

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 | T1.1 Tender notice and invitation to tender T1.2 Tender data |
| Part T2 : Returnable documents | T2.1 List of returnable documents T2.2 Returnable schedules |
| Part C: The contract | |
| Part C1: Agreements and contract data | C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2) C1.3 Form of Securities |
| Part C2: Pricing data | C2.1 Pricing Instructions |

| | | |
|----------|--|---|
| | | C2.2 Pricing Schedule |
| | Part C3: Scope of work | C3.1 Scope |
| 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: | |
| | <p>1. Stage One - Eligibility with with regards to CESA or SABTACO registration: Tenderers to be registered with CESA (Consulting Engineers South Africa) or SABTACO (South African Black Technical and Allied Careers Organisation). Tenderers to provide proof of registration with CESA or SABTACO.</p> <p><i>Any tenderer that fails to meet the stipulated Eligibility criteria will be regarded as an unacceptable tender</i></p> | |
| | <p>2. Stage Two - 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 80 points.</p> <p>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.</p> <p><i>Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.</i></p> | |
| C.2.7 | The arrangements for a non-compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender. | |
| C.2.12 | No alternative tender offers will be considered. | |
| C.2.13.3 | Each tender offer shall be in the English Language . | |

TRANSNET PORT TERMINALS
 TENDER NUMBER: TPT/2023/07/0086/35443/RFP
 DESCRIPTION OF THE WORKS: ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR SALDANHA BULK TERMINAL REFIT PROJECT PHASE 4 – STACKER RECLAIMER 3 FOR TRANSNET SOC LTD (REG.NO.1990/000900/30) OPERATING AS TRANSNET PORT TERMINALS, (HEREINAFTER REFERRED TO AS “TPT”), AS A ONCE OFF SUPPLY

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/2023/07/0086/35443/RFP ▪ The Tender Description: Engineering and Construction Management Services for Saldanha Bulk Terminal Refit Project Phase 4 – Stacker Reclaimer 3 for 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 **10 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 Pin issued by the South African Revenue Services 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 line with the code of good practice, more together with the tender;
3. Proof of registration on the Central Supplier Database;

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

C3.11 The minimum number of evaluation points for functionality is: **80**
 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 T2.2-1. The tenderer shall indicate compliance by attaching evidence. | | | |
| T2.2-1 Eligibility | Tenderer to be registered with CESA (Consulting Engineers South Africa) or SABTACO (South African Black Technical and Allied Careers Organisation). Tenderers to provide proof of registration with CESA or SABTACO | | |
| NB: The Tenderers are to provide evidence to compliance. | | | |
| This Criteria must be read in conjunction with returnable T2.2-2. Tenderers should submit a complete and comprehensive Quality Plan that demonstrates the following: | | | |
| T2.2-2 Quality Management | Project Quality Management Plan | 5 | 25 |
| | Quality data book index | 1 | |
| | Index/List of procedures and method statements | 11 | |
| | Quality Control Plan | 3 | |
| | Quality Policy | 4 | |
| | Audit Schedule | 1 | |
| This Criteria must be read in conjunction with returnable T2.2-3. The tenderer shall submit a comprehensive and detailed organogram and CV's of Key Persons | | | |
| T2.2-3 Project Organogram, Management & CV's | organogram that shows the structure and composition of their management structure involved in the works, inclusive of the key staff/professionals | 2 | |

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| | | | |
|--|---|----|----|
| | Detailed CV: Senior Project Manager. Qualifications and detailed experience from the submitted CV | 6 | 40 |
| | Detailed CV: Project Manager. Detailed experience from the submitted CV | 3 | |
| | Detailed CV: Structural Engineering Supervisor Qualifications and detailed experience from the submitted CV | 4 | |
| | Detailed CV: Mechanical Engineering Supervisor Qualifications and detailed experience from the submitted CV | 4 | |
| | Detailed CV: Electrical, Control & Instrumentation Engineering Supervisor Qualifications and detailed experience from the submitted CV | 4 | |
| | Construction Manager. Qualifications and detailed experience from the submitted CV | 4 | |
| | Health & Safety Officers Qualifications and detailed experience from the submitted CV | 2 | |
| | Quality Manager Qualifications and detailed experience from the submitted CV | 3 | |
| | Schedule Manager/Planner Detailed experience from the submitted CV | 2 | |
| | Commissioning Manager Qualifications and detailed experience from the submitted CV | 5 | |
| | Administration/Document Controller Detailed experience from the submitted CV | 1 | |
| This Criteria must be read in conjunction with returnable T2.2-4. Tenderers are required to provide a proposed programme developed in MSProjects and a hard copy and soft copy supplied with the Tender submission. | | | |
| T2.2-4 Programme | Ability to execute the works in terms of the Employer’s requirements, indicating the order and timing of all activities that will take place in order to provide the works in the shortest possible duration and at a minimum | 20 | 20 |

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| | | | |
|---|--|------------|------------|
| | a Level 2 Programme is developed in MSProjects and a hard copy and soft copy supplied with the Tender submission. | | |
| This Criteria must be read in conjunction with returnable T2.2-5. Tenderers are required to demonstrate experience and performance in comparable projects of similar size and nature | | | |
| T2.2-5 Previous Experience | <p>a) A list of past and current comparable professional services contracts executed with supporting information that clearly demonstrates ability, knowledge, experience, scope of, and the successful completion of refurbishment projects of similar works specific to Bulk Material Handling Stackers/Reclaimer Equipment/Infrastructure, with the Professional Services Contracts' values being at least R5m per contract over the last 10 years.</p> <p>b) The supporting information must consist of evidence such as Reference Letters and/or Completion Certificates that shows when the experience was gained, high level scope and contract value</p> | 15 | 15 |
| | | 100 | 100 |

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

- T2.2-1 Eligibility
- T2.2-2 Quality Management
- T2.2-3 Project Organogram, Management & CV's
- T2.2-4 Programme
- T2.2-5 Previous Experience

Each evaluation criteria will be assessed in terms of scores of 0, 40, 70, 90 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 | 80 |

| 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 & 2 | 10 |
| Black Owned Entities (51% BO) | 10 |
| Total | 20 |

The following Table represents the evidence to be submitted for claiming preference points for applicable specific goals in a particular tender:

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| Specific Goals | Acceptable Evidence |
|--------------------------------|---|
| B-BBEE | B-BBEE Certificate / Sworn-Affidavit B-BBEE Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines |
| 51% Black Women Owned Entities | B-BBEE Certificate / Sworn-Affidavit / CIPC B-BBEE Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines |

The maximum points for this bid are allocated as follows:

| DESCRIPTION | POINTS |
|---|--------|
| PRICE | 80 |
| - B-BBEE STATUS LEVEL OF CONTRIBUTION OF 1 & 2 - BLACK OWNED ENTITIES (51% BO) | 20 |
| Total points for Price and Specific Goals must not exceed | 100 |

Note: Transnet reserves the right to carry out an independent audit of the tenderers scorecard components at any stage from the date of close of the tenders until completion of the contract.

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

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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) is not undergoing a process of being restricted by Transnet or other state institution that Transnet may be aware of,
- c) 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,
- d) has the legal capacity to enter into the contract,
- e) is not insolvent, in receivership, under Business Rescue as provided for in 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,
- f) complies with the legal requirements, if any, stated in the tender data and
- g) 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).
