

Transnet Freight Rail

Tender Number: HOAC-ELF-38932

Description of the Service: The refurbishment services of diesel tanks, at various Transnet Freight Rail depots, for a service period of five (5) years.

## **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](http://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.

<b>Clause</b>	<b>Data</b>
C.1.1      The <i>Employer</i> is	<b>Transnet SOC Ltd (Reg No. 1990/000900/30)</b>
C.1.2      The tender documents issued by the <i>Employer</i> comprise:	
<b>Part T: The Tender</b>	
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
<b>Part C: The contract</b>	
Part C1: Agreements and contract data	C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2)
Part C2: Pricing data	C2.1 Pricing instructions C2.2 Price List
Part C3: Scope of work	C3.1 Service Information
Part C4: Affected Property	C4.1 Affected Property
C.1.4      The Employer's agent is:	Procurement Officer /Procurement Manager

Name:	Wandile Msibi
Address:	Transnet Freight Rail RNC Elandsfontein depot, Cnr North Reef & Jet Park roads, Elandsfontein, Ekurhuleni, Gauteng province.
Tel No.	083 988 9686
E – mail	wandile.msibi@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:**

Attendance of compulsory site visit/RFP clarification meeting: verify if the tenderer has completed and signed the attendance register – refer to CIDB Standard Condition of Tender C.2.7

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 eligibility criteria will be regarded as an unacceptable tender.***

**2. 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 **6ME 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
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 **6ME 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.

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4. The tenderer shall provide a certified copy of its signed joint venture agreement.

### **3. Stage Three - 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 below.

***Any tenderer that fails to meet the stipulated eligibility criteria will be regarded as an unacceptable tender.***

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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.**

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C.2.12 No alternative tender offers will be considered.

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

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

Identification details: The tender documents must be uploaded with:

- Name of Tenderer:
- Contact person and details:
- The Tender Number:
- The Tender Description

Documents must be marked for the attention of:

***Employer's Agent: Wandile Msibi***

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

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C.2.15 The closing time for submission of tender offers is:

**Time: 10:00am on the 03 October 2023**

Location: The Transnet e-Tender Submission Portal:

(<https://transnettenders.azurewebsites.net>);

### **NO LATE TENDERS WILL BE ACCEPTED**

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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 line with the code of good practice, 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	Scoring guide.
<b>1. Previous experience in executing similar scope of work (T2.2-06).</b>	The tenderer shall submit <b>4</b> Award letters, and/or, Purchase Orders and/or, previous Contracts, for similar scope of work executed in the petrochemical environment.  The tenderer should have executed and completed project for sand blasting and re-painting of tanks within the petroleum industry.	<b>Score full 20 points</b> for a tenderer that submits <b>4</b> Award letters and/or, Purchase Orders and/or, Previous contracts & their completion certificates).  <b>Score 15 points</b> for a tenderer that submits <b>3</b> Award letters and/or, Purchase Orders and/or, Previous contracts & their completion certificates).  <b>Score 10 points</b> for a tenderer that submits <b>2</b> Award letters and/or, Purchase Orders and/or, Previous contracts & their completion certificates).

	<p>NB: The award letters, and/or Purchase Orders, and/or previous Contracts must be on official Employer's letterhead and signed by a person with DoA or duly authorized.</p>	<p><b>Score 5 points</b> for a tenderer that submits <b>1</b> Award letter and/or, Purchase Order and/or, Previous contract &amp; its completion certificate).</p> <p><b>Score 0 points</b> for No submission.</p>
<b>2. Programme of works on a single tank (T2.2-07).</b>	<p>The tenderer shall submit a project schedule showing the proposed sequence of activities, in the form of a Gantt chart. This project schedule should include a work breakdown structure and resource schedule.</p> <p><b>NB:</b> Refurbishing a single diesel tank takes approximately 6 weeks to complete.</p>	<p><b>Score full 20 points</b> for a tenderer that submits a programme of works Showing the execution and completion of work in a single tank in <b><u>6 or less weeks</u></b>.</p> <p><b>Score 15 points</b> for a tenderer that submits a programme of works showing the execution and completion of work in a single tank in <b><u>more than 6, but less than 7 weeks</u></b>.</p> <p><b>Score 10 points</b> for a tenderer that submits a programme of works showing the execution and completion of work in a single tank in <b><u>more than 7 weeks, but less than 8 weeks</u></b>.</p> <p><b>Score 5 points</b> for a tenderer that submits a programme of works showing the execution and completion of work in a single tank in <b><u>more than 8 weeks, but less than 9 weeks</u></b>.</p> <p><b>Score 0 points</b> for a tenderer that submits a programme of works, showing the execution and completion of work in a single tank in <b><u>10 or more weeks</u></b>, or <b>No submission</b>.</p>
<b>3. Health and Safety plan (T2.2-08).</b>	<p>The tenderer shall submit a Health &amp; Safety Plan, that reflects, but not limited to the 14 health and safety requirements reflected on returnable schedule T2.2-08.</p>	<p><b>Score full 20 points</b> for a tenderer that submits a Health &amp; Safety plan that <b><u>reflects 14 or more</u></b> health and safety requirements reflected on returnable schedule T2.2-08).</p> <p><b>Score 15 points</b> for a tenderer that submits a Health &amp; Safety plan that <b><u>reflects 13 to 10</u></b> health and safety requirements reflected on returnable schedule T2.2-08).</p>

	<p>It is important that in providing the plan, you indicate on your plan, the activity, who will perform the activity, the frequency and remarks.</p>	<p><b>Score 10 points</b> for a tenderer that submits a Health &amp; Safety plan that <b>reflects 9 to 6</b> health and safety requirements reflected on returnable schedule T2.2-08).</p> <p><b>Score 5 points</b> for a tenderer that submits a Health &amp; Safety plan that <b>reflects 5 to 1</b> health and safety requirement/s reflected on returnable schedule T2.2-08).</p> <p><b>Score 0 points</b> for No submission.</p>
<b>4. Quality Management plan (T2.2-09).</b>	<p>The tenderer shall submit a Quality Management Plan in accordance with ISO 9001:1993 and should include a: Quality Policy, Quality Control Plan, Quality Checklist and Quality Process Control Chart for all activities.</p>	<p><b>Score full 20 points</b> for a tenderer that submits a quality management plan in accordance with ISO 9001:1993 and <b>includes</b> a Quality policy, Quality Control plan, Quality checklist and Quality Process Control chart for all activities.</p> <p><b>Score 15 points</b> for a tenderer that submits a quality management plan in accordance with ISO 9001:1993 and <b>excludes 1 of the following</b>, either a Quality policy or, Quality Control or, Quality checklist or, Quality Process Control chart for all activities.</p> <p><b>Score 10 points</b> for a tenderer that submits a quality management plan in accordance with ISO 9001:1993 and <b>excludes 2 of the following</b>, a Quality policy and, Quality Control, Quality checklist and, Quality Process Control chart for all activities).</p>
		<p><b>Score 5 points</b> for a tenderer that submit a quality management plan in accordance with ISO 9001:1993 and <b>excludes 3 of the following</b>, a Quality policy and, Quality Control, Quality checklist and, Quality Process Control chart for all activities).</p> <p><b>Score 0 points</b> for a No submission.</p>

<b>5.Method statement – safe work method statement for fuel storage. (T2.2-10).</b>	<p>The method statement should clearly state how the tenderer intends to perform the prescribed work. It should provide the tasks to be performed, access, equipment used, personnel involved, sequence of events. The tenderer must also make emphasis on the safety aspects of the methodology.</p> <p>The method statement should also outline the hazards involved and include a step-by-step guide on how to do the job safely.</p> <p>It should again detail control measures to be introduced to ensure the safety of anyone who will be affected by the project's activities.</p> <p>The method statement cannot be used as safety plan but a technical approach and methodology on the actual work execution.</p> <p>The company special and practical knowledge in business services is required.</p> <p>The contractor must supply/provide and identify his/her proposed technical team and state their job description, experience, and qualifications.</p> <p>A company profile and</p>	<p><b>Score full 20 points</b> for a tenderer that submits a method statement that <b>covers all specified 7 items</b>).</p> <p><b>Score 15 points</b> for a tenderer submits a method statement that <b>covers 5 - 6 items only</b>).</p> <p><b>Score 10 points</b> for a tenderer that submits a method statement that <b>covers 3 - 4 items only</b>).</p> <p><b>Score 5 points</b> for a tenderer that submit a method statement that <b>covers 1 - 2 items only</b>).</p> <p><b>Score 0 points</b> for No submission.</p>
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	<p>organogram should be provided as well as the organograms for this project.</p> <p>The Method statement should meet the following criteria:</p> <ol style="list-style-type: none"> <li><b>1.</b> Method that will be used to meet the technical quality on the project.</li> <li><b>2.</b> Approach that will Minimize time during the sand blasting and re-painting of tanks.</li> <li><b>3.</b> A contractor should provide a detailed method statement on how the sand blasting and re-painting works will be carried out.</li> <li><b>4.</b> The method statement must contain detailed baseline risk assessment, implementation methodology/ plan.</li> <li><b>5.</b> Method statement must cover the tools and material to be used.</li> <li><b>6.</b> Remedial actions to be taken, should the weather change.</li> <li><b>7.</b> How will Transnet's infrastructure and personnel be kept safe during contract activities.</li> </ol>	
Maximum possible score for Functionality <b>100 points</b> .		

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

- T2.2-06 Previous Experience
- T2.2-07 Plan.
- T2.2-08 Health and Safety Plan.
- T2.2-09 Quality Management.
- T2.2-10 Method statement.

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.**

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Description of the Service: The refurbishment services of diesel tanks, at various Transnet Freight Rail depots, for a service period of five (5) years.

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 Transnet Preferential Procurement Policy (TPPP).

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
Functionality	70 points

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

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 (10)
APPLICABLE SPECIFIC GOALS FOR THIS TENDER IS B-BBEE Level of contributor – Level 1 <b>or</b> Level 2, and Entities that are at least 51% Black Owned.	10 points
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

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

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.
30% 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.

50% Black Youth Owned Entities	Certified copy of ID Documents of the Owners and B-BBEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accept).
Entities Owned by People with Disability (PWD)	Certified copy of ID Documents of the Owners and Doctor's note confirming the disability and/or Employment Equity Act 1(EEA1) form.
Entities/Black People living in rural areas	Entity's Municipal/ESKOM bill or letter from Induna/ chief confirming residential address not older than 3 months.
South African Enterprises	CIPC Registration Documents.
EME or QSE 51% Black Owned	B-BBEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines.
Entities that are 51 % Black Owned	B-BBEE Certificate/Sworn-Affidavit B-BBEE Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines.
Promoting exports orientated production for Job creation	Returnable section/annexure..... on job creation
Local Content and Local Production	Returnable Local Content and production Annexures
NIPP	NIPP Returnable documents
Creation of new jobs and labour intensification	Returnable section/annexure..... on job creation.
The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: <ul style="list-style-type: none"> <li>I. 30% Black Women, 51% Black Youth and 51% Black People with disabilities</li> <li>II. Entities with a specified minimum B-BBEE level (1 and 2)</li> <li>III. EMEs and/or QSEs who are 51% Black-owned</li> </ul>	Sub-contracting agreements and Declaration / Joint Venture Agreement. Certified copy of ID Documents of the Owners and B-BBEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accept) of the sub-contracted entities.

The promotion of enterprises located in a specific province/region/municipal area for work to be done or services to be rendered in that province/region/municipal area	CIP - Registered address of entity
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The maximum points for this bid are allocated as follows:

DESCRIPTION	POINTS
PRICE	<b>80</b>
B-BBEE STATUS LEVEL OF CONTRIBUTION  APPLICABLE SPECIFIC GOALS FOR THIS TENDER IS B-BBEE Level of contributor – Level 1 <b>or</b> Level 2.	<b>10</b>
Entities that are at least 51% Black Owned.	<b>10</b>
Total points for Price and Specific Goals must not exceed	<b>100</b>

**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 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,

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- 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.

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

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