

TENDER NOTICE

EMPLOYER'S PERSONNEL SERVICES FOR THE EPC/TURNKEY PROJECT FOR BOREHOLE EXPLORATION AND DEVELOPMENT IN THE NELSON MANDELA BAY METROPOLITAN AREA (BEAD)

CONTRACT NO: CDC/89/24

The Coega Development Corporation (CDC) is headquartered in the City of Gqeberha, Nelson Mandela Bay Municipality, South Africa, with a strategic operational footprint in South Africa and beyond the borders on the African continent. The CDC's vision is to be the leading catalyst for the championing of socio-economic development. This it seeks to achieve through the development and operation of the 9 003-hectare Coega Special Economic Zone (SEZ), a transshipment hub and a leading investment destination in Africa, providing highly skilled competence and capacity for the execution of complex infrastructure and related projects throughout South Africa and selected markets on the African continent, and advisory on the development of industrialisation and logistics zones. The CDC's advanced capabilities are successful enablers in sustainable economic zone development and management, real assets management, infrastructure planning and development, technology integration while realising related socio-economic impact areas such as skills and SMME development. The CDC's high-performance ethos is grounded in its commitment to sustainable development, the protection of its people and the planet, and the delivery of infrastructure solutions that support a just social and economic transition to a low-carbon, resource efficient, and climate resilient future. The foundational culture of the CDC's approach, backed by its core values, is innovation and continuous improvement.

The CDC's appointment by the Nelson Mandela Bay Municipality to provide IA Services on the Borehole Exploration and Drilling Project is in line with this strategic intent.

INVITATION & SCOPE OF SERVICES

The Coega Development Corporation (CDC) is inviting well-experienced, capable, and competent Service Providers to join and perform the role of Employer's Personnel on Stages 5 and 6 (Site Supervision and Contracts Management Services) on a FIDIC based, EPC/Turnkey Project for Borehole Exploration and Development within the Nelson Mandela Bay Metropolitan Area, Gqeberha (Port Elizabeth), Eastern Cape Province.

PROJECT SCOPE OF WORKS:

(a) Project Technical Brief

The Scope of Work entails providing Employer's Personnel's services for the Borehole Exploration and Development (BEAD) project that seeks to introduce 15 Ml/day of potable ground water into the Nelson Mandela Bay Bulk Water System.

The BEAD Turnkey Contract shall have two (2) parts:

- Part 1 – Borehole Exploration (i.e. Groundwater Exploration)
- Part 2 – Development (Infrastructure Design and Construction)

(b) Services Expected from the Team

The Services required from the successful Bidder are divided into the following distinct phases, as defined by the ECSA Guidelines: Providing Level 1 Supervision (as per ECSA, Guideline Professional Fees (Part 4 of 4) Gazetted on 26 March 2021, No. 44333; for;

- Stage 5: Contract Administration and Inspection of the Works; and
- Stage 6: Close Out.

Stage 5 – Contract Administration and Inspection

Defined as: Manage, administer and monitor the construction contract and process including preparation and coordination of procedures and documentation to facilitate practical completion of the works.

(i) Fulfill all the functions of the Employer's Representative in accordance with the 2017 FIDIC Silver Book Conditions of

Contract;

- (ii) Conduct administration of Contract Documents for the EPC Contractor's Works;
- (iii) Establish supervisory personnel on site;
- (iv) Monitor the Works Contract; and
- (v) Provide transport for site supervisory staff and additional services.

Stage 6 – Close-Out

Defined as: Fulfill and complete the project close-out, including necessary documentation to facilitate effective completion, handover and operation of the project.

The successful Bidder shall administer the Works Contract during the period subsequent to the issuing of the Taking-Over Certificate of the Works up to and including the issuing of the Performance Certificate to the Contractor. Such administration shall be in accordance with the following requirements and guidelines:

- (i) Inspect and verify the rectification of defects.
- (ii) Manage procurement of and approve relevant payment valuations and completion certificates.
- (iii) Guide preparation of operations and maintenance manuals, guarantees and warranties.
- (iv) Guide preparation of as-built drawings and documentation.
- (v) Conclude the final accounts where relevant.

List of Services

- a) Contracts Management and Project Lead
- b) Engineering (Civil, Mechanical, Electrical)
- c) Hydrogeology
- d) Geophysics

CONDITIONS OF TENDER

- a) Respondents must comply with the CDC's Procurement Policy & Procedures.
- b) The following legislation shall apply:
 - (i) Public Finance Management Act (PFMA) (Act No. 1 of 1999);
 - (ii) Preferential Procurement Policy Framework Act (PPPPA), 2000.
 - (iii) The Preferential Procurement Regulations 2022.
 - (iv) National Treasury Regulations.
 - (v) The National Qualifications Framework Act (Act No. 67 of 2008);
 - (vi) The National Qualifications Framework Amendment Act (Act No. 12 of 2019);
 - (vii) The Skills Development Act (Act No. 97 of 1998);
 - (viii) Occupational Health and Safety Act and Regulations Act (Act No. 85 of 1993);
 - (ix) Compensation for Occupational Injuries and disease Act (Act No.130 of 1993);
 - (x) National Environmental Management Act, NEMA (Act No. 107 of 1998);
 - (xi) National Water Act, NWA (Act No. 36 of 1998);
 - (xii) National Heritage Resources Act, NHRA (Act No. 25 of 1999);
 - (xiii) Disaster Management Act (Act No. 57 of 2002);
 - (xiv) Board-Based Black Economic Empowerment (BBBEE) Act (Act No. 53 of 2003), as amended by Act No. 46 of 2013);
 - (xv) Competition Act (Act No. 89 of 1998);
 - (xvi) Protection of Personal Information Act (Act No. 4 of 2013); and
 - (xvii) Any other applicable legislation.
- c) The **80/20** preference point system will be used where points allocation will be as follows:
 - (i) Price – **80**
 - (ii) Specific goal – **20**
- d) The CIDB Standard for Developing Skills Through Infrastructure Contracts (March 2023) shall apply to this contract.
- e) Bidders and all its Consortium/Joint Venture (JV) members, if any, must confirm their company registration with Companies and Intellectual Property Commission (CIPC) (formerly CIPRO) as CDC will not award any bid to any business that appears on the CIPC List of de-registered businesses.
- f) As per amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements). QSE with at least 51% or 100% black shareholding and EMEs with an annual turnover of above R1.5 million are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R1.5 million are exempt from complying with the sub-minimum requirement and may submit an affidavit or a certificate issued by CIPC, confirming their ownership and annual turnover. In case of a JV, a consolidated B-BBEE certificate must be submitted as well as individual B-BBEE Certificates/affidavit of their entities to confirm the type of enterprise.
- g) An Entity that is part of a JV/Consortium is not permitted to form part of more than one bid submission in terms of the Competition Act 89 of 1998;
- h) Proof of registration with Treasury's Centralized Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAAD...
- i) The CDC will only award the tender to a bidder who is tax compliant. The tax compliance status of the bidders will be verified through CSD and South African Revenue Services (SARS) website. Prospective bidders must ensure that they are Tax Compliant throughout the validity period of the bid in review.
- j) Bidders must be Value Added Tax (VAT) registered and bids must be submitted VAT inclusive. Non-VAT vendors who submit bids for contracts that would, if successful, take their annual turnover above the threshold of R 1 million are obliged to include VAT in the prices quoted and must therefore immediately upon award of the contract register with the SARS as VAT vendors. The award of contract would be conditional pending the successful Bidder submitting proof of registration as a VAT vendor with SARS.
- k) Bidders will be evaluated on functionality and are expected to meet the minimum of 70% threshold in order to be evaluated further. The evaluation criteria for assessing the quality/functionality and weight of each criterion are provided under Section 11.3 of the RFP.
- l) The CDC will not award more than two (2) active projects to one Bidder, unless one project has reached 80% completion stage and beyond. Capacity assessment may be conducted in an event that the recommended Bidder is the only responsive service provider and has already been awarded five contracts;
- m) The performance of the Bidders on projects they have been awarded (past and current projects) shall be reviewed and evaluated on an on-going basis by the CDC Project Manager. Poor performance on awarded projects may result in a Bidder not being awarded future projects by the CDC as per the CDC Service Provider Performance Management System (SPPMS);
- n) Bidders must complete and sign the Protection of Personal Information (POPI) Act Consent Form. In case of Joint Venture/Consortium, a separate form in respect of each party to the JV/ Consortium must be completed;
- o) Public servants are prohibited from doing any form of business with organs of state, whether in their own capacity as individuals or through companies in which they are directors;
- p) Verification will be done, and Bidders will be disqualified should they be found to be in contravention with the Regulations. If the Bidder has been granted permission by Treasury, the letter must be provided with the bid document;
- q) The Bidders must nominate a person who will be their Overall Project Team Leader. The Overall Project Team Leader (OPTL):
 - (i) In the case of the JV/Consortium, each entity that is party to the JV/Consortium must nominate a person with delegated authority who will in turn sign the on the delegated authority of the OPTL on behalf of the JV/ Consortium.
 - (ii) Should have delegated authority to sign:
 - (1) The Proposal Submissions;
 - (2) All the Returnable Documents that should also be initialled and submitted as part of the Proposal;
 - (3) Any correspondence with the CDC during the bidding process;
 - (4) The Agreement to be entered into with the Successful Bidder; and
 - (5) Any correspondence during the Contract Execution Phase.
 - (iii) Would be conferred the authority to be the duly Authorised Signatory as would be provided in the Certificate of Authority of Signatory that should be included in the Proposal for this RFP Process.
 - (iv) Will be the sole point of contact between the CDC and the Bidder during this bidding process.
 - (v) Would be required to review and sign off all the deliverables to the CDC during the execution of the contract, confirming their quality and professional soundness.
- r) In case of JVs/Consortia, the Bidder must include an Intent to Enter into a JV/Consortium Agreement. The actual copy of a complete and fully signed JV/Consortium Agreement would be required from the successful Bidder upon completion of the procurement process;
- s) The Bidders are required to note the following:
 - (i) The OPTL must be registered with a professional registration body.
 - (ii) All key personnel, should be suitably qualified and registered with appropriate professional bodies (as required for duties to be performed);
 - (iii) Bidders must have experience working with a FIDIC (Orange Book / Yellow Book / Gold Book / Silver Book) based Contract.
- t) The successful Bidder will be required to comply with the Occupational Health and Safety Act and Regulations, Act (85 of 1993), Compensation for Occupational Injuries and Disease Act (Act No. 130 of 1993), National Environmental Management Act (Act No. 107 of 1998) and Disaster Management Act (Act No. 57 of 2002) and, all relevant legislations throughout the duration of the contract.
- u) The successful Bidder will be required to comply with the Occupational Health and Safety Act and Regulations, Act (85 of 1993), Compensation for Occupational Injuries and Disease Act (Act No. 130 of 1993), National Environmental Management Act (Act No. 107 of 1998) and Disaster Management Act (Act No. 57 of 2002) and, all relevant legislations throughout the duration of the contract.
- v) It is incumbent upon and the responsibility of the Bidders to submit their full and correct contact details when they download the Request for Proposal (RFP) Document to enable any communication that the CDC might need to issue to all the Prospective Bidders during the bidding process to be realised. The CDC will not be accountable for any such omission or failure by the Prospective Bidders.
- w) The bid validity period shall be twelve (12) weeks from the RFP closing date. The bid validity will expire on 26 June 2024.

The documentation for this RFP Process can be downloaded from the CDC's website: www.coega.co.za from **Friday, 08 March 2024 at 10h00**. No hard copies of the RFP Document will be made available by the CDC to any Bidder.

A **Non-Compulsory Briefing Meeting** will be held virtually, on **Monday, 18 March 2024, at 10h00** via Microsoft Team ([Click here to join the meeting](#))

Queries relating to this RFP may be addressed to **Ms. Zine Mtanda, Unit Head: Supply Chain Management strictly via e-mail: tendersCDC8924@coega.co.za** between the period of **08 March 2024 to 26 March 2024**. No new queries received after the **26 March 2024** will be considered.

The **closing date** and time for the receipt of complete bid documents is **14h00, Wednesday, 03 April 2024. One original completed bid document and one flash drive** (with electronic version of the bid) shall be placed in a sealed envelope clearly marked:

"CDC/89/24: EMPLOYER'S PERSONNEL SERVICES FOR THE EPC/TURNKEY PROJECT BOREHOLE EXPLORATION AND DEVELOPMENT IN THE NELSON MANDELA BAY METROPOLITAN AREA."

Bids are to be handed in at the Document Control Office on the Ground Floor at the **CDC's Main Office in the Coega Business Centre, Cnr Alcyon Rd and Zibuko Street, Zone 1, Coega SEZ, Gqeberha (Port Elizabeth)**. Bids will not be opened in public, and no late submissions will be considered.

Telegraphic, telexed, typed, facsimiled or e-mail submissions will not be accepted.

No telephonic or any other form of communication relating to this Bid with any other CDC member of the staff, CDC Agent, CDC Client, or any other role players will be permitted.

All enquiries regarding this bid must be in writing only, and must be directed to:
Ms Zine Mtanda, Unit Head: Supply Chain Management; e-mail address: tendersCDC8924@coega.co.za.

There shall be no disclosure, other than to the Client's legal and technical advisors of the tender amounts, method of work, terms, conditions, etc., to any other Bidder nor to any parties who have not submitted tender documents. The CDC is right not to accept the lowest proposal in part or in whole or any proposal.

TIP-OFFS ANONYMOUS HOTLINE:
STOP: THEFT / FRAUD / DISHONESTY / BRIBERY /
BLACKMAIL / INTIMIDATION
Call Toll-free TODAY: 0800 007 035 and remain anonymous.



• right PLACE • right TIME • right CHOICE

BBBEE LEVEL 1 CONTRIBUTOR
ISO 9001:2015 • ISO 14001:2015 • ISO 45001:2018
ISO 20000-1:2018 • ISO 27001:2013

