

T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex C of the CIDB Standard for Uniformity in Engineering and Construction Works Contracts. The Standard for Uniformity in Construction Procurement was first published in Board Notice 62 of 2004 in Government Gazette No 26427 of 9 June 2004. It was subsequently amended in Board Notice 67 of 2005 in Government Gazette No 28127 of 14 October 2005, Board Notice 93 of 2006 in Government Gazette No 29138 of 18 August 2006, Board Notice No 9 of 2008 in Government Gazette No 31823 of 30 January 2009, Board Notice 86 of 2010 in Government Gazette No 33239 of 28 May 2010, Board Notice 136 of 2015 in Government Gazette 38960 of 10 July 2015 and Board Notice 423 of 2019 in Government Gazette No 42622 of 8 August 2019.

This edition incorporates the amendments made in Board Notice 423 of 2019 in Government Gazette 42622 of 8 August 2019. (see www.cidb.org.za).

The Standard Conditions of Tender make several references to Tender data for detail that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Each item of data given below is cross-referenced in the left-hand column to the clause in the Standard Conditions of Tender to which it mainly applies.

Clause	Data
C.1.1	The <i>Employer</i> is Transnet SOC Ltd (Reg No. 1990/000900/30)
C.1.2	The tender documents issued by the <i>Employer</i> comprise: Part T: The Tender Part T1: Tendering procedures Part T2 : Returnable documents Part C: The contract Part C1: Agreements and contract data Part C2: Pricing data
	T1.1 Tender notice and invitation to tender T1.2 Tender data T2.1 List of returnable documents T2.2 Returnable schedules C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2) C1.3 Form of Securities C2.1 Pricing instructions C2.2 Bill of Quantities

	Part C3: Scope of work	C3.1 Works Information
	Part C4: Site information	C4.1 Site information
C.1.4	The Employer's agent is:	Sourcing Specialist
	Name:	Nomvuselelo Mabuyakhulu
	Address:	Transnet Port Terminals 2nd Floor, 202 Anton Lembede Street, Durban Central Durban 4001
	Tel No.	072 735 1899
	E – mail	Nomvuselelo.Mabuyakhulu@transnet.net

C.2.1 Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

1. Stage One - Eligibility with regards to attendance at the compulsory clarification meeting:

An authorised representative of the tendering entity or a representative of a tendering entity that intends to form a Joint Venture (JV) must attend the compulsory clarification meeting in terms C2.7

Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.

2.1 Stage Two - Eligibility in terms of the Construction Industry Development Board:

a) Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, designation of **6EP or higher** class of construction work, are eligible to have their tenders evaluated.

b) Joint Venture (JV)

Joint ventures are eligible to submit tenders subject to the following:

1. every member of the joint venture is registered with the CIDB;
2. the lead partner has a contractor grading designation of not lower than one level below the required class of construction works under consideration and possesses the required recognition status; and



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3. the combined Contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a Contractor grading designation determined in accordance with the sum tendered for a 6EP or higher class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations
The tenderer shall provide a certified copy of its signed joint venture agreement.

Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.

2.2 Stage Three - Eligibility in terms of ECSA Certification for the Electrical and Mechanical Engineer/Technologist:

- a) The tenderer to provide ECSA Certification for the Electrical Engineer/Technologist and Mechanical Engineer/Technologist.

Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.

3. Stage Four - Functionality:

Only those tenderers who obtain the minimum qualifying score for functionality will be evaluated further in terms of price and the applicable preference point system. The minimum qualifying for score for functionality is 70 points.

The evaluation criteria for measuring functionality and the points for each criteria and, if any, each sub-criterion are as stated in C.3.11.3 below.

Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.

- C.2.7 The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender. **Tenderers must complete and sign the attendance register.** Addenda will be issued to and tenders will only be received from those tendering entities including those entities that intends forming a joint venture appearing on the attendance register.

Tenderers are also **required to bring their RFP document to the briefing session and have their returnable document T2.2-01 certificate of attendance** signed off by the Employer's authorised representative.

- C.2.12 No alternative tender offers will be considered.

C.2.13.3 Each tender offer shall be in the **English Language**.

C.2.13.5 The *Employer's* details and identification details that are to be shown on each tender offer are as follows:

- | | |
|-------------------------|--|
| Identification details: | <p>The tender documents must be uploaded with:</p> <ul style="list-style-type: none"> ▪ Name of Tenderer: (insert company name) ▪ Contact person and details: (insert details) ▪ The Tender Number: TPT/2022/05/105/RFP ▪ The Tender Description: Refurbishment of Substation 102 at the Port of Port Elizabeth Container Terminal of Transnet SOC Ltd (reg.no.1990/000900/30) operating as Transnet Port Terminals, (hereinafter referred to as "TPT"), as a once off supply. |
|-------------------------|--|

Documents must be marked for the attention of:
Employer's Agent:

Nomvuselelo Mabuyakhulu

C.2.13.9 Telephonic, telegraphic, facsimile or e-mailed tender offers will not be accepted.

C.2.15 The closing time for submission of tender offers is:
Time: **10:00am** on the **3th May 2024**
Location: The Transnet e-Tender Submission Portal:
(<https://transnetetenders.azurewebsites.net>)

NO LATE TENDERS WILL BE ACCEPTED

C.2.16 The tender offer validity period is **12 weeks** after the closing date. Tenderers are to note that they may be requested to extend the validity period of their tender, on the same terms and conditions, if Transnet's internal evaluation and governance approval processes has not been finalised within the validity period.

- C.2.23 The tenderer is required to submit with his tender:
1. A valid Tax Clearance Certificate issued by the South African Revenue Services.
Tenderers also to provide Transnet with a TCS PIN to verify Tenderers compliance status.
 2. A **valid B-BBEE Certificate** from a Verification Agency accredited by the South African Accreditation System [**SANAS**], or a **sworn affidavit** confirming annual turnover and level of black ownership in case of all EMEs and QSEs with 51% black ownership or more together with the tender;
 3. A valid CIDB certificate in the correct designated grading;

4. Proof of registration on the Central Supplier Database;
5. Letter of Good Standing with the Workmen’s compensation fund by the tendering entity or separate Letters of Good Standing from all members of a newly constituted JV.

Note: Refer to Section T2.1 for List of Returnable Documents

C3.11 The minimum number of evaluation points for functionality is: **70**

The procedure for the evaluation of responsive tenders is Functionality, Price and Preference:

Only those tenderers who attain the minimum number of evaluation points for Functionality will be eligible for further evaluation, failure to meet the minimum threshold will result in the tender being disqualified and removed from any further consideration.

Functionality Criteria

The functionality criteria and maximum score in respect of each of the criteria are as follows:

Functionality criteria	Sub-criteria	Sub-criteria points	Maximum number of points
These Criteria must be read in conjunction with returnable T2.2-02(a)-(b). The tenderer shall indicate compliance by indicating YES/NO and attach evidence.			
		Yes/ No	
T2.2-02 (a) – (b) Eligibility Criteria NB: The Tenderers are to provide evidence to compliance.	a) Tenderer to have a CIDB grading of 6EP or higher. Attach a copy of CIDB grading certificate.		
	b) Tenderer to provide ESCA Certification for the Electrical Engineer/ Technologist and Mechanical Engineer/ Technologist who will be responsible for the final signoff and must be ECSA registered as a Professional Engineers (must be verifiable on the ECSA website).		

<p>This Criteria must be read in conjunction with returnable T2.2-03. Tenderers should submit a complete and comprehensive Quality Plan that demonstrates the following:</p>			
<p>T2.2-03 Quality Management</p> <p>The tenderers must sufficiently demonstrate the approach/ methodology that will be employed to cover the scope of the project</p>	<p>Project Specific Quality Management Plan for the contract specifically produced for this scope of works as per EEAM project specification (Please refer to Annexure G for specification). EEAM-Q-009 Quality Management System.</p>	2	<p>10</p>
	<p>Project Specific Quality Data book Index</p>	2	
	<p>Procedures and Method statements to be used</p>	2	
	<p>Valid ISO 9001 Certificate or an equivalent standard.</p>	2	
	<p>Project specific Quality Control Plan</p>	2	
<p>This Criteria must be read in conjunction with returnable T2.2-04. The tenderer shall provide the proposed programme (Primavera or Ms. Project), at a minimum Level 3.</p>			
<p>T2.2-04 Programme</p> <p>The Tenderer details the programme for evaluation and attaches it to this schedule.</p>	<p>Meet the required timeframes: Ability to provide the services in terms of the Employer’s requirements within the required timeframe as stated in the Works Information and Tender Data by indicating, in a logical sequence, the order, the timing, and the duration of the works that will take place in order to Provide the Works.</p>	8	

	<p>Programme Information:</p> <p>The <i>Contractor</i> clearly indicates in the schedule all milestones, activities & information related to the following: Float, Time Risk Allowances, Health and safety requirements, Procedures set out in this contract, Work by the <i>Employer</i> and Others, Access to a part of the site if later than its <i>access date</i>, Acceptances. Plant & Materials and other things to be provided by the employer, Information by Others, <i>Starting date</i>, <i>access dates</i>, Key Dates and Completion Date, Planned Completion for each Key Date for each option and the complete works, how each activity on the Activity Schedule relates to the operations on each programme.</p>	2	10
<p>This Criteria must be read in conjunction with returnable T2.2-05. Tenderers are required to demonstrate their past experience in the delivery of similar refurbishment projects executed in the past five years with a list indicating each project value and contact details of client reference.</p>			
<p>T2.2-05 Previous Experience</p> <p>Tenderers are required to demonstrate Previous Experience in carrying out Substation MV/LV switchgear installations HVAC, fire detection and protection systems.</p>	<p>Tenderers to provide letters of reference, to be traceable and contactable to allow verification of track record provided. Sufficient references to substantiate experience indicated (Client name and contact details, project description, duration and contract value). Tenderers to provide completion certificates for all the submitted references.</p>	25	25



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<p>This Criteria must be read in conjunction with returnable T2.2-06. The Tenderer must sufficiently demonstrate the approach/methodology that he/she will employ to cover the scope of the project in a method statement</p>			
<p>T2.2-06 Method Statement</p> <p>The Tenderer must submit a method statement which responds to the scope of work and outlines construction methodology including that relating to the programme, quality, health, safety, risk, environment, and an understanding of the project objectives.</p>	<p>The method of statement must respond to the scope of work and outline the proposed methodology including that relating to the programme, quality, health, safety and environmental considerations.</p>	6	20
	<p>The method of construction/ refurbishment and commissioning process. Tenderer to narratively demonstrate the approach to site establishment, pre-construction activities and meetings, interfaces with other disciplines including the client, construction logistics, commissioning procedures and handover.</p>	8	
	<p>The tenderer must explain his/her understanding of objectives of the assignment and the Employers stated and implied requirements.</p>	6	
<p>This Criteria must be read in conjunction with returnable T2.2-07. The tender must be able to demonstrate that the project personnel have sufficient knowledge, experience and qualifications to provide the required services.</p>			
<p>T2.2-07 Management and CV's of Key Personnel</p> <p>The Tenderer must be able to demonstrate that the project personnel have sufficient knowledge, experience and qualifications to provide the required</p>	<p>Project Manager/ Lead (Pr.CPM/PMP)</p> <p>The Project Manager must at least have a minimum NQF 7 certificate in Engineering & Built Environment from a higher learning institute with a minimum 5 years experience in similar relevant projects, post professional registration Pr.CPM or PMP with SACPCMP or PMI</p>	5	
	<p>Construction Manager</p> <p>The Construction Manager or Site Agent must at least have a</p>		

services	minimum NQF 7 certificate in Electrical Engineering with a PR registration with ECSA/ Pr.CM with SACPCMP, with at least 5 years' working experience in similar relevant projects post professional registration PR with ECSA or Pr.CM with SACPCMP	5	25
	Mechanical Engineer (Pr. Eng/Pr. Tech) The Mechanical Engineer must at least have a minimum qualification of a B Tech in Electrical Engineering with a PR registration with ECSA, with at least 7 to 8 years' working experience in similar relevant projects	5	
	Protection Engineer/Specialist (Pr. Eng/Pr. Tech) The Protection Engineer must at least have a minimum qualification of a B Tech in Electrical Engineering with a PR registration with ECSA, with at least 7 to 8 years' working experience in similar relevant projects	5	
	Installation Electrician (Wiremans Licence) The Protection Engineer must at least have a minimum qualification of a B Tech in Electrical Engineering with a PR registration with ECSA, with at least 7 to 8 years' working experience in similar relevant projects	5	
This Criteria must be read in conjunction with returnable T2.2-08. The Tenderer must provide their Contract specific health and safety plan addressing the requirements of TPT health and safety specification			
T2.2-08 Health & Safety The Tenderer must	Health and Safety Company Policy signed by the accounting officer and dated (OHS Act, 16.2 appointee)	1	



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provide their Contract specific health and safety plan addressing the requirements of TPT health and safety specification	Roles & Responsibility: S16.2 Assistant CEO; Construction Health and Safety officer; Works Supervisor; Risk Assessor; First Aider (trained level 1)	2	10
	List of key responsible persons (job categories) for the project and health and safety competencies required per category (Training matrix)	1	
	Overview of the tenderer's Risk Assessment methodology, and submission of project specific risk assessments indicating major activities of the project to be undertaken.	2	
	Two years synopsis of SHE incidents, description, type and action taken to prevent re-occurrence	1	
	Submission of completed cost breakdown sheet	1	
	Complete and return with tender documentation the Contractor Safety Questionnaire with required supporting documentation included as an Annexure.	2	
Maximum possible score for Functionality			100

Functionality shall be scored independently by not less than 3 (three) evaluators and averaged in accordance with the following schedules:

- T2.2-02a Eligibility Criteria - CIDB Registration
- T2.2-02b Eligibility Criteria - ECSA Certification/ Registration
- T2.2-03 Quality Management
- T2.2-04 Programme
- T2.2-05 Previous Experience
- T2.2-06 Method Statement
- T2.2-07 Management & CVs of Key Persons

- T2.2-08 Health and Safety Requirements

Each evaluation criteria will be assessed in terms of scores of 0, 20, 40, 60, 80 or 100. The scores of each of the evaluators will be averaged, weighted and then totalled to obtain the final score for functionality, unless scored collectively. (See CIDB Inform Practice Note #9).

Note: Any tender not complying with the above mentioned requirements, will be regarded as non-responsive and will therefore not be considered for further evaluation. This note must be read in conjunction with Clause C.2.1.

C.3.11. Only tenders that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points systems as described in Preferential Procurement Regulations.

80 where the financial value of one or more responsive tenders received have a value equal to or below R50 million, inclusive of all applicable taxes.

Thresholds	Minimum Threshold
Technical / functionality	70

Evaluation Criteria	Final Weighted Scores
Price	80
Specific goals - Scorecard	20
TOTAL SCORE:	100

Up to 100 minus W_1 tender evaluation points will be awarded to tenderers who complete the preferencing schedule and who are found to be eligible for the preference claimed. **Should the evidence required for any of the Specific Goals applicable in this tender not be provided, a tenderer will score zero preference points for that particular "Specific Goal".**

In terms of Transnet Preferential Procurement Policy (TPPP) and Procurement Manuals, the following preference points must be awarded to a bidder who provides the relevant required evidence for claiming points.

Selected Specific Goal	Number of points allocated (80/20)
B-BBEE Level 1 and 2	5
EME and QSE 51% BO	5
Local content and production	5
Black Owned Entities (51% BO)	5

C.3.13 Tender offers will only be accepted if:

1. The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
2. the tenderer does not appear on Transnet’s list for restricted tenderers and National Treasury’s list of Tender Defaulters;
3. the tenderer has fully and properly completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer’s ability to perform the contract in the best interests of the Employer or potentially compromise the tender process and persons in the employ of the state.
4. Transnet reserves the right to award the tender to the tenderer who scores the highest number of points overall, unless there are **objective criteria** which will justify the award of the tender to another tenderer. Objective criteria include but are not limited to the outcome of a due diligence exercise to be conducted. The due diligence exercise may take the following factors into account inter alia;

the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer’s procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- c) has the legal capacity to enter into the contract,
- d) is not insolvent, in receivership, under Business Rescue as provided for in

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chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,

e) complies with the legal requirements, if any, stated in the tender data and

f) is able, in the option of the employer to perform the contract free of conflicts of interest.

C.3.17 The number of paper copies of the signed contract to be provided by the Employer is 1 (one).
