


REQUEST FOR PROPOSAL – THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.

HO/PT/ENG/SSCB/248/02/2024



<p>BID NUMBER: HO/PT/ENG/SSCB/248/02/2024.</p> <p>REQUEST FOR PROPOSAL – THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.</p>	
CLOSING DATE	09 April 2024
CLOSING TIME	12H00
BID DOCUMENTS DELIVERY ADDRESS	Passenger Rail Agency of South Africa, 30 Wolmarans Street Umjantshi House Braamfontein,2001
BIDDER NAME
BID RETURN ADDRESS (BIDDING ENTITY RETURN ADDRESS)	<p>Contact Number.....</p> <p>Company Name.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

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Disclaimer

This document is provided solely for the purpose set out in this RFP and is not intended to form any part or basis of any investment decision by Bidders. The recipient should not consider the document as an investment recommendation by PRASA or any of its advisers.


Each person to whom this document (and other later documents) is made available must make his own independent assessment of the Project after making such investigation and taking such professional advice as he/she or it deems necessary. Neither the receipt of this document or any related document by any person, nor any information contained in the documents or distributed with them or previously or subsequently communicated to any Bidder or its advisers, is to be taken as constituting the giving of an investment advice by PRASA or its advisers.

Whilst reasonable care has been taken in preparing this RFP and other documents, they do not purport to be comprehensive or true and correct. Neither PRASA nor any of its advisers accept any liability or responsibility for the adequacy, accuracy or completeness of any of the information or opinions stated in any document.

They acquaint themselves with this RFP and take note that no representation or warranty, express or implied, is or will be given by PRASA, or any of its officers, employees, servants, agents or advisers with respect to the information or opinions contained in any document or on which any document is based. Any liability in respect of such representations or warranties, howsoever arising is hereby expressly disclaimed.

If any recipient, or its employees, advisers or agents make or offers to make any gift to any of the employees of PRASA or consultant to PRASA on the RFP either directly or through an intermediary then such recipient, Bidder will be disqualified forthwith from participating in the RFP.

Each recipient of this RFP agrees to keep confidential any information of a confidential nature which may be contained in the information provided (the “Confidential Information Provided”). The Confidential Information provided may be made available to Bidder’s subcontractors, employees and professional advisers who are directly involved in the appraisal of such information (who must be made aware of the obligation of confidentiality) but shall not, either in the whole or in part, be copied, reproduced, distributed or otherwise made available to any other party in any circumstances without the prior written consent of PRASA, nor may it be used for any other purpose than that for which it is intended.

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These requirements do not apply to any information, which is or becomes publicly available or is shown to have been made available (otherwise than through a breach of a confidentiality obligation). Bidders, Key Contractors and their constituent members, agents and advisers, may be required to sign confidentiality Contracts/undertakings (in such form as PRASA may require from time to time).


All Confidential Information Provided (including all copies thereof) remains the property of PRASA and must be delivered to PRASA on demand. Further, by receiving this RFP each Bidder and each of its members agrees to maintain its submission in Bid to this RFP confidential from third parties other than PRASA and its officials, officers and advisers who are required to review the same for the purpose of procurement of the RFP.

Any recipient residing outside the Republic of South Africa is urged to familiarise themselves with and to observe any regulatory requirements relevant to the proposed transaction (whether these derive from a regulatory authority within or outside the Republic of South Africa).

Any requirement set out in this RFP regarding the content of a response to the RFP is stipulated for the sole benefit of PRASA, and serves as expressly stated to the contrary, may be waived at its discretion at any stage in the procurement process.

PRASA is not committed to any course of action as a result of its issuance of this RFP and/or its receipt of a Tender in response to it. Please note that PRASA reserves the right to:

- Modify the RFP’s goods / service(s) / works and request Respondents to re-bid on any changes;
- Withdraw, amend the RFP at any time without prior notice and liability to compensate or reimburse any respondent;
- Reject any Tender which does not conform to instructions and specifications which are detailed herein
- Disqualify Tenders submitted after the stated submission deadline;
- Call a respondent to provide additional documents which PRASA may require which have not been submitted to PRASA.
- Not necessarily accept the lowest priced Tender or alternative bid;
- Not accept any response to the RFP or appoint a final bidder;
- Reject all Tenders if so decides;

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- Withdraw the RFP on good cause shown;
- Award a contract in connection with this Tender at any time after the RFP’s closing date;
- Award a contract for only a portion of the proposed goods/ service/s/ works which are reflected in the scope of this RFP;
- Split the award of the contract between more than one Contractor, should it at PRASA’s discretion be more advantageous in terms of, amongst others, cost or development considerations;
- Make no award at all;
- Validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to PRASA to do so;
- Request annual financial statements prepared and signed off by a professional accountant or other documentation for the purposes of a due diligence exercise; and/or
- Not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provided for it.

To adopt any Tender made by any bidder at any time and to include such Tender in any procurement document which may or may not be made available to other bidders.

All costs and expenses incurred by Bidders in submitting responses to this RFP shall be borne by the Bidders and PRASA shall not be liable for any costs or expenses whatsoever or any claim for reimbursement of such costs or expenses.

Should a contract be awarded on the strength of information furnished by the Respondent, which after conclusion of the contract, is proved to have been incorrect, PRASA reserves the right to cancel the contract and/or place the Respondent on PRASA’s list of Restricted Suppliers.

PRASA reserves the right to negotiate market-related price with the bidder scoring the highest points or cancel the bid; if the bidder does not agree to a market related price, negotiate a market related price with the bidder scoring the second highest points or cancel the bid; if the bidder scoring the second highest points does not agree to a market related price, negotiate a market related price with the bidder

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scoring the third highest points or cancel the bid. If the market related price is not agreed as envisaged in this paragraph, PRASA will cancel the bid.

PRASA reserves the right to negotiations Best and Final Offer (BAFO) with selected Respondents where none of the Tenders meet RFP requirement, are affordable and demonstrate value for money and there is no clear preferred response to the RFP

PRASA will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Tender, whether or not the Respondent is awarded a contract.




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SECTION 1


1 LIST OF APPENDICES

INVITATION TO BID PART A – (SBD1)	Form A
TERMS AND CONDITIONS FOR BIDDING PART B	Form B
TENDER FORM (PRICING SCHEDULE) – Volume 2	Form C
SITE INSPECTION CERTIFICATE / PRE-TENDER BRIEFING SESSION	Form D
STATEMENT OF WORK SUCCESSFULLY CARRIED OUT BY BIDDER	Form E
SECURITY SCREENING FORM	Form F
ACKNOWLEDGEMENT	Form G
SBD 4 BIDDERS DISCLOSURE	
SBD 5 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME	
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2 LIST OF ANNEXURES

Draft Contract	Annexure 1
RFP Clarification FORM	Annexure 2
Performance Bond	Annexure 3
Specification SPK7/1	Annexure 4
SHE Specification PRASA Technical	Annexure 5

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3 ACRONYMS


BBBEE	Broad Based-Black Economic Empowerment
CIDB	Construction Industries Development Board
DTiC	The Department of Trade and Industry and Competition
PPPFA	Preferential Procurement Policy Framework Act 5 of 2000 (as amended from time to time)
PFMA	Public Finance Management Act No.1 of 1999 (as amended from time to time)
PRASA	Passenger Rail Agency of South Africa
RFP	Request for Proposal
SANAS	South African National Accreditation System

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4 INTERPRETATION

In this RFP, unless inconsistent with or otherwise indicated by the context –


- headings have been inserted for convenience only and should not be taken into account in interpreting the RFP;
- any reference to one gender shall include the other gender;
- words in the singular shall include the plural and vice versa;
- any reference to natural persons shall include legal persons and vice versa;
- words defined in a specific clause have the same meaning in all other clauses of the RFP, unless the contrary is specifically indicated;
- any reference to the RFP, schedule or appendix, shall be construed as including a reference to any RFP, schedule or appendix amending or substituting that RFP, schedule or appendix;
- the schedules, appendices and Briefing Notes issued pursuant to this RFP, form an indivisible part of the RFP and together with further clarifying and amending information provided by PRASA, constitute the body of RFP documentation which must be complied with by Bidders;
- in the event of any inconsistency between this RFP or other earlier information published with regard to the Project, the information in this RFP shall prevail; and
- this RFP shall be governed by and applied in accordance with South African law.

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5 DEFINITIONS


In this RFP and in any other project documents (as defined below) which so provides, the following words and expressions shall have the meaning assigned to them below and cognate expressions shall have a corresponding meaning, unless inconsistent with the context:

- “Accounting Authority” means the Board of PRASA;
- “Contract” means the Contract to be entered between PRASA and the successful Bidder for the provision of the *services* procured in this RFP.
- “Bid” means the Bid to the RFP submitted by Bidders;
- “Bidders Briefing Session” means the compulsory briefing session to be held at the offices of PRASA, in order to brief the Bidders about this tender;
- “Black Enterprise” means an enterprise that is at least 51% beneficially owned by Black People and in which Black People have substantial Management Control. Such beneficial ownership may be held directly or through other Black Enterprises;
- “Black Equity” means the voting equity held by Black People from time to time;
- “Black People” has the same meaning as ascribed to the Broad-Based Black Economic Empowerment Act, 2003, as amended .
- “Black Woman” means African, Coloured and Indian South Africa Female citizen;
- “Briefing Note” means any correspondence to Bidders issued by the PRASA;
- “Business Day” means any day except a Saturday, Sunday or public holiday in South Africa;
- “Bidders” means individuals, organisations or consortia that have been submitted responses to the RFP in respect of the tender;
- “Consortium” means any group of persons or firms jointly submitting a Bid as Bid to this RFP and “Consortia” means more than one Consortium;
- “Contractor” the successful Bidders who has signed a Contract with PRASA in terms of this RFP.
- “Closing Date” means the closing date for submission of bids/ Proposals by Bidders which is **09 April 2024 @ 12H00**.
- “Project” means this project for the **APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR.**

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REFERRED TO AS WORK PACKAGE 2. “RFP” means the Request for Proposals issued by PRASA for this tender; and

- “Scope of Work” means the scope of work for this project as detailed out in the RFP technical specifications.

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SECTION 2

NOTICE TO BIDDERS

1 INVITATION TO BID

You are hereby invited to submit a bid to meet the requirements of the Passenger Rail Agency of South Africa. Responses to this RFP [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons, companies, close corporations, or enterprises [hereinafter referred to as an **entity**, **Bidder**].

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BID ADVERT	This RFP may be downloaded directly from National Treasury’s e-Tender Publication Portal at www.etenders.gov.za free of charge. With effect from 29 February 2024
ISSUE DATE	29 February 2024
BRIEFING SESSION	COMPULSORY: 15 March 2024 @ 11h00
CLOSING DATE	09th April 2024 at 12h00 Bidders must ensure that bids are delivered timeously to the correct address. As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.
VALIDITY PERIOD	90 Working Days from Closing Date

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	Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period.
CLOSING DATE FOR QUESTIONS	25 March 2024
CLOSING DATE FOR RESPONSES	02 April 2024
CONTACT PERSON	Agnes Sekhuthu – asekhuthu@prasa.com and copy Rosemary Moagi at rmoagi@prasa.com

Any additional information or clarification will be emailed to all Respondents, if necessary.


2 FORMAL BRIEFING

A compulsory RFP briefing will be conducted at **Pretoria Station, 2nd Floor Boardroom** on the **15 March 2024**, at **11H00** [Respondents to provide own transportation and accommodation]. The briefing session will start punctually, and information will not be repeated for the benefit of Respondents arriving late.

- 2.1 A Certificate of Attendance in the form set out in Form D hereto must be completed and submitted with your Proposal as proof of attendance is required for a compulsory site meeting and/or RFP briefing. Bidders must also appear on the Compulsory Briefing session Register.
- 2.2 Respondents failing to attend the compulsory RFP briefing may be disqualified.

3 BRIEFING SESSION MINUTES AND NOTES

- 3.1 PRASA will issue briefing session minutes or notes together with the response to the clarification questions.
- 3.2 Bidders / Respondents are requested to promptly confirm receipt of any clarifications sent to them.
- 3.3 Bidders / Respondents must ensure responses to the clarifications are received on or before the deadline date stated.
- 3.4 Clarifications will be issued to all Respondents to this RFP utilizing the contact details provided at receipt of the responses to the RFP documentation, after submission to the authorised representative.

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4 PROPOSAL SUBMISSION OF RFP RESPONSE

Tender Responses must be submitted to PRASA in a sealed envelope addressed as follows:

RFP No: **HO/PT/ENG/SSCB/248/02/2024**
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Closing date and time: **09 April 2024 @ 12H00**

Closing address *[Refer to options in 5 below].*


5 DELIVERY INSTRUCTION FOR RFP

Delivery of Bid

The Bid envelopes/packages must be submitted at PRASA, **Umjantshi House, at 30 Wolmarans Street, Braamfontein, 2001.** – (There will be a tender submission register which has to be completed by all the bidders submitting the tenders).

6 B-BBEE JOINT VENTURES OR CONSORTIUMS

Respondents who would wish to respond to this RFP as a Joint Venture [JV] or consortium with B-BBEE entities, should state their intention to do so in their RFP submission. Such Respondents should also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If such a JV or consortium agreement is unavailable, the partners should submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by PRASA through this RFP process. This written confirmation should clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to PRASA.


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7 COMMUNICATION

- 7.1 For specific queries relating to this RFP during the RFP process, bidders are required to adhere strictly to the communication structure requirements. asekhuthe@prasa.com and copy Rosemary Moagi at rmoagi@prasa.com on or before **25th March 2024**, substantially in the form set out in Annexure 2 hereto.
- 7.2 In the interest of fairness and transparency PRASA’s response to such a query will be made available to the other Respondents who have attended a compulsory and a non-compulsory briefing session. For this purpose, PRASA will communicate with Respondents using the contact details provided at the compulsory and a non-compulsory briefing session.
- 7.3 Respondents are warned that a response will be liable for disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer(s) or employee of PRASA in respect of this RFP between the closing date and the date of the award of the business. Furthermore, Respondents found to be in collusion with one another will automatically be disqualified and restricted from doing business with PRASA in future.

8 CONFIDENTIALITY

- 8.1 PRASA shall ensure all information related to this RFP is to be treated with strict confidence. In this regard Respondents / Bidders are required to certify that they have acquainted themselves with the Non-Disclosure Agreement All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information gleaned from provision of the Services, which is either directly or indirectly related to PRASA’s business, written approval to divulge such information should be obtained from PRASA.
- 8.2 Respondents must clearly indicate whether any information submitted or requested from PRASA is confidential or should be treated confidentially by PRASA. In the absence of any such clear indication in writing, PRASA shall deem the response to the RFP to have waived any right to confidentiality and treat such information as public in nature.

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9 INSTRUCTIONS FOR COMPLETING THE RFP

9.1 All responses to the RFP should be submitted in two sealed envelopes/boxes; the first envelop/box shall have the technical and compliance response, the second envelop/box shall only have the financial response and Specific Goals response.

9.2 Bidders are required to package their response/Bid as follows:

Volume 1 (Envelop 1/Package 1)

Part A: Mandatory Requirements Response

Part B: Technical or Functional Response (response to scope of work)

Volume 2 (Envelop 2/ Package 2)

Part C: Financial Proposal and Specific Goals

Volume 2 should be submitted in a separate sealed envelope. Bidders should make their pricing offer in envelop 2/package 2.

9.3 Bidders must submit 1 original response and may submit copies and 2 electronic version which must be contained in a Memory Card/External hard drive etc clearly marked as Volume 1 and Volume 2 in the Bidders name. PRASA reserves the right to consider information provided in all formats irrespective the format i.e original/copy/electronic.


9.4 Bidders should ensure that their response to the RFP is in accordance with the structure of this document.

9.5 Where Bidders are required to sign forms they are required to do so using preferably black ink pen.


9.6 Any documents forming part of the original responses to RFP but which are not original in nature, should be certified as a true copy by a Commissioner of Oaths.

9.7 Each response to RFP must be in English and submitted in A4 format, except other graphic illustrations, which may not exceed A3 format, unless the contrary is specifically allowed for in this RFP. Responses to RFP should be neatly and functionally bound, preferably according to their different sections.

9.8 The original responses to RFP must be signed by a person duly authorized by each consortium member and Subcontractor to sign on their behalf, which authorization must form part of the responses to RFP as proof of authorization. By signing the responses to RFP the signatory warrants that all information supplied by it in its responses to RFP is true and correct and that the

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- responses to RFP and each party whom the responses to RFP signatory represents, considers themselves subject to and bound by the terms and conditions of this RFP.
- 9.9 The responses to RFP formulation should be clear and concise and follow a clear methodology which responses to RFP should explain upfront in a concise Executive Summary and follow throughout the responses to RFP.
- 9.10 Responses to RFP must provide sufficient information and detail in order to enable PRASA to evaluate the responses to RFP, but should not provide unnecessary detail which does not add value and detracts from the ability of PRASA to effectively evaluate and understand the responses to RFP. The use of numbered headings, bullet points, sections, appendices and schedules are encouraged.
- 9.11 Information submitted as part of a responses to RFP should as far as possible, be orderly according to the order of the required information requested by PRASA. All pages should be consecutively numbered.
- 9.12 Responses to RFP should ensure that each requirement contained in the RFP is succinctly addressed. Responses to RFP should as far as possible use the terms and definitions applied in this RFP and should clearly indicate its interpretation of any differing terminology applied.
- 9.13 Response to RFP documents are to be submitted to the address specified in [this RFP](#), and Bidders should ensure that the original and copies (where applicable) are identical in all respects as PRASA will not accept any liability for having disqualified a bidder for failing to provide a mandatory returnable document.
- 9.14 Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.
- 9.15 Any additional conditions must be embodied in an accompanying letter. Subject only to clause 16 [Alterations made by the Respondent to Bid Prices] of the General Bid Conditions, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.
- 9.16 Bidders are required to review the Contract. Bidders may further amend and or delete any part of the Draft Contract where they deem fit to do so. Where Bidders have amended and or deleted any part of the Contract, it must be clearly visible by using track changes and must ensure that the disc copy of their bid submission for the Draft Contract is in word version and not password protected. **It must be noted that the marked-up Contract will form part of contract negotiations processes with the preferred bidder.**

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10 RFP TIMETABLE

PRASA may at its sole discretion amend any of the milestone dates indicated in the table below. Bidders will be informed of any amendments to the timeline through the issue of the Addendum.

RFP PROCESS	MILESTONE DATES
Appointment of the successful Bidder	TBA
Bid issue date	29 February 2024
Briefing Session for Bidders at the Pretoria Station, 2nd Floor Boardroom.	15 March 2024 at 11h00
Closing date for Questions	25 March 2024
Closing date for Responses	02 April 2024
Closing Date for Submission of final Bid	09 April 2024 @12H00
Contract Commencement	TBA
Contract Negotiations	TBA
Evaluation of Proposals (Bidders note that PRASA may call for Presentation of bidders offers at any stage of the evaluation process)	TBA
Signing of Contract	TBA


11 LEGAL COMPLIANCE

Bidders should ensure that they comply with all the requirements of the RFP and if Bidders fail to submit any of the required documents, such Bids may, at the sole discretion of PRASA, be disqualified. PRASA reserves the right to call a Bidder to provide additional documents which may have not been submitted.

The successful Bidder [hereinafter referred to as the **Service Provider**] shall be in full and complete compliance with any and all applicable laws and regulations.

12 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Only foreign suppliers with no local

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registered entity need not register on the CSD. The CSD can be accessed at <https://secure.csd.gov.za>. Respondents are required to provide the following to PRASA in order to enable it to verify information on the CSD:

Supplier Number: _____ **Unique registration reference number:** _____.

13 TAX COMPLIANCE

Respondents must be compliant when submitting a proposal to PRASA and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

It is a condition of this RFP that the tax matters of the successful bidder be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder’s tax obligations.

The Tax Compliance status requirements are also applicable to foreign Respondents/ individuals who wish to submit bids.

Respondents are required to be registered on the Central Supplier Database (CSD) and the National Treasury shall verify the Respondent’s tax compliance status through the Central Supplier Database (CSD).


Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database (CSD) and their tax compliance status will be verified through the Central Supplier Database (CSD).

For this purpose, the attached SBD 1 marked Form A must be completed and submitted as an essential returnable document by the closing date and time of the bid.

New Tax Compliance Status (TCS) System

SARS has implemented a new Tax Compliance Status (TCS) system in terms of which a taxpayer is now able to authorise any 3rd party to verify its compliance status in one of two ways: either through the use of an electronic access PIN, or through the use of a Tax Clearance Certificate obtained from the new TCS system.

Respondents are required to provide the following to PRASA in order to enable it to verify their tax compliance status:

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Tax Compliance Status (TCS) Pin:_____.

14 PROTECTION OF PERSONAL DATA

In responding to this bid, PRASA acknowledges that it may obtain and have access to personal data of the Respondents. PRASA agrees that it shall only process the information disclosed by Respondents in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, PRASA will not otherwise modify, amend or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly, PRASA requires Respondents to process any personal information disclosed by PRASA in the bidding process in the same manner.

15 VALIDITY PERIOD

This RFP shall be valid for *[90 working days]* calculated from Bid closing date.

16 POST TENDER NEGOTIATION (IF APPLICABLE)


PRASA reserves the right to conduct post tender negotiations with a shortlist of Respondent(s). The shortlist could comprise of one or more Respondents. Should PRASA conduct post tender negotiations, Respondents will be requested to provide their best and final offers to PRASA based on such negotiations. A final evaluation will be conducted in terms of 80/20.

17 FINAL CONTRACT AWARD

PRASA will negotiate the final terms and condition the contract with the successful Respondent(s). This may include aspects such as Supplier Development, the B-BBEE Improvement Plan, price and delivery. Thereafter the final contract will be awarded to the successful Respondent(s).

18 FAIRNESS AND TRANSPARENCY

PRASA views fairness and transparency during the RFP Process as an absolute on which PRASA will not compromise. PRASA will ensure that all members of evaluation committees declare any conflicting or undue interest in the process and provide confidentiality undertakings to PRASA.

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The evaluation process will be tightly monitored and controlled by PRASA to assure integrity and transparency throughout, with all processes and decisions taken being approved and auditable.

SECTION 3

BACKGROUND OVERVIEW AND SCOPE REQUIREMENTS

1 INTRODUCTION

This submission is aimed at getting the approval to advertise the Request for Proposal (RFP) to appoint a turnkey service providers' team for the design, construction, and the management of construction of 4 concrete pedestrian street to street bridges between Kopanong and Akasiaboom Along the Mabopane Corridor.

2 BACKGROUND INFORMATION

The background information for this Bid Specification document is outlined broadly as follows.

The Passenger Rail Agency of South Africa (PRASA), have embarked on a multi-year renewal of their passenger trains rolling stock. It is envisaged that these trains will be travelling at improved higher speeds compared to the existing fleet. In its endeavour to maintain the corridors safe from accidents, PRASA has initiated sealing off corridors nationwide. This process has only commenced now with Mabopane and Central Lines in Gauteng North and Western Cape respectively.

The exercise will be extended to other PRASA corridors as the roll out spreads further to Gauteng South region and ultimately to the rest of the country's metropolis where exists PRASA passenger services.

This process of erecting walls along the corridor has subsequently led to some points of crossing by pedestrians and commuters, albeit illegal, being cut off. It is with the view of providing these crossing points maintained that PRASA intends to provide safe crossing points over the railway lines and overhead traction equipment in the form of pedestrian bridges. The roll out of these pedestrian bridges will alleviate the conflict that will be caused by the erection of walls curtailing movement across the rail lines.

Site visits were conducted to assess the pattern of how the people cross over the railway lines. This was performed by driving and walking along the corridor to pick the most frequented crossing points. The crossing points were noted and marked on google maps which show tracks crossing the railway infrastructure.

To determine what spot was more favoured to place a crossing point, open areas such as road connections leading into settlements and visibly trafficked footpath were taken into consideration. In some cases, crossing points were placed at edges of settlements to avoid features such as wetlands.

Other than safeguard PRASA infrastructure, the following factors which tend to also affect the train movements will be addressed by the provision of the walls.

- Theft and vandalism occurring on the infrastructure.
- Suicides by community members
- Runover of vehicles by trains

2.1 PEDESTRIAN BRIDGES

- 2.1.1 The city of Tshwane has been developing new communities' settlements along the railway lines. The community needs to cross the rail infrastructure at various locations.
- 2.1.2 It is normally the prerogative of the local authority/ municipality to provide safe crossing structures across roads, rivers, and rail infrastructure for pedestrians to always use. Discussions between PRASA and City of Tshwane (CoT) have revealed that the CoT has no immediate plans or budget to install pedestrian bridges.
- 2.1.3 As PRASA is in the process of building walls along the rail in the Gauteng North Region corridor of Mabopane, they are now obliged to provide bridge infrastructure.
- 2.1.4 PRASA will be constructing concrete pedestrian bridges as a response to enabling free flow of pedestrian movement across the PRASA rail line. Concrete bridges are less prone to vandalism and theft and have less lifecycle costs due to lower maintenance.
- 2.1.5 The bridge structure design is intended to where possible allow visibility of persons on top of the bridge and restrict pedestrians from throwing missiles/objects onto the railway.
- 2.1.6 Site visits were conducted to assess the pattern of how the people cross over the railway lines. This was performed by driving and walking along the corridor to pick the most frequented crossing points.
- 2.1.7 The crossing points were noted and marked on google maps which show tracks crossing the railway infrastructure.
- 2.1.8 To determine what spot was more favoured to place a crossing point, open areas like road connections

leading into settlements and visibly trafficked footpath were taken into consideration. In some cases, crossing points were placed at edges of settlements to avoid features such as wetlands.

2.2 STATUS QUO

2.2.1 THE PROJECT IS LOCATED AT THESE GPS COORDINATES.

The proposed area is located between Lebaleng and Akasiaboom.

Proposed Indicative Location	Coordinates, ° ‘ ‘‘
Bridge 5 - Lebaleng and Kopanong	25°34'21.00"S and 28° 5'15.00"E
Bridge 6 - Kopanong and Akasiaboom	25°35'14.21"S and 28° 5'34.69"E
Bridge 7 - Kopanong and Akasiaboom	25°35'55.76"S and 28° 5'57.14"E
Bridge 8 - Kopanong and Akasiaboom	25°36'20.00"S and 28° 6'14.00"E

Table 1: Proposed locations Bridge 5 to 8.

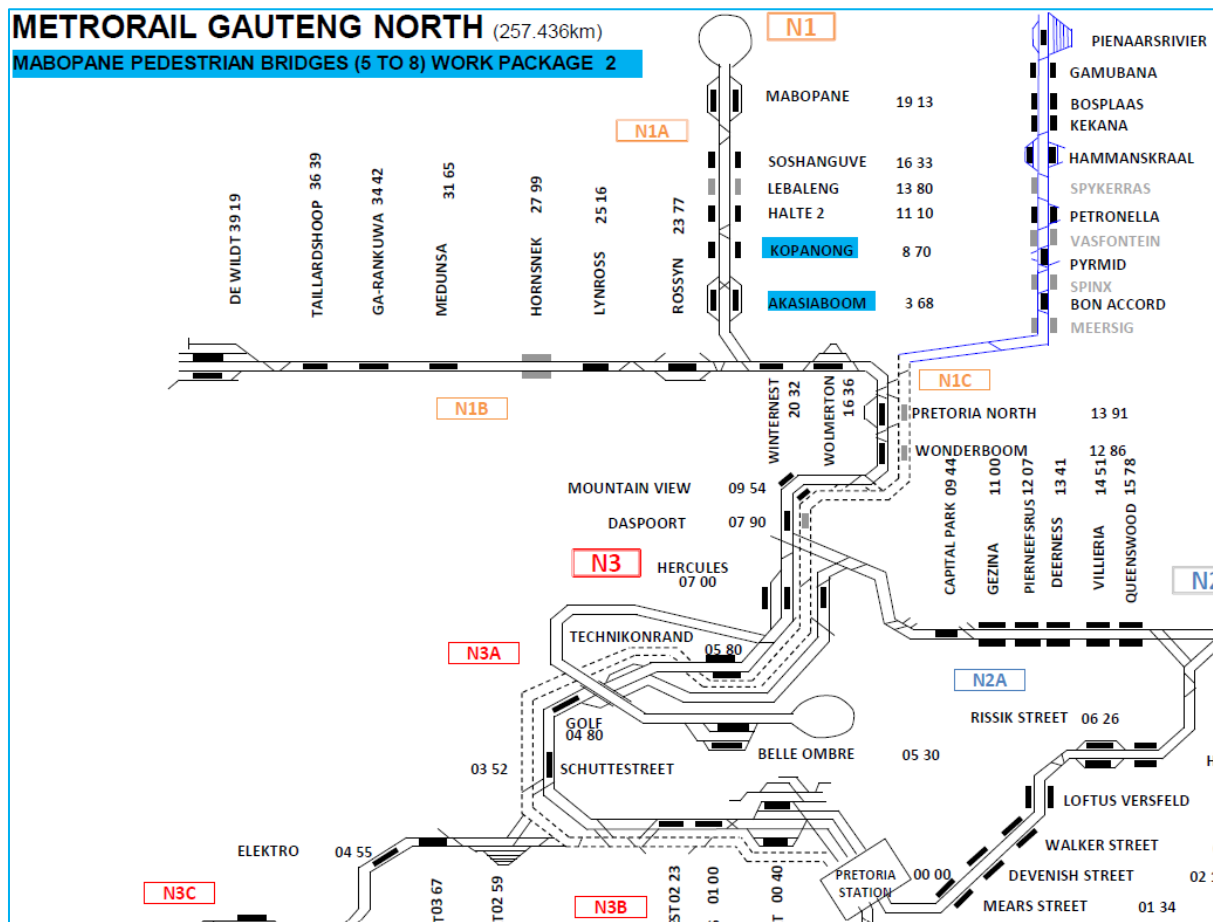


Figure 1: Gauteng North Rail Layout Map: Mabopane corridor



Figure 2: Location of Proposed pedestrian bridges 5 to 8.

- 2.2.2 Prasa operates trains between Mabopane and Pretoria stations in Gauteng north region. There is always uncontrolled movement along and across the railway lines in the vicinity of the proposed bridge' locations.
- 2.2.3 The bridge positions are at a more well-established community crossing point that has developed into a main thoroughfare that makes it an ideal location for a proposed permanent bridge.
- 2.3 PROBLEM STATEMENT**
- 2.3.1 The rail along the Kopanong and Akasiaboom is surrounded by residential developments. Community members and commuters cross the railway lines to access the station and other industrial and commercial areas on daily basis.
- 2.3.2 There are no confirmed incidents of trains hitting these pedestrians when crossing the railway lines, nor has Railway Safety Regulator issued any directives for the provision of bridge. This has been confirmed by internal PRASA Risk Department.
- 2.3.3 The City of Tshwane has been developing new communities' settlements along the railway lines. The community needs to cross the rail infrastructure at various locations.
- 2.3.4 It is normally the prerogative of the local authority/ municipality to provide safe crossing structures across roads, rivers, and rail infrastructure for pedestrians to always use. Discussions between PRASA and City of Tshwane (CoT) have revealed that the CoT has no immediate plans or budget to install pedestrian

bridges.

2.3.5 As PRASA is in the process of building walls along the railway line country wide of, they are now obliged to provide crossing infrastructure.

2.4 PICTORIALS

The following pictures depict the current conditions at the crossing point where the permanent bridge have been proposed.



Figure 3: Bridge 5 - Crossing tracks illegally



Figure 4: Bridge 6 - Footpath leading away from the rails.



Figure 5: Bridge 7 - Illegal crossing over rails



Figure 6: Bridge 7 - Illegal crossing over rails



Figure 7: Bridge 7 - Footpath leading into settlement.



Figure 8: Bridge 8 - Illegal crossing path over rails



Figure 9: Bridge 8 - Track leading to illegal tracks crossing.

3 OBJECTIVE OF THE PROPOSED PROJECT

The objectives of the proposed project are outlined in detail under the following sections:

3.1 DESIRED OUTCOMES FOR CARRYING OUT THE PROPOSED PROJECT

The desired outcomes for a successful implementation of this project shall yield the following benefits.

- 3.1.1** Compliance with Rail Safety Regulator and Occupational Health and Safety Act regulations
- 3.1.2** Assist by providing a bridge for safe crossing of the rail lines by pedestrians when accessing the platforms and crossing to either end.
- 3.1.3** The bridge provides a safe crossing point over the rail lines. This deters the following.
 - i. Train accidents whereby people get hit by trains.
 - ii. Provide safety to PRASA infrastructure in that there is separation of people from contact with infrastructure within the corridor wall/fence.

3.2 PROJECT BENEFITS TO PRASA

PRASA as a business shall realise the following benefits.

- Maintain the Rail Safety Regulator license to operate trains.
- Commuter / Community safety
- Alleviate claims due to injuries when crossing the rails and getting hit by trains.

3.3 CURRENT MECHANISMS IN PLACE TO ADDRESS THE PROBLEM

- 3.3.1** There is currently no bridge in place at the illegal crossing point location.
- 3.3.2** Pedestrians and commuters accessing the other sides of the railway, stations buildings and platforms, cross at any point along the railway. This is not safe.

3.4 TARGETED AREAS BY THIS PROJECT

This project will be executed within the confines of the PRASA rail corridor servitudes, as well as adjacent land portions belonging to the City of Tshwane Municipality Transport Authority and Transnet Freight Rail.

3.5 OTHER RELATED PROJECTS

- Normal PRASA infrastructure maintenance activities which may interreact with this

project

- Station Rehabilitation Projects along the Corridor.
- Construction of various pedestrian bridge crossings railway infrastructure at selected points.
- Walling Projects along the Corridor

3.6 REQUIRED PROFESSIONAL SERVICES

The appointed company will be required to provide services described above for a turnkey solution to the construction of the pedestrian concrete bridges.

3.7 INSURANCE REQUIREMENTS FOR THE PROJECT

The service supplier will provide Professional Indemnity Insurance for the professional services and all the relevant insurances for the actual works in the planning and construction. All works delivered shall be covered by a 2-year warranty to be provided by the service provider.

3.8 PRASA'S RESPONSIBILITIES

The Successful Bidders are to be provided with:

- Details of PRASA's land boundaries within the area and proposed locations.
- Any available drawings for the locality:
- Any additional information can be requested for, in writing, by the winning bidder.

3.9 INFORMATION TO BE PROVIDED WITH TENDER

The Bidders shall submit a detailed priced proposal with the following information at the time of tendering:

- Organization's and individual team members' recent experience on similar projects.
- Project organogram showing names, function & responsibilities and
- Proof of professional indemnity insurance
- Insurance cover for the construction works.

3.10 MEASUREMENTS AND PAYMENT

Payments shall be in accordance with the Payment Schedule attached in *Annexure 1*.

3.11 FORM OF CONTRACT

The standard PRASA “CONDITIONS OF CONTRACT FOR EPC or TURNKEY PROJECTS” shall apply.

4 SCOPE OF WORKS AND AREAS OF FOCUS

The service supplier will provide qualified and experienced personnel for planning, design, construction, and administration services (TURNKEY) to assist PRASA with delivering the solution.

4.1 General Technical Requirements

PRASA will be constructing concrete pedestrian bridge as a response to enabling free flow of pedestrian movement across the PRASA rail line. Concrete bridges are less prone to vandalism and theft and have less lifecycle costs due to lower maintenance.

The proposed user requirements for the bridge are as follows.

Bridge span	Walkway width	Bridge soffit clearance over OHTE
30m	2.80 m	Minimum 1.0 m

NB:

1. Final details to be determined by the contractor for PRASA approval.
2. Actual bridge position to be determined on site after surveys.

The scope of a desired solution is a turnkey approach, and will entail the following process:

- 4.1.1 Planning, design, approval, construction, handing over and close out of the universally accessible compliant pedestrian bridge. The permanent bridge will mainly be constructed out of concrete.
- 4.1.2 Carry out topographical surveys, environmental basic assessments report (BAR), geotechnical surveys, transportation, and basic pedestrian surveys around the station. The successful bidder will be required to produce and get approved a site-specific environmental management plan to be adhered to during construction.
- 4.1.3 Excavation, construction of reinforced concrete bases and superstructure for the new bridge.
- 4.1.4 Where an established crossing point (Illegal) is being blocked during the construction of the bridge, the contractor shall provide a suitable temporary crossing facility. Such a temporary facility shall

be declared safe for use by the Structural Engineer in conjunction with the Health and Safety Agents. A flagmen shall be provided to facilitate safe crossing by pedestrian during the period of construction.

- 4.1.5 Provision of the signage to guide commuters on the proposed bridge and the temporary access structures.
- 4.1.6 Electrical reticulation for illumination along the new bridge, as well as the temporary crossing structure. Bidders must take care that the structures provided for lighting purposes must be kept away from the public access or reach due to vandalism and damage that usually gets experienced.
- 4.1.7 Overhead Transmission Equipment reticulation (including profiling) on either side of the proposed bridge structure's approaches.
- 4.1.8 Liaison with stakeholders for approval were applicable such as Transnet Freight Rail, Local Transport Authority, and Environmental Requirements etc.
- 4.1.9 Liaison with PRASA's Gauteng North Region officials such as Metrorail Operations, PERWAY Division, Electrical and Signalling Division and Security Services and Assets Controllers etc. for PRASA internal stakeholders to input in the design development and incorporation of special services.
- 4.1.10 Addressing drainage requirements around the bridges. At the location there is a drainage channel that will need to be completed to accommodate the new bridge ramps and pedestrian walkway.
- 4.1.11 PRASA may internally supervise the works, or it may separately appoint its own Engineers to oversee the successful bidder through the development of the designs for the pedestrian bridge. These engineers will sign off the designs and confirm that they meet the required specifications pertaining to pedestrian bridge. These Engineers will also be responsible to liaise with the Railway Safety Regulator as the responsible body to review the designs.
- 4.1.12 The bridge structure design is intended to where possible allow visibility of persons on top of the bridge and restrict pedestrians from throwing missiles/objects onto the railway.
- 4.1.13 PRASA will provide the bidders with the following documents from wall design consultants covering the entire route & all proposed bridge locations.
- Environmental Screening Report,
 - Environmental Wetland Study
 - Environmental Management Programme (EMPR) Report (2021)

- The Topographical survey Report.

4.1.14 PRASA takes no liability resulting from the use of the above documents supplied to bidders.

4.1.15 Bidders are required to, as far as practicable, provide precast /prestressed concrete design solutions that minimize site construction activities. This will minimize the dangers of working under train traffic and reduce the disturbance to train services.

4.1.16 The indicated bridge's location is approximate, in the event that bidders propose a different location. Bidders shall confirm/propose an alternative location within a maximum of 30 calendar days from the date of appointment. The deviation should be within a 50m radius of the original proposed location. This requirement is to enable the wall alignment design to be amended to suit the bridge location.

4.1.17 The commencement of the construction is dependent on the approval of the drawings or issuing of authority to proceed by the City of Tshwane, if applicable.

4.1.18 Design drainage structures to avoid standing water around the bridge location.

4.1.19 Bidders should note that PRASA intends to run normal service during the construction of the bridges.

4.1.20 All work on or near the railway is guided as per SPK7/1 to which all contractors shall comply. In addition, due to operational needs, successful bidders may be required to execute their scope under set occupation hours such as on weekends. Work permit requests and necessary approvals to perform work under such circumstance shall be applied for.

4.1.21 In the event that bidders require total occupation of the line, the request should be made at least 21 days' notice in advance and will typically be granted for Saturdays between 9am and 3pm and Sundays 6am and 6pm. Note that this will also depend on availability of personnel.

4.1.22 The attached sketch in Annexure 2 is of a typical pedestrian bridge across the rail lines that accommodates the ramp slopes and the proposed wall. (The sketch is strictly for illustration purposes only since a spiral ramp option can also be employed to similar effect). The structure must clear the proposed 3.5m high precast at final agreed bridge location.

4.2 Pre - Construction Stage

4.2.1 Perform cadastral surveys and geotechnical studies to determine boundary line and foundation conditions. Perform topographical surveys to establish, among others, ground levels and unique

characteristics of the corridor e.g., bridge crossings, existing structures, access routes etc.

- 4.2.2 To issue a detailed report with drawings and a proposed solution for implementation. A solution should be recommended with a clear motivation.
- 4.2.3 Prepare preliminary technical designs based on the recommended solution and submit to PRASA end user teams including Engineering, Operations, Maintenance, Infrastructure, Security and ICT for perusal and input.
- 4.2.4 Prepare detailed technical designs for final review and approval by PRASA end user teams including Engineering, Operations, Maintenance, Infrastructure and Security.
- 4.2.5 Prepare technical specifications and Bills of Quantities to implement the bridge.
- 4.2.6 Submit all design drawings to the relevant authorities (such as Railway Safety Regulator) for approval.
- 4.2.7 Obtain all planning approvals including all applicable by-laws required for the recommended solutions to be implemented.
- 4.2.8 Should notarial ties be required, the appointed team should prepare all documentation required in conjunction with PRASA teams and submit to the relevant authorities for approval and finalization.
- 4.2.9 Prepare a testing and commissioning plan clearly stating pass/no pass criteria for all construction work, equipment installation and commissioning.

4.3 **Construction Stage**

The appointed service provider team shall perform the following activities during the construction stage:

- 4.3.1 Construction, fabrication, transportation, installation, and commissioning of the bridge
- 4.3.2 Provide project management, technical support and address all design related queries during the implementation of stages 5 and 6 of the normal engineering services in accordance with ECSA guideline for Professional Engineering Services and additional services as determined by PRASA

– multiple construction companies could be appointed to execute the construction work.

- 4.3.3 Provide full time construction monitoring.
- 4.3.4 Provide quality assurance process for the project.
- 4.3.5 Provide schedules of predicted cash flow.
- 4.3.6 Provide construction documentation.
- 4.3.7 Provide estimated costs for any proposed variations during the construction phase of the project.
- 4.3.8 Provide financial control reports.
- 4.3.9 Provide valuation for the payment of invoices.
- 4.3.10 Conduct practical completion and defects list.
- 4.3.11 Provide various certificates of Compliance.
- 4.3.12 Administer progress meetings with the team.

4.4 **Close-Out Stage**

- 4.4.1 Manage and approve relevant payment valuations and completion certificates.
- 4.4.2 Inspect and verify the rectification of the identified defects on site.
- 4.4.3 Ensure that the maintenance manuals and guarantees are issued for the installed assets.
- 4.4.4 Prepare and submit as-built drawings (in CAD (DWG) and PDF formats, 3 hard and 3 soft copies) including project documentation.
- 4.4.5 Provide all handover and warranty documentation including but not limited to compliance certificates, operations and maintenance manuals, training manuals, guarantees and warranties and spares holding requirements.
- 4.4.6 Provide certificated training for operators of all equipment installed.
- 4.4.7 Conclude the final accounts.
- 4.4.8 Prepare and submit a close out report to PRASA with all as-built drawings.

5 **SPECIFICATION OF THE WORK OR PRODUCTS OR SERVICES REQUIRED**

5.1 Required Professional Staff deliverables and Qualification Requirements

The bidders are at liberty to organize their resources as they deem fit. In addition to others not listed hereunder, the Bidders will be required to provide qualified and experienced professional staff with the following professional expertise. The experts can provide dual management and technical functions as required the bidder.

A. Key professional staff listed below are required to submit CVs for evaluation purposes.

- Project Manager
- Geotechnical Engineer
- Civil/Structural Engineer
- Construction Manager
- Quantity Surveyor

B. The following resources, although not required for evaluation purpose, may be required at the various project delivery phases. This requirement may form part of the contractual agreement.

- Construction Health and Safety Officer
- Electrical Engineer
- Electrical Erection supervisor
- Electrical Erectors
- Track Master
- Flagmen

The functions and required minimum qualifications of the resources are outlined below.

5.1.1 PROJECT MANAGER

Duties:

- Overall liaison person between the PRASA and the service provider
- Project Stakeholder coordinator
- Co-ordinates meetings, presents design reports.
- Conducts design and construction meetings.

The minimum qualifications for the Project Manager are as outlined below:

- Project Management qualification

- South African Council for the Project and Construction Management Professions (SACPCMP) Registration and /or Project Management Professional (PMP) Certification /or ECSA registered, registered, valid at the time of tender closure.

5.1.2 GEOTECHNICAL ENGINEER

Duties:

- research and study soil to evaluate its suitability for foundations.
- investigate and assess construction site.
- conduct lab tests, create designs for structures.
- supervise construction and write and present reports.

The minimum qualifications for the Geotechnical Engineer are as outlined below:

- BSc. Degree / B. Tech in Geotechnical Engineering,
- Registered with the relevant Geotechnical Professional body, valid at the time of tender closure.

5.1.3 CIVIL/STRUCTURAL ENGINEER

Duties:

- Undertake all the Civils designs of the project.
- Produce as-built drawings of the civil works for the entire project.
- Design earthworks of the scope of work.
- Produce drawings and specifications for the entire scope of work.
- Conduct Geotechnical study.
- Inspect works for conformity to standards.
- Produce a maintenance manual of the bridge, guarantees and warranties.

The minimum qualifications for the Civil Engineer are as outlined below:

- BSc. Degree / B.Tech. in Civil Engineering
- ECSA registered as a Professional Engineer/Technologist, valid at the time of tender closure.

5.1.4 CONSTRUCTION MANAGER

Duties:

- Identification of direct labour and local sub-contracting opportunities in the construction of the bridge.
- Manage the activities and progress of each discipline and each contractor appointed. and provide weekly progress reports.
- Facilitate and conduct site meetings.
- Manage the localisation targets and progress for each contractor appointed.
- Manage and integrate any design changes needed and communicate in writing changes to all contractors.

The minimum qualifications for the Construction Project Manager are as outlined below:

- BSc. Degree / B. Tech in Engineering
- SACPCMP registered as Construction Project Manager or Construction Manager, valid at the time of tender closure.

5.1.5 QUANTITY SURVEYOR

Duties:

- Produce Bill of Quantities.
- Prepare final account at the end of the project.
- Advice on procurement options of the project.
- Inspect works for conformity to quantities.
- Prepare payment certificates.
- Budget and pre-proposal estimates
- Cost reports

The minimum qualifications for the Civil Engineer are as outlined below:

- BSc. Degree/B.Tech in Quantity Surveying
- Professional Registration (Pr. QS) with the South African Council of Quantity Surveyors Profession (SACQSP) body, valid at the time of tender closure.

5.1.6 CONSTRUCTION HEALTH AND SAFETY OFFICER

Duties:

- Ensure contractor safety file compliance to PRASA guidelines and it is approved timeously.
- Ensure contractor compliance to SHE on site as per the Safety file guidelines.
- Apply for a construction permit.
- Draw site specific Risk assessment and monitoring thereof.
- Conduct inductions to site visitors and site staff.
- Inspect, test, and evaluate workplace environments, equipment, and practices to ensure that they follow safety standards and government regulations.
- Design and implement workplace processes and procedures that help protect workers from hazardous work conditions.
- Evaluate programs on workplace health and safety.
- Educate employers and workers about workplace safety by preparing and providing training programs.
- Demonstrate the correct use of safety equipment.
- Investigate incidents and accidents to identify what caused them and how they might be prevented.
- Conduct monthly inspections and produce audit reports.
- Approve contractor method statements ensuring compliance to SHE
- Produce close out report for the project.
- Provides warnings about train movements during construction.

The desired minimum qualifications for the Officer are as outlined below:

- National Diploma in Safety Management or SAMTRAC (Safety Management Training Course)
- South African Council for the Project and Construction Management Professions (SACPCMP) Registration.

5.1.7 ELECTRICAL ENGINEER

Duties:

- Approve electrical design for bridge OHTE support.
- Take responsibility for OHTE inspection and erection.

The minimum qualifications for the Electrical Engineer are as outlined below:

- BSc. Degree / B.Tech. in Electrical Engineering.
- ECSA registered as a Professional Engineer/Technologist, valid at the time of tender closure.

5.1.8 ELECTRICAL ERECTION SUPERVISOR

Duties:

- Supervise erection of OHTE onto the bridges.

The minimum qualifications for the Electrical Erection supervisor are as outlined below:

- Traction linesman Category Minimum C-Green certificate.
- Minimum of 5 years' experience as an Erector supervisor.

5.1.9 ELECTRICAL ERECTORS

Duties:

- Construction and support of the OHTE onto the bridges.

The desired minimum qualifications for the Electrical Erectors are as outlined below:

- Category C-Green certificate.
- All staff that will climb on structures shall have a minimum of 5 years' experience as an Erector or Traction Linesman.

5.1.10 TRACK MASTER

Duties:

- Supervise delivery of on-track construction safely and in accordance with PRASA track Maintenance Manual and related technical standards.
- Controls workers and pedestrians' movements around the site during construction

The desired minimum qualifications for Track Master outlined below:

- Track Master Diploma

5.1.11 FLAGMEN

- A minimum of 3 Flagmen are required.

The minimum qualifications/ Experiences for Flagmen are as outlined below:

- Railway certified flagmen.

5.2 Note For Multiple Bid Submissions

5.2.1 Bidders should note that this project is part of the Mabopane Service Recovery Programme that contains the design and construction of eight (8) street to street pedestrian bridges compressed into two work packages. The work packages are to be executed simultaneously.

5.2.2 It is recognised that it is more efficient for the design phase to be delivered simultaneously by the same team on multiple bridges. This also aids in standardising the designs.

5.2.3 In the event a bidder is awarded more than one package, PRASA reserves the right to revise the penalty regime to ensure that the project is delivered on time.

5.2.4 The successful bidders shall be required to produce organograms before contract signature.

5.2.5 To be Provided by The Contractor

5.2.6 The contractor shall provide site books (each in triplicate) to record:

5.2.7 All incidents as well as the progress of work during the occupation.

5.2.8 All instructions pertaining to the technical details of the work being performed at that time.

5.2.9 Upon appointment, and before signing the contract, the contractor shall supply machinery, equipment, material, labour, and consumables, etc. necessary for the undertaking and completion of the works to satisfaction of the client.

5.2.10 The client will require conformance documentation for each item of material procured by the contractor for installation used in this contract.

5.2.11 All damage caused by the contractor shall be for the contractor's account.

5.2.12 The contractor shall be responsible for the safety and protection of his personnel, machinery,

equipment, material and partially completed work until the works are handed over to the client.

- 5.2.13 The contractor shall verify the position of all services and all other obstacles and existing works on site. Before commencing construction in any area, the contractor shall verify the positions of services. Where any underground services are shown on the drawings, the contractor shall have the equipment available on site for as long as is necessary to detect and locate such services and, if so ordered, he or she shall excavate by hand to expose such services in areas and in a manner and at a time agreed upon with PRASA.
- 5.2.14 Protection of cables - Before any excavations take place near identified service cables, the contractor must contact the technical officer. The contractor shall advise PRASA at least 7 days in advance of the actual date on which to excavate near any cable. The contractor shall not use mechanical equipment to excavate within 3m of the estimated position of identified cable and shall, if necessary, expose the cable by means of hand excavation carried out under proper supervision.
- 5.2.15 Local authorities require contractors to appoint Community Liaison Officers (CLOs) for the working locations during the planning and execution of projects. PRASA shall provide indicative councillor wards boundaries for guidance purposes only. Contractors are required to check and familiarise themselves with the exact ward boundaries.
- 5.2.16 PRASA brings to attention the document from City of Tshwane (CoT) Office of the Speaker "Policy on the Involvement of Communities in Projects". Contractors shall also comply with latest version of this policy as well as other Local Authority requirements on community related matters for the specific work site they are working on. Any other relevant additional information may be obtained from those same Local authorities.
- 5.2.17 The contractor shall supply its own security company to guard his/her site during construction that is PSIRA registered with a valid letter of good standing, clear criminal record and no criminal cases pending.
- 5.2.18 All security personnel utilised on this project shall be South African Citizens. They will undergo a security induction and vetting will be conducted by PRASA before resumption of their operation on the ground.
- 5.2.19 PRASA shall not be held liable for losses or damage of goods at any stage during the project.
- 5.2.20 PRASA reserves the right to conduct ad-hoc inspections to ensure compliance.
- 5.2.21 All scrap shall be disposed via PRASA Scrap disposal committees. Furthermore, it is the contractor's responsibility to ensure that valuable materials i.e., existing fence is adequately protected while in

transit. The contractor shall make sure that all material is NOT removed from site until it is quantified, logged in the site diary and that it is co-signed by PRASA security representative and moved to a PRASA designated location.

5.2.22 All steel materials from the decommissioned-on site are to be transported and stored safely at an agreed safe storage facility for PRASA. The steel will be deemed to always belong to PRASA, and any disposal, which will not form part of this contract, will be arranged by PRASA.

5.3 Engineering Council of South Africa (ECSA) Design Experience and Training to PRASA Graduates

5.3.1 The successful bidder shall be required to provide a professionally registered mentor to assist at least one Candidate Engineer with design experience and training in line with ECSA Training and Mentoring Guide R-04-P and the Guide to the Competency Standards for Professional Engineer.

5.3.2 The PRASA candidate shall work alongside the successful bidder's design team and expose them to all the necessary skills to assist with the design component required in their training.

5.3.3 Where the Candidate demonstrates the ECSA-defined competencies the Candidate shall produce a Training and Experience Report with the bidder's confidential, honest, and professional assessment in line with ECSA guidelines.

5.3.4 The training will be monitored through a training plan that the successful bidder shall be required to submit for approval.

6 TECHNICAL SPECIFICATIONS RELATED TO THIS PROJECT

The design for this project shall meet technical capabilities & performance requirements for all specifications and standards approved and adopted by PRASA. A detailed list of the technical specifications is outlined below:

- South African Transport Services Bridge Code -1983
- SANS 10400: Building Regulations
- PRASA Technical SHE specification
- Specification for Works On, Over, Under or Adjacent to Railway Lines and Near High Voltage Equipment (SPK7/1)
- Manual for Track Maintenance (2012).
- S410: Specification for Railway Earthworks (December 2003)
- Code of Practice for the Design of Highway Bridges and Culverts in South Africa: February

2002, as amended.

- SANS 10160-2019: Basis of Structural Design & Actions for buildings and Industrial Structures – Parts (1-8)
- SANS 10100-2:2014: The structural use of concrete – Materials and execution of work
- SANS 282:2011: Bending Dimensions & Scheduling of Steel and Reinforcement for Concrete
- SANS 10164-1:1980: The Structural Use of Masonry – Unreinforced masonry walling
- SANS 10162-2:2011: The structural use of steel Part 2: Limit-states design of cold-formed steelwork
- SANS 10144:2012: Detailing of steel re-enforcement for concrete.
- SANS 10100-1:2000: The structural use of concrete – Design
- SANS 2001-CS1: 2005 Construction works Part CS1: Structural steelwork.
- Safety Arrangements and Procedural Compliance with the Occupational Health and Safety Act (Act 85 of 1993) and Applicable Regulations (E4E).
- Construction Industries Development Board Act (Act 38 of 2000).
- Railway Safety Regulator Act (Act 16 of 2002), as amended.
- SANS 3000: Rail Safety Management.
- SABS 0400 – 1990
- SABS 1200
- Occupational Health and Safety Act (Act No. 85 of 1993)
- Safety Arrangements and Procedural Compliance with the Occupational Health and Safety Act (Act 85 of 1003) and Applicable Regulations (E4E)
- SANS ARP 084 - 1:2009 / RSR84 – 1:2009 (Railway stations – passenger platforms) {PART 1: Clearances on ballast-less track – 1065mm track gauge}
- National Environmental Act 107 of 1998
- Bridge Code 1983
- TMH 7: 1981 Parts 1 and 2 Code of Practice for The Design Of Highway Bridges And Culvert
- COTO (2020 Draft): Standard Specifications for Road and Bridge Works for South African Road Authorities

7 TIME FRAMES / PROGRAMS

- Contract period

The program of the works from Bid Spec Approval until project close out is **18 months**.

WBS	Task Name	Duration
1.1	Bid Specification Committee (BSC) Preparations and Presentations	7 days
1.2	BSC Approval and Signature Circulation	7 days
1.3	Tender documentation packaging	7 days
1.4	Tender Advertising	21 days
1.5	Bid Evaluation	21 days
1.6	Bid Adjudication	14 days
1.7	Tender Award	14 days
1.8	Contract Documentation Finalization	14 days
1.9	Site Access Certificate	7 days
1.10	Preliminary Designs	30 days
1.11	Submitting of initial designs for Approval by relevant authorities	90 days
1.12	Construction Works	365 days
1.13	Projects Contingencies	14 days
1.14	Project Practical Completion date	1 day

Table 7.1– Key milestones

8 EVALUATION METHODOLOGY

The evaluation of the Bids by the evaluation committees will be conducted at various levels.

The following levels will be applied in the evaluation:

LEVEL	DESCRIPTION
Verify completeness	The Bid is checked for completeness and whether all required documentation, certificates; verify completeness warranties and other Bid requirements and formalities have been complied with. Incomplete Bids will be disqualified.
Verify compliance	The Bids are checked to verify that the essential RFP requirements have been met. Non-compliant Bids will be disqualified.
Detailed Evaluation of Technical	Detailed analysis of Bids to determine whether the Bidder is capable of delivering the Project in terms of business and technical requirements. The minimum threshold for technical evaluation is [70%] , any bidder who fails to meet

LEVEL	DESCRIPTION
	the minimum requirement will be disqualified and not proceed with the evaluation of Price and Specific Goals.
Specific Goals	Evaluate Specific Goals
Price Evaluation	Bidders will be evaluated on price offered.
Scoring	Scoring of Bids using the Evaluation Criteria.
Recommendation	Report formulation and recommendation of Preferred and Reserved Bidders
Best and Final Offer	PRASA may go into the Best and Final Offer process in the instance where no bid meets the requirements of the RFP and/or the Bids are to close in terms of points awarded.
Approval	Approval and notification of the final Bidder.

Table 8.1

8.1 EVALUATION CRITERIA

Interested bidders for this project shall be evaluated in terms of their business credentials, financial standing, empowerment, technical capacity, and experience. The evaluation committee shall use the following Evaluation Criteria depicted in Table 8. below for the selection of the preferred bidder that shall render professional services and construction management work for the project.

EVALUATION CRITERIA	WEIGHTING
Stage 1	Compliance
Stage 1A - Mandatory Requirements	
Stage 1B - Other Mandatory Requirements	
Stage 2	Technical/Functionality
Technical/Functional Requirements	Threshold of 70%
Stage 3	Price and Specific Goals
Price	90
Specific Goals	10
TOTAL	100

Table 8.2: Evaluation criteria for the selection of a potential bidder

The details of the stages outlined in Table 8. above are presented in following sections below.

8.1.1 STAGE 1: COMPLIANCE REQUIREMENTS

8.1.1.1 Stage 1A- Mandatory Requirements

If you do not submit/meet the following mandatory documents/requirements, your bid will be automatically disqualified:

NO	DESCRIPTION OF REQUIREMENT	
a)	Briefing Session Form D. Bidders must also reflect on the Compulsory Briefing Session Attendance Register	
b)	Signed Joint Venture, Consortium Agreement or Partnering Agreement (whichever is applicable)	
c)	Proof of CIDB grading 8CE OR HIGHER	
d)	Copies of qualifications and registration with Professional Bodies of all requested key essential personnel in section 5.1A with details from (5.1.1 – 5.1.5).	

Table 8.3: Mandatory Requirements

8.1.1.2 Stage 1B - Other Mandatory Requirements

If you do not submit/meet the following mandatory documents/requirements, PRASA may request the bidder to submit the information within five (5) working days. Should this information not be provided, your bid proposal will be disqualified.

NO	DESCRIPTION OF REQUIREMENT	
a)	Letter of Good Standing: COID relevant to the project	
b)	Valid SARS Pin	
c)	CSD supplier registration number	
d)	Certified Copies (copies not older than 3 months) of qualifications and proof of registration with Professional Bodies of all requested essential key personnel in section 5.1A with details from (5.1.1 – 5.1.5).	

NO	DESCRIPTION OF REQUIREMENT	
e)	Completion of ALL RFP documentation (includes ALL declarations and ALL Standard Bidding Documents (SBD))	

Table 8.4: Other Mandatory Requirements

8.1.2 STAGE 2: TECHNICAL/FUNCTIONALITY

8.1.2.1 Functional Evaluation Criteria

Bidders are evaluated based on the functional criteria set out in this RFP. Only those Bidders which score **[70]** points or higher (out of a possible 100) during the functional evaluation will be evaluated during the second stage of the Bid.

Details of the scoring methodology presented above are outlined below:

Functionality evaluation matrix & Criteria:

A summary of the technical/functional requirements is presented in Table 8.5 below.

ITEM	CRITERIA	WEIGHT
1	Organisational Experience (Completed Projects)	40
2	Qualifications and construction - sector experience of key staff	30
3	Technical Approach and methodology	30
	TOTAL	100

Table 8.5:

Details of the detailed scoring methodology is presented in the Table 8.6 below.

CRITERIA	SUB-CRITERIA	SCORING	WEIGHT
Organisational Experience	(The bidder shall submit a list of the biggest bridges projects not exceeding 5 that were completed in the last 10 years with	The score will be based on successfully executed and completed bridges projects (Both steel and concrete bridges will be	40%



CRITERIA	SUB-CRITERIA	SCORING	WEIGHT
	<p>supporting documentation)</p> <p>–</p> <p>N.B. For successfully completed projects; provide a copy of a completion certificate signed by the client or a letter from the client confirming the successful completion of the project and indicate.</p> <p>(1) a description of the project,</p> <p>(2) Client name,</p> <p>(3) Current Client contact (i.e., email and office number),</p> <p>(4) Project completion certificate.</p>	<p>considered.):</p> <p>0. No submission or unrelated projects submitted.</p> <p>1. References for similar projects with a combined value less than R 40 million.</p> <p>2. References for similar projects with a combined value equal to or greater than R 40 million but less than R 60 million.</p> <p>3. References for similar projects with a combined value equal to or greater than R 60 million but less than R 80 million.</p> <p>4. References for similar projects with a combined value equal to or greater than R80 million but less than R 100 million.</p> <p>5. References for similar projects with a combined construction value equal to or greater than R 100 million.</p>	

CRITERIA	SUB-CRITERIA	SCORING	WEIGHT
		<i>The scope of work includes bridges projects.</i>	
Qualifications and construction - sector experience of key staff	<p>Post qualification Experience in general construction sector (based on submitted CVs of Key Staff below (as per 5.1.1 – 5.1.5).</p> <p>Key Staff used for evaluation are below.</p> <ol style="list-style-type: none"> 1. Project Manager (PM) 2. Geotechnical Engineer (GE) 3. Civil/Structural Engineer (CSE) 4. Construction Manager (CM) 5. Quantity Surveyor (QS) <p>(N.B. Resources will be evaluated and the average post-qualification experience score will be calculated using the formula below; Average experience Score = $((PM+GE+CSE+CM+QS))/5$)</p> <p><i>Only one of each discipline</i></p>	<p>Detailed CVs of the team members who will be used in completing the works. Years of post-qualification experience in the construction sector of proposed personnel:</p> <p>0: No relevant CVs provided</p> <p>1: Average less than 2 years' experience in construction sector for key staff.</p> <p>2: Average equal or greater than 2 and less than 4 years' experience in construction sector for key staff.</p> <p>3: Average equal or greater than 4 less than 6 years' experience in construction sector for key staff</p> <p>4: Average equal or greater than 6 less than 8 years' experience in construction sector for</p>	30%

CRITERIA	SUB-CRITERIA	SCORING	WEIGHT
	<i>will be considered and a maximum of 10 Years will be awarded per individual.</i>	key staff 5: Average equal or greater than 8 years' experience in construction sector for key staff.	
Technical Approach and methodology	<p>Project Methodology Providing a comprehensive methodology for Bridge project.</p> <p>The methodology shall cover the following elements:</p> <ol style="list-style-type: none"> 1. <i>Stakeholders' identification and engagement.</i> 2. <i>Working in live railway operating environment.</i> 3. <i>Working Under limited Access</i> 4. <i>Environmental safety and security related issues.</i> 5. <i>Concept drawings and sketches.</i> 	<p>The score will be allocated for Methodology provided.</p> <p>0: No Submission.</p> <p>1: The project methodology covers 3 or less elements in detail.</p> <p>2: The project methodology covers 4 elements in detail.</p> <p>3: The project methodology covers 5 elements in detail.</p> <p>4: The project methodology covers 6 elements in detail.</p> <p>5: The project methodology covers 7</p>	30%



CRITERIA	SUB-CRITERIA	SCORING	WEIGHT
	6. <i>Construction Method statement</i> 7. <i>Details of precast design solutions that minimise on-track construction activity.</i> 8. <i>Project Schedule</i> 9. <i>Quality Assurance and Control.</i>	or more elements in detail.	
TOTAL			100%

Table 8.6: Functionality evaluation matrix & Criteria

Note: Bidders that fail to achieve the minimum overall qualifying score of 70% on functional/ technical requirements will not be considered for further Price and Specific Goals (Stage 3) evaluation.

8.1.3 STAGE 3: PRICING AND SPECIFIC GOALS

Bidders should provide their price proposal in envelope 2, which should include Form C (Financial Offer) and provide proof of Specific Goals.

The following formula, shall be used by the Bid Evaluation Committee to allocate scores to the interested bidders:

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 below table as may be supported by proof/ documentation stated in the conditions of this tender:

The maximum points for this tender are allocated as follows:

	POINTS
--	--------

PRICE	90
SPECIFIC GOALS	10
TOTAL POINTS FOR PRICE AND SPECIFIC GOALS	100

Table 8.7: Pricing and Specific Goals

FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

8.1.3.1 POINTS AWARDED FOR PRICE

Formulae for Procurement of Goods and Services Points Awarded for Price

THE 90/10 PREFERENCE POINT SYSTEMS

A maximum of 90 points is allocated for price. The following formula, stipulated in the approved PRASA conditions of contract, shall be used by the Bid Evaluation Committee to allocate scores to the interested bidders on pricing:

$$P_s = 90 \left[1 - \frac{P_t - P_{\min}}{P_{\min}} \right]$$

Where,

P_s = Points scored for price of tender under consideration

P_t = Rand value of tender under consideration

P_{\min} = Rand value of lowest acceptable tender

The minimum qualifying criterion for pricing is 70 points as per the standard Evaluation Criteria presented above.

8.1.3.2 POINTS AWARDED FOR SPECIFIC GOALS

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 8.8 below as may be supported by proof/ documentation stated in the conditions of this tender:

Table 8.8: Specific goals for the tender and points claimed are indicated per the table below.

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

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 claimed (90/10 system) (To be completed by the tenderer)	Acceptable evidence to be submitted with tender to allow evaluation
B-BBEE Level 1/ Level 2	5		B-BBEE Certificate/Affidavit (in case of JV, a consolidated score card will be accepted)
Minimum 51% Black youth owned	2,5		Certified copy of ID Documents of the Owners
Minimum 51% Black women owned	2,5		Certified copy of ID Documents of the Owners
TOTAL	10		

Table 8.8: Points Awarded for Specific Goals


Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

9 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.



Bidders are therefore required to complete SBD 5 to give effect to the above. **Bidders who do not complete this form will be automatically disqualified.**

BID DESCRIPTION: REQUEST FOR PROPOSAL – THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.	
BID NUMBER: HO/PT/ENG/SSCB/248/02/2024	

SECTION 4

PRICING AND DELIVERY SCHEDULE


Respondents are required to complete the Pricing Schedule/ BOQ and Form C (Volume 2 /Envelop 2)

1 PRICING

- 1.1. Prices must be quoted in South African Rand, inclusive of all applicable taxes.
- 1.2. Price offer is firm and clearly indicate the basis thereof.
- 1.3. Pricing Bill of Quantity is completed in line with schedule if applicable.
- 1.4. Cost breakdown must be indicated.
- 1.5. Price escalation basis and formula must be indicated.
- 1.6. To facilitate like-for like comparison bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.
- 1.7. Please note that should you have offered a discounted price(s), PRASA will only consider such price discount(s) in the final evaluation stage on an unconditional basis.
- 1.8. Respondents are to note that if price offered by the highest scoring bidder is not market related, PRASA may not award the contract to the Respondent. PRASA may:
 - 1.8.1 negotiate a market-related price with the Respondent scoring the highest points or cancel the RFP;
 - 1.8.2 if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFP; and
 - 1.8.3 if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFP.
 - 1.8.4 If a market-related price is not agreed with the Respondent scoring the third highest points, PRASA must cancel the RFP.

2 DISCLOSURE OF PRICES QUOTED

Respondents are to note that, on award of business, PRASA is required to publish the tendered prices and preferences claimed of the successful and unsuccessful Respondents inter alia on the

BID DESCRIPTION: REQUEST FOR PROPOSAL – THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.	
BID NUMBER: HO/PT/ENG/SSCB/248/02/2024	

National Treasury e-Tender Publication Portal, (www.etenders.gov.za) , the other medium used to advertise the bid i.e CIDB as required per National Treasury Instruction Note 09 of 2022/2023.

3 PERFORMANCE AND BID BONDS (WHERE APPLICABLE)

3.1 The preferred Bidder shall where applicable provide PRASA with a performance bond which shall be 10% of the value of the entire Project price offered and it shall be issued with 30 days of receipt of notice of appointment. The Performance Bond shall be valid for the Contract period. The format of the Performance Bond is attached as **Annexure 3**.

[Bidders are required to submit their Bid with a Bid Bond. The Bid Bond shall be due and payable if a bidder decides not to continue with the RFP process after submission of its Bid. The format of the Bid Bond is attached as Annexure(where applicable)]

4 OWNERSHIP OF DESIGN

4.1 The plans and design developed and to be provided by the Service Provider shall at all times remain the property of PRASA.]

5 SERVICE LEVELS


5.1 An experienced national account representative(s) is required to work with PRASA’s procurement department. [No sales representatives are needed for individual department or locations]. Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.

5.2 PRASA will have quarterly reviews with the Service provider’s account representative on an on-going basis.

5.3 PRASA reserves the right to request that any member of the Service provider’s team involved on the PRASA account be replaced if deemed not to be adding value for PRASA.

5.4 The Service provider guarantees that it will achieve a 100% [hundred per cent] service level on the following measures:

- Random checks on compliance with quality/quantity/specifications
- On time delivery.

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5.5 The Service provider must provide a telephone number for customer service calls.

5.6 Failure of the Service provider to comply with stated service level requirements will give PRASA the right to cancel the contract in whole, without penalty to PRASA, giving 30 [thirty] calendar days' notice to the Service provider of its intention to do so.

Acceptance of Service Levels:

YES	

6 TOTAL COST OF OWNERSHIP (TCO)

6.1 PRASA will strive to procure goods, services and works which contribute to its mission. In order to achieve this, PRASA must be committed to working with suppliers who share its goals of continuous improvement in service, quality and reduction of Total Cost of Ownership (TCO).

6.2 Respondents shall indicate whether they would be committed, for the duration of any contract which may be awarded through this RFP process, to participate with PRASA in its continuous improvement initiatives to reduce the total cost of ownership [TCO], which will reduce the overall cost of transportation services and related logistics provided by PRASA's operating divisions within South Africa to the ultimate benefit of all end-users.

7 FINANCIAL STABILITY


Respondents are required to submit their latest financial statements prepared and signed off by a professional accountant for the past years with their Proposal in order to enable PRASA to establish financial stability.

SIGNED at _____ on this _____ day of _____ 20.....

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

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Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

8 VALIDITY OF RETURNABLE DOCUMENTS


The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its Tax Clearance Certificate and valid B-BBEE Verification Certificate, where applicable, for the duration of any contract emanating from this RFP. Should the Respondent be awarded the contract [the Agreement] and fail to present PRASA with such renewals as and when they become due, PRASA shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement forthwith without any liability and without prejudice to any claims which PRASA may have for damages against the Respondent.

SIGNED at _____ on this _____ day of _____ 20.....

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

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Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT’S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

9 CERTIFICATE OF ACQUAINTANCE WITH RFP TERMS & CONDITIONS & APPLICABLE DOCUMENTS

By signing this certificate the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with, and agrees with all the conditions governing this RFP, including those contained in any printed form stated to form part hereof, including but not limited to the documents stated below and PRASA will recognise no claim for relief based on an allegation that the Respondent overlooked any such condition or failed properly to take it into account for the purpose of calculating tendered prices or any other purpose:

- | |
|--|
| 1. PRASA’s General Bid Conditions* |
| 2. Standard RFP Terms and Conditions for the supply of Goods or Services or Works to PRASA |

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Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the RFP unacceptable, it should indicate which conditions are unacceptable and offer alternatives by written submission on its company letterhead, attached to its submitted Bid. Any such submission shall be subject to review by PRASA’s Legal Counsel who shall determine whether the proposed alternative(s) are acceptable or otherwise, as the case may be. A material deviation from the Standard terms or conditions could result in disqualification.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond, before submitting the bid. The Bidder agrees that he/she will have no claim based on an allegation that any aspect of this RFP was unclear but in respect of which he/she failed to obtain clarity.

The bidder understands that his/her Bid will be disqualified if this Certificate of Acquaintance with RFP documents included in the RFP as a returnable document, is found not to be true and complete in every respect.

SIGNED at _____ on this _____ day of _____ 20.....

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES


1 _____

Name _____

2 _____

Name _____

SIGNATURE OF RESPONDENT’S AUTHORISED REPRESENTATIVE: _____

BID DESCRIPTION: REQUEST FOR PROPOSAL – THE APPOINTMENT OF ENGINEERING DESIGN AND CONSTRUCTION SERVICE PROVIDERS (TURNKEY) FOR THE PLANNING, DESIGN AND CONSTRUCTION OF 4 CONCRETE PEDESTRIAN STREET TO STREET BRIDGES BETWEEN KOPANONG AND AKASIABOOM ALONG THE MABOPANE CORRIDOR. REFERRED TO AS WORK PACKAGE 2.	
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NAME: _____

DESIGNATION: _____

10 GENERAL CONDITIONS

10.1 ALTERNATIVE BIDS – NOT APPLICABLE FOR THIS TENDER

Bidders may submit alternative Bid only if a main Bid, strictly in accordance with all the requirements of the RFP is also submitted. The alternative Bid is submitted with the main Bid together with a schedule that compares the requirements of the RFP with the alternative requirements the Bidders proposes. Bidders must note that in submitting an alternative Bid they accept that PRASA may accept or reject the alternative Bid and shall be evaluated in accordance with the criteria stipulated in this RFP.

10.2 PRASA’S TENDER FORMS


Bidders must sign and complete the PRASA’s Bid Forms and attach all the required documents. Failure by Bidders to adhere to this requirement may lead to their disqualification.

10.3 PRECEDENT

In case of any conflict with this RFP and Bidders response, this RFP and its briefing notes shall take precedence.

10.4 RESPONSE TO RFP-CONFIDENTIALITY

Response to RFPs must clearly indicate whether any information conveyed to or requested from PRASA is confidential or should be treated confidentially by PRASA. In the absence of any such clear indication in writing from a response to RFP, PRASA shall deem the response to RFP to have waived any right to confidentiality and treat such information as public in nature.


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Where a Bidder at any stage during the RFP Process indicates to PRASA that information or any response to RFP requested from PRASA is or should be treated confidentially, PRASA shall treat such information or response to RFP confidentially, unless PRASA believes that to ensure the transparency and competitiveness of the RFP Process the content of the information or response to RFP should be conveyed to all Bidders, in which event it shall apply the following process:

- PRASA shall confirm with the Bidder whether the raising of confidentiality applies to the entire response to the RFP or only specific elements or sections of the response;
- Where confidentiality is maintained by the Bidder and PRASA is of the opinion that the information or response to RFP if made publicly available would affect the commercial interests of the Bidder or is commercially sensitive information, PRASA shall not release such information to other Bidders if providing such information or response to the RFP would prejudice the competitiveness and transparency of the RFP Process;
- Where PRASA is of the opinion that information provided is not commercially sensitive or would have no impact on the commercial interests of the relevant Bidder if released and fairness and transparency requires that such information be released to all Bidders, PRASA may:
 - i. inform the relevant Bidder of the necessity to release such information and/or response to RFP and request the Bidder to consent to the release thereof by PRASA; or
 - ii. obtain legal advice regarding the confidentiality of the relevant information and/or response to RFP and the legal ability of PRASA to release such information; or
 - iii. refrain from releasing the information and/or response to RFP, in which event PRASA shall not take account of the contents of such information in the evaluation of the relevant response to RFP.

The above procedures regarding confidentiality shall not apply to any information which is already public knowledge or available in the public domain or in the hands of PRASA or is required to be disclosed by any legal or regulatory requirements or order of any competent court, tribunal or forum.

10.5 RESPONSE TO THE RFP – RFP DISQUALIFICATION

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Responses to RFP which do not comply with the RFP requirements, formalities, terms and conditions may be disqualified by PRASA from further participation in the RFP Process.

In particular (but without prejudice to the generality of the foregoing) PRASA may disqualify, at its sole discretion and without prejudice to any other remedy it may have, a Bidder where the Bidder, or any of its consortium members, subcontractors or advisors have committed any act of misrepresentation, bad faith or dishonest conduct in any of its dealings with or information provided to PRASA.

10.6 CORRUPTION, GIFTS AND PAYMENTS


Neither the Bidders to RFPs, its equity members, the sub-contractors, consortium members nor any of their agents, lenders or advisors shall directly or indirectly offer or give to any person in the employment of PRASA or any other Government official or any of the Advisory Team any gift or consideration of any kind as an inducement or reward for appointing a particular Bidder, or for showing or omitting to show favour or disfavour to any of the Bidders, its equity members or the sub-contractors in relation to the Project.

In the event that any of the prohibited practices contemplated under the above paragraph is committed, PRASA shall be entitled to terminate any Response to RFP’s status and to prohibit such Response to RFP, its equity members, its SPV members, its Sub Contractors and their agents, lenders and advisors from participating in any further part of the procurement of the Project.

10.7 INSURANCE

Unless specifically provided for in this RFP or draft contracts, Bidders will be required to submit with their Bid for services professional indemnity insurance and works insurance to an extent (if any) if insurance provided by PRASA may not be for the full cover required in terms of the relevant category listed in this RFP. The Bidder is advised to seek qualified advice regarding insurance.

10.8 NO CONTACT POLICY

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Bidders may only contact the bid administrator of PRASA as per the terms of the Communication Structure established by this RFP, except in the case of pre-existing commercial relationships, in which case contact may be maintained only with respect thereto and, in making such contact, no party may make reference to the Project or this RFP.


10.9 CONFLICT OF INTEREST

No Bidder member, subcontractor or advisor of the response to RFP may be a member of or in any other way participate or be involved, either directly or indirectly in more than one response to RFP or response to RFP during any stage of the Project procurement process, but excluding specialist suppliers of systems and equipment, non-core service providers or financial or commercial institutions whose role is limited purely to lending money or advancing credit to the response to RFP. Bidders are to sign the declaration of interest form. In order to prevent the conflict or potential conflict of interest between Lenders and Bidders to RFP, no advisors or the Contractor/s or Consortium/s to any response to RFP, consortium member or subcontractor may fulfil the role of arranger, underwriter and/or lead bank to the response to RFP. PRASA may disqualify the response to RFP from further participation in the event of a failure to comply with this provision. PRASA views the potential conflict of interest so great as to warrant the reduction of competition for advisory services.

10.10 COLLUSION AND CORRUPTION

Any Bidder shall, without prejudice to any other remedy available to PRASA, be disqualified, where the response to RFP –

- communicates to a person other than persons nominated by PRASA a material part of its response to RFP; or
- Enters into any Contract or arrangement with any other person or entity that it shall refrain from submitting a response to RFP to this RFP or as to any material part of its Response to RFP to this RFP (refer the prohibition contained in Section 4(1)(b)(iii) of the Competition Act 89 of 1998). . The Bidders represents that the Bidder has not, directly or indirectly, entered into any agreement, arrangement or understanding or any such like for the purpose of, with the

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intention to, enter into collusive Biding or with reasonable appreciation that, collusive any agreement, arrangement or understanding or any such like may result in or have the effect of collusive Biding. The Bidder undertakes that in the process of the Bid but prior to PRASA awarding the Bid to a preferred bidder become involved in or be aware of or do or caused to be done any agreement, arrangement or understanding or any such like for the purpose of or which may result in or have the effect of a collusive Bid, the Bidder will notify PRASA of such any agreement, arrangement or understanding or any such like.; or


- offers or agrees to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done, or causing, or having caused to be done any act or omission in relation to the RFP Process or any proposed response to RFP (provided nothing contained in this paragraph shall prevent a response to RFP from paying any market-related commission or bonus to its employees or contractors within the agreed terms of their employment or contract).

10.11 CONSORTIUM CHANGES

If exceptional circumstances should arise in which a after the submission to the bid and after closing date of submission of bids, there is change in the composition of the Bidder, either through substitution or omission of any member of the Bidder:

- The Response to RFP must notify PRASA in writing of the proposed changes supported by complete details of the material reasons for the changes, the parties impacted by the changes and the impact on the response to RFP.
- PRASA shall evaluate the reasons advanced by the Bidder for the requested changes to the Bidder structure and where PRASA is not satisfied that the reasons advanced are reasonable or material, refuse to accept the change and disqualify the response to RFP, or notify the Bidder in writing of its non-acceptance of the changes and require the Bidder to propose a suitable alternative to PRASA within 10 (TEN) days of its receipt of the decision of PRASA, upon receipt of which PRASA shall -

- Evaluate the alternative proposed for suitability to PRASA, and where the alternative is accepted by PRASA, inform the Bidder in writing of such acceptance and PRASA shall reassess the response to RFP against the RFP requirements and criteria; or

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- ii. Where the alternative is not accepted by PRASA, inform the Bidder in writing of such non-acceptance as well as its disqualification from the RFP Process.
- iii. Where PRASA is satisfied that the changes requested under (i) above are reasonable and material, the response to RFP, shall be allowed to effect the required changes and PRASA shall reassess the response to RFP against the RFP requirements and criteria.

10.12 COSTS OF RESPONSE TO THE RFP SUBMISSION

All costs and expenses associated with or incurred by the Bidder in relation to any stage of the Project, shall be borne by the Bidder. PRASA shall not be liable for any such costs or expenses or any claim for reimbursement of such costs or expenses.

To avoid doubt, PRASA shall not be liable for any samples submitted by the Bidder in support of their Responses to RFP and reserves the right not to return to them such samples and to dispose of them at its discretion.


10.13 RESPONSE TO THE RFP WARRANTY

Bidders must provide a warranty as part of their Responses to RFP that their Responses to RFP are true and correct in all respects, that it does not contain a misrepresentation of any kind and that the taxes of all members of the Bidder company, consortium members and or subcontractors are in order and none of the members are undergoing corruption or any criminal-related investigations or have any past convictions for fraud or corruption.


11 CONDITIONS OF TENDER

General

- | | | |
|---------|---|---|
| Actions | 1 | PRASA's <i>Representative</i> and each <i>tenderer</i> submitting a tender shall act as stated in these Conditions of Tender and in a manner which is fair, equitable, transparent, competitive and cost-effective. |
|---------|---|---|

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Interpretation	<p>2 Terms shown in <i>italics</i> vary for each tender. The details of each term for this tender are identified in the REQUEST FOR PROPOSAL / Scope of work/ specification. Terms shown in capital initials are defined terms in the appropriate conditions of contract.</p> <p>3 Any additional or amended requirements in the Scope of work/ specification, and additional requirements given in the Schedules in the <i>tender returnables</i> are deemed to be part of these Conditions of Tender.</p> <p>4 The Conditions of Tender and the Scope of work/ specification shall form part of any contract arising from this invitation to tender.</p>
Communication	<p>5 Each communication between PRASA and a <i>tenderer</i> shall be to or from PRASA's <i>Representative</i> only, and in a form that can be read, copied and recorded. Communication shall be in the English language. PRASA takes no responsibility for non-receipt of communications from or by a <i>tenderer</i>.</p>
PRASA's rights to accept or reject any tender	<p>6 PRASA may accept or reject any variation, deviation, tender, or alternative tender, and may cancel the tender process and reject all tenders at any time prior to the formation of a contract. PRASA or PRASA's <i>Representative</i> will not accept or incur any liability to a <i>tenderer</i> for such cancellation and rejection, but will give reasons for the action. PRASA reserves the right to accept the whole or any part of any tender.</p> <p>7 After the cancellation of the tender process or the rejection of all tenders PRASA may abandon the proposed work and services, have it performed in any other manner, or re-issue a similar invitation to tender at any time.</p>

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Tenderer's obligations

The *tenderer* shall comply with the following obligations when submitting a tender and shall:


- | | | |
|---|---|--|
| Eligibility | 1 | Submit a tender only if the <i>tenderer</i> complies with the criteria stated in the Scope of work/ specification. |
| Cost of tendering | 2 | Accept that PRASA will not compensate the <i>tenderer</i> for any costs incurred in the preparation and submission of a tender. |
| Check documents | 3 | Check the <i>tender documents</i> on receipt, including pages within them, and notify PRASA's <i>Representative</i> of any discrepancy or omissions in writing. |
| Copyright of documents | 4 | Use and copy the documents provided by PRASA only for the purpose of preparing and submitting a tender in response to this invitation. |
| Standardised specifications and other publications | 5 | Obtain, as necessary for submitting a tender, copies of the latest revision of standardised specifications and other publications, which are not attached but which are incorporated into the <i>tender documents</i> by reference. |
| Acknowledge receipt | 6 | Preferably complete the Receipt of invitation to submit a tender form attached to the Letter of Invitation and return it within five days of receipt of the invitation. |
| | 7 | Acknowledge receipt of Addenda / Tender Briefing Notes to the <i>tender documents</i> , which PRASA's <i>Representative</i> may issue, and if necessary apply for an extension to the <i>deadline for tender submission</i> , in order to take the Addenda into account. |

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- | | | |
|--|----|---|
| Site visit and / or clarification meeting | 8 | Attend a site visit and/or clarification meeting at which <i>tenderers</i> may familiarise themselves with the proposed work, services or supply, location, etc. and raise questions, if provided for in the Scope of work/ specification. Details of the meeting are stated in the RFP document, <i>i-tender</i> website and CIDB website. |
| Seek clarification | 9 | Request clarification of the <i>tender documents</i> , if necessary, by notifying PRASA's <i>Representative</i> earlier than the <i>closing time for clarification of queries</i> . |
| Insurance | 10 | Be informed of the risk that needs to be covered by insurance policy. The <i>tenderer</i> is advised to seek qualified advice regarding insurance. |
| Pricing the tender | 11 | Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except VAT), and other levies payable by the successful <i>tenderer</i> . Such duties, taxes and levies are those applicable 14 days prior to the <i>deadline for tender submission</i> . |
| | 12 | Show Value Added Tax (VAT) payable by PRASA separately as an addition to the tendered total of the prices. |
| | 13 | Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the <i>conditions of contract</i> . |
| | 14 | State the rates and Prices in South African Rand unless instructed otherwise as an additional condition in the Scope of work/ specification. The selected <i>conditions of contract</i> may provide for part payment in other currencies. |

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- | | | |
|--------------------------|----|--|
| Alterations to documents | 15 | Not make any alterations or an addition to the tender documents, except to comply with instructions issued by PRASA’s <i>Representative</i> or if necessary to correct errors made by the <i>tenderer</i> . All such alterations shall be initialled by all signatories to the tender. Corrections may not be made using correction fluid, correction tape or the like. |
| Alternative tenders | 16 | Submit alternative tenders only if a main tender, strictly in accordance with all the requirements of the <i>tender documents</i> is also submitted. The alternative tender is submitted with the main tender together with a schedule that compares the requirements of the <i>tender documents</i> with the alternative requirements the <i>tenderer</i> proposes. – Not applicable for this tender. |
| | 17 | Accept that an alternative tender may be based only on the criteria stated in the Scope of work/ specification and as acceptable to PRASA. |
| Submitting a tender | 18 | Submit a tender for providing the whole of the works, services or supply identified in the Contract Data unless stated otherwise as an additional condition in the Scope of work/ specification. |
| NOTE: | 19 | Return the completed and signed <i>PRASA Tender Forms and SBD forms provided with the tender. <u>Failure to submit all the required documentation will lead to disqualification</u></i> |
| | 20 | Submit the <u>tender as an original</u> plus 1 copy and 2 copies of the electronic version which should be contained in Memory Cards clearly marked as Volume 1 and 2 in the Bidders name as stated in the RFP and provide an English translation for documentation submitted in a language other than English. Tenders may not be written in pencil but must be completed in ink. |

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- 21 Sign and initial the original and all copies of the tender where indicated. PRASA will hold the signatory duly authorised and liable on behalf of the *tenderer*.

- 22 Seal the original and each copy of the tender as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside PRASA's address and invitation to tender number stated in the Scope of work/ specification, **as well as the tenderer's name and contact address**. Where the tender is based on a two envelop system tenderers should further indicate in the package whether the document is **envelope / box 1 or 2**.

- 23 Seal original and copies together in an outer package that states on the outside only PRASA's address and invitation to tender number as stated in the Scope of work/ specification. The outer package should be marked "CONFIDENTIAL"


- 24 Accept that PRASA will not assume any responsibility for the misplacement or premature opening of the tender if the outer package is not sealed and marked as stated.

Note:

PRASA prefers not to receive tenders by post and takes no responsibility for delays in the postal system or in transit within or between PRASA offices.


PRASA prefers not to receive tenders by fax, PRASA takes no responsibility for difficulties in transmission caused by line or equipment faults.

Where tenders are sent via courier, PRASA takes no responsibility for tenders delivered to any other site than the tender office.

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PRASA employees are not permitted to deposit a tender into the PRASA tender box on behalf of a tenderer, except those lodged by post or courier.

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| Closing time | <p>25 Ensure that PRASA has received the tender at the stated address with the Scope of work / specification no later than the <i>deadline for tender submission</i>. Proof of posting will not be taken by PRASA as proof of delivery. PRASA will not accept a tender submitted telephonically, by Fax, E-mail or by telegraph unless stated otherwise in the Scope of work/ specification.</p> <p>26 Accept that, if PRASA extends the <i>deadline for tender submission</i> for any reason, the requirements of these Conditions of Tender apply equally to the extended deadline.</p> |
| Tender validity | <p>27 Hold the tender(s) valid for acceptance by PRASA at any time within the <i>validity period</i> after the <i>deadline for tender submission</i>.</p> <p>28 Extend the <i>validity period</i> for a specified additional period if PRASA requests the <i>tenderer</i> to extend it. A <i>tenderer</i> agreeing to the request will not be required or permitted to modify a tender, except to the extent PRASA may allow for the effects of inflation over the additional period.</p> |
| Clarification of tender after submission | <p>29 Provide clarification of a tender in response to a request to do so from PRASA's <i>Representative</i> during the evaluation of tenders. This may include providing a breakdown of rates or Prices. No change in the total of the Prices or substance of the tender is sought, offered, or permitted except as required by PRASA's <i>Representative</i> to confirm the correction of arithmetical errors discovered in the evaluation of tenders. The total of the Prices stated by the <i>tenderer</i> as corrected by</p> |

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PRASA's *Representative* with the concurrence of the *tenderer*, shall be binding upon the *tenderer*

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| Submit bonds, policies etc. | <p>30 If instructed by PRASA's <i>Representative</i> (before the formation of a contract), submit for PRASA's acceptance, the bonds, guarantees, policies and certificates of insurance required to be provided by the successful <i>tenderer</i> in terms of the <i>conditions of contract</i>.</p> |
| | <p>31 Undertake to check the final draft of the contract provided by PRASA's <i>Representative</i> and sign the Form of Agreement all within the time required.</p> |
| | <p>32 Where an agent on behalf of a principal submits a tender, an authenticated copy of the authority to act as an agent should be submitted with the tender.</p> |
| Fulfil BEE requirements | <p>33 Comply with PRASA's requirements regarding BBBEE Suppliers, where applicable.</p> |


PRASA'S UNDERTAKINGS

PRASA, and PRASA's *Representative*, shall:

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| Respond to clarification | <p>1 Respond to a request for clarification received earlier than the <i>closing time for clarification of queries</i>. The response is notified to all <i>tenderers</i>.</p> |
| Issue Addenda | <p>2 If necessary, issue to each <i>tenderer</i> from time to time during the period from the date of the Letter of Invitation until the <i>closing time for clarification of queries</i>, Addenda that may amend, amplify, or add to the <i>tender documents</i>. If a <i>tenderer</i> applies for an extension to the <i>deadline for tender submission</i>, in order to take Addenda into account in preparing a tender, PRASA may grant such an extension and PRASA's <i>Representative</i> shall notify the extension to all <i>tenderers</i>.</p> |

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Return late tenders	3	Return tenders received after the <i>deadline for tender submission</i>
		unopened to the <i>tenderer</i> submitting a late tender. Tenders will be deemed late if they are not in the designated tender box at the date and time stipulated as the deadline for tender submission.
Non-disclosure	4	Not disclose to <i>tenderers</i> , or to any other person not officially
		concerned with such processes, information relating to the evaluation and comparison of tenders and recommendations for the award of a contract.
Grounds for rejection	5	Consider rejecting a tender if there is any effort by a <i>tenderer</i> to
		influence the processing of tenders or contract award.
Disqualification	6	Instantly disqualify a <i>tenderer</i> (and his tender) if it is established that
		the <i>tenderer</i> offered an inducement to any person with a view to influencing the placing of a contract arising from this invitation to tender.
Test for responsiveness	7	Determine before detailed evaluation, whether each tender properly received
		<ul style="list-style-type: none"> • meets the requirements of these Conditions of Tender, • has been properly signed, and • is responsive to the requirements of the <i>tender documents</i>.
	8	Judge a responsive tender as one which conforms to all the terms,
		conditions, and specifications of the <i>tender documents</i> without material deviation or qualification. A material deviation or qualification is one which, in PRASA 's opinion would
		<ul style="list-style-type: none"> • detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Contract Data,

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- change PRASA's or the *tenderer's* risks and responsibilities under the contract, or
- affect the competitive position of other *tenderers* presenting responsive tenders, if it were to be rectified.


Non-responsive tenders 10 Reject a non-responsive tender, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

Arithmetical errors 11 Check responsive tenders for arithmetical errors, correcting them as follows:


- Where there is a discrepancy between the amounts in figures and in words, the amount in words shall govern.
- If a bill of quantities applies and there is a discrepancy between the rate and the line item total, resulting from multiplying the rate by the quantity, the rate as quoted shall govern. Where there is an obviously gross misplacement of the decimal point in the rate, the line item total as quoted shall govern, and the rate will be corrected.
- Where there is an error in the total of the Prices, either as a result of other corrections required by this checking process or in the *tenderer's* addition of prices, the total of the Prices, if any, will be corrected.

12 Reject a tender if the *tenderer* does not accept the corrected total of the Prices (if any).

Evaluating the tender 13 Evaluate responsive tenders in accordance with the procedure stated in the RFP / Scope of work/ specification. The evaluated tender price will be disclosed only to the relevant PRASA tender committee and will not be disclosed to *tenderers* or any other person.

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Clarification of a tender	14 Obtain from a <i>tenderer</i> clarification of any matter in the tender which may not be clear or could give rise to ambiguity in a contract arising from this tender if the matter were not to be clarified.
Acceptance of tender	15 Notify PRASA's acceptance to the successful <i>tenderer</i> before the expiry of the <i>validity period</i> , or agreed additional period. Providing the notice of acceptance does not contain any qualifying statements, it will constitute the formation of a contract between PRASA and the successful <i>tenderer</i> .
Notice to unsuccessful tenderers	16 After the successful <i>tenderer</i> has acknowledged PRASA's notice of acceptance, notify other <i>tenderers</i> that their tenders have not been accepted, following PRASA's current procedures.
Prepare contract documents	17 Revise the contract documents issued by PRASA as part of the <i>tender documents</i> to take account of <ul style="list-style-type: none"> • Addenda issued during the tender period, • inclusion of some of the <i>tender returnables</i>, and • other revisions agreed between PRASA and the successful <i>tenderer</i>, before the issue of PRASA's notice of acceptance (of the tender).
Issue final contract	18 Issue the final contract documents to the successful <i>tenderer</i> for acceptance within one week of the date of PRASA's notice of acceptance.
Sign Form of Agreement	19 Arrange for authorised signatories of both parties to complete and sign the original and one copy of the Form of Agreement within two weeks of the date of PRASA's notice of acceptance of the tender. If either party requires the signatories to initial every page of the contract documents, the signatories for the other party shall comply with the request.

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Provide copies of the contracts 20 Provide to the successful *tenderer* the number of copies stated in the Scope of work/ specification of the signed copy of the contracts within three weeks of the date of PRASA's acceptance of the tender.