

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 procedure

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 C1: Agreements and contract data

C1.1 Form of offer and acceptance

C1.2 Contract data

C1.3 Adjudicator's Contract

Part C2: Pricing data

C2.1 Pricing instructions

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. Joseph Majola

Address: Ground floor, Infrastructure Maintenance, Nelspruit

Tel: 013 752 9466

Fax: 013 752 9410

E-mail: joseph.majola@transnet.net

F2.1.1 The following 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 2 EE or above class of construction work, 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 2 EE or above class of construction work; and
- b) contractor registered as potentially emerging enterprises with the CIDB who are registered in one contractor grading lower than that required in terms of (a) above. 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 2 EE or above 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 2 EE or above class of construction work.

Only those Tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

- a) has professional and technical qualifications.
- b) has professional and technical competence.
- c) has managerial capacity, reliability and experience.
- d) has financial resources and good reputation.
- e) has plant and equipment.

F.2.7 The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender

Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list.

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.

Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the Tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.

The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed. No alternative tender offers will be considered.

- F.2.13.3 Parts of the tender offer communicated on paper shall be submitted as an original, plus one copy.
- 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 posted, the envelope must be addressed to:

**The Chairperson
Transnet Freight Rail Acquisition Council
P.O. Box 4244
JOHANNESBURG
2000**

and must be dispatched in time for sorting by the Post Office to reach the Post Office Box indicated above, before the closing time of the tender.

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

**The Chairperson
Transnet Freight Rail Acquisition Council
Ground Floor, Inyanda House
21 Wellington Road
Park Town
JOHANNESBURG
2001**

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 as shown in F.2.15 below, 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 The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
- F.2.15 Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
- F.2.16 The tender offer validity period is **12 Weeks**.

F.2.19 Access shall be provided for the following inspections, tests and analysis:
Inspection of current arrangement foundation and steelwork condition and measurements in substation yards during the tender period after the site meeting and prior to the closing date of tender.

F.2.23 The Tenderer is required to submit with his tender:
Either a Certificate of Registration issued by the Construction Industry Development Board or a copy of the application Form for registration in terms of the construction Industry Development Board Act (Form F006) and an original valid Tax Clearance Certificate issued by the South African Revenue Services.

F.3.4 The time and location for opening of the tender offers are:
Time: **10:00** on the closing date of tender.
Location: **Transnet Freight Rail Acquisition Council, Ground Floor, Inyanda House, 21 Wellington Road, Park Town, JOHANNESBURG**

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

The score for quality is to be calculated using the following formula.

$$W_Q = W_2 \times S_O / M_S$$

Where: W_2 is the percentage score given to quality and equals **40**
 S_O is the score for quality allocated to the submission under consideration
 M_S is the maximum possible score for quality in respect of a submission

The score for financial offer is calculated using Formula 2 (option 1) of SANS294

Where: W_1 is the percentage score given to financial offer and equals 100 minus W_2 .

The score for quality and financial offer is to be combined, before the addition of the score for preference, as follows:

$$W_C = W_3 \times \left(1 + \frac{S - S_m}{S_m}\right)$$

Where W_3 is the number of tender evaluation points for quality and financial offer and equals:

- 1) 90 where the financial value, VAT inclusive, of all responsive tenders received have a value in excess of R500,000; or
- 2) 80 where the financial value, VAT inclusive, of one or more responsive tender offers equals or is less than R500,000.

S is the sum of score for quality and financial offer of the submission under consideration.

S_m is sum of the score for quality and financial offer of the submission scoring the highest number of points

Up to 100 minus W_3 tender evaluation points will be awarded to Tenderers who complete the preference schedule and who are found to be eligible for the preference claimed. Tenderers shall submit BBBEE rating certificates with detailed scorecards that will be issued

by the verification agencies that do their BBBEE ratings in accordance with the latest Department of Trade and Industry codes of Good Practice.

- F.3.11.3 Only those Tenderers who score a minimum score of **60** points in respect of the following quality criteria are eligible to submit tenders.

Description of quality criteria and sub criteria			Maximum number of tender evaluation points
Approach paper which responds to the proposed scope of work / project design and outlines proposed methodology and work plan complete with time frames.	Technical approach and methodology	%	
	Work Plan	%	
Organisation and staffing.			%
Experience of key staff (assigned personnel)	General qualifications	%	%
	Adequacy for the assignment	%	
	Experience in the region	%	
Comparable projects			%
Total evaluation points for quality (W_Q)			100%

- F.3.13.1 Tender offers will only be accepted if:

- The Tenderer has in his or her possession an original valid Tax Clearance Certificate issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations.
- 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:

1. 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 prices stated in the priced priced Bill of Quantities in the *works* Information. 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*.
2. The tenders shall be completed in black ink only.

3. TENDERING PROCEDURE

- 3.1 An addendum reflecting changes to the project specification and 'Bill of Quantities' shall be forwarded to the Tenderer after the site meeting and the Tenderer shall quote accordingly, failure of which will result in disqualification.
- 3.2 Tenderers shall duly fill in the attached 'Bill of Quantities'. The prices shall be fixed for the duration of the contract and no escalation will be allowed. Items not reflected in this Schedule, but covered in the project specification or agreed at site meetings, shall be added to the 'Bill of Quantities' by the Tenderer and quoted for accordingly.
- 3.3 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.
- 3.4 During the duration of the contract, the successful Tenderer shall be required to inform the Supervisor of any staff changes and provide the qualifications of the replacement staff for approval.
- 3.5 Tenderers shall indicate clause-by-clause compliance with the specifications. This shall take the form of a separate document listing all the specifications clause numbers indicating the individual statement of compliance or non-compliance. This document can be used by Tenderers to elaborate on their clause.
- 3.6 Tenderers shall motivate a statement of non-compliance.
- 3.7 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.
- 3.8 Tenderers shall submit descriptive literature consisting of detailed technical specifications, general constructional details and principal dimensions, together with clear illustrations of the equipment offered.
- 3.9 During the duration of the contract period, the successful Tenderer shall be required to inform the Project Manager / Supervisor of any changes to equipment offered and submit detailed information on replacement equipment for approval prior to it being used on this contract.
- 3.10 Tenderer shall submit equipment type test certificates as specified with the tender. These shall be in English or certified translation.