

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 Construction Procurement, 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 Part T2 : Returnable documents Part C: The contract Part C1: Agreements and contract data Part C2: Pricing data Part C3: Scope of work
	T1.1 Tender notice and invitation to tender T1.2 Tender data T2.1 List of returnable documents T2.2 Returnable schedules C1.1 Form of offer and acceptance C1.2 Contract data (Part 1 & 2) C1.3 Form of Securities C2.1 Pricing instructions C2.2 Activity Schedule C3.1 Service Information

C.1.4	The Employer's agent is:	Procurement Officer
	Name:	Natalie Joubert
	Address:	Transnet National Ports Authority Port of Saldanha Bayvue Centre Marine Drive Saldanha 7395
	Tel No.	022 703 5490/063 692 8946
	E – mail	Natalie.Joubert@transnet.net

C.2.1 Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

1. Stage One - Pre-qualification criteria for preferential procurement in terms of the Preferential Procurement Regulations, 2017:

A tenderer having a stipulated minimum B-BBEE status level of contributor of 4.

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

2. 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 for each equipment, i.e. cherry picker and / or crane is 60 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 below.

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

C.2.12 No alternative tender offers will be considered.

C.2.13.3 Parts of each tender offer communicated on paper shall be as an **original** and a **clearly marked electronic version** (compact disc or memory stick) in the same format as the original submission which shall be in the **English Language**.

C.2.13.5 The *Employer's* details and address for delivery of tender offers and identification

C2.15.1 details that are to be shown on each tender offer package are:

Location of tender box

TRANSNET NATIONAL PORTS AUTHORITY
Port of Saldanha
The Tender Box
Bayvue Centre
Marine Drive
Saldanha
7395

Physical address:

TRANSNET NATIONAL PORTS AUTHORITY
Port of Saldanha
The Tender Box
Bayvue Centre
Marine Drive
Saldanha
7395

Identification details:

The tender documents must be submitted labelled with:

- **Name of Tenderer:** (insert company name)
- **Contact person and details:** (insert details)
- **The Tender Number:** TNPA SLD325/08/2020
- **The Tender Description:** Hiring crane and cherry picker services on an as and when required basis for the Port of Saldanha for a period of twenty four (24) months

Documents must be marked for the attention of:

Employer's Agent: Natalie Joubert

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: **10:00am** on the **01 October 2021**
Location: TRANSNET NATIONAL PORTS AUTHORITY
Port of Saldanha
The Tender Box
Bayvue Centre
Marine Drive
Saldanha
7395

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

3. Proof of registration on the Central Supplier Database;

4. 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

C3.4 The time and location for opening of the offers are after the opening submissions at the venue as stated in C.2.15.

C3.11 The minimum number of evaluation points for functionality is: **60**

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.

Tenderers are to attain the minimum number of evaluation points (60) for Functionality for each equipment i.e. Crane and Cherry Picker

Functionality Criteria

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

Crane Functionality Criteria

Functionality criteria	Sub-criteria	Sub-criteria points	Maximum number of points
T2.2-02 Evaluation Schedule: Previous Experience: Crane	Tenderers are required to provide the following information:		
	Supplier to indicate years of experience as Lifting Machinery Entity (LME).	15	40
	Supplier Registration- Supplier regarded as a Lifting Machinery Entity (LME), registered with the Department of Labour (DOL) as a LME.	25	
T2.2-03 Evaluation Schedule: Management & CV's of Key Personnel: Crane	The tender must be able to demonstrate that the project personnel have sufficient knowledge, experience and qualifications to provide the required service		
	Comprehensive CV: Lifting Machinery Inspector (LMI) As a minimum each CV should address the following, but not limited to; i. Personal particulars a. Name b. Place (s) of tertiary education and dates associated therewith ii. Qualification iii. Work experience gained to date.	10	60
	Comprehensive CV: Crane Operator (1) As a minimum each CV should address the following, but not limited to; i. Personal particulars a. Name b. Place (s) of tertiary education and dates associated therewith ii. Qualification iii. Work experience gained to date.	10	

	<p>Comprehensive CV: Crane Operator (2)</p> <p>As a minimum each CV should address the following, but not limited to;</p> <p>i. Personal particulars</p> <p>a. Name</p> <p>b. Place (s) of tertiary education and dates associated therewith</p> <p>ii. Qualification</p> <p>iii. Work experience gained to date.</p>	10	
	<p>Certification of Lifting Machinery Inspector (LMI) in relation to the scope of work</p> <p>Valid certificates of competence complying with the OHS Act 1993, Department of Employment and Labour's Driven Machinery Regulations 2015 and all other applicable Acts. Minimum training requirements is submission of a valid certificate of Competence, issued by a training provider accredited by the Transport Authority</p>	10	
	<p>Certification of Crane Operator (1) in relation to the scope of work.</p> <p>Submission of valid certificates of competence complying to the OHS Act 1993, Department of Labour's Driven Machinery Regulations. Valid certificate of Competence, issued by a training provider accredited by the Transport Authority.</p>	10	
	<p>Certification of Crane Operator (2) in relation to the scope of work.</p> <p>Submission of valid certificates of competence complying to the OHS Act 1993, Department of Labour's Driven Machinery Regulations. Valid certificate of Competence, issued by a training provider accredited by the Transport Authority.</p>	10	
<p>Maximum possible score for Functionality</p>		<p>100</p>	

Cherry Picker Functionality Criteria

Functionality criteria	Sub-criteria	Sub-criteria points	Maximum number of points
T2.2-04 Evaluation Schedule: Previous Experience: Cherry Picker	Tenderers are required to provide the following information:		
	Supplier to indicate years of experience as Lifting Machinery Entity (LME).	15	40
	Supplier Registration- Supplier regarded as a Lifting Machinery Entity (LME), registered with the Department of Labour (DOL) as a LME.	25	
T2.2-05 Evaluation Schedule: Management & CV's of Key Personnel: Cherry Picker	The tender must be able to demonstrate that the project personnel have sufficient knowledge, experience and qualifications to provide the required service		
	Comprehensive CV: Lifting Machinery Inspector (LMI) As a minimum each CV should address the following, but not limited to; i. Personal particulars a. Name b. Place (s) of tertiary education and dates associated therewith ii. Qualification iii. Work experience gained to date.	10	60
	Comprehensive CV: Cherry Picker Operator (1) As a minimum each CV should address the following, but not limited to; i. Personal particulars a. Name b. Place (s) of tertiary education and dates associated therewith ii. Qualification iii. Work experience gained to date.	10	

	<p>Comprehensive CV: Cherry Picker Operator (2)</p> <p>As a minimum each CV should address the following, but not limited to;</p> <ul style="list-style-type: none"> i. Personal particulars <ul style="list-style-type: none"> a. Name b. Place (s) of tertiary education and dates associated therewith ii. Qualification iii. Work experience gained to date. 	10	
	<p>Certification of Lifting Machinery Inspector (LMI) in relation to the scope of work</p> <p>Valid certificates of competence complying with the OHS Act 1993, Department of Employment and Labour’s Driven Machinery Regulations 2015 and all other applicable Acts. Minimum training requirements is submission of a valid certificate of Competence, issued by a training provider accredited by the Transport Authority</p>	10	
	<p>Certification of Cherry Picker Operator (1) in relation to the scope of work.</p> <p>Submission of valid certificates of competence complying to the OHS Act 1993, Department of Labour’s Driven Machinery Regulations. Valid certificate of Competence, issued by a training provider accredited by the Transport Authority.</p>	10	
	<p>Certification of Cherry Picker Operator (2) in relation to the scope of work.</p> <p>Submission of valid certificates of competence complying to the OHS Act 1993, Department of Labour’s Driven Machinery Regulations. Valid certificate of Competence, issued by a training provider accredited by the Transport Authority.</p>	10	
<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:

- T2.2-02 Previous experience for Crane
- T2.2-03 Management & CV's for Crane
- T2.2-04 Previous experience for Cherry Picker
- T2.2-05 Management & CV's for Cherry Picker

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. This note must be read in conjunction with Clause C.2.1.

C.3.12. Only tenders that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points systems as described in Preferential Procurement Regulations 6 and 7.

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

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 BBBEE rating not be provided, tenderers with no verification will score zero points for preferencing.**

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) 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,
 - c) has the legal capacity to enter into the contract,
 - d) 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,
 - e) complies with the legal requirements, if any, stated in the tender data and
 - f) 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).
