



CONTRACT NO CDC/1/22

PORT OF DURBAN TECHNICAL CONCEPTS EXPERT VALIDATION

The Coega Development Corporation's (CDC's) vision is to be the leading catalyst for the championing of socio-economic development. This is realised through its activities as the developer and operator of the Coega Special Economic Zone and in providing Implementing Agency (IA) Services on infrastructure planning and development to National, Provincial, Local Government Departments and State-owned Entities. Its appointment by Transnet SOC LTD to provide IA Services in carrying out Expert Validation of Port of Durban Concepts is in line with this strategic intent.

INVITATION TO TENDER AND SCOPE OF SERVICES

The Coega Development Corporation (CDC) is inviting experienced, capable and competent Service Providers with proven experience and track-record to submit their Proposals for the Validation of the Port of Durban Masterplans where these ports are located in the KwaZulu-Natal Province.

Transnet has developed Port Masterplans and Port Development Framework Plans for the establishment of Port of Durban (PoD) as an International Container Hub Port. This is aimed at improving the operational efficiencies, capacity and global competitiveness of this Port. The focus of this Request for Proposals (RFP) is on the review and validation of the current plans as well as identification of any gaps and improvement opportunities that could be considered by Transnet.

The scope of services will primarily focus on the review of the PoD Masterplan as well as the Port Development Framework Plans as part of Transnet's plans to improve the global competitiveness of this ports.

CONDITIONS

- (a) The CDC's Procurement Policy and Procedures shall apply.
- (b) The 80/20 preference point system, as per the Preferential Procurement Policy Framework Act 2000: Preferential procurement Regulation 2017 is applicable for allocating points for price and preference points.

The following scores will be applied:

- (i) Price - 80,
- (ii) B-BBEE Score - 20.

- (c) The following legislation shall apply:
- (i) Public Finance Management Act (PFMA);
 - (ii) National Treasury Regulations;
 - (iii) Preferential Procurement Policy Framework Act, 2000;
 - (iv) Preferential Procurement Regulations, 2017;
 - (v) Occupational Health and Safety Act and Regulations, Act (85 of 1993);
 - (vi) Compensation for Occupational injuries and disease Act (130 of 1993);
 - (vii) B-BBEE Act Number 53 of 2003 (as amended by Act number 46 of 2013); and
 - (viii) Any other applicable legislation.
- (d) CDC is also advertising for a Service Provider to conduct a similar Technical Concepts Expert Validation Study for the Port of Richards Bay (PoRB). The CDC will not award both Contracts to one (1) Service Provider except in an instance where only one (1) Service Provider is responsive on both contracts and will conduct a capacity assessment, should that be the case.
- (e) 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 functionality and assigned weight of each criterion are provided under **Section 11** of the RfP document.
- (f) Following the procurement process, the Successful Bidder will be required to comply with the Occupational Health and Safety Act and Regulations, Act (85 of 1993) and Compensation for Occupational injuries and disease Act, Act (130 of 1993) and all relevant and applicable legislations.
- (g) Bidders and including all Consortium/Joint Venture (JV) members, if any, must confirm their company registration with Companies and Intellectual Property Commission (CIPC) as CDC will not award any bid to any business that appears on the CIPC List of de-registered businesses. The CDC may verify company registration with CIPC through BizPortal.
- (h) All bid prices must be inclusive of 15% Value-Added Tax or any applicable taxes in the country of origin. 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 South African Revenue Service (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;
- (i) The Financial proposal will be in Rand only. The CDC will not cover exchange rate risks;
- (j) Bidders (all the members in the Bidding Team in the case of Consortia or Joint Ventures) must provide proof of registration on the National Treasury's Central Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAA0.

- (k) The CDC will only award the Bid to a Successful Bidder who is tax compliant. The tax compliant status of the Bidders (and all the members in the Bidding Team in the case of Consortia or Joint Ventures) will be verified through the CSD and South African Revenue Services (SARS) website.
- (l) Generic entities as well as Qualifying Small Enterprises (QSE)s with less than 51% black shareholding are to submit a valid South African National Accreditation System (SANAS) Accredited Broad Based Black Economic Empowerment (B-BBEE) Verification Certificate (with the full applicable B-BBEE elements). Bidders with more than 51% black shareholding (Exempted Micro Enterprises (EMEs) & QSEs) are to submit a sworn affidavit stamped and signed by the Commissioner of Oaths as per the Department of Trade and Industry (DTI) B-BBEE template. In case of a Joint Venture (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.
- (m) Public servants are prohibited from conducting any form of business with organs of state, whether in their own capacity as individuals or through companies in which they are directors. Verification will be carried out by the CDC and Bidders will be disqualified should they be found to be in contravention with this requirement.
- (n) The Bidders must nominate a person who will be their Overall Project Team Leader. The Overall Project Team Leader:
 - (i) Should have delegated authority to sign:
 - (1) The Submission;
 - (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.
 - (ii) 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.
 - (iii) Will be the sole point of contact between the CDC and the Bidder during this bidding process, and during contract execution (i.e. for the Successful Bidder).
 - (iv) 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.
- (o) It is incumbent upon and the responsibility of the Prospective Bidders to submit their full and correct contact details when they collect the RFP Documents 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.
- (p) In case of JVs/Consortia, the Bidder must include, as part of annexures to their Proposal, an **Intent to Enter into a JV/Consortium Agreement**.

- (q) Entities are not allowed to be a member of more than one (1) JV/Consortium or Bidding Team.
- (r) Any misrepresentation of information will lead to immediate disqualification of the Bidder's Submission. It is imperative that the duly authorised person conducts quality control on all the documentation to be submitted to the CDC as part of this RFP and signs the submission as a correct and sound documentation that the CDC could put its reliance on.
- (s) Late Submissions will not be accepted.
- (t) Incomplete RFP Submissions will be deemed null and void and shall be considered non-responsive.
- (u) Tender validity shall be twelve (12) weeks.
- (v) **No telephonic or any other form of communication with any other CDC member of staff other than the named individual below relating to this RFP will be permitted.**
- (w) **All the enquiries regarding this bid must be in writing only, and must be directed to:**
 - (i) Ms Zine Mtanda, Unit Head: Supply Chain Management.
 - (ii) E-mail address: to kzntenders@coega.co.za

The complete RFP Documentation providing full details about the project, scope of work and conditions of this RFP can be downloaded from the CDC's Website: www.coega.co.za, from **10h00 on 21 January 2022 at no cost**. No hard copies of the RFP Document will be made available by the CDC to the Prospective Bidders.

Due to the outbreak of the COVID-19 Pandemic, leading to restricted movement and a need to heed to safety precautions, there will be a Non-compulsory Virtual Briefing Meeting held on **Monday, 31 January 2022, at 10h00**. Information on how to attend the Virtual Briefing Meeting and the link can be found on the CDC's Website.

Bidders who choose **to submit their Bids/Proposals electronically must** note that it is their responsibility to ensure that all pages of the original Bid Document and the supporting documents / Annexures are initialed, signed, scanned and included in the electronic submission. Should the electronic submission miss some key pages more especially the documents required for evaluation purposes, the bid will be disqualified. Bidders must first test and confirm that their bid submissions are accessible before sending the email to CDC, as CDC will not consider incomplete and inaccessible folders/ documents/ links. Those bidders who submit the electronic bids should keep the original copy of their bid as it will be required on appointment of the Successful Bidder.

The closing date and time for the receipt of complete bid documents is **12h00, Friday, 11 February 2022**. **One original complete bid document and one flash drive** with the electronic version of the bid shall be placed in a sealed envelope clearly marked: **CDC/1/22 – REQUEST FOR PROPOSAL: PORT OF DURBAN TECHNICAL CONCEPTS EXPERT VALIDATION**". Bids are to be placed in the tender box at the CDC's Main Office located at the **Coega Development Corporation, 18 Cranbrook Crescent , Umhlanga (Durban)** or via e-mail at: TendersCDC122@coega.co.za where its maximum size is **20MB**.

Please Note that this email address is **ONLY** for submission of bids and any other enquires related to this bid must be submitted to kzntenders@coega.co.za. Bids will not be opened in public, and no late submissions will be considered.

The CDC reserves the right not to accept the lowest proposal in part or in whole or any