

SANRAL

SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LTD



Reg.No.1998/009584/30

BUILDING SOUTH AFRICA
THROUGH BETTER ROADS

**THE SOUTH AFRICAN NATIONAL
ROADS AGENCY SOC LIMITED**

CONTRACT SANRAL X.002-184-2023/1

**PROCUREMENT OF THE OPERATIONS AND
MAINTENANCE OF AN OPEN ROAD TOLLING SYSTEM
IN THE GAUTENG PROVINCE, SOUTH AFRICA, AND A NATIONAL
TRANSACTION CLEARING HOUSE**

AUGUST 2022

**VOLUME 3
PART T1 TENDER PROCEDURES**

**CHIEF EXECUTIVE OFFICER
SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED
48 TAMBOTIE AVENUE
VAL DE GRACE
PRETORIA, 0184**

NAME OF TENDERER:

Set sequential number



CONTRACT SANRAL X.002-184-2023/1

FOR

**THE PROCUREMENT OF THE OPERATIONS AND
MAINTENANCE OF AN OPEN ROAD TOLLING SYSTEM IN
THE GAUTENG PROVINCE, SOUTH AFRICA AND A
NATIONAL TRANSACTION CLEARING HOUSE**

**AUGUST 2022
VOLUME 3
PART T1 TENDER PROCEDURES**

COMPILED UNDER THE DIRECTION OF THE REGIONAL MANAGER: NORTHERN
REGION

SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED
38 IDA STREET
MENLO PARK
PRETORIA
SOUTH AFRICA
0081

sanralbid@dbsa.org

LIST OF CONTRACT DOCUMENTS

The following documents form part of this contract:

Volume 1: The FIDIC Conditions of Contract for Design, Build and Operate Projects (September 2008), issued by the International Federation of Consulting Engineers, which the Tenderer shall purchase himself.

Volume 2: Not applicable.

Volume 3: The Project Document, containing the tender notice, Conditions of Tender, Tender Data, Returnable Schedules, general and particular conditions of contract, project specifications, Pricing Schedule, Letter of Tender and Site Information is issued by the Employer (see note 3 below). The Employer's Letter of Acceptance and any correspondence from the selected tenderer, Performance Security, Parent Company Guarantee (where applicable) and all addenda issued during the period of tender will also form part of this volume once a successful tenderer has been appointed.

The conditions of tender are the standard conditions of tender as contained in the South African Bureau of Standards, SANS 10845-3:2015, Construction procurement – Part 3: Standard conditions of tender, document, which the tenderer shall purchase himself.

Volume 4: Not applicable.

Volume 5: Not applicable.

Volume 6: Not applicable.

Volume 7: Not applicable.

Notes to tenderer:

1. Volume 1 is obtainable from CESA, P. O. Box 68482, Bryanston, 2021. Tel: (011) 463 2022 Fax: (011) 463 7383, e-mail: general@cesa.co.za.
2. Volume 2 – not applicable
3. Volume 3 is issued at tender stage in electronic format and contains the following files:
 - The full Project Document in PDF format (excluding the standard conditions of tender)
 - The returnable forms in Word format
 - The pricing data in Excel format

The standard conditions of tender (SANS 10845-3) is obtainable from the South African Bureau of Standards, Private Bag X191, Pretoria, 0001. Tel: (012) 428 7911 Fax: (012) 344 1568, www.sabs.co.za.

At Contract stage Volume 3 will be a signed and scanned copy containing the following documents:

- Completed returnable schedules relevant to the project (Contractor's Proposal)
 - Agreements and Conditions of Contract (including completed Contract Data)
 - Pricing Data (including completed Schedule of Payments)
 - Scope of Work
 - Employer's Requirements
 - Site Information
4. SUBMISSION OF TENDER – Of the contract documents, only the following elements of Volume 3 needs to be submitted in hardcopy and electronically on flash drive marked "Postulated (followed by the Tenderer name)" in a sealed envelope, in the following order:
 - Letter of Tender (signed and scanned as PDF file)
 - All returnable schedules (signed and scanned as PDF files)
 - Completed pricing schedule (signed and scanned PDF copy and an electronic file version in EXCEL)

Information provided by a tenderer over and above the above elements of volume 3 shall be treated as information only and will only be included if the tenderer notes on Form A4: Schedule of Variations or deviations that the information has a bearing on the tender price.

No alternative tender will be considered.

It is the bidder's responsibility to ensure all the digital files and folders are not corrupted and are clearly readable.

The following documents form part of this Contract:

<u>Volume 1</u>	<u>The FIDIC Conditions of Contract for Design, Build and Operate Projects, First Edition 2008</u>
<u>Volume 2</u>	<u>Not Applicable</u>
<u>Volume 3</u>	<u>Project Document (Parts T1, T2, C1, C2, C3 and C4)</u>
<u>Part T1</u>	<u>Tender Procedures</u>
T1.1	Tender Notice and Invitation to Tender
T1.2	Tender Data
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T2.2	Returnable Schedules
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C1.2	CONDITIONS OF CONTRACT (PRINCIPAL CONTRACT)
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C1.3	CONDITIONS OF CONTRACT (TRANSITIONAL SUBCONTRACT)
C1.3.1	<i>Structure of Transitional Subcontract</i>
C1.3.2	<i>Particular Conditions, Part A: Contract Data (Transitional Subcontract)</i>
C1.3.3	<i>Particular Conditions, Part B: Special Provisions (Transitional Subcontract)</i>
<u>Part C2</u>	<u>Pricing Data</u>
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C2.1.1	<i>Payment Methodology</i>
C2.1.2	<i>Part A - Contract: Payment Item Descriptions – DB</i>
C2.1.3	<i>Part B - Contract: Payment Item Descriptions – Ops</i>
C2.1.4	<i>Part A - Transitional Subcontract: Payment Item Descriptions - DB</i>
C2.1.5	<i>Part B - Transitional Subcontract: Payment Item Descriptions - Ops</i>
C2.2	PRICING SCHEDULE
C2.2.1	<i>Part A - Contract: Schedule of Payments – DB</i>
C2.2.2	<i>Part B - Contract: Schedule of Payments – Ops</i>
C2.2.3	<i>Part A - Transitional Subcontract: Schedule of Payments - DB</i>
C2.2.4	<i>Part B - Transitional Subcontract: Schedule of Payments - Ops</i>
<u>Part C3</u>	<u>Employer's Requirements</u>
C3.1	GLOSSARY OF TERMS AND CONDITIONS
C3.2	SCOPE OF SERVICES
C3.2.1	<i>Contract: Scope of Works</i>
	<i>Section A - Not applicable</i>
	<i>Section B - Specific Requirements (Project Related)</i>
	<i>Section C - Environmental Management Plan</i>
	<i>Section D - Small Contractor Development, Training and Community Liaison</i>
	<i>Section E - Requirements of the Occupational Health and Safety Act and Regulations</i>
C3.2.2	<i>Transitional Subcontract: Scope of Works Allocation</i>
C3.3	OPERATIONS REQUIREMENTS
C3.3.1	<i>General Operations Specifications</i>
C3.3.2	<i>Open Road Tolling Operations Specifications</i>
C3.3.3	<i>Transaction Clearing House Operations Specifications</i>
C3.3.4	<i>Violations Processing Centre Operations Specifications</i>
C3.4	TECHNICAL REQUIREMENTS
C3.4.1	<i>Standard Specs for Operations and Maintenance: E&M Specifications (2018)</i>

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C3.4.2	<i>General System Specifications</i>
C3.4.3	<i>Road Side System Specifications</i>
C3.4.4	<i>Open Road Tolling Back Office System Specifications</i>
C3.4.5	<i>Transaction Clearing House System Specifications</i>
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C3.4.7	<i>Standard Specifications for Operations and Maintenance: Electronic Toll Collection (ETC) (2018)</i>
C3.4.8	<i>Description of Section 1 Works and Services (Transitional Subcontract)</i>
C3.5	OTHER REQUIREMENTS
C3.5.1	<i>Part A - Contract: Contract Performance Measurement</i>
	<i>Part B - Transitional Subcontract: Subcontract Performance Measurement Allocation</i>
C3.5.2	<i>Project Business Rules</i>
C3.5.3	<i>Financial Management</i>
C3.5.4	<i>VAS Requirements</i>
Part C4	<u>Site Information</u>
C4.1	PROJECT INFORMATION
C4.2	THIRD PARTY AGREEMENTS TYPICAL TERMS
C4.3	CONTRACT: SUB-SUPPLY SERVICES TYPICAL TERMS
C4.4	TRANSITIONAL SUBCONTRACT: SURROUNDING ENVIRONMENT
C4.5	MISCELLANEOUS
C4.6	AGREEMENT TO OCCUPY SANRAL'S PROPERTY
C4.7	DISPUTE ADJUDICATION AGREEMENT

SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED

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PART T1: TENDERING PROCEDURES

PART T1: TENDERING PROCEDURES

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T1.1 TENDER NOTICE AND INVITATION TO TENDER (INCORPORATING SBD1)

CLOSING DATE (at 11:00): Wednesday 7 September 2022

The South African National Roads Agency SOC Limited (SANRAL) invites tenders for THE OPERATIONS AND MAINTENANCE OF AN OPEN ROAD TOLLING SYSTEM IN THE GAUTENG PROVINCE, SOUTH AFRICA, AND A NATIONAL TRANSACTION CLEARING HOUSE AND VIOLATIONS PROCESSING CENTRE.

This project is in the province of Gauteng.

The Contract Period shall be for a duration of seventy-two (72) months (or six years) in total, including the Design-Build and Operation Service Periods-

Only those tenderers who satisfy the detailed eligibility criteria contained under Clause 4.1.1 of the Tender Data are permitted to submit tenders. A summary of the eligibility criteria for the tendering entity includes: Having a B-BBEE contributor status level of 1, 2, 3 or 4; being registered on the National Treasury Central Supplier Database at the closing date; having an ownership structure where at least 51% is owned by South African entities; having experience of at least 1 (one) similar project (not necessarily a toll project), to the value of at least R300 million; and having relevant financial standing to execute the project.

It is a mandatory requirement of this tender that a minimum of 30% be subcontracted to targeted enterprises as defined in the Contract Data.

TENDER DOCUMENTS

Tender documents can be downloaded from the SANRAL website at no cost from **26 July 2022** at the following link: <https://nra.co.za/sanral-tenders/list/open-tenders> Tenderers must have access to MS Office ©2013 and Acrobat Adobe ©9.0, or similar compatible software.

TENDERER'S CLARIFICATION

A compulsory Tenderer's clarification meeting will be held at the Gauteng Open Road Tolling Central Operations Centre in Samrand on Thursday, **4 August 2022** starting at **11h00**.

Tenders from late arrivals will not be allowed and their submissions shall be declared non-responsive.

At least 1 (one) technically competent person of the tenderer shall attend the clarification meeting.

The address of the Central Operations Centre is:

36 Assegaai Wood Street
Rooihuiskraal
Extension 39
Centurion
0157

GPS Coordinates: 25° 55'3.28"S, 28° 9'3.29"E

COMPLETION AND DELIVERY OF TENDERS

The closing time for receipt of tenders is 11h00 on 07 **September 2022**. **Only tender offers submitted in hardcopy and electronically on a flash drive and delivered to the address specified in the Tender Data will be accepted.**

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Tenders may only be submitted in the format as stated in the Tender Data. Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

Queries relating to issues arising from the tenderer's clarification briefing meeting or these documents may be addressed to the following:

Bidding procedure and technical enquiries

E-mail: sanralbid@dbsa.org
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T1.2 TENDER DATA

The conditions of tender are the standard conditions of tender as contained in SANS 10845-3:2015 Edition 1.

The standard conditions of tender make several references to the tender data for details that apply specifically to this tender. The tender data shall have precedence in the interpretation of any ambiguity or inconsistency between the tender data and the standard conditions of tender.

Each item of data given below is cross-referenced to the corresponding clause in the standard conditions of tender to which it mainly applies.

Clause Number	Data
2.1	Wherever reference is made in the documentation to bill of quantities it shall also mean pricing schedule or Schedule of Payments.
2.7	Wherever reference is made in the documentation to contractor it shall also mean service provider.
3.1	<p>The Employer is The South African National Road Agency Limited (SANRAL). The Employer's domicilium citandi et executandi (permanent physical business address) is:</p> <p>48 Tambotie Avenue Val De Grace, Pretoria, 0184</p> <p>The Employer's address for communication relating to this project is: sanralbid@dbsa.org.</p>
3.2	<p>The tender documents issued by the Employer comprise:</p> <p>Part T1: Tendering Procedures T1.1 Tender notice and invitation to tender T1.2 Tender data</p> <p>Part T2: Returnable Schedules T2.1 List of returnable documents T2.2 Returnable schedules</p> <p>Part C1: Agreements and Conditions of Contract C1.1 Sample Forms of Agreement C1.2 Conditions of Contract (Principal Contract) C1.3 Conditions of Contract (Transitional Subcontract)</p> <p>Part C2: Pricing data C2.1 Pricing instructions C2.2 Pricing Schedule (Schedule of Payments)</p> <p>Part C3: Employer's Requirements C3.1 Glossary of Terms and Conditions C3.2 Scope of Services C3.3 Operations Requirements C3.4 Technical Requirements C3.5 Other Requirements</p> <p>Part C4: Site Information C4 Site Information</p>

Clause Number	Data
	Part C4 Site Information will only be made available later through a confidentiality agreement.
3.4	The Employer will advise the details of its Agent.
3.4	The language for communications is English.
3.5	<p>The tender process may be cancelled if:</p> <ul style="list-style-type: none"> a) Due to changed circumstances, there is no longer a need for the goods or services specified in the invitation; b) Funds are no longer available to cover the total envisaged expenditure; c) No acceptable tender is received; or d) There is a material irregularity in the tender process <p>The period of (six) months is not applicable.</p>
4.1.1	<p>Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:</p> <ul style="list-style-type: none"> a) CIDB registration <p>CIDB Regulation 25(1B) will not be applicable to this contract.</p> <ul style="list-style-type: none"> b) Criteria for preferential procurement <p>Only tenders with a B-BBEE contributor status level of 1, 2, 3 or 4, are eligible to tender.</p> <p>The tenderer shall submit a valid B-BBEE certificate in compliance with Tender Data 5.11.8 as proof of eligibility. If the tenderer is an unincorporated Joint Venture, a Project specific B-BBEE certificate must be submitted, which certificate contains at least the tender / contract number.</p> <ul style="list-style-type: none"> c) National Treasury Central Supplier Database Registration <p>Tenderers, or in the event of a Consortium or Joint Venture, each member of the Consortium or Joint Venture, shall be registered on the National Treasury Central Supplier Database (Exclusions will only be allowed in terms of National Treasury Instruction Note 4A of 2016/17, Item 3.3) at the closing date for tender submissions. The registration is required from Targeted Enterprises as well.</p> <p>Active Supplier Listing on the National Treasury Central Supplier Database. (www.treasury.gov.za)</p> <ul style="list-style-type: none"> d) Tendering Entity <p>Tenderers comprising joint ventures, consortia or companies, shall submit legitimate signed agreements between their Members or shareholders regulating their relationship, to the Employer, together with their Tender Offer.</p> <p>Tenderers must confirm the composition of the Tendering entity (consortium, joint venture, or company, which company can include a Special Purpose Vehicle ("SPV")).</p> <p>Tenderers shall have an ownership structure where at least 51% of the ultimate ownership, voting- and economic rights in and to the tendering entity is owned by South African majority-owned and based entities. For the sake of clarity, the tendering entity may be directly owned by more than one South African majority-owned and based entity, but the combined ultimate South African ownership and voting rights in the tendering entity must</p>

Clause Number	Data
	<p>always equal or exceed 51% of the total ultimate ownership. The South African ownership of at least 51% shall remain valid throughout the Contract period.</p> <p>All tendering entities, whether joint ventures, consortia, or companies, will need to be formally incorporated within the first sixty (60) days of the Contract.</p> <p>Tenderers shall also submit signed agreements between them and their proposed subcontractors regulating their relationship, to the Employer, together with their Tender Offer.</p> <p>e) Tenderer's Relevant Experience</p> <p>The tenderer must show that he has relevant experience by providing information of at least 1 (one) similar or relevant project, but not necessarily a toll project(s), to the value of at least R300 million, which has either started or been completed within the last 5 (five) years, or which is still ongoing.</p> <p>The relevant experience must be in at least 4 of the following key areas:</p> <ul style="list-style-type: none"> i. Operations and maintenance of an IT / technology project (but not necessarily toll); ii. Multi-disciplinary project management; iii. Revenue stream management; iv. Account hosting and / or management; v. Customer Services; and vi. Performance management. <p>The information to be provided is that as outlined in Form D5.</p> <p>This form will also be used to score quality as sub-clause 5.11.9 of these Tender Conditions, as amended.</p> <p>f) Tenderer's Financial Capability</p> <p>The tenderer must show that he has relevant financial capability to execute the project. In this regard, the tenderer must show that he has had an annual turnover, over the last 3 years, in excess of R300 million per year.</p> <p>If the Tendering entity does not have consolidated financial statements, the annual turnover will be calculated proportional to the shareholding of all shareholders or members of the Tendering entity</p> <p>The information to be provided is that as outlined in Form A8.</p> <p>Failure to satisfy all the eligibility criteria will result in a non-eligible tender.</p>
4.6	<p>Failure to apply instructions contained in addenda may render a tenderer's offer non-responsive in terms of Condition of Tender 5.8.</p>
4.7	<p>A compulsory clarification briefing meeting will be held at :</p> <p>Gauteng Open Road Tolling Central Operations Centre (COC) 36 Assegai Wood Street Rooihuiskraal</p>

Clause Number	Data
	<p>Extension 39 Centurion 0157 GPS Coordinates: 25° 55'3.28"S, 28° 9'3.29"E</p> <p>Date: 4 August 2022 Starting time: 11:00</p> <p>Late arrivals will not be allowed to participate in the meeting and their submissions shall be declared non-responsive.</p> <p>A tenderer's representative cannot represent more than one tenderer at the tender clarification briefing meeting.</p> <p>The onus rests with the tenderer to ensure that the representative attending the briefing session is appropriately qualified to understand all directives and clarifications given in the briefing session.</p> <p>The signature on the duly completed and signed Form A1 shall be considered proof that the tenderer attended the whole clarification briefing session and clearly understood all directives and clarifications given in the session.</p>
4.8	Request clarifications at least 7 working days before the closing time.
4.9	No insurance is provided by the Employer Refer Part C1 – Agreements and Conditions of Contract
4.10	<p>Tenderers are required to state the rates and currencies in Rand. The Contract and the Contract Price are ZAR (Rand) denominated.</p> <p>The Employer shall however allow the Tenderer, should it select, to price items of Plant only, which the Tenderer wishes to price in foreign currency, in Euro, with all remaining items and all other associated costs being priced in ZAR. All amounts paid pursuant to the Contract, will however be paid by the Employer to the Contractor in ZAR only, with the Euro components, if any, being converted into ZAR by the Employer (at the rate quoted by the Employers primary bankers at 10:00 seven (7) days prior to the last day for payment as contemplated in the FIDIC Conditions of Contract (Volume 1) as amended by Part C1 – Agreements and Conditions of Contract.</p> <p>For these purposes, the Tenderer shall list those items of Plant only, which it intends to price, both for purposes of Tender evaluation and for purposes of the Contract, in Euro. Under no circumstances may items which do not constitute Plant, be priced in Euro and included in the items to be listed below.</p> <p>Notwithstanding that set forth above, should the Contractor and/or the party to whom the Contract Price is payable, be a non-resident of the Republic, as contemplated in the Exchange Control Regulations of 1961, then the Employer shall, should the Contractor so elect on written notice to the Employer, pay the Euro component of the Contract Price to the Contractor in Euro (against production of suitable invoices) on the date for payment as contemplated in the FIDIC Conditions of Contract (Volume 1) as amended by Part C1 – Agreements and Conditions of Contract. The ZAR component of the Contract Price shall however continue to be paid in ZAR.</p>

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Clause Number	Data
	<p>For Tender evaluation purposes only, the Tenderer shall include those items of Plant (which are priced in Euro) and which are listed below, in the Schedule of Payments in ZAR, by converting those items into ZAR at the rate of ZAR20,00 to Euro1,00.</p> <p>If the Tendered amount in ZAR (after conversion to from Euro pursuant to Form B2), is lower than the total tendered amount in the Schedule of Payments for that item, the balance of the tendered amount (i.e.the non-Euro based amount) in the Schedule of Payments shall be subject to Contract Price Adjustment as contemplated in Part C2 – Pricing Data.</p>
4.12	No Alternative tender will be considered.
4.13.4	The tenderer is required to submit all certificates as listed in the Schedule of Tender Compliance (Form E1) as scanned copies in PDF format.
4.13.1 and 4.13.5	<p>Only the following needs to be submitted:</p> <p>a) Postulated Tender</p> <p>The following information is to be submitted in hardcopy and on flash drive and marked “Postulated Tender” followed by the “Tenderer name”, in the following order:</p> <ul style="list-style-type: none"> - Letter of Tender (completed, signed and scanned as pdf file and state “Letter of Tender”) - All Returnable Schedules and associated attachments and certificates applicable to the postulated tender (completed, signed, scanned and chronologically marked (numbered Form “X”) as separate pdf files for each Returnable Schedule including its attachments) - Pricing Schedule [Schedule of Payments] (completed, signed and scanned copy in pdf and a working copy in excel) <p>No Alternative Tenders will be considered. A two-envelope procedure will apply as follows:</p> <p>1) A folder is provided marked “TECHNICAL PROPOSAL”</p> <p>a) Ensure that all returnable schedules listed in T2.1 List of Returnable Schedules for inclusion in the Technical Proposal and listed in the Technical Proposal folder are completed in hardcopy and electronically on flash drive. Wherever it is a requirement to attach certificates or letters to the returnable schedules, these should be scanned in, on the flash drive in .pdf format.</p> <p>The completed hardcopy and flash drive should be marked with the tenderer’s company name, the project number and description and marked “TECHNICAL PROPOSAL”.</p> <p>b) In the block marked “Set Sequential Number” on the front cover, insert the number that is reflected in the same block on the SANRAL issued tender document.</p> <p>c) Signed hardcopy and scan in, on the flash drive in .pdf format of the valid B-BBEE certificate (and associated Assessment Report). In the event of a Joint Venture (JV), a valid project specific consolidated B-BBEE verification certificate in the name of the JV shall be attached, as well as a valid B-BBEE verification certificate for each member of the JV.</p> <p>d) Signed hardcopy and scan in, on the flash drive in .pdf format the declaration in the folder.</p> <p>e) Insert the hardcopy and electronically completed flash drive in an envelope marked “TECHNICAL PROPOSAL”.</p> <p>f) It is the bidder’s responsibility to ensure all the digital files and folders are not corrupted and are clearly readable.</p>

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Clause Number	Data
	<p>2) A folder is provided marked “FINANCIAL PROPOSAL”</p> <p>a) Ensure that all returnable schedules listed in T2.1 List of Returnable Schedules for inclusion in the Financial Proposal and listed in the Financial Proposal folder are completed in hardcopy and scan in on a flash drive in .pdf format (Contract Data and Pricing Schedule). Wherever it is a requirement to attach letters or certificates to the returnable schedules, these should be in hardcopy and scanned in, on the flash drive in .pdf format.</p> <p>The completed hardcopy and flash drive should be marked with the tenderer’s company name, the project number and description and marked “FINANCIAL PROPOSAL”.</p> <p>b) In the block marked “Set Sequential Number” on the front cover of the booklet, insert the number that is reflected in the same block on the SANRAL issued tender document.</p> <p>c) The declaration needs to be completed, signed in hardcopy and scanned in, on the flash drive in .pdf format.</p> <p>d) The Form of Offer needs to be completed, signed in hardcopy and scanned in, on the flash drive in .pdf format. A draft copy of this form is provided.</p> <p>e) The Summary of Pricing Schedule needs to be completed, signed in hardcopy and scanned in, on the flash drive in .pdf format</p> <p>f) Insert the hardcopy and electronically completed flash drive in an envelope marked “FINANCIAL PROPOSAL – DO NOT OPEN WITH TECHNICAL PROPOSAL”.</p> <p>g) It is the bidder’s responsibility to ensure all the digital files and folders are not corrupted and are clearly readable.</p> <p>3) Each envelope shall state on the outside the Employer’s address, contract number and title as well as the Tenderer’s name, authorised representative’s name, postal address and contact telephone numbers.</p> <p>4) Seal both envelopes in an outer envelope with the words “TENDER” clearly marked and bearing the Employer’s name, contract number and description as well as the Tenderer’s authorised representative’s name, postal address and contact details.</p>
4.14	<p>Provided that the omission is not a material omission, the Employer reserves the right to condone the omission and may waive any nonconformities in the tender.</p> <p>Provided that the omission is not a material omission, the Employer reserves the right to condone the omission and may request the tenderer to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities in the tender related to documentation requirements.</p>
4.15	<p>The Employer’s address for delivery of tender offers and identification details to be shown on each tender offer package is:</p> <p>Location of tender box:</p> <p>Physical address:</p> <p>The Regional Manager: Northern Region South African National Roads Agency Limited 38 Ida Street Menlo Park Pretoria South Africa 0081</p>

Clause Number	Data
	<p>Identification details: Place the signed and scanned tender offer on Flash Drive in a package marked TENDER:</p> <p>CONTRACT SANRAL X.002-184-2023/1 FOR THE PROCUREMENT OF THE OPERATIONS AND MAINTENANCE OF AN OPEN ROAD TOLLING SYSTEM IN THE GAUTENG PROVINCE, SOUTH AFRICA, AND A NATIONAL TRANSACTION CLEARING HOUSE</p> <p>Tenders must be submitted during hours (09:00 to 16:00) Monday to Friday at the Employer's address.</p> <p>It is in the tenderer's interest to ensure that the delivery of the tender offer is recorded in the Employer's tenders received register and deposited in the tender box.</p>
4.15	The closing time for submission of tender offers is 11h00 hours on Wednesday 7 September 2022.
4.16.1	The tender offer validity period is 24 weeks.
4.16.2	<p>Where a tenderer, at any time after the opening of his tender offer but prior to entering into a contract based on his tender offer:</p> <ul style="list-style-type: none"> a) withdraws his tender; b) gives notice of his inability to execute the contract in terms of his tender; or c) fails to comply with a request made in terms of 4.17, 4.18 or 5.9, <p>such tenderer shall be barred from tendering on any of the Employer's tenders for a period to be determined by the Employer, but not less than six (6) months from a date determined by the Employer. This sanction also applies to tenders under evaluation and not yet awarded. This sanction does not apply to tenders under evaluation where a request for extension of the validity period was not accepted by the tenderer. The Employer may fully or partly exempt a tenderer from the provisions of this condition if he is of the opinion that the circumstances justify the exemption.</p>
4.18	Any additional information requested under this clause must be provided within 5 (five) working days of date of request.
4.19	<p>Access shall be provided for the following inspections, tests and analysis, subject to COVID regulations and rules on site:</p> <ul style="list-style-type: none"> a) Existing resource costs – by appointment b) Existing operations procedures – by appointment c) Existing system as-built information – by appointment
5.1	The employer shall respond to clarifications received up to 7 working days before tender closing time.
5.2	The employer shall issue addenda until 5 (five) working days before tender closing time.
5.4	<p>The time and location for opening of the TECHNICAL PROPOSAL:</p> <p>Time: 11h00 on Wednesday , 7 September 2022</p> <p>Location: The Regional Manager: Northern Region South African National Roads Agency Limited 38 Ida Street Menlo Park</p>

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5.5	<p>The time and venue for the opening of the financial offers shall be communicated to all tenderers having achieved the minimum number of points for quality as prescribed.</p> <p>The financial offer of all tenderers who failed to achieve the minimum number of points for quality shall be returned unopened.</p> <p>The minimum percentage of evaluation points for quality is not less than 70%.</p>
5.7	<p>Prior to disqualification, the Employer shall inform the tenderer and give the tenderer an opportunity to make representations within 14 days as to why the tender submitted should not be disqualified and as to why the tenderer should not be restricted by the National Treasury from conducting any business with any organ of state for a period not exceeding 10 years.</p> <p>In the event of disqualification, the Employer may, at its sole discretion, claim damages from the tenderer and impose a specified period during which tender offers will not be accepted from the offending tenderer and, the Employer shall inform the National Treasury in writing.</p>
5.8	<p>A Substantially responsive tender is a tender in which all of the material information and documentation submitted at close of tender contains non-material and non-conformities to the bid specifications but are not related to price. The correction of any such documentation or information, or the condonement for the non-inclusion of any such document or information may not be prejudicial towards the offer and claimed preference of any responsive tender or be construed to be giving an unfair advantage to any tender.</p> <p>A responsive tender is also one that conforms to all the terms, conditions, and scope of work of the tender documents, without material omissions. The test for a material omission is the same as the test for a material deviation or qualification.</p>
5.9	<p><u>Arithmetical errors, omissions, discrepancies and imbalanced unit rates</u></p> <p>Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.</p> <p>Check responsive offers for:</p> <ol style="list-style-type: none"> a) The gross misplacement of the decimal point in any unit rate; b) Omissions made in completing the pricing schedule or bills of quantities; c) Arithmetic errors in: <ol style="list-style-type: none"> i) Line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or ii) The summation of the prices; d) Imbalanced unit rates; or e) Where there is an omission of a line item. <p>Notify the tenderer of all errors or omissions that are identified in the tender offer and invite the tenderer to confirm the tender offer as tendered and accept the total of prices as stated in the Letter of Tender.</p> <p>Where the tenderer elects to confirm the total of prices as stated in the Letter of Tender, correct the errors as follows:</p>

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Clause Number	Data
	<p>a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.</p> <p>b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer shall be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.</p> <p>c) Where there are unit rates that are imbalanced, adjust such rates by increasing or decreasing them and selected others, while retaining the tendered total of the prices.</p> <p>Where there is an omission of a line item, no correction is possible and the offer may be declared non-responsive.</p> <p>The tenderer is required to submit balanced unit rates for Rate Only items in the Pricing Schedule. The rates submitted for these items will be taken into account in the evaluation of tenders.</p> <p>Declare the tender non-responsive and reject any offer from a tenderer who elects not to confirm the tender offer as tendered or who elects not to accept the corrections proposed.</p>
5.11.1	<p>The procedure for the evaluation of responsive tenders is Method 3.</p> <p>If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.</p> <p>If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.</p> <p>If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots.</p>
5.11.7	<p>The value of W_1 is:</p> <ol style="list-style-type: none"> 1) 90 where the financial value, inclusive of VAT, of the lowest responsive tender offer received has a value in excess of R50 000 000,00; or 2) 80 where the financial value, inclusive of VAT, of the lowest responsive tender offer has a value that equals or is less than R50 000 000,00. <p>The value of A will be calculated utilising the following formula:</p> $A = (1 - (P - P_m) / P_m)$ <p>Where P is the comparative offer of the tender offer under consideration and P_m is the comparative offer of the most favourable comparative offer</p> <p>In the event that the calculated value is negative, the allocated score shall be 0.</p>
5.11.8	<p>Up to 100 minus W_1 tender evaluation points will be awarded to tenderers who submit responsive tenders and who are found to be eligible for the preference claimed. Points are based on a tenderer's scorecard measured in terms of the Broad-Based Black Economic Empowerment Act (B-BBEE, Act 53 of 2003), as amended Act 46 of 2013, and the</p>

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	<p>Regulations (2017) to the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000).</p> <p>Points awarded will be according to a tenderer's B-BBEE status level of contributor and summarised in the table below:</p> <table border="1" data-bbox="386 480 1360 795"> <thead> <tr> <th data-bbox="386 480 760 625">B-BBEE Status Level of contributor</th> <th data-bbox="768 480 1044 625">Number of Points for financial value up to and including R50 000 000</th> <th data-bbox="1052 480 1360 625">Number of Points for financial value above R50 000 000</th> </tr> </thead> <tbody> <tr> <td data-bbox="386 625 760 657">1</td> <td data-bbox="768 625 1044 657">20</td> <td data-bbox="1052 625 1360 657">10</td> </tr> <tr> <td data-bbox="386 657 760 688">2</td> <td data-bbox="768 657 1044 688">18</td> <td data-bbox="1052 657 1360 688">9</td> </tr> <tr> <td data-bbox="386 688 760 720">3</td> <td data-bbox="768 688 1044 720">14</td> <td data-bbox="1052 688 1360 720">6</td> </tr> <tr> <td data-bbox="386 720 760 751">4</td> <td data-bbox="768 720 1044 751">12</td> <td data-bbox="1052 720 1360 751">5</td> </tr> <tr> <td data-bbox="386 751 760 795">Non-compliant Contributor</td> <td data-bbox="768 751 1044 795">0</td> <td data-bbox="1052 751 1360 795">0</td> </tr> </tbody> </table> <p>Eligibility for preference points is subject to the following conditions:</p> <ol style="list-style-type: none"> 1. A tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with: <ul style="list-style-type: none"> - the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; OR - the Information and Communication Technology (ICT) Charter (Government Gazette No. 40407), OR - the Financial Sector Charter Government (Gazette No. 35914), OR - the Integrated Transport Sector Codes (Government Gazette 32511), OR - the DTI Generic Scorecard. 2. The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1. 3. The certificate shall: <ul style="list-style-type: none"> - be valid at the tender closing date; and - have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or - be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) or Qualifying Small Enterprise (QSE) in accordance with the applicable sector codes as listed in 1 above. - have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data 4.15). 4. Compliance with any other information requested to be attached to Returnable Schedule Form C1.1 and C1.2; and 5. In the event of a joint venture (JV), a valid project-specific consolidated B-BBEE verification certificate in the name of the JV, issued by a verification agency accredited by the South African National Accreditation System (SANAS) shall be submitted, and 6. If the tender documents indicate that the tenderer intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the status level that the tenderer qualifies for, 0 (zero) points for preference shall be awarded, unless the intended subcontractor is an EME that has the capability to execute the subcontract and the value of the work is below the EME threshold. 	B-BBEE Status Level of contributor	Number of Points for financial value up to and including R50 000 000	Number of Points for financial value above R50 000 000	1	20	10	2	18	9	3	14	6	4	12	5	Non-compliant Contributor	0	0
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5.11.9	The quality criteria, maximum score and scoring mechanism in respect of each of the criteria are as follows:																		

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	<p>A high-level overview of the quality scoring is as follows:</p> <table border="1"> <thead> <tr> <th>No</th> <th>Description</th> <th>Form in Part T2</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Relevant Experience of the Tendering Entity</td> <td>Form D5</td> <td>50</td> </tr> <tr> <td>2</td> <td>Tendering Entity's QMS Credentials</td> <td>Form D7</td> <td>10</td> </tr> <tr> <td>3</td> <td>Development of Key PDI Staff</td> <td>Form D6 (with reference to Forms D4.1 to D4.7)</td> <td>10</td> </tr> <tr> <td>4</td> <td>Tendering Entity's Proposed Organisational Structure and Staffing</td> <td>Form D3</td> <td>15</td> </tr> <tr> <td>5</td> <td>Tendering Entity's Proposed O&M Plan</td> <td>Form D2</td> <td>30</td> </tr> <tr> <td>6</td> <td>Tendering Entity's Indicative Transitional Program</td> <td>Form D8</td> <td>15</td> </tr> <tr> <td colspan="3">Total Score</td> <td>130</td> </tr> <tr> <td colspan="3">Minimum Score (%)</td> <td>70%</td> </tr> </tbody> </table> <p>The detailed scoring will be as follows:</p> <table border="1"> <thead> <tr> <th>Description of Quality Criteria</th> <th>Maximum and number of Tender. Evaluation points</th> </tr> </thead> <tbody> <tr> <td> <p>Notes:</p> <ol style="list-style-type: none"> For the purposes of this Scoring Sheet: <ol style="list-style-type: none"> Major Projects refer to projects with a project value in excess of R300 million (2019 Rand Value); Large Projects refer to projects with a project value in excess of R500million (2019 Rand), and Mega Projects refer to projects with a project value in excess of R1 billion (2019 Rand) A mega project also qualifies as a large or major project. A large project also qualifies as a major project. </td> <td></td> </tr> <tr> <td> <p>a) Tenderer's Relevant Experience</p> <p>Scoring on this reflects the tenderer's relevant experience and client satisfaction related to elements of the work associated with this project.</p> <p>Evidence is to be provided in the form of project data sheets and letters of client satisfaction obtained over the past 10 years.</p> <p>The minimum criteria are:</p> <ul style="list-style-type: none"> At least 1 reference project must be presented. All reference projects must have started or finished in the last 5 years, OR are current. All reference projects should at least be >R300m in value <p>Tenderer's should highlight in the project data sheets areas which demonstrate their relevant experience in terms of the evaluation criteria.</p> </td> <td>Max 50</td> </tr> </tbody> </table>	No	Description	Form in Part T2	Points	1	Relevant Experience of the Tendering Entity	Form D5	50	2	Tendering Entity's QMS Credentials	Form D7	10	3	Development of Key PDI Staff	Form D6 (with reference to Forms D4.1 to D4.7)	10	4	Tendering Entity's Proposed Organisational Structure and Staffing	Form D3	15	5	Tendering Entity's Proposed O&M Plan	Form D2	30	6	Tendering Entity's Indicative Transitional Program	Form D8	15	Total Score			130	Minimum Score (%)			70%	Description of Quality Criteria	Maximum and number of Tender. Evaluation points	<p>Notes:</p> <ol style="list-style-type: none"> For the purposes of this Scoring Sheet: <ol style="list-style-type: none"> Major Projects refer to projects with a project value in excess of R300 million (2019 Rand Value); Large Projects refer to projects with a project value in excess of R500million (2019 Rand), and Mega Projects refer to projects with a project value in excess of R1 billion (2019 Rand) A mega project also qualifies as a large or major project. A large project also qualifies as a major project. 		<p>a) Tenderer's Relevant Experience</p> <p>Scoring on this reflects the tenderer's relevant experience and client satisfaction related to elements of the work associated with this project.</p> <p>Evidence is to be provided in the form of project data sheets and letters of client satisfaction obtained over the past 10 years.</p> <p>The minimum criteria are:</p> <ul style="list-style-type: none"> At least 1 reference project must be presented. All reference projects must have started or finished in the last 5 years, OR are current. All reference projects should at least be >R300m in value <p>Tenderer's should highlight in the project data sheets areas which demonstrate their relevant experience in terms of the evaluation criteria.</p>	Max 50
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	<p>Tenderers must indicate the particular projects where the tenderer fulfilled the role as is required of this project, and where the projects were:</p> <ul style="list-style-type: none"> • Similar Operations and Maintenance type, but not necessarily a toll project; • Multi-disciplinary by nature; • Required the management of revenue streams; • Included account hosting and / or management; • Customer Services; and • Were performance based.
	<p>Note - As a minimum, reference to the projects, the project value, and the role performed by the firm, must be provided.</p> <ul style="list-style-type: none"> • No evidence of a similar project 0 • Some evidence of a similar project(s), where project was a Major project, and the experience gained was in at least 2 of the areas listed above 20 • Evidence of a similar project(s), where projects presented were either a Large project, or 3 Major projects, and the experience gained was in at least 3 of the areas listed above 30 • Evidence of a similar project(s), where projects presented were either a Mega project, or 3 Major projects, and the experience gained was in at least 4 of the areas listed above 40 • Evidence of a similar project(s), where projects presented were at least 1 Mega project, and 1 Large project, and the experience gained was in all of the areas listed above 50
	<p>b) Tenderer's Quality Management System</p> <p>The tenderer's record on delivering quality service as evidenced through the use of a recognised Quality Management System</p>
	<p>Note – Tenderers must indicate sufficient detail and evidence regarding the status of their Quality Management System in order for the scoring, as indicated below, to be done during the evaluation process.</p> <ul style="list-style-type: none"> • No evidence of having a quality management system in place. 0 • Evidence of having a Quality System in place that is based on the requirements of ISO 9001. 3 • Evidence of having a Quality System in place, based on the requirements of ISO 9001, and that is currently in the ISO certification process. 5 • ISO certified quality system in place for less than 5 years. 8 • ISO certified quality system in place for 5 years or more. 10
	<p>c) Development of Key Staff Max 10</p>

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Clause Number	Data		
	An objective of the project is to transfer skills and develop PDI staff during the course of the appointment		
	Scoring will be based on: <ul style="list-style-type: none"> • Zero PDI Key Resource 0 • Two (2) PDI Key Resource 4 • Three (3) PDI Key Resource 6 • Four (4) PDI Key Resource 8 • Five (5) PDI Key Resource 10 		
	d) Proposed Organogram and Staffing The Tenderer is required to demonstrate his understanding of both the operations and maintenance requirements, and associated resourcing thereto. The minimum criteria are: <ul style="list-style-type: none"> • 50% of all management resources must be in-house resources. The organogram should include: <ul style="list-style-type: none"> • Key resources, including names; • The various operations departments; • Staff numbers per department (note in this regard that for resources below supervisor level, resources can be grouped and simply quantifies; and • In-house vs outsourced resources or positions. 		
	Scoring will be based on: <ul style="list-style-type: none"> • Little or poor understanding of the requirements and associated resources 0 • A reasonable understanding of the requirements and associated resources 9 • A good understanding of the requirements and associated resources 15 		
	e) Proposed Operations and Maintenance Plan The Tenderer is required to demonstrate his understanding of the operations and maintenance requirements.		
	Scoring will be based on: <ul style="list-style-type: none"> • Little or poor understanding of the requirements • A good understanding of the requirements Areas of understanding, inter-alia: <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;"> <ul style="list-style-type: none"> • The Transitional Period O&M, including ramping up; • Management of the Transitional Subcontractor; • ORT Operations (incl. back office operations and Customer Services); • TCH Operations; • VPC Operations, including Debt Collection and Protection; • Systems Maintenance management; • Facilities Maintenance management (routine and specialist maintenance); • The Marketing and Communications obligations, and proposed solutions; </td> <td style="width: 20%; text-align: center;"> (poor / good) 1 / 3 1 / 3 </td> </tr> </table>	<ul style="list-style-type: none"> • The Transitional Period O&M, including ramping up; • Management of the Transitional Subcontractor; • ORT Operations (incl. back office operations and Customer Services); • TCH Operations; • VPC Operations, including Debt Collection and Protection; • Systems Maintenance management; • Facilities Maintenance management (routine and specialist maintenance); • The Marketing and Communications obligations, and proposed solutions; 	(poor / good) 1 / 3 1 / 3
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	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;"> <ul style="list-style-type: none"> Financial Management and Reporting; and Change Management </td> <td style="width: 40%; text-align: center; vertical-align: middle;">1 / 3</td> </tr> <tr> <td style="padding: 5px;"> f) Indicative Transitional Program The Tenderer is required to demonstrate his understanding of the Transitional Period requirements, both of the Contractor, and the Transitional Subcontractor. </td> <td style="text-align: center; vertical-align: middle;">Max 15</td> </tr> <tr> <td style="padding: 5px;"> Scoring will be based on: <ul style="list-style-type: none"> Little or poor understanding of the requirements A good understanding of the requirements Areas of understanding, inter-alia: <ul style="list-style-type: none"> All establishment and mobilisation activities; The transitioning of operations from the Transitional Subcontractor to the Contractor; All subcontractor procurement requirements in the 1st year of the Contract, including specialist services under Provisional Sums; Staff Take-over and / or procurement requirements. </td> <td style="text-align: center; vertical-align: middle;"> (poor / good) 1 / 4 1 / 4 1 / 4 1 / 3 </td> </tr> </table> <p>The total number of quality points available is 130. The minimum number of evaluation points for quality is not less than 91 (or 70%).</p>	<ul style="list-style-type: none"> Financial Management and Reporting; and Change Management 	1 / 3	f) Indicative Transitional Program The Tenderer is required to demonstrate his understanding of the Transitional Period requirements, both of the Contractor, and the Transitional Subcontractor.	Max 15	Scoring will be based on: <ul style="list-style-type: none"> Little or poor understanding of the requirements A good understanding of the requirements Areas of understanding, inter-alia: <ul style="list-style-type: none"> All establishment and mobilisation activities; The transitioning of operations from the Transitional Subcontractor to the Contractor; All subcontractor procurement requirements in the 1st year of the Contract, including specialist services under Provisional Sums; Staff Take-over and / or procurement requirements. 	(poor / good) 1 / 4 1 / 4 1 / 4 1 / 3
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5.13	<p>The conditions stated in clauses 5.13(a) to (f) of the Conditions of Tender as well as the following additional clauses 5.13(g) to (j) shall be applied as objective criteria in terms of section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000 and as compelling and justifiable reasons in terms of Conditions of Tender clause 5.11:</p> <p>g) the tenderer or any of its directors 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;</p> <p>h) the tenderer has not abused the Employer's supply chain management system;</p> <p>i) the tenderer has not failed to perform on any previous contract and has not been given a written notice to this effect; and</p> <p>j) the tenderer is tax compliant. The recommended tenderer who becomes non-compliant, prior to award, shall be notified and must become compliant within 7 working days of the date of being notified. A recommended tenderer who remains non-compliant after the 7 working days of being notified shall render the tender non-responsive.</p> <p>In addition to the requirements under paragraph (b) of the Conditions of Tender, in the event that a due diligence is performed as part of the tender evaluation, the due diligence report will be used to evaluate the tenderer's ability to perform the contract as stated in paragraph (b).</p> <p>The due diligence will evaluate the overall risk associated with the tender. The due diligence will take into consideration the following:</p> <ul style="list-style-type: none"> - Assessment of financial statements to assess the financial position of the tenderer and its ability to obtain the necessary guarantees or insurances, - Evaluation of managerial and technical ability & available resources in relation to the proposed tender, - Integrity Risk Evaluation, - Operations, Activities, Locations and Key Customers, - Reference checks from previous clients, and - Risk rating (ie. High Risk, Medium to High risk, Medium risk or Low risk) of the tenderer 						

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5.17	The number of paper copies of the signed contract to be provided by the Employer is 1.
5.19	All requests shall be in writing.
ADDITIONAL CONDITIONS OF TENDER CLAUSES:	
Clause Number	Data
3.7	Jurisdiction Unless stated otherwise in the tender data, each tenderer and the Employer undertake to accept the jurisdiction of the law courts of the Republic of South Africa.