

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 Price List 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
	Name:	Caroline Moerane
	Address:	No. 15 Girton Road, Inyanda House 2 Parktown
	Tel No.	011 584 0623/072 889 9412
	E – mail	Caroline.moerane@transnet.net

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

1. Stage One - Pre-qualification criteria for preferential procurement in terms of the Preferential Procurement Regulations, 2017: (Regulation 4: B-BBEE)

- a) A tenderer having a stipulated minimum B-BBEE status level of contributor of **1 only**

Any tenderer that fails to meet the stipulated pre-qualifying 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 **1EB 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:
- every member of the joint venture is registered with the CIDB;
 - 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; (Not Applicable) and
 - 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 **1EB** 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

4. 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.

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 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 Non Compulsory clarification meeting

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 package are as follows:

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|-------------------------|--|
| Identification details: | <p>The tender documents must be uploaded with:</p> <ul style="list-style-type: none"> ▪ Name of Tenderer: ▪ Contact person and details: ▪ The Tender Number: SIC21023CIDB/CRAC-JHB-37305 ▪ The Tender Description: For the National Inspection, Test and Report for Electrical Distribution Boxes for a period of One (1) Months |
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Documents must be marked for the attention of:
Employer's Agent: Caroline Moerane

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 **06 September 2022**
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 [02 December 2022]** 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.
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- 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

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- 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:

Quality Criteria	Sub-Criteria	Sub-Criteria Allocation	Point	Maximum number of points
T2.2-05: Programme/Delivery Schedule	The following information is required as a minimum on a programme submitted for evaluation:			40
	Adequately showing the full Scope of Work including appropriate sequence of works for each work that needs to be done, e.g. Electrical Distribution Boxes/MCC installation and repair	10		
	Clearly indicate the turnaround time for the repair, installation, inspect, test and perform fault finding on electric Distribution Boxes from supplying up to decanting/refuelling pumps and motors from time it was reported	10		
	Ability to execute the works in terms of the Employer's requirements, indicating the order and timing of the testing, installation or repair of DB/MCC that will take place in order to provide the works.	5		
	Schedule showing Starting and Completion of each work, e.g. Testing, electrical DB/MCC installation and repair as listed in contract data Part One – "Data provided by the Employer" and are logically linked to activities in the schedule and to be driven by activities. All activities to be logically tied using a	5		

	clearly defined critical path method (CPM).		
	All activity durations to be realistic and based on quantities and activities that can be measured in days. The calendar on the schedule should represent the actual work week/month used. E.g., weekends as non-working periods.	5	
	Provisions for quality requirements & Health & Safety requirements, clearly outlining how the tenderer plans to provide the Works.	5	
T2.2-08: Risk Management Plan	Bidders/Tenderers should submit a complete and comprehensive Risk Management and Environment Plan that demonstrates the following:		10
	Business continuity plan	10	
	Business Continuity Management: The objective is to ensure continuity of the service		
	Business Impact Analysis		
	Risk Assessment for the project / Operational Risks: The identified Risks		
T2.2-06: Previous Company Experience	Tenderers are required to demonstrate their experience in the delivery of similar works, and to this end shall supply a sufficiently detailed reference list with contact details of existing customers and indicate their previous experience of relevant work		20
	Previous work on Electrical Distribution	6	
	Inspect, Test and perform fault finding on Electrical DB from supplying up to	6	

	Previous work of Electrical equipment and testing	6	
	Sufficient references to substantiate experience indicated (Client name and contact details, project description, duration, and contract value)	2	
T2.2-:09 Health and Safety	Bidders/Tenderers should submit the following documents as a minimum with their tender:		10
	SHE Plan, Letter of Good standing & Safety, Health & Environmental Policy	4	
	Roles & Responsibilities as per the Occupational health and safety Act 85 of 1993	1	
	List of job categories for project and competencies required per category and develop a training Matrix for all employees who will be working on the project. This matrix must include Management and highlight training planned dates.	2	
	Overview of the project specific Baseline Risk Assessment (RA), indicating major activities of the project	1	
	Three years synopsis of SHE incidents, descriptions, type and action taken	1	
	Complete and return the <i>Contractor</i> Safety Questionnaire attached hereto	1	
	T2.2-07: Method Statement	Bidders/Tenderers should state when he/she intend to start and complete the job. This must also be supported by providing a working programme which speaks directly to the project (no generic work plan will be accepted), which after awarding will then be used as a monitoring tool on work progress. Point can only be given as follows	

	Order, timing, and planning that will take place in order to execute a certain work, e.g., Electrical DB/MCC installation and repair	10	
	Indication of how the above will be achieved in terms of the associated policies and procedures, and relevant specification described in the tender	5	
	The method statement covers the schedule showing the start and completion of each work, e.g DB/MCC installation and repair also the turnaround time to repair, replace, test and equipment accordingly (to enable the Employer to assess the impact to practicality, quality, health, safety, risk and the environment).	5	
TOTAL			100

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

- T2.2-05 Programme
- T2.2-08 Environmental Management
- T2.2-09 Health and Safety Requirements
- T2.2-06 Previous Experience
- T2.2-07 Approach Paper or Method Statement

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 6.

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.

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 BBBEE rating not be provided, tenderers with no verification will score zero points for preferencing.**

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.

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- 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:

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- 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 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).
