

T1.2: BID DATA

The Conditions of bid in the Standard Conditions of bid as contained in Annex F of SANS 10845-3 – *Construction Procurement Part 3: Standard Conditions of Tender* contains references to the bid Data for details that apply specifically to this bid.

The Bid Data shall be read with the Standard Conditions of bid in order to expand on the Bidder's obligations and the Employer's undertakings in administering the bid process in respect of the project under consideration.

The BID Data hereafter shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of bid.

Each item of bid Data given below is cross-referenced to the relevant clause in the standard Conditions of BID.

F.1.1 The Employer for this Contract is: **ELIAS MOTSOLEDI LOCAL MUNICIPALITY.**

F.1.2 Bid Documents

The Bid Document consists of the following:

BID

Part T1: Bidding Procedures

Part T2: Returnable Documents

CONTRACT

Part C1: Agreements and Contract Data

Part C2: Pricing Data

Part C3: Scope of Work

Part C4: Site Information

DRAWINGS

The book of bid drawings is included in this document.

The bid Document with the drawings shall be obtained from the Employer or his authorized representative at the physical addresses stated in the bid Notice, upon payment of the deposit stated.

F.1.4 The Employer's agent is:

Name : DIKGABO CONSULTING ENGINEERS (Mr. P.M. Mngadi)
Address : No.91 Bowling Avenue
Morningside Manor
Sandton
2196

Telephone : (011) 656 4075 Fax: (086) 550 7497
E-Mail Address : mava@dikgabo.co.za

F.1.5 The Employer's right to accept or reject any bid offer

The Employer is not obliged to accept the lowest or any bid offer.

F.2.1 Eligibility

A bidder will not be eligible to submit a bid if:

- (a) The Contractor submitting the bid is under restrictions or has principals who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices;
- (b) The bidder does not have the legal capacity to enter into the contract;
- (c) The Contractor submitting the BID is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing;
- (d) The bidder does not comply with the legal requirements stated in the Employer's procurement policy;
- (e) The bidder cannot demonstrate that he possesses the necessary professional and technical qualifications and competent, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract;
- (f) The Bidder 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.

Only those bidders who are registered with the Construction Industry Development Board (CIDB) in a contractor-grading equal to or higher than a contractor grading designation **6GB** or higher or a combined grading (in the case of a joint venture) equal or higher than **6GB** as defined in the Regulations (09 August 2004 and 22 July 2005), in terms of the CIDB Act No 38 of 2000, are eligible to submit BIDs for this contract.

F.2.1	Only those Bidders who 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 are eligible to submit bids.
F.2.18	The Bidder shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labor-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.

F.2.7 Site visit and clarification meeting

The arrangements for the compulsory site inspection visit and clarification meeting are as follows:

Location: Project Site in Groblersdal CBD, Municipal Workshop / Fleet Centre/ Stores
(Coordinates 29° 09' 53.69"S 29° 24' 7.66"E)

Date: 17 August 2018

Starting time: 10:00

Enquiries and confirmation of attendance at least one full working day in advance regarding the meeting and site inspection may be directed to:

DIKGABO CONSULTING ENGINEERS

Name: Mava Mngadi
Telephone No: (011) 656 4075
Fax No: (086) 550 7497
E-Mail address: mava@dikgabo.co.za

F.2.10 Pricing the bid offer

- (a) Value Added Tax
 - The Valued Added Tax (VAT) rate shall be 15% or as otherwise provided for by legislation.
 - The successful bidder shall be required to produce a VAT invoice that shall only be prepared once

measurements and valuations for work done in terms of the contract offer have been agreed with the Employers agent and a certificate of payment issued.

- Payment of VAT to non-VAT vendors shall be processed from the month in which the bidder's liability with the South African Revenue Services is effective.

F.2.11 Alterations to document

A BID offer shall not be considered if alterations have been made to the forms of bid data or contract data (unless such alterations have been duly authenticated by the bidder) or if any particulars required therein have not been completed in all respects.

F.2.12 Alternative bid offers

No alternative offers will be considered.

F.2.13 Submitting a bid Offer

F.2.13.3 Bid offers shall be submitted as an original only.

Under no circumstances whatsoever may the bid forms be retyped or redrafted.

The original tender document, issued to the Bidder, shall be submitted in its entirety. No copies are required.

F.2.15 Two envelope system

A two-envelope procedure will not be followed.

F.2.15 Closing Time

The closing time for submission of bid Offers is: **12:00am on 29 August 2018**. Telephonic, telegraphic, telex, facsimile, electronic or e-mailed bids will not be accepted.

F.2.16 Bid offer validity

The bid Offer validity period is 90 days from the closing time for submission of bids.

F.2.17 Clarification of tender offer after submission

Delete the last part of the second sentence, commencing with the word "and". Furthermore, delete the last two sentences of Cl. F.2.17.

Add the following sentence: "The rates stated by the Bidder shall be binding".

F.2.18 Provide other Material

Upon request by the Employer, the Bidder shall promptly supply any other material that has a bearing on the tender offer, the bidder's commercial position (including, where applicable, notarized joint venture agreements), Preferencing arrangements, or samples of materials, considered necessary by the Employer for the purpose of a full and fair assessment. Should the Bidder not provide the information or material called for, by the time for submission stated in the Employer's request, the Employer will regard the tender offer as being non-responsive.

F.2.19 Access

Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.

F.2.22 Return of bid Documents

Not applicable.

F.2.23 Certificates

The bidder is required to submit with his bid the following Mandatory documents:

- Copy of Valid Tax Clearance Certificate and unique PIN;
- Compensation Fund registration certificate
- Certificate of Contractor Registration issued by the Construction Industry Development Board or a copy of the application Form for registration in terms of the Construction Industry Development Board Act (Form F006). A minimum grading of **6GB** is required

In the event of a Joint Venture submitting a tender, every member of the joint venture must submit proof of registration with the CIDB within 10 days from the closing date for tenders; and the lead partner must have a minimum contract grading designation

Important Note:

Failure to provide the required particulars as per the above-listed certificates implies a non-responsive tender and warrants rejection of the tender on account of non-compliance with the requirements of the Tender Data.

F.3.4 Opening of bid Submissions

The time and location for opening of the **bid** offers are:

The time and location for opening of the tender offers are:

Date : **12H00 on 29 August 2018**

Location : **Elias Motsoaledi Local Municipality offices, Groblersdal**

F.3.5 The two-envelope system will **not** apply to this bid.

F.3.9.1 Arithmetical errors

Delete paragraphs (b) and (c) of Cl. F.3.9.1 and replace with:

- b) If a bill of quantities (or schedule of quantities or schedule of rates) applies and there is an error in the line item resulting from the product of the unit rate and the quantity, the rate shall be binding and the error of extension as entered in the tender offer will be corrected by the Employer in determining the Contract Price.
- c) Where there is an error in addition, either as a result of other corrections required by this checking process or in the Bidder's addition of prices, such error will be corrected by the Employer in determining the Contract Price.
- d) The Contract Price for the completed Contract shall be computed from the actual quantities of authorised work done and compliant with the Contract Data, valued at rates contracted against the respective items in the bill of quantities, schedule of Quantities or schedule of rates and shall include such authorised Provisional Sums and items of extra work as have become payable in terms of the Contract Data.

F.3.11 Evaluation of bid Offers

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Bidders will be evaluated on quality, price and preference. It is important that the relevant information is

included to enable the Technical Proposal to be evaluated in accordance with the procedure outlined below. All information must be submitted in a separate file. Tampering with the original Bid document will render the Bid non-responsive. Failure to comply with the above requirements will result in the Bid being disqualified.

The Bid evaluation will be conducted as follows:

1(a) First

Bidders will be checked for compliance with Bid Conditions and administrative responsiveness. Non-compliance with any of the requirements will render the Bid non-responsive and it will not be carried forward to the next stage. (refer to 2(a) below).

1(b) Second

The Bidder's experience, staffing and methodology will be evaluated. Each Bid will be assessed and awarded points for Functionality. **Failure to achieve 70 points out of the 100 for Functionality will render the Bid non-responsive. The bidder has to provide three (3) contactable references of similar building construction projects.**

Only Bidders that score the specified minimum number of points for Functionality will be deemed to be acceptable and carried forward to the next stage. The rest will be disqualified. The points for functionality will not be carried forward to the remainder of the evaluation. (refer to 2(b) below)

1(c) Third

Points will be calculated for price on the relevant prices in accordance with the preference point system, 90/10 or 80/20. (refer to 2(c) below)

1(d) Fourth

Points for BBBEE will be awarded in accordance with the status level of contribution. refer to 2(d) below)

1(e) Final

The Bid will be awarded to the short listed Bidder who has scored the highest points for price and BBBEE status, unless there are justifiable, objective reasons to award the Bid to another Bidder. However, the Employer retains the right not to accept any Bid. Refer to (2e) below)

2(a) Compliance with Bid Conditions and other Requirements

The Bid will be checked to ensure that they comply with the Bid Conditions and all other requirements of the project document. In particular, the following documentation must be completed, signed and included in the Bid:

- a) Form A - Certificate of attendance at site inspection, to be signed in the Bid document or Signature On-site inspection attendance register.
- b) Form B - Certificate of Authority for Signature. For JV's a JV Agreement shall be provided (if applicable)
- c) Form F - Record of addenda to Bid documents.
- d) Form I - Certificate of non- collusive Bid
- e) Form J – Compliance with Occupational Health and Safety Act
- f) Form L – Compulsory enterprise questionnaire.
- g) Form Q – Declaration of good standing regarding tax
- h) Form N – Financial details, statements and bank references.
- i) Form U– Declaration of bidder's past supply chain management practices.
- j) Form R – Declaration of interest

- k) Form W – Construction industries development board registration.
- l) Form C1.1 – Form of Offer and Acceptance
- m) Contract Data Section 2: Data provided by the contractor

Failure to comply with the Bid Conditions or to supply the necessary information at Bid closure **WILL** result in the Bid being rejected. Non-submission of any of the forms listed above will result in the Bid being rejected as non-responsive.

2(b) Second Stage in Evaluation: Quality or Functionality: Points System

A brief description of the scoring system is given below. A tabulated score sheet which will be used in the evaluation is as shown below.

The Bidder must be able to demonstrate that he understands the project and the various tasks required. Innovative solutions will be viewed favorably. For a definition of all terms, refer to Scope of Works. Bidders' submissions will be evaluated based on compliance with the following criteria to determine the responsiveness to the bid requirements:

- I. Organogram and CV's for key personnel
- II. Capability statement of the company with regard to this type of work in general, and the Specifications of this bid in particular. Provide project descriptions of similar completed projects, highlighting similarities between the completed projects and the specifications of this project. Highlight experience with similar projects in South Africa for similar roads authorities in the past 5 years. Provide contact details of employers for these projects. Points will be awarded for each project completed that is at least one grading lower than the CIDB grading called for this project.
- III. Plant and equipment: Indicate own and hired equipment, clearly indicating equipment to be used specifically for this project.
- IV. Bank rating: Bidder's bank to complete Form W

Functionality Scorecard (Maximum 100 points)		
Criteria	Scoring guide	Maximum Weights
Company Experience: NB: The Tender must submit successfully completed building projects to qualify for maximum points. Note 1: Tenderers to submit names of the completed projects with valid contact details, appointment letters and completion certificates. Non-submission will result in loss of points.	<u>Building Construction experience (Company)</u> (Max 40 points) The Tenderer should have a proven track record of building construction experience (Attach both Certified copies of Appointment letter and Completion Certificate per project). Points for projects successfully completed or currently underway will be awarded as follows: *Tenderer has submitted no information or inadequate information to determine scoring level - 0 points *Completed similar Projects of value less than R6.5 million is - 4 points / project *Completed similar Projects of value between R6.5M and R7.8 M -6 points / project *Completed similar Projects of value greater than R7.8 million -10 points / project	40

<p>Financial Capacity- (Max 20 points)</p> <p>Tenderer to submit proof of bank of rating not older than three (3) months. Bank rating and bank statements should be of the Lead Partner in case of Joint Venture.</p> <p>Note: Points will not be allocated if proof not attached</p>	<table><tr><th>Bank Rating</th><th>Weighting</th><th>Score</th></tr><tr><td>Bank Rating = A,B, C</td><td>20</td><td></td></tr><tr><td>Bank Rating = D</td><td>16</td><td></td></tr><tr><td>Bank Rating = E</td><td>6</td><td></td></tr><tr><td>Bank Rating = F to G</td><td>0</td><td></td></tr><tr><td>TOTAL</td><td>20</td><td></td></tr></table>	Bank Rating	Weighting	Score	Bank Rating = A,B, C	20		Bank Rating = D	16		Bank Rating = E	6		Bank Rating = F to G	0		TOTAL	20		20																							
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<p>Specific Personnel Knowledge – (Max 20 points)</p> <p>Well detailed curriculum vitae and certified copies of academic qualification certificates need to be attached for functionality points scoring otherwise no points will be allocated</p>	<table><tr><th>Key personnel and Qualification</th><th>Work Experience</th><th>No. of years</th><th colspan="2">Maximum points to score (20)</th></tr><tr><td rowspan="4"><u>Contracts Manager</u> has attached CV and certified copy of National Diploma Civil Engineering or higher <u>NB: Certification not older than 3 months.</u></td><td rowspan="4">Contracts Manager in building construction (as per attached CV)</td><td>0-4</td><td>0</td><td></td></tr><tr><td>5-6</td><td>4</td><td></td></tr><tr><td>7-8</td><td>8</td><td></td></tr><tr><td>9-10</td><td>10</td><td></td></tr><tr><td rowspan="3">Site Agent has attached CV and certified copy of National Diploma in Civil Engineering, Building Science or higher NB: Certification not older than 3 months.</td><td rowspan="3">Site Agent in building construction (as per attached CV)</td><td>0-2</td><td>0</td><td></td></tr><tr><td>3-4</td><td>4</td><td></td></tr><tr><td>5-6</td><td>6</td><td></td></tr><tr><td rowspan="3">Safety Officer has attached CV and certified copy of National Diploma Safety Management or Environmental health or Equivalent. NB: Certification not older than 3 months.</td><td rowspan="3">Safety Officer in any Engineering construction project (as per attached CV)</td><td>0-1</td><td>2</td><td></td></tr><tr><td>2-3</td><td>4</td><td></td></tr><tr><td></td><td></td><td></td></tr></table>	Key personnel and Qualification	Work Experience	No. of years	Maximum points to score (20)		<u>Contracts Manager</u> has attached CV and certified copy of National Diploma Civil Engineering or higher <u>NB: Certification not older than 3 months.</u>	Contracts Manager in building construction (as per attached CV)	0-4	0		5-6	4		7-8	8		9-10	10		Site Agent has attached CV and certified copy of National Diploma in Civil Engineering, Building Science or higher NB: Certification not older than 3 months.	Site Agent in building construction (as per attached CV)	0-2	0		3-4	4		5-6	6		Safety Officer has attached CV and certified copy of National Diploma Safety Management or Environmental health or Equivalent. NB: Certification not older than 3 months.	Safety Officer in any Engineering construction project (as per attached CV)	0-1	2		2-3	4					20
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<p>List of plant- (Max 20 points)</p> <p>1. Tenderer to submit proof of ownership with certification not older than three months.</p> <p>2. And in case of hiring, a letter of intent must be submitted with proof of ownership with certification not older than three months.</p> <p>Bidders will score full points where the total minimum plant required has a letter of intent and also proof of ownership by a rental company</p> <p>If the contractor does not own some or any of the plant listed above, and chooses to hire some or all of the required plant, then the points indicated above will be awarded at 100% of the stated points for any of the relevant items of plant or equipment hired.</p> <p>The letter is to clearly indicate that the Plant intended for the contract will be available for the full duration of the project. Such Letter of Intent is to be unqualified and certified by a plant owner. For the contractor who owns the plant proof of ownership need to be</p>	<table><tr><th>Required plant</th><th>Points</th><th>Owned</th><th>Hired</th></tr><tr><td>1xTLB</td><td>2</td><td></td><td></td></tr><tr><td>1 x Concrete Mixer</td><td>4</td><td></td><td></td></tr><tr><td>1x Tipper Truck</td><td>2</td><td></td><td></td></tr><tr><td>1x Roller Compactor</td><td>4</td><td></td><td></td></tr><tr><td>1x Crane Truck</td><td>6</td><td></td><td></td></tr><tr><td>1x Set of Scaffolding equipment</td><td>2</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td>Total points</td><td>20</td><td></td><td></td></tr></table>	Required plant	Points	Owned	Hired	1xTLB	2			1 x Concrete Mixer	4			1x Tipper Truck	2			1x Roller Compactor	4			1x Crane Truck	6			1x Set of Scaffolding equipment	2							Total points	20			20					
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attach for the point to be allocated to the contractor.		
Functionality Threshold (Minimum score)		70
Total Points for Functionality		100

It is important that the Bidder provides information as requested as this information will be used for functionality in which a **minimum of 70 points** must be scored to move to the next stage of evaluation. The scoring will be according to the table below

Bidders must score a minimum of 70 percentage points out of the 100 percentage to qualify for further adjudication.

2(c) Fourth Stage in Evaluation: Price

The following must be completed in full

- * The pricing schedules
- * The form of offer. No alterations, subtractions or additions may be made to the items in the pricing schedule. All items must be priced or calculated.

A total of 80 points will be awarded to the Bid with the lowest balanced price. The other Bidders will be awarded points based on the ratio of the price under consideration to the lowest price.

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

where

- P_s = Points scored for comparative price of bid under consideration
 P_t = Comparative price of bid under consideration
 P_{\min} = Comparative price of lowest acceptable bid

2(d) Fifth Stage in Evaluation: BBEE (Ph)

The Bidders will then be evaluated in terms of the Construction industry scorecard and the PPPFA regulation 40553 issued on 20 January 2017 with the values of Ph indicated as the number of points shown below.

FOR BEE EVALUATION: Kindly attach ORIGINAL or CERTIFIED BBEE certificates or the sworn affidavit.

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

2(e) Final Stage in Evaluation : Calculation of Final Total Points

The final score or final total points for each Bid will be calculated by adding the scores from the; calculations.

$$P = P_s + P_h$$

F.3.13 Acceptance of bid Offer

F.3.13.1 Accept tender offer only if the bidder complies with the legal requirements stated in the Tender Data.

F.3.13.2 Notify the successful bidder of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful bidder as described in the form of offer and acceptance.

F.3.14 Notice to unsuccessful bidders

After the successful bidder has acknowledged the employer's notice of acceptance, notify other bidders that their tender offers have not been accepted.

F.3.15. Prepare contract documents

If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) Addenda issued during the tender period,
- b) Inclusion of some of the returnable documents,
- c) Other revisions agreed between the employer and the successful bidder, and
- d) The schedule of deviations attached to the form of offer and acceptance, if any.

F.3.16 Issue final contract

Prepare and issue the final draft of contract documents to the successful bidder for acceptance as soon as possible after the date of the employer's signing of the form of offer and acceptance (including the schedule of deviations, if any). Only those documents that the conditions of tender require the bidder to submit, after acceptance by the employer, shall be included.

F.3.17 Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

F.3.18 Copies of Contract

The number of paper copies of the signed contract to be provided by the Employer is ONE.

1. RESPONSIVENESS CRITERIA

ELIAS MOTSOLEDI LOCAL MUNICIPALITY WILL NOT CONSIDER ANY BID UNLESS IT MEETS THE FOLLOWING RESPONSIVENESS CRITERIA:

- Tender will be evaluated on PPPFA 80/20 points system;
- Price(s) quoted must be valid for at least ninety (90) days from the closing date of the tender;
- Compulsory Briefing Session Attended
- CSD registration report or CSD registration Summary report
- Proof of CIDB registration (Minimum of 6GB or Higher)
- Initial each page
- Company of registration certificate.
- Certified ID Copies of the Shareholders/Directors (certification not older than 3 months)
- Annexure Forms (A,B,C,D, E and G) fully completed and signed
- Copy of EMLM receipt of the payment of the tender
- Proof of Municipal rates and taxes or services charges not in arrears for more than 90 days or confirmation from the municipality if municipal rates and taxes are not levies (as per CK form address); statement or tax invoice not older than 3 months; if leasing, a signed lease agreement by the lessor and the lessee and statement of municipal rates in the name of the lessor must be attached. (Both for the company and each of the directors)
- In case of a Joint Venture, Association or Consortium a formal contract agreement must be signed by both parties and be attached
- Forms must be completed and signed in Black Ink
- Letter of good standing (Compensation for Occupational Injuries and Disease Act(COIDA)) from Department of Labour OR any company accredited Department of Labour
- Valid B-BBEE Certificate issued by SANAS or original Sworn Affidavit from commissioner of oaths
- Any Alterations Initialed
- Company Profile.