

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 Activity Schedule
	Part C3: Scope of work	C3.1 Works Information
	Part C4: Site information	C4.1 Site information
C.1.4	The Employer's agent is:	Procurement Officer
	Name:	Mpho Mohapi/Azola Gxamza
	Address:	N2 Neptune Road TNPA Admin Building Port of Ngqura
	Tel No.	011 351 9094
	E – mail	Mpho.Mohapi@transnet.net Azola.Gxamza@transnet.net

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

1. Stage One - Eligibility with regards to attendance at the compulsory clarification meeting:

Certificate of attendance at Compulsory Tender Clarification Meeting

An authorised representative of the tendering entity or a representative of a tendering entity that intends to form a Joint Venture (JV) must attend the compulsory clarification meeting in terms C2.7

2. Stage Two as per CIDB: Eligibility Criteria Schedule - CIDB Registration

a) Only those tenderers who are registered with the CIDB or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, designation of **6GB** or higher class of construction work, are eligible to have their tenders evaluated.

b) Joint Venture (JV) Joint ventures are eligible to submit tenders subject to the following:

1. every member of the joint venture is registered with the CIDB;
2. the lead partner has a contractor grading designation of **5GB** of class of construction work; and
3. the combined Contractor grading designation calculated in accordance with



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the Construction Industry Development Regulations is equal to or higher than a Contractor grading designation determined in accordance with the sum tendered for a **6GB** or higher class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations

4. The tenderer shall provide a certified copy of its signed joint venture agreement.

Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.

3. Stage Three - Functionality:

Only those tenderers who obtain the minimum qualifying score for functionality will be evaluated further in terms of price and the applicable preference point system. The minimum qualifying for score for functionality is 60 points.

The evaluation criteria for measuring functionality and the points for each criteria and, if any, each sub-criterion are as stated in C.3.11.3 below.

Any tenderer that fails to meet the stipulated technical criteria will be regarded as an unacceptable tender.

- C.2.7 The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender. **Tenderers must complete and sign the attendance register.** Addenda will be issued to and tenders will only be received from those tendering entities including those entities that intends forming a joint venture appearing on the attendance register.

Tenderers are also **required to bring their RFP document to the briefing session and have their returnable document T2.2-01 certificate of attendance** signed off by the Employer's authorised representative.

- C.2.12 No alternative tender offers will be considered.

- C.2.13.3 Each tender offer shall be in the **English Language**.

- C.2.13.5 The *Employer's* details and identification details that are to be shown on each tender

- C2.15.1 offer are as follows:

Identification details: The tender documents must be uploaded with:

- Name of Tenderer:
.....
(insert company name)
- Contact person and details:
.....
.....
(insert details)
- The Tender Number: TNPA/2023/02/0009/22520/RFP
- The Tender Description: ALTERATIONS AND PARTITIONING OF THE eMENDI BUILDING INCLUDING DESIGN, SUPPLY, INSTALLATION AND COMMISSIONING OF ELECTRICAL, MECHANICAL, CIVIL & STRUCTURAL ENGINEERING WORKS AT THE PORT OF NGQURA FOR A PERIOD OF FIVE (5) MONTHS

Documents must be marked for the attention of:
Employer's Agent: Mpho Mohapi

C.2.13.9 Telephonic, telegraphic, facsimile or e-mailed tender offers will not be accepted.

C.2.15 The closing time for submission of tender offers is:

Date and Time: 20 April 2023 at 16:00

Location: The Transnet e-Tender Submission Portal:

(<https://transnetetenders.azurewebsites.net>);

NO LATE TENDERS WILL BE ACCEPTED

C.2.16 The tender offer validity period is **12 weeks** 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.

C.2.23 The tenderer is required to submit with his tender:

1. A valid Tax Clearance Certificate issued by the South African Revenue Services.
Tenderers also to provide Transnet with a TCS PIN to verify Tenderers compliance status.
2. A **valid B-BBEE Certificate** from a Verification Agency accredited by the South African Accreditation System [**SANAS**], or a **sworn affidavit** confirming annual turnover and level of black ownership in case of all EMEs and QSEs with 51% black ownership or more together with the tender;
3. A valid CIDB certificate in the correct designated grading;

4. Proof of registration on the Central Supplier Database;
5. Letter of Good Standing with the Workmen’s compensation fund by the tendering entity or separate Letters of Good Standing from all members of a newly constituted JV.

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

C3.11 The minimum number of evaluation points for functionality is: **60**

The procedure for the evaluation of responsive tenders is Functionality, Price and Preference:

Only those tenderers who attain the minimum number of evaluation points for Functionality will be eligible for further evaluation, failure to meet the minimum threshold will result in the tender being disqualified and removed from any further consideration.

Functionality Criteria

The functionality criteria and maximum score in respect of each of the criteria are as follows:

(Please see CIDB Compiler guidance note T1.2 – Tender Data).

Functionality criteria	Sub-criteria	Sub-criteria points	Maximum number of points
T2.2-03 Previous Experience	List of Office (new/ refurbishment) projects undertaken in the Past 5 years, with contract values	2	15
	<ol style="list-style-type: none"> 1. Office Alteration and Interior /Architecture and Interior Finishes Including soundproof partitioning, Electrical, Mechanical works Projects 2. Civil and Structural Projects 3. Design and Coordination of Mechanical, Electrical and Plumbing (MEP) installations with space layout. 4. Building Management System (BMS) and Instrumentation 5. Previous experience in fit-out of recording/ broadcast studios. 		
	Experience Variety and Variability of Partitioning, Mechanical, Electrical and Plumbing (MEP), Building		



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	<p>refurbishment and Interior finishes types of Projects as detailed in the Scope of Service:</p> <p>Tenders to submit detail portfolio of projects demonstrating competency in the key area of speciality as mentioned in the scope of service for:</p> <ul style="list-style-type: none"> • Design • Site Supervision • Building Refurbishment • Material and Equipment Testing • Hand-over and Close-out <p>This will be assessed as a number of services counted as per the key area/s mentioned.</p>	7	
	<p>References from Clients (or Clients' Representative/s) of Previously Completed Similar Projects.</p> <p>Written References to be submitted from clients (or Clients' Representative/s) of previously completed projects.</p> <p>The portfolio of completed work comprise of a formal written appraisal of the tenderer's performance on the project in a client's letter head (with contact details) confirming the implementation, sites where previous similar work/projects were implemented.</p>	6	
<p>T2.2-04 Organogram and CV's for Management & Key Persons</p>	<p>Submit the following documents as a minimum with your tender document.</p> <p>Organogram:</p> <p>(1) An organisation chart showing on-site and off-site management including:</p> <ul style="list-style-type: none"> • The key people you have identified in the Contract Data Part two and, • Identify the required legal appointments. 	2	



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	<p>(2) Details of the location (and functions) of offices from which the works will be managed.</p> <p>(3) Details of the experience of the staff who will be working on the works with respect to:</p> <ul style="list-style-type: none"> Working with the NEC3 Engineering and Construction Contract Option chosen for this contract. If staff experience of these matters is limited, an indication of relevant training that they have attended would be helpful. 		30
	<p>Key personnel should include at least, amongst others:</p>		
	<p>Project Manager</p> <p>Project Manager should have a qualification in the built environment with extensive 7 to 8 years' experience in similar projects and New Engineering Contract (NEC3) knowledge.</p> <p>Capability and capacity of the Key Personnel to support the execution of the works based on their detailed CV's on the previous similar project experience. All personnel to be in employ of the bidder, proof submitted in the form of payslip or appointment letter or employment contract. A letter of intent for personnel outside the employ of the bidder to be included with CV.</p>	10	



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	<p>Construction Manager</p> <p>Bidder submit valid qualification NQF 6 qualification from a recognised Higher learning institute with at least 5 year's experience in similar projects.</p> <p>Capability and capacity of the Key Personnel to support the execution of the works based on their detailed CV's on the previous similar project experience. All personnel to be in employ of the bidder, proof submitted in the form of payslip or appointment letter or employment contract. A letter of intent for personnel outside the employ of the bidder to be included with CV.</p>	5	
	<p>Civil /Structural Engineer (Professional Engineer (Pr Eng) or Professional Engineering Technologist (Pr Eng Tech)</p> <p>Pr Eng Civil/Pr Eng Tech registered with Engineering Council of South Africa (ECSA) with a minimum of 5 years' experience in relevant similar projects.</p> <p>Capability and capacity of the Key proposed personnel to support the design, execution and commissioning of the works based on their detailed CVs on the previous similar projects experience. Should the tenderer not have this resource in the company, the tenderer is required to provide a letter of intent from the professional personnel outside the employ of the tenderer confirming that, the engineer will be part of the project as per the scope of works, this letter of intent to be included with the proposed personnel CV.</p>	4	



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	<p>Electrical Engineer (Professional Engineer (Pr Eng) or Professional Engineering Technologist (Pr Eng Tech))</p> <p>Pr Eng Electrical /Pr Eng Tech registered with ECSA with a minimum of 5 years' experience in relevant similar projects.</p> <p>Capability and capacity of the Key proposed Personnel to support the design, execution and commissioning of the works based on their detailed CVs on the previous similar projects experience. Should the tenderer not have this resource in the company, the tenderer is required to provide a letter of intent from the professional personnel outside the employ of the tenderer confirming that, the engineer will be part of the project as per the scope of works, this letter of intent to be included with the proposed personnel CV.</p>	<p>5</p>	
	<p>Mechanical Engineer (Professional Engineer (Pr Eng) or Professional Engineering Technologist (Pr Eng Tech))</p> <p>Pr Eng Mechanical/Pr Eng Tech registered with ECSA with a minimum of 5 years' experience in relevant similar projects.</p> <p>Capability and capacity of the Key proposed Personnel to support the design, execution and commissioning of the works based on their detailed CVs on the previous similar projects experience. Should the tenderer not have this resource in the company, the tenderer is required to provide a letter of intent from the professional personnel outside the employ of the tenderer confirming that, the engineer will be part of the project as per the scope of works, this letter of</p>	<p>5</p>	



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	intent to be included with the proposed personnel CV.		
	<p>Installation Electrician</p> <p>Registered Installation Electrician with Wireman's Licence and with 5 years' experience</p> <p>Capability and capacity of the Key Personnel to support the execution of the works based on their detailed CV's on the previous similar project experience. All personnel to be in employ of the bidder, proof submitted in the form of payslip or appointment letter or employment contract. A letter of intent for personnel outside the employ of the bidder to be included with CV.</p>	4	
T2.2-05 Method Statement	Tenderers are to submit a project specific Method Statement highlighting the categories below:		
	A detailed technical method statement is required covering the construction method and sequence of all aspects of the works to enable the Employer to assess the impact of the Contractor's methods with regard to constructability, practicality, quality, health, safety, risk and the environment (including extension of the recreational facility building).	5	20
	A detailed technical method statement should include:		
	Demolition and Protection of existing building components including protection of curtain walls, floors, etc works	4	
	Partitioning Installations	2	
	Manufacturing and Installation of aluminium Shopfronts Installations	2	
	Electrical, Mechanical, Civil & Structural design, construction/ installation, and commissioning procedure.	7	
T2.2-06 Programme	The following information is required on a programme submitted for evaluation:		
	A Level 3 Primavera P6 or MS Project (pdf copy is acceptable) detailed Programme,	2	10



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	compatible with the Bills of Quantities or price schedule.		
	Listing of all construction activities (including not limited to subcontracted works; procurement: indicate ordering of long lead items, SHERQ submission, Time allowance for Employer's Review and approval activities, Time risk allowance (TRA), Engineering activities, Construction and Project Close Out activities).	2	
	All activities should be linked with no open-end activities, Critical Path Method to be used.	1	
	The programme should use one unit of measure for duration (days or weeks).	1	
	The columns that should reflected per activity are; Start date, Finish date, Duration, Float, Predecessors, Successors and Calendar.	1	
	The calendar on the programme should reflect South African holidays e.g. weekends and December and/or Builders break as non-working periods.	1	
	The Tenderer to clearly indicate the key milestones for all the activities e.g. Project Start date, Site Access date, Design approval date, Material delivery date, Sectional handover (if applicable).	1	
	Schedule narrative which explains the schedule development.	1	
T2.2-07 Quality Management	Tenderers should submit a complete and comprehensive Quality Plan that demonstrates the following:		
	Project Quality Plan for the contract SHALL cover project scope and be aligned to QAL-STD-0001 General Quality Requirements for Contractors and Suppliers.	1	5
	Quality Manual that is aligned to ISO 9001:2015 QMS requirements.	1	
	Project Specific Quality Data Book Index	1	
	Quality Officer with ISO 9001:2015 (Quality Understanding and	1	

	Implementation Certificate) with a minimum of 3 years' experience in similar projects.		
	Quality Control Plan MUST cover all Engineering disciplines and clearly identify all inspection, test, verification requirements to meet contractual obligations, specification and drawings as required by the project scope.	1	
T2.2-08 Environmental	Submit the following documents with your tender:		
	The tenderer must provide their environmental management policy, signed by Top Management, which as a minimum: <ul style="list-style-type: none"> • Is appropriate given the purpose and context of the tenderer's business; • Includes a commitment to fulfil the tenderer's environmental compliance (legal) obligations; • Includes a commitment to the protection of the environment, including prevention of pollution; • Provides framework for setting environmental objectives; and • Includes a commitment to continual improvement of their EMS; 	1	5
	The tenderer must submit a Project Environmental Management Plan (EMP). The EMP must comply with the requirements of section 7 of the CEMP where applicable and must demonstrate how the tenderer will ensure that the requirements of the CEMP are implemented.	1	
	The tenderer must include organisational charts and the CV of the Safety Environmental Officer (to be a shared resource between environmental and safety) that is on Site on a daily basis. The CV must show that the Environmental Officer has sufficient experience and/or	1	



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	qualifications in environmental management.		
	The tenderer must demonstrate the required level of expertise and experience for the overall management of the construction environmental management process. A minimum of three examples of construction projects within environmentally sensitive areas must be provided with a brief synopsis of the environmental management measures implemented and the success of these measures.	1	
	The tenderer is to sign the declaration of understanding (refer to T2.2-38) acknowledging understanding thereof and the budget provision for the implementation of environmental management requirements.	1	
T2.2-09 Health and Safety	Submit the following documents with your tender:		10
	Policy (State points allocated) <ul style="list-style-type: none"> • Commitment to Safety, prevention of pollution, • Continual improvement, • Compliance to legal requirements, appropriate to the nature of contractor's activities, • Hold management accountable for development of the safety systems, • Include objectives and targets. 	1	
	Roles & Responsibilities <ul style="list-style-type: none"> • S16.2 Chief Executive Officer (CEO) • 8.1 Construction Manager – South African Council for Project and Construction Management Profession (SACPCMP) registration as Professional Construction Manager (Pr CM), 	2	



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	<ul style="list-style-type: none"> • 8.5 SACPCMP Registered Construction Health, Safety and Environmental Officer, • Health and Safety Manager – registered with SACPCMP • 8.7 Construction Supervisor, • 9.1 Risk Assessor, • GSR 3(4) First Aider, • 17.1 SHE Rep as per the Occupational Health and Safety Act 85 of 1993 and • COVID-19 Compliance Officer • Proof of registration with SACPCMP and CV for Construction Manager, HS Manager and Safety Health Environmental (SHE) Officer 		
	<p>Training Matrix</p> <p>List of job categories for project and competencies required per category and develop a training matrix for all employees who will be working on the project. This matrix must include Management, key persons/legal appointees and highlight training planned dates.</p>	1	
	<p>Overview of the project specific baseline risk assessment</p> <p>Indicate major activities of the project.</p>	1	
	<p>Safety Questionnaire</p> <p>Complete and return with tender documentation the Contractor Health and Safety Questionnaire included to this Evaluation Schedule as a returnable, attach all required supporting documents and complete your company three-year synopsis of SHE incidents, description, type and action taken to prevent re-occurrence.</p>	4	



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	<p>Cost Breakdown Sheet.</p> <p>Evidence that the Principal Contractor have made adequate provisions for the cost of Health & Safety "Activity Schedule": CR 3(5) (b)(iii) read with CR 5(1)(g)</p>	1	
Maximum possible score for Functionality			100

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

- T2.2-03 Previous Experience
- T2.2-04 Project Organogram, Management & CV's
- T2.2-05 Method Statement
- T2.2-06 Programme
- T2.2-07 Quality Management
- T2.2-08 Environment
- T2.2-09 Health and Safety

Each evaluation criteria will be assessed in terms of scores of 0, 20, 40, 60, 80 or 100 (linear scale, more suitable for NEC3, ECC (construction related procurement))

The scores of each of the evaluators will be averaged, weighted, and then totalled to obtain the final score for functionality, unless scored collectively. (See CIDB Inform Practice Note #9).

Note: Any tender not complying with the above-mentioned requirements, will be regarded as non-responsive and will therefore not be considered for further evaluation. This note must be read in conjunction with Clause C.2.1.

C.3.11. Only tenders that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points systems as described in Preferential Procurement Regulations 4

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



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claimed. **Should the B-BBEE 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,



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- 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).