TRANSNET SOC LTD

TENDER NO. TNPA/2024/02/0012/58276/RFP
DESCRIPTION OF THE SERVICES: FOR THE DESCRIPTION OF SUPPLY: SUPPLY, DELIVERY, AND COMMISSIONING OF THE TWO ARMOURED VEHICLES AT THE PORT OF RICHARDS BAY

ADDENDUM NO. 01 **DATED 16 July 2024**

The following information is furnished in addition to, in amplification and substitution of, matters contained in the tender documents issued in respect of the above-mentioned work.

1. Tender Closing Date

The Tender closing date for submission of the Tender offer has been extended to the **26 July 2024**. The following documentation has been replaced and superseded by the attached:

- Cover Page
- T1.1: Tender notice and invitation
  - page 2 - Closing Date Section
- T1.2: Tender data
  - page 2 - C.2.1 (Stage Two - Eligibility in terms of the Construction Industry Development Board)
  - page 3- C.2.15.

WITNESSES:

1. _____

_____

_____
TENDERER / CONTRACTOR

Date: _____

WITNESSES:

2. Simiso Maphumulo

_____

_____
TRANSNET SOC LTD

Date: 16 July 2024

FROM : _____

_____

_____

_____

DATE : _____

TO: Transnet National Ports Authority
Pioneer Center Building, Santhom Road
Port of Richards Bay
3900

(Attention Mr K Zondo– Email: Kabelo.Zondo@Transnet.net)

Dear Sirs/ Madam

TENDER NO. TNPA/2023/08/0014/38527/RFP
DESCRIPTION OF THE WORKS: FOR THE SUPPLY, DELIVERY AND INSTALLATION OF VARIOUS CABLES FOR THE EASTERN SUBSTATION CABLE REPLACEMENT IN THE PORT OF RICHARDS BAY

Receipt of **Addendum No. 01 dated 10 November 2023** is hereby acknowledged.

Kind regards

_____
TENDERER

NOTE: This acknowledgement must be signed and returned to this office on or before closing date of tender.

TNPA/2023/08/0014/38527/RFP

Transnet National Ports Authority

an Operating Division **TRANSNET SOC LTD**

[Registration Number 1990/000900/30]

REQUEST FOR PROPOSAL (RFP)

FOR THE: SUPPLY, DELIVERY, AND COMMISSIONING OF THE TWO ARMOURED VEHICLES AT THE PORT OF RICHARDS BAY

RFP NUMBER	**: TNPA/2024/02/0012/58276/RFP**
ISSUE DATE	**: 19 JUNE 2024**
COMPULSORY BRIEFING	**: 27 JUNE 2024**
CLOSING DATE	**: 26 JULY 2024**
CLOSING TIME	**: 15h00**
TENDER VALIDITY PERIOD	**: 12 WEEKS FROM THE CLOSING DATE**

Contents

Number Heading

The Tender

Part T1: Tendering Procedures

T1.1 Tender Notice and Invitation to Tender

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Part T2: Returnable Documents

T2.1 List of Returnable Document

T2.2 Returnable Schedules

The Contract

Part C1: Agreements and Contract Data

C1.1 Form of Offer and Acceptance

C1.2 Contract Data (Parts 1 & 2)

C1.3 Form of Guarantee

Part C2: Pricing Data

C2.1 Pricing Instructions

C2.2 Pricing Schedule

Part C3: Scope of Work

C3.1 Goods Information

Annexture A: Technical Specification
Annexture B: " How to" Guide for Bidder

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 persons, companies, close corporations or enterprises [hereinafter referred to as a Tenderer].

DESCRIPTION	**Supply, Delivery and Commissioning of The Two Armoured Vehicles at the Port of Richards Bay**
TENDER DOWNLOADING	**This Tender may be downloaded directly from the National Treasury eTender Publication Portal at www.etenders.gov.za and the Transnet website at https://transnetetenders.azurewebsites.net (please use Google Chrome to access Transnet link) FREE OF CHARGE.**
COMPULSORY TENDER CLARIFICATION MEETING	A Compulsory Tender Clarification Meeting will be conducted at **Emfolozi Centre, Risk Boardroom, Ventura Road, Richards Bay, KwaZulu-Natal on the 27 June 2024, at 10:00am [10 O'clock]** for a period of ± 6 (six) hours. [Tenderers to provide own transportation and accommodation]. The Compulsory 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 Schedule T2.2-01** hereto must be completed and submitted with your Tender as proof of attendance is required for a **compulsory** site meeting and/or tender briefing. **Tenderers are required to bring this Returnable Schedule T2.2-01 to the Compulsory Tender Clarification Meeting to be signed by the *Employer's* Representative.** **Tenderers failing to attend the compulsory tender briefing will be disqualified.**
CLOSING DATE	**15:00 pm on 26 July 2024** Tenderers must ensure that tenders are uploaded timeously onto the system. **If a tender is late, it will not be accepted for consideration.**

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 RFP 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 on T2.2-12, [**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 tender 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.

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……(Tender Data)

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

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

	Part C3: Scope of work	C3.1 Goods Information
C.1.4	The Employer's agent is:	Contract Specialist
	Name:	Noxolo Mbhele
	E-mail	TNPATENDERENQUIRIESRB@TRANSNET.NET

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

STEP ONE: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following

Administrative responsiveness check	**RFP Reference**
• Whether the Bid has been lodged on time	*Section 1 paragraph 3*
• Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	*Section* T2:2
• Verify the validity of all returnable documents	*Section T2:5*
• Verify if the Bid document has been duly signed by the authorised respondent	*All sections*

2. STEP TWO: Test for Substantive Responsiveness to RFP

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

Check for substantive responsiveness	**RFP Reference**
• Whether any general and legislation qualification criteria set by Transnet, have been met	*All sections including Section 2 paragraphs, 2.2, General Bid Conditions clause 20*
• Whether the Bid contains a priced offer as prescribed in the pricing and schedule	*Section C2.2*

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

Attendance register will also be used to confirm the attendance of the clarification meeting by the tenderer, should the certificate of attendance at tender clarification

meeting not attached on the tender document submitted to Transnet.

1. STEP 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 70 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

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 C2.15.1	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: TNPA/2024/02/0012/58276/RFP ▪ The Tender Description : Supply, Delivery and Commissioning of the Two Armoured Vehicles at the port of Richards Bay Documents must be marked for the attention of: ***Employer*'s Agent: Noxolo Mbhele**

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: **15:00** on the **26 July 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, 3. together with the tender; 4. Proof of registration on the Central Supplier Database; **Note:** Refer to Section T2.1 for List of Returnable Documents
C.3.11.	**Minimum Threshold 70 points for Technical Criteria** **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.** **Evaluation Schedule – Returnable documents** The Tenderer shall submit the following documents for technical evaluation, the documents submitted shall satisfy the requirements stipulated on the evaluation criteria for each category. The Tenderer shall tick either yes or no to indicate whether the document is submitted. **Note to tenders:** Tenderers are to submit returnable documents as specified in this evaluation schedule; any noncompliance to the evaluation schedule shall lead to a score of zero.

Returnable documents	Points	Yes
CVs of key personnel with detailed relevant experience, including professional registration and Qualification certificates	15	
Company experience in similar projects undertaken in the past 15 years (Completion/Reference letters)	40	
Technical specification, Supply Method statement and proposal and schedule	35	
Quality Management requirements	10	
Total	**100**	

Functionality Criteria

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

Quality Criteria	Sub-Criteria	Sub-Criteria Point Allocatio	Maximum number of points
Management and CVs of Key persons			**15**
	Key personnel should include at least, amongst others includes the following personnel:		
	Supply Manager	10	
	Technical lead: Engineer/Technologist	5	
Company experience in specialised armoured vehicles	The tenderer shall submit at least 2 traceable references or completion letters of similar previous work done within the past 15 years. The work should include supplying, manufacturing, assembling and delivering high security ballistic vehicles, Armoured Vehicles and/or any similar army-related equipment and machinery.	40	**40**
Method statement and Schedule	**Tenderers are to submit a method statement and Management Level Schedule (Level 2) with key dates that will be adopted to achieve project deliverables**		**35**
	Methodology to be followed to execute all activities leading to the delivery and commissioning of the vehicles. The following activities shall be covered as a minimum; however, the supplier can outline their activities in relation to their proposed supply strategy. 1. Procure or manufacture and assembly of vehicles or components.	20	

	2. Testing, pre-commissioning, 3. Final commissioning, 4. Delivery, and 5. Training.		
	Management Level Schedule (Level 2) with key dates: Logical sequence and timing of all activities and sequencing required to delivery and commission of the vehicles. 1. Procure or manufacture and assembly of vehicles or components. 2. Testing, pre-commissioning, 3. Final commissioning, 4. Delivery, and 5. Training.	15	
Quality Management	**Tenderers are to submit armoured vehicles supply quality Management plan or requirements in line with the project deliverables.**		
	Quality Manual that contains the following ISO 9001:2015 QMS elements: Context of the organization Leadership Operations Performance evaluation Valid ISO 9001:2015 Certificate	6	**10**
	Provide Project Quality Plan for the contract contains requirements: Scope of works Control of documented information Externally provided processes, products, and services Audits	4	

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

- **T2.2-02 Evaluation Schedule:** Management and CV's of Key persons
- **T2.2-03 Evaluation Schedule:** Company Experience
- **T2.2-04 Evaluation Schedule:** Method Statement
- **T2.2-05 Evaluation Schedule:** Quality Management

Each evaluation criteria will be assessed in terms of scores of 0, 40, 70, 90 or 100. The scores of each of the evaluators will be averaged, weighted and then totaled to obtain the final score for functionality, unless scored collectively. (See CIDB Inform Practice Note #9

Only tenders who meet the required minimum threshold for functionality will be evaluated further in accordance with the 80/20 preference points systems :

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

Thresholds	Minimum Threshold
Technical / functionality	70

C.3.12

Evaluation Criteria	Final Weighted Scores
Price	80
Specific goals - Scorecard	20
TOTAL SCORE:	**100**

Up to 100 minus W1 (score for financial offer) 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 (80/20)
B-BBEE Status Level of Contributor 1 or 2	20
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 Status Level of Contributor 1 or 2	B-BBEE Certificate / Sworn-Affidavit/ B-BBEE CIPC Certificate (in case of JV, a consolidate scorecard will be accept) as per DTIC guidelines

The maximum points for this bid are allocated as follows:

DISCRIPTION	POINTS
PRICE	80
B-BBEE Status Level of Contributor (1 or 2) Non-Compliant and/or B-BBEE Level 3-8 contributors	20 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).