



KING CETSHWAYO DISTRICT MUNICIPALITY

TENDER DOCUMENT

REFERENCE: KCDM/17/2024

**TENDER FOR REVIEW OF KING CETSHWAYO DISTRICT MUNICIPALITY SPATIAL DEVELOPMENT
FRAMEWORK (SDF) & THE DEVELOPMENT OF SPATIAL DEVELOPMENT PLAN (SDP)**

STAGE 2: PRICE & PREFERENCE

(To be submitted in a Separate Sealed Envelope from Stage 1)

CLOSING DATE: MONDAY 02 DECEMBER 2024 at 12h00

COMPULSORY TENDER MEETING: THURSDAY, 07 NOVEMBER 2024 at 10h00

Documents to be addressed to the Municipal Manager and deposited in Council's quote box situated at the foyer of the offices of the Prince Mangosuthu Buthelezi House, Corner of Kruger Rand and Barbados Bay Road, CBD, Richards Bay

SERVICE PROVIDER'S DETAILS

Name of Service Provider:	
Central data base supplier number	
Contact Person:	
E-mail Address:	
Telephone Number:	()Code
Fax Number:	()Code
Physical Address:	
Postal Address:	



**KING CETSHWAYO DISTRICT MUNICIPALITY
TENDER
REFERENCE: KCDM/17/2024**

**TENDER FOR THE REVIEW OF KING CETSHWAYO DISTRICT MUNICIPALITY SPATIAL
DEVELOPMENT FRAMEWORK (SDF) & THE DEVELOPMENT OF SPATIAL DEVELOPMENT PLAN (SDP)**

King Cetshwayo District Municipality (KCDM) invites tenderers from service providers registered with Central Suppliers Database for the review of KCDM spatial development framework (SDF) & development of spatial development plan(SDP)

Interested parties must collect tender documents from the SCM Unit at Prince Mangosuthu Buthelezi House, Corner of Krugerrand & Barbados Bay Road, CBD, Richards Bay. A compulsory non-refundable tender deposit of **R560.00** is payable for this tender. Payments must be made at the King Cetshwayo District Municipality cashier offices (Pay-Hall) in Richards Bay or via EFT to (First National Bank, King Cetshwayo District Municipality, Acc. 62943444125, Bank code 210554), Ref. Your company name and Tender No. Alternatively bidders may download & print the tender document for free from www.etenders.gov.za or www.kingcetshwayo.gov.za.

Any tender submitted by a person(s) who is in the service of the state or if that person(s) is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state or who is an advisor or consultant contracted with the Municipality shall not be considered in terms of regulation 44 of the Municipal Supply Chain Regulations. National Treasury has introduced the Central Supplier Data Base (CSD), where all suppliers are required to register. For more information, please contact Mr. Z Mkhwanazi on (035) 799 2790 or visit the CSD website at www.csd.gov.za. Only Tenderers who are registered with CSD and King Cetshwayo District Municipality's supplier data base will be considered for this tender.

A Compulsory tender meeting will be held on **Thursday, 07 November 2024 at 10:00 at Pay-Hall** of KCDM, Prince Mangosuthu Buthelezi House, Corner of Krugerrand & Barbados Bay Road, CBD, Richards Bay. Prospective tenderer's that do not attend the meeting will be disqualified.

This tender will be evaluated on an 80/20 preferential points system. Should you wish to claim any preference points please ensure that you submit an original or certified copy of your companies' B-BBEE Status level verification certificates with the tender document.

"King Cetshwayo District Municipality will strive to achieve the specific goals in line with the PPPFA regulations 2022 and the RDP. "

		<R50 Million
NO.	Categories	80 20
1	EME or QSE which is at least 100% owned by black people	10
2	BBBEE Level 1	10
	Total	20

Completed tenders in sealed envelopes (separate from Stage 2) bearing the tender number must be deposited in the Municipality's tender box in the foyer of Prince Mangosuthu Buthelezi House, Corner of Krugerrand & Barbados Bay Road, CBD, Richards Bay on or **before 12h00 on Monday, 02 December 2024. where tenders will be opened in public. Tenders received after the due date and time will not be considered.**

Please NOTE that this tender will be evaluated on functionality and price and any tenderer who scores less than 65 percent overall in respect of "functionality" will be regarded as submitting a non-responsive tender and will be disqualified.

All Tenders received will be pre - evaluated by a panel on a basis of functionality comprising the items listed in the following table. For purposes of comparison and in order to ensure a meaningful evaluation bidders are requested to furnish detailed information in substantiation of compliance to the evaluation criteria listed in the table below.

NB: Bidders that score LESS THAN 3 POINTS on Team Capability, Methodology or Relevant Experience WILL be disqualified.

NB: Bidders that score less than 70 % of the allocated total points for functionality will be disqualified. All decimal points will be rounded off to the nearest figure.

ITEM	TOTAL POINTS (CAPPED)
Team Capability (<i>Min -3 points</i>)	20
Methodology (<i>Min -3 points</i>)	20
Stakeholder Liaison Capabilities	33,33
Presentation	16,66
Local Knowledge	10
Relevant Experience(<i>Min -3 points</i>)	20
TOTAL	100
PERCENTAGE	100%

It will be the tenderer's responsibility to check the document on receipt for completeness and to notify the employer of any discrepancies or omissions. It is the tenderer's responsibility to provide all the data and information requested in the form required, failure to do so may be regarded by the employer as a non-responsive tender. Submissions may only be done on documentation supplied by the Municipality.

All communication between the employer and the tenderer shall be in a form that can be read, copied and recorded. All writing shall be in the English Language. The employer shall not take any responsibility for non-receipt of communications from a tenderer.

All Technical enquiries must be directed to Mr. Gift Mathalise at Tel. 035-799 2682 or Mr. Wisdom Mpofu on Tel. 035-799 2606. All Administrative enquiries must be directed to Mr. Z. Mkhwanazi at Tel. 035-799 2790.

Tenderers who do not hear from the King Cetshwayo Municipality within 90 days of the closing date of the tender should consider their tender unsuccessful.

Please note that no tender will be accepted by fax or e-mail.

P.P. Sibiya
Municipal Manager
Prince Mangosuthu Buthelezi House
Private Bag X1025
RICHARDS BAY
3900

ENCLOSURES

1. FORM OF TENDER

SECTION A

- **FORM OF TENDER**
- **SPECIAL CONDITIONS**
- **FORM OF OFFER**

2. PREFERENTIAL PROCUREMENT

SECTION B

PRICE PREFERENCE FORMS

(TO BE INCLUDED SHOULD PREFERENTIAL POINTS BE CLAIMED)

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NB:

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- ♣ **All forms must be completed, failure to do this will invalidate your bid.**
 - ♣ **If any of the forms, or portion of any form, is not relevant, please indicate it on the form by marking it N/A.**
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FORM OF TENDER

Phases and Deliverables	Budget %	Time in months (Cumulative)
Phase 1: Start Up	5%	2 Months (2 Months)
Phase 2: Policy Context & Vision Directives	10%	2 Months (4 Months)
Phase 3: Spatial Challenges & Opportunities	15%	3 Months (7 Months)
Phase 4: Spatial Proposals	20%	2 Months (9 Months)
Phase 5: Implementations Framework	20%	2 Months (11 Months)
Phase 6: Advertising and Consolidation of Information	10%	3 Months (14 Months)
Phase 7: Final SDF	15%	2 Months (16 Months)
Phase 8 : Project Closeout	5%	2 Months (18 Months)
Total	100%	18 Months

FORM OF TENDER CONTINUED

TOTAL:

R : _____ (Excl. VAT)

R : _____ (VAT)

R : _____ (Incl. VAT)

Amount in words (Excluding VAT):

_____ (Excl. VAT)

Amount in words (Including VAT):

_____ (Incl. VAT)

NAME: _____

SIGNATURE: _____

DATE: _____

SPECIAL CONDITIONS:

- 2.1 Fees must be quoted in South African Rands and must be VAT exclusive;
- 2.2 The tenderer is responsible for any costs associated with the submission of their tender;
- 2.3 Payment of fees will be linked to deliverables as outlined in form of tender and subject to approval by the PSC.
- 2.4 Appointment will be made in compliance with the SCM Policy of Council;
- 2.5 The budget should be in keeping with the phases of the project. **All costs such as travel accommodation, workshop catering and disbursements**, shall be incorporated within the **single project budget estimates for each phase**. All expenditure relating to the project shall be assumed to be submitted within each phase. Only the total amount relating to each phase shall appear on the respective invoices.

FORM OF OFFER**TENDER: KCDM/17/2024**

NOTE: THE FORM OF OFFER MUST BE COMPLETED CORRECTLY, SIGNED AND WITNESSED. FAILURE TO COMPLY MAY MEAN THAT NO OFFER HAS BEEN MADE AND THE TENDER MAY NOT BE FURTHER EVALUATED.

ACCEPTANCE

By signing this part of this form of offer and acceptance, the Municipality identified below accepts the tenderers offer. In consideration thereof, the Municipality shall pay the contractor the amount due. Acceptance of the tenderers offer shall form an agreement between the Municipality and the tenderer upon the terms and conditions contained in this contract that is the subject of this agreement.

The terms of the contract, are contained in section "D" of this document (NT Conditions of contract) as well as any special conditions (if any)

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Municipality to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of this document. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five working days of the date of such receipt notifies the Municipality in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signed at

For the King Cetshwayo District Municipality

Signature Date

Name Capacity

Witness:
Name Signature Date

And**For the Contractor/ Service provider**

Signature Date

Name Capacity

Witness:
Name Signature Date

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 \mathbf{Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)}
 \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 80/20 & \text{or} & 90/10 \\
 Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(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.)

(Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

SERVICE PROVIDERS TO COMPLETE SECTION E TO CLAIM POINTS FOR SPECIFIC GOALS

A	B	C	D	E
The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
EME or QSE which is at least 100% owned by black people		10		
BBBEE LEVEL 1		10		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

The RDP and specific goals preference points shall be calculated in line with the tables below:

SUMMARY TABLE FOR CALCULATION OF PRERERENTIAL POINTS FOR SPECIFIC GOALS				
			<R50 Million	>R50 Million
NO	Categories	Weight	80 20	90 10
1	Ownership Goals	50%	10	5
2	Empowerment Goals	20%	4	2
3	Reconstruction & Development Programme Goals	20%	4	2
4	Other Goals (Specify)	10%	2	1
		100%	20	10

SPECIFIC GOAL NO.1-OWNERSHIP CATEGORY

#	Specific Goal(s)	Weight	80 20 PP	90 10 PP	Verification
	Ownership Categories :				
1	EME and QSE				
	1. an EME or QSE which is at least 100% owned by black people;	100%	10	5	Sworn Affidavit - QSE/EME General
	2. an EME or QSE which is at least 51% owned by black people;	60%	6	3	Sworn Affidavit - QSE/EME General
	3. an EME or QSE which is at 25% - 50% owned by black people;	20%	2	1	Sworn Affidavit - QSE/EME General
2	Broad Based Black Economic Empowerment :				
	BBBEE Level 1	100%	10	5	BBBEE Certificate
	BBBEE Level 2	60%	6	3	BBBEE Certificate
	BBBEE Level 3 & Below	20%	2	1	BBBEE Certificate
3	Ownership %				
a)	Women Ownership(*Must be South African)				
	ownership - 100% : Black (Youth , Women , Disabled People)	100%	10	5	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	ownership - > 51% : Black (Youth , Women , Disabled People)	80%	8	4	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	ownership - 25% - 50% : Black (Youth , Women , Disabled People)	40%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	ownership - 100% : White (Youth , Women , Disabled People)	20%	2	1	ID Copies : Directors Co. Registration CSD Shareholders Certificate
b)	Men Ownership(*Must be South African)				

	Men ownership - 100% : Black (Youth , Men , Disabled People)	80%	8	4	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	Men ownership - > 51% : Black (Youth , Men , Disabled People)	40%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	Men ownership - 25% - 50% : Black (Youth , Men , Disabled People)	20%	2	1	ID Copies : Directors Co. Registration CSD Shareholders Certificate
4	Youth Development : (Below 35 Years)				
	Youth ownership - 100% : Black	100%	10	5	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	Youth ownership - > 51% : Black	80%	8	4	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	Youth ownership - 25% - 50% : Black	40%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	Youth ownership - 100% : White	20%	2	1	ID Copies : Directors Co. Registration CSD Shareholders Certificate

SPECIFIC GOAL NO.2 –EMPOWERMENT CATEGORY

#	Specific Goal(s)	Weight	80 20	90 10	Verification
	Sub-Contracting :				
1	EME and QSE				
	1. an EME or QSE which is at least 100% owned by black people;	100%	4	2	Sworn Affidavit - QSE/EME General
	2. an EME or QSE which is at least 51% owned by black people;	50%	2	1	Sworn Affidavit - QSE/EME General
	3. an EME or QSE which is at 25% - 50% owned by black people;	25%	1	0,5	Sworn Affidavit - QSE/EME General
2	Local Economic Development Sub-Contracting (10%-30%) and 40 % where it is technically possible and subject to pre-approval.				
	1. Enterprise 100% owned by Youth	100%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	1. Enterprise 100% owned by Disabled People	100%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	1. Enterprise 100% owned by Women	100%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	2. Enterprise owned by Black People with CIDB Grading 4 or Less	100%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	3. Enterprise 100% owned	100%	4	2	ID Copies : Directors Co. Registration CSD Shareholders Certificate
	3. Enterprise owned by Black Men with at least 51%	50%	2	1	ID Copies : Directors Co. Registration CSD Shareholders Certificate

SPECIFIC GOAL NO 3- RDP CATEGORY

#	Specific Goal(s)	Weight	80 20 PP	90 10 PP	Verification
	Reconstruction and Development :				

1	Promotion of Local Business(s)				
	1. Enterprise Located within the District Municipality – Rural	100%	4	2	Utilities : Directors or Co. Affidavit Existing Lease Agreement /councilor or Induna letters
	2. Enterprise Located within the District Municipality – Urban	50%	2	1	Utilities : Directors or Co. Affidavit Existing Lease Agreement
	2. Enterprise Located within the Province	25%	1	0,5	Utilities : Directors or Co. Affidavit Existing Lease Agreement
2	SMME Development (EME and QSE)				
	1. an EME or QSE which is at least 100% owned by black people;	100%	4	2	Sworn Affidavit - QSE/EME General
	2. an EME or QSE which is at least 51% owned by black people;	50%	2	1	Sworn Affidavit - QSE/EME General
	3. an EME or QSE which is at 25% - 50% owned by black people;	25%	1	0,5	Sworn Affidavit - QSE/EME General
3.	Job Creation and Community upliftment				
	1.Community upliftment project (e.g housing , schools ,infra donations etc) equal to at least 0.5% of project Value	100%	4	2	Bidder to propose
4	2. Creation of Jobs /Labour intensive activities	100%	4	2	Bidder to propose

SPECIFIC GOAL NO 4 – OTHER GOALS

#	Specific Goal(s)	Weight	80 20 PP	90 10 PP	Verification
	Other Categories :				
1	<i>Combination of any other goals</i>				
	User departments may combine any specific goals under categories 1,2 and 3 above in a manner that will help evaluate and apply preference points to the tender	100%	2	1	--Relevant Verification Documentation--