

INVITATION TO TENDER

CONTRACT NUMBER: CDC/386/24

ELLIOT MAGISTRATE COURT: PLANNED MAINTENANCE, REPAIR AND REFURBISHMENT OF THE ENTIRE FACILITY AND CAPITAL WORKS TO INCLUDE CONSTRUCTION OF ADDITIONAL ACCOMMODATION.

The Coega Development Corporation (CDC) is headquartered in the City of Gqeberha, Nelson Mandela Bay Municipality, South Africa, with a strategic operational footprint in South Africa and beyond the borders on the African continent. The CDC's vision is to be the leading catalyst for the championing of socio-economic development. This it seeks to achieve through the development and operation of the 9 003-hectare Coega Special Economic Zone (SEZ), a transshipment hub and a leading investment destination in Africa, providing highly skilled competence and capacity for the execution of complex infrastructure and related projects throughout South Africa and selected markets on the African continent, and advisory on the development of industrialisation and logistics zones. The CDC's advanced capabilities are successful enablers in sustainable economic zone development and management, real assets management, infrastructure planning and development, technology integration while realising related socio-economic impact areas such as skills and SMME development. The CDC's high-performance ethos is grounded in its commitment to sustainable development, the protection of its people and the planet, and the delivery of infrastructure solutions that support a just social and economic transition to a low-carbon, resource efficient, and climate resilient future. The foundational culture of the CDC's approach, backed by its core values, is innovation and continuous improvement.

National Department of Public Works and Infrastructure (DPWI) has appointed Coega Development Corporation (CDC) with effect from the 21 October 2015 as the Implementing Agent to assist with accelerated delivery of 64 infrastructure projects. The 64 projects are mainly located in the eastern part of the Eastern Cape Province under the management of the Mthatha Regional Office of NDPWI. Elliot Magistrate Court is one of the 64 projects handed over to CDC for implementation. The purpose of this project is to provide a facility that meets the required standards and at the end, handover the facility that responds to its primary function and activities.

INVITATION AND SCOPE OF SERVICES

The Coega Development Corporation (CDC) is inviting capable and competent Service Providers with proven experience and track-record to submit their bids for **Elliot Magistrate Court: Planned maintenance, repairs and refurbishment of the entire facility, including capital works to include construction of additional accommodation** for a period of twenty-four (24) months.

Bidders must have a CIDB Contractor Grading designation of **7GB or higher**, emerging contractors with a CIDB Contractor grading designation of **6GBPE** are not eligible to make submissions and will not be considered. It is envisaged that the project will take **twenty-four (24)** calendar months.

SCOPE OF WORK

The project deliverables are as follows:

- The Maintenance and upgrade of existing magistrates building
- New public ablution building
- New security and SOS building
- New magistrate offices
- Upgrading of existing public ablutions to holding cells
- Upgrade of existing staff ablution building
- Upgrade of existing store to House Main DB and generator fuel store
- Electrical installation
- Mechanical installation
- Standby Generator
- Access Control, Intercom and CCTV
- IT, ICT and Data Installation

CONDITIONS OF TENDER

Failure to adhere to the conditions stated hereinunder or to provide evidence where specified, will render the submission non-responsive and the submission will be declared as null and void and will not be considered further.

- (a) Bidders shall be registered with the Construction Industry Development Board (CIDB). It is estimated that Bidders must have an active CIDB Contractor Grading designation of **7GB or higher**. Emerging contractors with a CIDB Contractor grading designation of **6GB PE** are not eligible to make submissions/ to be considered.

- (b) Bidders are required to have a valid and current CIDB registration on the date of closing and are required to maintain this registration throughout the Tender Evaluation period. Failure to do so will invalidate the tender.
- (c) The CDC's Procurement Policy and Procedures shall apply.
- (d) The 80/20 or 90/10 preference point system, as per the Preferential Procurement Regulations, 2022

The following scores will be applied:

- (i) Price - 80 or 90
- (ii) Specific Goals (B-BBEE Status Level of Contribution) – 20 or 10

Note: The lowest acceptable tender will determine which points system will be use

- (e) The following legislation shall apply:
 - (i) Public Finance Management Act (PFMA).
 - (ii) Preferential Procurement Policy Framework Act, 2000
 - (iii) The Preferential Procurement Regulations 2022
 - (iv) The Construction Industry Development Board Act, 38 of 2000
 - (v) The National Qualifications Framework Amendment Act, (12 of 2019);
 - (vi) National Building Regulations and Building Standards Act (103 of 1977)
 - (vii) South African National Standards (SANS) 10400
 - (viii) The Skills Development Act, (97 of 1998);
 - (ix) Disaster Management Act, (57 Of 2002)
 - (x) NEMA National Environmental Management Act, (107 of 1998);
 - (xi) National Water Act, NWA (36 of 1998);
 - (xii) National Heritage Resources Act, NHRA (25 of 1999);
 - (xiii) National Treasury Regulations.
 - (xiv) Occupational Health and Safety Act and Regulations, Act (85 of 1993).
 - (xv) Compensation for Occupational injuries and disease Act (130 of 1993).
 - (xvi) Broad Based Black Economic Empowerment Act, Number 53 of 2003 (as amended by Act number 46 of 2013); and
 - (xvii) Any other applicable legislation.
- (f) This project is conducted to a Construction Industry Development Board Contract Skills Development Goal (CSDG) programme, and the successful Bidder will be required to adhere to the requirements of:
 - i. the CIDB Standard for Indirect Targeting for Enterprise Development Through Construction

- Works Contracts published in Gazette Notice No. 36190 of 25 February 2013; and
- ii. the CIDB Standard for Developing Skills Through Infrastructure Contracts (March 2023).
- (g) As per amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements) QSE with at least 51% or 100% black shareholding and EMEs with an annual turnover of R 3 million are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R3 million are exempt from complying with the subminimum requirement and may submit an affidavit or a certificate issued by CIPC, confirming their ownership and annual turnover. The consortia/Joint Venture must submit a consolidated B-BBEE Certificate as well as individual B-BBEE Certificates /affidavits of their own entities to confirm the type of enterprise.
- (h) Bidders and all its Consortium/Joint Venture (JV) members, if any, must confirm their company registration with Companies and Intellectual Property Commission (CIPC) (formerly CIPRO) as CDC will not award any bid to any business that appears on the CIPC List of de-registered businesses. The CDC may verify company registration with CIPC through Biz-Portal.
- (i) All Bidders must be Value Added Tax (VAT) Vendors and the Form of Offer must include VAT. Non-VAT vendors who submit bids for contracts that would, if successful, take their annual turnover above the threshold of R 1 million are obliged to include VAT in the prices quoted and must therefore immediately upon award of the contract register with the South African Revenue Service (SARS) as VAT vendors. The award of contract would be conditional pending the successful bidder submitting proof of registration as a VAT vendor with SARS.
- (j) Bidders (all the members in the Bidding Team in the case of Consortia or Joint Ventures) must provide proof of registration on the National Treasury's Central Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAA0.
- (k) The CDC will only award the Tender to a Successful Bidder who is tax compliant. The tax compliant status of the Bidders (and all the members in the Tendering Team in the case of Consortia or Joint Ventures) will be verified through the CSD and South African Revenue Services (SARS) website.
- (l) CDC will not award more than two active Projects to one bidder, unless one Project has reached 80% completion stage and beyond. Capacity assessment may be conducted in an event that the recommended bidder is the only responsive service provider and has already been awarded two contracts.
- (m) Public servants are prohibited from conducting any form of business with organs of state, whether

in their own capacity as individuals or through companies in which they are directors. Verification will be done, and bidders will be disqualified should they be found to be in contravention with the regulations. A letter of confirmation must be provided with this bid document should a bidder have been granted permission by National Treasury to conduct business with an organ of state.

- (n) The Bidders must nominate a person who will be their Overall Project Team Leader. The Overall Project Team Leader:
- (i) Should have delegated authority to sign:
 - (1) The Tender Submissions;
 - (2) Any correspondence with the CDC during the bidding process;
 - (3) The Agreement to be entered into with the Successful Bidder; and
 - (4) Any correspondence during the Contract Execution Phase.
 - (ii) Would be conferred the authority to be the duly Authorised Signatory as would be provided in the Certificate of Authority of Signatory that should be included in the Tender Document.
 - (iii) Will be the sole point of contact between the CDC and the Bidder during this bidding process, and during contract execution (i.e. for the Successful Bidder).
 - (iv) Would be required to review and sign off all the deliverables to the CDC during the execution of the contract, confirming their quality and professional soundness.
- (o) In the case of JVs/Consortia, the Bidder must include a Letter of Intent **to Enter into a JV/Consortium Agreement**.
- (p) Entities are not allowed to be a member of more than one (1) JV/Consortium or Bidding Team.
- (q) Bidders must complete and sign the **POPI Act Form**. In the case of a Joint Venture/ Consortium, a separate form in respect of each party to the JV must be completed.
- (r) Any misrepresentation of information will lead to immediate disqualification of the Bidder's Submission. It is imperative that the duly authorised person conducts quality control on all the documentation to be submitted to the CDC as part of this Tender Document and signs the submission as a correct and sound documentation that the CDC could put its reliance on.
- (s) It is incumbent upon and the responsibility of the Prospective Bidders to submit their full and correct contact details when they collect the tender documents to enable any communication that the CDC might need to issue to all the Prospective Bidders during the bidding process to be realised. The CDC will not be accountable for any such omission or failure by the Prospective Bidders.

- (t) The successful bidder will be required to comply with the Occupational Health and Safety Act and Regulations, Act (85 of 1993) and Compensation for Occupational injuries and disease Act, Act (130 of 1993) and, all relevant and applicable legislations. Upon appointment of the successful bidder, the service provider will be required to develop Occupational Health, Safety and Environmental Management Systems to comply with the SANS Norms and Standards.
- (u) Upon award the successful Bidder will be required to provide a valid proof of registered Construction Health and Safety Officer or Construction Health and Safety Manager (CHSO/CHSM) with SACPCMP within the prescribed period. No candidate registration will be accepted. The CHSO/CHSM must have proven record of a minimum of 5 years post registration experience.
- (v) Incomplete Tender document Submissions will be deemed null and void and shall be considered non-responsive.
- (w) The bids will be evaluated as follows:
 - (i) Stage 1: Responsiveness Assessment,
 - (ii) Stage 2: Functionality Assessment.
 - (iii) Stage 3: Quantitative Assessment,
 - (iv) Stage 4: Qualitative Assessment
- (x) Tender validity shall be **twelve (12) weeks** from the closing date.
- (y) Tenders must only be submitted on the tender document that is issued.

Bid documents for this Tender Process can be downloaded free from the CDC website: www.coega.com or National Treasury e-tender portal from **10:00am on Friday, 29 November 2024**. The CDC will not take responsibility for any errors that may occur in the downloading of the documents. Bidders are there for required to ensure that they download the full pack with no missing pages.

In case a bidder prefers to purchase a physical bid document, bid documents may be collected during working hours from **29th of November 2024**, from **10:00am from CDC's Mthatha Office, 76 Blakeway Road, Mthatha**. A non-refundable fee of **R500.00** per document must be deposited or payable by means of electronic transfers to Account Name: **CDC – DPW; Standard Bank, Account No: 080 396 038, Branch: Pickering Street (NO CASH WILL BE ACCEPTED)**. No bid documents will be sold at the tender briefing meeting.

A **Compulsory site briefing** meeting with representatives of the employer and professional team will take place on site, **at Elliot Magistrate Court (Elliot Magistrate Court, 34 Voortrekker Street, Khowa) on Tuesday 10th of December 2024 starting at 11:00**. The GPS coordinates to the site are as follows: **(LATITUDE: -31°19'59.36"); (LONGITUDE: 27°51'01.68")**. The briefing notes will be packaged and published on the CDC website.

All enquiries regarding this bid must be in writing only and must be directed to: Ms Zine Mtanda: SCM Unit Head - E-mail mthathatenders@coega.co.za ; between the period of the **29th of November 2024 to 13th of January 2025**. No new queries after the **13th of January 2025** will be entertained.

The closing time for the receipt of tenders is on **Monday, 20th of January 2025 at 12H00**. One original completed bid document shall be placed in a sealed envelope clearly marked:

"CDC/386/24-T: ELLIOT MAGISTRATE COURT: PLANNED MAINTENANCE, REPAIR AND REFURBISHMENT OF THE ENTIRE FACILITY AND CAPITAL WORKS TO INCLUDE CONSTRUCTION OF ADDITIONAL ACCOMMODATION."

Bids are to be placed in the tender box at the **CDC's Mthatha Office, 76 Blakeway Road, Mthatha**.

The bids will be opened in public, and the opening register will be posted on the CDC website within 48 hours of the tender closure and no late submissions will be considered.

Failure to provide any mandatory information required in this Bid will result in the submissions being deemed null and void and shall be considered non-responsive. Telegraphic, telexed, facsimiled or e-mail submissions will not be accepted.

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