

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 Part T2 : Returnable documents Part C: The contract Part C1: Agreements and contract data Part C2: Pricing data Part C3: Scope of work
C.1.4	The Employer's agent is: Name:
	T1.1 Tender notice and invitation to tender T1.2 Tender data T2.1 List of returnable documents T2.2 Returnable schedules C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2) C1.3 Form of Securities C2.1 Pricing Instructions C2.2 Pricing Schedule C3.1 Scope Commodity Officer Winile Xhakaza

Address: 45 Bay Terrace, South Beach, Durban, 4001

E – mail TNPATenderEnquiriesER@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:

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**

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

2. Stage Two - Technical pre-qualification for the key personnel:

Tenderer to submit Proof of registration with registration number (certified copies must be submitted) for the key personnel that would be responsible of the execution of this project.

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.

4. Stage Four - Price and Specific goals

Weighted score 100 - Price (90) Specific goals (10)

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 offer are as follows:

- | | |
|-------------------------|--|
| Identification details: | The tender documents must be uploaded with: <ul style="list-style-type: none"> ▪ Name of Tenderer: ▪ Contact person and details: ▪ The Tender Number: TNPA/2024/01/0003/53053/RFP ▪ The Tender Description: Provision for Detailed Design (Feasibility) Including Procurement Support and Construction Monitoring for New Administration |
|-------------------------|--|

Documents must be marked for the attention of: ***Employer's Agent: Winile Xhakaza***

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:
 Time: **14:00** on the **19 April 2024**
 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 line with the code of good practice, more together with the tender;
3. Proof of registration on the Central Supplier Database;

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

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

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

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	Sub-criteria	Maximum number of points
T2.2-03 - Company Previous Experience.	<p>Company's experience on structural design development and detail design of corporate multistorey office and administration buildings completed in the last fifteen (15) years. Tenderer to submit sufficiently detailed reference letters with names & contact details of Clients for which projects were undertaken and project name with detailed project description and scope of work undertaken.</p> <p>Refer to T2.2-03 for points allocation.</p>	30
T2.2-04 CV's and Experience of Key Persons	<p>Architecture: weighting is 0.2. The tenderer shall submit a CV for the Architect which shall have at-least ten (10) years of experience in the design of multistorey structures with a focus on business operations/administration.</p> <p>Structural Engineer: weighting is 0.2. The tenderer shall submit a CV for the Structural Engineer/ Technologist which shall have at-least ten (10) years of experience in the design of multistorey structures with a focus on business operations/administration.</p> <p>Electrical Engineer: weighting is 0.2. The tenderer shall submit a CV for the Electrical Engineer/Technologist which shall have at-least ten (10) years of experience in the design of office building projects.</p>	30

	<p>Civil Engineer: weighting is 0.2. The tenderer shall submit a CV for the Civil Engineer/ Technologist which shall have at-least ten (10) years of experience in the design of multistorey structures with a focus on business operations/administration.</p> <p>Mechanical Engineer: weighting is 0.1. The tenderer shall submit a CV for the Mechanical Engineer/ Technologist which shall have at-least ten (10) years of experience in the design of multistorey structures with a focus on business operations/administration.</p> <p>Project Manager: weighting is 0.1. The tenderer shall submit a CV for the Project Manager which shall have at-least 10 years of experience in the management of projects in the built environment.</p> <p>Quantity Surveyor: weighting is 0.1. The tenderer shall submit a CV for the Quantity Surveyor which shall have a minimum of ten (10) years' experience working in civil/structural engineering projects undertaking the role of a Quantity Surveyor.</p> <p>Refer to T2.2-04 for points allocation.</p>	
<p>T2.2-05 Approach Paper</p>	<p>Approach paper that responds to the scope of work and outlines proposed approach / methodology that would be used to develop the concept and produce the deliverables of the project. The</p>	<p>25</p>

	<p>approach paper must make reference to the programme, method statement, technical approach, and an understanding of the project objective as well as the relevant codes of practice and approvals required.</p> <p>Refer to T2.2-05 for points allocation.</p>	
T2.2-06 Project Programme	<p>Ability to execute the works in term of the Employer’s requirements within ten (10) months’ timeframes, indicating in a logical sequence, the order and timing of the feasibility study and detailed design activities that will take place to provide the services in a logical sequence.</p> <p>Refer to T2.2-06 for points allocation.</p>	10
T2.2- 07 Organization and Staffing	<p>The tenderer should propose the structure and composition of their team i.e., the main disciplines involved, the key persons / expert responsible for each discipline, and the proposed technical support staff.</p> <p>The roles and responsibilities of each key persons/ expert should be set out as job descriptions. In the case of an association/ joint venture/ consortium, it should, indicate how the duties and responsibilities are to be shared.</p> <p>Refer to T2.2-07 for points allocation.</p>	05
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 **Evaluation Schedule:** Company Previous Experience.
- T2.2-04 **Evaluation Schedule:** CV's and Experience of Key Persons
- T2.2-05 **Evaluation Schedule:** Approach Paper
- T2.2-06 **Evaluation Schedule:** Project Programme
- T2.2-07 **Evaluation Schedule:** Organization and Staffing

Each evaluation criteria will be assessed in terms of scores of 0, 20, 40, 60, 80 or 100

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 90/10 preference points systems as described in Preferential Procurement Regulations.

90 where the financial value of one or more responsive tenders received exceeds R50 million, inclusive of all applicable taxes,

Thresholds	Minimum Threshold
Functionality	60 Points

Evaluation Criteria	Final Weighted Scores
Price	90
Specific goals - Scorecard	10
TOTAL SCORE:	100

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 required for any of the Specific Goals applicable in this tender not be 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 (90/10)
B-BBEE Status Level of Contributor 1 or 2	05
The promotion of supplier development through subcontracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: 30% Black Women owned, 51% Black Youth and 51% Black people with disabilities	05
Non-Compliant and/or B-BBEE Level 3-8 contributors	0

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



The promotion of supplier development through subcontracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: 130% Black Women owned, 51% Black Youth and 51% Black people with disabilities	Sub-contracting agreements and Declaration / Joint Venture Agreement and CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate as per DTIC guideline
---	---

The maximum points for this bid are allocated as follows:

DISCRIPTION	POINTS
PRICE	90
SPECIFIC GOALS	
B-BBEE Level of contributor (1 or 2) (05 points)	10
The promotion of supplier development through subcontracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: 30% Black Women owned, 51% Black Youth and 51% Black people with disabilities (05 points)	
Non-Compliant and/or B-BBEE Level 3-8 contributors (0)	
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. The objective criteria Transnet may apply in this bid process include:
- a) Bidder is not in good standing with Transnet National Ports Authority due to a poor track record of past performance with Transnet SOC Ltd and or Transnet National Ports Authority;
 - b) There is clear, uncontrived and/or overwhelming evidence and/or facts that the bidder has or continues to be in breach of any of the provisions contained in the Integrity Pact;
 - c) The Probity check undertaken by Transnet National Ports Authority establishes the existence of any unmitigated risks which would have a negative impact on the project;
 - d) Unless the appointment of the bidder would result in a negative impact on Transnet's Return on Investment;
 - e) It is necessary to rotate Suppliers to promote opportunities for other suppliers, in circumstances where the bidder has been awarded business previously and the award of the tender will result in inequitable allocation of business;
 - f) The tenderer or its members, directors, partners:
 - Is under restrictions as contemplated in the Integrity Pact,
 - Is a subject of a process of restriction by Transnet or other state institution that Transnet may be aware of and there is a clear, uncontrived and/or overwhelming evidence and/or facts in relation to the alleged wrongdoing on the basis of which the restriction process has been initiated;
 - g) cannot, as necessary and in relation to the proposed contract, demonstrate that it 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;
 - h) has no legal capacity to enter into the contract;
 - i) is insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, being wound up, has its affairs administered pursuant to a court order, has ceased or suspended their business activities, or is subject to legal proceedings in respect of any of the foregoing;
 - j) does not comply with the legal requirements, if any, stated in the tender data; and
 - k) is not able to perform the contract free of conflicts of interest.

- l) 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).
