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].

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>Transnet Capital Projects a specialist unit of Transnet SOC Ltd invites suitably qualified Tenderers to submit tenders for the Reconstruction, Deepening and Lengthening of the Durban Container Terminal Berths 203 to 205.</th>
</tr>
</thead>
</table>

It is estimated that tenderers should have a CIDB contractor grading designation of 9CE. Joint ventures are eligible to submit tenders provided that every member of the JV is registered with CIDB and the lead partner has a contractor grading of 8CE or higher.

Only those Tenderers who satisfy the following eligibility criteria are eligible to submit tenders:

a) Attendance of Compulsory Briefing Sessions (Day 1 & Day 2):

Only tenderers who attend both compulsory clarification meetings will be eligible for further evaluation.

Tenderers are to provide own transportation and accommodation. This clause is to be read with clause 2 "formal briefing session."

Tenderers are liable for their travelling and accommodation costs.

b) Supplier Development (Prequalification):

Tenderers must fully and properly complete and sign the Supplier Development Returnable Schedule T2.2-39. Tenderers accept that failure to commit to allocating a minimum of 40% (Forty percent) of the contract value to Supplier Development initiatives; shall result in the tenderer being deemed non-responsive and therefore eliminated from further evaluation.

c) Local Production and Content:

In accordance with National Treasury instructions, valves and actuators and office furniture have been designated by the Department of Trade and Industry (dti) as a sector for local production and content. Hence, only locally produced or locally manufactured valves and actuators with a stipulated minimum threshold of 70% for local production and content and only locally produced or locally manufactured office furniture with a stipulated minimum threshold of 85% for local production and content will be considered (Please refer to Returnable Document T2.2-48, Declaration Certificate for Local Production and Content (SBD 6.2), for further details).
d) Joint Venture (JV) and Sub-contracting

Joint Venture and Sub-contracting:

i) Potential Tenderers will be required to tender either as a:

   i) JV with a South African based company that has a minimum of 51% Black Ownership (BO) and the JV agreement must stipulate an equal split of business;

   or

   ii) 50% Sub-contracting with South African company/companies that has a minimum of 51% Black Ownership.

This is to ensure that there are financial benefits to local companies.

e) Functionality:

The minimum number of evaluation points for Functionality is : 60

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This Tender may be downloaded directly from the National Treasury eTender Publication Portal at www.etenders.gov.za free of charge. If Tenderers intend to download the bid off the Portal, they are required to indicate their intention to respond to this tender by 07th March 2017 by completing the “Acknowledgement of Receipt of Documents and Intention to Tender” (Page 10 of 10 of T1.1) and emailing it to: berthdeepeningkzn@transnet.net. 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.

Alternatively, Compact Discs (CDs) containing the Tender document, specifications & drawings may be collected during working hours from 13h00 hrs on Wednesday, 01 February 2017 until Friday, 24 February 2017 at 15h00 hrs on a payment of R100.00 [inclusive of VAT], however if a hard copy of the Tender document is required the same can be collected on payment of an amount of R250.00 [inclusive of VAT] per set. Arrangements must be made one (1) day in advance for a hard copy with Freedom Dlamini.

Queries relating to the issue of these documents may be addressed to:

Mr Freedom Dlamini
Tel No 031 361 1655
Email berthdeepeningkzn@transnet.net

Tenders may only be submitted on the tender documentation that is issued and in English.
Payment is to be made as follows:

<table>
<thead>
<tr>
<th>Bank:</th>
<th>Standard Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Account Holder:</td>
<td>Transnet Capital Projects</td>
</tr>
<tr>
<td>Account Number:</td>
<td>001265741</td>
</tr>
<tr>
<td>Branch:</td>
<td>Carlton Centre</td>
</tr>
<tr>
<td>Branch Code:</td>
<td>0202305</td>
</tr>
<tr>
<td>Reference:</td>
<td>2122830-618</td>
</tr>
</tbody>
</table>

**NOTES –**

A) THE PAYMENT OF R 100.00 OR R250.00 IS NOT REFUNDABLE.

B) A RECEIPT FOR SUCH PAYMENT MADE MUST CLEARLY STATE THE ABOVE REFERENCE AND BE PRESENTED WHEN COLLECTING THE RFP DOCUMENTS AND SUBMITTED THEREAFTER WITH YOUR PROPOSAL.

C) IT IS THE RESPONSIBILITY OF THE TENDERER TO ENSURE RECEIPT OF A COMPLETE TENDER DOCUMENT WITH SPECIFICATIONS DRAWINGS & ANNEXURES.

The physical address for collection or inspection of tender documents is:-

**TRANSNET CAPITAL PROJECTS**

Queens Warehouse,
237 Mahatma Gandhi Road,
Durban
South Africa

**ISSUE DATE AND COLLECTION DATE DEADLINE**

Compact Discs (CDs) containing the Tender document, specifications & drawings may be collected during working hours from 13h00 hrs on **Wednesday, 01 February 2017** until **Friday, 24 February 2017** at 15h00hrs on a payment of R100.00 [inclusive of VAT], however if a hard copy of the Tender document is required the same can be collected on payment of an amount of R250.00 [inclusive of VAT] per set. Arrangements must be made one (1) day in advance for a hard copy with Freedom Dlamini. Should a third party [such as a courier] be instructed to collect RFP documents on behalf of a Tenderer, please ensure that this person [the third party] has a “proof of payment” receipt for presentation to Transnet when collecting the Tender documents.

**COMPULSORY BRIEFING SESSION**

Refer to "formal briefing" Paragraph 2 for details.

**CLOSING DATE**

Please note that this RFP closes punctually at **12h00pm on Tuesday, 30th May 2017**. 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.
2. FORMAL BRIEFING

A compulsory clarification meeting with representatives of the Employer will take place at Transnet Engineering Main Building, 2nd Floor, 311 Solomon Mahlangu Street, Durban (Next to Barons), on Tuesday, 28th February 2017 & Wednesday, 01 March 2017 starting at 10h00 am.

Tenderers are advised to bring full Personal Protective Equipment (PPE) for the site walk that will take place on the second day of the clarification meeting.

The Agenda will be as follows:

**Day 1 – 28th February 2017**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>10h00-13h00</td>
<td>Tender Clarification : Technical and Commercial</td>
</tr>
<tr>
<td>13h00-14h00</td>
<td>Break</td>
</tr>
<tr>
<td>14h00-16h00</td>
<td>Supplier Development (SD) Workshop</td>
</tr>
</tbody>
</table>

**Day 2 – 01 March 2017 (Tenderers will meet at the Day 1 venue before going to site)**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>10h00-12h00</td>
<td>Safety Induction and Site Walk</td>
</tr>
<tr>
<td>12h00-13h00</td>
<td>Break</td>
</tr>
<tr>
<td>13h00-15h00</td>
<td>Questions &amp; Answers</td>
</tr>
</tbody>
</table>

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 Clarification meetings (office and site) on both Day 1 and Day 2 will be disqualified.

2.2. 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.

2.3. 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.
2.4. Tenderers and their employees, visitors, clients and customers entering Transnet Offices, Depots, Workshops and Stores will undergo breathalyser testing and inductions.

2.5. All forms of firearms are prohibited on Transnet properties and premises.

2.6. 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.

2.7. Transnet will not be held responsible if any Tenderer who did not attend full duration of the compulsory briefing sessions and subsequently feels disadvantaged as a result thereof.

2.8. Tenderers to ensure that the Certificates of Attendance (T2.2-15a and T2.2-15b) are signed at the end of each session including the attendance register, this will serve as proof of attendance.

3. TENDER SUBMISSION

This RFP includes The Two Envelope System as per CIDB PP2E:

- Envelope 1: Technical Proposal
- Envelope 2: Financial Proposal

Please see T2.1 List of Returnable Documents for returnables required for Envelope 1 and Envelope 2

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.

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.
SECTION 1

1 Description of the works

1.1 Executive overview

1.1.1 The works that the Contractor is to perform are the marine, civil and electrical engineering works for the deepening and refurbishment of Berths 203 to 205, Durban Container Terminal, Port of Durban.

1.1.2 The works include:

- Berth and basin dredging and disposal of dredged material:
  - Offshore
  - For existing sandbank extension
  - For reclamation behind new quay wall
- Extension of the existing sandbank within the port
- Demolition and disposal of various buildings and quay structures, concrete plinths and paving
- Ground improvements by rigid inclusions and crushed stone load transfer platform
- Installation of temporary sheet pile combination walls to retain and stabilise portions of the existing quay wall and existing backfill during berth dredging.
- Construction of a new return quay comprising:
  - Cellular sheet pile caissons
  - Reinforced concrete capping beam
  - Jointed, mass concrete paving
- Construction of a new caisson quay wall including:
  - Manufacture, launching, towing and placement of reinforced concrete caissons
  - Construction of in situ capping beam and service tunnels
  - Installation of new quay furniture
  - Rock scour protection to front of quay wall
- Reclamation including compaction of reclaimed material
- Construction of new rear crane rail support comprising a reinforced concrete beam on driven cast in situ piles.
- Back of quay paving including asphalt paving, concrete paving and concrete plinths
- Installation of new water, sewer, storm water, electrical and communications infrastructure

1.1.3 The Contractor shall provide the Works in accordance with the technical, health and safety, environmental, quality, industrial relations and programming requirements as set out in the Works Information.

1.2 Employer’s objectives

The Employer’s objectives are to achieve Completion of the works by meeting the Completion Date whilst still maintaining the highest environmental, quality and safety standards and whilst minimising disruptions to ongoing port and terminal operations.
Emphasis is placed on the Employer’s commitment to environmental management and safety and their objective of Zero Harm and the Employer’s objective of achieving a zero LTI and zero environmental legal contravention during the construction contract. Furthermore it is emphasised that the works fall within an environmentally sensitive estuary and as such, it is the Employer’s objective to ensure full compliance with the conditions of the Environmental Authorisation issued by the Department of Environmental Affairs, Transnet’s Construction Environmental Management Plan and Standard Environmental Specifications and all Permits and Licenses authorised by the relevant Authorities.

The Employer’s project specific objectives are to:
- Deepen and refurbish the existing berths to accommodate larger Post Panamax container vessels.
- Create a three berth terminal capable of accommodating three Post Panamax container vessels.
- Maintain two berths operational for the duration of the construction contract causing minimum disturbance to port operations.

1.3 Supplier Development

1.3.1 The Contractor’s SD Plan constitutes an offer to perform all its SD commitments to a minimum of 40% of the total of the Prices and within the time period/s (every six months), identified by the SD Milestone Dates, indicated in Returnable schedule, Annexure B, and will constitute a binding agreement.

1.3.2 In order to prevent any doubt, the Contractor’s SD obligations shall not constitute a separate activity in the activity schedule. The value of the Contractor’s SD commitments shall be included in the total of the Prices to Provide the Works. No specific payment for SD will therefore be made by the Employer.

1.4 B-BBEE Improvement Plan

1.4.1 The Contractor shall, for the duration of the Works, comply with the B-BBEE Improvement Plan.

1.4.2 The Contractor’s accepted B-BBEE Improvement Plan constitutes an offer to perform all its B-BBEE commitments and will constitute a binding agreement.

1.4.3 The performance of the Contractor as compared to with the accepted B-BBEE Improvement Plan, shall be measured on an annual basis within 60(sixty) days after the Anniversary Date for the duration of the Contract Period. To this end, the Contractor shall grant the Employer a right of access to the underlying data supporting the achievement by the Contractor of the targets specified in the accepted B-BBEE Improvement Plan, which underlying data shall be auditable.

1.4.4 To the extent of that the Contractor has not complied with the accepted B-BBEE Improvement Plan, the Employer shall be entitled to levy penalties. Contractor to refer to the Contract Data, Clause Z5 B-BBEE for details.
1.4.5 The B-BBEE Retention amount shall be retained by the Employer as guarantee for the remaining obligations of the Contractor in terms of the accepted B-BBEE Improvement Plan.

1.5 Local Content

1.5.1 In accordance with National Treasury instructions, Office Furniture; Valves and Actuators have been designated by the Department of Trade and Industry (dti) as a sector for local production and content. Hence, only locally produced or locally manufactured Office Furniture with a stipulated minimum threshold of 85% for local production and content and only locally produced and locally manufactured Valves and Actuators with a stipulated minimum threshold of 70% for local production and content will be considered (Please refer to Returnable Document T2.2-48, Declaration Certificate for Local Production and Content (SBD 6.2), for further details).

1.6 Interpretation and terminology

1.6.1 The following abbreviations are used in this Works Information:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning given to the abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIA</td>
<td>Authorised Inspection Authority</td>
</tr>
<tr>
<td>BBBEE</td>
<td>Broad Based Black Economic Empowerment</td>
</tr>
<tr>
<td>CEMP</td>
<td>Construction Environmental Management Plan</td>
</tr>
<tr>
<td>CD</td>
<td>Compact Disc</td>
</tr>
<tr>
<td>CDR</td>
<td>Contractor Documentation Register</td>
</tr>
<tr>
<td>CDS</td>
<td>Contractor Documentation Schedule</td>
</tr>
<tr>
<td>CRL</td>
<td>Contractor Review Label</td>
</tr>
<tr>
<td>CIRP</td>
<td>Contractor’s Industrial Relations Practitioner</td>
</tr>
<tr>
<td>CSHEO</td>
<td>Contractor’s Safety, Health and Environmental Officer</td>
</tr>
<tr>
<td>CM</td>
<td>Construction Manager</td>
</tr>
<tr>
<td>DTI</td>
<td>Department of Trade and Industry</td>
</tr>
<tr>
<td>DEA</td>
<td>Department of Environmental Affairs</td>
</tr>
<tr>
<td>DGN</td>
<td>CAD file format supported by Microstation</td>
</tr>
<tr>
<td>DWG</td>
<td>Drawings</td>
</tr>
<tr>
<td>EA</td>
<td>Environmental Authorisation</td>
</tr>
<tr>
<td>EIR</td>
<td>Environmental Impact Report</td>
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<tr>
<td>EM</td>
<td>Environmental Manager</td>
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<tr>
<td>EMPr</td>
<td>Environmental Management Programme</td>
</tr>
<tr>
<td>EDMS</td>
<td>Emissions Data Management System</td>
</tr>
<tr>
<td>EO</td>
<td>Environmental Officer</td>
</tr>
<tr>
<td>ECO</td>
<td>Environmental Control Officer</td>
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</tbody>
</table>