



prasa

PASSENGER RAIL AGENCY
OF SOUTH AFRICA

REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER: KZN/RAIL/02/2024/03

REQUEST FOR QUOTATION (RFQ) FOR: THE APPOINTMENT OF A SERVICE PROVIDER FOR THE REPAIRS OF BLOCK CABLES BETWEEN UMLAZI AND LINDOKUHLE SECTION FOR THE SIGNAL DEPARTMENT IN THE KWAZULU NATAL REGION (KZNR) FOR A PERIOD OF TWO MONTHS.

BRIEFING/SITE MEETING

DATE: 19 February 2024

Time: 10H00

Venue: PRASA RAIL, 65 Masabalala Yengwa Avenue, Greyville, Durban Station



SECTION 1: SBD1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF PASSENGER RAIL AGENCY (PRASA)

BID NUMBER:	KZN/RAIL/02/2024/03	CLOSING DATE:	28 February 2024	CLOSING TIME:	12:00PM
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DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER FOR THE REPAIRS OF BLOCK CABLES BETWEEN UMLAZI AND LINDOKUHLE SECTION FOR THE SIGNAL DEPARTMENT IN THE KWAZULU NATAL REGION (KZNR) FOR A PERIOD OF TWO MONTHS.
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BID RESPONSE DOCUMENTS SHALL BE ADDRESSED AS FOLLOWS:

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX NO. 06 SITUATED AT (STREET ADDRESS):

65 MASABALALA YENGWA AVENUE
 PRASA REGIONAL OFFICE FOYER AREA
 HELPDESK
 PRASA SCM
 KWAZULU NATAL

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO

CONTACT PERSON	Mr. Qiniso Makaluza
TELEPHONE NUMBER	031 813 0376
E-MAIL ADDRESS	Qiniso.Makaluza@prasa.com

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA.....
	CRS CIDB PIN:				

<p>2.1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p>2.2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES, ANSWER THE QUESTIONNAIRE BELOW]</p>
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B: TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER**
- 1.3. **PRESCRIBED IN THE BID DOCUMENT.**
- 1.4. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD

NUMBER MUST BE PROVIDED.

2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID NVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

NB:

- *Quotation(s) must be addressed to PRASA before the closing date and time shown above.*
- *PRASA General Conditions of Purchase shall apply.*
- *PRASA reserves the right to award the contract to more than one company.*

SECTION 2

NOTICE TO BIDDERS

1. RESPONSES TO RFQ

Responses to this RFQ [Quotations] must not include documents or reference relating to any other quotation or proposal. Any additional conditions must be embodied in an accompanying letter.

Proposals must reach the PRASA before the closing hour on the date shown on SBD1 above, and must be enclosed in a sealed envelope.

2 COMMUNICATION

Respondent/s are warned that a response will be liable for disqualification should any attempt be made either directly or indirectly to canvass any SCM Officer(s) or PRASA employee in respect of this RFQ between the closing date and the date of the award of the business.

3 BIDDERS COMPLAINTS PROCESS

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

3.1.1 Bid/Tender Description

3.1.2 Bid/Tender Reference Number

3.1.3 Closing date of Bid/Tender

3.1.4 Supplier Name;

3.1.5 Supplier Contact details

3.1.6 The detailed compliant

4 LEGAL COMPLIANCE

The successful Respondent shall be in full and complete compliance with any and all applicable national and local laws and regulations.

5 CHANGES TO QUOTATIONS

Changes by the Respondent to its submission will not be considered after the closing date and time.

6 PRICING

All prices must be quoted in South African Rand on a fixed price basis, including all applicable taxes.

7 BINDING OFFER

Any Quotation furnished pursuant to this Request shall be deemed to be an offer. Any exceptions to this statement must be clearly and specifically indicated.

8 DISCLAIMERS

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

- Modify the RFQ's goods / service(s) and request Respondents to re-bid on any changes;
- Reject any Quotation which does not conform to instructions and specifications which are detailed herein;
- Reject Quotations submitted after the stated submission deadline or at the incorrect venue ;

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.

PRASA reserves the right to award business to the highest scoring bidder/s unless objective criteria justify the award to another Respondent.

Should the preferred fail to sign or commence with the contract within a reasonable period after being requested to do so, PRASA reserves the right to award the business to the next highest ranked Respondent provided that he/she is still prepared to provide the required goods at the quoted price.

9 LEGAL REVIEW

Proposed contractual terms and conditions submitted by a Respondent will be subjected to review and acceptance or rejection by PRASA's Legal Counsel, prior to consideration for an award of business.

10 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. PRASA is required to ensure that price quotations are invited and accepted from prospective bidders listed on the CSD. Business may not be awarded to a

respondent who has failed to register on the CSD. 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/>.

11 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.

12 EVALUATION METHODOLOGY

PRASA will utilise the following criteria [not necessarily in this order] in choosing a Supplier/Service Provider, if so required:

EVALUATION CRITERIA	WEIGHTING
Stage 1 – Compliance	
Stage 1	Mandatory Requirements
Stage 2- Functionality/Technicality Criteria	
Technicality/Technicality Criteria	70%
Stage 3	
Price	80
Specific Goals	20
TOTAL	100
Stage 4 – Compliance	
Stage 4	Other Mandatory Requirements

13 ADMINISTRATIVE RESPONSIVENESS

The test for administrative responsiveness will include completeness of response and whether all returnable and/or required documents, certificates; verify completeness of warranties and other bid requirements and formalities have been complied with. Incomplete Bids will be disqualified.

14 VALIDITY PERIOD

14.1 PRASA requires a validity period of **60 Working Days** from the closing date.

14.2 Respondents are to note that they may be requested to extend the validity period of their response, on the same terms and conditions, if the internal processes are not finalized within the validity

period. However, once the delegated authority has approved the process the validity of the successful respondent(s)' bid will be deemed to remain valid until finalization of the of award.),

15 PUBLICATION OF INFORMATION ON THE NATIONAL TREASURY E-TENDER PORTAL

Respondents are to note that, bid awards, amendments and cancellations will be published on the e-tender portal and or media used to advertise the bid. For the award of business, PRASA is required to publish the prices and preferences claimed of the successful and unsuccessful Respondents *inter alia* on the National Treasury e-Tender Publication Portal, (www.etenders.gov.za), on CIDB website for construction related RFQ's. (*Where applicable*).

16 RETURNABLE DOCUMENTS

Returnable Documents means all the documents, Sections and Annexures, as listed in the tables below. There are three types of returnable documents as indicated below and Respondents are urged to ensure that these documents are returned with the quotation based on the consequences of non-submission as indicated below:

15.1. Mandatory Returnable Documents

Failure to provide Mandatory Returnable Documents at the Closing Date and time of this RFQ will result in a Respondent's disqualification. Respondents are therefore urged to ensure that all documents are returned with their Quotations.

SECTION 3

1 EVALUATION CRITERIA:

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

Stage 1 – Mandatory Requirements

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

Only bidders who comply with stage 1 will be evaluated further.

No.	Description of requirement	
a)	Section 1 - Invitation to Bid (SDB 1) <i>Must be completed & duly signed</i>	
b)	Section 6 - Declaration of Interest (SBD 4) <i>Must be completed & duly signed</i>	
c)	Section 4 - Pricing and Delivery Schedule <i>Must be completed</i>	
d)	Section 8 - Bill of Quantities (BOQ) <i>Must be completed on all line items.</i>	
e)	CIDB grading should be 2EP or higher at the time of award (PRASA shall verify CIDB status).	
f)	Joint Venture / Consortium agreement / Trust Deed/ Confirmation in writing of their intention to enter into a JV or consortium agreement signed by all parties should they be awarded business by PRASA through this RFQ process (if applicable) <i>Must be completed & duly signed</i>	
g)	Bidders to fill and sign the closing /submission register on submission of tender documents, failure to comply will result in a disqualification from the tender process. <i>Must be completed & duly signed</i>	
h)	Two (2) X Flagmen Certificate with Valid (not expired) Trains Working Rules Certificates .	
i)	Qualified Signal Technician /Engineer/Signal Technologist Certificate (BSC/BTech/National Diploma in Electrical Engineering (Light or Heavy Current) or Electronic Engineering or Signal Electrician.	

STAGE 2: TECHNICAL / FUNCTIONALITY REQUIREMENTS

Functional Evaluation Criteria

Qualifying bidders shall then be evaluated on functionality after meeting all compliance requirements outlined above. The minimum threshold for the technical/functionality requirements is 70% as per the standard Evaluation Criteria presented 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 below.

EVALUATION AND SCORING

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 will 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 [70%], any bidder who fails to meet the minimum requirement will be disqualified and not proceed with the evaluation of Price and Specific Goals.
Verify compliance	The Bids are checked to verify that the essential RFP requirements have been met. Non-compliant Bids will be disqualified.
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
Best and Final Offer	PRASA may go into the Best and Final Offer process in the instance where no bid meets the requirements of the RFP and/or the Bids are to close in terms of points awarded.
Approval	Approval and notification of the final Bidder.

FUNCTIONAL EVALUATION CRITERIA

Bidders are evaluated based on the functional criteria set out in this RFP. Only those Bidders which score **[80]** points or higher (out of a possible **100**) during the functional evaluation will be evaluated during the third stage of the Bid.

ITEM	CRITERIA	WEIGHT
1	ORGANIZATIONAL EXPERIENCE	50
2	QUALIFICATIONS AND TECHNICAL	50
	TOTAL	100

Table 3: Technical Evaluation Criteria

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

CRITERIA	INDICATOR	WEIGHT (%)	SCORES
ORGANIZATIONAL EXPERIENCE	<p><i>(N.B. Provide proof of each similar project successfully completed project/s in the following sequence:</i></p> <ol style="list-style-type: none"> <i>1. Copy of an appointment letter/contract/order (on a company letterhead)</i> <i>2. Attach completion certificate signed by client/ reference letter from the client confirming successful completion of the project.</i> <p><i>Either the appointment letter/contract/order/completion certificate/reference letter should have the value of the project</i></p>	50	<p>Score will be based on successfully executed and completed similar projects in the supply and installation of signalling equipment</p> <p>Score 0: Zero (0) Similar Projects/non-submission/incomplete submission</p> <p>Score 1: 1 Similar projects</p> <p>Score 2: 2 Similar projects</p> <p>Score 3: 3 Similar projects</p> <p>Score 4: 4 Similar projects</p> <p>Score 5: 5 and above Similar projects</p>

QUALIFICATIONS AND TECHNICAL	<p>Qualifications and Technical Experience (based on Submitted CVs) of Key Staff</p> <p><i>(Engineer/Signal Technologist must have a Heavy or Light Current BSc or BTech Degree)</i></p> <p>or</p> <p><i>(Engineering Technician must have National Diploma or have Signal Electrician Certificate)</i></p>	<p>50</p>	<p>Detailed CVs of the member who will be used in completing the works.</p> <p>Years of experience of proposed personnel:</p> <p>Score 0: No information provided/incomplete submission/less than 5 years' experience.</p> <p>Score 1: 1 year of experience</p> <p>Score 2: 2 years of experience</p> <p>Score 3: 3 years of experience</p> <p>Score 4: 4 years of experience</p> <p>Score 5: 5 and above years of experience</p>
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2.1 Stage 3- Price and Specific Goals

The following formula, shall be used to allocate scores to the interested bidders:

The maximum points for this tender are allocated as follows:

DETAILS	POINTS
PRICE	80
SPECIFIC GOALS	20
TOTAL POINTS FOR PRICE AND SPECIFIC GOALS	100

FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

POINTS AWARDED FOR PRICE

THE 80/20 PREFERENCE POINT SYSTEMS

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

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

POINTS AWARDED FOR SPECIFIC GOALS

3.1. In terms of Regulation 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 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

Table 1: 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.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Evidence Required for Specific Goals
Entities with a B-BBEE contributor status of at least level 2;	10		BEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accepted).
Black People living in Rural Areas	10		Municipal / Eskom bill or Letter from Induna / Chief confirming residential address not older than 3 months
Total:	20		

- **A CIPC Registration Documents/CSD Registration Report will be used to verify the above evidence.**
- **Points will be awarded/allocated on a proportional/pro-rata basis.**
- **Formula: Number of Points allocated x Percentage (%) owned = Number of Points Claimed.**

Stage 4 –Other Mandatory Requirements

If you do not submit/meet the following mandatory documents/requirements, PRASA may request the bidder/s to submit the information within five (5) working days. Should this information not be provided, your bid proposal will be disqualified. This information will be requested from the most responsive bidder/s.

No.	Description of requirement	
a)	Letter of Good Standing: COIDA. (Delete if not applicable)	
b)	Supply of valid SARS Pin	
e)	CSD supplier registration number	

SECTION 4

PRICING AND DELIVERY SCHEDULE

Respondents are required to complete the attached Pricing Schedule.

- 1 Prices must be quoted in South African Rand, inclusive of all applicable taxes.
- 2 Price offer is firm and clearly indicate the basis thereof.
- 3 Pricing Bill of Quantity is completed in line with schedule if applicable.
- 4 Cost breakdown must be indicated.
- 5 Price escalation basis and formula must be indicated.
- 6 To facilitate like-for like comparison bidders must submit pricing strictly in accordance with this price schedule and not 14uthori a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.
- 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.
- 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:
 - 9 negotiate a market-related price with the Respondent scoring the highest points.
 - 10 if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points.
 - 11 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;
 - 12 If a market-related price is not agreed with the Respondent scoring the third highest points, PRASA must cancel the RFQ.

I / We _____ (Insert Name of Bidding Entity) of

_____ code _____

(Full address) conducting business under the style or title of: _____

represented by: _____ in my capacity as:

_____ being duly 14authorized, hereby

offer to undertake and complete the above-mentioned work/services at the prices quoted in the bills of quantities / schedule of quantities or, where these do not form part of the contract, at a lumpsum, of _____ R

_____ (amount in numbers);

_____ (amount in words) Incl. VAT.

DELIVERY PERIOD: Suppliers are requested to offer their earliest delivery period possible.

Delivery will be effected within Working days from date of order. (To be completed by Service provider)

SECTION 5

PRASA GENERAL CONDITIONS OF PURCHASE

General

PRASA and the Supplier enter into an order/contract on these conditions to supply the items (goods/services/works) as described in the order/contract.

Conditions

These conditions form the basis of the contract between PRASA and the Supplier. Notwithstanding anything to the contrary in any document issued or sent by the Supplier, these conditions apply except as expressly agreed in writing by PRASA.

No servant or agent of PRASA has authority to vary these conditions orally. These general conditions of purchase are subject to such further special conditions as may be prescribed in writing by PRASA in the order/contract.

Price and payment

The price or rates for the items stated in the order/contract may include an amount for price adjustment, which is calculated in accordance with the formula stated in the order/contract.

The Supplier may be paid in one currency other than South African Rand. Only one exchange rate is used to convert from this currency to South African Rand. Payment to the Supplier in this currency other than South African Rand, does not exceed the amounts stated in the order/contract. PRASA pays for the item within 30 days of receipt of the Suppliers correct tax invoice.

Delivery and documents

The Supplier's obligation is to deliver the items on or before the date stated in the order/contract. Late deliveries or late completion of the items may be subject to a penalty if this is imposed in the order/contract. No payment is made if the Supplier does not provide the item as stated in order/contract.

Where items are to be delivered the Supplier:

Clearly marks the outside of each consignment or package with the Supplier's name and full details of the destination in accordance with the order and includes a packing note stating the contents thereof; On dispatch of each consignment, sends to PRASA at the address for delivery of the items, an advice note specifying the means of transport, weight, number of volume as appropriate and the point and date of dispatch; Sends to PRASA a detailed priced invoice as soon as is reasonably practical after dispatch of the items, and states on all communications in respect of the order the order number and code number (if any).

Containers / packing material

Unless otherwise stated in the order/contract, no payment is made for containers or packing materials or return to the Supplier.

Title and risk

Without prejudice to rights of rejection under these conditions, title to and risk in the items passes to PRASA when accepted by PRASA.

Rejection

If the Supplier fails to comply with his obligations under the order/contract, PRASA may reject any part of the items by giving written notice to the Supplier specifying the reason for rejection and whether and within what period replacement of items or re-work are required.

In the case of items delivered, PRASA may return the rejected items to the Supplier at the Supplier's risk and expense. Any money paid to the Supplier in respect of the items not replaced within the time required, together with the costs of returning rejected items to the Supplier and obtaining replacement items from a third party, are paid by the Supplier to PRASA.

In the case of service, the Supplier corrects non-conformances as indicated by PRASA.

Warranty

Without prejudice to any other rights of PRASA under these conditions, the Supplier warrants that the items are in accordance with PRASA's requirements, and fit for the purpose for which they are intended, and will remain free from defects for a period of one year (unless another period is stated in the Order) from acceptance of the items by PRASA.

Indemnity

The Supplier indemnifies PRASA against all actions, suits, claims, demands, costs, charges and expenses arising in connection therewith arising from the negligence, infringement of intellectual or legal rights or breach of statutory duty of the Supplier, his subcontractors, agents or servants, or from the Supplier's defective design, materials or workmanship.

The Supplier indemnifies PRASA against claims, proceedings, compensation and costs payable arising out of infringement by the Supplier of the rights of others, except an infringement which arose out of the use by the Supplier of things provided by PRASA.

Assignment and sub-contracting

The successful Respondent awarded the contract may only enter into a subcontracting arrangement with PRASA's prior approval. The contract will be concluded between the successful Respondent and PRASA, therefore, the successful Respondent and not the sub-contractor will be held liable for performance in terms of its contractual obligations.

Governing law

The order/contract is governed by the law of the Republic of South Africa and the parties hereby submit to the non-exclusive jurisdiction of the South African courts.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

1.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:
.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

whether or not they are bidding for this contract?

YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... In submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature Date

.....
Position Name of bidder

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

2. GENERAL CONDITIONS

2.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

2.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

2.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

2.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and Specific Goals	100

- 2.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 2.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

3. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

4. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.2. POINTS AWARDED FOR PRICE

4.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)
 \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = Price of lowest acceptable tender

3.3. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.3.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \mathbf{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 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 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, 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,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Evidence Required for Specific Goals
Entities with a B-BBEE contributor status of at least level 2;	10		BEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accepted).
Black People living in Rural Areas	10		Municipal / ESKOM bill or Letter from Induna / Chief confirming residential address not older than 3 months
Total:	20		

- A CIPC Registration Documents/CSD Registration Report will be used to verify the above evidence.
- Points will be awarded/allocated on a proportional/pro-rata basis.
- Formula: Number of Points allocated x Percentage (%) owned = Number of Points Claimed.

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

SECTION 9

SCOPE OF WORK:

1. INTRODUCTION

The signaling cables provide operation of the signaling infrastructure and provides an indication of the status of the signaling elements. The department does not have enough resources; hence it requires a service provider to supply and repair faulty block cables for the department between Umlazi and Lindokuhle section.

2. BACKGROUND INFORMATION

Block cables between Umlazi and Lindokuhle section has gone faulty, requiring the repairs to be done since they are practically needed for the remote communication between Umlazi and Lindokuhle section. Train operations are severely compromised on the section mentioned above, due to unavailability of signalling cable infrastructure. PRASA is unable to collect revenue and to deliver primary mandate of providing reliable and affordable public transport.

3. OBJECTIVE OF THE PROPOSED PROJECT

The key objectives of this contract:

This contract will ensure that Prasa Signaling Systems are optimally and effectively operated and maintained as per the manufacturer's requirement to ensure continuous operation of all signaling elements.

a. DESIRED OUTCOMES FOR CARRYING OUT THE PROPOSED PROJECT

This contract will be reliable for repairing the faulty cables of the department. Our customers will benefit from increased availability and reliability of signaling equipment. There will be greater flexibility of the network. Commuters will be able to plan their trips with confidence due to improved and more reliable signaling network.

b. PROJECT BENEFITS TO PRASA

Having this contract in place will ensure the smooth and safe movement of trains. It will lead to the smooth and safe movement of trains and there will be no authorizations of trains. There will be a more reliable and predictable train service.

c. CURRENT MECHANISMS IN PLACE TO ADDRESS THE PROBLEM

The current mechanism in place to address the problem is to clamp the points sets in the position desired by Train Operations who then authorize trains manually past signals which are not functioning.

4. SCOPE OF WORK AND AREAS OF FOCUS

a. SCOPE OF THE DESIRED SOLUTION

The scope of the work is for a contractor to repair signaling block cables between Umlazi and Lindokuhle section for PRASA KZN, and this will prevent the breakdown on the signaling cable network.

b. DETAILS ON THE PREFERRED SOLUTION

This contract is the preferred option to address the current signaling cable infrastructure challenges(resources) in this section. Therefore, a targeted intervention is required to address this critical area that can ensure reliability, availability, maintainability, and safety of the signaling infrastructure. This option enables the region to reinstate the signaling to its operational state without a need for extensive engineering changes but addresses the current constraints to service.

c. EXTENT AND COVERAGE OF THE PROPOSED PROJECT

The signaling block cables will be repaired between Umlazi and Lindokuhle section.

d. OTHER RELATED PROJECTS

There are no other projects that have been identified which are related to this project.

5. Specifications of the Work or Products or Services Required

- 5.1 The contractor is to supply and repair the new 10 pair comms cable for the block signals and 4 core cables for the track circuit.
- 5.2 The contractor is to open and locate the cables in the cable trench between case A3991A and case A3991C (Umlazi) and case A3989A and A3988C (Lindokuhle)
- 5.3 Once the cable has been located and identified, the cable must be meggered for continuity to Umlazi Relay Room and KwaMnyandu Relay Room
- 5.4 The cables are to be re-routed but bearing in mind that there is a tunnel of approximately 230 meters situated between case A3991A (Umlazi) and case A3988C (Lindokuhle).
- 5.5 The cables going through the tunnel must be placed in a galvanized pipe and boxed in with a concrete mix and where the cables lead out of the tunnel at either end, must be placed in galvanized piping which exits the tunnel at an angle which leads into the cable trench.
- 5.6 The block cable is a through cable from Umlazi Relay Room to KwaMnyandu Relay Room Outgoing Panels.
- 5.7 The 4-core cable is terminated between A3991A, 3991C and A3989A cases. The tenderer is to terminate the block cable in one of the above cases.
- 5.8 The new cables must be laid in the trench underground. The Technical officer will indicate the cable route to be trenched.
- 5.9 Trenching and laying of cables must strictly adhere to Trenching and Outdoor Cable Specification CSE 516 Version 2b provided.
- 5.10 Cross trenching with 110mm flex tube/nextube (industrial) is permitted. GPS position of trench to be recorded and marked accurately on cable plans.
- 5.11 Cable joints must be accurately marked on the plans with the GPS position.
- 5.12 The contractor is to include the transportation cost and all cable joining kit (i.e. sleeves/ lugs/ ferrules/ insulation tape, etc) in their rate to supply the material.
- 5.13 The contractor will be required to megger the 10pr cable between Umlazi and KwaMnyandu relay room once the re-routing is complete and submit megger sheets.
- 5.14 All new cables must be commissioned by a qualified Signal Engineering Technician. Contractor to submit the Qualified Signal Technician Certificate (National Diploma in Electrical Engineering or Signal Electrician). Failure to submit the certificates will result in the contractor being disqualified.

5.2 Project Site

- 5.2.1 The contractor is to attend a compulsory site visit to ascertain the nature of works as well as to properly quote for the required works. This site visit will take place immediately after tender briefing. No errors in measurement will be rectified later. All bidders to provide PPE during site visit.
- 5.2.2 The contractor will be solely responsible for the security of all equipment and materials which are brought onto the site. Open trenches or exposed cables are to be always guarded. Security personnel to sign On and Off at contractors site office.
- 5.2.3 The contractor shall provide the two qualified flagmen with valid Trains Working Rules certificate required for the protection of person working in the section. Contractor to submit the two Flagmen certificate with valid Trains Working Rules certificates. Failure to submit the Flagmen certificates will result in the contractor being disqualified.
- 5.2.4 The contractor must remove all redundant cables. All scrap material removed is to be delivered to Clairwood Signal Maintenance depot.

5.3 Drawings & Diagrams

- 5.3.1 As - Built cable plans will be provided to the successful bidder.
- 5.3.2 Case and cable plans will have to be redrawn to accommodate these changes.
- 5.3.3 The contractor to provide three new sets of 'hard copies' of cable plans after the completion of works. All cable plans must be laminated.

5.4 Occupations

5.4.1 The Signal department will be responsible for arranging all occupations by mutual agreement with the contractor and the Network Planning department. Bidder to submit a detailed occupation request well in advance. Three weeks' notice required for all occupations. PRASA reserves the right to cancel or postpone any occupation.

5.4.2 There will be restrictions on the time allowed for occupations during the week while on weekends extended time will be allowed. The contractor may be required to perform a presentation at the monthly occupation planning meeting.

6. Contract Period

Contract period will be two months from date of award.

7. Guarantees

All equipment provided including workmanship shall be guaranteed for a period of one year starting on the date of commissioning.

9. Penalties

Should the Contractor fail to complete delivery on/before the stipulated dates for occupation as agreed for in this tender a penalty fee of R10 000 per week will be charged.

10. Safety File

All work in the contract should comply with Occupational Safety Act, 1993 (Act No 85 of 1993). A safety file shall be submitted and approved by the Regional Signals Engineer/Project Manager and Risk department before bidder start the work.

11. Termination of contract

PRASA reserves the right to cancel the contract at any time during the contract period in the case of the contractor not performing according to the requirements of the agreement.

12. CIDB Grading

CIDB grading is 2EP or higher.

SECTION 10

BOQ/ PRICING SCHEDULE

NB: The contractor is to include the transportation cost and all cable joining kit (i.e. sleeves/ lugs/ ferrules/ insulation tape, etc) in their rate to supply the material.

ITEM NO	DESCRIPTION	UNIT	QTY	RATE	TOTAL AMOUNT
1	Material and Installation				
1.1	Supply and install 10 pair comms cable (0.9mm)	m	1000		
1.2	Supply and install 4 core armoured cable (1.6mm)	m	500		
1.3	Supply and install Galvanised pipe with collars 100mm diameter	m	250		
2	Flagmen Protection (2x)	Day	40		
				SUB TOTAL	
				VAT	
				GRAND TOTAL	