

PART T1: TENDERING PROCEDURES

T1.2 TENDER DATA

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

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

T1.1 Tender notice and invitation to tender

T1.2 Tender data

T2.1 List of returnable documents

T2.2 Returnable schedules

Part 1: Agreements and contract data

C1.1 Form of offer and acceptance

C1.2 Contract data

Part 2: Pricing data

C2.1 Pricing instructions

C2.2 Bill of quantities

Part 3: Scope of work

C3 Scope of work (Service Information)

F.1.3 The employer's agent is: N/A

Name : **Ms. Phumzile Dhlamini**

Address : **P O Box 30943, Braamfontein, 2017**

Tel : **011 773 8660**

Fax : **011 773 9188**

E-mail : Phumzile.Dhlamini@Transnet.net

F.2.1 The arrangements for a compulsory clarification meeting are:

As stated in the tender Notice and Invitation to Tender.

Confirmation of attendance to be notified at least one full working day in advance to:

Name : **Phumzile Dhlamini**

Tel : **011 773 8660**

Fax : **011 773 9188**

E-mail : Phumzile.Dhlamini@Transnet.Net

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.2.2 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.

All 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.

F.2.3 Parts of each tender offer communicated on paper shall be submitted as an original, plus two copies.

F.2.4 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 Freight Rail Acquisition Council tender box which will be located in the foyer and addressed to:

**The Chairperson,
Transnet Freight Rail Acquisition Council
Ground Floor, Inyanda House
21 Wellington Road
Parktown, 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 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.2.5 A two-envelope procedure will not be followed.

F.2.5 The closing time for submission of tender offers is **as stated in the Tender Notice and Invitation to Tender.**

- F.2.6 Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
- F.2.7 The tender offer validity period is 12 weeks.
- F.2.8 Access shall be provided for the inspection of telecontrol materials during the tender period prior to the closing date of the tender.
- F.3.1 The time and location for opening of the tender offers are:
The time and location for opening of the tender :
Time : 10h15 on the closing date of the tender
Location : Table G66 and G69, West Wing, Ground floor, Inyanda House ,
21 Wellington Road, Parktown, Johannesburg.

- F.3.2 **The procedure for the evaluation of responsive tenders is Method 2.**
The financial offer will be scored using Formula 2 (option 1) where the value of W_1 is 90.

$$A = [1 - \frac{P - P_m}{P_m}]$$

BBBEE Preference in terms of the Department of Trade and Industry codes of good practice will apply. This preference will be up to a maximum of 100 minus W_1 .

Tenderers shall submit BBBEE rating certificates that will be issued by Verification agencies that do their BBBEE ratings in accordance with the latest Department of Trade and Industry codes of good practice.

- F.3.3 Tender offers will only be accepted if:
- 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.3.4 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 *service* and of the rates and prices stated in the Price List. 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 Unless otherwise stated in any of these tender documents, Tenderers are required to submit an offer, complete in every respect and fully in compliance with the service information. If, in a Tenderers opinion, justification exists for the submission of one or more alternative tender(s) such offer(s) must, as in the case of the main tender(s), be complete in every respect.
- 4 Tenderers may tender for all the items as listed in the Price List, or only for those items for which they are able to comply with the requirements contained in this tender.
- 5 Transnet reserves the right to conclude one or more contracts as a result of this tenderer. Tenderers are therefore required to indicate how there offer will be affected in such a situation.
- 6 Tenderers are required to give a list of major items of plant and/or equipment to be used in the execution of the service and must complete the plant statement where this is attached to the tender documents.
- 7 Tenderers must furnish proof that they have had actual experience in the class of service for which they are tendering and must submit with the tender, on the relevant form, a statement of services recently and successfully carried out.
- 8 Compliance with Transnet's requirements is the sole responsibility of the Tenderer and any costs incurred as a result of acceptance by Transnet of the returned material in good faith on the grounds of certified compliance with specified standards and in fact found to be inadequate in such respects, will be to the relevant Tenderer's account.
- 9 Tenderers shall give a clause by clause comment on whether or not their tender complies with the service information in the Scope of Work. If not, how it differs. Failure to do so may preclude a tender from consideration.
- 10 The attention of Tenderers is particularly directed to the necessity to complete and return or supply all returnable documents/schedules.
- 11 Transnet reserves the right to inspect the tenderers facilities prior to awarding the contract in order to ensure that it is suitable for the type of service, repair and test work required. Transnet must also be satisfied that the tenderer has the capacity to handle the volume of work.

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