



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) C1.3 Form of Securities



	Part C2: Pricing data	C2.1 Pricing instructions C2.2 Activity Schedule
	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:	Procurement Officer / Procurement Manager
	Name:	Shani Evans / Jo-Ann McCann
	Address:	237 Mahatma Gandhi Road Durban 4000
	Tel No.	031 361 1273 / 031 361 1272
	E – mail	tenderenquiriespdu@transnet.net
C.2.1	Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:	
	<p>1. Stage One - Eligibility with regards to attendance at the compulsory clarification meeting:</p> <p>An authorised representative of the tendering entity or a representative of a tendering entity that intends to form a Joint Venture (JV) must attend both the compulsory clarification meetings in terms C2.7</p>	
	<p>2. Stage Two - Eligibility in terms of the Construction Industry Development Board:</p> <p>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 9CE class of construction work, are eligible to have their tenders evaluated.</p> <p>b) Joint Venture (JV)</p> <p>Joint ventures are eligible to submit tenders subject to the following:</p> <ol style="list-style-type: none"> 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 **9CE** 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.

- 3. Stage Three - 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 **65** points.

The evaluation criteria for measuring functionality and the points for each criteria and, if any, each sub-criterion are as stated in C.3.11.3 below.

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

4. Stage Four – Price and Specific Goals

- C.2.7 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 – Day 1 and T2.2-01 Day 2 – certificate of attendance** signed off by the *Employer's* authorised representative.



C.2.12 No alternative tender offers will be considered.

C.2.13.3 Each tender offer shall be in the **English Language**.

C.2.13.9 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 the **29/03/2024 19 April 2024**

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** after 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 line with the code of good practice, together with the tender;

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

4. Proof of registration on the Central Supplier Database;

5. Letter of Good Standing with the Workmen's compensation fund by the tendering entity or separate Letters of Good Standing from all members of a newly constituted JV.

Note: Refer to Section T2.1 for List of Returnable Documents

C3.11 The minimum number of evaluation points for functionality is: **65**

The procedure for the evaluation of responsive tenders is Functionality, Price and Preference:

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.

Functionality Criteria

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

Functionality criteria	Sub-criteria	Sub-Criteria Points	Maximum number of points
T.2.2-03 Programme	Ability to execute the works in terms of the <i>Employer's</i> requirements and within the required timeframe indicating, in a logical sequence, the order and timing of the construction that will take place in order to Provide the <i>works</i> clearly indicating the capacity & capability to achieve the dates stated in the Contract Data. 1. Caisson Manufacture & Launching (10%) 2. Caisson Towing & Placement (10%) 3. Dredging & Reclamation (10%) 4. Scour Protection & Revetment (10%)	6	20



	<p>5. Rigid Inclusions & Vibro Compaction (10%)</p> <p>6. Sheet & Landside Piling (10%)</p> <p>7. Cope Construction, Quay Furniture & Paving (10%)</p> <p>8. Constraints, Interfacing & interdependencies within the overall project approach as demonstrated in, but not limited to, the programme, Work Breakdown Structure and associated critical scope elements as well as any other part of the Works Information (30%)</p>		
	<p>Dates when the <i>Contractor</i> will need access to any part of the Site; submission & approval process & timing for Health & Safety Files, Environmental Files and Quality Files.</p>	2	
	<p>The <i>Contractor</i> indicates how he plans in achieving the following dates and clearly demonstrates them on the schedule by complying with Clause 31.2 of the NEC ECC – Initiates <i>starting date</i>, <i>access dates</i>, Key Dates, planned Completion, Sectional Completion Dates & Completion Date. In addition, the Programme must</p>	2	



	<p>clearly demonstrate adequate provisions for Time Risk Allowance (TRA). Time Risk Allowances are not float, are owned by the Tenderer, can be included in the activity duration and illustrated in the schedule in a code field or as an attachment.</p> <hr/> <p>The Programme must be Resource Loaded, including, People, Equipment, Plant and Materials & Other Resources, but excluding Cost). In addition, the Programme must be aligned to the Activity Schedule.</p> <ol style="list-style-type: none"> 1. Caisson Manufacture & Launching (10%) 2. Caisson Towing & Placement (10%) 3. Dredging & Reclamation (10%) 4. Scour Protection & Revetment (10%) 5. Rigid Inclusions & Vibro Compaction (10%) 6. Sheet & Landside Piling (10%) 7. Cope Construction, Quay Furniture & Paving (10%) 8. Constraints, Interfacing & interdependencies within the overall project approach as demonstrated in, but not limited to, the programme, Work 	2	
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	<p>Breakdown Structure and associated critical scope elements as well as any other part of the Works Information (30%)</p> <hr/> <p>The Programme must clearly support and demonstrate alignment to the Approach Paper as contained under T.2.2-08.</p> <p>In addition, annexed to the Programme, a basis of schedule document is required, stipulating, but not limited to, underlying assumptions, conditions, constraints, and approach to Providing the <i>works</i> as detailed in the Programme.</p>	8	
T2.2-04 Quality Plan	<p>The Project Quality Plan (PQP) details how the Contractor's Quality System will be applied to the Scope of Work specified in the contract and shall include six (6) critical elements:</p> <p>Quality Control Plans Specific to the <i>works</i> but not limited to:</p> <p>The Quality Control Plans shall be Project Specific as per the Scope of Work and shall include the following as a minimum of the critical elements:</p>	<p>2</p> <p>2</p>	5



	<p>1) Detailed sequence of activities (construction/fabrication)</p> <p>2) Include all procedure/code specifications</p> <p>3) Include all intervention points (i.e. hold, witness, verify)</p> <p>4) Include all Verification documentation/Field inspection checklists</p> <p>5) Include all relevant signatories (i.e. Contractor, AIA, Transnet)</p> <p>The following Quality Control Plans:</p> <ul style="list-style-type: none"> • Caisson Manufacture • Caisson Towing and Placement • Sheet Piling, Landside Piling • Cope Construction, quay furniture and paving (including crane rail welding and installation) • Scour Protection and Revetment • Rigid inclusions and Vibro-compaction <p>A Quality Policy shall include the following key policy elements:</p>		
		1	



	<ul style="list-style-type: none"> 1) is appropriate to the purpose and context of the organization and supports its strategic direction, 2) provides framework for setting quality objectives, 3) includes a commitment to satisfy applicable requirements, 4) includes a commitment to continual improvement of QMS and 5) is communicated and understood within the organization 		
T2.2-05 Environmental Management Plan	The Signed Company Environmental Policy Proof of Environmental management Training Environmental Management Plan	1 5 9	15
T2.2-06 Health and Safety Requirements	Safety, Health & Environmental Policy signed by the Chief Executive Officer Roles & Responsibilities Overview of the Baseline Risk Assessment Safety Questionnaire Project Specific Health and Safety Plan Cost Breakdown Sheet	1 2 4 6 2	15
T2.2-07 Previous Experience	<u>Caisson manufacture or similar</u> Concrete construction using slip-form such as construction of silos, chimneys,	3	20



	lift cores etc.; and any complex concrete and rigging work such as incremental launch bridges etc.		
	<u>Caisson towing and placement or similar:</u> Installation and operation of a syncrolift. Placement of underwater stone bed. Towing and placing of caissons, counterfort units etc. in marine conditions.	3	
	<u>Dredging and reclamation:</u> Dredging in marine conditions. Controlled placement of dredged material for reclamation, sandbank extension or beach nourishment. Precision dredging for foundation trenches.	4	
	<u>Scour protection and revetment:</u> Controlled placement of scour rock protection or revetment in marine conditions	1	
	<u>Rigid inclusions and vibro-compaction:</u> Piling off a barge in marine conditions. Ground improvement by rigid inclusions, stone columns and vibro –compaction.	3	



	<u>Sheet piling and landside piling:</u> Installation of combination of tubular pile and sheet pile walls. Landside piling such as CFA, Driven Cast Insitu etc. Relevant experience should include manufacture and installation of straight-webbed sheet pile sections to form cofferdams or cellular caissons.	4	
	<u>Cope construction, quay furniture and paving:</u> Concrete construction for quay wall elements and installation of quay furniture. Concrete and asphalt paving including earthworks / layer works. Installation of services such as water, sewer, stormwater etc.	2	
T2.2-08 Approach Paper	Approach is clearly articulated and based on the Works Information.	8	20
	Demonstrate a clear understanding of the project objectives.	4	
	Demonstrate <i>Contractor's</i> management approach to risks and constraints. .	8	



	The below weighting applies to all three sub-criteria above.			
	Elements	Weight		
	Caisson Manufacture and Launching	15%		
	Caisson Towing and Placement	15%		
	Dredging and reclamation including sandbank extension	15%		
	Scour protection and revetment	10%		
	Rigid inclusions and vibro-compaction	15%		
	Sheet piling, cellular caissons and landside piling	15%		
	Cope Construction, quay furniture and paving	15%		



<p>T2.2-09 Proposed Organisation and Staffing</p>	<p>The tenderer should compile a comprehensive and detailed organogram that shows the structure and composition of their entire team i.e. the main disciplines involved including the key staff/expert you have identified in the Contract Data Part two and identify the required legal appointments, and the proposed technical and support staff and site staff.</p> <p>The organogram should also include all major sub-<i>Contractors</i> and suppliers, also showing the structure and composition of their entire team.</p> <p>The roles and responsibilities of each key staff member/expert should be set out as job descriptions. In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared.</p>		<p>5</p>
<p>Maximum possible score for Functionality</p>			<p>100</p>

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

- T2.2-03 Programme
- T2.2-04 Quality Plan
- T2.2-05 Environmental Management Plan
- T2.2-06 Health and Safety Requirements
- T2.2-07 Previous Experience
- T2.2-08 Approach Paper
- T2.2-09 Proposed Organisation and Staffing

Each evaluation criteria will be assessed in terms of scores of 0, 20, 40, 60, 80 or 100. 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. This note must be read in conjunction with Clause C.2.1.



C3.11 Only tenders that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 90/10 preference points systems as described in Preferential Procurement Regulations.

90 where the financial value of one or more responsive tenders received have a value equal to or higher than R50 million, inclusive of all applicable taxes,

Thresholds	Minimum Threshold
Technical / functionality	65

Evaluation Criteria	Final Weighted Scores
Price and Total Cost of Ownership	90
Specific goals - Scorecard	10
TOTAL SCORE:	100

Up to 100 minus W_1 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.

Selected Specific Goal	Number of points allocated (90/10)
B-BBEE Status Level of Contributor 1 or 2	3.00
The promotion of enterprises located in eThekwin Municipality for work to be done or services to be rendered in that Municipality	3.00
The promotion of supplier development through subcontracting / JV a minimum of 30% of the value of the contract to /with EMEs and/or QSEs 51% owned by black people, youth, women, or disabled people	4.00 7.00
Non-Compliant and/or B-BBEE Level 3-8 contributors	0.00

The following Table represents the evidence to be submitted for claiming preference points for applicable specific goals in a particular tender:

Specific Goals	Acceptable Evidence
B-BBEE Status Level of Contributor 1 or 2	<ul style="list-style-type: none"> Valid B-BBEE Certificate / Sworn-Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline.
The promotion of enterprises located in eThekwin Municipality for work to be done or services to be rendered in that Municipality.	<ul style="list-style-type: none"> CIPC – Valid B-BBEE Certificate / Sworn-Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines and Proof Registered address of entity.
The promotion of supplier development through subcontracting a minimum/ Joint Venture of 30% of the value of the contract to /with EMEs and/or QSEs	<ul style="list-style-type: none"> Sub-contracting agreements Subcontractors CIPC – Valid B-BBEE Certificate / Sworn- Affidavit / Valid B-BBEE Certificate as per DTIC guideline.



51% owned by black people, youth, women, or disabled people.	<ul style="list-style-type: none"> Declaration / Joint Venture Agreement (in case of JV, a consolidated scorecard will be accepted).
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The maximum points for this bid are allocated as follows:

<u>DISCRIPTION</u>	<u>POINTS</u>
PRICE	90
<p>B-BBEE Status Level of Contributor 1 or 2 = 3 points.</p> <p>The promotion of enterprises located in eThekweni Municipality for work to be done or services to be rendered in that Municipality = 3 points.</p> <p>The promotion of supplier development through subcontracting a minimum/ Joint Venture of 30% of the value of the contract to /with EMEs and/or QSEs 51% owned by black people, youth, women, or disabled people = 7 points.</p> <p>Non-Compliant and/or B-BBEE Level 3-8 contributors = 0 points.</p>	10
Total points for Price and Specific Goals must not exceed	100

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.

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) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- b) is not undergoing a process of being restricted by Transnet or other state institution that Transnet may be aware of,
- c) can, as necessary and in relation to the proposed contract, demonstrate that he or she 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,
- d) has the legal capacity to enter into the contract,
- e) is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,
- f) complies with the legal requirements, if any, stated in the tender data and
- g) 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).