

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	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)
Part C2: Pricing data	C2.1 Pricing instructions C2.2 Bill of Quantities
Part C3: Scope of work	C3.1 Works Information

	Part C4: Site information	C4.1 Site information
C.1.4	The Employer's agent is:	Commodity Officer
	Name:	Mcebo Mhlanga
	Address:	34 South Arm Road, Port of Cape Town, V & A Waterfront
	E – mail	TNPATenderEnquiriesCPT@transnet.net
C.2.1	Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:	

1. Stage One – Test for Responsiveness:

The test for responsiveness will include the following administrative and substantive check:

- Validate whether the bid has been lodged on time;
- Verify whether all returnable documents and/or schedules were completed and returned by the closing date and time;
- Verify the validity of all returnable documents;
- Verify if the bid document has been duly signed by the authorised respondent;
- Check if the mandatory returnable documents are submitted:
 - A fully completed pricing schedule (Transnet template);
 - Fully completed Offer on the Form of Offer and Acceptance;
 - Proof of attendance of the compulsory clarification meeting;
 - Whether the bidder is actively CIDB registered with grading of 5EP or higher; and
 - Whether the Bidder submitted the Valid Letter of Good Standing with the Workmen's Compensation Fund

Bids must be administratively and substantively responsive to advance to Stage two.

2. Stage 1A – Eligibility with regards to attendance at the compulsory clarification meeting, refer to schedule T2.2-01:

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

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.

3. Stage 1B - Eligibility in terms of the Construction Industry Development Board (CIDB):

- a) 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 or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, designation of **5EP or higher** class of construction work, are eligible to have their tenders evaluated.

- b) Joint Venture (JV)

Joint ventures are eligible to submit tenders subject to the following:

1. every member of the joint venture is registered with the CIDB;
2. the lead partner has a contractor grading designation of not lower than one level below the required class of construction works under consideration and possesses the required recognition status; 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 **5EP or higher** class of construction work or a value determined

in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations

The tenderer shall provide a certified copy of its signed joint venture agreement

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

4. Stage 1 C - Eligibility in terms of the Legislation with Compensation Commissioner:

Only those tenders who submit their valid Letter/s of Good standing with the Compensation Fund are eligible to have their tenders evaluated

5. Stage Two - 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 below.

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.

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

(Please see CIDB Compiler guidance note T1.2 – Tender Data).

Quality Criteria	Sub-criteria	Maximum points
T2.2-04 Programme	The Tenderer provides the proposed program and/or makes reference to his proposed program and electronic program developed using a scheduling software tool.	15
T2.2-05 Key personnel Experience and Qualifications	The tender must be able to demonstrate that the project personnel have sufficient knowledge, experience and qualifications to provide the required service	16

T2.2-06 Health and Safety Requirements	Overview of the tenderer's Risk Assessment methodology, and submission of risk assessments indicating major activities of the works and how the risks will be addressed and mitigated and must be in line with the Scope of Work (SoW)	15
T2.2-07 Environmental Management	The tenderer must provide a project-specific Environmental Plan and Policy	8
T2.2-08 Previous Experience	Company experience in electrical and mechanical engineering works with a focus on the installation, alignment, and commissioning of automated valves and pumps.	25
T2.2-09 Method Statement	The method statement shall include as a minimum but not limited to the following (the contractor must refer to the works information for a full description of the scope of the works	21
Maximum score for Functionality	100	

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

- T2.2-04 Programme
- T2.2-05 Key Personnel Experience and Qualifications
- T2.2-06 Health and Safety Requirements
- T2.2-07 Environmental Management
- T2.2-08 Previous Experience
- T2.2-09 Method Statement

Each evaluation criteria will be assessed in terms of scores of 0, 20, 40, 60, 80 or 100 (linear scale, more suitable for NEC3, ECC (construction related procurement))

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.

6. Stage Three – Preference Point System

Only tenderers that comply with all the technical eligibility criteria will be evaluated further in accordance with the 80/20 **OR** 90/10 preference points systems as described in Preferential Procurement Regulations.

Evaluation Criteria	Final Weighted Scores
Price	80 / 90
Specific goals - Scorecard	20 / 10
TOTAL SCORE:	100

Up to 20 or 10 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.

Specific Goals	Number of Points (80/20 system)	Number of Points (90/10 system)
B-BBEE Status Level of Contributor 1 or 2	04	02
30% Black Women Owned Entities	06	03
EME or QSE 51% Black Owned	10	05
Non-Compliant and/or B-BBEE level 3-8 Contributors	00	00

Evidence required for claiming specific goals:

Specific Goals	Acceptable Evidence
B-BBEE Status Level of Contributor 1 or 2	B-BBEE Certificate / Sworn - Affidavit / CIPC B-BBEE Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines

30% Black Women Owned Entities	Certified copy of ID Documents of the Owners
EME or QSE 51% Black Owned	- Audited Annual Financial - B-BBEE Certificate / Sworn - Affidavit / CIPC B-BBEE Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines

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.

7. Stage Four – Commercial Evaluation

This evaluation will be conducted on Tenderers that have qualified on all stages of evaluations.

8. Stage Five - Financial Risk Analysis Evaluation

This evaluation will be conducted on Tenderers that have qualified on all stages of evaluations.

9. Stage Six– Post Tender Negotiations (PTN)

- 9.1 Respondents are to note that Transnet may not award a contract if the price offered is not market related. In this regard, Transnet reserves the right to engage in PTN with the view to achieving a market-related price.
- 9.2 Negotiations will be done in a sequential manner i.e.:
 - first negotiate with the highest ranked tenderer per Section of the scope of work, should such negotiations fail,
 - negotiate with the 2nd to the last ranked tenderer per Section of the scope of work (if required) in a sequential manner.
- 9.3 In the event of any Respondent being notified of such short-listed/preferred tenderer status, his/her bid, as well as any subsequent negotiated best and final offer/s (BAFO), will automatically be deemed to remain valid during the negotiation period and until the ultimate award of business.
- 9.4 Should Transnet conduct post tender negotiations, Respondents will be requested to provide their best and final offers to Transnet based on such negotiations. Where a market related price has been achieved through negotiation, the contract will be awarded to the successful Respondent(s).

10. Stage Seven – Objective Criteria

Transnet reserves the right to award the business to the highest scoring tenderer unless objective criteria justify the award to another tenderer as stated on C.3.13 below

11. Stage Eight - Award of business and conclusion of contract/s

11.1 Immediately after approval to award the contract/s has been received, the successful tenderer(s) will be informed of the acceptance of his/their Bid by way of a Letter of Award. Thereafter the final contract/s will be concluded with the successful Respondent(s).

11.2 A final contract will be concluded and entered into with the successful tenderer/s at the acceptance of a letter of award by the Respondent/s

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:

- Name of Tenderer:
- Contact person and details:
- The Tender Number: TNPA/2025/08/0010/103591/RFP
- The Tender Description: DESIGN, DEVELOPMENT, SUPPLY, INSTALLATION AND COMMISSIONING OF PORT OF CAPE TOWN ROBINSON DRY DOCK DEWATERING SYSTEM FOR A PERIOD OF THREE (3) MONTHS

Documents must be marked for the attention of:

Employer's Agent:

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: **16:00** on **02 December 2025**

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** from 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 case of all EMEs and QSEs with 51% black ownership or more together with the tender;

3. A valid CIDB certificate in the correct designated grading;

4. Proof of registration on the Central Supplier Database;

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. Objective criteria include but are not limited to the outcome of a due diligence exercise to be conducted. The due diligence exercise may take the following factors into account inter alia; the tenderer:
 - 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).

Signed

Date

Name

Position

Tenderer