

## 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 published in 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(see [www.cidb.org.za](http://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.

*"The CIDB Standard for Developing Skills through Infrastructure Contracts, published in Government Gazette 43495 dated 3 July 2020 and the CIDB Standard for Indirect Targeting for Enterprise Development through Construction works Contracts, published in Gazette Notice No.36190 of 25 February 2013 is applicable to this project"*

Clause	Data
C.1.1 The <i>Employer</i> is	<b>Transnet SOC Ltd</b> <b>(Reg No. 1990/000900/30)</b>
C.1.2 The tender documents issued by the <i>Employer</i> comprise:	
<b>Part T: The Tender</b>	
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
<b>Part C: The contract</b>	
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 Bills of Quantities
Part C3: Scope of work	C3.1 Works Information

Part C4: Site Information		C4.1 Site Information
Annexures		Annexures to the RFP Document
C.1.4	The Employer's agent is:	
	Name:	Nomvula Makeleni Vundla
	Address:	Queens's Warehouse 237 Mahatma Gandhi Durban, 4000
	E – mail	<a href="mailto:TENDERENQUIRIESPDU@transnet.net">TENDERENQUIRIESPDU@transnet.net</a>
C.2.1	Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:	
	<b>Stage One: Eligibility: Responsiveness and substantive Test</b>	
	<b>Step 1 - Compulsory clarification meeting attendance</b>	
	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	
	<b><i>Any tenderer that fails to meet the stipulated pre-qualifying criteria will be regarded as an unacceptable tender.</i></b>	
	<b>Step 2 - CIDB Grading</b>	
	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 <b>9CE</b> 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 **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

### Step 3 - Substantive Test

- Whether the Bid has been lodged on time
- Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time
- Whether the Bid materially complies with the scope and/or specification given
- Whether the Bid contains a priced Bills of Quantities
- Whether the Bid contains a fully completed and signed Form of Offer

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

**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 criterion and, if any, each sub-criterion is 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.***

- C.2.7 The arrangements for a compulsory tender 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 compulsory tender meeting and have their returnable document T2.2-01 certificate of attendance** signed off by the Employer's authorised representative.

- C.2.12 Alternative offers will only be considered for the demolition of the existing cap and the construction of a new reinforced concrete cap within the indicative area of South Breakwater.

If a tenderer chooses to submit an alternative offer for the cap design solution as described above, they must:

1. Complete and submit the original Form of Offer and Bills of Quantities; and
2. Complete and submit the alternative offer, ensuring that the total value covers the entire scope of work.

**No alternative offer will be accepted without the submission of the original offer.**

**An alternative offer will only be considered if the main tender offer is the winning bid.**

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: **Transnet Ports Authority**
- Contact person and details: **Nomvula Makeleni Vundla**
- The Tender Number:

**TNPA/2025/05/0010/95183/RFP**

The Tender Description: **Construction of the marine works for the upgrade of breakwater (new Dolosse) project at the Port of Richards Bay.**

Documents must be marked for the attention of:  
***Employer's Agent: Nomvula Makeleni Vundla***

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 **30 January 2026**

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.

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- C.2.23 The tenderer is required to submit with his tender:
- a) 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.**
  - b) 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;
  - c) Proof of registration on the Central Supplier Database;

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

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C.3.11. The minimum number of evaluation points for Technical Criteria is: **60 points**.

Tenderers who fail to obtain a minimum of 60 points on the Technical criteria will not be evaluated further for Preference Points System (Price and Specific Goals).

**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
<b>T2.2-03: Experience of Key Persons</b>	<b>Relevant experience for the following:</b>  <b>Senior Site Management</b> ≥15 years' Experience <b>(60%)</b> <ul style="list-style-type: none"> <li>Contracts Manager (25%)</li> <li>Construction Manager (20%)</li> <li>Senior Commercial Manager (15%)</li> <li>Lead Planner (15%)</li> <li>Health &amp; Safety Manager (25%)</li> </ul> <b>Site Officers</b> ≥5 Years' Experience <b>(40%)</b> <ul style="list-style-type: none"> <li>Environmental Officer (25%)</li> <li>Quality Officer (25%)</li> <li>Document Controller (25%)</li> <li>General Foreman (25%)</li> </ul>	10	<b>15</b>
	<b>Specific experience related to managing a contract based on the NEC3 ECC conditions of contract for the following personnel:</b> <ul style="list-style-type: none"> <li>Contracts manager (Weight <b>30%</b>)</li> <li>Construction manager (Weight <b>20%</b>)</li> </ul>	5	

	<ul style="list-style-type: none"> <li>Planner (Weight <b>25%</b>)</li> <li>Senior Commercial Manager (Weight <b>25%</b>)</li> </ul>		
<b>T2.2-04: Company Previous Experience</b>	<b>Construction of Water-Based Infrastructure projects</b> <ul style="list-style-type: none"> <li>The tenderer has completed Water-Based Infrastructure construction project including dredging works</li> <li>Completion Letter/Certificate</li> </ul>	10	<b>20</b>
	<b>Construction of shore protection construction</b> <ul style="list-style-type: none"> <li>The tenderer has completed Shore Protection construction project including the production and installation of concrete armour units within a Port application</li> <li>Completion Letter/Certificate</li> </ul>	10	
<b>T2.2-05: Programme</b>	<b>Ability to Provide the Works</b> The Tender Programme submissions must meet these requirements: <ol style="list-style-type: none"> <li>The Tenderer has submitted a Programme in Microsoft Projects (MSP) or Primavera.</li> <li>Logically linked using the critical path method (CPM).</li> <li>In line with core clause 31 of NEC3 ECC</li> <li>The Tender has also submitted the Basis of Schedule (BoS) clearly indicating production rate and duration estimates.</li> <li>The Tender Programme has captured the complete scope at minimum level 3 for each discipline.</li> <li>The Tender Programme shall be aligned to the Pricing Data as contained under Part C2 and detailed at an appropriate level of decomposition to support the scope and associated duration estimates.</li> </ol>	7	<b>10</b>

	7. The Programme must clearly support and demonstrate alignment to Part C3.1 Works Information objectives and scope of work.		
	<b>Provisions of Dates</b> The Tenderer clearly indicates in the schedule all milestones, activities & information related to the following: <ol style="list-style-type: none"> <li>1. Time Risk Allowances,</li> <li>2. Health and safety requirements, and TNPA approval process</li> <li>3. Procedures set out in this contract, need to be specific.</li> <li>4. Site Access and Access to a part of the site if later than its access date,</li> <li>5. Acceptances/Approvals</li> <li>6. Plant &amp; Materials and other things to be provided by the employer</li> <li>7. Identifies key Project Milestones, including but not limited to Starting date, Access dates, Key Dates Planned Completion and Completion Date.</li> </ol>	3	
<b>T2.2-06: Approach Paper</b>	The approach paper must include as a minimum but not limited to the following <b>key activities</b> (the <i>Contractor</i> must refer to the works information for a full description of the scope of the works): <ol style="list-style-type: none"> <li>1. Demolition of existing south breakwater cap and construction of a new reinforced concrete cap to serve as the base for the south breakwater repair and upgrade.</li> <li>2. Production of 65 t Antifer Cubes, 20 t and 30 t dolos including but not limited to establishment of batch plant, casting, curing and handling of units</li> <li>3. Placement of 1 t to 5 t rock underlayer on top of the damaged</li> </ol>	20	<b>20</b>



	dolos breakwater head at the south breakwater. 4. Dredging of the toe of the south breakwater head to enable placement of the bottom row of Antifer Cubes. 5. Transporting and placing of 65 t Antifer Cubes and 30 t dolos Units on south breakwater, and 20 t units on the North Breakwater, including establishment of the cranes. 6. Detailing and casting reinforced concrete plinths as required to ensure continuous safe crane operation and continuous navigation light operation on the breakwaters		
<b>T2.2-07: Health and Safety Requirements</b>	Policy (State points allocated)	1	<b>15</b>
	Roles & Responsibilities	2	
	Baseline risk assessment	4	
	Project Specific Health and Safety Plan	6	
	TNPA Estimate Health and Safety Cost Breakdown	2	
<b>T2.2-08: Quality Management</b>	Project Quality Plan (as per TNPA-QUAL-REQ-014.1)	5	<b>10</b>
	Quality Control Plans (as per TNPA-QUAL-REQ-014.1)	4	
	Quality Policy	1	
<b>T2.2-09: Environmental Management</b>	Environmental Management Plan (EMP)	5	<b>10</b>
	Environmental Policy (EP)	3	
	Declaration of Understanding (DOU)	2	
			<b>100</b>

Functionality shall be scored independently by not less than 2 (two) evaluators and averaged in accordance with the following schedules:

- T2.2-03 Evaluation Schedule: Key persons experience – 15 points
- T2.2-04 Evaluation Schedule: Company previous experience – 20 points
- T2.2-05 Evaluation Schedule: Programme – 10 points
- T2.2-06 Evaluation Schedule: Approach Paper – 20 points
- T2.2-07 Evaluation Schedule: Health and Safety Plan – 15 points
- T2.2-08 Evaluation Schedule: Quality Management – 10 Points
- T2.2-09 Evaluation Schedule: Environmental Management– 10 points

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.**

**Stage Three: Preference Points System:** Only tenders that achieve the minimum qualifying 60 points for Technical Criteria will be evaluated further in accordance with the 90/10 or 80/20 preference points system as described in Preferential Procurement Regulations.

- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

Preference points for this bid shall be awarded for:

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

(Specific Goals = 10/20 points) 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 (20 system)	Number of points allocated (10 system)
B-BBEE Status Level of Contributor 1 or 2	6	3
The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to South African Companies which are: I. EMEs and/or QSEs black-owned	14	7
Non-Compliant and/or B-BBEE level 3-8 Contributors	0	0

**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"> <li>Valid B-BBEE Certificate / Sworn - Affidavit / Valid B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines</li> </ul>
The promotion of supplier development through sub-contracting for a minimum of 30% of the value of a contract to South African Companies which are: I. EMEs and/or QSEs black-owned	<ul style="list-style-type: none"> <li>Sub-contracting agreements.</li> <li>Subcontractors CIPC – Valid B-BBEE Certificate / Sworn- Affidavit / Valid B-BBEE Certificate as per DTIC guideline</li> </ul>

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#### **Stage Four: Commercial and Risk Analysis**

Commercial and Risk Analysis will be carried out for the highest scoring Tenderer.

#### **Stage Five: Price Negotiation if applicable**

Transnet reserves the right to carry out Price Negotiations where applicable.

#### **Stage Six: Objective Criteria**

In accordance with CIDB Standard Conditions of Tender, clause C.3.13, a risk assessment will be done on this tender to ascertain whether there is a potential unacceptable risk to the Employer which can't be mitigated satisfactorily prior to award.

**Note:** Transnet reserves the right to carry out an independent audit of the tenderer's scorecard components at any stage from the date of close of the tenders until completion of the contract.

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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;
5. The due diligence exercise may take the following factors into account inter alia; the tenderer:
  - Bidder(s) 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;
  - 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;
  - 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;
  - Unless the appointment of the bidder would result in a negative impact on Transnet's Return on Investment;
  - 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;
  - 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;

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- in relation to the proposed contract, a due diligence exercise to validate the bidder's proposal that 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;
  - has no legal capacity to enter into the contract;
  - 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;
  - does not comply with the legal requirements, if any, stated in the tender data; and
  - is not able to perform the contract free of conflicts of interest.
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C.3.17 The number of copies of the signed contract to be provided by the Employer is 1 (one)

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