



JOHANNESBURG ROADS AGENCY (SOC) LTD

CONTRACT NO. JRA/20/53

FOR

**CONSTRUCTION: PANEL OF CONTRACTORS FOR THE
CONSTRUCTION OF NEW ROADS, AND THE REHABILITATION
AND RECONSTRUCTION OF ROADS IN ALL REGIONS OF THE CITY
OF JOHANNESBURG FOR A PERIOD OF THREE YEARS**

PART 1. TENDER PROCEDURE



PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF NEW ROADS, AND THE REHABILITATION AND RECONSTRUCTION OF ROADS IN ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A PERIOD OF THREE YEARS

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T1.1 TENDER NOTICE AND INVITATION TO TENDER



PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF NEW ROADS, AND THE REHABILITATION AND RECONSTRUCTION OF ROADS IN ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A PERIOD OF THREE YEARS

Contract No JRA/20/53

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 NEW ROADS, AND THE REHABILITATION AND RECONSTRUCTION OF ROADS IN ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A PERIOD OF THREE YEARS.

The Bid documents will be available for download from the JRA website starting on the 18th June 2020. Hard copies can also be requested via email (tenderenquiries@jar.org.za) and at a cost of non refundable deposit of R750.00 per bid document request.

The document will be issued on receipt 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 (JRA) 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 minimum grading of 7CE and higher.
- ii) Tenders submitted on the prescribed Form of Tender
- iii) Tenders sealed in envelopes conspicuously marked as follows:

Tender Contract No JRA/20/53

Johannesburg Roads Agency
75 Helen Joseph Street
Johannesburg
2000

A compulsory briefing session (Not applicable to this bid) Contract no JRA 20/53.

All tenders and supporting documents must be sealed and be placed in the Tender box on the ground floor of the Johannesburg Roads Agency, 75 Helen Joseph Street, Johannesburg before **11h00 on 16 July 2020**. 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.



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As this is a PANEL appointment, The Johannesburg Roads Agency (JRA) will only appoint suitable and qualifying scoring bidders to the PANEL to satisfy JRA's Implementation Programme requirements.

The final number of contractors appointed to the panel will be dependent on the quality of tenders or bids submitted, the resultant functionality evaluation scores achieved on basis of what is 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.

Bidders must submit a letter on their company's letterhead declaring that they have sufficient current capacity to successfully carry out this assignment.

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



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T1.2 PROJECT DESCRIPTION

The purpose of this contract is to appoint a panel of contractors that meet the requirements of this tender process to undertake for three years in the City of Johannesburg.

PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF NEW ROADS, AND THE REHABILITATION AND RECONSTRUCTION OF ROADS IN ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A PERIOD OF THREE YEARS

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T1.2 DESCRIPTION OF THE WORKS

The Johannesburg roads agency (JRA) requires contractors to undertake the construction of new roads, and the rehabilitation and reconstruction of roads in all regions of the City of Johannesburg for a period of three years across the regions of the City of Johannesburg.

The purpose of this contract is to appoint a panel of contractors that meet the requirements of this bid process to undertake for three years the following:

The Johannesburg Roads Agency (JRA) requires contractors to undertake the construction of new roads, and the rehabilitation and reconstruction of existing roads inclusive of storm water drainage across the City of Johannesburg for a period of three years.

- i) The construction of new roads;
- ii) The rehabilitation and reconstruction of existing roads;
- iii) The construction of complete street projects.
- iv) Supply and erection of guardrails.
- v) Erection of guardrails.

This is an open panel and where JRA would like 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.

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.

CIDB Grading required 7CE and Higher.

3. Scope of Works

The streets that will be improved will be identified and selected through a stakeholder engagement process that will be facilitated by the JRA Regional Operations Managers of the various Regions and the Roads Asset Management System Department (RAMS) of JRA during the design stages.



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The scope of works involves the construction of new roads, and the rehabilitation and reconstruction of existing roads. This also includes, but not limited to, the installation of underground concrete storm water pipes, kerb inlets, and any other fixtures to manage storm water.

4. Financial Aspects

The projects will be funded from the capital budgets of the 2020 / 2021, 2021 / 22 and 2022 / 2023 financial years. The provisional approved budgets are R115 million (2020 / 2021 FY), R100 million (2021 / 2022 FY) and 2022/23 budget TO BE CONFIRMED BY COJ.

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 get thebe appointed for to undertake the work. Escalation is applicable to the contract.



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T1.3 TENDER DATA

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T1.3 TENDER DATA

| Clause number | |
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| | <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</p> <p>T1.2 Project Description</p> <p>T1.3 Tender data</p> <p><u>Part 2: Returnable Documents and Schedules (Volume 2)</u></p> <p>T2.1 List Of Returnable Documents</p> <p>T2.2 Returnable Schedules</p> <p>Form A: Invitation To Bid MBD 1</p> <p><i>Form B: Certificate Of Attendance Of Briefing Session</i></p> <p><i>Form C: Record Of Addenda To Tender Documents</i></p> <p><i>Form D: Vendor Number Registration with Central Supplier Database</i></p> <p><i>Form E: Authority For Signatory</i></p> <p><i>Form F: Tax Compliance (MBD 2)</i></p> <p><i>Form G: Bidder's Financial References And Ratings</i></p> <p><i>Form H: Preference Schedule (MBD 6.1)</i></p> <p><i>Form I: Proof Of Registration With CIDB</i></p> <p><i>Form J: Declaration Of Interest (MBD 4)</i></p> <p><i>Form K: Declaration For Procurement Above R10 Million (MBD 5)</i></p> <p><i>Form L: Bidder's Past Supply Chain Practices (MBD 8)</i></p> <p><i>Form M: OHS Act Declaration And Submission</i></p> <p><i>Form N: Certification Of Independent Bid Determination (MBD 9)</i></p> <p>Form O: Declaration Of Municipal Rates And Taxes</p> |

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| | <p><i>Form P:Declaration Of Bidders Litigation History</i></p> <p><i>Form R:Plant And Equipment Schedule</i></p> <p><i>Form S:Checklist For Documentation To Be Returned</i></p> <p><i>Form T:Schedule Of Bidder's Experience in construction of new roads, and the rehabilitation and reconstruction of roads Projects</i></p> <p><i>Form U:Experience Of Nominated Personnel</i></p> <p><i>Form V: Construction Methodology, Safe Work Plan And Quality Control Plan</i></p> <p><i>Form W: SMME / EPWP Development Plan</i></p> <p><u>THE CONTRACT (VOLUME 3)</u></p> <p><u>Part 1: Agreements and contract data</u></p> <p>C1.1 Form of agreement (Form of offer and acceptance).</p> <p>C1.2 Schedule of deviations.</p> <p>C1.3 Pro Forma – form of guarantee.</p> <p>C1.4 Contract Data (Conditions of Contract).</p> <p>Part 1: Contract data provided by the Employer.</p> <p>Part 2: Contract data provided by the Contractor.</p> <p>Part 3: Payment for labour-intensive components of the Works.</p> <p>C1.5 OHS Act Annexure A authority for signatory.</p> <p>C1.6 Targeted Procurement</p> <p>C1.7 Electronic payment into bank account.</p> |
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| | <p><u>Part 2: Pricing data (Not to this bid)</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 (Not to this bid)</u></p> <p>C4 .1 Extend of Site (Not to this bid)</p> <p>C4 .2 Geotechnical information</p> <p>C4 .3 Locality Plan</p> <p><u>Part 5: Annexures (Bound Separately) (Not to this bid)</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: 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: tenderenquiries@jra.org.za</p> |

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| <p>F 2.1</p> | <p>Only those tenders who are registered with the CIDB 7CE 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. |
| <p>F.2.1.1</p> | <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 |
| <p>F2.2 Cost of Tendering</p> | <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> |
| <p>F.2.7</p> | <p>The arrangements for the compulsory clarification meeting are <u>(Not Applicable to this bid).</u></p> <p>Location: N/A</p> <p>Date: N/A</p> <p>Starting time: N/A</p> |
| <p>F.2.13</p> | <p>One-envelope procedure will be followed.</p> |
| <p>F.2.13.3</p> | <p>Parts of each tender offer communicated on paper shall be submitted as an original, plus one copy.</p> |

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| <p>F.2.13.5</p> | <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 NEW ROADS, AND THE REHABILITATION AND RECONSTRUCTION OF ROADS 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 Pricing Schedules (Volume 3 Books 1 and 2) and Annexures.</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 (Head Office)</p> <p>Physical address: 75 Helen Joseph , Johannesburg</p> <p>Identification details: TENDER BOX</p> |
| <p>F.2.15</p> | <p>The closing time for submission of tender offers is 11h00 on 16 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> |
| <p>F.2.15</p> | <p>Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.</p> |
| <p>F.2.16</p> | <p>The tender offer validity period is 120 days.</p> |
| <p>F.2.18</p> | <p>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.</p> |
| <p>F2.22</p> | <p>Return all retained tender documents within 28 days after the expiry of the tender validity period.</p> |
| <p>F.2.23</p> | <p>The Tenderer is required to submit with his tender:</p> |

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| | <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 <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 <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>F.3.4</p> | <p>The time and location for opening of the tender offers are: <u>Not applicable to this bid.</u></p> |

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| <p>F.3.9</p> | <p>Arithmetical errors, omissions and discrepancies: <u>Not applicable for the purpose to qualify for placing in the panel,</u> will only apply only to appointed panellists.</p> |
| <p>F.3.9.1</p> | <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. |
| <p>F.3.9.2</p> | <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> |
| <p>F.3.11</p> | <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 50 000 000.00</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> |
| <p>F.3.13.1</p> | <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 |

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| | <p>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.</p> |
| <p>F.3.11.2</p> | <p>Evaluation Criteria:</p> <p>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.</p> <p>ii) The points out of 90 will be calculated on the basis of price and 10 points on BBB-BEE status as shown below.</p> <p>iii) The Functionality Evaluation is indicated below and a full Assessment schedule in on page 23 F3.11.3</p> <p>iv) Experience of the Company and Project Team in terms of the stated requirements of the project.</p> <p>v) Track record/potential of the tendering company/firm to serve as a stable contractual partner.</p> <p>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.</p> <p>vii) Price as per proposal submission</p> <p>viii) The B-BBEE Preference Benefit and Financial Plans of the Bidders whose pass the Definitely Not Negotiable Phase will be evaluated for ward of the contract.</p> <p>ix) The point out of 10 will be allocated as contemplated in (MBD 6.1) in the Preferential Procurement Policy Framework Act, 2011.</p> <p>x) The evaluation of Bids will be undertaken in terms of the MFMA</p> <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> <p>i) Signed all pages of Tender document.</p> <p>ii) All required certificate attached:</p> <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) |

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| | <ul style="list-style-type: none"> • Proof of valid registration with CIDB as per required grading. • 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) • Proof of registration with the Central Supplier Database (CSD) • Latest three year audited financial statements (In case of Close Corporation Financials must be signed by the Managing Member of the CC). • Certified Joint Venture Agreement (In case of Joint Ventures and Consortium, if applicable) • 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/statement) • Completed and sign all Forms as required. • Bidders must submit a letter on their company’s letterhead declaring that they have sufficient current capacity to successfully carry out this assignment. |
| F.3.18 | <p>The number of paper copies of the signed contract to be provided by the employer is ONE.</p> |

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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 2010.
- 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.

6. Regulatory Specifications.

- i) Environmental Impact Assessment (EIA) approval is not required, as construction work will take place within the urban boundary and within a registered servitude.
- ii) No Water use License approval is required.

7. 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 7 CE or higher.
- iv) The appointment will be valid for three years.
- v) Contractors appointed on the previous road construction/ reconstruction contractor panel, Contract JRA/16/68 with poor performance history, cannot be appointed on this panel, as they have been deemed poor performing contractors by JRA.
- 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

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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 road construction/ reconstruction projects.
- xxi) The contractor must employ local labourers on this contract.
- xxii) SAFCEC Labour rates will apply on these contracts.
- xxiii) The maximum value of the contract that can be sub contracted is 30%.
- 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.
- xxx) In addition to Subcontracting 30%, a minimum of 30% of the value of this contract, excluding escalation, provisional sums, Preliminary and Generals (P&G) and contingencies, must be earmarked as Community Retain Earnings, which includes the work undertaken by local EMEs contractors, local

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labour and plant and materials purchased from local suppliers. Thus JRA will only accept subcontracting to a value of more than 30%, to allow for Community Retained earnings.

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.
- xxxi) 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 seven years' experience in OHS safety monitoring of civil engineering construction projects and professionally registered with SACPMP or ECSA.
 - 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.
- xxxii) The contractor is referred to the following regulation with regard to exclusion from future work opportunities due to none 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).

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) The evaluation of bids will be undertaken in terms of the MFMA.



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Phase 1: Step 2.

Supply Chain Management Pre Compliance

Bidders must submit the following documents, Failure to submit these MBD forms will lead to disqualification of your bid:

- i) Attendance of compulsory site briefing meeting. **(Not applicable to this bid)**
Contract no JRA 20/53.
- ii) Signed all pages where it is required in the Bid document.
- iii) All required certificates or returnables to be attached:
 - 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)
 - Complete and signed Declaration of Procurement above R10 Million (all applicable taxes included) (MBD 5)

FAILURE TO COMPLETE AND SUBMIT THE ABOVE DOCUMENTS WILL RESULT IN THE BID BEING DISQUALIFIED]

Additional Compulsory Pre-compliance Submissions

- The completed tender document shall be scanned page by page and saved in .pdf format on a CD submitted with the documents. (Soft Copy)
- Copy of the completed tender document (Hard Copy)
- Valid COID certificate issued by the Department of Labour.
- Original or Certified Copy of B-BBEE Certificate issued by SANAS accredited verification agent (MBD 6.1)
- Proof of registration with Central Supplier Database (CSD)
- Completed and signed all forms as required.
- Latest three year audited financial statements (In case of Close Corporation Financials must be signed by the Managing Member of the CC).
- Proof of valid registration with CIDB grading as required.

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- 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).
- Certified Joint Venture Agreement (In case of Joint Ventures and Consortium, if applicable).
- **Bidders must submit a letter on their company's letterhead declaring that they have sufficient current capacity to successfully carry out this assignment**

8.1 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.

8.2. Phase 2: Technical (Functional) Evaluation

The evaluation will be carried out in two stages:-

Stage 1:-Pre-Qualifying Criteria.

Stage Two: - Technical/Functional Evaluation

8.2.1 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 –

An EME or QSE which is at least 51% owned by black people.

An EME or QSE which is at least 51% owned by black people who are youth.

An EME or QSE which is at least 51% owned by black people who are women.

An EME or QSE which is at least 51% owned by black people with disabilities.

A cooperative which is at least 51% owned by black.

An EME or QSE which is 51% is at least owned by black people who are military veterans.

Or Subcontract 30% to EME or QSE

8.2.2 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

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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.

8.3 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 point's 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.

In order to qualify for maximum points, the bidder must have completed construction of more than five (5) roads and associated roads reconstruction and rehabilitation with a minimum value of R 13.5 million, excluding VAT over the last 5 years. Completed road construction projects will also be counted. Regravelling and Routine Maintenance projects DO NOT QUALIFY

In order to qualify for maximum points, the bidder must have in its employment one Contracts Manager with more than 7 years of experience as a contracts manager on road construction/ reconstruction rehabilitation 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 SACPMP as Pr.CM or ECSA as Pr. Eng. or Pr. Tech Eng.

In order to qualify for maximum points, the bidder must have in its employment one Construction Manager (Site Agent) with more than 7 years of experience as a Construction Manager (Site Agent) on construction of roads construction/ reconstruction 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 R15 million per project where the personnel fulfilled a role of a Site Agent.

In order to qualify for maximum points, the bidder must have in its employment one General Foreman with more than 7 years of experience as a General Foreman on construction/ reconstruction of roads associated Stormwater related projects.

In order to qualify for maximum points, the bidder must have in its employment with OHS agent 7 years of experience as site safety officer on roads construction and associated Stormwater related projects AND in

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possession of NADSAM. The Safety Agent must have professionally registered with SACPMP as Pr.CM or ECSA as Pr. Eng. or Pr. Tech Eng.

Please note that SAMTRAC Qualification is not acceptable for all 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.

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:

xv) The contractor is referred to the following regulation with regard to exclusion from future work opportunities due to none or poor performance:

8.4.1 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. **(Not applicable to this bid) Contract no JRA 20/53.**
- iii) Signed all pages of Bid document.

8.4.2 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.

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- 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:-

| 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) 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/ reconstruction 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 R13 500 000 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 R13.5 million or more in the past 5 years. | | 30 | |

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| CRITERIA | SUB-CRITERIA/CLAUSE | MAX SCORE | SCORE | EVIDENCE |
|---|---|-----------|-------|---|
| | Five (5) similar projects successfully completed at a value of R13.5 million or more in the past 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. Certified Qualification (Degree or Diploma), Certificates for Pr. CM (SACPMP) or PR. Eng or Tech (ECSA) |
| | More than seven (7) years of experience as a Contracts Manager in roads construction/ reconstruction and associated stormwater 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 | |
| | Seven (7) years of experience as a Contracts Manager in roads construction/ reconstruction and associated stormwater 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 (Site Agent) | 30 | | Detailed CV indicating the project name, project value, completion date and client name. Certified Qualification (Degree or Diploma) |
| | More than Seven (7) years of experience as a Construction manager in roads reconstruction and associated stormwater projects as well as B-Tech Degree or higher in the Built Environment. | | 30 | |
| | Seven (7) years of experience as a Construction Manager in roads reconstruction and associated | | 21 | |

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| CRITERIA | SUB-CRITERIA/CLAUSE | MAX SCORE | SCORE | EVIDENCE |
|---|--|-----------|-------|--|
| | stormwater projects as well as a National diploma in the Built Environment. | | | |
| | 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 Site Agent). | 10 | | Detailed CV indicating the project name, project value, completion date and client name. |
| | More than seven (7) years of experience as a General Foreman in roads construction/ reconstruction and associated stormwater projects. | | 10 | |
| | Seven (7) years of experience as a General Foreman in roads construction/ reconstruction and associated stormwater 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. (NOTE: SAMTRAC is not be accepted.) | 20 | | Detailed CV indicating the project name, project value, completion date and client name. |
| | More than (7) years of experience as a Safety Officer on roads construction/ reconstruction and stormwater related projects as well as NADSAM and have professionally registered with SACPMP as Pr.CM or ECSA as Pr.Eng or Pr.Tech Eng. | | 20 | |
| | Seven (7) years of experience as a Safety Officer on roads construction/ reconstruction and stormwater related projects as well as NADSAM and have professionally registered with SACPMP as Pr.CM or ECSA as Pr.Eng or Pr.Tech Eng. | | 14 | |

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| CRITERIA | SUB-CRITERIA/CLAUSE | MAX SCORE | SCORE | EVIDENCE |
|----------|--|------------|-------|--------------|
| | No requisite experience and qualifications | | 0 | |
| | TOTAL | 100 | | TOTAL |

FORM T: SCHEDULE OF BIDDER'S EXPERIENCE IN ROADS CONSTRUCTION/ RECONSTRUCTION AND STORMWATER CONSTRUCTION PROJECTS

It is mandatory to complete all fields in Form T for each project listed as this information will be deemed to be material to the award of the Contract. Failure to complete all fields (i.e. for each listed project) may lead to the bidder losing points during functional evaluation under the categories "Experience of the Company or Completed Projects".

Should the bidder choose to present the required information in the attachments, then the bidder must FIRST COMPLETE FORM T and then make a clear reference to such attachments, and such attachments must provide the same information requested for in Form T.

- Bidders should choose projects which span different years so as to meet the company experience requirements and not have five projects which are implemented in one year as they will all contribute to one year's experience.
- The Bidder must demonstrate the Company's Experience by listing only completed number of Bid related Projects, with a contract value of at thirteen million, five hundred thousand Rands (R13.5m) per project or more over the last five (5) years. .
- The completion date must be indicated on the form and the completion certificate must be attached to the form. Should the completion date be left blank on the form, the project shall be regarded as incomplete and not be considered on the number of projects completed.



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JOHANNESBURG ROADS AGENCY (SOC) LTD

CONTRACT NO. JRA/20/53

FOR

CONSTRUCTION: PANEL OF CONTRACTORS FOR THE CONSTRUCTION OF NEW ROADS, AND THE REHABILITATION AND RECONSTRUCTION OF ROADS IN ALL REGIONS OF THE CITY OF JOHANNESBURG FOR A PERIOD OF THREE YEARS.

T1.4 SCHEDULE OF CONTRACT DOCUMENTS

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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

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 (**Not Applicable on this bid as yet contract no JRA/20/53**)

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 appointed to the Panel on basis of Functional evaluation outcome. (**Not Applicable on this bid as yet contract no JRA/20/53**)

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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. **(Not applicable to this bid as yet, Contract no JRA/20/53)**