nkosazana Dlamini Zuma Local Municipality							
F.3.4.2	"number of points claimed for Specific Goals"							
F.3.7	Grounds for rejection and disqualification							
	Tenderers will be disqualified if any if, <ul style="list-style-type: none"> a. Any of the directors/shareholders of the Tenderer is listed on the National Treasury Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business in the public sector. b. If the Tender has completed the Compulsory Enterprise Questionnaire and is considered by the Employer to have a conflict of interest, which may impact on the Tenderers ability to perform the proposed contract in the best interest of the Employer or potentially compromise the tender process. c. If the Tenderer has persons in the service of the state who are not permitted to submit tenders or to participate in the contract". 							

F.3.8	Test for Responsiveness
F.3.8.2	<p>“Tenders will also be considered non-responsive if:</p> <ol style="list-style-type: none"> The Tenderer offer does not meet any one of the eligibility criteria specified in Clause F.2.1 as amended. The Tenderer has not fully and correctly completed the Offer portion of C1.1 Form of Offer and Acceptance i.e. the price has not been completed in words and numbers, the Tenderers details are not completed fully and correctly and the Tenderer has failed to sign the Form of Offer on pg. C1.1. If requested by the Employer during the tender evaluation process, the Tenderer has failed to clarify or submit any supporting documentation within the time for submission stated in the Employer’s written request. The Tenderer’s price is based on fixed rates in lieu of Contract Price Adjustment. There are any other material deficiencies whereby the price submitted is not for the identical requirements and scope of work as other correctly completed tenders (such as failing to incorporate the requirements of Addenda where these materially affected the pricing e.g. where the Notice to Tenderers required additions or replacements of part or all of the Bill of Quantities and the submitted Bill of Quantities does not reflect these changes).”
F.3.11	Evaluation of tender offers
F.3.11.1	General
	The Procedure for the evaluation of responsive tenders is Method 1: Price and Preference. Quality (Ability and capability of the company) will be used as a prequalifying criterion, with tenderers required to meet a minimum quality score of 60% to qualify for further evaluation.
F.3.11.7	Scoring Price
	For details of scoring price refer to Returnable Schedule A5: Specific Goals Points Claim Form in terms of the Preferential Procurement Regulations, 2022.
F.3.11.8	Scoring Preferences
	For details of scoring preference see Returnable Schedule A5: Specific Goals Points Claim Form in terms of the Preferential Procurement Regulations, 2022.
F.3.11.9	Scoring for Ability And Capability Of The Company
	<p>The Ability and capability of the company will be applied as a one of criterion to determine the tenderers that qualify for further evaluation. The quality shall be scored as per the table below.</p> <p>Points will be allocated only where the required supporting documentation has been submitted by the tenderer.</p>
	DETAILED BREAKDOWN OF ABILITY AND CAPABILITY OF THE COMPANY POINTS
	<p>The procedure for the evaluation of responsive tenders is Method 4 (Ability and capability of the company, Price and Preferences) using the 80/20 Preferential Point System:</p> <p>Stage 1: Scoring Quality (Ability and capability of the company)</p> <p>Only tenderers who will achieve a score of 60% or more of the total available points will qualify for stage two of the evaluation.</p> <p>The criteria to be used to evaluate the proposals for the Ability and capability of the company stage will be as follows:</p> <p>Points</p> <ol style="list-style-type: none"> Relevant Experience of Enterprise = 35

2. Experience of Key Personnel = 40			
3. Availability of relevant plant and equipment = 25			
Total Points =100			
Key Aspect of Criterion	Basis for Points Allocation	Max Points	Verification Method
Relevant Experience of the Contractor in Road Construction	3 x Completed Concrete/Asphalt Road's construction / Upgrading Projects. Bidders to submit letter of appointment and letter of reference.	35	<ul style="list-style-type: none"> • Appointment Letter and. • Letter of Reference
	2 x Completed Concrete/Asphalt Road's construction / Upgrading Projects. Bidders to submit letter of appointment and letter of reference.	20	<ul style="list-style-type: none"> • Appointment Letter and. • Letter of Reference
	1 x Completed Concrete/Asphalt Road's construction / Upgrading Projects. Bidders to submit letter of appointment and letter of reference.	10	<ul style="list-style-type: none"> • Appointment Letter and. • Letter of Reference
Qualifications and CV's of Contract Manager	National Diploma in Civil Engineering or Project Management with 3 years' experience in Concrete/Asphalt Road's construction or Upgrading Projects	10	Certified copy of qualification to be attached with detailed CV
	National Diploma in Civil Engineering or Project Management with 2 years' experience in Concrete/Asphalt Road's construction or Upgrading Projects	7	Certified copy of qualification to be attached with detailed CV
	National Diploma in Civil Engineering or Project Management with 1 years' experience in Concrete/Asphalt Road's construction or Upgrading Projects	5	Certified copy of qualification to be attached with detailed CV
Qualifications and CV's of Site Agent	National Diploma or N3 in Civil Engineering with 3 years' experience in Concrete/Asphalt Road's construction or Upgrading Projects	15	Certified copy of qualification to be attached with detailed CV
	National Diploma or N3 in Civil Engineering with 2 years' experience in	10	Certified copy of qualification to be attached with

		Concrete/Asphalt Road's construction or Upgrading Projects		detailed CV
		National Diploma or N3 in Civil Engineering with 1 years' experience in Concrete/Asphalt Road's construction or Upgrading Projects	5	Certified copy of qualification to be attached with detailed CV
Qualifications and CV's of Site Foreman		10 or more years of experience in Concrete/Asphalt Road's construction or Upgrading Projects	15	Detailed CV to be attached with clear experience and reference
		6 -9 years of experience in Concrete/Asphalt Road's construction or Upgrading Projects	10	Detailed CV to be attached with clear experience and reference
		1 -5 years of experience in Concrete/Asphalt Road's construction or Upgrading Projects	5	Detailed CV to be attached with clear experience and reference
Availability of relevant plant and equipment (Resources)		If the Bidder owns all the required construction plant and equipment for constructing the Road (Tipper Truck, TLB, Grader or Excavator, Concrete mixer, Water cart, Roller. (Supply Proof of ownership e.g. logbook)	25	Proof of ownership of all the required plant and equipment, e.g logbooks and proof of purchase
		If the Bidder owns some of the required construction plant and equipment and will hire the other required plant and equipment for constructing the Road (Tipper Truck, TLB, Grader or Excavator, Concrete Mixer, Water cart, Roller. (Supply Proof of ownership e.g. logbook and pro-forma agreement with plant hire company)	20	Proof of ownership of all the required plant and equipment, e.g. logbooks and proof of purchase + Pro-forma Agreement with Plant Hire Company
		If the will hire all the required construction plant and equipment for constructing the Road (Tipper Truck, TLB, Grader or Excavator, Concrete Mixer, Water cart, Roller. (Pro-forma Agreement with Plant	15	Pro-forma Agreement with Plant Hire

	<p style="text-align: center;">Hire)</p> <p>Only Bidders who achieve 60% the total available will qualify for the next stage of evaluation.</p>												
	<p>Stage 2: Points and Preferential Points</p> <p>Points for price will be evaluated as per the following formula:</p> $P_s = 80 \times \left(1 - \frac{(P_t - P_{min})}{P_{min}}\right)$ <p>Where Ps = Points scored for price of tender under consideration Pt = Rand Value of tender under consideration Pmin = Rand value of lowest acceptable tender</p> <p><u>The 20 points of the Scoring System</u></p> <p>Table 1: Specific goals for the tender and points claimed are indicated per the table below. <i>(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.</i> Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)</p> <p style="text-align: center;">Preferential Points System – 80/20</p> <table border="1" data-bbox="252 922 1394 1547"> <thead> <tr> <th style="background-color: #cccccc;">The specific goals allocated points in terms of this tender</th> <th style="background-color: #cc0000; color: white;">Number of points allocated (80/20 system) (To be completed by the organ of state)</th> <th style="background-color: #ffcc99;">Number of points claimed (80/20 system) (To be completed by the tenderer)</th> </tr> </thead> <tbody> <tr> <td>Company operating within the Jurisdiction Dr NDZ LM</td> <td style="text-align: center;">10</td> <td></td> </tr> <tr> <td>Company 100% owned by black South African</td> <td style="text-align: center;">5</td> <td></td> </tr> <tr> <td>Company 60% owned by black South African women, youth or company 50% owned by black South African with disability or company outside of Dr NDZ LM but within Harry Gwala District</td> <td style="text-align: center;">5</td> <td></td> </tr> </tbody> </table>	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Company operating within the Jurisdiction Dr NDZ LM	10		Company 100% owned by black South African	5		Company 60% owned by black South African women, youth or company 50% owned by black South African with disability or company outside of Dr NDZ LM but within Harry Gwala District	5	
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<p>F.3.16</p>	<p>Notification to unsuccessful tenderers</p> <p>If the Municipality’s Bid Adjudication Committee has resolved that a tender be accepted, the unsuccessful tenderers shall be notified in writing.</p> <p>Any Tenderer wishing to exercise their right to appeal must submit their appeal in writing within 14 calendar days of publication of the <i>Intention to Award</i>. For the appeal to be considered, it must reach the municipality within the fourteen-day appeals period and be addressed to the Municipal Manager. Moreover, the appeal must be copied to the Supply Chain Manager and adhere to the following format:</p> <ul style="list-style-type: none"> • Clearly set out the reasons for the appeal, • Clearly state in which way the appellant’s rights have been affected by the decision, 												

	<ul style="list-style-type: none"> Clearly state the relief or remedy sought by the appellant, and be accompanied by a copy of the <i>Intention to Award</i> or notification advising the Tenderer of the decision of the Municipality. <p>If no <i>bona fide</i> appeals have been received within the appeals period, the successful Tenderer will be notified of the Municipality's acceptance of their bid.</p> <p>The consideration of appeals and, if necessary, the invalidation of any decision made, shall be dealt with in terms of Municipality's appeals process.</p>
F.3.17	Provide Copies of the Contracts
	"The number of paper copies of the signed contract to be provided by the Employer is ONE."

T1.2.3 Additional Conditions of Tender

The additional conditions of tender are:

T.1.2.3.1	<p>Compliance with Occupational Health and Safety Act 1993 and Construction Regulations (as amended 2014) and any issued Covid – 19 regulations in terms of disaster management act</p> <p>Tenderers are to note the requirements of the Occupational Health and Safety Act No. 85 of 1993 and the latest amended Construction Regulations (2014) issued in terms of Section 43 of the Act. The Tenderer shall be deemed to have read and fully understood the requirements of the above Act and Regulations and to have allowed for all costs in compliance therewith.</p>
	<p>In this regard the Tenderer shall submit with the tender, appended to Health and Safety Plan in T2.2 Returnable Documents, a detailed Health and Safety Plan prepared in accordance with the Health and Safety Specification (given in in respect of the Works in order to demonstrate the necessary competencies and resources to perform the construction work all in accordance with the Act and Regulations).</p>
T.1.2.3.2	T.1.2.3.2 Claims Arising after Submission of Tender
	<p>No claim for any extras arising out of any doubt or obscurity as to the true intent and meaning of anything shown on the Contract Drawings or contained in the Conditions of Contract, Scope of Work and Pricing Data, will be admitted by the Employer/Employer's Implementing Agent after the submission of any tender and the Tenderer shall be deemed to have:</p> <ol style="list-style-type: none"> 1) Inspected the Tender Drawings and read and fully understood the Conditions of Contract. 2) Read and fully understood the whole text of the Scope of Work and Pricing Data and thoroughly acquainted himself with the nature of the works proposed and generally of all matters which may influence the Contract. 3) Visited the site of the proposed works, carefully examined existing conditions, the means of access to the site, the conditions under which the work is to be done, and acquainted himself with any limitations or restrictions that may be imposed by the Municipal or other Authorities in regard to access and transport of materials and plant to and from the site and made the necessary provisions for any additional costs involved thereby. 4) requested the Employer or his duly authorised agent to make clear the actual requirements of anything shown on the Tender Drawings or anything contained in the Scope of Work and Pricing Data, the exact meaning or interpretation of which is not clearly intelligible to the Tenderer. <p>Before submission of any tender, the Tenderer should check the number of pages, and if any are found to be missing or duplicated, or the figures or writing indistinct, or if the Pricing Data contain any obvious</p>

	errors, the Tenderer must apply to the Employer/Employer's Implementing Agent at once to have the same rectified, as no liability will be admitted by the Employer/Employer's Implementing Agent in respect of errors in any tender due to the foregoing.
T.1.2.3.3	Imbalance in Tendered Rates
	<p>In the event of tendered rates or lump sums being declared by the Employer to be unacceptable to it because they are either excessively low or high or not in proper Balance with other rates or lump sums, the Tenderer may be required to produce evidence and advance arguments in support of the tendered rates or lump sums objected to. If, after submission of such evidence and any further evidence requested, the Employer is still not satisfied with the tendered rates or lump sums objected to, it may request the Tenderer to amend these rates and lump sums along the lines indicated by it.</p> <p>The Tenderer will then have the option to alter and/or amend the rates and lump sums objected to and such other related amounts as are agreed on by the Employer, but this shall be done without altering the Contract Price. Should the Tenderer fail to amend the Tender in a manner acceptable to the Employer, the Employer may reject the Tender.</p>
T.1.2.3.4	Community Liaison Officer
	Democratically elected project area members who in turn have representation on the overall Project Steering Committee (PSC) represents the residents being served by the project. The Contractor will be required to liaise through the CLO for any matters to do with the community. The CLO shall be paid an amount of R4 600 per month for the duration of contract.
T.1.2.3.5	Labour Intensive Construction / Use of Local Labour
	<p>Aspects of this project will be carried out in accordance with the provisions of EPWP and as set out in clauses F.2.1.3 and F.2.1.4.</p> <p>The contractor must make use of local labour in order to promote labour intensive construction, the labour intensive works to be done under the contract is as stated below:</p> <ul style="list-style-type: none"> • Pipe Excavations (existing services i.e., stormwater, sewer, water, etc.) • Backfilling • Traffic controller • Clearing of verges • Kerbing and channeling <p>Recruitment of labour will be done in accordance with the DR NKOSAZANA DLAMINI-ZUMA Municipality's EPWP Recruitment Guidelines. The latest gazetted government labour rate for the Construction industry will to be used in the contract for remuneration of local labour.</p>