



TENDER NOTICE

Notice No: 2017/2018-198

Bids are hereby invited from suitably experienced Service Providers for the project stated below:

BID NO	DESCRIPTION	ADVERTISING DATE	CLOSING DATE
MATAT/2017/2018-61	APPOINTMENT OF MUNICIPAL ATTORNEY/ FIRM DEFEND CONSTRUCTION AND ENGINEERING CONTRACT (COUNCIL CHAMBER) MATTER	27 April 2018	14 May 2018 @ 12h00

Bid Documents will be obtainable at the **New Budget and Treasury Office**, MATATIELE LOCAL MUNICIPALITY, Mountain View for a **non – refundable tender fee of R500.00** payable between the hours of 08h00 and 16h00 as from **30 April 2018**.

Bidders shall take note of the following bid conditions / Compulsory Submissions

- All bids submitted should remain valid for a period of **90 days** after the bid closing date.
- Copy of original Valid Tax Clearance Certificate, or code from SARS
- The bid will be evaluated according to the preferential procurement model in the Preferential Procurement the bidders' attention is drawn to Form MBD 6.1 whereby 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. **Failure to do so will result in zero points score for BBEE status level.**
- **Certified copies of original company registration and certified ID documents of members,**
- Joint Venture agreement (where applicable)
- **Failure to complete all supplementary information returnable schedules like MBD 4, MBD 5 MBD8 and MBD 9 will result in the tender being eliminated, Invalid or non-submission of the documents listed in the Terms of Reference will lead to a disqualification.**
- Bids must only be submitted on documentation provided by the municipality. Late, emailed, faxed and telegraphic bids will not be considered and photocopies of the document will not be accepted.
- All prospective service providers of goods and services and infrastructure procurement are required to apply on **Central Supplier Database** in order to do business with all organs of state in the Republic of South Africa at <https://secured.csd.gov.za/>. Matatiele Local Municipality is using CSD to verify supplier's registration, therefore, you are required to please register on the CSD.
- Bidders are required to submit rates clearances certificates from municipality

The Bids will be evaluated on the basis of the Preferential Procurement Policy Framework Act (Act No.5, 2000), and the regulations pertaining thereto (2017), as well as the Matatiele Local Municipality's Supply Chain Management policy. 80/20 preference point system will be used. The bids will be evaluated as follows:

• Price and BBBEE Points

Price (80)

BBBEE Points (20)

FUNCTIONALITY (100)

With regards to functionality the following criteria will be applicable and the maximum points as indicated points in terms hereof.

Functionality evaluation criterion is further explained below.

NO	FUNCTIONALITY DESCRIPTION	TOTAL WEIGHT OF POINTS ALLOCATED
10.1.1	<p>Employment of at least 5 appropriately qualified staff for required legal services in terms of these terms of reference with relevant qualification certificates. (LLB or Higher qualifications must be attached)</p> <ul style="list-style-type: none"> • 5 years or more admission as an attorney and experience as a legal practitioner specialising in law of Construction and Engineering contracts = 25 Points • 2-4 years admission as an attorney and experience as a legal practitioner specialising in law of Construction and Engineering contracts = 15 Points • 1 year admission as an attorney and experience as a legal practitioner specialising in law of Construction and Engineering contracts = 5 Points 	25
10.1.2	<p>successfully defended or instituted cases for Law of construction and engineering contract (project amount must be R50 000 000 or more) (attach court order or arbitration award and proof as attorney of record in all 3 matters)</p> <ul style="list-style-type: none"> • 5 and above projects = 50 projects • 3-4 projects = 30 • 1-2 Projects = 10 	50
10.1.3	<p>Accredited member of the Law Society of South Africa and in possession of a valid fidelity fund certificate (Certified certificate must be attached)</p>	25
TOTAL =100 POINTS		

Bids that qualify will proceed to the next stage where they will be evaluated in terms of the 80/20 preference points system.

NOTE:

A minimum of 85 points out of 100 must be scored for functionality in order to qualify for the second stage of the evaluation process.

Bidders scored less than 85 points will be considered non responsive.

Bids must only be submitted on the bid documentation provided by the municipality. Bids must be submitted in a sealed envelope clearly marked “**APPOINTMENT OF MUNICIPAL ATTORNEY/ FIRM DEFEND CONSTRUCTION AND ENGINEERING CONTRACT (COUNCIL CHAMBER) MATTER**”**Bid No: 2017/2018-61**” must be deposited in the Bid Box located at the New Budget and Treasury Offices, Mountain View, Matatiele 4730.

Matatiele Local Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept the Bid in whole or part, at the rates quoted.

Technical enquiries should be directed to **Ms T. Motaung (Manager: Legal Services)** at **039 737 8100** and SCM enquiries to **Ms. O Mgwebi: SCM** at **039 737 8100** during office hours.

DR DCT NAKIN

MUNICIPAL MANAGER