

# REQUEST FOR PROPOSAL (RFP)

<b>REQUEST FOR PROPOSAL (RFP) TITLE:</b> Ernest Oppenheimer Hall of Residence (EOH) Boiler Room Upgrade Project	<b>UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG (WITS)</b>
<b>RFP REFERENCE NUMBER</b>	<b>OPCEE0AT013</b> (re-advertised March 2023)
<b>RFP ISSUE DATE</b>	<b>Wednesday, 22 March 2023 @14h00</b>
<b>RFP CLOSING DATE</b>	<b>Monday, 17 April 2023 @ 23h59</b>
<b>DISTRIBUTION CHANNEL</b>	The Sunday Times Wits Website

<b>ISSUED BY:</b>  CAMPUS PLANNING AND DEVELOPMENT PO BOX 696, WITS 2050 3 JUBILEE ROAD PARKTOWN	<b>PREPARED BY:</b>  Nhlanhla Rikhotso
<b>CONTACT PERSON:</b>	charmaine.layton@wits.ac.za



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## T1.1 Tender Notice and Invitation to Tender

**(i) Invitation**

The **Campus Planning and Development** (“CPD”) Department, which is part of the Operations Division of the University of the Witwatersrand, Johannesburg (“WITS”) (the **Client**) invites you to submit a Proposal in response to this **Request for Proposal** (hereafter referred to as ‘RFP’).

**(ii) Contract Award:**

The Client has elected the **Contract [NEC4 Engineering & Construction Short Contract (ECSC4)] Contract Data** included under Part C1.2 - to be an appropriate form of Contract for the project. The Tenderer will review the NEC4 Contract’s Standard Terms and Contract Data; and will be permitted to submit its reasonable qualifications (if applicable) for the Client’s consideration.

**(iii) The selection for this RFP process will include criteria for price, quality and preference.**

**(iv) Overall Project / Contract Execution Model**

Overall delivery and management of WITS’ capital work programme are aligned with the principles of an integrated project procurement and delivery management procedure and the guideline as applicable to earmarked infrastructure and other development funding received from the Government. The prospective bidder’s attention is drawn to the University’s objective of seeking to establish proactive risk management and collaborative project delivery relationship between the University and the appointed contractor.

**(v) Policies, Procedures and Regulatory Standards:**

In general, WITS executes this tender process and incorporates tender conditions that are in accordance with the latest editions of SANS 10845-3 (Construction Procurement Part 3: Standard conditions of tender) and SANS 10845-4 (Construction Procurement Part 4: Standard conditions for the calling for expressions of interest). As such, WITS prohibits anti-competitive practices and requires that all Tenderers submit a formal conflict of interest declaration. Tenderers can purchase electronic copies of the documents at the following links:

[SANS 10845-3:2022 \(Ed. 2.00\) \(sabs.co.za\)](https://sabs.co.za/sans-10845-3-2022-ed-2-00)

[SANS 10845-4:2022 \(Ed. 2.00\) \(sabs.co.za\)](https://sabs.co.za/sans-10845-4-2022-ed-2-00)

**(vi) Tender Terminology:**

When considering the SANS, CIDB and NEC4 respective standard definitions, there is some discrepancy in the terminology. To clarify this, ‘Employer’ and ‘Client’ will be used interchangeably, having reference to the University of the Witwatersrand, Johannesburg (WITS). Similarly, ‘Works Information’ and/or ‘Scope of Works’ and ‘Scope’ will also be used interchangeably.

**(vii) Further Definitions:**

- For the purpose of this RFP document ‘**University**’ and ‘**WITS**’ shall mean: **The University of Witwatersrand, Johannesburg**, being the entity to which Services will be delivered;
- **Tenderer** and/or **bidder** shall refer interchangeably to the party receiving this RFP and submitting a Proposal.
- **Project** means Ernest Oppenheimer Hall of Residence (EOH) Boiler Plant Room Upgrade Project
- **Proposal** means the submission Tenderers will submit in response to this RFP, and any Annexures thereto.

**(viii) Contract** means the **NEC4 Engineering & Construction Short Contract (ECSC4)];**

- **Site** means WITS University EOH Residence on it’s Parktown Management Campus.



- Sourcing Process means the RFP process that the Client is embarking on to select and appoint capable Contractor to deliver the Scope;

**(ix) Contractor** means the successful tender participant being awarded the ultimate Engineering & Construction Short Contract (ECSC4) for the project

**(vii) Compulsory Intent to Bid**

All Tenderers must confirm their intent to bid for this RFP via email by **Thursday, 30 March 2023 at 15h00** in order to be eligible to participate in this tender process. Please note the following instructions:

→ Return an email with your intention to bid to:

**Attention:** Charmaine Layton

**To:** [admin.tenders@wits.ac.za](mailto:admin.tenders@wits.ac.za)

**Cc:** [charmaine.layton@wits.ac.za](mailto:charmaine.layton@wits.ac.za)

Please note that all correspondence and clarifications during the RFP period will **only** be communicated to Tenderers that confirmed their intention to bid within the prescribed time period, with the exception of the information session that will be available to all invited.

→ Ensure the correct **contact details** are provided in your intent to submit a bid. This will ensure that correspondence during the RFP phase will be issued to the correct individual's / email address.

**(viii) RFP Clarifications**

→ Should any part or parts of this RFP or the Sourcing Process described herein below require further explanation, or be ambiguous or contradictory, clarification prior to submission of your Proposal can be obtained in writing to the Tender Administrator.

→ Email will be used for clarifications during the RFP period. The Tenderer shall, in all written correspondence, identify itself by the complete company name and RFP reference number.

→ Telephonic clarifications are not officially acknowledged and all clarifications or requests must be in writing to the designated email address referenced in the RFP document.

→ Upon receipt of any request to clarify elements of the RFP, an email to clarify the points in question shall be issued by WITS to all Tenderers that submitted an Intent to Bid, provided that the clarification is not of a confidential nature, broadly applicable and justified.

→ All RFP clarifications or addenda shall be issued formally to Tenderers by means of a Tender Bulletin unless the information is of a confidential nature.

→ No Tenderer may communicate with any person connected with this document on any matter affecting this document between the initial date of issue of the document and the dispatch of the written notification of the selected Tenderers, except via the contact person listed above.

**(ix) Non-Compulsory Information Session**

→ WITS will host a non-compulsory Information Session as detailed below for all Tenderers who submitted their intent to bid within the stipulated period.

→ WITS will limit the number of participants per company to two (2) for questions and answers.

→ Participants will be requested to submit any clarifications questions before the Information Session (details of which will be included in the invitation email), to ensure that answers are prepared to the most pertinent questions and addressed during the Information Session.

→ The Information Session will be interactive. The participants will be provided with a presentation with background and relevant technical information, as well as clarification answers to all the queries received.



→ Only Tenderers who have submitted an Intent to Bid by the stated deadline will be allowed to submit proposals for the RFP.

QUERIES PERTAINING TO THIS RFP CAN BE DIRECTED TO -			
Tender Administrator	Charmaine Layton	E-MAIL	To: <a href="mailto:admin.tenders@wits.ac.za">admin.tenders@wits.ac.za</a> Cc <a href="mailto:charmaine.layton@wits.ac.za">charmaine.layton@wits.ac.za</a>
<p>The <b>non-compulsory Information Session</b> with representatives of WITS will take place <b>on-site</b> on <b>Friday, 31 March 2023 @ 14h00</b>.</p> <p>Directions and information to the meeting point will be communicated to all Tenderers who have submitted an Intent to Bid by the stated deadline.</p>			

**(x) Sourcing Process**

WITS conducts business in a manner that encourages good supplier relations within an environment that promotes competition and is compliant with WITS' policies and the law.

- The Tenders participating in this RFP are required to comply in all respects with the RFP instructions and requirements.
- The Tenderers' Proposal will consist of a formal, binding bid relative to the project.
- The Client will evaluate and score each tender submission against pre-determined Evaluation Criteria to determine an award to the successful Tenderer.



**T1.2 Tender Data**

The conditions of tender are those contained in the latest edition of SANS 10845-3, Construction Procurement – Part 3: Standard conditions of the tender.

SANS 10845-3 makes 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 provisions of SANS 10845-3.

Each item of data given below is cross-referenced to the clause in SANS 10845-3 to which it mainly applies.

Clause number	Tender Data
3.1	The Employer is the University of the Witwatersrand, Johannesburg, acting through its Campus Planning and Development Unit.
3.2	The tender documents issued by the Employer comprise the documents listed on the contents page
3.4	The Employer’s agent is: Charmaine Layton <a href="mailto:charmaine.layton@wits.ac.za">charmaine.layton@wits.ac.za</a> & <a href="mailto:admin.tenders@wits.ac.za">admin.tenders@wits.ac.za</a>
3.4	The language for communication is English
3.5.1	In addition, the Employer reserves the right at any time to: <ul style="list-style-type: none"> <li>• Request further information should the tenderer submit insufficient detail</li> <li>• Contact any tenderer during the evaluation process, in order to clarify any information, without informing any other tenderer,</li> <li>• Award only a portion of the tender,</li> <li>• Award portions of the tender to more than one contractor,</li> <li>• Withdraw, defer, suspend or reissue the tender in whole or in part at any time,</li> <li>• Share all information and findings with any other higher education entities worldwide, provided such information has not been marked as confidential, for benchmarking purposes, and,</li> <li>• Audit the awarded contracts from time to time.</li> </ul>
3.6	The competitive negotiation procedure shall be applied.
4.1	Tender offers will only be accepted if: <ol style="list-style-type: none"> <li>a) the tenderer must provide a minimum of three (3) client references where they have provided a similar requirement in the last 5 (five) years. The references must have similar or greater technical capacity and complexity to that of this Tender. For each, attach a Practical Completion Certificate or written testimonial/confirmation of completion from the client or employer.</li> <li>b) the tenderer submits an Original Valid Tax Clearance PIN (In case venture/consortia partners, each partner must submit a tax clearance certificate) issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;</li> <li>c) the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;</li> <li>d) the tenderer has not: <ol style="list-style-type: none"> <li>i. abused the Employer’s Supply Chain Management System; or</li> <li>ii. failed to perform on any previous contract and has been given written notice to this effect;</li> </ol> </li> <li>e) the tenderer has completed the Compulsory Declaration and there are no conflicts of interest which impact the tenderer’s ability to perform the contract in the best interests of the employer or potentially compromise the tender process;</li> <li>f) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer;</li> </ol>



	g) The Employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.
4.7	The <b>non-compulsory Information Session</b> with representatives of WITS will take place <b>on-site on Friday, 31 March 2023 @ 14:00</b> .  The information to access the webinar will be communicated to all Tenderers that confirmed their intention to bid.
4.10	Tenderers are required to state the rates and currencies in South African Rands (ZAR).
4.11	An item against which no rate or price is entered by the Tenderer shall be considered to be covered by other rates or prices detailed in the tender offer.
4.12	Main tender offers are required to be submitted together with alternative tenders.  If a tenderer wishes to submit an alternative tender offer, the only criteria permitted for such an alternative tender offer is that it demonstrably satisfies the employer's standards and requirements, the details of which may be obtained from the employer's agent.  A tenderer must submit a compliant tender offer (clearly marked and annotated as "COMPLIANT OFFER") in order for an alternative tender offer to be considered. The alternative offer shall be marked and annotated as "ALTERNATE OFFER".
4.13.4	An officer or director of the tenderer who is legally authorised by the tenderer to enter into a binding agreement must sign the tender offer. WITS may request proof of the authorisation document at any time.
4.13.5	<b>Only Electronic Submissions are allowed</b>
4.15	The Tenderer will be required to submit Electronic proposals in strict accordance with WITS' <b>Email Tender Submission Protocol &amp; Terms and Conditions</b> (Annexure 7) outlining the requirements from WITS. The Tenderer shall: <ul style="list-style-type: none"> <li>- Avoid emailing Submissions in the last sixty (60) minutes that the Invitation to Tender is open;</li> <li>- Tenderers must use the following identification format: <b>[Number of Emails Sent   Tender Reference Number   Tender Short Description   Tenderers Company Name]</b>;</li> <li>- The University will only accept the following file extensions: .zip - Zip compressed file, .doc and .docx - Microsoft Word file, .pdf - PDF file, .xls - Microsoft Excel file and .mp4 - MPEG4 video file;</li> <li>- The University's server cannot accept emails containing zip files or attachments that exceed 20 MB. If the total size of the submission is in excess of 20 MB, Tenderers must separate the submission into parts less than 20 MB and note the number of emails sent accordingly.</li> <li>- Tenderers must ensure that all emails are sent with a read and delivery receipt request from an Outlook or Gmail server.</li> </ul> <p>Email Proposal addressed to, with the following details in the covering mail:</p>
4.13.5	<b>Attention: Charmaine (Tender Administrator)</b> <b>E-Mail Addresses: To: <a href="mailto:admin.tenders@wits.ac.za">admin.tenders@wits.ac.za</a>,</b> <b>Cc: <a href="mailto:charmaine.layton@wits.ac.za">charmaine.layton@wits.ac.za</a></b>  <b>Subject Matter: Request for Proposal</b> <b>RFP Tender No.: OPCEE0AT013 (Re-advertised March 2023)</b>  - <b>RFP Tender Title: Request for Proposal: Ernest Oppenheimer Hall of Residence (EOH) Boiler Room Upgrade Project</b>



4.15	The closing time for submission of tender offers is <b>on Monday, 17 April 2023 at 23h59.</b>																				
4.16	The tender offer validity period is <b>ninety (90)</b> days.																				
4.22	All returnable documents, certificates and schedules must be current and valid and returned with the tender's offer submission.																				
5.1	The Employer will respond to requests for clarification received up to three (3) working days before the tender closing time.																				
5.2	The Employer shall issue addenda until three (3) working days before tender closing time.																				
5.11.1	The financial offer will be reduced to a comparative basis using the Tender Assessment Schedule included below:																				
5.11.5	<p>The tender submissions will be evaluated in terms of Method 4: Financial offer, quality and preferences. The price, quality and preference criteria and maximum score in respect of each of the criteria are as follows:</p> <table border="1"> <tr> <td><b>Financial Offer</b></td> <td><b>60 Points</b></td> </tr> <tr> <td>Comparative Financial Offer</td> <td>60 Points</td> </tr> <tr> <td><b>Quality</b></td> <td><b>20 Points</b></td> </tr> <tr> <td>Experience of the contractor</td> <td>8 Points</td> </tr> <tr> <td>Project Team experience &amp; competency</td> <td>6 Points</td> </tr> <tr> <td>Proposed Project Implementation Plan</td> <td>6 Points</td> </tr> <tr> <td><b>Preference</b></td> <td><b>20 Points</b></td> </tr> <tr> <td>Tendering Company's B-BBEE Level</td> <td>10 Points</td> </tr> <tr> <td>Tendering Company is at least 51% Black owned.</td> <td>10 Points</td> </tr> <tr> <td><b>Total</b></td> <td><b>100 Points</b></td> </tr> </table>	<b>Financial Offer</b>	<b>60 Points</b>	Comparative Financial Offer	60 Points	<b>Quality</b>	<b>20 Points</b>	Experience of the contractor	8 Points	Project Team experience & competency	6 Points	Proposed Project Implementation Plan	6 Points	<b>Preference</b>	<b>20 Points</b>	Tendering Company's B-BBEE Level	10 Points	Tendering Company is at least 51% Black owned.	10 Points	<b>Total</b>	<b>100 Points</b>
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5.11.8

**Wits Preferential Procurement Goals**

WITS recognised the need to participate meaningfully in the socio-economic transformation of South Africa and has identified specific principles that will address business and wealth creation imperatives with its dedicated preferential procurement philosophy.

To this end, in addition to requirements in the RFI, WITS will use the 80/20 preference points system. The allocation of the points will be as follows:

10 of 100 evaluation points (10%) to the below criterion yes/no criteria

B-BBEE status level of contributor	Number of preference points	
	90/10 preference points system	80/20 preference points system
<b>Contract Value Threshold (Including VAT)</b>	<b>&gt;R50 million</b>	<b>R30 000 to R50 million</b>
Non-complaint contributor	0	0
Level 8 contributor	1	2
Level 7 contributor	2	4
Level 6 contributor	3	6
Level 5 contributor	4	8
Level 4 contributor	5	12
Level 3 contributor	6	14
Level 2 contributor	9	18
Level 1 contributor	10	20

A further 10 of 100 evaluation points (10%) to the following yes/no criterion:

- Tendering company is at least 51% Black owned



5.11.9

Quality shall be scored by not less than three evaluators in accordance with the above criteria and Evaluation Schedules. **The minimum number of evaluation points for quality is 70%.**

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

Quality criteria	Sub criteria	Maximum number of points
Company Experience & Track Record	Tenderers must provide a minimum of three (3) client references where they have provided a similar requirement in the last 5 (five) years. The references must have similar or greater technical capacity and complexity to that of this Tender. For each, attach a Practical Completion Certificate or written testimonial/confirmation of completion from the client or employer.	40
Project Team experience & competency	CVs of project staff/key personnel must be provided. Proof of qualifications and years of relevant experience of proposed staff / key personnel is to be submitted with a CV <ul style="list-style-type: none"> <li>• Project / Site Manager</li> <li>• Plumber</li> </ul>	30
Project Implementation Plan	Programme developed in accordance with clause 31.1 of the NEC4 SCS4 including the works method statement for each operation, and associated activity schedule indicating duration and key milestones	30
<b>The maximum possible score for quality (M<sub>s</sub>)</b>		<b>100</b>

**Each evaluation criterion will be assessed in terms of five indicators – very good, good, satisfactory, poor and no response. Scores of 100, 90, 70,40, or 0 will be allocated to each response. The scores of each of the evaluators will be averaged, weighted and then totalled to obtain the final score for quality.**

**COMPANY EXPERIENCE & TRACK RECORD**

The scoring of the respondent’s experience will be as follows:

Tenderers must provide a minimum of three (3) client references where they have provided a similar requirement in the last 5 (five) years. The references must have similar or greater technical capacity and complexity to that of this Tender. For each, attach a Practical Completion Certificate or written testimonial/confirmation of completion from the client or employer.

Score	Project Specific Program
<b>Excellent (Score 100)</b>	Tenderer has completed at least five (5) or more similar projects
<b>Good (Score 90)</b>	Tenderer has completed at least four (4) similar projects
<b>Satisfactory (Score 70)</b>	Tenderer has completed at least three (3) similar projects
<b>Poor (Score 40)</b>	Not applicable
<b>Cannot Score (Score 0)</b>	Not applicable



**KEY PERSONNEL (EXPERIENCE & COMPETENCY)**

**TENDERER’S PROJECT TEAM EXPERIENCE AND COMPETENCY**

The capability and experience of the Tenderer’s project staff/key personnel will be evaluated in relation to the scope of work from two (2) different points of view:

1. General experience and qualifications,
2. Knowledge of issues which the Tenderer considers pertinent to the types of projects assignable under this contract.

An equal weighting will be applied to 1) and 2) above.

The following Tender will be evaluated on the following key personnel:

1. Project manager / site manager
2. Lead plumber

The individual CVs should not be more than three (3) pages should be attached to this schedule. Each CV should be structured under the following headings:

1. Personal particulars
  - a. name
  - b. date of birth
  - c. place(s) of tertiary education and dates associated therewith
  - d. professional awards
2. Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)
3. Certifications and trade tests
4. Name of current employer and position in enterprise
5. Overview of work experience (year, organization and position)
6. Outline recent assignments/experience that has a bearing on the scope of work

Proof of qualifications, certifications, professional registrations and memberships must be attached to this schedule.

**The scoring of the respondent’s key personnel’s relevant experience will be as follows:**

Score	Project Specific Program
<b>Excellent (Score 100)</b>	Tenderers Key Personnel has >12 years of relevant experience
<b>Good (Score 90)</b>	Tenderers Key Personnel has 9 - 12 years of relevant experience
<b>Satisfactory (Score 70)</b>	Tenderers Key Personnel has 6 - 9 years of relevant experience
<b>Poor (Score 40)</b>	Tenderers Key Personnel has < 6 years of relevant experience
<b>Cannot Score (Score 0)</b>	Tenderer has not submitted information



	<p><b>PROJECT IMPLEMENTATION PLAN</b></p> <p><b>The scoring of the respondent’s submitted implementation plan will be as follows:</b></p> <p>Each of the criteria will be evaluated as follows: The tenderer must submit a project-specific program inclusive of the following:</p> <ul style="list-style-type: none"> <li>- Method statement for each key activity</li> <li>- Programme indicates key activities</li> <li>- Programme indicates key activity dependencies</li> <li>- Key milestones and responsible parties</li> </ul> <table border="1" data-bbox="300 488 1469 797"> <thead> <tr> <th>Score</th> <th>Project Specific Program</th> </tr> </thead> <tbody> <tr> <td><b>Excellent (Score 100)</b></td> <td>Tenderer submitted a program containing all of the criteria above</td> </tr> <tr> <td><b>Good (Score 90)</b></td> <td>Tenderer submitted a program containing only three (3) of the criteria above</td> </tr> <tr> <td><b>Satisfactory (Score 70)</b></td> <td>Tenderer submitted a program containing only two (2) of the criteria above</td> </tr> <tr> <td><b>Poor (Score 40)</b></td> <td>Tenderer submitted a program containing only one (1) of the criteria above</td> </tr> <tr> <td><b>Cannot Score (Score 0)</b></td> <td>Tenderer has not submitted information</td> </tr> </tbody> </table> <p><b>*Maximum score points obtainable are as stated in the Scoring Criteria</b></p>	Score	Project Specific Program	<b>Excellent (Score 100)</b>	Tenderer submitted a program containing all of the criteria above	<b>Good (Score 90)</b>	Tenderer submitted a program containing only three (3) of the criteria above	<b>Satisfactory (Score 70)</b>	Tenderer submitted a program containing only two (2) of the criteria above	<b>Poor (Score 40)</b>	Tenderer submitted a program containing only one (1) of the criteria above	<b>Cannot Score (Score 0)</b>	Tenderer has not submitted information
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5.13	<p><b>Tender offers will only be accepted if:</b></p> <ol style="list-style-type: none"> <li>a) the tenderer must provide a minimum of three (3) client references where they have provided a similar requirement in the last 5 (five) years. The references must have similar or greater technical capacity and complexity to that of this Tender. For each, attach a Practical Completion Certificate or written testimonial/confirmation of completion from the client or employer.</li> <li>b) the tenderer submits an Original Valid Tax Clearance PIN (In case venture/consortia partners, each partner must submit a tax clearance certificate) issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;</li> <li>c) the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;</li> <li>d) the tenderer has not:             <ol style="list-style-type: none"> <li>i. abused the Employer’s Supply Chain Management System; or</li> <li>ii. failed to perform on any previous contract and has been given written notice to this effect;</li> </ol> </li> <li>e) the tenderer has completed the Compulsory Declaration and there are no conflicts of interest which impact the tenderer’s ability to perform the contract in the best interests of the employer or potentially compromise the tender process;</li> <li>f) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer;</li> <li>g) the employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.</li> </ol>												
5.15	Not applicable.												
5.17.	The tender is to submit an electronic copy of the contract with their submission												
5.19	Variation to the standard conditions of tender:												



## Part T2: Returnable documents

- Appendix A Procurement Returnable Schedules
- Annexure 1 Completed and signed BOQ
- Completed NEC (ECSC4)
- Project Implementation Plan.

