



**enterprise ilembe**  
ECONOMIC DEVELOPMENT AGENCY

**TERMS OF REFERENCE**

***FOR***

**THE APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR  
LAND PREPARATION WITHIN THE ILEMBE DISTRICT FOR A  
PERIOD OF TWO YEARS**

**Closing Date: 24 August 2017  
Time: 12h00**

*It is the intention of Enterprise iLembe to enter into a formal contract with a panel of service providers or consortium to provide the services described herein. These Terms of Reference and the consultant's proposal will form the basis of the contract.*

## **Section 1: Details**

<b>Province:</b>	KwaZulu-Natal
<b>Municipality:</b>	iLembe District Municipality and the local municipalities comprising of KwaDukuza, Mandeni, Maphumulo & Ndwedwe
<b>Contracting Agency:</b>	Enterprise iLembe Economic Development Agency
<b>Project Name:</b>	The Appointment of a Panel of Service Providers for Land Preparation within the iLembe District

## **Section 2: Summary of Brief**

Proposals are being requested from qualified and experienced service providers who will be appointed on a panel system for the purpose Land Preparation within the iLembe District.

## **Section 3: Project Description**

### **Introduction:**

#### **The iLembe District Municipality**

The iLembe District Municipality is situated on the east coast of South Africa, in the KwaZulu-Natal Province. iLembe is one of the 11 district municipalities of KwaZulu-Natal province in South Africa and also the smallest District Municipality in the province, with a total population of 606 809. iLembe is located between two of Africa's busiest ports, Durban and Richards Bay, iLembe is therefore well situated not only to local but also international markets. Despite its strategic location, iLembe faces numerous economic challenges such as the high levels of poverty in the rural inland areas, which contrasts with rapid development along its coastal regions. The District has been proactive in trying to develop broad based interventions to facilitate local economic development in response to its challenges of high rates of unemployment and correspondingly high levels of poverty.

## Section 4: Specifications

### Prequalifying Criteria:

In line with the 2017 Preferential Procurement regulations, Enterprise iLembe has decided to apply pre-qualifying conditions to advance certain designated groups within the iLembe region; i.e. Exempt Micro Enterprises (EME's) and Qualifying Small Enterprises (QSE's) located within iLembe with a minimum B-BBEE status level of 3. The purpose of this is to enable the advancement of previously disadvantaged groups within the region thereby stimulating the local economy.

***An exempt Micro Enterprise (EME) is a business with a turnover less than R10 million.***

***A Qualifying Small Enterprise (QSE) is a business with a turnover between R10 million and R50 million***

### Therefore, the following mandatory criteria is applicable to this tender:

1. Only businesses classified as Exempt Micro Enterprises (EME's) or Qualifying Small Enterprises (QSE's) will be considered (Bidders are to submit sworn affidavits to confirm their business classification and B-BBEE status level)
2. Bidders must possess a minimum B-BBEE Level Status of Level 3 or higher ( bidders are to submit Proof of B-BBEE status level of contribution – i.e. B-BBEE Status level certificate issued by an authorized body or person OR A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice OR any other requirement as prescribed in terms of the B-BBEE Act.)
3. Businesses must be located within the iLembe region (Bidders are to submit proof of **BUSINESS location**)

A tender that fails to meet the pre-qualifying criteria stipulated above will be considered an unacceptable tender.

### Detailed specifications:

Please note that service providers will be appointed on a panel system per Local Municipality and services thereof will be utilised by Enterprise iLembe for a period of two years (***as and when required***) in line with the Enterprise iLembe production plan commencing from the date of the award.

- It is **compulsory** that the successful bidders provide their **own mechanisation (tractors and implements)** for the purposes of this project.
- Bidders are expected to do **three** operations in a hectare (**Ploughing , Harrowing and Discing**)
- The successful bidders will be allocated to each local Municipality as per proof of **business location** submitted by the bidder.
- Enterprise iLembe will not be paying for the transportation of tractors and/or implements

- The successful bidder will be required to provide their own driver/s and will be liable for the reimbursement of the driver/s for such services.
- Enterprise iLembe reserves the right to verify the existence of the tractors and implements prior to the appointment of the bidders to the panel.
- Bidders are to include a Rate Per Hectare (Inclusive of VAT) in their proposals
- It must be noted that Enterprise iLembe will not be held liable for any damages or losses incurred as a result of negligence by the service provider and his/ her staff.
- Further, bidders are to ensure that all running costs associated with the tractors (including servicing, maintenance and fuel costs) are incorporated into the quoted Rates per Hectare. No invoices for such additional costs will be considered after the panel has been appointed.

## Section 5: Payment Terms

Payments will be made on invoices rendered for work completed. On receipt of invoices rendered the service provider should allow at least 30 days for the payments to be processed.

## Section 6: Non - Appointment

Enterprise iLembe has a right not to make an appointment should it find that proposals received do not meet the specified criteria / requirements and is not compelled to accept the lowest quotation.

## Section 7: Requirements Related to Tender

Documentation and Information Relating to this Brief

**Please note that it is mandatory to complete Annexure A (see below) AND the MBD 2, 4 and 6.1 Forms. Failure to complete the Annexure and return it with your submission will disqualify your bid in its entirety.**

Proposals must be submitted in sealed envelopes endorsed **“PROPOSAL FOR: THE APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR LAND PREPARATION”** and must be hand delivered and placed in the tender box at **Sangweni Tourism Centre, Cnr. Link Road & Ballito Drive, Ballito** and addressed to;

**The Chief Executive Officer**  
**Enterprise iLembe,**  
**Sangweni Tourism Centre,**  
**Cnr Link Road & Ballito Drive.**

The closing date for this tender is on or before **12h00 (noon) on 24 August 2017.**

Please note: All proposals must be hand-submitted to the tender box, and incomplete, faxed, emailed applications and applications received after the closing date and time **WILL NOT** be considered. Bidders using a courier service to deliver documents are responsible for ensuring that such delivered documents are physically deposited in the tender box.

***Enterprise iLembe does not bind itself to accept the lowest or any of the bids and reserves the right to accept the whole or part of the bid proposal.***

## **Section 8: Adjudication Criteria**

### **Procurement Policy**

Bids will be evaluated in terms of the Procurement Policy of Enterprise iLembe and shall be applied as follows:-

- All proposals received shall firstly be evaluated on functionality and thereafter only those who qualify for the next stage of evaluation will be evaluated in terms of the PPPFA (No.5 of 2000) read together with the 2017 Preferential Procurement Regulations and the 2011 B-BBEE Regulations.

**Any bid that fails to achieve a minimum of 60 points on the functionality evaluation shall not be evaluated further and will be deemed to be non-responsive.**

### **Functionality Evaluation**

The functionality evaluation points will be applied as per the table below;-

**NB:** Bidders must demonstrate by submitting documentary proof in relation to the claim of points with respect to the following key competencies/areas:

### **Competencies**

The successful bidders or consortium must demonstrate the following key competencies for the functionality evaluation:

**Bidders must include the following in their proposals to claim points:**

- A detailed list of similar projects undertaken
- Details of vehicles **including Tractor logbook (Compulsory)**
- Proof of Ownership of Tractor Implements
- Certified copy of a VALID driver's licence for the individual/s driving the tractors

<b>Competency</b>	<b>Point Allocation</b>	<b>Maximum Points</b>
Experience relating to land preparation  (Please include list of projects undertaken with contactable references)	0-1 year 5  1 – 5 years      10  5 – 10 years      15  Above 10 years 25	25 Points
Details of tractors – make, model and vehicle registration numbers & logbooks of tractor to be provided	(Details of tractors – make, model and vehicle registration numbers & logbooks of tractor to be provided)	25 Points
Proof of Ownership of Tractor Implements (Proof of purchase of such implements to be provided/ or a sworn affidavit stating that the bidder owns the implements)	(Proof of purchase of such implements to be provided/ or a sworn affidavit stating that the bidder owns the implements)	25 Points
Certified copy of a VALID driver's licence for the individual/s driving the tractors	(Certified copy of Valid Driver's Licence)	25 Points

***Only bidders who achieve a total of 60 points for functionality in terms of the above will then be evaluated in terms of the 80/20 points scoring system. Bidders wishing to claim preferential points must attach B-BBEE certificate.***

The 80/20 preference point scoring system will be applied with points allocated as follows:-

- 80 points for the price;
- 20 points for B-BBEE status level

The 20 preference points will be allocated based on B - BBEE status level of contribution and shall be allocated as per table that follows:-

<b>Status Level of Contributor</b>	<b>Preference Points on scorecard (80/20 System)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-contributor	0

## **REQUIRED ANNEXURES**

### **Annexure A: Compulsory Information Sheet (see below)**

### **Annexure B: Detailed Proposal including the following:**

- List of projects undertaken with contactable references (Past work experience)
- Details of tractors – make, model and vehicle registration numbers & logbooks
- Proof of purchase of Tractor implements to be provided/ or a sworn affidavit stating that the bidder owns the implements
- Certified copy of a VALID driver's licence for the individual/s driving the tractors

### **Annexure C: Registration details & Compliance**

- All interested bidders must be registered on the Central Supplier Database for Government. Proof of registration must be attached to the proposal (along with the Supplier Number as well as the unique registration reference number). **Please visit <https://secure.csd.gov.za/> to register on the Central Supplier Database. It is compulsory for service providers to be registered on the Central Suppliers Database**
- All bidders must submit a Valid Tax Clearance Certificate (**Compulsory**). In line with the latest circular from SARS (South African Revenue Services), bidders can now

submit a **UNIQUE PIN** to enable the municipality to verify the bidder's tax compliance status online via E-filing.

- MBD 2, 4 and 6.1 Forms (**Compulsory**). **Please note that the MBD 6.1 Forms have been revised. Please ensure that the 2017 MBD 6.1 Forms are submitted.**
- Company registration documents
- Power of Attorney/ Signing authority where applicable
- Proof of B-BBEE status level of contributor – i.e. B-BBEE Status level certificate issued by an authorized body or person OR A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice OR any other requirement as prescribed in terms of the B-BBEE Act. (Please attach the approved B-BBEE accreditation certificate or supporting Affidavit, if available in order to claim points for this.)

**Points to note regarding the B-BBEE Status Level:**

- Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.



## ANNEXURE A – Compulsory Information

Name of Company: \_\_\_\_\_

Contact Person/s: \_\_\_\_\_

Contact Number/s: & Email Address: \_\_\_\_\_

Details	Response/Annexure
Experience relating to land preparation	
Mechanisation with details of tractors – make, model and vehicle registration numbers to be provided	
Valid driver's licence for Tractor Driver/s to be provided	
Tax Clearance Certificate	
B-BBEE Certificate	
MBD 2, 4 and 6.1 completed	
Proof of Business Location	
Total Rate Per Hectare (Including VAT)	

***Above information certified correct:***

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**NB: *By signing this annexure, the bidder accepts the clauses contained within these Terms of Reference.***