

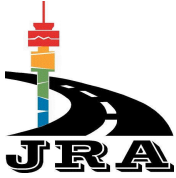
JOHANNESBURG ROADS AGENCY (SOC) LTD

CONTRACT NO. JRA/20/28

FOR

**CONSTRUCTION: PANEL OF CONTRACTORS FOR THE
CONSTRUCTION OF STORMWATER INFRASTRUCTURE IN
ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A
PERIOD OF THREE YEARS**

PART 1. TENDER PROCEDURE



JOHANNESBURG ROADS AGENCY (SOC) LTD

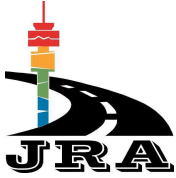
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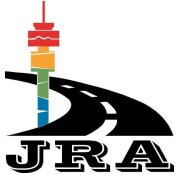
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T1.1 TENDER NOTICE AND INVITATION TO TENDER



T1.1 TENDER NOTICE AND INVITATION TO TENDER

The Johannesburg Roads Agency invites tenders for the following:

**CONSTRUCTION: PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF
STORMWATER INFRASTRUCTURE IN ALL REGIONS OF THE CITY OF
JOHANNESBURG FOR A PERIOD OF THREE YEARS**

Tender documents are obtainable from the JOHANNESBURG ROADS AGENCY website downloadable free of charge at <http://www.jra.org.za/procurement/tenders> as from 18th June 2020.

Hard copies can also be requested via email and a cost of a non-refundable deposit of **R 750.00** will be charged per each request in the form of Direct Deposit or EFT payment. EFT/ Deposit details; Account Name: City of Johannesburg: JRA; Bank: Standard Bank; Account No.: 00-019-791-2; Branch code: 00-02-05. Bidders to use the Company name and Contract number as a reference. Bidders with EFT Payment from different Bank should come and collect tenders after 24 hours of the Transfer.

The Employer is the Johannesburg Roads Agency.

Only Tenders complying with the following requirements will be considered:

- i) The tender is for contractors who shall have a CIDB contractor rating of 6CE or higher.
- ii) Tenders submitted on the prescribed Form of Tender
- iii) Tenders sealed in envelopes conspicuously marked as follows:

Tender Contract No JRA/20/28

Johannesburg Roads Agency
75 Helen Joseph Street
Johannesburg
2000

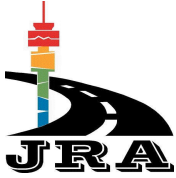
There will be no compulsory briefing session of this

All tenders and supporting documents must be sealed and be placed in the Tender box on the ground floor of the Johannesburg Roads Agency,, and Johannesburg before **11h00 on 17 July 2020.** Tenders will immediately thereafter be opened in public and **no late tenders will be accepted.**

The Johannesburg Roads Agency is not obliged to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.

As this is a panel, The Johannesburg Roads Agency will appoint the bidders that have qualified under functionality to the panel to satisfy JRA's Implementation Programme requirements.

- **6CE CIDB grading or higher.**



The final number of contractors appointed to the panel will be dependent on the quality of tenders submitted, the resultant scores achieved and the rates (prices) submitted by the respective bidders.

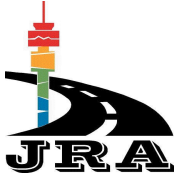
The Johannesburg Roads Agency reserves the right not to appoint the Highest Scoring Bidder.

The Johannesburg Roads Agency reserves the right to negotiate best and final offer of qualified bidders using JRA bench marking as a base.

The Johannesburg Roads Agency reserves the right not to appoint any Bidder at all.

The Johannesburg Roads Agency reserves the right to appoint more than one Bidder.

For any further enquiries, please contact Johannesburg Roads Agency, at tenderenquiries@jra.org.za



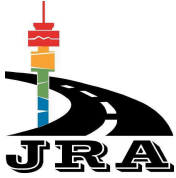
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T1.2 PROJECT DESCRIPTION



T1.2 DESCRIPTION OF THE WORKS

The Johannesburg Roads Agency (JRA), Infrastructure Development Department, requires contractors with CIDB level 6CE and a higher grading to undertake the construction of storm water infrastructure across all the regions of the City of Johannesburg for a period of three years. In a panel for Stormwater projects, for a period of 3 years, and the panel expired end of February 2020. Currently there is no active panel for Stormwater projects, hence the implementation of new projects cannot commence.

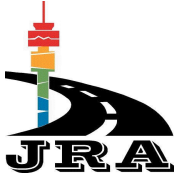
The purpose of this contract is to appoint a panel of contractors, who meet the requirements of this bid process, to undertake the construction and upgrading of Stormwater projects in the City of Johannesburg for a period of three years. Bill of quantities will only be made available to qualifying panelist, when specific projects have been identified.

Below is a list of Stormwater projects the bidders will be expected to undertake but not limited to:

- i) The conversion of open stormwater drains to underground systems;
- ii) Emergency, urgent and critical and stormwater infrastructure reconstruction;
- iii) Construction of erosion protection measures along watercourses;
- iv) Construction of new stormwater systems;
- v) Stormwater channel rehabilitations,
- vi) Rehabilitation of stormwater culvert bridges
- vii) Any other stormwater related projects.

This is an open panel and where JRA wish to have as many panel members as possible. The final number of contractors appointed to the panel will be dependent on the quality of tenders submitted, and the resultant scores achieved by the respective bidders on the functional evaluation, as defined later in this document.

Once the panel is established, a process of proportional allocation will be utilized to allocate new projects to the panel, considering the contractors current workload, available resources, monetary work allocation in relation to CIDB grading, etc. Contractors may be afforded more than one contract. Allocation of 2nd and 3rd contracts will depend on bidder's performance, financial standing, and capacity requirements (human resource / key personnel required for the successful completion of the project). Bidders will be afforded opportunity to prove availability of these requirements before project allocation. Being part of the panel does not guarantee any work from the JRA. Poor performance by the bidder will result in cancellation of works orders and removal from the panel.



The contractor will be required to confirm the specific resources available as part of project allocation and contracting process, as and when such process is undertaken. Not having suitable resources at the time of project allocation, could result in a contractor being passed over until the next round of project allocations.

The Stormwater infrastructure that will be constructed will be identified and selected through a stakeholder engagement process that will be facilitated by the JRA Regional Operations Managers of the various Regions, the Planning Department and the Infrastructure Development Department of JRA during the project planning stages

Scope of Works

The scope of works involves the construction, rehabilitation and upgrading of identified and prioritized Stormwater projects. This also includes but not limited to, emergency, urgent and critical and stormwater infrastructure rehabilitation, construction of erosion protection measures along watercourses, rehabilitation of stormwater culvert bridges and any other stormwater related projects.

Locality

Country : Republic of South Africa.
Province : Gauteng.
City : Johannesburg.

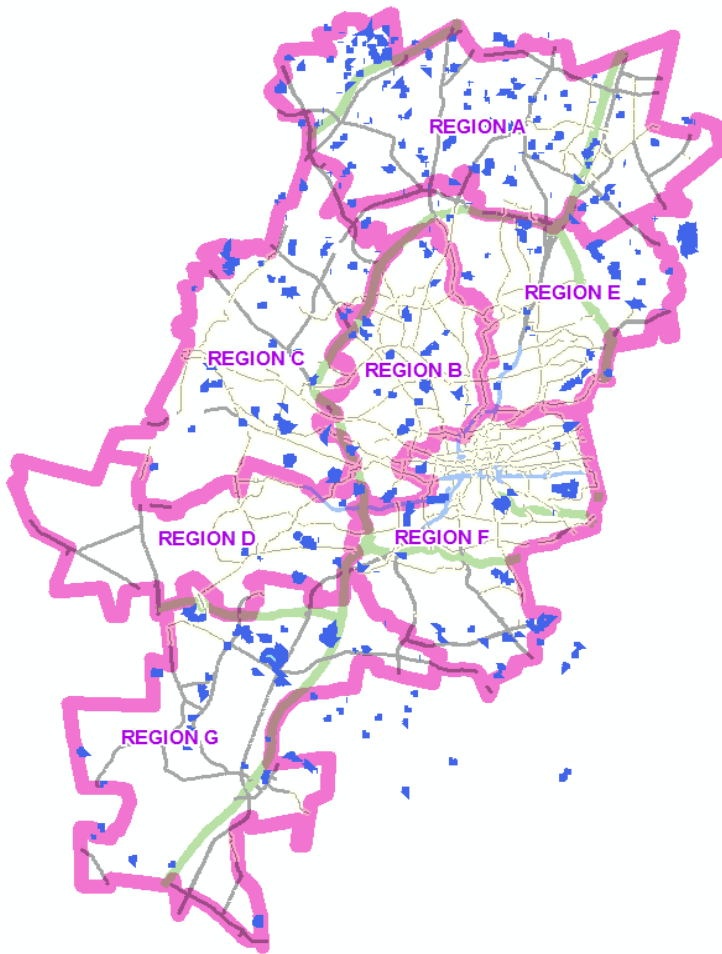


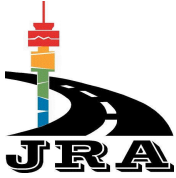
Photo 1: City of Johannesburg (CoJ)

Financial Aspects

The projects will be funded from:

- i) The conversion of open drains capital budgets;
- ii) The Emergency, Critical and Depot capital budget;
- iii) The Emergency capital budget,
- iv) All other Stormwater related budgets.

The provisional stormwater related capital budgets of the 2020 / 2021, 2021 / 2022 and 2022/ 2023 financial years.



For the purposes of this panel appointment bid contractors will not be expected to provide rates, the schedule of Quantities will only be completed by successful bidders at individual project appointment. Once appointed to the panel, the allocation of work will be done in a form of a request for quotation, where members of the panel will be sent a project specific schedule of quantities for pricing. The contractors will be allocated work based on their submitted prices, where preferable the lowest yet reasonable bidder will be appointed for to undertake the work.

Escalation is applicable to the contract.

Technical Specifications

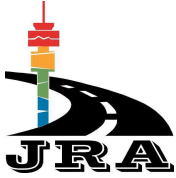
- i) The documents applicable to the construction of the Works and the contract management will be the COLTO Standard Specifications for Road and Bridge Works for State Road Authorities 1998 and the General Conditions of Contract 2015.
- ii) Construction Regulation 2014 of the Occupational Health and Safety Act 85 of 1993 as amended in 2014.
- iii) The Ministerial Determination, Expanded Public Works Programmes, issued in terms of the Basic Conditions of Employment Act of 1997 by the Minister of Labour in Government Notice No. R347 of 4 May 2012, as adapted for the JRA, shall apply to works described in the scope of work as being labour intensive and which are undertaken by unskilled or semi-skilled workers.

Regulatory Specifications.

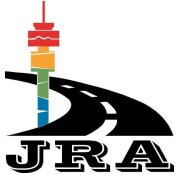
- i) Environmental Impact Assessment (EIA) approval may be required, as construction work may take place near watercourses.
- ii) Water use Licenses may be required. Regulatory Specifications.

Contract Specifications.

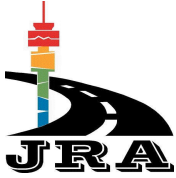
- i) Successful bidders may be subjected to security vetting process and clearance obtained to be considered for an award by the JRA.
- ii) Construction and OHS and EMP monitoring will be undertaken by the consultant appointed to undertake the Professional Services on the project.
- iii) The applicable CIDB grading will be 6 CE and higher.
- iv) The appointment will be valid for three years.
- v) Contractors appointed on the previous Stormwater contractor panel, Contract JRA/16/67 with poor performance history, cannot be appointed on this panel, as they have been deemed poor performing contractors by JRA.



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- vi) Contractors may be awarded more than one contract.
 - vii) Allocation of 2nd and 3rd contracts will depend on bidder's performance, financial standing and capacity requirements (human resource / key personnel required for the successful completion of the project). Bidders will be afforded opportunity to prove availability of these requirements prior to JRA decision being made.
 - viii) Any changes by the bidder relating to resources allocated to the project will require JRA approval prior to deployment by the bidder.
 - ix) Being part of the panel does not guarantee any work from the JRA.
 - x) Poor performance by the bidder will result in cancellation of works orders and removal from the panel.
 - xi) Bidders can participate in more than 1 panel of contractors established by the JRA for various types of work.
 - xii) Solvency test will be performed on bidders meeting minimum requirements to establish their capacity to undertake JRA projects. Solvency test will include financial position (resources), verification of work successfully completed work. Therefore, JRA shall request bank statement from bidder when necessary.
 - xiii) Contracts will be entered for every project allocated and accepted by the successful bidders.
 - xiv) Contractors will be required to submit a performance guarantee amounting to 10% of the contract value, for every contract entered into.
 - xv) The contractor will be required to submit a signed letter of intent to produce a performance guarantee of 10 percent of the appointment value of any project awarded.
 - xvi) The penalty for failing to complete the Works is R 15 000 per day for each work allocation.
 - xvii) The contractor must comply with the provisions and contractual arrangements of the Occupational Health and Safety Act (OHSA) as well as the Environmental Management Act (NEMA): Waste Management.
 - xviii) All workers of any project undertaken as part of this bid must undergo a medical fitness test by an Occupational Health and Safety Practitioner who is registered with the South African Nursing Council (SANC).
 - xix) The medical test certificates must be presented by the successful bidder to JRA after the appointment of the successful bidder.
 - xx) The EPWP Guidelines will be implemented on all Stormwater projects.
 - xxi) The contractor must employ local labourers on this contract.
 - xxii) SAFCEC Labour rates will apply on these contracts.



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- xxiii) Any sub-contracting of work must be approved by the JRA
- xxiv) If the bidder is not an EME or QSE, the bidder must submit a letter that indicates that 30% of work that will be allocated to EME or QSE's.
- xxv) Bidders should note that a report should be submitted with each invoice, signed by the EME OR QSE contractor and JRA project representative, indicating the work performed by the EME OR QSE related to that particular invoice.
- xxvi) Bidders that are categorised as EME or QSE according to their B-BBEE status will be awarded full points for this criterion. A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender. The Pre- Qualifying Criteria is as follows:-
- a) An EME or QSE which is at least 51% owned by black people.
 - b) An EME or SQE which is at least 51% owned by black people who are youth.
 - c) An EME or QSE which is at least 51% owned by black people who are women.
 - d) An EME or QSE which is at least 51% owned by black people with disabilities.
 - e) A cooperative which is at least 51% owned by black.
 - f) An EME or QSE which is 51% is at least owned by black people who are military veterans.
 - g) Or Subcontract 30% to EME or QSE
- xxvii) Joint Ventures can bid for this Contract provided they meet the pre- Qualifying Criteria
- xxviii) The EME and QSE can be sourced from the National Treasury website address: www.treasury.gov.za or cds.gov.za
- xxix) The development of EME or QSE contractors will be undertaken in accordance with JRA procedures and policies.
- This may include but is not limited to:
- a) Training of local Emerging Contractors (SMMEs);
 - b) Purchasing of materials from local suppliers;
 - c) Renting of local transport;
 - d) Employment of local sub-contractors.
 - e) Employment of local security companies.
- xxx) The person that will undertake the OHS Act compliance monitoring must have the following qualifications and competency:



-
- a) Qualification of the National Diploma in Safety Management (NADSAM). SAMTRAC Qualifications will not be considered to be relevant qualifications and a person with these only will lose points on this criterion
- b) At least five years' experience in OHS safety monitoring of civil engineering construction projects.
- c) Identify the risks and hazards that the workers of the project and the community may be exposed to, and analyse and evaluate the risks and hazards identified based on a documented method.
- d) Prepare the Fall Protection Plan which includes the outlining of all risks relating to working from fall- risk position, considering the nature of work undertaken, stipulate in writing the procedures and methods to be applied to eliminate the risk and prepare a rescue plan.
- xxxi) The contractor is referred to the following regulation with regard to exclusion from future work opportunities due to non or poor performance:
- Treasury Regulations 16A9.2
 - The accounting officer or accounting authority –
 - (a) May disregard the bid of any bidder if that bidder, or any of its directors –
 - (i) Have abused the institution's supply chain management system
 - (ii) Have committed fraud or any other improper conduct in relation to such system; or
 - (iii) Have failed to perform on any previous contract; and
 - (b) Must inform the relevant treasury of any action taken in terms of paragraph (a).

Evaluation Criteria.

- i) The evaluation of bids will be undertaken in terms of the MFMA.
- ii) The bid will be evaluated in two phases:
- iii) Note , Bill of quantities will only be made available to qualifying panellist, when specific projects have been identified.



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T1.3 TENDER DATA



T1.3 TENDER DATA

Clause number	
	<p>The conditions of tender are the Standard Conditions of Tender as contained in Annex F of SANS 294, Construction Procurement Processes, Procedures and Methods. (See Volume 3 The Contract, Part 5 Annexures – C5.1 Standard Conditions of Tender Annex F).</p> <p>The standard conditions of tender for procurements make several references to the tender data for details 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.</p> <p>Each item of tender data given below is cross-referenced to the clause in the standard conditions of tender to which it mainly applies.</p>
F.1.1	The employer is the Johannesburg Roads Agency
F.1.2	<p>The tender documents issued by the employer comprise:</p> <p><u>THE TENDER</u></p> <p><u>Part 1: Tender Procedures (Volume 1)</u></p> <p>T1.1 Tender notice and invitation to tender T1.2 Project Description T1.3 Tender data</p> <p><u>Part 2: Returnable Documents and Schedules (Volume 2)</u></p> <p>T2.1 List Of Returnable Documents T2.2 Returnable Schedules</p> <p>Form A: Invitation To Bid MBD 1 <i>Form B: Certificate Of Attendance Of Briefing Session</i> <i>Form C: Record Of Addenda To Tender Documents</i> <i>Form D: Vendor Number Registration with Central Supplier Database</i> <i>Form E: Authority For Signatory</i> <i>Form F: Tax Compliance (MBD 2)</i> <i>Form G: Bidder's Financial References And Ratings</i> <i>Form H: Preference Schedule (MBD 6.1)</i> <i>Form I: Proof Of Registration With CIDB</i> <i>Form J: Declaration Of Interest (MBD 4)</i> <i>Form K: Declaration For Procurement Above R10 Million (MBD 5)</i> <i>Form L: Bidder's Past Supply Chain Practices (MBD 8)</i> <i>Form M: OHS Act Declaration And Submission</i> <i>Form N: Certification Of Independent Bid Determination (MBD 9)</i> Form O: Declaration Of Municipal Rates And Taxes <i>Form P: Declaration Of Bidders Litigation History</i></p>



Form Q: Contractor's Establishment On Site
Form R: Plant And Equipment Schedule
Form S: Checklist For Documentation To Be Returned
Form T: Schedule Of Bidder's Experience In Roads And Stormwater Construction Projects
Form U: Experience Of Nominated Personnel
Form V: Construction Methodology, Safe Work Plan And Quality Control Plan
Form W: SMME / EPWP Development Plan

THE CONTRACT (VOLUME 3)

Part 1: Agreements and contract data

- C1.1 Form of agreement (Form of offer and acceptance).
- C1.2 Schedule of deviations.
- C1.3 Pro Forma – form of guarantee.
- C1.4 Contract Data (Conditions of Contract).
- Part 1: Contract data provided by the Employer.
- Part 2: Contract data provided by the Contractor.
- Part 3: Payment for labour-intensive components of the Works.
- C1.5 OHS Act Annexure A authority for signatory.
- C1.6 Targeted Procurement
- C1.7 Electronic payment into bank account.



	<p><u>Part 2: Pricing data</u></p> <p>C2.1 Pricing instructions</p> <p>C2.2 Schedule of Quantities</p> <p><u>Part 3: Scope of work</u></p> <p>C3.1: Description of the Works</p> <p>C3.2: Engineering</p> <p>C3.3: Procurement</p> <p>C3.4: Construction (Work Specification)</p> <p>C3.5: Management</p> <p><u>Part 4: Site information</u></p> <p>C4 .1 Extend of Site</p> <p>C4 .2 Geotechnical information</p> <p>C4 .3 Locality Plan</p> <p><u>Part 5: Annexures (Bound Separately)</u></p> <p>C5.1 SANS 294: Standard Conditions of Tender (Annex F)</p> <p>C5.2 Specification for Occupational Health and Safety</p>
F.1.4	<p>The Employer's agent is:</p> <p>Name: The Chief Executive Officer JOHANNESBURG ROADS AGENCY (SOC) LTD</p> <p>Address: Private Bag X70</p> <p style="padding-left: 40px;">BRAAMFONTEIN</p> <p style="padding-left: 40px;">2017</p> <p>E-mail: sgenu@jra.org.za</p>



F.2.1	<p>Only those tenders who are registered with the CIDB 6CE or higher; or are capable of being so registered within 10 working days from the closing date for submission of tenders, in a contractors grading designation equal to or higher than a contractor grading designated in accordance with the sum tendered for a Civil Engineering (CE) class of construction work, are eligible to submit tenders.</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> 1 every member of the joint venture is registered with the CIDB within 10 days from the closing date for tenders; 2 the lead partner has a contractor grading designation for the class of construction work being applied for; 3 the combined contractors grading designation calculated in accordance with the Construction Industry Development Regulation is equal to or higher than a contractor grading designation determine in accordance with the sum tendered for in the class of construction work, are eligible to submit tenders.
F.2.1.1	<p>Only those bidders who satisfy the following eligibility criteria are eligible to submit bids:</p> <ol style="list-style-type: none"> (a) Availability of resources (b) Availability of skills to manage and perform the contract – including staff which satisfies EPWP requirements (if applicable) (c) Previous experience on contracts of a similar value and nature (d) A letter on the companies' letterhead stating that the contractor has sufficient capacity to execute the project
F.2.2 Cost of Tendering	<p>The Employer will not compensate the tenderer for any costs incurred in attending interviews or making any submissions in the office of the Employer</p>
F.2.7	<p>The arrangements for the compulsory clarification meeting are:</p> <p>Not Applicable for this Bid</p>
F.2.13	<p>One-envelope procedure will be followed.</p>
F.2.13.3	<p>Parts of each tender offer communicated on paper shall be submitted as an original, plus one copy.</p>



F.2.13.5	<p>Bidders are requested to deliver the submission in two envelopes. Bids that are delivered in a single envelope will be disqualified. The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Only One Envelope to be submitted</p> <p>Title to appear on envelope:</p> <p>CONSTRUCTION: PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF STORMWATER INFRASTRUCTURE IN ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A PERIOD OF THREE YEARS</p> <p>This envelope must contain the Bid Documentation and Annexures (Volumes 1 & 2) Completed.</p> <p>For identification purposes, bidders are requested to ensure that the envelopes containing the company's bids are clearly marked, and are easily identifiable by the company's logo or name.</p> <p>Location of tender box: Ground Floor of the Johannesburg Roads Agency</p> <p>Physical address: 75 Hellen Joseph Street Johannesburg</p> <p style="text-align: center;">Identification details: TENDER BOX</p>
F.2.15	<p>The closing time for submission of tender offers is 11h00 on 17 July 2020.</p> <p>The Johannesburg Roads Agency is not obliged to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.</p>
F.2.15	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
F.2.16	The tender offer validity period is 120 days.
F.2.18	The Tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
F2.22	Return all retained tender documents within 28 days after the expiry of the tender validity period.
F.2.23	The Tenderer is required to submit with his tender:



	<ol style="list-style-type: none"> 1) A unique security personal identification number (PIN) from SARS which enables JRA to access online real-time verification of a person's tax compliance status with the electronic Tax Compliance Status (TCS) system.; 2) An original bank rating from the Tenderers relevant bank. 3) A Certificate of the Contractors Registration issued by the Construction Industry Development Board or a copy of the application Form for Registration in terms of the Construction Industry Development Board Act (Form F006) 4) Refer to Part T2.1 of this Procurement Document for a list of all additional documents that are to be returned with the tender. 5) Vendor Number Registration with Central Supplier Database.
<p>Add the following new clause</p> <p style="text-align: center;"><i>F2.24</i></p>	<p>Canvassing and obtaining of additional information by tenderers</p> <p>The Tenderer shall not make any attempt either directly or indirectly to canvass any of the Employer's officials or the Employer's agent in respect of his tender, after the opening of the tenders but prior to the Employer arriving at a decision thereon.</p> <p>The Tenderer shall not make any attempt to obtain particulars of any relevant information, other than that disclosed at the opening of tenders.</p>
<p>Add the following new clause</p> <p style="text-align: center;"><i>F2.25</i></p>	<p>Prohibitions on awards to persons in service of the state</p> <p>The Employer is prohibited to award a tender to a person -</p> <ol style="list-style-type: none"> a) who is in the service of the state; or b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or c) a person who is an advisor or consultant contracted with the municipality or municipal entity. <p>In the service of the state means to be -</p> <ol style="list-style-type: none"> a) a member of:- <ul style="list-style-type: none"> • any municipal council; • any provincial legislature; or • the National Assembly or the National Council of Provinces; b) a member of the board of directors of any municipal entity; c) an official of any municipality or municipal entity; d) an employee of any national or provincial department; e) provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999); f) a member of the accounting authority of any national or provincial public entity; or g) an employee of Parliament or a provincial legislature.
<p style="text-align: center;">F.3.4</p>	<p>The time and location for opening of the tender offers are:</p> <p>11h00 on 14 October 2016 on the ground floor (north wing) of the Johannesburg Roads Agency, 66 Pixley Seme (Sauer Street), Johannesburg.</p>



F.3.9	Arithmetical errors, omissions and discrepancies
F.3.9.1	<p>Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with F.3.11 for:</p> <ul style="list-style-type: none"> a) the gross misplacement of the decimal point in any unit rate; b) omissions made in completing the pricing schedule or bills of quantities; or c) arithmetic errors in: <ul style="list-style-type: none"> i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or ii) the summation of the prices.
F.3.9.2	<p>The arithmetical errors shall be corrected in the following manner:</p> <ul style="list-style-type: none"> a) Where there is a discrepancy between the amounts in words and amounts in figures, the amount in words shall govern. b) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected. c) Where there is an error in the total of the prices either as a result of other Corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices. <p>The Tender Offer will be rejected if the tenderer does not correct or accept the Correction of the arithmetical error in the manner described above.</p>
F.3.11	<p>The procedure for the evaluation of responsive tenders is Method 2</p> <p>The financial offer will be scored using Formula 2 (option 1) where the value of W_1 is 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R 1 000 000</p> <p>Up to 10 tender evaluation points will be awarded to Tenderers who complete the referencing schedule and who are found to be eligible for the preference claimed.</p>
F.3.13.1	<p>Bid offers will only be accepted on condition that :</p> <ul style="list-style-type: none"> a) the bidder has in his or her possession a unique security personal identification number (PIN) issued by the South African Revenue Services; b) the bidder is registered with the Construction Industry Development Board in an appropriate contractor grading designation; c) the bidder or any of its directors is not listed in the Register of Bid 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; and d) the bidder has not: <ul style="list-style-type: none"> i. abused the Employer's Supply Chain Management System; or ii. failed to perform on any previous contract and has been given a written notice to this effect; and e) Has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the bidder's ability to perform the contract in the best interests of the employer or potentially comprise the bid process.



F.3.11.2	<p>Evaluation Criteria:</p> <ul style="list-style-type: none"> i) A minimum of 30% of the value of this contract, excluding escalation and contingencies, must be allocated to the development of the SMME Contractors and Local labour. ii) The points out of 90 will be calculated on the basis of price and 10 points on BBB-BEE status as shown below. iii) The Functionality Evaluation is indicated below and a full Assessment schedule in on page 23 F3.11.3 iv) Experience of the Company and Project Team in terms of the stated requirements of the project. v) Track record/potential of the tendering company/firm to serve as a stable contractual partner. vi) Understanding the assignment, proposed methodology and approach level of clarity in proposal, feasibility and alignment of proposed methodology with the required outputs and JRA's timeframes per work stream. vii) Price as per proposal submission viii) The B-BBEE Preference Benefit and Financial Plans of the Bidders who's pass the Definitely Not Negotiable Phase will be evaluated for ward of the contract. ix) The point out of 10 will be allocated as contemplated in (MBD 6.1) in the Preferential Procurement Policy Framework Act, 2011. x) The evaluation of Bids will be undertaken in terms of the MFMA <p>The tender process requires the technical and pricing proposals to be submitted. Weighting with respect to response evaluation will be applied according to the following broad guidelines:</p> <p>Section A: Supply Chain Management Pre-Compliance</p> <p>Bidders must submit the following documents. Failure to submit these forms will lead to disqualification of your bid.</p> <ul style="list-style-type: none"> i) Attendance of compulsory briefing session. Bidders must submit an originally STAMPED certificate of attendance to briefing session that will be issued after the briefing session. ii) Signed all pages of Tender document. iii) All required certificate attached: <ul style="list-style-type: none"> • Completed and signed MBD 1 • Completed and signed MBD 2 • A unique security personal identification number (PIN) issued by the South African Revenue Services • Completed and signed Declaration of interest (MBD 4) • Complete and signed Declaration of Bidders past Supply Chain Practices (MBD 8) • Completed and signed Certificate of Independent Bidder determination (MBD 9) • Proof of registration with the Central Supplier Database (CSD)



	<ul style="list-style-type: none"> • Certified Joint Venture Agreement (In case of Joint Ventures and Consortium, if applicable) • Latest three year audited financial statements (In case of Close Corporation Financials must be signed by the Managing Member of the CC). • Complete and signed Declaration of Procurement above R10 Million (all applicable taxes included) (MBD 5) <p>FAILURE TO COMPLETE AND SUBMIT THE ABOVE DOCUMENTS WILL RESULT IN THE BID BEING DISQUALIFIED]</p> <p><u>Additional Compulsory Pre-compliance Submissions</u></p> <ul style="list-style-type: none"> • The completed tender document shall be scanned page by page and saved in .pdf format on a CD submitted with the documents. (Soft Copy) • Valid COID certificate issued by the Department of Labour. • Copy of the completed tender document (Hard Copy) • Original or Certified Copy of B-BBEE Certificate issued by SANAS accredited verification agent (MBD 6.1) • Bank stamped Bidder's Financial References and Ratings (Form G) (as per Financial Intelligence Centre Act (38 of 2001)) • Current municipal rates for the Entity and all Directors of the entity not older than 90 days and not more than 3 months in arrears (submit proof of lease agreement where premises are rented and latest invoice) • Proof of valid registration with CIDB • Completed and Signed all Forms (Form A to W)
F.3.18	<p>The number of paper copies of the signed contract to be provided by the employer is ONE.</p>



JRA Supply Chain Policy: PANEL SELECTION PROCESS

The selection of contractors into the panel is done as part of the evaluation process and it is described in the following paragraphs.

The process of utilisation of the panels taken from JRA Supply Chain Policy is as follows:-

- (1) Utilisation of panels of pre-qualified suppliers or service providers
 - (a) In order to optimise procurement operating costs and service delivery lead-times, JRA shall as far as possible, create panel of pre-qualified service providers or suppliers per category or sub-category to render defined goods and/or services.
 - (b) As first preference, panels of pre-qualified suppliers or service providers shall be established through the evaluation of the mandatory requirements, functionality and the upfront agreement of unit price rates. The allocation of work shall be determined proportionally based on the total preference points.
 - (c) Establishment of Panels shall not prevent the achievement of equity black economic empowerment and preferential procurement objectives.
 - (d) Panels shall be reviewable after a period no longer than three (3) years.
 - (e) The mandatory requirements (for all bidders on the panel), shall be reviewed at least on an annual basis, with respect to:
 - (i) Provide a unique security personal identification number (PIN) issued by the South African Revenue Services; (if a consortium or JV, Unique PIN must be submitted for all parties).
 - (ii) Completing and signing all the required MBD forms and other forms.
 - (iii) Submitting the most recent financial statements.
- (2) Allocation of work to pre-qualified bidders with upfront agreed unit prices.
 - (a) In the event where a panel of services providers or suppliers will be appointed onto a panel with unit prices agreed upfront, the bid document shall clearly stipulate this condition; the maximum number of panel members targeted and the proportional allocation principle to be applied in the bid.
 - (b) The maximum number of panel members targeted shall be stipulated in the bid document, in order to encourage pricing competitiveness amongst the prospective panel members.
 - (c) To ensure fairness and transparency, while encouraging competitive the following calculation formula shall be applied for the proportional allocation of work:
 - (d) The process of appointing bidders from the panel shall be guided by the processes as follows:
 - (i) Step 1: Evaluate bidders against a pre-determined functional evaluation criteria in this case the bidders must meet 70% of Fucionality
 - (ii) Step 2: Evaluate all bidders against the pre-defined mandatory qualification criteria; including of the submission of a unique security personal identification number (PIN) issued by the South African Revenue Services; (if a consortium or JV, Unique PIN must be submitted for all parties), completion and signing of all required MBD forms, and submission of financial statement. Only bidder that fully comply with the mandatory requirement shall be further evaluated in phase 2;
 - (iii) If the minimum qualifying score for functionality is indicated as a percentage in the bid documents, the percentage scored for functionality should be calculated as follows:
 - (a) The value awarded for each criterion shall be multiplied by the weight for the relevant criterion to obtain the score for the various criteria;



- (b) The scores for each criterion should be added to obtain the total score;
and
(c) The following formula should be used to convert the total score to
percentage for functionality:

$$P_s = \frac{S_o}{M_s} \times 100$$

Where:

P_s = percentage scored for functionality by bid under consideration

S_o = total score of bid under consideration

M_s = maximum possible score

- (iv) Step 3: Only Bidders scoring the minimum qualifying score for functionality score threshold or more shall be eligible to be evaluated further in step 4 (i.e. 90 / 10 preference points). Calculation for the pricing points using the 90 / 10 preference points formula shall be as follows:

$$N_p = 90 \times \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

N_p = Points scored for comparative price of bid/offer under consideration

P_t = Comparative price of bid/offer under consideration

P_{min} = Comparative price of lowest acceptable bid/offer

- (v) Step 4: Calculate the total preference points for each shortlisted supplier and appoint bidders onto the panel of service providers by the summation of price preference determined as per paragraph 10(12)(d)(iv) and B-BBEE level preference points as determined as per paragraph 34 (9). Bidders scoring shall be appointed to the panel's pre-determined number of appointment based on the total preference points score; with appointment preferred to bidders of the highest total points.

$$N_T = N_p + N_B$$

N_T = Total Preference Points

N_p = Price Preference Points

N_B = B-BBEE Level Preference Points

- (vi) Step 5: Determine the work allocation to each supplier as follows:

$$\text{Percentage of work allocated to Supplier } i = \frac{N_i}{[N_1 + N_2 + \dots + N_n]} \times 100\%$$

I = The set of suppliers appointed onto the panel $\{i = 1, 2 \dots n\}$



N_i = *The total preference score of bidder i*

n = *The number of suppliers appointed onto the panel*

For the purposes of this panel appointment bid contractors are expected to provide rates based on a Schedule of Quantities. Once appointed to the panel, the contractor will be allocated work based on the ranking of his bid price. The ranking will be allocated in proportion to the value of the bid sum tendered in relation to the highest bid.



F.3.11.3 EVALUATION CRITERIA

The purpose of the evaluation is to ensure and promote compliance with the Constitution, specifically Section 217, which provides that when organs of state contract for goods or services, they must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective. The evaluation for this bid will be carried out in terms of Regulation 28, read together with Regulation 38, 43 and 44 of the Municipal Finance Management Act's ("MFMA") Supply Chain Management Regulations.

- i) This project is estimated to have a contract value of more than R 50 million and consequently the 90/10 point system will apply. 90 Points max will apply to Price (Ps) and 10 points will apply to B-BBEE status.
- ii) The evaluation of bids will be undertaken in terms of the MFMA.

Panel for Contractors for 6CE CIDB Grading

Bidders who qualify for bidding in both gradings and would like to be considered in both classes should complete the table below to indicate both classes they want to be considered; and similarly those who want to bid for one class should complete the table below to show which class they are bidding for.

Part B	Bidding for 6CE CIDB Grading	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Phase 1: Pre-compliance.

Bidders will have to complete and submit all returnable documents requested in the bidding document to determine their eligibility to participate in the bid. Failure of this will result in the bid being set aside and will not be evaluated any further. Only those bidders that are responsive to the submission requirements at this stage will be further evaluated at phase 2.

Phase 2: Technical (Functional) Evaluation

The evaluation will be carried out in two stages:-

- i) Stage 1:-Pre-Qualifying Criteria.
- ii) Stage Two:- Technical Evaluation

Pre- Qualifying Criteria

This Bid is for Bidders that are categorized as EME or QSE according to their B-BBEE status and they will be awarded full points for this criterion. A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender and will be disqualified from the evaluation process. Bidders are required to submit the original copy of the sworn B-BBEE Affidavit under DTI Format or a Letter



under company's letterhead, specifying that 30% will be subcontracted to an EME which meets the criteria listed below.

A Bid meeting the following will be deemed as qualifying –

- i) An EME or QSE which is at least 51% owned by black people.
- ii) An EME or SQE which is at least 51% owned by black people who are youth.
- iii) An EME or QSE which is at least 51% owned by black people who are women.
- iv) An EME or QSE which is at least 51% owned by black people with disabilities.
- v) A cooperative which is at least 51% owned by black.
- vi) An EME or QSE which is 51% is at least owned by black people who are military veterans.
- vii) Or Subcontract 30% to EME or QSE

Technical Evaluation

Bidders who pass through the Pre- Qualifying Criteria will then be assessed for Technical Evaluation which is discussed in detail in the following sections. If no bidder scores 70% then JRA reserves the right to lower the required score to 60%. If no bidder scores 60% or more then the JRA reserves the right to cancel the bid and re-advertise.

QUALIFICATION OF ELIGIBILITY

To assess the Bidder's suitability to undertake the project, the Bidder's **Company Experience, Current Resource, Current Expertise** and **project cost** will be evaluated.

JRA shall not be held responsible for incorrect judgement misled by unclear written letters/words on the forms below, to be completed by the Bidder(s). **DO NOT COMPLETE THE FORMS BY WRITING "SEE ATTACHED"**, Bidder(s) who refer to attachment will be scored zero. Attachment shall strictly be made where specified and at the correct location, any attachment other than what has been requested by JRA, shall be completely ignored, and scored zero, where points allocation is required.

When completing Forms, Bidder(s) may make copies of the original Forms, should the provided forms be inadequate for their completion of the information required. Forms must be hand completed in black ink, no computer regenerated forms will be accepted. Any form of evidence indicating computer regenerated "FORM" will automatically be disqualified by scoring zero. Forms must be completed in full, forms not completed in full shall be rejected by scoring zero.



-
- i) In order to qualify for maximum points, the bidder must have completed construction of more than five (5) in the construction of roads and stormwater related projects with a minimum value of R 4.5 million, excluding VAT over the last 5 years. Routine Maintenance projects **DO NOT QUALIFY**
 - ii) In order to qualify for maximum points, the bidder must have in its employment one Contracts Manager with more than 6 years of experience as a contracts manager on the construction of roads and associated stormwater related projects as well a formal qualification in the Built Environment, the qualifications are not limited to the following: Diploma in Civil Engineering, Diploma in Quantity and Land Survey. The Construction Manager must have professionally registered with SACMPM as Pr.CM or ECSA as Pr.Eng or Pr.Tech Eng.
 - iii) In order to qualify for maximum points, the bidder must have in its employment one Construction Manager (Site Agent) with more than 6 years of experience as a Site Agent on construction of roads and associated stormwater related projects as well a formal qualification in the Built Environment. the qualifications are not limited to the following: Diploma in Civil Engineering, Diploma in Quantity and Land Survey.

The minimum value must be R10 million per project where the personnel fulfilled a role of a Construction Manager (Site Agent).
 - iv) In order to qualify for maximum points, the bidder must have in its employment one General Foreman with more than 6 years of experience as a General Foreman on construction of roads and stormwater related projects.
 - v) In order to qualify for maximum points, the bidder must have in its employment with OHS agent 6 years of experience as site safety officer on roads construction and associated stormwater related projects AND in possession of NADSAM. Please note that SAMTRAC Qualification is not acceptable for JRA Bids.

The bidder must **NOTE THAT a quality proposal detailing the following is not required for now but a letter committing to submit when required by JRA** should be attached to the Bid:

i) Construction Methodologies (Method Statements):

The example methodologies provided should be in line and reflect all items that will typically be completed during the construction of the new roads and associated stormwater systems.

ii) Safe Work Procedures:

The bidder has to give a description of items that will be addressed in his or her safety plan. All activities in the construction programme to be discussed and to be in line with the Occupational Health and Safety Act and the Construction Regulations. Full details to be supplied on successful appointment.



iii) Quality control plan:

The bidder has to give a description of how the quality control procedures for all activities will be enforced and he has to give a brief description of his or her abilities and qualifications of his quality control personnel.

Phase 1: Supply Chain Management Pre Compliance

- i) Bidders must submit the all the documents as stipulated by SCM.
- ii) Attendance of compulsory site briefing meeting.
- iii) Signed all pages of Bid document.

Phase 2: Technical Evaluation.

Stage One: Pre-Qualifying Criterion

The Bidders who fulfil the Pre-Compliance Criteria will be evaluated for Stage One: Pre-Qualifying Criteria.

- i) An EME or QSE which is at least 51% owned by black people.
- ii) An EME or SQE which is at least 51% owned by black people who are youth.
- iii) An EME or QSE which is at least 51% owned by black people who are women.
- iv) An EME or QSE which is at least 51% owned by black people with disabilities.
- v) A cooperative which is at least 51% owned by black.
- vi) An EME or QSE which is 51% is at least owned by black people who are military veterans.
- vii) Or Subcontract 30% to EME or QSE

Stage Two: Functional Evaluation Criterion

The Bidders who fulfil the Pre-Qualifying Criteria will be evaluated for Stage Two: Technical (Functionality) Criteria as shown in the following table below:-

The maximum points allocation per criterion is summarised in the following table:-

CRITERION	POINTS
Company Experience	30
Qualifications and Experience of Contracts Manager	10
Qualifications and Experience of Site Agent	30
Experience of the General Foreman	10
Qualifications and Experience of Site Safety Officer/ OHS Agent	20
TOTAL POINTS	100



Bidders are requested to provide evidence of complying with these Functional Criteria by completing the relevant forms in the bid document (Forms T, U and V) as well supplying completion certificates for completed projects as proof. Failure to supply completion certificates as required will mean that the project will not be contributing towards experience of the company and bidders will lose points on this criterion, under completed projects.

CRITERIA	SUB-CRITERIA/CLAUSE	MAX SCORE	SCORE	EVIDENCE
EXPERIENCE OF COMPANY COMPLETED PROJECTS	This sub criterion covers the experience of the company in the construction of roads and stormwater projects. This is reflected by the number of Roads and Stormwater construction projects completed by the company to the value of R4.5 000 000 or more in the past 5 years.	30		Copies of Completion Certificates
	More than Five (5) similar projects successfully completed at a value of more than R4.5 million or more in the past 5 years		30	
	Five (5) similar projects successfully completed at a value of R4.5 million or more in the past 5 years.		21	
	Not meeting the minimum requirements		0	
QUALIFICATIONS AND EXPERIENCE OF CONTRACTS MANAGER	This sub criterion covers the Qualifications and Experience of the proposed Contracts Manager	10		Detailed CV indicating the project name, project value, completion date and client name. Qualification (Degree or Diploma), Certificates for Pr. CM (SACPMP)or PR. Eng or Tech (ECSA)
	More than six (6) years of experience as a Contracts Manager in the construction of roads and stormwater associated projects as well as B-Tech Degree qualification or higher in the Built Environment and have professionally registered with SACPMP as Pr.CM or ECSA as Pr.Eng or Pr.Tech Eng..		10	
	Six (6) years of experience as a Contracts Manager in the construction of roads and stormwater associated projects as well as a National Diploma in the Built Environment and have professionally registered with SACPMP as Pr.CM or ECSA as Pr.Eng or Pr.Tech Eng..		7	
	No requisite experience and qualifications		0	
QUALIFICATIONS AND EXPERIENCE OF Construction Manager (Site Agent)	This sub criterion covers the Qualifications and Experience of the proposed Construction Manager	30		Detailed CV indicating the project name, project value, completion date and client name.
	More than Six (6) years of experience as a Construction Manager in the construction of roads and stormwater associated projects		30	



The Tender Part 1
Tender Procedure

Panel Of Contractors For The Construction Of Stormwater Infrastructure In
All Regions Of The City Of Johannesburg For A Period Of Three Years
CONTRACT No. JRA/20/28

CRITERIA	SUB-CRITERIA/CLAUSE	MAX SCORE	SCORE	EVIDENCE
	as well as B-Tech Degree or higher in the Built Environment.			Qualification (Degree or Diploma)
	Six (6) years of experience as a Construction Manager in in the construction of roads and stormwater associated projects as well as a National diploma in the Built Environment.		21	
	No requisite experience and qualifications		0	
EXPERIENCE OF THE GENERAL FOREMAN	This sub criterion covers the experience of the proposed General Foreman (total duration of professional activity as a Foreman.	10		Detailed CV indicating the project name, project value, completion date and client name.
	More than six (6) years of experience as a General Foreman in the construction of roads and stormwater associated projects.		10	
	Six (6) years of experience as a General Foreman in the construction of roads and stormwater associated projects.		7	
	No requisite experience and qualifications		0	
QUALIFICATIONS AND EXPERIENCE OF THE OHS AGENT	This sub criterion covers the experience of the proposed OHS Agent (total duration of professional activity as an OHS Agent). It is a requirement that the OHS Agent should have a Diploma In Safety Management (NADSAM) and SACPCMP registration. (NOTE: SAMTRAC is not be accepted.)	20		Detailed CV indicating the project name, project value, completion date and client name. Proof of qualification (NADSAM) and Professional Registration) Pr. CM (SACPMP)or PR. Eng or Tech (ECSA
	More than (6) years of experience as a Safety Officer on roads construction and stormwater related projects as well as NADSAM & SACPCMP registration.		20	
	Six (6) years of experience as a Safety Officer on roads construction and stormwater related projects as well as NADSAM.		14	
	No requisite experience and qualifications		0	
	TOTAL	100		TOTAL





The Tender Part 1
Tender Procedure
Panel Of Contractors For The Construction Of Stormwater Infrastructure In
All Regions Of The City Of Johannesburg For A Period Of Three Years
CONTRACT No. JRA/20/28



JOHANNESBURG ROADS AGENCY (SOC) LTD

CONTRACT NO. JRA/20/28

FOR

**CONSTRUCTION: PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF
STORMWATER INFRASTRUCTURE IN ALL REGIONS OF THE CITY OF JOHANNESBURG
FOR A PERIOD OF THREE YEARS**

T1.4 SCHEDULE OF CONTRACT DOCUMENTS



T1.4 SCHEDULE OF CONTRACT DOCUMENTS

The following documents form part of this Contract:

THE TENDER (VOLUME 1)

PART 1: TENDER PROCEDURE

SANS 294: 2004 – Standard Conditions of Tender (Annex F). This publication is available from Standards South Africa (a division of SABS) Tel (012) 428-6929/33.

THE TENDER (VOLUME 2)

PART 2: RETURNABLE DOCUMENTS AND SCHEDULES

Pink pages Schedule of Returnables

THE CONTRACT (VOLUME 3)

PART 1: AGREEMENT AND CONTRACT DATA

The General Conditions of Contract for Construction Works (2010), published by the South African Institution of Civil Engineering. This publication is available from the South African Institution of Civil Engineering (Tel: (011) 805-5949).

PART 2: PRICING DATA

The pricing Data and Schedule of Rates; Yellow pages

PART 3: SCOPE OF WORKS

The Standard Specifications for Road and Bridge Works for State Road Authorities (COLTO) published by South African Institution of Civil Engineering (SAICE) and also Standard Specifications for Civil Engineering Construction of the South African Bureau of Standards (SABS 1200). This publication is available from the South African Bureau of Standards.

PART 4: SITE INFORMATION

None, This will only be determined by the Engineers as project specific before award of a project. For now bidders will price the schedule of rates using information provided in the Bill of Quantities, the yellow pages.

PART 5: ANEXURES (CONSTRUCTION SPECIFICATIONS)

- C5.1. SANS 294: 2004 – Standard Conditions of Tender. This publication is available from Standards South Africa (a division of SABS) Tel (012) 428-6929/33.
- C5.2. Specification for Occupational Health and Safety



THE CONTRACT DRAWINGS (VOLUME 4)

Standard Detail Drawings are bound separately in Volume 4 and for now will not be issued with the tender and will only be issued at contract award once the actual site conditions have been determined by the JRA Engineers.