

# T1.1 Tender Notice and Invitation to Tender

## SECTION 1: NOTICE TO TENDERERS

### 1. INVITATION TO BID

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**].

<b>DESCRIPTION</b>	Geotechnical Investigation for the Tank farm Onshore infrastructure (Landside Phase 2) in the Port of Ngqura
Preferences are offered to tenderers who submit valid verification of their B-BBEE status level of contribution (see Returnable Schedules T2.2-50).	
<p>Only those Tenderers who satisfy the following eligibility criteria are eligible to submit tenders:</p> <p><b>a) Attendance of Compulsory Briefing Sessions:</b></p> <p>Only tenderers who attend the compulsory site clarification meeting will be eligible for further evaluation.</p> <p><b>b) Functionality:</b></p> <p>The minimum number of evaluation points for Functionality is : <b>60</b></p> <p><b><u>In the event that all tenders that are evaluated in terms of functionality do not meet the minimum qualification score (threshold) for functionality, Transnet reserves the right to lower the minimum qualification score (threshold) from 60 (Sixty) points to 55 (Fifty-Five) points.</u></b></p>	
<b>COLLECT DOCUMENTS FROM</b>	<p>The office of the Secretariat, Local Acquisition Council</p> <p><b>TRANSNET CAPITAL PROJECTS</b></p> <p><b>Queens Warehouse,</b></p> <p><b>237 Mahatma Gandhi Road,</b></p> <p><b>Durban</b></p> <p><b>South Africa</b></p>
<b>ISSUE DATE</b>	<p><b>This Tender may be downloaded directly from the National Treasury eTender Publication Portal at <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> free of charge.</b> If Tenderers intend to download the bid off the Portal, they are required to indicate their intention to respond to this tender by <b>23 May 2016</b> by completing the "Acknowledgement of Receipt of Documents and Intention to Tender" (Page 7 of 7 of T1.1) and emailing it to: <a href="mailto:Shani.kleyn@transnet.net">Shani.kleyn@transnet.net</a>. This is to ensure that any required communication (e.g. addenda to the tender) in relation to this tender reaches those intending to respond. Transnet will not be held liable if Tenderers do not respond by this date and do not receive the latest information regarding this Tender as a result thereof.</p> <p>Alternatively, Compact Discs (CDs) containing the Tender document, specifications &amp; drawings may be collected during working hours from <b>09h00 hrs on Tuesday, 24 May 2016</b> until <b>Thursday, 2 June 2016 at 15h00hrs</b> on a payment of <b>R100.00 [inclusive of VAT]</b>, however if a hard copy of the Tender document is required the same can be collected on payment of an amount of <b>R250.00 [inclusive of VAT] per set</b>. Arrangements must be made one (1) day in advance for a hard copy.</p>

	<p>Payment is to be made as follows:</p> <p>Bank: Standard Bank  Account Holder: Transnet Capital Projects  Account Number: 001265741  Branch: Carlton Centre  Branch code: 0202305  Reference: 2225427-651</p> <p><b>NOTES –</b></p> <p><b>A) THE PAYMENT OF R 100.00 OR R250.00 IS NOT REFUNDABLE.</b></p> <p><b>B) A RECEIPT FOR SUCH PAYMENT MADE MUST CLEARLY STATE THE ABOVE REFERENCE BE PRESENTED WHEN COLLECTING THE RFP DOCUMENTS AND SUBMITTED THEREAFTER WITH YOUR PROPOSAL.</b></p> <p><b>C) IT IS THE RESPONSIBILITY OF THE TENDERER TO ENSURE RECEIPT OF A COMPLETE TENDER DOCUMENT WITH SPECIFICATIONS &amp; ANNEXURES.</b></p>
<b>COMPULSORY BRIEFING SESSION</b>	Refer to "formal briefing" Paragraph 2, for details.
<b>CLOSING DATE</b>	Please note that this RFP closes punctually at <b>12h00 hrs on Tuesday, 28 June 2016</b> . Tenderers must ensure that tenders are delivered timeously to the correct address. As a general rule, if a tender is late or delivered to the incorrect address, it will not be accepted for consideration.
<b>VALIDITY PERIOD</b>	<b>The tender validity period is Twelve (12) weeks after Closing Date</b> Tenderers are to note that they may be requested to extend the validity period of their tender, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful Tenderer(s), the validity of the successful Tenderer(s) bid will be deemed to remain valid until a final contract has been concluded.

## 2. FORMAL BRIEFING

A **compulsory clarification** meeting with representatives of the Employer will take place at **63 Worraker Street, Newton Park, Port Elizabeth, 6000** on **Friday, 3 June 2016, starting at 12h00 hrs** for a period of  $\pm 1$  (one) hours. The briefing session will start punctually and information will not be repeated for the benefit of Tenderers arriving late.

**Note: All the sessions are compulsory to all Tenderers, and Tenderers must ensure that all Key Personnel attend these sessions.**

[Tenderers to provide own transportation and accommodation].

- 2.1. Tenderers failing to attend the compulsory tender briefing will be disqualified.
- 2.2. The site clarification meeting will start punctually on **Friday; 3 June 2016 at 12h00** and information will not be repeated for the benefit of Tenderers arriving late.
- 2.3. Tenderers are required to wear safety shoes, long sleeve shirts and long pants, high visibility vests. Tenderers without the PPE as stated will not be allowed on the site walk.
- 2.4. All forms of firearms are prohibited on Transnet properties and premises.
- 2.5. Transnet will not be held responsible if any Tenderer who did not attend the compulsory clarification meeting and subsequently feels disadvantaged as a result thereof.

2.6. A Certificate of Attendance in the form set out in the **Returnable Schedule T2.2-15** hereto must be completed and submitted with your Tender as proof of attendance is required for a **compulsory** site meeting and/or tender briefing. Tenders are required to bring this **Returnable Schedule T2.2-15 (attached to the Tender document)** to the briefing session to be signed by the *Employer's* Representative.

2.7. Respondents without a valid RFP document in their possession will not be allowed to attend the RFP briefing.

### 3. TENDER SUBMISSION

- 3.1. If Tenders are not delivered as stipulated herein, such responses will not be considered and will be treated as "NON-RESPONSIVE" and will be disqualified.
- 3.2. Telegraphic, telephonic, facsimile, e-mail and late Tenders will **NOT** be considered.
- 3.3. Transnet shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Proposals / information received, i.e. pricing, delivery, etc. The names and locations of the Respondents will be divulged to Respondents who are present at the tender opening.

Requirements for sealing, addressing, delivery, opening and assessment of Tenders are stated in the Tender Data.

The Secretariat, Transnet Capital Projects Acquisition Council

Tender No: M-1124367-02X-659

Description: Geotechnical Investigation for the Tank farm Onshore infrastructure (Landside Phase 2) in the Port of Ngqura

Closing date and time: Tuesday, 28 June 2016 at 12:00

Closing address: *[Refer to options in paragraph 4 below]*

All envelopes must reflect the return address of the Respondent on the reverse side.

Transnet fully subscribes to Government's New Growth Path objectives and Supplier Development commitments by Respondents will consequently feature prominently in the evaluation and award of this business.

### 4. DELIVERY INSTRUCTIONS FOR TENDER

#### 4.1. Delivery by hand

Tenderers are to be deposited in the Transnet tender box which is located at The Security Reception, Transnet Capital Projects, Queens Warehouse, Ground Floor, 237 Mahatma Gandhi Road, Durban and must be addressed as follows:

**THE SECRETARIAT**

**TRANSNET CAPITAL PROJECTS LOCAL ACQUISITION COUNCIL**

**THE SECURITY RECEPTION**

**(TRANSNET CAPITAL PROJECTS)**

**QUEENS WAREHOUSE**

**GROUND FLOOR**

**237 MAHATMA GHANDI ROAD**

**DURBAN**

The measurements of the "tender slot" are 490mm wide x 240mm high, and tenderer must please ensure that the tender documents or files are no larger than the above dimensions. Responses which are too bulky [i.e. more than 240mm thick] must be split into two or more files, and placed in separate envelopes, each envelope is to be addressed as stated above and numbered consecutively including the total number of envelopes e.g. Envelope 1 of 2 such envelope to be addressed as required in paragraph 3 above.

**4.2 Dispatch by courier**

If dispatched by courier, the envelope must be addressed as follows and delivered to the Office of The Secretariat, Transnet Capital Projects Acquisition Council and a signature obtained from that Office:

**THE SECRETARIAT**

**TRANSNET CAPITAL PROJECTS LOCAL ACQUISITION COUNCIL**

**THE SECURITY RECEPTION**

**(TRANSNET CAPITAL PROJECTS)**

**QUEENS WAREHOUSE**

**GROUND FLOOR**

**237 MAHATMA GHANDI ROAD**

**DURBAN**

4.3 If tender offers are not delivered as stipulated herein, such tenders will not be considered.

4.4 No email or faxed tenders will be considered.

4.5 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.

4.6 Envelopes must not contain documents relating to any Tender other than that shown on the envelope.

**5. 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:

5.1. reject any Tender Offer which does not conform to instructions and specifications which are detailed herein

5.2. disqualify Tender Offers submitted after the stated submission deadline [Closing Date];

5.3. Not necessarily accept the lowest priced tender or an alternative tender;

5.4. go to the open market if the quoted rates (for award of work) are deemed unreasonable;

5.5. Reject all Tenders, if it so decides;

5.6. withdraw the Tender on good cause shown;

5.7. Award business in connection with this Tender Offer at any time after the Tender's closing date;

- 5.8. Award business for only a portion of the proposed Services which are reflected in the scope of this Tender;
- 5.9. should the Tenderer be awarded business on the strength of information furnished by the Tenderer, which after conclusion of the contract, is proved to have been incorrect, Transnet reserves the right to cancel the contract;
- 5.10. to request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 5.11. to not accept any changes or purported changes by the Tenderer to the Tender rates after the closing date;
- 5.12. to verify any information supplied by a Tenderer. By submitting a Bid, the Tenderer hereby irrevocably grants the necessary consent to the Employer to do so;
- 5.13. undertake post-tender negotiations with those persons appearing on the list of preferred tenderers, once such list is approved by relevant person(s) with delegated authority
- 5.14. to verify conduct vetting of any Preferred Contractor through State Security Agency (SSA) for security clearance for any Contractor who has access to National Key Points.
- 5.15. In addition, Transnet reserves the right to exclude any Tenderers from the bidding 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. Respondents are required to indicate in tender returnable **T2.2-43: Request for Proposal – Breach of Law** whether or not they have been found guilty of a serious breach of law during the past 5 [five] years. Transnet reserves the right to award the business to the highest scoring Tenderer/s unless objective criteria justify the award to another bidder. Should the preferred Tenderer fail to sign or commence with the contract within a reasonable period after being requested to do so, Transnet reserves the right to award the business to the next ranked Tenderer, provided that he/she is still prepared to provide the required goods and/or services at the quoted rate. Kindly note that Transnet will not reimburse any Tenderer for any preparatory costs or other work performed in connection with its Tender, whether or not the Tenderer is awarded a contract.
- 5.16. 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.
- 5.17. **Repeal of Construction Sector Codes:**
- 5.17.1. The Minister of Department of Trade and Industry issued a Government Notice No. 184 in the Government Gazette No.39703 on the 17th February 2016, to repeal the Construction Sector Codes.
- 5.17.2. The repeal implies that the Construction Sector Codes cease to exist from the 17<sup>th</sup> February 2016.
- 5.17.3. All Measured Entities operating in the Construction Sector will be required to use the B-BBEE Generic Codes of Good Practice as amended and issued in terms of section 9 (1) of the B-BBEE Act No. 53 of 2003 as amended by Act No. 46 of 2013.
- 5.17.4. The application of the B-BBEE Generic Codes of Good Practice as amended must be in accordance with revised Notice of Clarification published in the Notice No. 444 of 2015 published in the Government Gazette No. 38799 on the 15 May 2015.
- 5.18. **NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE**

Transnet Capital Projects

Tender Number: M-1124367-02X-659

Description of the Works: Geotechnical Investigation for the Tank farm Onshore infrastructure (Landside Phase 2) in the Port of Ngqura

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- 5.18.1. Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. The CSD can be accessed at <https://secure.csd.gov.za/>. Respondents are required to provide the following to Transnet in order to enable it to verify information on the CSD: Supplier Number and Unique reference number.

**Transnet urges its clients, suppliers and the general public  
to report any fraud or corruption to  
TIP-OFFS ANONYMOUS: 0800 003 056 OR [Transnet@tip-offs.com](mailto:Transnet@tip-offs.com)**

## **Description of the Works**

The Port of Ngqura is currently undergoing a new development and expansion phase. Two new berthing areas have been identified in the Port for which additional landside infrastructure is required. The two new berths are Berth A100 and an extension of Berth B101. All the investigative works are land based, along either the proposed routes of the roads or at the proposed locations of the structures.

The *Contractor* is required to carry out a ground investigation of the site making use of borehole drilling with in situ testing, test pitting, sampling, laboratory testing and surveying.

Excavation of test pits using a tractor-mounted loader backhoe will take place over a period of 15 days. Approximately 60 test pits are anticipated along the Tank Farm Road and perimeter security patrol road.

Eight boreholes are envisaged along the alignment of the Tank Farm Road. These will be drilled vertically and at an angle of between 45 and 60 degrees to the horizontal. This drilling will be orientated. Packer testing and installation of standpipe piezometers will also be required for these boreholes.

Two boreholes are envisaged for the Berth 101 extension. These will be drilled vertically; orientation of these cores will not be required. Washbore drilling with SPT's will form the bulk of the drilling in these holes. Rotary core drilling through gravel and boulder beds is anticipated beneath the refusal of the washbore drilling before encountering the bedrock.

The coreboxes are to be photographed by the *Contractor* prior to the *Supervisor* commencing with the core logging.

Fulltime supervision of the *Contractor* will be provided by the *Supervisor* in order to amongst others, set-out the positions of the test pits, determine the depths where tests are to be carried out in the boreholes, and instruct where samples are to be taken. Soil profiling of the test pits and logging of the boreholes will also be carried out by the *Supervisor*.

Soil and rock core samples will be collected during the course of the fieldwork from both the test pits and boreholes. Laboratory testing of these samples is included in this contract. The *Supervisor* will specify which tests are to be carried out on which samples.

The records of the drilling and test pitting as well as the results of the in situ field tests and laboratory tests are to be presented in a data file.