



T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex C of the CIDB Standard for Uniformity in Engineering and Construction Works Contracts. The Standard for Uniformity in Construction Procurement was first published in Board Notice 62 of 2004 in Government Gazette No 26427 of 9 June 2004. It was subsequently amended in Board Notice 67 of 2005 in Government Gazette No 28127 of 14 October 2005, Board Notice 93 of 2006 in Government Gazette No 29138 of 18 August 2006, Board Notice No 9 of 2008 in Government Gazette No 31823 of 30 January 2009, Board Notice 86 of 2010 in Government Gazette No 33239 of 28 May 2010, Board Notice 136 of 2015 in Government Gazette 38960 of 10 July 2015 and Board Notice 423 of 2019 in Government Gazette No 42622 of 8 August 2019.

This edition incorporates the amendments made in Board Notice 423 of 2019 in Government Gazette 42622 of 8 August 2019. (see www.cidb.org.za).

The Standard Conditions of Tender make several references to Tender data for detail that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

Each item of data given below is cross-referenced in the left-hand column to the clause in the Standard Conditions of Tender to which it mainly applies.

Clause	Data
C.1.1 The <i>Employer</i> is	Transnet SOC Ltd (Reg No. 1990/000900/30)
C.1.2 The tender documents issued by the <i>Employer</i> comprise:	
Part T: The Tender	
Part T1: Tendering procedures	T1.1 Tender notice and invitation to tender T1.2 Tender data
Part T2 : Returnable documents	T2.1 List of returnable documents T2.2 Returnable schedules
Part C: The contract	
Part C1: Agreements and contract data	C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2) C1.3 Form of Securities
Part C2: Pricing data	C2.1 Pricing instructions C2.2 Price Schedule



Part C3: Scope of work		C3.1 Goods Information
C.1.4	The Employer's agent is:	Procurement Manager
	Name:	Ntombikayise Mashaba
	Address:	202 Anton Lembede, Durban, 4001
	Tel No.	031 361 1394
	E – mail	Ntombikayise.mashaba2@transnet.net
C.2.1	Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:	
	1. Stage One - Pre-qualification criteria for preferential procurement in terms of the Preferential Procurement Regulations, 2017:	
	a) A tenderer having a stipulated minimum B-BBEE status level of contributor of 1-4	
	b) Submit all mandatory Technical Eligibility returnables:	
	<ul style="list-style-type: none"> Compliance to the Specifications of the Enterprise business range devices T2.2-1 OEM certification from enterprise business partner T2.2-2 	
	c) Submits a tendered price in the form of offer and acceptance	
C.2.12	No alternative tender offers will be considered.	
C.2.13.3	Each tender offer shall be in the English Language .	
C.2.13.5	The <i>Employer's</i> details and identification details that are to be shown on each tender offer are as follows:	
C2.15.1	Identification details:	<p>The tender documents must be uploaded with:</p> <ul style="list-style-type: none"> Name of Tenderer: (insert company name) Contact person and details: (insert details) The Tender Number: The Tender Description <p>Documents must be marked for the attention of: <i>Employer's Agent: Ntombikayise Mashaba</i></p>
C.2.13.9	Telephonic, telegraphic, facsimile or e-mailed tender offers will not be accepted.	
C.2.15	<p>The closing time for submission of tender offers is:</p> <p>Time: 10:00am on the 21 November 2022</p> <p>Location: The Transnet e-Tender Submission Portal: (https://transnetetenders.azurewebsites.net);</p>	



NO LATE TENDERS WILL BE ACCEPTED

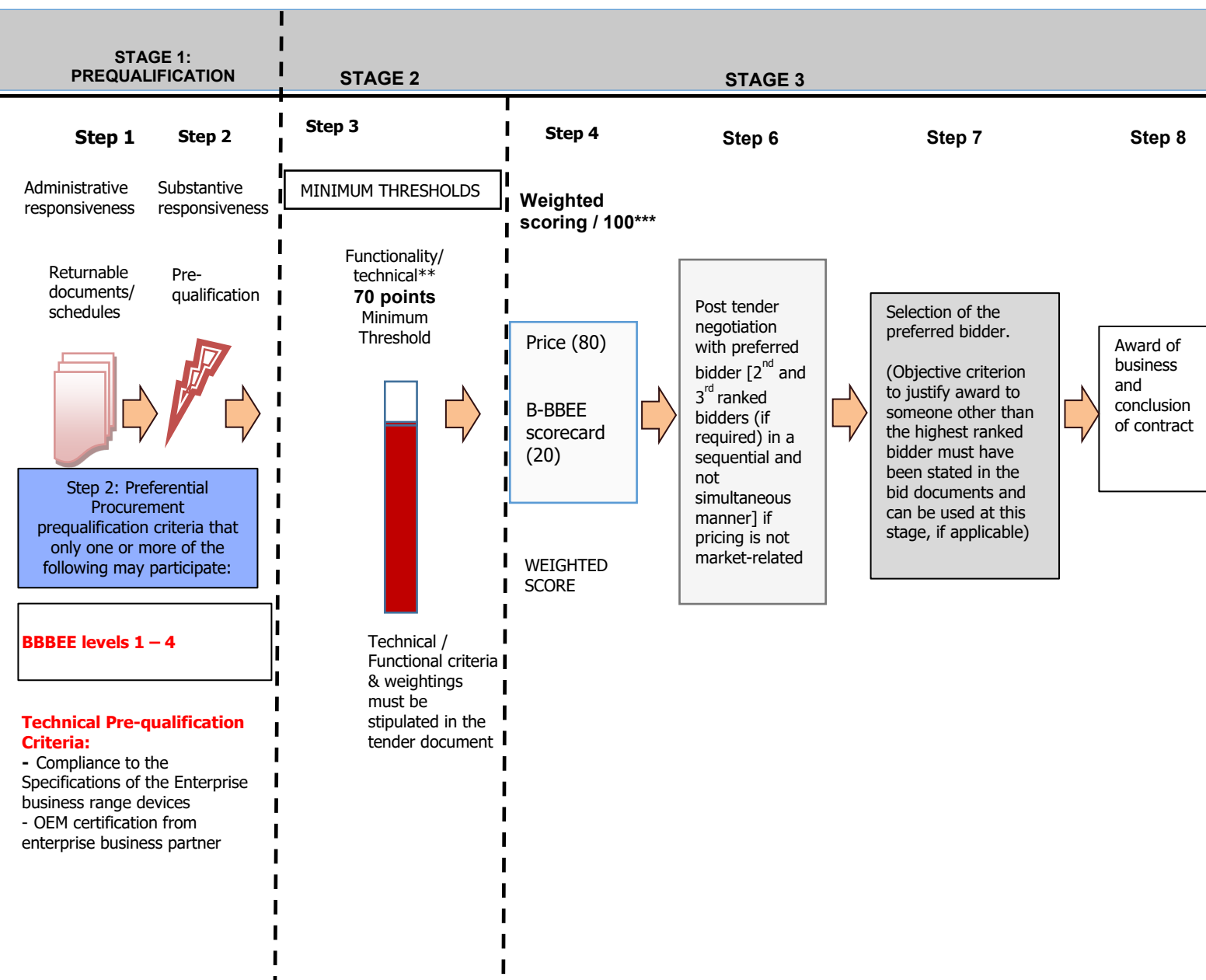
- C.2.16 The tender offer validity period is **12 weeks** after the closing date. Tenderers are to note that they may be requested to extend the validity period of their tender, on the same terms and conditions, if Transnet's internal evaluation and governance approval processes has not been finalised within the validity period.
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- C.2.23 The tenderer is required to submit with his tender:
1. A valid Tax Clearance Certificate issued by the South African Revenue Services.
Tenderers also to provide Transnet with a TCS PIN to verify Tenderers compliance status.
 2. A **valid B-BBEE Certificate** from a Verification Agency accredited by the South African Accreditation System [**SANAS**], or a **sworn affidavit** confirming annual turnover and level of black ownership in case of all EMEs and QSEs with 51% black ownership or more together with the tender;
 3. Proof of registration on the Central Supplier Database;

Note: Refer to Section T2.1 for List of Returnable Documents



Evaluation Methodology

Transnet will utilise the following methodology and criteria in selecting a preferred Service provider, if so required:



NB: Evaluation of the various stages will normally take place in a sequential manner. However, in order to expedite the process, Transnet reserves the right to conduct the different stages of the evaluation process in parallel. In such instances the evaluation of bidders at any given stage must not be interpreted to mean that bidders have necessarily passed any previous stage(s).



Evaluation Criteria

Step One: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

<i>Administrative responsiveness check</i>
<ul style="list-style-type: none"> Whether the Bid has been lodged on time
<ul style="list-style-type: none"> Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time
<ul style="list-style-type: none"> Verify the validity of all returnable documents
<ul style="list-style-type: none"> Verify if the Bid document has been duly signed by the authorised respondent

The test for administrative responsiveness [Step One] must be passed for a Respondent's Proposal to progress to Step Two for further pre-qualification

Step Two: Test for Substantive Responsiveness to RFP

The test for substantive responsiveness to this RFP will include the following:

Check for substantive responsiveness
<ul style="list-style-type: none"> Whether any general pre-qualification criteria set by Transnet, have been met
<ul style="list-style-type: none"> Whether the Bid contains a priced offer
<ul style="list-style-type: none"> Whether the Bid materially complies with the scope and/or specification given
<ul style="list-style-type: none"> Whether any set prequalification criteria for preferential procurement have been met: <ul style="list-style-type: none"> BBBEE levels 1 – 4
<ul style="list-style-type: none"> Whether any Technical prequalification criteria have been met as follows: <ul style="list-style-type: none"> Compliance to the Specifications of the Enterprise business range devices OEM certification from enterprise business partner

The test for substantive responsiveness [Step Two] must be passed for a Respondent's Proposal to progress to Step Three for further evaluation



Step Four: Minimum Threshold of 70 points for Technical Criteria

Evaluation Criteria	Weighting Points
Proof of having provided a similar goods (quantum of supply to be at least 200 units supplied in one order) (3 Reference company details provided, and it confirms quantum of supply)	25
Proof of having provided a similar goods in the last five years (3 Reference company details provided, and it confirms number of years)	25
Approach Paper: Mapping the processing, ordering to delivering	50
Total Weighting Points:	100
Minimum qualifying score required:	70

- C.3.11. Only qualifying tenders will be evaluated further in accordance with the 80/20 preference points systems :

80 where the financial value of one or more responsive tenders received have a value equal to or below R50 million, inclusive of all applicable taxes,

Up to 100 minus W_1 tender evaluation points will be awarded to tenderers who complete the preferencing schedule and who are found to be eligible for the preference claimed. **Should the BBBEE rating not be provided, tenderers with no verification will score zero points for preferencing.**

Note: Transnet reserves the right to carry out an independent audit of the tenderers scorecard components at any stage from the date of close of the tenders until completion of the contract.

- C.3.13 Tender offers will only be accepted if:

1. The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
2. the tenderer does not appear on Transnet's list for restricted tenderers and National Treasury's list of Tender Defaulters;
3. the tenderer has fully and properly completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process and persons in the employ of the state.



4. Transnet reserves the right to award the tender to the tenderer who scores the highest number of points overall, unless there are **objective criteria** which will justify the award of the tender to another tenderer. Objective criteria include but are not limited to the outcome of a due diligence exercise to be conducted. The due diligence exercise may take the following factors into account inter alia;

the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- c) has the legal capacity to enter into the contract,
- d) is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,
- e) complies with the legal requirements, if any, stated in the tender data and
- f) is able, in the option of the employer to perform the contract free of conflicts of interest.

C.3.17 The number of paper copies of the signed contract to be provided by the Employer is 1 (one).
