



TENDER DATA

Clause				
F.1.1	The Employer is: Emalahleni Local Municipality P.O Box 3 Emalahleni 1035			
F.1.2	The tender document's contents are as follows: Tendering Procedures Tender notice and invitation to tender Tender data Returnable Documents List of Returnable Documents The Contract Agreements and Contract data Forms of Offer and Acceptance Contract Data Pricing Data Pricing Instruction Bill of Quantities Terms of Reference Terms of Reference Additional Relevant Documents Supply Chain Management Policy			
F1.3	Interpretation The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.			
F.1.4	Communication. The Employer's Representative is; <table><tr><td> <u>Accounting Officer</u> Mr H.S Mayisela P.O. Box 3 Emalahleni 1035 Tel: 013 690 6208 </td><td> <u>Procurement Eng.</u> Mr BM Mahlangu P.O. Box 3 Emalahleni 1035 Tel: 013 690 6504 </td><td> <u>Technical Enquiries.</u> Mr R.T Nkosi P.O. Box 3 Emalahleni 1035 Tel: 013 690 6720 </td></tr></table> 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. Questions or queries must be submitted at least five (5) working days before the stipulated closing date and time of the tender. However, ELM shall not be liable nor assume liability for failure to respond to any questions and / or queries raised by the Bidder.	<u>Accounting Officer</u> Mr H.S Mayisela P.O. Box 3 Emalahleni 1035 Tel: 013 690 6208	<u>Procurement Eng.</u> Mr BM Mahlangu P.O. Box 3 Emalahleni 1035 Tel: 013 690 6504	<u>Technical Enquiries.</u> Mr R.T Nkosi P.O. Box 3 Emalahleni 1035 Tel: 013 690 6720
<u>Accounting Officer</u> Mr H.S Mayisela P.O. Box 3 Emalahleni 1035 Tel: 013 690 6208	<u>Procurement Eng.</u> Mr BM Mahlangu P.O. Box 3 Emalahleni 1035 Tel: 013 690 6504	<u>Technical Enquiries.</u> Mr R.T Nkosi P.O. Box 3 Emalahleni 1035 Tel: 013 690 6720		



	In the event that no correspondence or communication is received from the ELM within 90 days after the stipulated closing date and time of the tender, the tender proposal will be deemed to be unsuccessful.
F.1.5	The Employer's right to accept or reject any tender offer The employer has the right not to accept the lowest tender and to accept the whole or part of any tender or not to consider any tender not suitably endorsed is fully reserved by the Emalahleni Local Municipality.
F.2	Bidder Obligations
F.2.1	Pre-Qualification Criteria The below conditions are Pre-qualification condition and must be met by all tenderers: • The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 person prohibited from doing business with the public sector. • The tenderer is registered on the Central Supplier Database (CSD) and attach copy of full report not older than 30 days from closing date of this tender. The tender's tax status on the CSD report must be compliant. • The tenderer is not in arrears for more than 90 days with municipal rates and taxes and municipal service charges. The latest municipal account is to be attached. The statement must not be older than three months from the closing date of this tender. Alternatively, if the tenderer is currently leasing premises and is not responsible for the payment of municipal services, a copy of the Lease Agreement must be attached with Landlord's municipal account; • A Joint-Venture Agreement, if applicable, is submitted with tender. • The tenderer has not abused the Employer's Supply Chain Management System • The tender must be compliant in their tax matters with the South African Revenue Services (SARS) as at the date of submission of this bid. • A valid delegation of authority for signatory is provided and signed. • Valid Tax Compliance Status Pin (For both Parties in case of a Joint Venture) not older than 90 days from date of submission of this bid. • Submitted a valid copy of CIPC disclosure certificate not older than 30 days from closing date of the tender. • Bid documents must be signed in black ink (no pencil is allowed or other colour). • Any alterations on the proposals or the tender document must be initialed.
F.2.2	Cost of Tendering The employer will not compensate the bidder 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.
F.2.3	Check documents The Bidder should check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission. Emalahleni Local Municipality reserves the right to request the bidder to submit original documents (as detailed in the proposed key personnel of the tender document and but not limited to, company CK document as well as qualifications of key personnel for review and certification by its Commissioner of Oath.



F.2.4	Confidentiality and Copyright of Documents. Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation In submitting any information or documentation requested in this tender or any other information that may be requested pursuant to this Tender, you are consenting to the processing by ELM or its stakeholders of your personal information and all other personal information contained therein, as contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable. Thus, you hereby indemnify ELM against any civil or criminal action, administrative fine or other penalty or loss that may arise as a result of the processing of any personal information that you submit.
F.2.7	Clarification Meeting No tender briefing will be held.
F.2.9	Public Liability insurance The Employer shall not award a contract to any bidder that does not hold a valid Public Liability insurance policy cover amount not less than R 5 000 000.00. The service provider may be requested to increase the insurance should a need arise.
F.2.10	Compensation of tendering The employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the cost of any testing necessary to demonstrate that aspects of the offer satisfy requirements.
F.2.11	Alterations to the Tender Documents. No alterations may be made to the tender document issued by the employer. Proposals and any other supporting documents must be attached to the back of this tender document as Annexures.
F.2.12	Alternative tender offer. No alternative tender offers will be considered or accepted
F.2.13	Submitting tender offer: 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 as per details on F.2.20 below. Tenders must be deposited in the tender box clearly marked: "REQUEST FOR THE APPOINTMENT OF TWO SERVICE PROVIDERS TO SUPPLY, INSTALL, COMMISSION TOOLS, EQUIPMENT, MACHINES AND DELIVER FOR SMMEs,



	COOPERATIVES, INFORMAL TRADERS, NPOs/ NGOs FOR A PERIOD OF 36 MONTHS.”. Location of tender Box: Main Building Ground floor Emalahleni Local Municipality Physical Address: Emalahleni Local Municipality, 29 Mandela Street, Emalahleni,1035. Telephonic, telegraphic, telex, facsimile or emailed tenders will not be considered. All tender received by the Emalahleni Local Municipality will remain in the Municipality's possession as confidential until after the award is made. Accept that a tender submitted to the employer cannot be withdrawn or substituted. No substitute tenders will be considered.						
F.2.15	Closing Time: The time and location for opening of the Tender offers are: <table border="1"> <tr> <td>Closing Time:</td><td>11:00</td></tr> <tr> <td>Closing Date:</td><td>25 September 2026</td></tr> <tr> <td>Location:</td><td>Emalahleni Local Municipality 29 Mandela Street Emalahleni 1035</td></tr> </table> Tenders will be opened and read in public at the same time. 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 bidder or persons not concerned with such process until the award of the Tender has been announced by the ELM.	Closing Time:	11:00	Closing Date:	25 September 2026	Location:	Emalahleni Local Municipality 29 Mandela Street Emalahleni 1035
Closing Time:	11:00						
Closing Date:	25 September 2026						
Location:	Emalahleni Local Municipality 29 Mandela Street Emalahleni 1035						
F.2.16	Tender Offer Validity The Tender offer validity period is 90 days from the closing date.						
F.2.17	Tender clarification after submission A tender may be regarded as non-responsive if the bidder fails to provide clarification requested by the employer within the time for submission stated in the employer's written request.						
F.2.18	Provide other material Proposals Proposals should be well organized, straight forward, clear and concise. Proposals must respond specifically to the criteria specified in this tender document. Colour: black Font: Aerial: Size 12: Spacing one and half: pages not more than 50 on one side. (excluding appendices) THE HEADINGS OF THE PROPOSAL SHOULD FOLLOW THE CRITERIA ON THE SUPPLY CHAIN MANAGEMENT POLICY ATTACHED TO THIS DOCUMENT.						



The Bidder should demonstrate how it is able to assist the Municipality in Fraud Prevention and what measures are taken in order to do so in their proposal.

The proposals and all supplementary documents and correspondences shall be drawn up and submitted in English.

The Council retains the right to call for any additional information that it may deem necessary.

If a Bidder, or any person employed by him is found to have either directly or indirectly, promised or given to any person in the employment of Council, any commission, gratuity, gift or other consideration, The Council shall have the right to summarily and without recourse to law and without prejudice to any other legal remedy which it may have in regard to any loss and/ or additional costs or expenses, to disqualify the Tender or cancel the Contract without paying any compensation to the aforesaid Tender or Contract.

F.2.19

1. Tender evaluation points

The value of this bid is estimated not to exceed **R50 000 000 million Rands** (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.

The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and Specific Goals	100

2. Evaluation of Tenders

The Tenderers notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy of the ELM.

F.2.20

Tenders are adjudicated in terms of ELM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.

The following steps will be followed in evaluation;

1. Determination of whether or not tender offers are complete.
2. Determination of whether or not tender offers are responsive.
3. Determination of the reasonableness of tender offers.
4. Confirmation of the eligibility of preferential points claimed by tenderers.
5. Determination of expertise and experience of tenderers.
6. Awarding of points for financial offer.



7. Ranking of tenderers according to the total points
8. Performance of risk analysis by checking the credit record of the tenderers

Evaluation Criteria

The procedure for the evaluation of responsive Bids will be on the average of the previous three similar projects where the firm was involved in projects of other clients. Reference of Clients including Emalahleni Local Municipality must be provided.

Technical adjudication and General Criteria

Tenders will be adjudicated in terms of inter alia:

- Compliance with Tender conditions
- Technical specifications

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

With regard to the above, certain actions or errors are unacceptable and warrants

REJECTION OF THE TENDER, for example

- A valid tax clearance certificate issued by SARS or Tax Compliance letter with a unique not provided
- PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS has not been submitted.
- Pages to be completed have been removed from the Tender document, and have therefore not been submitted.
- If tender document is not fully completed as required and as stipulated in the tender data.
- If any tender document is tempered with or it is unbundled or unbundled.
- Scratching out without initialling next to the amended rates or information.
- Writing over / painting out rates / the use of tippex or any erasable ink, e.g. pencil.
- Failure to attend compulsory site inspections (where applicable)
- The Tender has not been properly signed by a party having the authority to do so, according to the **Form D – “Authority for Signatory”**
- A Resolution by a Board of Directors of the Company authorizing the Tenderer to sign the Tender document on behalf of the Company. No authority for signatory submitted.
- Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.
- The Tenderer's attempts to influence or has in fact influenced the evaluation and/or awarding of the contract.
- The Tender has been submitted after the relevant closing date and time
- Failure to complete and sign Form C1.1 Form of Offer and Acceptance
- If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months (90 days)
- 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.

Previous experience

The procedure for the evaluation of responsive Bids will be on the projects where the firm was involved. Reference of clients other than Emalahleni Local Municipality MUST be provided. 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.

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

- Company experience in terms of supply and delivery projects completed.
- Number of projects that the company has been involved in.

Financial ability to execute the contract:

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

- 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.

Good standing with SA Revenue Services

Determine whether a valid tax clearance certificate issued by SARS or Tax Compliance letter with a unique PIN in terms of the electronic Tax Compliance Status (TCS) system from SARS has been submitted.

Penalties

The Emalahleni 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:

- Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.
- Impose a financial penalty at the discretion of Council
- Restrict the contractor, its shareholders and directors on obtaining any business from the Emalahleni Local Municipality for a period of 5 years

The additional conditions of Bid Document

1. Emalahleni Local Municipality may also request that the Tenderer provide written evidence that his financial, labour and resources are adequate for carrying out the project.
2. The Emalahleni 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.



F.2.21

Tender Responsiveness

Tender responsiveness shall mean tender compliance with all the prescribed key requirements for submission with this tender which are regarded as eliminating factors.

The following criteria and weights will be applied when bids are assessed for functionality.

SCORECARD FOR FUNCTIONALITY

CRITERIA	SUB-CRITERIA	SCALE	MAXIMUM SCORE
Locality (points will be awarded to bidders based on their company jurisdiction and operational area)	Emalahleni Local Municipality	20	20
	Nkangala District Municipality	15	
	Mpumalanga Province	10	
	Other provinces	5	
List of previously completed or current projects concluded in the past three (3) years (please attach testimonial or reference letters/ completion certificates from clients)	0 - 1 projects	0	15
	2 – 5 projects	5	
	5 – 10 projects	10	
	10 or more projects	15	
Company experience in similar completed projects. Provide evidence of relevant past and present experience of business/firm (relevant projects undertaken for the past five (5) years (i.e. letters of award/ appointment/ purchase orders)	1-2 years	5	15
	3-5 years	10	
	5 and above years	15	
Detailed project proposal outlining all the proposed services to be offered and detailed implementation plans with key deliverables. List of services to be provided with proof of concept in the field of service.	Proposal addressing service requirements	10	20
	Operational project implementation	10	
Letter of intent on the tenderer's letterhead committing to supply SABS approved products.	Letter of intent submitted	10	10
	Letter of intent not submitted	0	
Financial ability to execute the contract (Proof of bank rating letter)	Bank rating A	20	20
	Bank rating B	15	
	Bank rating C	10	
	Bank rating D	5	

Bidders are required to achieve **a minimum combined score of points 70 out of 100 points** for the Functionality Criteria to proceed to the next stage of evaluation