


BID NUMBER: HO/SEC/002/05/2023**REQUEST FOR PROPOSAL (RFP) FOR THE PRIVATE
SECURITY SERVICES**

CLOSING DATE	04 August 2023
CLOSING TIME	12:00
BRIEFING SESSION	COMPULSORY BRIEFING
	DATE: 14 July 2023
	TIME: 11:00
BID DOCUMENTS DELIVERY ADDRESS	PASSENGER RAIL AGENCY OF SOUTH AFRICA UMJANTSHI HOUSE 30 WOLMARANS STREET, BRAAMFONTEIN JOHANNESBURG
BIDDER NAME

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Disclaimer

This document is provided solely for the purpose set out in this RFP and is not intended to form any part or basis of any investment decision by Bidders. The recipient should not consider the document as an investment recommendation by PRASA or any of its advisers.

Each person to whom this document (and other later documents) is made available must make his own independent assessment of the Project after making such investigation and taking such professional advice as he/she or it deems necessary. Neither the receipt of this document or any related document by any person, nor any information contained in the documents or distributed with them or previously or subsequently communicated to any Bidder or its advisers, is to be taken as constituting the giving of an investment advice by PRASA or its advisers.

Whilst reasonable care has been taken in preparing this RFP and other documents, they do not purport to be comprehensive or true and correct. Neither PRASA nor any of its advisers accept any liability or responsibility for the adequacy, accuracy or completeness of any of the information or opinions stated in any document.

They acquaint themselves with this RFP and take note that no representation or warranty, express or implied, is or will be given by PRASA, or any of its officers, employees, servants, agents or advisers with respect to the information or opinions contained in any document or on which any document is based. Any liability in respect of such representations or warranties, howsoever arising is hereby expressly disclaimed.

If any recipient, or its employees, advisers or agents make or offers to make any gift to any of the employees of PRASA or consultant to PRASA on the RFP either directly or through an intermediary then such recipient, Bidder will be disqualified forthwith from participating in the RFP.

Each recipient of this RFP agrees to keep confidential any information of a confidential nature which may be contained in the information provided (the "Confidential Information Provided"). The Confidential Information provided may be made available to Bidder's subcontractors, employees and professional advisers who are directly involved in the appraisal of such information (who must be made aware of the obligation of confidentiality) but shall not, either in the whole or in part, be copied, reproduced, distributed or otherwise made available to any other party in any circumstances without the prior written consent of PRASA, nor may it be used for any other purpose than that for which it is intended.

These requirements do not apply to any information, which is or becomes publicly available or is shown to have been made available (otherwise than through a breach of a confidentiality obligation). Bidders,

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Key Contractors and their constituent members, agents and advisers, may be required to sign confidentiality Contracts/undertakings (in such form as PRASA may require from time to time).


All Confidential Information Provided (including all copies thereof) remains the property of PRASA and must be delivered to PRASA on demand. Further, by receiving this RFP each Bidder and each of its members agrees to maintain its submission in Bid to this RFP confidential from third parties other than PRASA and its officials, officers and advisers who are required to review the same for the purpose of procurement of the RFP.

Any recipient residing outside the Republic of South Africa is urged to familiarise themselves with and to observe any regulatory requirements relevant to the proposed transaction (whether these derive from a regulatory authority within or outside the Republic of South Africa).

Any requirement set out in this RFP regarding the content of a response to the RFP is stipulated for the sole benefit of PRASA, and serves as expressly stated to the contrary, may be waived at its discretion at any stage in the procurement process.

PRASA is not committed to any course of action as a result of its issuance of this RFP and/or its receipt of a Proposal in response to it. Please note that PRASA reserves the right to:

- Modify the RFP's goods / service(s) / works and request Respondents to re-bid on any changes;
- Withdraw, amend the RFP at any time without prior notice and liability to compensate or reimburse any respondent;
- Reject any Proposal which does not conform to instructions and specifications which are detailed herein
- Disqualify Proposals submitted after the stated submission deadline;
- Call a respondent to provide additional documents which PRASA may require which have not been submitted to PRASA.
- Withdraw the RFP on good cause shown;
- Award a contract in connection with this Proposal at any time after the RFP's closing date;
- Make no award at all;
- Validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to PRASA to do so;

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- Request annual financial statements prepared and signed off by a professional accountant or other documentation for the purposes of a due diligence exercise; and/or
- Not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provided for it.

To adopt any proposal made by any bidder at any time and to include such proposal in any procurement document which may or may not be made available to other bidders.


All costs and expenses incurred by Bidders in submitting responses to this RFP shall be borne by the Bidders and PRASA shall not be liable for any costs or expenses whatsoever or any claim for reimbursement of such costs or expenses.

Should a contract be awarded on the strength of information furnished by the Respondent, which after conclusion of the contract, is proved to have been incorrect, PRASA reserves the right to cancel the contract and/or place the Respondent on PRASA's list of Restricted Suppliers.

PRASA reserves the right to negotiate market-related price with the bidder scoring the highest points or cancel the bid; if the bidder does not agree to a market related price, negotiate a market related price with the bidder scoring the second highest points or cancel the bid; if the bidder scoring the second highest points does not agree to a market related price, negotiate a market related price with the bidder scoring the third highest points or cancel the bid. If the market related price is not agreed as envisaged in this paragraph, PRASA will cancel the bid.

PRASA reserves the right to negotiations Best and Final Offer (BAFO) with selected Respondents where none of the Proposals meet RFP requirement, are affordable and demonstrate value for money and there is no clear preferred response to the RFP

PRASA will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Proposal, whether or not the Respondent is awarded a contract.


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LIST OF BID DOCUMENTS


INVITATION TO BID PART A	Form A
TERMS AND CONDITIONS FOR BIDDING PART B	Form B
TENDER FORM (PRICING SCHEDULE)	Form C
SITE INSPECTION CERTIFICATE / PRE-TENDER BRIEFING SESSION	Form D
STATEMENT OF WORK SUCCESSFULLY CARRIED OUT BY BIDDER	Form E
SECURITY SCREENING FORM	Form F
ACKNOWLEDGEMENT	Form G
SBD 4 BIDDER'S DISCLOSURE	
SBD 5 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME	
SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022	

1 LIST OF ANNEXURES TO THE RFP

Work Package and Region	Annexure 1
RFP Clarification Form	Annexure 2
Draft Contract	Annexure 3
BOQ	Annexure 4

2 ACRONYMS


BBBEE	Broad Based-Black Economic Empowerment
CIDB	Construction Industries Development Board
DTiC	The Department of Trade and Industry and Competition
PPPFA	Preferential Procurement Policy Framework Act 5 of 2000 (as amended from time to time)
PFMA	Public Finance Management Act No.1 of 1999 (as amended from time to time)
PRASA	Passenger Rail Agency of South Africa
RFP	Request for Proposal
SANAS	South African National Accreditation System

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3 INTERPRETATION

In this RFP, unless inconsistent with or otherwise indicated by the context –


- 4.1 headings have been inserted for convenience only and should not be taken into account in interpreting the RFP;
- 4.2 any reference to one gender shall include the other gender;
- 4.3 words in the singular shall include the plural and vice versa;
- 4.4 any reference to natural persons shall include legal persons and vice versa;
- 4.5 words defined in a specific clause have the same meaning in all other clauses of the RFP, unless the contrary is specifically indicated;
- 4.6 any reference to the RFP, schedule or appendix, shall be construed as including a reference to any RFP, schedule or appendix amending or substituting that RFP, schedule or appendix;
- 4.7 the schedules, appendices and Briefing Notes issued pursuant to this RFP, form an indivisible part of the RFP and together with further clarifying and amending information provided by PRASA, constitute the body of RFP documentation which must be complied with by Bidders;
- 4.8 in the event of any inconsistency between this RFP or other earlier information published with regard to the Project, the information in this RFP shall prevail; and
- 4.9 this RFP shall be governed by and applied in accordance with South African law.

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4 DEFINITIONS

In this RFP and in any other project documents (as defined below) which so provides, the following words and expressions shall have the meaning assigned to them below and cognate expressions shall have a corresponding meaning, unless inconsistent with the context:

- 5.1 “Accounting Authority” means the Board of PRASA;
- 5.2 “Contract” means the Contract to be entered between PRASA and the successful Bidder for the provision of the *services* procured in this RFP.
- 5.3 “Bid” means the Bid to the RFP submitted by Bidders;
- 5.4 “Bidders Briefing Session” means the compulsory briefing session to be held at the offices of PRASA, in order to brief the Bidders about this tender;
- 5.5 “Black Enterprise” means an enterprise that is at least 51% beneficially owned by Black People and in which Black People have substantial Management Control. Such beneficial ownership may be held directly or through other Black Enterprises;
- 5.6 “Black Equity” means the voting equity held by Black People from time to time;
- 5.7 “Black People” has the same meaning as ascribed to the Broad-Based Black Economic Empowerment Act, 2003, as amended .
- 5.8 “Black Woman” means African, Coloured and Indian South Africa Female citizen;
- 5.9 “Briefing Note” means any correspondence to Bidders issued by the PRASA;
- 5.10 “Business Day” means any day except a Saturday, Sunday or public holiday in South Africa;
- 5.11 “Bidders” means individuals, organisations or consortia that have been submitted responses to the RFP in respect of the tender;
- 5.12 “Consortium” means any group of persons or firms jointly submitting a Bid as Bid to this RFP and “Consortia” means more than one Consortium;
- 5.13 “Contractor” the successful Bidders who has signed a Contract with PRASA in terms of this RFP.
- 5.14 “Closing Date” means the closing date for submission of bids/ Proposals by Bidders which is **04 August 2023 at 12:00**
- 5.15 “Project” means this project for the PRIVATE SECURITY
- 5.16 “RFP” means the Request for Proposals issued by PRASA for this tender; and
- 5.17 “Scope of Work” means the scope of work for this project as detailed out in the RFP technical specifications.

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SECTION 1

NOTICE TO BIDDERS

1 INVITATION TO BID

You are hereby invited to submit a bid to meet the requirements of the Passenger Rail Agency of South Africa. Responses to this RFP [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons, companies, close corporations, or enterprises [hereinafter referred to as an **entity**, **Bidder**].

BID DESCRIPTION	
BID ADVERT	This RFP may be downloaded directly from National Treasury's e-Tender Publication Portal at www.etenders.gov.za free of charge. With effect from 06 July 2023
ISSUE DATE	06 June 2023
COMPULSORY BRIEFING SESSION	14 July 2023
CLOSING DATE	04 August 2023 Bidders must ensure that bids are delivered timeously to the correct address. As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.
VALIDITY PERIOD	180 Business Days from Closing Date Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period.
CLOSING DATE FOR QUESTIONS BY BIDDERS	20 July 2023
CLOSING DATE FOR RESPONSES BY PRASA	26 July 2023
CONTACT PERSON	Siphiwe Kubheka @ 012 748 7086 Siphiwe.kubheka@prasa.com

Any additional information or clarification will be emailed to all Respondents, if necessary.

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2 FORMAL BRIEFING

A compulsory pre-proposal RFP briefing will be conducted at Umjantshi House, 30 Wolmarans, Braamfontein on the 14th of July 2023 at 11:00 [Respondents to provide own transportation and accommodation]. The briefing session will start punctually, and information will not be repeated for the benefit of Respondents arriving late.

- 2.1 A Certificate of Attendance in the form set out in Form D hereto must be completed and submitted with your Proposal as proof of attendance is required for a compulsory meeting and/or RFP briefing. Bidders must also appear on the Compulsory Briefing session Register.

3 BRIEFING SESSION MINUTES AND NOTES

- 3.1 PRASA will issue briefing session minutes or notes together with the response to the clarification questions on or before the 26th of July 2023
- 3.2 Clarifications will be issued to all Respondents to this RFP utilizing the contact details provided at receipt of the responses to the RFP documentation, after submission to the authorised representative.
- 3.3 Bidders / Respondents are requested to promptly confirm receipt of any clarifications sent to them.
- 3.4 Bidders / Respondents must ensure responses to the clarifications are received on or before the deadline date stated.

4 PROPOSAL SUBMISSION OF RFP RESPONSE

Proposal Responses should be submitted to PRASA in a sealed envelope addressed as follows:


The Secretariat / Tender Office

RFP No:	HO/SEC/002/05/2023
Description of Bid	PRIVATE SECURITY SERVICES
Closing date and time:	04 August 2023 @ 12:00
Closing address	UMJANTSHI HOUSE 30 WOLMARANS STREET BRAAMFONTEIN

5 DELIVERY INSTRUCTION FOR RFP

Delivery of Bid

The Bid envelopes should be deposited in the PRASA tender box which is located at the main entrance of the UMJANTSHI HOUSE and should be addressed as follows:

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THE SECRETARIAT / TENDER OFFICE
 UMJANTSHI HOUSE
 30 WOLMARANS STREET
 BRAAMFONTEIN

5.1 B-BBEE Joint Ventures or Consortiums

Respondents who would wish to respond to this RFP as a Joint Venture [**JV**] or consortium with B-BBEE entities, should state their intention to do so in their RFP submission. Such Respondents should also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If such a JV or consortium agreement is unavailable, the partners should submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by PRASA through this RFP process. This written confirmation should clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to PRASA.

6 COMMUNICATION

- 6.1 For specific queries relating to this RFP during the RFP process, bidders are required to adhere strictly to the communication structure requirements. An RFP Clarification Form should be submitted to Siphiwe.Kubheka@prasa.com before 20 July 2023, substantially in the form set out in Annexure 2 hereto.
- 6.2 In the interest of fairness and transparency PRASA's response to such a query will be made available to the other Respondents who have attended a compulsory briefing session. For this purpose PRASA will communicate with Respondents using the contact details provided at the compulsory session.
- 6.3 After the closing date of the RFP, a Respondent may only communicate in writing with the Bid Secretariat, at telephone number (012) 748-7086, email Siphiwe.Kubheka@prasa.com on any matter relating to its RFP Proposal.
- 6.4 Respondents are to note that changes to its submission will not be considered after the closing date.
- 6.5 Respondents are warned that a response will be liable for disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer(s) or employee of PRASA

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in respect of this RFP between the closing date and the date of the award of the business. Furthermore, Respondents found to be in collusion with one another will automatically be disqualified and restricted from doing business with PRASA in future.

6.6 Bidders are advised utilize this email address (**SCM.Complaints@prasa.co.za**) for lodging of complaints to PRASA in relation to this bid process. The following minimum information about the bidder must be included in the complaint:

- 6.6.1 Bid/Tender Description
- 6.6.2 Bid/Tender Reference Number
- 6.6.3 Closing date of Bid/Tender
- 6.6.4 Supplier Name;
- 6.6.5 Supplier Contact details
- 6.6.6 The detailed compliant


7 CONFIDENTIALITY

7.1 PRASA shall ensure all information related to this RFP is to be treated with strict confidence. In this regard Respondents / Bidders are required to certify that they have acquainted themselves with the Non-Disclosure Agreement All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information gleaned from provision of the Services , which is either directly or indirectly related to PRASA's business, written approval to divulge such information should be obtained from PRASA.

7.2 Respondents must clearly indicate whether any information submitted or requested from PRASA is confidential or should be treated confidentially by PRASA. In the absence of any such clear indication in writing, PRASA shall deem the response to the RFP to have waived any right to confidentiality and treat such information as public in nature.

8 INSTRUCTIONS FOR COMPLETING THE RFP

8.1 All responses to the RFP should be submitted in two sealed envelopes/boxes; the first envelop/box shall have the technical and compliance response, the second envelop/box shall only have the financial response and BBBEE response.

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8.2 Bidders are required to package their response/Bid as follows:

Volume 1 (Envelop 1/Package 1)


- **Part A:** Mandatory Requirements Response
- **Part B:** Technical or Functional Response (response to scope of work)

Volume 2 (Envelop 2/ Package 2)


- **Part C:** Financial Proposal and Specific Goals

Volume 2 should be submitted in a separate sealed envelope. Bidders should make their pricing offer in envelop 2/package 2.

- 8.3 Bidders must submit 1 original response and may submit copies and an electronic version which must be contained in a Memory Card/External hard drive etc clearly marked in the Bidders name. PRASA reserves the right to consider information provided in all formats irrespective the format i.e original/copy/electronic.
- 8.4 Bidders should ensure that their response to the RFP is in accordance with the structure of this document.
- 8.5 Where Bidders are required to sign forms they are required to do so using preferably black ink pen.
- 8.6 Any documents forming part of the original responses to RFP but which are not original in nature, should be certified as a true copy by a Commissioner of Oaths.
- 8.7 Each response to RFP must be in English and submitted in A4 format, except other graphic illustrations, which may not exceed A3 format, unless the contrary is specifically allowed for in this RFP. Responses to RFP should be neatly and functionally bound, preferably according to their different sections.
- 8.8 The original responses to RFP must be signed by a person duly authorized by each consortium member and Subcontractor to sign on their behalf, which authorization must form part of the responses to RFP as proof of authorization. By signing the responses to RFP the signatory warrants that all information supplied by it in its responses to RFP is true and correct and that the responses to RFP and each party whom the responses to RFP signatory represents, considers themselves subject to and bound by the terms and conditions of this RFP.

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- 8.9 The responses to RFP formulation should be clear and concise and follow a clear methodology which responses to RFP should explain upfront in a concise Executive Summary and follow throughout the responses to RFP.
- 8.10 Responses to RFP must provide sufficient information and detail in order to enable PRASA to evaluate the responses to RFP, but should not provide unnecessary detail which does not add value and detracts from the ability of PRASA to effectively evaluate and understand the responses to RFP. The use of numbered headings, bullet points, sections, appendices and schedules are encouraged.
- 8.11 Information submitted as part of a responses to RFP should as far as possible, be orderly according to the order of the required information requested by PRASA. All pages should be consecutively numbered.
- 8.12 Responses to RFP should ensure that each requirement contained in the RFP is succinctly addressed. Responses to RFP should as far as possible use the terms and definitions applied in this RFP and should clearly indicate its interpretation of any differing terminology applied.
- 8.13 Response to RFP documents are to be submitted to the address specified in **this RFP**, and Bidders should ensure that the original and copies (where applicable) are identical in all respects as PRASA will not accept any liability for having disqualified a bidder for failing to provide a mandatory returnable document.
- 8.14 Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.
- 8.15 Any additional conditions must be embodied in an accompanying letter. Subject only to clause 16 [Alterations made by the Respondent to Bid Prices] of the General Bid Conditions, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.
- 8.16 Bidders are required to review the Contract. Bidders may further amend and or delete any part of the Draft Contract where they deem fit to do so. Where Bidders have amended and or deleted any part of the Contract, it must be clearly visible by using track changes and must ensure that the disc copy of their bid submission for the Draft Contract is in word version and not password protected. **It must be noted that the marked up Contract will form part of contract negotiations processes with the preferred bidder.**

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9 RFP TIMETABLE

PRASA may at its sole discretion amend any of the milestone dates indicated in the table below. Bidders will be informed of any amendments to the timeline through the issue of the Addendum.

RFP PROCESS	MILESTONE DATES
Bid issue date	06 July 2023
Compulsory Briefing Session for Bidders	14 July 2023 @ 11:00
Closing date for Questions	20 July 2023
Closing date for Responses	26 July 2023
Closing Date for Submission of final Bid	04 August 2023 at 12:00
Evaluation of Proposals (Bidders note that PRASA may call for Presentation of bidders offers at any stage of the evaluation process)	TBC
Appointment of the successful Bidder	TBC
Contract Negotiations	TBC
Signing of Contract	TBC
Contract Commencement	TBC

PRASA may at its sole discretion amend any of the milestone dates indicated in the table above. Bidders will be informed of any amendments to the timeline through the issue of briefing notes.


10 LEGAL COMPLIANCE

Bidders should ensure that they comply with all the requirements of the RFP and if Bidders fail to submit any of the required documents, such Bids may, at the sole discretion of PRASA, be disqualified. PRASA reserves the right to call a Bidder to provide additional documents which may have not been submitted.

The successful Bidder [hereinafter referred to as the **Service Provider**] shall be in full and complete compliance with any and all applicable laws and regulations.

11 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Only foreign suppliers with no local registered entity need not register on the CSD. The CSD can be accessed at <https://secure.csd.gov.za>. Respondents are required to provide the following to PRASA in order to enable it to verify information on the CSD:

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Supplier Number: _____ **Unique registration reference number:** _____.

12 TAX COMPLIANCE

Respondents must be compliant when submitting a proposal to PRASA and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

It is a condition of this RFP that the tax matters of the successful bidder be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

The Tax Compliance status requirements are also applicable to foreign Respondents/ individuals who wish to submit bids.

Respondents are required to be registered on the Central Supplier Database (CSD) as indicated in paragraph 11 and the National Treasury shall verify the Respondent's tax compliance status through the Central Supplier Database (CSD).

Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database (CSD) and their tax compliance status will be verified through the Central Supplier Database (CSD).

For this purpose, the attached SBD 1 marked Annexure..... must be completed and submitted as an essential returnable document by the closing date and time of the bid.

New Tax Compliance Status (TCS) System

SARS has implemented a new Tax Compliance Status (TCS) system in terms of which a taxpayer is now able to authorise any 3rd party to verify its compliance status in one of two ways: either through the use of an electronic access PIN, or through the use of a Tax Clearance Certificate obtained from the new TCS system.

Respondents are required to provide the following to PRASA in order to enable it to verify their tax compliance status:

Tax Compliance Status (TCS) Pin:_____.

13 PROTECTION OF PERSONAL DATA

In responding to this bid, PRASA acknowledges that it may obtain and have access to personal data of the Respondents. PRASA agrees that it shall only process the information disclosed by Respondents in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, PRASA will not otherwise modify, amend or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly, PRASA requires Respondents to process any personal information disclosed by PRASA in the bidding process in the same manner.

14 VALIDITY PERIOD

This RFP shall be valid for 180 Business days calculated from Bid closing date.

15 POST TENDER NEGOTIATION (IF APPLICABLE)


PRASA reserves the right to conduct post tender negotiations with a shortlist of Respondent(s). The shortlist could comprise of one or more Respondents. Should PRASA conduct post tender negotiations, Respondents will be requested to provide their best and final offers to PRASA based on such negotiations. A final evaluation will be conducted in terms of 90/10 Or 80/20 evaluation criteria/scoring methodology.

16 FINAL CONTRACT AWARD

PRASA will negotiate the final terms and condition the contract with the successful Respondent(s). This may include aspects such as Supplier Development, the B-BBEE Improvement Plan, price and delivery. Thereafter the final contract will be awarded to the successful Respondent(s).

17 FAIRNESS AND TRANSPARENCY

PRASA views fairness and transparency during the RFP Process as an absolute on which PRASA will not compromise. PRASA will ensure that all members of evaluation committees declare any conflicting or undue interest in the process and provide confidentiality undertakings to PRASA. The evaluation process will be tightly monitored and controlled by PRASA to assure integrity and transparency throughout, with all processes and decisions taken being approved and auditable.

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SECTION 2

BACKGROUND OVERVIEW AND SCOPE REQUIREMENTS

1 INTRODUCTION


- 1.1 The Passenger Rail Agency of South Africa (PRASA) is mandated by the South African Government through the Department of Transport to provide a safe, reliable and affordable public transport system that meets the expectations of its customers. PRASA is therefore responsible for providing a sustainable and continuous public transport system that is free of unplanned operational disruptions.

2 BACKGROUND

- 2.1 The security situation changed significantly over the last five years as the Country is faced with a dramatic shift in crime where state infrastructure is being targeted by criminal elements in an unprecedented manner.
- 2.2 The attacks on PRASA infrastructure have seen several lucrative corridors being closed owed to theft and vandalism.
- 2.3 The prevailing security challenges calls for extra-ordinary security interventions that enhances the security capability in combatting criminality particularly in environments such as PRASA where a vast infrastructure network must be protected.
- 2.4 PRASA will in this regard procure the services of suitable companies that have the requisite firearms, with a competent armed security protective force on each corridor.

3 Problem statement:

- 3.1 The open nature of the passenger rail network makes it an ideal target for criminality, the situation is further exacerbated by the high demand for non-ferrous metal that has a high trading value on the second-hand goods market.
- 3.2 The internal security capability is furthermore not sufficient to address the business security needs in the short to medium term given the open nature of the passenger rail environment where assets are exposed to a high risk of theft and malicious damage to property.

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- 3.3 The department experience a high frequency of incidents in a short period of time that has seen corridors infrastructure totally vandalised in less than three months. The criminal elements demonstrated a modus operandi whereby crime incidents have become more violent and intense. This phenomenon resulted in several injuries of the current crop of in-house security and claimed the life of two security officers in Gauteng West and Gauteng East.
- 3.4 It is unlikely that the situation will change in the medium to long term given the economic situation in the aftermath of lockdown with the unemployment levels that rose. The situation is also severely impacted by lack of influx control of undocumented foreign nationals that compete for economic opportunities and who are in most of the arrests featured as the perpetrators of criminality perpetrated against PRASA.
- 3.5 At the center of the operational challenges is the consequences that crime have on the users of passenger rail as they are adversely effected in terms of the cost of alternative transport as they have to pay more than 10 times more for alternative modes of transport. This not only impacts on the individuals as it has a ripple effect on their families that are directly impacted by the reduced real wages that breadwinners take home after the deduction of transport cost

4 PICTORIALS

The pictorials below depict the nature and extent of security incidents:



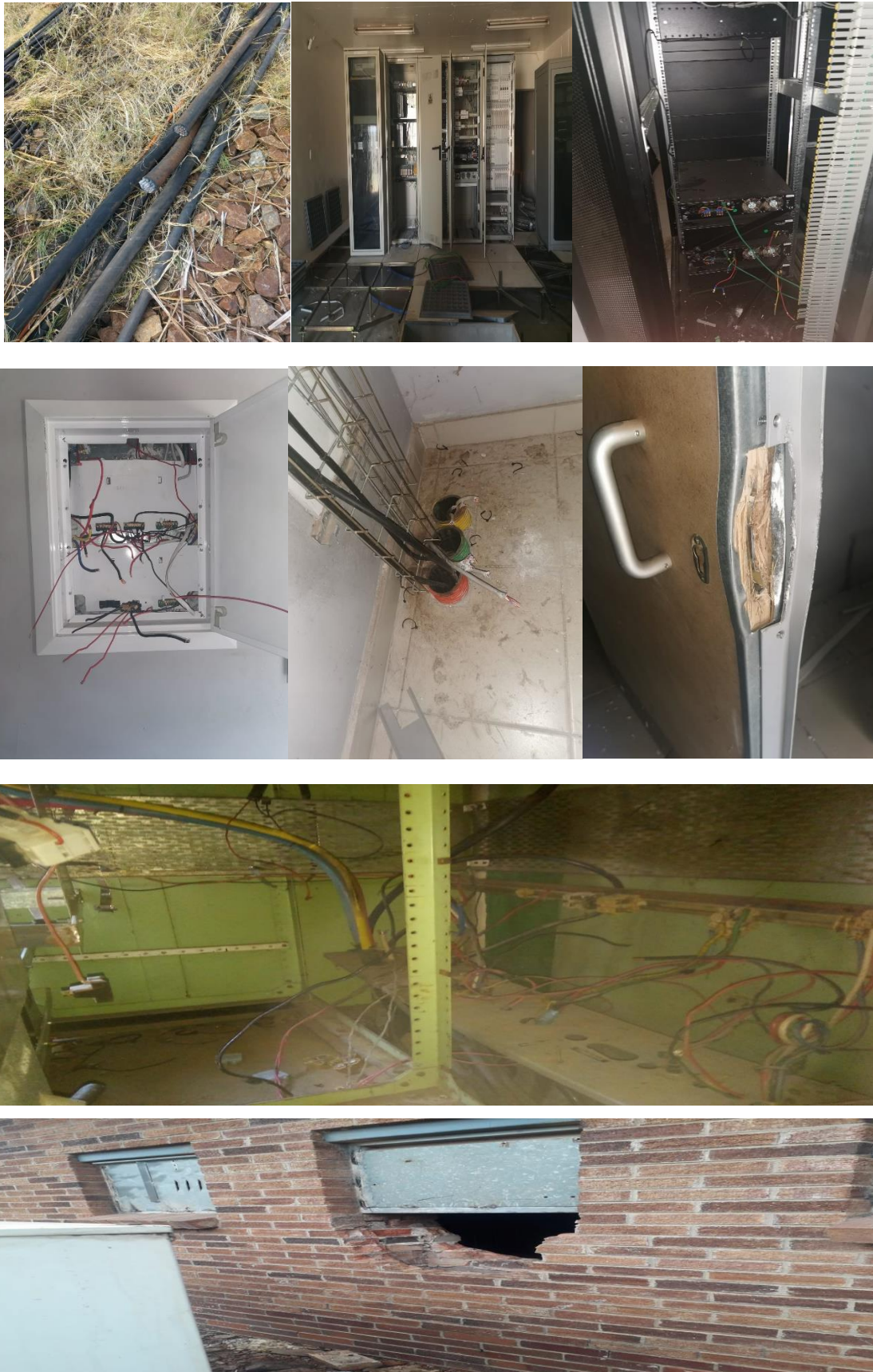



Figure 1: The pictorials depict criminality that is perpetrated across all PRASA's mission critical assets.

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5 OBJECTIVE OF THE PROPOSED PROJECT

- 5.1 The main objective of the project is to appoint service providers for private security service rendering to augment the current deployment of in-house security to ensure that PRASA Security meet the business needs for security in mitigation of the security risks and threats.
- 5.1.1 Reduce and combat criminality.
 - 5.1.2 Creating an enabling environment for project implementation.
 - 5.1.3 Protection of mission critical assets within the operational tunnel.
 - 5.1.4 Ensuring a safe and secure operational environment for service resumption.

6 PROJECT BENEFITS TO PRASA

- 6.1 PRASA as a business shall realise the following benefits after the implementation of the project:
- 6.1.1 Reduced crime on assets.
 - 6.1.2 Reduced maintenance owed to crime.
 - 6.1.3 An Improved and Reliable passenger rail service.
 - 6.1.4 Increased patronage and revenue collection.
 - 6.1.5 Improved operational safety.
 - 6.1.6 The implementation of the solution will improve PRASA's Brand Integrity and Public Confidence in the Agency's ability to effectively deal with criminality that has been prevalent and crippled passenger rail services on various strategic corridors.


7 CURRENT MECHANISMS IN PLACE TO ADDRESS THE PROBLEM

- 7.1 The current mechanisms is the deployment of in-house security supported by private security (physical security only) that is not sufficient to address the business needs for a protection of assets, personnel and passengers.


8 SCOPE OF WORK AND AREAS OF FOCUS

- 8.1 The provision of private security services that are aimed at ensuring the effective mitigation of security risks and threats that PRASA is confronted with. The provision of private security will be focussed on the mitigation of security risks and threats in the following areas:

- 8.1.1. Infrastructure (OHTE, Signals and Perway);

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- 8.1.2. Mission Critical Assets (Nerve Centres, Substations, Relay Rooms and High Sites);
 - 8.1.3. Depots and Staging Yards;
 - 8.1.4. Stations including the precincts with bus terminals;
 - 8.1.5. Facilities at Supercore Stations where there are tenants;
 - 8.1.6. Onboard Security in Urban and Long-distance trains;
 - 8.1.7. Escort Duties;
 - 8.1.8. Armed Response (Crew);
 - 8.1.9. Armed Guards for identified high risk areas;
 - 8.1.10. Security Surveillance and Reconnaissance for asset protection;
 - 8.1.11. Business Intelligence Operations;
 - 8.1.12. Risk profiling of sites and hot spot areas;
 - 8.1.13. Surveys (Aerial Photos); and
 - 8.1.14. Utilisation of Special Operations for tactical air support.
 - 8.1.15. Infrastructure Visual Inspection for OHTE, Overhead Fibre Cable, GSM-R, Maspoles, Perway and Bridges.
 - 8.1.16. Any other security duties that the service provider may be called on to do as informed from time to time.
- 8.2 Ad-hoc Security requirements that the service provider may be required to perform from time to time, in instances where specific security interventions are required to address a specific security threat.

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9 OTHER RELATED PROJECTS

9.1.1 The introduction of Technology and other Security protective measures are in process for Operational assets; the related projects, which are currently in tendering process, are as follows:

9.1.2 E-Guarding that addresses early warning for Substations, Signaling Equipment Rooms and GSM-R high Sites with monitoring and armed Response;

9.1.3 Firearms;

9.1.4 Security Equipment;

9.1.5 Integrated Command, Control and Communication Solution; and

9.1.6 SMART Lock Solution

9.1.7 Remotely Piloted Aircraft System (RPAS)

10 SPECIFICATIONS OF THE WORK OR PRODUCTS OR SERVICES REQUIRED

10.1 The provision of private security services are aimed at ensuring the effective mitigation of security risks and threats that PRASA is confronted with. The provision of private security supported by RPAS will be focussed on the mitigation of security risks and threats in the following areas:

10.1.1 Infrastructure (OHTE, Signals and Perway);

10.1.2 Mission Critical Assets (Nerve Centres, Substations, Relay Rooms and High Sites);

10.1.3 Depots and Staging Yards;

10.1.4 Stations including the precincts with bus terminals;

10.1.5 Facilities at Supercore Stations where there are tenants;

10.1.6 Onboard Security in Urban and Long-distance trains;

10.1.7 Escort Duties;

10.1.8 Armed Response (Crew);


10.1.9 Armed Guards for identified high risk areas;

10.1.10 Any other security duties that the service provider may be called on to do as informed from time to time;

10.1.11 Business Intelligence Operations;

10.2 PRASA Seeks to appoint services providers as follows:

- 1) Gauteng East (Metrorail, MLPS and PRASA CRES);

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- 2) Gauteng West (Metrorail, MLPS and PRASA CRES);
- 3) Gauteng North (Metrorail, MLPS and PRASA CRES);
- 4) Western Cape (Metrorail, MLPS and PRASA CRES);
- 5) KwaZulu-Natal (Metrorail, MLPS and PRASA CRES);
- 6) Eastern Cape (Metrorail, MLPS and PRASA CRES);
- 7) Mainline Passenger Services (Northern Cape, Bloemfontein, North West, Mpumalanga, Limpopo.

11 TECHNICAL SPECIFICATIONS

11.1 Nature of Service

11.1.1 PRASA requires the prospective service provider to provide a security solution which combines armed security officers, unarmed security officers with relevant technology including RPAS with skilled and licensed personnel. The security solutions are sought for various PRASA sites.


11.1.2 The security management structure must include the following for the cost of the contractor.

11.1.2.1 Operations Manager: Responsible for engaging with senior security managers of PRASA in the execution of the service level agreement. Responsible for drafting all incident reports and presenting to the Group Chief Security Officer of PRASA on annually, quarterly, and monthly basis. Responsible for the entire company complement including that of the sub-contractor(s). The Operations Manager must have a minimum of 15 years' experience in security operations.

11.1.2.2 Site Manager: Responsible for individual corridors according to their municipal demarcations e.g. The individual is responsible for engaging with corridor managers and or any designated structures below the Group Chief Security Officer. He\She will be responsible for drafting the Weekly and daily reports.

11.1.2.3 Security Personnel Grade B Armed means an employee who performs any one or more of the following duties:

- a) Driving a motor vehicle in the course of duties
- b) Performing Armed Response Function.
- c) Executes Evictions Notices.

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- d) Assist with the Extraction of staff and/or contractors from hostile situations.
- e) Who may be called upon to perform any or all of the duties of a security officer.

11.1.2.4 Mobile Security Officer Grade C Armed means an employee who performs any one or more of the following duties:

- a) Driving a motor vehicle in the course of duties
- b) Performing escort services to PRASA personnel, contractors and stakeholders
- c) Guarding or protecting goods and PRASA assets.
- d) Armed Escort duties.
- e) Who may be called upon to perform any or all of the duties of a security officer.


11.1.2.5 PRASA would like to elicit and evaluate responses from Security Service Providers who have expertise in providing Armed Guard services, which is defined as the supply of graded guards positioned at different static and mobile locations with the sole purpose to guard and protect PRASA's assets and property. In addition to physical security for protection of PRASA assets.

11.1.2.6 In the PRASA context, Armed Guard includes the following subcategories: foot patrols, mobile patrols, personnel escorting and guarding of train crew services, and protecting passengers. Potential Service Providers who are able to provide armed guards will be considered to provide the required services.


11.1.2.7 All armed security personnel are required to be evaluated by a Client (PRASA) shooting range coordinator prior to deployment and every six months thereafter. Armed security personnel not meeting these requirements may not be deployed on Client's premises. The cost of such evaluations will be for the account of the Contractor.

11.2 Company Experience


11.2.1 PRASA seeks to appoint a company with a minimum experience of 15 years' within the security industry and experience within the rail environment would be an added advantage. The bidder must provide proof in the form of a minimum of three contactable reference letters in the letterhead of the bidder's clients. PRASA will consider bids from bidders that have a minimum of 200 firearms registered in the name of the main bidder and that will be available for PRASA.

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- 11.2.2 The operations manager must have a minimum experience of 15 years at a managerial level within the private security industry and have the requisite experience in the management of an armed security protective force. The operations manager must supply from his previous employer/current employer confirmation of 15 years of service.
- 11.2.3 PRASA will consider bidders for work packages 1,2,3,4,5 and 8 with a minimum of six hundred and fifty (650) security officers that are registered with PSIRA in their company's employ. Bidders must provide a letter of good standing in the name of the main bidder that depicts the number of guards registered with PSIRA under their company. Bidders that bid for work packages 6 and 7 must have a minimum of 200 security officer's in their employ that are registered with PSIRA in their company name.
- 11.2.4 The bidder must have an operational office in the province that they tender, evidence must be provided in a form of a lease agreement in the company name or the name of the main bidder, copies of rates and taxes in the name of company or the main bidder or deed of sale in the name the company or the name of main bidder. This evidence must not be older than six months.
- 11.2.5 Bidder should submit a complete set of financial statements, (Recent 12 months audited/independently reviewed financial statements prepared by a registered professional). Financial Capacity will be measured to determine the company's Operating cash flow: The operating cash flow ratio measures a company's short-term liquidity. The following Formula will be utilised: Operating Cash Flows Ratio = Cash Flows from Operations/Current Liabilities.) NB: The Professional's name (who prepared the financial statements) and registration number must appear on the bidder's submission. Bidders must a achieve a minimum Operating Cash Flows Ratio of 0.5 but less than 1.
- 11.2.6 Bidders to submit a confirmatory affidavit that confirms availability of the minimum of 200 guns or more in the event that the bidder may be considered for provision of armed guards.
- 11.2.7 The company must also possess the following equipment as tabulated below for the deployment of staff. Bidders must submit a statement of compliance must be submitted by bidders through a sworn affidavit that they comply with all PRASA requirements that are detailed in the specification. Failure to comply will lead to an automatic disqualification.
- 11.2.8 The company must also possess the following equipment as tabulated below for the deployment of staff:


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Equipment Type	Description	Comply Yes or No
Torches	<ul style="list-style-type: none"> ✓ Tactical Flashlight ✓ Water Resistance ✓ Impact Resistance ✓ Rechargeable batteries with rechargeable power station 	
Radios	<p>The Push to Talk (PTT) uses the GSM data network to send VOIP voice “walkie-talkie” conversations from any location within the extended global GSM network to any compatible mobile device within GSM coverage.</p>	
	<p>1. 3G / GSM (GPRS) transmission/ WI FI enablement</p> <p>Must be able to utilise 3G for transmission with WI Fi enablement</p>	
	<p>2. GPS</p> <p>Must consist of a GPS to enable guard monitoring</p>	
	<p>3. Remote programming over the air (OTA) via public radio network (ICASA Licensed Device)</p> <p>Authorised users must be able to modify the parameters and settings for the two-way radio through a web-based management platform or app in smart phone. Modified parameters or setting is sent to radio via the GSM network</p>	

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Equipment Type	Description	Comply Yes or No
	4. Minimum Critical Communication Features a) Voice services <ul style="list-style-type: none"> ✓ All call; ✓ Group call; ✓ Private call; ✓ Alert call. b) Text messaging c) Tone alert <ul style="list-style-type: none"> ✓ Incoming call; ✓ Outgoing call; ✓ Text message; ✓ Talk permit ✓ Low battery ✓ Emergency Panic Button 	
	5. Management Software Requirements <ul style="list-style-type: none"> ✓ Android real time monitoring software ✓ Browser software ✓ Control room monitoring software <p>The control room monitoring software must have the following capabilities:</p>	

Table 4: Minimum Requirements for Equipment

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- 11.2.9 **Control Room requirements for are tabulated below.** Bidders must submit a statement of compliance must be submitted by bidders through a sworn affidavit that they comply with all PRASA requirements that are detailed in the specification. Failure to comply will lead to an automatic disqualification:

#	Item Description	Yes /No
11.2.8.1	The control room must be situated on the premises of the service provider. Evidence must be submitted in the form of a company profile that depicts the control room with pictorials.	
11.2.8.2	Company must be able to demonstrate that they have a control room that subscribe to the minimum requirements for private security operations.	
11.2.8.3	The control room must be built from brick and mortar. In the even that control room is constructed of fabricated walls they must be steel reinforced.	
11.2.8.4	The control room must be operated 24 hours a day, 7 days per week, 365 days a year.	
11.2.8.5	Lockable door with a burglar door for the main access to the control room.	
11.2.8.6	Lockable Key Control Storage Cabinet and Key control register.	
11.2.8.7	Ablution facilities within close access of the control room.	
11.2.8.8	Small kitchenette within close proximity to the control room for control room staff.	
11.2.8.9	There must be uninterrupted power supply to the control room.	

Table 5: Control Room Assets and Infrastructure

NB: Kindly respond with a yes or no on the column on your far right.


- 11.2.10 The letter of Good Standing will be used for the control room compliance as PSIRA conducts an inspection on the premises of service providers.

11.2.11 Control Room Equipment

- 1.2.1. The control room in the premises of the bidder must have the following ICT facilities as tabulated below. Bidders must submit a statement of compliance must be submitted by bidders through a sworn affidavit that they comply with all PRASA requirements that are detailed in the specification. Failure to comply will lead to an automatic disqualification:

#	Item Description	Yes / No
11.2.11.1.1	Live vehicle Tracking System for operational vehicles;	
11.2.11.1.2	Landline;	
11.2.11.1.3	Cell phone;	
11.2.11.1.4	Fax / Email to Fax;	
11.2.11.1.5	Radio Communication;	
11.2.11.1.6	Desktop Computer; and	
11.2.11.1.7	Email	

Table 6: ICT Facilities for the Control Room

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11.3 Ad-hoc Security Services

11.3.1 PRASA have in recent years established the need for additional security services that may be required from time-to-time to mitigate specific risks associated with its operations and projects that are being implemented Nationally. The operational security environment is highly fluid and requires a security approach and capability that is adaptable to mitigate the security risks and threats that prevail.

1.2.2. Bidders bidding for Work package 8 (Ad-hoc services) must have a minimum of five B6 10-man armoured personnel carriers and a minimum of three B6 armoured double cab/SUVs registered in the name of the main bidder or their service provider. In the case where vehicles are sourced through a service provider the bidder must submit proof in the form of a contract agreement or a service level agreement between the main bidder and their service provider. PRASA will appoint one service provider for work package 8. The bidders for work package 8 must have a footprint in Gauteng, KwaZulu Natal and Western Cape.

11.3.2 The ad-hoc service will include the following:

11.3.2.1 Provision of armoured vehicles as-and-when required.

11.3.2.1.1 The vehicle must be able to provide ballistic protection against AK47 rifle (7:62x39 FMJ at 10m) and be graded at STANAG Level 1 on all vertical sides.

11.3.2.1.2 The brake systems must be ABS and EBS.

11.3.2.1.3 All windows must be protected with Riot screens. The front windows' protection must be lifted.

11.3.2.1.4 and lowered hydraulically from the inside of the vehicle. All windows must be placed ergonomically so that the crew can have a wide field of vision.


11.3.2.1.5 Seating for 10 people must be provided with four-point harnesses for safety.

11.3.2.2 Provision of Grade B Armed Tactical Security officers the duties of the Grade B Officers include the following:

11.3.2.2.1 Driving a motor vehicle in the course of duties.

11.3.2.2.2 Performing Armed Response Function.

11.3.2.2.3 Executes Evictions Notices.

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11.3.2.2.4 Assist with the Extraction of staff and/or contractors from hostile situations.

11.3.2.2.5 Who may be called upon to perform any or all of the duties of a security officer.

11.3.2.3 Provision of K9 Officers with dogs.

11.3.2.3.1 Narcotic dog with Handler

11.3.2.3.2 Explosive dog with handler.

11.3.2.3.3 The bidder will be required to provide a dog kennel for the duration for the deployment as-and-when required.

11.3.2.3.4 The bidder must also make provision for a K9 trailer for the transportation of the dogs.

11.3.2.3.5 Bidders bidding for Work Package 8 must have a PAPA licence that issued in terms of the Performing Animals Protection Amendment Act, Act 04 of 2016. The bidder may sub-contract this service. Proof must be submitted in the form of PAPA Licence in the name of the main bidder or their sub-contractor. In the event that this service is sub-contracted the main bidder must submit a sub-contracting agreement or an Service Level Agreement between them and their service provider.

11.3.2.4 Provision of Motor Vehicles LDV single Cab with driver.

11.3.2.5 Provision of Motor Vehicles LDV Double Cab with driver.

11.3.2.6 Provision of Scrambler Motorcycles with rider.

11.3.2.7 Provision of quadbikes with rider.


12 SAFETY AND COMPLIANCE WITH LEGISLATION AND REGULATIONS

12.1 The Service Provider shall be fully and solely responsible for ensuring compliance with the Occupational Health and Safety Act (Act no 85 of 1993) and any other legislation (e.g. firearm control act) that may apply. In this regard it is specifically pointed out that the Service Provider will, inter alia, have to do the following:


12.1.1 Provide and maintain systems of work that are safe and without risk to health and safety.

12.1.2 Eliminate or mitigate hazards or potential hazards before resorting to personal protective equipment.

12.1.3 Establish the hazards pertaining to work establish what precautions should be taken and provide the means to apply the precautions.

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- 12.1.4 Provide information, instructions, training and supervision to ensure health and safety.
- 12.1.5 Not permit anyone to do anything unless the necessary precautions have been taken.
- 12.1.6 Do everything possible to ensure compliance with the applicable legislation.
- 12.1.7 Enforce discipline in the interest of health and safety.
- 12.1.8 Ensure that work is performed under the supervision of a person with the necessary training and authority.
- 12.1.9 Conduct his undertaking in such a manner that he or any other persons are not exposed to hazards to their health and safety.
- 12.1.10 It is specifically recorded that the Service Provider shall, in terms of section 37(2) of the Occupational Health and Safety Act, be fully and solely responsible for ensuring compliance with the provisions of this Act. Should the Contractor find anything in this specification or receive an instruction that may jeopardise his compliance with any legislation he shall bring such finding or instruction to the attention of PRASA and resolve the matter before proceeding.
- 12.1.11 It is further specifically pointed out that the Service Provider shall be registered in terms of the Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993) and that he shall be in good standing with respect to the payment of assessments to the Compensation Commissioner.
- 12.1.12 The Service Provider shall sign a section 37(2) contractual agreement with the specific PRASA Member prior to commencement of any work.
- 12.1.13 Maintaining 100% regulatory compliance with applicable legislation, planning conditions, consents, licenses and permits.
- 12.1.14 Development and maintenance of a competent, well-trained workforce.
- 12.1.15 Development, integration and maintenance of an Organisational culture that emphasizes the importance of OH&S through all phases of project life cycle, through effective leadership, oversight and engagement. The Service Provider's staff will at all-time wear protective clothing as prescribe by the Occupational Health and Safety act.
- 12.1.16 Every reasonable precaution for the safety of all concerned in the operation of this contract will be catered for by the Service Provider.

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12.1.17 Safety is the responsibility of the Service Provider and PRASA will not be held responsible for any injuries, accidents or incidents that might occur.

12.1.18 If the Service Provider is not complying with legislation his/her work will be ceased until he/she can satisfactorily proof compliance.

12.1.19 A documented health and safety plan must be submitted after awarding this bid but prior to commencement of any work, which addresses hazards and identifies and includes safe work procedures in order to reduce or control these hazards.

13 LEGISLATIVE REQUIREMENTS AND TECHNICAL SPECIFICATIONS RELATED TO PROJECT

13.1 The legislative framework is as follows:

13.1.1 The Constitution Act 108 of 1996 – Section 36.

13.1.2 Legal Succession Amendment Act, Act 38 of 2008.

13.1.3 Criminal Procedure Act, Act 51 of 1977.

13.1.4 PSIRA Act, Act 56 of 2001.

13.1.5 Prevention of Illegal Eviction from and Unlawful Occupation of Land Act no. 19 of 1998.


14 TIME FRAMES / PROGRAMS

The contract period for the services in all work packages will be 36 months with the option to extend for further 24 months.

15 Work Packages and Allocation Model

15.1 The private security tender comprises of 8 work packages. The allocation of work to the preferred bidders will be done in line with the allocation strategy. PRASA's intension is to ensure as far as reasonably practicable that work is distributed to multiple bidder(s). If less bidders qualify in terms of the technical evaluation, PRASA may use its discretion in respect of the allocation of work. The allocation of work will be done on merit based on the outcome of the technical evaluation. Should it be necessary PRASA may negotiate a best and final offer with the preferred bidder(s).

15.2 PRASA will evaluate each work package independently. Bidders must submit volume 1 documents for all work packages and ensure that compliance documents are submitted to for compliance to the relevant work packages that the bidder bids for.

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15.2.1 Bidders must complete the following checklist to indicate which work packages they bid for. A failure to submit a signed work package check list will result in an automatically be disqualified:

#	Work Package	Mark (x) on the Work Packages selected	Signature: Signed off by a Duly Authorised Officer, preferably a director.	Name of Signatory	Designation of the signatory
1	Work Package 1 - Gauteng West				
2	Work Package 2 - Gauteng East				
3	Work Package 3 - Gauteng North				
4	Work Package 4 - Western Cape				
5	Work Package 5 - KwaZulu Natal				
6	Work Package 6 - Eastern Cape				
7	Work Package 7 - Mainline Passenger Services				
8	Work Package 8 - Ad-hoc				

15.2.2 Work Package 1 – Gauteng West:

GAUTENG WEST - WORK PACKAGE 1								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (Best and Final Offer)
1	Gauteng West 1 - Mlamankunzi - Midway -Vereeniging	Gauteng		174	84	90	Fourth Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred Bidder
2	Gauteng West 2 -Langlaagte-New Canada- Naledi	Gauteng		300	120	180	Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred Bidder
3	Gauteng West 3 - Industria- Roodepoort- Randfontein - Oberholser	Gauteng		204	76	128	Third Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred Bidder
4	Gauteng West 4 - Langlaate- Parkstation -Geoege Goch, Jikeleza, Westgate & Faraday	Gauteng		300	88	212	Second Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred Bidder

PRASA Seeks to appoint a total of 4 companies per work package. In the event that less only three bidders qualify per work package PRASA may consider the bidder with the highest technical score for another complement. in the event that only 2 bidders qualify per work package that PRASA may split the work between the two bidders and the bidder with the highest technical will be allocated greater complement. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rps and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders should the second bidder not agree.

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15.2.3 Work Package 2 – Gauteng East


GAUTENG EAST - WORK PACKAGE 2								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (best and Final Offer)
1	Gauteng East 1 - Leralla-Olifantsfontein - Oakmoor - Tembisa - Limindela - Kempton Park - Isando - Rhodesfield - Daveyton - Benoni - Brakpan - Springs - Dunswart - Doornfontein - Nigel - Kaalfontein - Ravensklip - Elandsfontein - Germiston	Gauteng		190	90	100	Fourth Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred
2	Gauteng East 2 - Ravensklip-Germiston-George Koch	Gauteng		200	100	100	Third Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred
3	Gauteng East 3 - Delmore - Daveyton - Nigel	Gauteng		301	136	165	Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred
4	Gauteng East 4 - Kwesine- Wadeville- Elsburg- Vereeniging	Gauteng		300	135	165	Second Highest	Should the need arise, PRASA may negotiate a best and final offer with the preferred

PRASA Seeks to appoint a total of 4 companies per work package. In the event that less only three bidders qualify per work package PRASA may consider the bidder with the highest technical score for another complement. in the event that only 2 bidders qualify per work package that PRASA may split the work between the two bidders and the bidder with the highest technical will be allocated greater complement. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rps and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders should the second bidder not agree.

15.2.4 Work Package 3 – Gauteng North

GAUTENG NORTH - WORK PACKAGE 3								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (Best and Final Offer)
1	Gauteng North 1 - Mabopane-De Wildt - Winternest	Gauteng		136	38	98	Fourth Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
2	Gauteng North 2 - Wolmerton- Belle Ombre- Schutte- Queenswood	Gauteng		232	116	116	Third Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
3	Gauteng North 3 - Koedoes- Pienaars-Mears	Gauteng		256	124	132	Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
4	Gauteng North 4 - Sauls-Pretoria- Pinedene	Gauteng		232	26	206	Second Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder

PRASA Seeks to appoint a total of 4 companies per work package. In the event that less only three bidders qualify per work package PRASA may consider the bidder with the highest technical score for another complement. in the event that only 2 bidders qualify per work package that PRASA may split the work between the two bidders and the bidder with the highest technical will be allocated greater complement. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rps and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders should the second bidder not agree.

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15.2.5 Work Package 4 – Western Cape:

WESTERN CAPE - WORK PACKAGE 4								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (Best and Final Offer)
1	North	Western Cape		200	40	160	Third Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred
2	Central	Western Cape		292	82	210	Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred
3	Ikapa	Western Cape		226	56	170	Second Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred
4	South	Western Cape		200	40	160	Fourth Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
PRASA Seeks to appoint a total of 4 companies per work package. In the event that less only three bidders qualify per work package PRASA may consider the bidder with the highest technical score for another complement. in the event that only 2 bidders qualify per work package that PRASA may split the work between the two bidders and the bidder with the highest technical will be allocated greater complement. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rfas and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders should the second bidder not agree.								

15.2.6 Work Package 5 – KwaZulu Natal

KWAZULU NATAL - WORK PACKAGE 5								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (Best and Final Offer)
1	Newline Main Line /Crossmoor/Umlazi line / KwaMashu	KwaZulu Natal		465	306	159	Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
2	Central Line / North Coast / South	KwaZulu Natal		464	305	159	Second Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
PRASA Seeks to appoint a total of 2 companies per work package. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rfas and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders should the second bidder not agree.								

15.2.7 Work Package 6 – Eastern Cape

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EASTERN CAPE - WORKPACKAGE 6								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (Best and Final Offer)
1	Port Elizabeth	Eastern Cape		40	4	36	Second Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
2	East London	Eastern Cape		68	8	60	Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder

PRASA Seeks to appoint a total of 2 companies per work package. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rps and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders


15.2.8 Work Package 7 – MLPS

MAINLINE PASSENGER SERVICES (MLPS) - WORK PACKAGE 7								
#	Region	Province	Name of Preferred Bidder(s)	Security Complements	Armed	Unarmed	Allocation Model Pricing + preference points	Comments (Best and Final Offer)
1	De-Aar, Kimberly, Warrington, Klerksdorp, Christiana and Bloemhof	Northern Cape		24	0	24	Second Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
2	Bloemfontein, Springfontein, Theuniesin, Heineman, Kroonstad, Brandford, Sasolburg, Noupoot and Coalsburg	Free State		152	8	144	Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
3	Naboomspruit, Mokopane, Polokwane, Soeknekaar, Makhado, Mopane and Musina	Limpopo		24	0	24	Third Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder
4	Komatipoort, Malelane, Kaapmeiden, Nelspruit, Middelburg and Standerton	Mpumalanga		24	0	24	Fourth Highest	Should the need arise PRASA may negotiate a best and final offer with the preferred Bidder

PRASA Seeks to appoint a total of 4 companies per work package. In the event that less only three bidders qualify per work package PRASA may consider the bidder with the highest technical score for another complement. in the event that only 2 bidders qualify per work package that PRASA may split the work between the two bidders and the bidder with the highest technical will be allocated greater complement. In the event that only one bidder qualifies for the work than PRASA may consider the bidder for the entire work provided that bidder has the capacity (firearms, rps and financial capability) to deliver on the project. In the event that a best and final offer cannot be negotiated PRASA may consider with the bidder that scored the highest on the technical evaluation PRASA may negotiate with second highest and any other consecutive bidders should the second bidder not agree.


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Work Package 8 – AD-HOC Services

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AD-HOC SERVICES AS-AND-WHEN REQUIRED - WORK PACKAGE 8					
#	Description of Service	Unit of Measure	Unit Cost	Estimate	Total Cost
1	B6 SUV Armoured vehicles as-and-when required wet rate.	R/Km		20800	R -
	B6 Armoured Personnel Carrier (must seat 10 persons)	Per 12 Hour Shift		540	R -
2	Grade B Armed Tactical Security officers of Ten Man Team Including Driver for personnel carrier . Shotguns compulsory.	Per 12 Hour Shift for Team of 10		540	R -
1	Grade B Armed 2-Man Tactical Security officers/drivers for armoured SUV	Per 12 Hour Shift for Team of 2		6300	R -
	Gade C Armed Security Officers @ rate per guard per shift	Rate Per Guard Per 12 Hour Shift		24000	R -
3	K9 Officer with Narcotic dogs.	Per 12 Hour Shift		2250	R -
	K9 Officer with Explosive dogs.	Per 12 Hour Shift		2250	R -
4	Provision of Motor Vehicles LDV single Cab with Grade B driver wet rate. Estimated 250 km per shift	Per 12 Hour Shift		7560	R -
5	Provision of Motor Vehicles LDV Double Cab with Grade B driver wet rate. Estimated 250 km per shift	Per 12 Hour Shift		7560	R -
6	Provision of Scrambler Motorcycles with Grade C rider wet rate. Estimated 100 km per shift	Per 12 Hour Shift		3780	R -
7	Provision of quadbikes with Grade C rider wet rate. Estimated 50 km per shift	Per 12 Hour Shift		3780	R -
Total					R -
<p>PRASA will appoint one service provider for work package 8. The bidders must have a footprint in Gauteng, KwaZulu Natal and Western Cape with the requisite armoured vehicles and PAPA licensed for the provision of K9 services. The bidder that scored the highest in terms of Pricing and preference points must be appointment</p>					

PRICING SHOULD ONLY BE INCLUDED IN VOLUME 2 ENVELOP.

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16 EVALUATION METHODOLOGY

The evaluation of Bids will be based on the information contained in Bids received in RFP and, which may be further supplemented by presentations and clarification information provided, if required. All Bids shall be equally evaluated by various committees involved in the evaluation process in accordance with stated Evaluation Criteria. Procurement integrity and fairness, transparency, competitiveness and full accountability will at all times be paramount.


16.1 EVALUATION AND SCORING METHODOLOGY

The evaluation of the Bids by the evaluation committees will be conducted at various levels. The following levels will be applied in the evaluation:

LEVEL	DESCRIPTION
Verify completeness	The Bid is checked for completeness and whether all required documentation, certificates; verify completeness warranties and other Bid requirements and formalities have been complied with. Incomplete Bids may be disqualified.
Verify compliance	The Bids are checked to verify that the essential RFP requirements have been met. Non-compliant Bids may be disqualified.
Detailed Evaluation of Technical	Detailed analysis of Bids to determine whether the Bidder is capable of delivering the Project in terms of business and technical requirements. The minimum threshold for technical evaluation is 75%, any bidder who fails to meet the minimum requirement will be disqualified and not proceed with the evaluation of Price and Specific Goals.
Specific Goals	Evaluate Specific Goals
Price Evaluation	Bidders will be evaluated on price offered.
Scoring	Scoring of Bids using the Evaluation Criteria.
Recommendation	Report formulation and recommendation of Preferred and Reserved Bidders
Approval	Approval and notification of the final Bidder.


16.2 EVALUATION CRITERIA

Interested bidders for this project shall be evaluated in terms of their business credentials, financial standing, empowerment, technical capacity and experience. The evaluation committee shall use the following Evaluation Criteria depicted below for the selection of the preferred bidder that shall execute construction work for the project.

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EVALUATION PROCESS	
Stage 1	
Compliance	Administrative Responsiveness
Stage 2	
Technical/Functional Criteria	
Stage 3	
Preference Points	
Price	90 / 80
Preference Points	10 / 20
TOTAL	100

Details of the stages outlined in table 1 above are presented in the following sections.

BID DESCRIPTION: PRIVATE SECURITY SERVICES	
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17 STAGE 1: COMPLIANCE REQUIREMENTS

Bidders are to comply with the following requirements and failure to comply may lead to disqualification.


Stage 1A – Mandatory Requirements - (To be submitted in envelope 1)

If you do not submit/meet the following mandatory documents/requirements, your bid will be automatically disqualified.


1. Compulsory returnable documents, documents should not be older than 3 months. If a supplier / bidder does not submit original copies or original documents listed below the Proposal will be disqualified automatically		
Mandatory		
a)	Completion of ALL RFP documentation (includes ALL declarations, ALL Standard Bidding Documents (SBD) and Commissioner of Oath signatures required).	
b)	Proof of PSIRA Registration for the company and director(s) *Director(s) of companies with PSIRA minimum Grade B.	
c)	PSIRA Letter of Good Standing	
d)	Companies bidding for this service (Armed Guards) must provide copies of their Firearm Stock Register, Firearm Permit Book, Accidental Discharge Register, Firearm Daily Register. Ammunition Stock Register. Failure to provide any of these mandatory documents will lead to automatic disqualification.	
e)	Director's SAPS Police Clearance certificate – Only SAPS clearance reports acceptable	
f)	Bidders that bid for work package 1 to 5 and work package 8 must provide proof that they have a minimum of 200 firearms. Work package 6 and 7 requires a minimum of 12 firearms to be registered in the bidder's name. Proof must be submitted in the form of certified copies of firearm licences or a letter in the letterhead of the SAPS firearms registrar that affirms the number of firearms that are registered in the name of the main bidder.	

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1. Compulsory returnable documents, documents should not be older than 3 months. If a supplier / bidder does not submit original copies or original documents listed below the Proposal will be disqualified automatically		
g)	The bidder must submit a sworn affidavit to confirm their acceptance of the bid terms and conditions and that they will comply with all the bid specification requirements as contained in PRASA's RFP document.	
h)	<p>Proof of Footprint for the region the bidder is tendering for (e.g. Certified copies of Rates and Taxes; Lease Agreement; etc.) to indicate that the company have an existing foot print in the province that they tender for and must have been there for at least a period longer than 3 months.</p> <p>Bidders will only be considered for areas where they meet the Footprint Requirement, and they MUST indicate clearly in the bid.</p>	
i)	Bidders bidding for Work package 8 (Ad-hoc services) must have minimum of five B6 10-man armoured personnel carriers and a minimum of three B6 armoured double cab/SUVs registered in the name of the main bidder or their service provider. In the case where vehicles are sourced through a service provider the bidder must submit proof in the form of a contract agreement or a service level agreement between the main bidder and their service provider. PRASA will appoint one service provider for work package 8.	
j)	<p>The bidders for work package 8 must have a footprint in Gauteng, KwaZulu Natal and the Western Cape.</p> <p>Evidence in the form of copies of Rates and Taxes; Lease Agreement; etc. to indicate that the company have an existing foot print in the province that they tender for and must have been there for at least a period longer than 3 months.</p>	
k)	Bidders bidding for Work Package 8 must have a PAPA licence that issued in terms of the Performing Animals Protection Amendment Act, Act 04 of 2016. The bidder may sub-contract this service. Proof must be submitted in the form of PAPA Licence in the name of the main bidder or their sub-contractor. In the event	

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1. Compulsory returnable documents, documents should not be older than 3 months. If a supplier / bidder does not submit original copies or original documents listed below the Proposal will be disqualified automatically		
	that this service is sub-contracted the main bidder must submit a sub-contracting agreement or a Service Level Agreement between them and their service provider.	
l)	Bidders for work packages 1,2,3,4,5 and 8 with a minimum of six hundred and fifty (650) security officers that are registered with PSIRA in their company's employ. Proof will be in the form of a letter of good standing that depicts the number of security officers registered in the name of the company.	
m)	Bidders for work packages 6 and 7 must have a minimum of 200 security officers registered with PSIRA in their company's employ. Proof will be in the form of a letter of good standing that depicts the number of security officers registered in the name of the company.	
n)	PRASA will not consider any bids from bidders that have been blacklisted by National Treasury or whose CSD have been revoked due to non-compliance.	

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Stage 1B

	2. Basic Compliance (Administrative Responsiveness) returnable documents. Bidders maybe requested to provide these within 2 days from date of request.	
a)	Original Tax Clearance Certificate and/or SARS PIN	
b)	Valid BBBEE Certificate from a SANAS accredited rating agency (Original or Certified) or Sworn affidavit signed by the Commissioner of Oath). Joint Venture BBBEE Certificate (if applicable)	
c)	Valid COID letter of good standing	
d)	Company Registration Documents (CIPC)	
e)	Copies of Directors Identity Documents must be certified and not older than three months from date of closing of this bid.	
f)	CSD Summary Report	

18 STAGE 2: TECHNICAL / FUNCTIONALITY REQUIREMENTS - (TO BE SUBMITTED IN ENVELOPE 1)

Interested bidders shall then be evaluated on functionality after meeting all compliance requirements outlined above. The minimum threshold for technical/functionality requirements is 75% as per the standard Evaluation Criteria presented in Table above. Bidders who score below this minimum requirement shall not be considered for further evaluation in stage 3.


Details of the technical / functional requirements are presented in Table below

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18.1 FUNCTIONAL EVALUATION CRITERIA

Details of the scoring methodology presented above are outlined in Table below

#	Item Description	Weight
1	Company Experience	25
2	Experience of Operations Manager	15
3	Logistical Capacity	25
4	Systems Security Approach	15
5	Financial	20
Total		100

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Previous Company Experience	25	
<p>(Reference from different clients indicating the duration of contract. The contactable reference letters that must be in the client's letterhead). All reference letters must be specific to security experience. Bidders must submit a minimum of three references to be evaluated.</p>	25	0. 1 year but less than 3 years' experience in Security Services Industry 1. 3 year's but less than 7 years' experience in Security Services Industry 2. 7 year's but less than 10 years' experience in Security Services Industry 3. 10 year's but less than 13 years' experience in Security Services Industry 4. 13 year's but less than 15 years' experience in Security Services Industry 5. 15 year's and more experience in Security Services Industry
Operations Manager Experience	15	
<p>Experience of Operations Manager as an Operations Manager within the Security Industry. A minimum of ten years experience at a Managerial Level is required. (Evidence must be submitted in the form of a CV and proof from a previous/existing employer(s) confirming 15 years of experience on the company letterhead)</p>	15	0. 1 year's but less than 2 years' experience in Security Services Industry 1. 2 year's but less than 6 years' experience in Security Services Industry 2. 6 year's but less than 10 years' experience in Security Services Industry 3. 10 year's but less than 14 years' experience in Security Services Industry 4. 14 year's but less than 16 years' experience in Security Services Industry 5. 17 years' and more experience in Security Services Industry
Logistical Capacity	25	
<p>Bidders are required to demonstrate their logistical capacity to carry out the scope of services required to be rendered for this contract. Evidence to be submitted in the form of logbooks of vehicles registered in the main contractor's company name.</p>	25	0. Less than 6 Vehicles registered in Main bidder's company name 1. 6 but less than 10 Vehicles registered in Main bidder's company name 2. 10 but less than 15 Vehicles registered in Main bidder's company name 3. 15 but less than 20 Vehicles registered in Main bidder's company name 4. 20 but less than 25 Vehicles registered in Main bidder's company name 5. > 25 and more Vehicles registered in Main bidder's company name
Systems Security Approach	15	
<p>Bidders must demonstrate capacity with the following capabilities from the list below:</p> <ol style="list-style-type: none"> 1. In Vehicle Camera / Driver monitoring. 2. Electronic Time and Attendance 3. Live GPS Guard tracking. 4. Guard Patrol System. 5. Electronic Incident Reporting and Management System. <p>The above information must be validated with screenshots depicting the time and date not older than three months or a letter from the bidder's service provider or a client confirming that the bidder have each of the above services.</p>	15	0. The bidder failed to submit information 1. The bidder only demonstrated one capability from the list. 2. The bidder only demonstrated two capabilities from the list. 3. The bidder only demonstrated three capabilities from the list. 4. The bidder only demonstrated four capabilities from the list. 5. The bidder demonstrated all five capabilities from the list.
Financial Capability (Evidence Required)	20	
0 = No Compliant financial statements submitted		
<p>Bidder should submit a complete set of financial statements</p> <p>(Recent 12 months audited/independently reviewed financial statements prepared by a registered professional)</p> <p>(Financial Capacity: Operating cash flow: The operating cash flow ratio measures a company's short-term liquidity. Formula: Operating Cash Flow Ratios = Cash Flows from Operations/Current Liabilities.)</p> <p>NB: The Professional's name who prepared the financial statements and registration number must appear on the bidder's submission.</p>	20	1 = Operating Cash Flows Ratio $X < 0$ 2 = Operating Cash Flows Ratio $0 > X < 0.5$ 3 = Operating Cash Flows Ratio $0.5 > X < 1$ 4 = Operating Cash Flows Ratio $1 > X < 1.5$ 5 = Operating Cash Flows Ratio $X \geq 1.5$

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19 STAGE 3: PRICING AND SPECIFIC GOALS - (TO BE SUBMITTED IN ENVELOPE 2)

Bidders should provide their price proposal in envelope 2, which should include Form C (Financial Offer) and also provide proof of Specific Goals.


19.1 Pricing

19.1.1 Bidders are advised that PRASA will pay a unit rate for armed and unarmed security officers. The unit cost must address the cost recovery for the following requirements that bidders are required to fulfil:

- 19.1.1.1 Provision of regulation 21 shooting exercises for armed security officers.
 - 19.1.1.2 Provision of bullet proof vests for all armed security officers.
 - 19.1.1.3 Provision of radio communication as specified by PRASA for the various sites within the corridors that the bidder tenders for.
 - 19.1.1.4 A minimum of 2 supervision visits per shift to all security personnel that are deployed.
 - 19.1.1.5 Transportation for deployment of security personnel as self-posting is not allowed.
 - 19.1.1.6 Provision of equipment such as torches for nightshift.
- 19.1.2 PRASA will consider bids with a reasonable mark-up on share and overheads. PRASA will in this regard utilise the illustrative pricing schedule as provided by the National Bargaining Council for the Private Security Sector to determine whether a bid is reasonable i.e. whether a company will be able comply with the statutory requirements to their security officials whilst complying with all PRASA's requirements as set out in the bid documents or whether a bidders price is fair and whether value for money is derived from their pricing in terms of the perimeters set in the illustrative pricing schedule.

Bidders are advised to visit the official website for the National Bargaining Council for ease of reference with respect to the illustrative pricing schedule @ <https://nbcps.org.za/wp-content/uploads/2023/02/Illustrative-Pricing-Guide-2023-2027.pdf>

19.1.3 PRASA will evaluate pricing of bids to determine responsiveness by utilising the National Bargaining Council for the Private Security Sector as a guide to measure responsiveness for

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pricing. Bidders that price on direct cost or below the direct cost for the security officers will not be considered. The Area 1& 2 illustrative pricing schedule will be used as a guideline.

The following formula, shall be used by the Bid Evaluation Committee to allocate scores to the interested bidders :

The maximum points for this tender are allocated as follows:

19.2 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

19.2.1 POINTS AWARDED FOR PRICE AND SPECIFIC GOALS

Regulation 3 of the Preferential Procurement Regulations, 2022 states that:

(1) An organ of state must, in the tender documents, stipulate— (a) the applicable preference point system as envisaged in regulations 4, 5, 6 or 7; (b) the specific goal in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goal.

(2) If it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of— (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system.

80/20 preference point system for acquisition of goods or services with Rand value equal to or below R50 million

(1) The following formula must be used to calculate the points out of 80 for price in respect of an invitation for a tender with a Rand value equal to or below R50 million, inclusive of all applicable taxes:


A maximum of 80 points is allocated for price on the following basis:

80/20

$$PS = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

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Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

(2) A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. (3) The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. (4) Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

This principle will be applied per work package as each work package will be evaluated independently.

90/10 preference point system for acquisition of goods or services with Rand value above R50 million.

(1) The following formula must be used to calculate the points out 90 for price in respect of an invitation for tender with a Rand value above R50 million, inclusive of all applicable taxes:

90/10

$$P_s = 90 \left[1 - \frac{P_t - P_{\min}}{P_{\min}} \right]$$

Where:


Ps = Points scored for the price of tender under consideration.

Pt = Rand value of the tender under consideration;

Pmin = Rand value of the lowest acceptable tender.

(2) A maximum of 10 points may be awarded to a tenderer for the specific goal specified for the tender. (3) The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. (4) Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

This principle will be applied per work package as each work package will be evaluated independently.

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Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

In terms of the Preferential Procurement Regulations 2022 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table below as may be supported by proof/ documentation stated in the conditions of this tender:

#	Specific Goals	Specific Goals Score	Score for 80/20	Score for 90/10	Score Allocated 80/20	Score Allocated 90/10
1	51% Black Owned	At least 51% Black Owned	4	2		
2	Black People Military Veterans	Any Level of Black People who are Military Veterans Ownership	4	2		
3	Black Women Owned	Any Level of Black Women Ownership	4	2		
4	B-BEE Level	Level 2 B-BBEE	2	1		
		Level 1 B-BBEE	4	2		
5	Black Youth Owned	Any Level of Black Youth Ownership	4	2		
TOTAL SCORE						

Acceptable Evidence that must be submitted by bidder is tabulated below:


#	Specific Goals	GOALS ACCEPTABLE EVIDENCE
1	B-BBEE Level 1	BEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accept)
2	Black Women Owned	Certified copy of ID Documents of the Owners
3	Black Youth owned	Certified copy of ID Documents of the Owners
4	Black People Military Veterans	Certified copy of ID Documents of the Owners and military ID number/document
5	51 % Black Owned	CIPC Documents / B-BBEE Certificate/Affidavit

20 VALIDITY PERIOD

This RFP shall be valid for *180 Business/ working days* calculated from Bid closing date.


21 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

21.1 National Industrial Participation Programme (NIPP) requirements:

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The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

Bidders are therefore required to complete SBD 5 to give effect to the above.

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SECTION 3

PRICING AND DELIVERY SCHEDULE

Respondents are required to complete the Pricing Schedule/ BOQ **Annexure 4:** and Form C (Volume 2 /Envelop 2)

1 PRICING

- 1.1. Prices must be quoted in South African Rand, inclusive of all applicable taxes.
- 1.2. Price offer is firm and clearly indicate the basis thereof.
- 1.3. Pricing Bill of Quantity is completed in line with schedule if applicable.
- 1.4. Cost breakdown must be indicated.
- 1.5. Price escalation basis and formula must be indicated.
- 1.6. To facilitate like-for like comparison bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.
- 1.7. Please note that should you have offered a discounted price(s), PRASA will only consider such price discount(s) in the final evaluation stage on an unconditional basis.
- 1.8. Respondents are to note that if price offered by the highest scoring bidder is not market related, PRASA may not award the contract to the Respondent. PRASA may:
 - 1.8.1. negotiate a market-related price with the Respondent scoring the highest points or cancel the RFP;
 - 1.8.2. if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFP; and
 - 1.8.3. if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFP.
 - 1.8.4. If a market-related price is not agreed with the Respondent scoring the third highest points, PRASA must cancel the RFP.

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2 DISCLOSURE OF PRICES QUOTED

Respondents are to note that, on award of business, PRASA is required to publish the tendered prices and preferences claimed of the successful and unsuccessful Respondents inter alia on the National Treasury e-Tender Publication Portal, (www.etenders.gov.za) , the other medium used to advertise the bid i.e CIDB as required per National Treasury Instruction Note 09 of 2022/2023.

3 PERFORMANCE AND BID BONDS (N/A)

- 3.1. The preferred Bidder shall where applicable provide PRASA with a performance bond which shall be 10% of the value of the entire Project price offered and it shall be issued within 30 days of receipt of notice of appointment. The Performance Bond shall be valid for the Contract period. The format of the Performance Bond is attached as **Annexure**


Bidders are required to submit their Bid with a Bid Bond. The Bid Bond shall be due and payable if a bidder decides not to continue with the RFP process after submission of its Bid. The format of the Bid Bond is attached as Annexure(where applicable)]

4 OWNERSHIP OF DESIGN

- 4.1. The plans and design developed and to be provided by PRASA shall at all times remain the property of PRASA

5 SERVICE LEVELS

- 5.1. An experienced national account representative(s) is required to work with PRASA's procurement department. [No sales representatives are needed for individual department or locations]. Additionally, there shall be a minimal number of people, fully informed and accountable for this agreement.
- 5.2. PRASA will have quarterly reviews with the Service provider's account representative on an on-going basis.
- 5.3. PRASA reserves the right to request that any member of the Service provider's team involved on the PRASA account be replaced if deemed not to be adding value for PRASA.
- 5.4. The Service provider guarantees that it will achieve a 100% [hundred per cent] service level on the following measures:
- Random checks on compliance with quality/quantity/specifications
 - On time delivery.

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5.5. The Service provider must provide a telephone number for customer service calls.

5.6. Failure of the Service provider to comply with stated service level requirements will give PRASA the right to cancel the contract in whole, without penalty to PRASA, giving 30 [thirty] calendar days' notice to the Service provider of its intention to do so.

Acceptance of Service Levels:

YES	
------------	--

6 TOTAL COST OF OWNERSHIP (TCO)

- 6.1. PRASA will strive to procure goods, services and works which contribute to its mission. In order to achieve this, PRASA must be committed to working with suppliers who share its goals of continuous improvement in service, quality and reduction of Total Cost of Ownership (TCO).
- 6.2. Respondents shall indicate whether they would be committed, for the duration of any contract which may be awarded through this RFP process, to participate with PRASA in its continuous improvement initiatives to reduce the total cost of ownership [**TCO**], which will reduce the overall cost of transportation services and related logistics provided by PRASA's operating divisions within South Africa to the ultimate benefit of all end-users.

7 FINANCIAL STABILITY

Respondents are required to submit their latest financial statements prepared and signed off by a professional accountant for the past years with their Proposal in order to enable PRASA to establish financial stability.

SIGNED at _____ on this _____ day of _____ 20.....


SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____

2 _____


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Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

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8 VALIDITY OF RETURNABLE DOCUMENTS

The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its Tax Clearance Certificate and valid B-BBEE Verification Certificate, for the duration of any contract emanating from this RFP. Should the Respondent be awarded the contract [the Agreement] and fail to present PRASA with such renewals as and when they become due, PRASA shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement forthwith without any liability and without prejudice to any claims which PRASA may have for damages against the Respondent.

SIGNED at _____ on this _____ day of _____ 20.....

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____

Name _____


2 _____

Name _____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

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9 CERTIFICATE OF ACQUAINTANCE WITH RFP TERMS & CONDITIONS & APPLICABLE DOCUMENTS

By signing this certificate the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with, and agrees with all the conditions governing this RFP, including those contained in any printed form stated to form part hereof, including but not limited to the documents stated below and PRASA will recognise no claim for relief based on an allegation that the Respondent overlooked any such condition or failed properly to take it into account for the purpose of calculating tendered prices or any other purpose:

1. PRASA's General Bid Conditions*

2. Standard RFP Terms and Conditions for the supply of Goods or Services or Works to PRASA

Should the Bidder find any terms or conditions stipulated in any of the relevant documents quoted in the RFP unacceptable, it should indicate which conditions are unacceptable and offer alternatives by written submission on its company letterhead, attached to its submitted Bid. Any such submission shall be subject to review by PRASA's Legal Counsel who shall determine whether the proposed alternative(s) are acceptable or otherwise, as the case may be. A material deviation from the Standard terms or conditions could result in disqualification.

Bidders accept that an obligation rests on them to clarify any uncertainties regarding any bid to which they intend to respond, before submitting the bid. The Bidder agrees that he/she will have no claim based on an allegation that any aspect of this RFP was unclear but in respect of which he/she failed to obtain clarity.

The bidder understands that his/her Bid will be disqualified if this Certificate of Acquaintance with RFP documents included in the RFP as a returnable document, is found not to be true and complete in every respect.


SIGNED at _____ on this _____ day of _____ 20....

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 _____


Name _____

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SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

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10 GENERAL CONDITIONS

10.1 ALTERNATIVE BIDS(N/A)

Bidders may submit alternative Bid only if a main Bid, strictly in accordance with all the requirements of the RFP is also submitted. The alternative Bid is submitted with the main Bid together with a schedule that compares the requirements of the RFP with the alternative requirements the Bidders proposes. Bidders must note that in submitting an alternative Bid they accept that PRASA may accept or reject the alternative Bid and shall be evaluated in accordance with the criteria stipulated in this RFP.

10.2 PRASA'S TENDER FORMS

Bidders must sign and complete the PRASA's Bid Forms and attach all the required documents. Failure by Bidders to adhere to this requirement may lead to their disqualification.

10.3 PRECEDENT


In case of any conflict with this RFP and Bidders response, this RFP and its briefing notes shall take precedence.

10.4 RESPONSE TO RFP-CONFIDENTIALITY

Response to RFPs must clearly indicate whether any information conveyed to or requested from PRASA is confidential or should be treated confidentially by PRASA. In the absence of any such clear indication in writing from a response to RFP, PRASA shall deem the response to RFP to have waived any right to confidentiality and treat such information as public in nature.

Where a Bidder at any stage during the RFP Process indicates to PRASA that information or any response to RFP requested from PRASA is or should be treated confidentially, PRASA shall treat such information or response to RFP confidentially, unless PRASA believes that to ensure the transparency and competitiveness of the RFP Process the content of the information or response to RFP should be conveyed to all Bidders, in which event it shall apply the following process:

- PRASA shall confirm with the Bidder whether the raising of confidentiality applies to the entire response to the RFP or only specific elements or sections of the response;
- Where confidentiality is maintained by the Bidder and PRASA is of the opinion that the information or response to RFP if made publicly available would affect the commercial interests of the Bidder or is commercially sensitive information, PRASA shall not release such information to other

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Bidders if providing such information or response to the RFP would prejudice the competitiveness and transparency of the RFP Process;

- Where PRASA is of the opinion that information provided is not commercially sensitive or would have no impact on the commercial interests of the relevant Bidder if released and fairness and transparency requires that such information be released to all Bidders, PRASA may:
 - i. inform the relevant Bidder of the necessity to release such information and/or response to RFP and request the Bidder to consent to the release thereof by PRASA; or
 - ii. obtain legal advice regarding the confidentiality of the relevant information and/or response to RFP and the legal ability of PRASA to release such information; or
 - iii. refrain from releasing the information and/or response to RFP, in which event PRASA shall not take account of the contents of such information in the evaluation of the relevant response to RFP.

The above procedures regarding confidentiality shall not apply to any information which is already public knowledge or available in the public domain or in the hands of PRASA or is required to be disclosed by any legal or regulatory requirements or order of any competent court, tribunal or forum.

10.5 RESPONSE TO THE RFP – RFP DISQUALIFICATION


Responses to RFP which do not comply with the RFP requirements, formalities, terms and conditions may be disqualified by PRASA from further participation in the RFP Process.

In particular (but without prejudice to the generality of the foregoing) PRASA may disqualify, at its sole discretion and without prejudice to any other remedy it may have, a Bidder where the Bidder, or any of its consortium members, subcontractors or advisors have committed any act of misrepresentation, bad faith or dishonest conduct in any of its dealings with or information provided to PRASA.

10.6 CORRUPTION, GIFTS AND PAYMENTS

Neither the Bidders to RFPs, its equity members, the sub-contractors, consortium members nor any of their agents, lenders or advisors shall directly or indirectly offer or give to any person in the employment of PRASA or any other Government official or any of the Advisory Team any gift or consideration of any kind as an inducement or reward for appointing a particular Bidder, or for showing or omitting to show favour or disfavour to any of the Bidders, its equity members or the sub-contractors in relation to the Project.

In the event that any of the prohibited practices contemplated under the above paragraph is committed, PRASA shall be entitled to terminate any Response to RFP's status and to prohibit such Response to RFP, its equity members, its SPV members, its Sub Contractors and their agents, lenders and advisors from participating in any further part of the procurement of the Project.

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10.7 INSURANCE

Unless specifically provided for in this RFP or draft contracts, Bidders will be required to submit with their Bid for services professional indemnity insurance and works insurance to an extent (if any) if insurance provided by PRASA may not be for the full cover required in terms of the relevant category listed in this RFP. The Bidder is advised to seek qualified advice regarding insurance.

10.8 NO CONTACT POLICY

Bidders may only contact the bid administrator of PRASA as per the terms of the Communication Structure established by this RFP, except in the case of pre-existing commercial relationships, in which case contact may be maintained only with respect thereto and, in making such contact, no party may make reference to the Project or this RFP.


10.9 CONFLICT OF INTEREST

No Bidder member, subcontractor or advisor of the response to RFP may be a member of or in any other way participate or be involved, either directly or indirectly in more than one response to RFP or response to RFP during any stage of the Project procurement process, but excluding specialist suppliers of systems and equipment, non-core service providers or financial or commercial institutions whose role is limited purely to lending money or advancing credit to the response to RFP. Bidders are to sign the declaration of interest form. In order to prevent the conflict or potential conflict of interest between Lenders and Bidders to RFP, no advisors or the Contractor/s or Consortium/s to any response to RFP, consortium member or subcontractor may fulfil the role of arranger, underwriter and/or lead bank to the response to RFP. PRASA may disqualify the response to RFP from further participation in the event of a failure to comply with this provision. PRASA views the potential conflict of interest so great as to warrant the reduction of competition for advisory services.

10.10 COLLUSION AND CORRUPTION

Any Bidder shall, without prejudice to any other remedy available to PRASA, be disqualified, where the response to RFP –

- communicates to a person other than persons nominated by PRASA a material part of its response to RFP; or
 - Enters into any Contract or arrangement with any other person or entity that it shall refrain from submitting a response to RFP to this RFP or as to any material part of its Response to RFP to this RFP (refer the prohibition contained in Section 4(1)(b)(iii) of the Competition Act 89 of 1998).
- . The Bidders represents that the Bidder has not, directly or indirectly, entered into any agreement, arrangement or understanding or any such like for the purpose of, with the intention to, enter into collusive Bidding or with reasonable appreciation that, collusive any agreement,

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arrangement or understanding or any such like may result in or have the effect of collusive Bidding. The Bidder undertakes that in the process of the Bid but prior to PRASA awarding the Bid to a preferred bidder become involved in or be aware of or do or caused to be done any agreement, arrangement or understanding or any such like for the purpose of or which may result in or have the effect of a collusive Bid, the Bidder will notify PRASA of such any agreement, arrangement or understanding or any such like.; or

- offers or agrees to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done, or causing, or having caused to be done any act or omission in relation to the RFP Process or any proposed response to RFP (provided nothing contained in this paragraph shall prevent a response to RFP from paying any market-related commission or bonus to its employees or contractors within the agreed terms of their employment or contract).

10.11 CONSORTIUM CHANGES

If exceptional circumstances should arise in which a after the submission to the bid and after closing date of submission of bids, there is change in the composition of the Bidder, either through substitution or omission of any member of the Bidder:

- The Response to RFP must notify PRASA in writing of the proposed changes supported by complete details of the material reasons for the changes, the parties impacted by the changes and the impact on the response to RFP.
- PRASA shall evaluate the reasons advanced by the Bidder for the requested changes to the Bidder structure and where PRASA is not satisfied that the reasons advanced are reasonable or material, refuse to accept the change and disqualify the response to RFP, or notify the Bidder in writing of its non-acceptance of the changes and require the Bidder to propose a suitable alternative to PRASA within 10 (TEN) days of its receipt of the decision of PRASA, upon receipt of which PRASA shall -
 - Evaluate the alternative proposed for suitability to PRASA, and where the alternative is accepted by PRASA, inform the Bidder in writing of such acceptance and PRASA shall reassess the response to RFP against the RFP requirements and criteria; or
 - Where the alternative is not accepted by PRASA, inform the Bidder in writing of such non-acceptance as well as its disqualification from the RFP Process.
 - Where PRASA is satisfied that the changes requested under (i) above are reasonable and material, the response to RFP, shall be allowed to effect the required changes and PRASA shall reassess the response to RFP against the RFP requirements and criteria.

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10.12 COSTS OF RESPONSE TO THE RFP SUBMISSION

All costs and expenses associated with or incurred by the Bidder in relation to any stage of the Project, shall be borne by the Bidder. PRASA shall not be liable for any such costs or expenses or any claim for reimbursement of such costs or expenses.

To avoid doubt, PRASA shall not be liable for any samples submitted by the Bidder in support of their Responses to RFP and reserves the right not to return to them such samples and to dispose of them at its discretion.

10.13 RESPONSE TO THE RFP WARRANTY

Bidders must provide a warranty as part of their Responses to RFP that their Responses to RFP are true and correct in all respects, that it does not contain a misrepresentation of any kind and that the taxes of all members of the Bidder company, consortium members and or subcontractors are in order and none of the members are undergoing corruption or any criminal-related investigations or have any past convictions for fraud or corruption.


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11 CONDITIONS OF TENDER

General


Actions	1	PRASA's <i>Representative</i> and each <i>tenderer</i> submitting a tender shall act as stated in these Conditions of Tender and in a manner which is fair, equitable, transparent, competitive and cost-effective.
Interpretation	2	Terms shown in <i>italics</i> vary for each tender. The details of each term for this tender are identified in the Request for Tender / Scope of work/ specification. Terms shown in capital initials are defined terms in the appropriate conditions of contract.
	3	Any additional or amended requirements in the Scope of work/ specification, and additional requirements given in the Schedules in the <i>tender returnables</i> are deemed to be part of these Conditions of Tender.
	4	The Conditions of Tender and the Scope of work/ specification shall form part of any contract arising from this invitation to tender.
Communication	5	Each communication between PRASA and a <i>tenderer</i> shall be to or from PRASA's <i>Representative</i> only, and in a form that can be read, copied and recorded. Communication shall be in the English language. PRASA takes no responsibility for non-receipt of communications from or by a <i>tenderer</i> .
PRASA's rights to accept or reject any tender	6	PRASA may accept or reject any variation, deviation, tender, or alternative tender, and may cancel the tender process and reject all tenders at any time prior to the formation of a contract. PRASA or PRASA's <i>Representative</i> will not accept or incur any liability to a <i>tenderer</i> for such cancellation and rejection, but will give reasons for the action. PRASA reserves the right to accept the whole or any part of any tender.
	7	After the cancellation of the tender process or the rejection of all tenders PRASA may abandon the proposed work and services, have it performed in any other manner, or re-issue a similar invitation to tender at any time.

Tenderer's obligations


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The *tenderer* shall comply with the following obligations when submitting a tender and shall:

- | | | |
|---|----|--|
| Eligibility | 1 | Submit a tender only if the <i>tenderer</i> complies with the criteria stated in the Scope of work/ specification. |
| Cost of tendering | 2 | Accept that PRASA will not compensate the <i>tenderer</i> for any costs incurred in the preparation and submission of a tender. |
| Check documents | 3 | Check the <i>tender documents</i> on receipt, including pages within them, and notify PRASA's <i>Representative</i> of any discrepancy or omissions in writing. |
| Copyright of documents | 4 | Use and copy the documents provided by PRASA only for the purpose of preparing and submitting a tender in response to this invitation. |
| Standardised specifications and other publications | 5 | Obtain, as necessary for submitting a tender, copies of the latest revision of standardised specifications and other publications, which are not attached but which are incorporated into the <i>tender documents</i> by reference. |
| Acknowledge receipt | 6 | Preferably complete the Receipt of invitation to submit a tender form attached to the Letter of Invitation and return it within five days of receipt of the invitation. |
| | 7 | Acknowledge receipt of Addenda / Tender Briefing Notes to the <i>tender documents</i> , which PRASA's <i>Representative</i> may issue, and if necessary apply for an extension to the <i>deadline for tender submission</i> , in order to take the Addenda into account. |
| Site visit and / or clarification meeting | 8 | Attend a site visit and/or clarification meeting at which <i>tenderers</i> may familiarise themselves with the proposed work, services or supply, location, etc. and raise questions, if provided for in the Scope of work/ specification. Details of the meeting are stated in the RFP document, <i>i</i> -tender website and CIDB website. |
| Seek clarification | 9 | Request clarification of the <i>tender documents</i> , if necessary, by notifying PRASA's <i>Representative</i> earlier than the <i>closing time for clarification of queries</i> . |
| Insurance | 10 | Be informed of the risk that needs to be covered by insurance policy. The <i>tenderer</i> is advised to seek qualified advice regarding insurance. |

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| Pricing the tender | <p>11 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except VAT), and other levies payable by the successful <i>tenderer</i>. Such duties, taxes and levies are those applicable 14 days prior to the <i>deadline for tender submission</i>.</p> <p>12 Show Value Added Tax (VAT) payable by PRASA separately as an addition to the tendered total of the prices.</p> <p>13 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the <i>conditions of contract</i>.</p> <p>14 State the rates and Prices in South African Rand unless instructed otherwise as an additional condition in the Scope of work/ specification. The selected <i>conditions of contract</i> may provide for part payment in other currencies.</p> |
| Alterations to documents | <p>15 Not make any alterations or an addition to the tender documents, except to comply with instructions issued by PRASA's <i>Representative</i> or if necessary to correct errors made by the <i>tenderer</i>. All such alterations shall be initialled by all signatories to the tender. Corrections may not be made using correction fluid, correction tape or the like.</p> |
| Alternative tenders | <p>16 Submit alternative tenders only if a main tender, strictly in accordance with all the requirements of the <i>tender documents</i> is also submitted. The alternative tender is submitted with the main tender together with a schedule that compares the requirements of the <i>tender documents</i> with the alternative requirements the <i>tenderer</i> proposes.</p> <p>17 Accept that an alternative tender may be based only on the criteria stated in the Scope of work/ specification and as acceptable to PRASA.</p> |
| Submitting a tender | <p>18 Submit a tender for providing the whole of the works, services or supply identified in the Contract Data unless stated otherwise as an additional condition in the Scope of work/ specification.</p> |
| NOTE: | <p>19 Return the completed and signed <i>PRASA Tender Forms and SBD forms provided with the tender</i>. <u>Failure to submit all the required documentation will lead to disqualification</u></p> <p>20 Submit the <u>tender as an original</u> plus 1 copy and an electronic version which should be contained in Memory Cards clearly marked in the Bidders name as stated in the RFP and provide an</p> |

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English translation for documentation submitted in a language other than English. Tenders may not be written in pencil but must be completed in ink.

- 21 Sign and initial the original and all copies of the tender where indicated. PRASA will hold the signatory duly authorised and liable on behalf of the *tenderer*.
- 22 Seal the original and each copy of the tender as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside PRASA's address and invitation to tender number stated in the Scope of work/ specification, **as well as the tenderer's name and contact address**. Where the tender is based on a two envelop system tenderers should further indicate in the package whether the document is **envelope / box 1 or 2**.
- 23 Seal original and copies together in an outer package that states on the outside only PRASA's address and invitation to tender number as stated in the Scope of work/ specification. The outer package should be marked "CONFIDENTIAL"
- 24 Accept that PRASA will not assume any responsibility for the misplacement or premature opening of the tender if the outer package is not sealed and marked as stated.

Note:


PRASA prefers not to receive tenders by post, and takes no responsibility for delays in the postal system or in transit within or between PRASA offices.

PRASA prefers not to receive tenders by fax, PRASA takes no responsibility for difficulties in transmission caused by line or equipment faults.

Where tenders are sent via courier, PRASA takes no responsibility for tenders delivered to any other site than the tender office.

PRASA employees are not permitted to deposit a tender into the PRASA tender box on behalf of a tenderer, except those lodged by post or courier.

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| Closing time | 25 Ensure that PRASA has received the tender at the stated address with the Scope of work / specification no later than the <i>deadline for tender submission</i> . Proof of posting will not be taken by PRASA as proof of |
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delivery. PRASA will not accept a tender submitted telephonically, by Fax, E-mail or by telegraph unless stated otherwise in the Scope of work/ specification.


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| 26 | Accept that, if PRASA extends the <i>deadline for tender submission</i> for any reason, the requirements of these Conditions of Tender apply equally to the extended deadline. |
| Tender validity | <p>27 Hold the tender(s) valid for acceptance by PRASA at any time within the <i>validity period</i> after the <i>deadline for tender submission</i>.</p> <p>28 Extend the <i>validity period</i> for a specified additional period if PRASA requests the <i>tenderer</i> to extend it. A <i>tenderer</i> agreeing to the request will not be required or permitted to modify a tender, except to the extent PRASA may allow for the effects of inflation over the additional period.</p> |
| Clarification of tender after submission | <p>29 Provide clarification of a tender in response to a request to do so from PRASA's <i>Representative</i> during the evaluation of tenders. This may include providing a breakdown of rates or Prices. No change in the total of the Prices or substance of the tender is sought, offered, or permitted except as required by PRASA's <i>Representative</i> to confirm the correction of arithmetical errors discovered in the evaluation of tenders. The total of the Prices stated by the <i>tenderer</i> as corrected by PRASA's <i>Representative</i> with the concurrence of the <i>tenderer</i>, shall be binding upon the <i>tenderer</i></p> |
| Submit bonds, policies etc. | <p>30 If instructed by PRASA's <i>Representative</i> (before the formation of a contract), submit for PRASA's acceptance, the bonds, guarantees, policies and certificates of insurance required to be provided by the successful <i>tenderer</i> in terms of the <i>conditions of contract</i>.</p> <p>31 Undertake to check the final draft of the contract provided by PRASA's <i>Representative</i>, and sign the Form of Agreement all within the time required.</p> <p>32 Where an agent on behalf of a principal submits a tender, an authenticated copy of the authority to act as an agent should be submitted with the tender.</p> |
| Fulfil BEE requirements | <p>33 Comply with PRASA's requirements regarding BBBEE Suppliers.</p> |

PRASA'S UNDERTAKINGS


PRASA, and PRASA's *Representative*, shall:

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Respond to clarification	1	Respond to a request for clarification received earlier than the <i>closing time for clarification of queries</i> . The response is notified to all <i>tenderers</i> .
Issue Addenda	2	If necessary, issue to each <i>tenderer</i> from time to time during the period from the date of the Letter of Invitation until the <i>closing time for clarification of queries</i> , Addenda that may amend, amplify, or add to the <i>tender documents</i> . If a <i>tenderer</i> applies for an extension to the <i>deadline for tender submission</i> , in order to take Addenda into account in preparing a tender, PRASA may grant such an extension and PRASA's <i>Representative</i> shall notify the extension to all <i>tenderers</i> .
Return late tenders	3	Return tenders received after the <i>deadline for tender submission</i> unopened to the <i>tenderer</i> submitting a late tender. Tenders will be deemed late if they are not in the designated tender box at the date and time stipulated as the deadline for tender submission.
Non-disclosure	4	Not disclose to <i>tenderers</i> , or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tenders and recommendations for the award of a contract.
Grounds for rejection	5	Consider rejecting a tender if there is any effort by a <i>tenderer</i> to influence the processing of tenders or contract award.
Disqualification	6	Instantly disqualify a <i>tenderer</i> (and his tender) if it is established that the <i>tenderer</i> offered an inducement to any person with a view to influencing the placing of a contract arising from this invitation to tender.
Test for responsiveness	7	<p>Determine before detailed evaluation, whether each tender properly received</p> <ul style="list-style-type: none"> • meets the requirements of these Conditions of Tender, • has been properly signed, and • is responsive to the requirements of the <i>tender documents</i>.
	8	<p>Judge a responsive tender as one which conforms to all the terms, conditions, and specifications of the <i>tender documents</i> without material deviation or qualification. A material deviation or qualification is one which, in PRASA 's opinion would</p> <ul style="list-style-type: none"> • detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Contract Data,

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		<ul style="list-style-type: none"> • change PRASA's or the <i>tenderer's</i> risks and responsibilities under the contract, or • affect the competitive position of other <i>tenderers</i> presenting responsive tenders, if it were to be rectified.
Non-responsive tenders	10	Reject a non-responsive tender, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.
Arithmetical errors	11	<p>Check responsive tenders for arithmetical errors, correcting them as follows:</p> <ul style="list-style-type: none"> • Where there is a discrepancy between the amounts in figures and in words, the amount in words shall govern. • If a bill of quantities applies and there is a discrepancy between the rate and the line item total, resulting from multiplying the rate by the quantity, the rate as quoted shall govern. Where there is an obviously gross misplacement of the decimal point in the rate, the line item total as quoted shall govern, and the rate will be corrected. • Where there is an error in the total of the Prices, either as a result of other corrections required by this checking process or in the <i>tenderer's</i> addition of prices, the total of the Prices, if any, will be corrected.
	12	Reject a tender if the <i>tenderer</i> does not accept the corrected total of the Prices (if any).
Evaluating the tender	13	Evaluate responsive tenders in accordance with the procedure stated in the RFP / Scope of work/ specification. The evaluated tender price will be disclosed only to the relevant PRASA tender committee and will not be disclosed to <i>tenderers</i> or any other person.
Clarification of a tender	14	Obtain from a <i>tenderer</i> clarification of any matter in the tender which may not be clear or could give rise to ambiguity in a contract arising from this tender if the matter were not to be clarified.
Acceptance of tender	15	Notify PRASA's acceptance to the successful <i>tenderer</i> before the expiry of the <i>validity period</i> , or agreed additional period. Providing the notice of acceptance does not contain any qualifying statements, it will constitute the formation of a contract between PRASA and the successful <i>tenderer</i> .

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Notice to unsuccessful tenderers	16	After the successful <i>tenderer</i> has acknowledged PRASA's notice of acceptance, notify other <i>tenderers</i> that their tenders have not been accepted, following PRASA's current procedures.
Prepare contract documents	17	Revise the contract documents issued by PRASA as part of the <i>tender documents</i> to take account of <ul style="list-style-type: none"> • Addenda issued during the tender period, • inclusion of some of the <i>tender returnables</i>, and • other revisions agreed between PRASA and the successful <i>tenderer</i>, before the issue of PRASA's notice of acceptance (of the tender).
Issue final contract	18	Issue the final contract documents to the successful <i>tenderer</i> for acceptance within one week of the date of PRASA's notice of acceptance.
Sign Form of Agreement	19	Arrange for authorised signatories of both parties to complete and sign the original and one copy of the Form of Agreement within two weeks of the date of PRASA's notice of acceptance of the tender. If either party requires the signatories to initial every page of the contract documents, the signatories for the other party shall comply with the request.
Provide copies of the contracts	20	Provide to the successful <i>tenderer</i> the number of copies stated in the Scope of work/ specification of the signed copy of the contracts within three weeks of the date of PRASA's acceptance of the tender.