

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	Durban Container Terminal (DCT) Berths 203 to 205 Reconstruction, Deepening and Lengthening								
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	<p>A Compulsory Tender Clarification Meeting will be conducted at Transnet Engineering Main Building, 2nd Floor, 311 Solomon Mahlangu Street, Durban (Next to Barons) N-Shed, Port of Durban, Entrance No.3 (as per the attached directions) on 29/01/2024 & 30/01/2024 starting at 10h00, for a period of ± 3 (three) hours. [Tenderers to provide own transportation and accommodation].</p> <p>The Compulsory Tender Clarification Meeting will start punctually, and information will not be repeated for the benefit of Tenderers arriving late.</p> <p>The Agenda will be as follows:</p> <p>Day 1 – 29/01/2024</p> <table border="1"> <tr> <td>10h00-11h00</td><td>Signing of attendance register</td></tr> <tr> <td>11h00-13h00</td><td>Tender Clarification : Technical and Commercial</td></tr> <tr> <td>13h00-14h00</td><td>Break</td></tr> <tr> <td>14h00-15h00</td><td>Specific Goals</td></tr> </table>	10h00-11h00	Signing of attendance register	11h00-13h00	Tender Clarification : Technical and Commercial	13h00-14h00	Break	14h00-15h00	Specific Goals
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14h00-15h00	Specific Goals								

Day 2 – 30/01/2024 (Tenderers will meet at the Day 1 venue before going to site)

09h00-10h00	Signing of attendance register
10h00-12h00	Safety Induction and Site Walk
12h00-13h00	Break
13h00-15h00	Questions & Answers

Note: All the sessions are compulsory to all Tenderers, and Tenderers must ensure that all Qualified / Experienced Personnel attend these sessions.

- 1.1 Tenderers failing to attend the **compulsory Clarification meetings (office and site) on both Day 1 and Day 2** will be disqualified.
- 1.2 The briefing session will start punctually at **10h00 on day 1 (one) and at 10h00 on day 2 (two)** and information will not be repeated for the benefit of Tenderers arriving late.
- 1.3 Tenderers are required to wear safety shoes, glasses, long sleeve shirts and long pants, high visibility vests and hard hats. Tenderers without the Personal Protective Equipment (PPE) as stated will not be allowed on the site walk.
- 1.4 Tenderers and their employees, visitors, clients and customers entering Transnet Offices, Depots, Workshops and Stores will undergo breathalyser testing and inductions.
- 1.5 All forms of firearms are prohibited on Transnet properties and premises.
- 1.6 The relevant persons attending the meeting must ensure that their original identity documents, passports or drivers' licence are on them for inspection at the access control gates.

	<p>1.7 Transnet will not be held responsible if any Tenderer who did not attend the full duration of the compulsory briefing sessions and subsequently feels disadvantaged as a result thereof.</p> <p>1.8 Tenderers to ensure that the Certificates of Attendance (T2.2-01 – Day 1) and (T2.2-01 – Day 2) are signed at the end of each session including the attendance register as this will serve as proof of attendance.</p> <p>Tenderers are required to bring these Returnable Schedules T2.2-01 (Day 1 and Day 2) to the Compulsory Tender Clarification Meeting to be signed by the <i>Employer's</i> Representative.</p>
CLOSING DATE	<p>16:00 on 29/03/2024 19 April 2024</p> <p>Tenderers must ensure that tenders are uploaded timeously onto the system. If a tender is late, it will not be accepted for consideration.</p>

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 T2.2-23], [**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.*
- 4.13. 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.

