

PART T1: TENDERING PROCEDURES

T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement. (See www.cidb.org.za) 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 it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

F.1.1 The employer is Transnet Limited trading as Transnet Freight Rail

F.1.2 The tender documents issued by the employer comprise:

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 Schedules

Part C1: Agreements and contract data

C1.1 Form of offer and acceptance

C1.2 Contract data

C1.3 Performance Bond

Part C2: Pricing data

C2.1 Pricing instructions

C2.2 Bill of Quantities / Activity Schedule

Part C3: Scope of work

C3 Scope of work

Part C4: Site information

C4 Site information

F.1.4 The employer's agent is:

Name : **Mr Francois Nel**

Address : **Room 529,138 Eloff Street, Braamfontein**

Tel : **(011) 773-8853/Cellular 083 286 5074**

Fax : **773-**

E-mail : **Francois.Nel@transnet.net**

F.2.1.1 Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a **4EE** class of construction work, are eligible to submit tenders.

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Joint ventures are eligible to submit tenders provided that:

1. every member of the joint venture is registered with the CIDB;
2. the lead partner has a contractor grading designation in the **4EE** class of construction work; and
3. the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a **4EE** class of construction work.

F.2.1.1 Only tenderers who are registered with the CIDB, or are capable of being so registered prior to the evaluation of submissions, are eligible to submit tenders:

- a) contractors who have a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a **4EE** class of construction work; and
- b) contractors registered as potentially emerging enterprises with the CIDB who are registered in one contractor grading designation lower (2EE PE) than that required in terms of a) above and who satisfy the following criteria:
4EE
 - has technical qualifications
 - has managerial capacity, reliability, experience.
 - has good reputation.
 - has equipment.

F.2.7 There is no compulsory or clarification meeting.

F.2.12 If a tenderer wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements, the details of which may be obtained from the Employer's Agent.

Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.

F.2.13.3 Parts of each tender offer communicated on paper shall be submitted as an original, plus **two** copies.

F.2.13.5 The employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:

If delivered by hand, to be deposited to the Transnet Freight Rail Acquisition Council tender box which will be located in the foyer and addressed to:

Secretary
Transnet Acquisition Council
Ground Floor Inyanda House No 1
TENDER BOX
21 Wellington Road
PARKTOWN

It should also be noted that the above tender box is accessible to the public 24 hours per day, 7 days a week. The measurements of the "tender slot" are 500mm wide x 100mm high, and Tenderers must please ensure that tender documents/files are not larger than the above dimensions. Tenders, which are too bulky (i.e. more than 100mm thick) must be split into two or more files, and placed in separate envelopes.

Identification details

Tenders must be submitted before the closing hour on the date and time listed in the invitation to tender, and must be enclosed in a sealed envelope which must have inscribed on the outside.

- (a) Tender No
- (b) Description of work
- (c) Closing date of tender

F.2.13.6 A two-envelope procedure will (not) be followed.

F.2.15 Telephonic, telegraphic, facsimile or e-mailed tender offers will not be accepted.

F.2.16 The tender offer validity period is 12 weeks.

F.2.23 The tenderer is required to submit the following certificates with his tender:
An original and valid CIDB registration certificate.
An original and valid Tax clearance certificate.

F.3.4 The time and location for opening of the tender offers are:
As stated in the Tender Notice and Invitation to Tender.

F.3.11.1 The procedure for the evaluation of responsive tenders is Method 4

In the case of a financial offer, quality and preferences:

- a) Score each tender in respect of the financial offer made, preference claimed, if any, and the quality offered in accordance with the provisions of F.3.11.7 to F.3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.
- b) Calculate the total number of tender evaluation point (T_{ev}) in accordance with the following formula:

$$T_{ev} = N_{fo} + N_p + N_o$$

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where: Nfo is the number of tender evaluation point awarded for the financial offer made in accordance with F.3.11.7

Np is the number of tender evaluation points awarded for preference claimed in accordance with F.3.11.8.

No is the number of tender evaluation points awarded for quality offered in accordance with F.3.11.9.

- c) Rank tender offers from the highest number of tender evaluation points to the lowest.
- d) Recommend the Tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.
- e) Rescore and re-rank all Tenderers should there be compelling and justifiable reasons not to recommend the Tenderer with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this sub-clause is repeated.

F.3.11.2 Only those Tenderers who score a minimum score of 60 points in respect of the following criteria will be considered.

Description of quality criteria and sub criteria			Maximum number of tender evaluation points
Approach paper which responds to the scope of the work and outlines proposed methodology and work plan complete with time frames.	Technical approach and methodology	70%	
	Work plan with timeframes	35%	
Experience of key staff	General qualifications	30%	
Compliance with specifications	Adequacy for assignment	20%	
Comparable projects	Previous work assignment	10%	
Total evaluation points for quality (Wq)		100%	

F.11.3 Tender offers will only be accepted if:

- a) The Tenderer has completed and returned all returnable documents and schedules. The persons named in the Schedule of Key Persons of Tendereres who satisfy the minimum quality criteria will be invited to an interview. Tenderers who attain a score of less than 50% of the points allocated to the interview will be declared ineligible to tender.

F.3.11.6 Decimal places

Score financial offers, preferences and quality, as relevant, to two decimal places.

F.3.11.7 Scoring Financial Offers

Score the financial offers of remaining responsive tender offers using the following formula:

$$Nfo = W1 \times A$$

Where: Nfo is the number of tender evaluation points awarded for the financial offer.

W1 is the maximum possible number of tender evaluation points awarded for the financial offer as stated in the Tender Data.

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A is a number calculated using the formula and option described in Table F.1 as stated in the Tender Data.

Table F.1: **Formula for calculating the value of A**

Formula	Comparison aimed at achieving	Option 1	Option 2
1	Highest price or discount	$A = \frac{1 + (P - P_m)}{P_m}$	$A = P / P_m$
2	Lowest price or percentage commission / fee	$A = \frac{1 + (P - P_m)}{P_m}$	$A = P_m / P$
3	P_m P	is the comparative offer of most favourable tender offer. is the comparative offer of tender offers under consideration	

- F.3.13.1 Tender offers will only be accepted if:
- The tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation;
 - The tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges;
 - 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.
 - The tenderer has not:
 - abused the Employer's Supply Chain Management System; or
 - failed to perform on any previous contract and has been given a written notice to this effect; and
 - has 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.

F.3.18 The number of paper copies of the signed contract to be provided by the employer is **one**.

The additional conditions of tender are:

- The Tenderer is deemed to have satisfied himself before tendering as to the correctness and sufficiency of his tender for the *Works* and of the rates and prices stated in the priced Bill of Quantities. The rates and prices (except in so far as otherwise provided in the Tender) collectively cover full payment for the discharge of all his obligations under the Contract and all matters and things necessary for the proper completion of the *works*.

F.3.19 Tender requirements

- 1 Only Tenderers registered with the CIDB (Construction Industry Development Board) will be eligible for this RFQ. A CIDB rating of at least 4EE will be required. CIDB Certificates must be presented with quotations.
- 2 Tenders will be adjudicated as per method 4 of the CIDB.
- 3 A clause-by-clause statement of compliance is required for this and embodied specifications.
- 4 Tenderers must quote for all aspects of the work and materials as per this RFQ, Specifications and BoQ attached. If certain work or materials are not quoted for, this must be clearly stated.
- 5 Tenderers must quote separately for alternative items or changes they may recommend.
- 6 Due to the short time constraint, Tenderers must state their expertise in projects completed exactly similar to the Works described in this specification and must submit a reference list. Tenderers must have the necessary certificated persons and the correct remote installation tools to complete this work. The tenderer's response to this requirement will be a deciding factor during the adjudication of this RFQ.
- 7 Tenderers must allow and include overtime and week-end work.
- 8 The successful Contractor must supply "as built" information (based on revision of the survey sheets) on completion of the Works.

F.3.20 Tendering procedure

- 1 Tenderers shall duly fill in the attached 'Bill of Quantities'. The prices shall be fixed for the duration of the contract (12 months) and no escalation will be allowed. Items not reflected in the 'Bill of Quantities', but covered in the project specification or agreed at site meetings, shall be added to the 'Bill of Quantities' by the Tenderers and quoted for accordingly.
- 2 Tenderers shall submit qualifications of staff that will be performing the works. Only qualified technical personnel shall perform the works on the electrical equipment or installations thereof.
 - a. During the duration of the contract, the successful Tenderers shall be required to inform the Employer of any staff changes and provide the qualifications of the replacement staff for approval.
 - b. Tenderers shall indicate clause-by-clause compliance with the specifications and Written Safe Work Procedures. This shall take the form of a separate document listing all the specifications clause numbers indicating the individual statement of compliance or non-compliance.
 - c. Tenderers shall motivate a statement of non-compliance.
 - d. The successful Tenderer shall provide a Gantt or a similar chart showing when the works will be done and energised. This chart shall be submitted to the Employer within 14 days after the award of the contract has been made to the successful Contractor.
 - e. Where equipment offered does not comply with standards or publications referred to in the specification, Tenderers shall state which standards apply and submit a copy in English or certified translation.
 - f. Tenderers shall submit descriptive literature consisting of detailed technical specifications, general constructional details and principal dimensions, together with clear illustrations of the equipment offered.

- g. During the duration of the contract period, the successful Tenderer shall be required to inform the Employer of any changes to equipment offered and submit detailed information on replacement equipment for approval prior to it being used on this contract.
- h. Tenderer shall submit equipment type test certificates as specified on the contract. These shall be in English or certified translation.

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