

TRANSNET



*port terminals*

## **Part T1**

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# **Tendering Procedures**

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**T1.1**

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**Tender Notice and Invitation to  
Tender**

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## T1.1 TENDER NOTICE AND INVITATION TO TENDER

### SECTION 1: NOTICE TO TENDERERS

#### 1. INVITATION TO TENDER

Responses to this Tender [hereinafter referred to as a **Tender**] are requested from companies [hereinafter referred to as a Tenderer].

|  |   |
|--|---|
| <b>DESCRIPTION</b>                             | PROVISION OF TOPOPHOGRAPHIC SURVEY SERVICES FOR TRANSNET SOC LTD (REG NO: 1990/00900/30) OPERATING AS TRANSNT PORT TERMINALS (HEREINAFTER REFERRED TO AS "TPT" AT THE PORT OF DURBAN (POINT AUTO TERMINAL) FOR A ONCE OFF PERIOD.   |
| <b>TENDER DOWNLOADING</b>                      | <b>This Tender may be downloaded directly from Transnet website at <a href="https://transnetetenders.azurewebsites.net">https://transnetetenders.azurewebsites.net</a> (please use Google Chrome to access Transnet link) <b>FREE OF CHARGE.</b></b>  |
| <b>COMPULSORY TENDER CLARIFICATION MEETING</b> | <p>A Compulsory Tender Clarification Meeting will be conducted at RORO MHA Boardroom, MHA Building, Point Auto Terminal, Quayside Road, , Durban on <b>the 20<sup>th</sup> June 2024 at 10h00 am</b> for a period of <math>\pm</math> 2 (two) hours. [Tenderers to provide own transportation, PPE and accommodation].</p> <p>The Tender Clarification Meeting will start punctually, and information will not be repeated for the benefit of Tenderers arriving late. Certificate of Attendance in the form set out in the Returnable Schedules and a Signed Compulsory Meeting Attendance Register hereto must be completed and submitted with your Tender as proof of attendance is required for a compulsory site meeting and/or tender briefing.</p> <p>Tenderers are required to bring this Returnable Schedules T2.2-14 to the Compulsory Tender Clarification Meeting to be signed by the Employer's Representative and Tenderers to sign Compulsory Meeting Attendance Register as a proof.</p> <p><b>Tenderers failing to attend the compulsory tender briefing will be disqualified.</b></p> |
| <b>CLOSING DATE</b>                            | This RFP shall close punctually at <b>12:00 pm on 05 July 2024.</b> <b>Tenderers</b> must ensure that tenders are uploaded timeously onto the system. As a general rule, if a bid is late, it will not be accepted for consideration.   |

Transnet Port Terminals

Tender Number: ICLM DB 805/TPT

Description of The Service: Provision of Topographic Survey Services at the Port of Durban (Point Auto Car Terminal) on a once off period.

## 2. TENDER SUBMISSION

Transnet has implemented a new electronic tender submission system, the e-Tender Submission Portal, in line with the overall Transnet digitalization strategy where suppliers can view advertised tenders, register their information, log their intent to respond to bids and upload their bid proposals/responses on to the system.

a) The Transnet e-Tender Submission Portal can be accessed as follows:

- Log on to the Transnet eTenders management platform website (<https://transnetetenders.azurewebsites.net;>)
- Click on "ADVERTISED TENDERS" to view advertised tenders;
- Click on "SIGN IN/REGISTER – for bidder to register their information (must fill in all mandatory information);
- Click on "SIGN IN/REGISTER" - to sign in if already registered;
- Toggle (click to switch) the "Log an Intent" button to submit a bid;
- Submit bid documents by uploading them into the system against each tender selected.

**Tenderers are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth or the size of the number of uploads they are submitting. Transnet will not be held liable for any challenges experienced by bidders as a result of the technical challenges. Please do not wait for the last hour to submit. A Tenderer can upload 30mb per upload and multiple uploads are permitted.**

- b) The tender offers to this tender will be opened as soon as possible after the closing date and time. Transnet shall not, at the opening of tenders, disclose to any other company any confidential details pertaining to the Tender Offers / information received, i.e. pricing, delivery, etc. The names and locations of the Tenderers will be divulged to other Tenderers upon request.
- c) Submissions must not contain documents relating to any Tender other than that shown on the submission.

### 3. **CONFIDENTIALITY**

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

### 4. **DISCLAIMERS**

Tenderers are hereby advised that Transnet is not committed to any course of action as a result of its issuance of this Tender and/or its receipt of a tender offer. In particular, please note that Transnet reserves the right to:

- 4.1. Award the business to the highest scoring Tenderer/s unless objective criteria justify the award to another tenderer.
- 4.2. Not necessarily accept the lowest priced tender or an alternative Tender;
- 4.3. Go to the open market if the quoted rates (for award of work) are deemed unreasonable;
- 4.4. Should the Tenderers be awarded business on strength of information furnished by the Tenderer, which after conclusion of the contract is proved to have been incorrect, Transnet reserves the right to terminate the contract;
- 4.5. Request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 4.6. Not accept any changes or purported changes by the Tenderer to the tender rates after the closing date;
- 4.7. Verify any information supplied by a Tenderer by submitting a tender, the Tenderer/s hereby irrevocably grant the necessary consent to the Transnet to do so;
- 4.8. Conduct the evaluation process in parallel. The evaluation of Tenderers at any given stage must therefore not be interpreted to mean that Tenderers have necessarily passed any previous stage(s);

- 4.9. Unless otherwise expressly stated, each tender lodged in response to the invitation to tender shall be deemed to be an offer by the Tenderer. The Employer has the right in its sole and unfettered discretion not to accept any offer.
- 4.10. Not be held liable if tenderers do not provide the correct contact details during the clarification session and do not receive the latest information regarding this RFQ with the possible consequence of being disadvantaged or disqualified as a result thereof.
- 4.11. Transnet reserves the right to exclude any Tenderers from the tender process who has been convicted of a serious breach of law during the preceding 5 [five] years including but not limited to breaches of the Competition Act 89 of 1998, as amended. Tenderers are required to indicate in tender returnable [T2.2-8 **Breach of Law**] whether or not they have been found guilty of a serious breach of law during the past 5 [five] years.
- 4.12. Transnet reserves the right to perform a risk analysis on the preferred tenderer to ascertain if any of the following might present an unacceptable commercial risk to the employer:
- *unduly high or unduly low tendered rates or amounts in the tender offer,*
  - *contract data of contract provided by the tenderer, or*
  - *the contents of the tenderer returnables which are to be included in the contract.*
5. Transnet will not reimburse any Tenderer for any preparatory costs or other work performed in connection with this Tender, whether or not the Tenderer is awarded a contract.

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## 6. NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Tenderer 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. The CSD can be accessed at <https://secure.csd.gov.za/>. Tenderer are required to provide the following to Transnet in order to enable it to verify information on the CSD:

Supplier Number..... and Unique registration reference number.....

**Transnet urges its clients, suppliers and the general public to report any fraud or corruption to**

**TIP-OFFS ANONYMOUS: 0800 003 056 OR [Transnet@tip-offs.com](mailto:Transnet@tip-offs.com)**

TRANSNET



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**T1.2**

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**Tender Data**

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Transnet Port Terminals

Tender Number: ICLM DB 805/TPT

Description of The Service: Provision of Topographic Survey Services at the Port of Durban (Point Auto Car Terminal) on a once off period.

## 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](http://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 | <b>Transnet SOC Ltd<br/>(Reg No. 1990/000900/30)</b> |
|-------|------------------------|--|

|       |  |
|-------|--|
| 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<br>T1.2 Tender data |
|-------------------------------|---|

|                               |  |
|-------------------------------|--|
| Part T2: Returnable documents | T2.1 List of technical returnable schedules<br>T2.2 Returnable documents |
|-------------------------------|--|

### Part C: The contract

|                                       |  |
|---------------------------------------|--|
| Part C1: Agreements and contract data | C1.1 Form of offer and acceptance<br>C1.2 Contract data (Part 1 & 2) |
|---------------------------------------|--|

|                       |  |
|-----------------------|--|
| Part C2: Pricing data | C2.1 Pricing instructions<br>C2.2 Price List |
|-----------------------|--|

Part C3: Scope of services

C3.1 Works Information

|       |                          |   |
|-------|--------------------------|---|
| C.1.4 | The Employer's agent is: | Contracts Specialist  |
|       | Name:                    | Qinisile Khuzwayo   |
|       | Address:                 | Transnet Port Terminals<br>2 <sup>nd</sup> Floor Admin Building, Pier2<br>Langeberg Road,<br>Durban<br>4001 |
|       | Tel No.                  | 031 361 3752  |
|       | E – mail                 | <a href="mailto:Qinisile.Khuzwayo@transnet.net">Qinisile.Khuzwayo@transnet.net</a>                          |

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

**1. Step One – Test for Administrative Responsiveness**

The test for administrative responsiveness will include the following:

| <b><i>Administrative responsiveness check</i></b>   |
|---|
| <ul style="list-style-type: none"> <li>Whether the Bid has been lodged on time</li> <li>Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time</li> <li>Verify the validity of all returnable documents</li> <li>Verify if the Bid document has been duly signed by the authorised respondent</li> <li>T2.2.14: Certificate of attendance of compulsory Site Meeting</li> </ul> <p>(An authorised representative of the tendering entity or a representative of a tendering entity that intends to form a Joint Venture (JV) must both attend the compulsory clarification meeting).</p> |

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

## 2. Step Two: Test for Substantive Responsiveness to RFQ

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

***The test for substantive responsiveness [Step Two] must be passed for a Respondent's Proposal***

| Check for substantive responsiveness  |
|---|
| <ul style="list-style-type: none"> <li>Whether any general pre-qualification criteria set by Transnet, have been met</li> <li>Whether the Bid contains a priced offer</li> <li>Whether the Bid materially complies with the scope and/or specification given</li> <li>The Professional Surveyor should at least have a minimum qualification of a BSc. Eng./B.Tech in Surveying and a PLATO/SAGC registration as Pr. Eng/Pr. Tech. with at least 10 years of experience in land surveying projects projects. Copy of registration certificate (or registration number) to be provided.</li> </ul> |

***to progress to Step Three for further evaluation***

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

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### **3. Step Three – Functionality Criteria**

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 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 pre-qualifying criteria will be regarded as an unacceptable tender.***

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Transnet Port Terminals

Tender Number: ICLM DB 805/TPT

Description of The Service: Provision of Topographic Survey Services at the Port of Durban (Point Auto Car Terminal) on a once off period.

| Quality Criteria  | Weighting points | Scoring Guideline                            |
|---|------------------|--|
| Technical Capability:   |                  |  |
| 1. Professional registered Surveyor<br><br>General experience in the Built Environment<br><br>Experience in issues pertinent to the project(Rail, pavement and drainage, roadworks building and earthworks)   | 20               | 8<br><br><br><br><br><br><br><br><br><br>10  |
| 2. Method statement for the Surveying Services<br><br>Approach is clearly articulated and based on the Works Information, The Tenders sequencing of works must be clear, logical and show knowledge of surveying in a construction project.<br><br>Demonstrates a clear understanding of the project objectives as highlighted in the Works information   | 30               | 10<br><br><br><br><br><br><br><br><br><br>20 |
| 3. Project programme<br><br>Ability to execute the services in terms of the Employer's requirements and within the required timeframe indicating, in a logical sequence, the order and timing of the construction that will take place in order to Provide the works clearly indicating the capacity & capability to achieve the dates stated in the Contract Data.<br><br>Dates when the Consultant will need access to any part of the site and/or persons and/or information, as well as submission approval process and timing for Health & Safety Files pre-requisites/requirements. In addition the Programme must clearly demonstrate adequate provision for the review and acceptance process associated with deliverables requiring the Employer's acceptance including due cognizance taken of the timeframes associated with | 30               | 10   |



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|   |     |    |
|---|-----|----|
| <p>undertaking same and any other items of this nature. Moreover, the Programme must clearly demonstrate adequate provision for the process and timeframes associated with undertaking procurement processes for all long lead items, inductions, permits, medicals, plant and equipment approvals and any required certifications in this regard including any interim approvals by the Employers Agent.</p> <p>The Consultant indicates how he plans in achieving the following dates and clearly demonstrates the month schedule—initiates Starting Date, Access Dates, Planned Completion, &amp; Completion Date. In addition, the Programme clearly demonstrates adequate provisions for Time Risk Allowances (TRA). Time Risk Allowances are not float, are owned by the Tenderer, can be included in the activity duration, and illustrated in the schedule in a code field or as an attachment.</p> <p>The Programme must clearly support and demonstrate alignment to the Method Statement</p> |     | 5  |
|   |     | 5  |
|   |     | 10 |
| 4. Tenders experience in producing Topographical Surveying for building, rail, stormwater, paving, earthworks, road resurfacing   | 20  | 20 |
|   |     |    |
|   | 100 |    |

## 4. Step Four - Price and B-BBEE (Evaluation and Final Weighted Scoring)

### 4.1.1 Step Four: Evaluation and Final Weighted Scoring

#### a) Price Criteria [Weighted score 80 points]:

| Evaluation Criteria | RFQ Reference                                 |
|---------------------|---|
| • Commercial offer  | Section 4 and Annexure.<br>(Pricing Schedule) |

Transnet will utilise the following formula in its evaluation of Price:

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

Where:

$Ps$  = Score for the Bid under consideration

$Pt$  = Price of Bid under consideration

$Pmin$  = Price of lowest acceptable Bid

#### b) Specific Goals [Weighted score 20 point]

- Specific goals preference points claim form
- Preference points will be awarded to a bidder for attaining the specific goals requirements in accordance with the table indicated below of the specific goals.

### **SUMMARY: APPLICABLE THRESHOLDS AND FINAL EVALUATED**

#### **WEIGHTINGS**

| Evaluation Criteria        | Final Weighted Scores |
|----------------------------|-----------------------|
| Price                      | 80                    |
| Specific goals - Scorecard | 20                    |
| Total                      | 100                   |

## 5. Step Five: Post Tender Negotiations (if applicable)

- Respondents are to note that Transnet may not award a contract if the price offered is not market related. In this regard, Transnet reserves the right to engage in PTN with the view to achieving a market-related price or to cancel the tender. Negotiations will be done in a sequential manner i.e.:
  - first negotiate with the highest ranked bidder or cancel the bid, should such negotiations fail,
  - negotiate with the 2nd and 3rd ranked bidders (if required) in a sequential manner.
- In the event of any Respondent being notified of such short-listed/preferred bidder status, his/her bid, as well as any subsequent negotiated best and final offers (BAFO), will automatically be deemed to remain valid during the negotiation period and until the ultimate award of business.
- Should Transnet conduct post tender negotiations, Respondents will be requested to provide their best and final offers to Transnet based on such negotiations. Where a market related price has been achieved through negotiation, the contract will be awarded to the successful Respondent(s).

## 6. Step Six: Award of business and conclusion of contract

- Immediately after approval to award the contract has been received, the successful or preferred bidder(s) will be informed of the acceptance of his/their Bid by way of a Letter of Award. Thereafter the final contract will be concluded with the successful Respondent(s).
- A final contract will be concluded and entered into with the successful Bidder at the acceptance of a letter of award by the Respondent.

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 offer are as follows:

Identification details:

The tender documents must be uploaded with:

- Name of Tenderer: .....
- Contact person and details: .....
- The Tender Number: **ICLM DB 805/TPT**
- The Tender Description: PROVISION OF TOPOGRAPHIC SURVEY SERVICES FOR TRANSNET SOC LTD (REG NO: 1990/00900/30) OPERATING AS TRANSNET PORT TERMINALS (HEREINAFTER REFERRED TO AS "TPT" AT THE PORT OF DURBAN (POINT AUTO CAR TERMINAL) ON A ONCE OFF PERIOD.



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Documents must be marked for the attention of: ***Employer's Agent:***  
**Qinisile Khuzwayo**

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

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C.2.15 The closing time for submission of tender offers is:  
Time: **12:00pm** on the 05 July 2024  
Location: The Transnet e-Tender Submission Portal: (<https://transnetetenders.azurewebsites.net>);

**NO LATE TENDERS WILL BE ACCEPTED**

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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 Tenderer's 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 line with the code of good practice, 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 Technical Returnable Schedules

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C3.11

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

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C.3.11. 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:

| Functionality criteria<br>Sub - criteria  | Sub - criteria  | Maximum<br>number of<br>points | Technical<br>Returnable<br>Schedules |
|---|---|--------------------------------|--------------------------------------|
| Previous Experience   | Previous Experience   | 20                             | T2.1.1                               |
| Method statement for the<br>Surveying Services  | Method statement for the<br>Surveying Services  | 30                             | T2.1.2                               |
| Project programme   | Project programme   | 30                             | T2.1.3                               |
| Tenders experience in<br>producing Topographical<br>Surveying for building, rail<br>,stormwater, paving,<br>earthworks, road resurfacing. | Tenders experience in<br>producing Topographical<br>Surveying for building , rail,<br>stormwater, paving,<br>earthworks, road resurfacing . | 20                             | T2.1.4                               |
| <b>Maximum possible score<br/>for Functionality</b>   |   |                                | <b>100</b>                           |
| <b>Minimum score for<br/>Functionality</b>  |   |                                | <b>60</b>                            |

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

- T2.1.1 - Experience in the Built Environment
- T2.1.2 -Method Statement
- T2.1.3 -Programme
- T2.1.4 -Management and CV's of Personnel

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)) or 0, 40, 70, 90 or 100 (logarithmic scale, more suitable for NEC3, PSC or Supply Contract). Compilers, please delete sentences in RED as and when the Procurement/CFST decides on the relevant scale.

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.**

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.

80/20 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,

| Thresholds                | Minimum Threshold |
|---------------------------|-------------------|
| Technical / functionality | 60                |

| Evaluation Criteria               | Final Weighted Scores |
|-----------------------------------|-----------------------|
| Price and Total Cost of Ownership | 80                    |
| Specific goals - Scorecard        | 20                    |
| <b>TOTAL SCORE:</b>               | <b>100</b>            |

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 evidence have required for any of the Specific Goals applicable in this tender is not provided, a tenderer will score zero preference points for that particular "Specific Goal".**

In terms of Transnet Preferential Procurement Policy (TPPP) and Procurement Manuals, the following preference points must be awarded to a bidder who provides the relevant required evidence for claiming points

| Selected Specific Goal               | Number of points allocated (80/20) |
|--------------------------------------|------------------------------------|
| B-BBEE Level of contributor (1 or 2) | 10                                 |
| 30% Black Women Owned Entities       | 10                                 |
| Total Score                          | 20                                 |

**The following Table represents the evidence to be submitted for claiming Preference points for applicable specific goals in a particular tender:**

| Specific Goals                                 | Acceptable Evidence   |
|--|---|
| B-BBEE   | B-BBEE Certificate / Sworn-Affidavit B-BBEE Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines        |
| 30% Black Women Owned Entities                 | B-BBEE Certificate / Sworn-Affidavit / CIPC B-BBEE Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines |
| 50% Black Youth Owned Entities                 | Certified copy of ID Documents of the Owners and B-BBEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accept)       |
| Entities Owned by People with Disability (PWD) | Certified copy of ID Documents of the Owners and Doctor's note confirming the disability and/or Employment Equity Act 1(EEA1) form.           |
| Entities/Black People living in rural areas    | Entity's Municipal/ESKOM bill or letter from Induna/ chief confirming residential address not older than 3 months                             |
| South African Enterprises                      | CIPC Registration Documents   |
| EME or QSE 51% Black Owned                     | B-BBEE Certificate / Affidavit (in case of JV, a  |



Transnet Port Terminals

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|  |   |
|--|---|
|  | consolidate scorecard will be accept) as per DTIC guidelines  |
| Entities that are 51 % Black Owned   | B-BBEE Certificate / Sworn-Affidavit B-BBEE Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines  |
| Promoting exports orientated production for Job creation   | Returnable section/annexure.....on job creation   |
| Local Content and Local Production   | Returnable Local Content and production Annexures   |
| NIPP   | NIPP Returnable documents   |
| Creation of new jobs and labour intensification  | Returnable section/annexure.....on job creation.  |
| <p>The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to South African Companies which are:</p> <ul style="list-style-type: none"> <li>I. 30% Black Women, 51% black Youth and 51% people with disabilities</li> <li>II. Entities with a specified minimum B-BBEE level (1 and 2)</li> <li>III. EMEs and/or QSEs who are 51% black-owned</li> </ul> | Sub-contracting agreements and Declaration / Joint Venture Agreement. Certified copy of ID Documents of the Owners and B-BBEE Certificate / Affidavit (in case of JV, a consolidate scorecard will be accept) of the sub-contracted entities. |
| The promotion of enterprises located in a specific province/region/municipal area for work to be done or services to be rendered in that province/region/municipal area  | CIP - Registered address of entity  |

The maximum points for this bid are allocated as follows:

| <u>DISCRIPTION</u>  | <u>POINTS</u> |
|---|---------------|
| PRICE   | 80            |
| B-BBEE STATUS LEVEL OF CONTRIBUTION<br>30% Black Women Owned Entities = (10 points)<br>B-BBEE Level of contributor (1 or 2) = (10 points) | 20            |
| Total points for Price and Specific Goals must not exceed   | 100           |

**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:

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- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
  - b) is not undergoing a process of being restricted by Transnet or other state institution that Transnet may be aware of,
  - c) 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, 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.

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

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