



UNIVERSITY OF THE  
WITWATERSRAND,  
JOHANNESBURG

## PROCUREMENT DOCUMENT

FOR

### RFP - FACULTY OF SCIENCE - ICDP DRILLING PROJECT

<b>Reference No.:</b>	Wits Tender / 2023:08	
<b>Description:</b>	The Bushveld Complex Drilling Project (BVDP)	
<b>Issue Date:</b>	25 June 2023	
<b>Issued by:</b>	Faculty of Science	
<b>Submission Date and Time:</b>	Date: 27 July 2023	Time: 23h59 (Before Midnight)
<b>Important Information:</b>	Non-Compulsory Briefing Session	Date: 06 July 2023 @ 10h00

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## ATTACHMENTS:

List of Annexures	Description of Annexures
Annexure A	Scope of Work
Annexure B	Returnable Schedules and Documents
Annexure C	Pricing
Annexure D	Draft Contract  The draft Contract will made available to the Tenderer's on or before 30 June 2023.
Annexure E	BVDP Procedure for Conducting Directional Surveys
Schedule 4	Compliance Schedule

## PART A: TENDER OVERVIEW

### 1 TENDER OUTLINE

#### 1.1 University's Background

The University of Witwatersrand (Wits) has received funding from the International Continental Scientific Drilling Programme (ICDP) to undertake a geoscientific research project called The Bushveld Complex Drilling Project (BVDP) in the eastern limb of the Bushveld Igneous Complex (BIC) of South Africa. The investigation includes the drilling of a single borehole to a maximum depth of 2500m which will assist in characterising the site-specific subsurface geology, by providing information on structural and stratigraphic controls, geochemistry, microbiology, petrophysics, petrography, geophysics, and geomechanics of lithological units and hydrogeology at depth.

This document is intended to describe the main duties, activities and services to be executed, completed and performed by the Contractor, and to specify the minimum requirements of plant and equipment, goods, Contractor's personnel and facilities considered by Wits as necessary for the performance of the Work. The University of Witwatersrand (Wits) will act as the legal entity for the Bushveld Complex Drilling Project (BVDP) and will issue a contract to the successful Contractor. Thereafter Wits will manage and supervise the drilling programme to make sure it is executed on behalf of ICDP.

#### 1.2 Tender Background

The University's Faculty of Science invites Tenderers for the Bushveld Complex Drilling Project (BVDP) as described in Annexure A: Scope of Work).

#### 1.3 Tender Description

1.3.1 The primary operational objective of the tender is to appoint a reputable service provider to the Bushveld Complex Drilling Project as follows:

1.3.1.1 To drill a single diamond borehole to a maximum depth of 2500 m which will be positioned on Impala's Marula Mine which is on the eastern limb of the Bushveld Complex and to recover a continuous stratigraphic sequence of diamond drill core for scientific studies.

#### 1.4 Procurement Strategy

1.4.1 A single service provider will be appointed for this request. The University will consider the submissions, delivery timeframes, price, and B-BBEE to select a provider. Therefore, the University does not agree to use a successful service provider exclusively, nor does the University agree to offer any minimum amount of work to the successful service provider.

1.4.2 This is an open, competitive tender process.

1.4.3 Joint ventures/partnerships are **not permitted**. The successful service provider will only be permitted to subcontract services as described in Annexure A: Scope of Work).

#### 1.5 Pre-qualification Criteria

1.5.1 Tenderers who have suitable experience and demonstrated capacity in the required work activities in Drilling Project may be eligible to partake in this Tender.

1.5.2 Only Tenderers who satisfy the pre-qualification criteria as set out in the table below should submit a Tender Submission, failure to do so will result in disqualification.

No.	Procurement Mandatory Criteria
	It is compulsory that the Tenderer:
1.	provides Schedule 1: Signed Submission which has to be signed by a duly authorised representative
2.	provides proof of your legal entity's registration documentation (e.g., CIPC) indicating the date of registration/incorporation, list of directors, partners, and members for South African entities or equivalent for non-South African entities.
3.	must provide proof of valid SARS Tax Pin for local entities or equivalent for non-South African entities.
4.	if applicable, provides VAT Registration Certificate for local entities or equivalent for non-South African entities. Provide rationale if VAT is not applicable.
5.	provides audited company financial statements for the past 3 (three) years, in line with the Companies Act in South Africa or equivalent if a non-South African entity.

6.	provides a current Letter of Good Standing from its bankers and/or bank confirmation letter.
<b>No.</b>	<b>Functionality (including Technical) Mandatory Criteria</b>
It is compulsory that the Tenderer:	
7.	must have the relevant drilling experience (minimum 5 years as drilling contractor in the mining sector), expertise and equipment to drill a cored borehole to a minimum depth of 2000m. Company profile to be supplied with a list of drilling projects completed in the last 5 to 10 years detailing the length of the project, the company worked for, total meters drilled and the average depth of boreholes.
8.	supplies one reference showing evidence of having drilled to a depth of 2000m or more over the last 5 years. It needs to be a contactable reference - references will be checked and confirmed for acceptability.
9.	must submit all mandatory documents to support the tender application as listed and specified in Schedule 4 Compliance Schedule.
10.	must provide the Pricing schedule as per Annexure C
11.	must provide an organogram of the on-site project team including the role and responsibilities plus legal appointments according to the Mine Health and Safety (Act No 29 of 1996) and Regulations (MHSA). Individuals fulfilling the roles should be identified.
12.	must be willing to engage with the local community to identify services that can be subcontracted or sourced from the local community. Confirm by ticking the required box in the returnable schedule.

1.5.3 The Tenderer's attention is drawn to the pre-qualification criteria which requires the Tenderer to provide the necessary evidence (please refer to Annexure B: Returnable Schedules and Documents) in order to be eligible, failure to do so will result in disqualification.

1.5.4 Tenderers who fail to provide the required schedules and documents will not have their Tender Submissions evaluated further.

1.5.5 Despite the above, the University reserves the right to request additional information (which must be responded to and/or provided to the University within the period as determined and communicated by the University) where the information provided yields insufficient detail and Tenderer differentiation.

## 1.6 Tender Terms and Conditions

1.6.1 The [Tender Terms & Conditions](#) apply to and form an integral part of this Tender.

Full link: <https://www.wits.ac.za/media/wits-university/footer/about-wits/procurement/Tender%20Terms%20%20Conditions%2015.08.2020.pdf>

1.6.2 Words and phrases defined in the Tender Terms & Conditions shall also apply in the interpretation of the same words and phrases in this Tender, save where specifically otherwise indicated.

## PART B: KEY INFORMATION

### 2 TENDER TIMELINE

2.1 The table below lists key events, dates, and periods applicable to this Tender:

No.	Description	Date / Period
1.	Invitation to Tender notice release via print media	25 June 2023
2.	Publication of Tender available on the University's Procurement website	26 June 2023
3.	It is recommended that the Tenderer's submit their intention to respond. <b>Note that any amendments or additional information related to this tender will be made available on the University's website and tender page. Ensure that you check the site on a regular basis for updates.</b>	30 June 2023
4.	Non-Compulsory Online Briefing Session  Date and time: 06 July 2023   10h00  Microsoft Teams: <a href="#">Click here to join the meeting</a> Meeting ID: 346 733 864 321 Passcode: Hpxa5j <a href="#">Download Teams</a>   <a href="#">Join on the web</a> <a href="#">Learn More</a>   <a href="#">Meeting options</a>	

5.	Non-Compulsory visit to the proposed Drill site (Marula Mine/Burgersfort) - TBC	19/20 July 2023
6.	Submission Date and Time	27/07/2023   23h59
7.	Presentation Date and Time	TBC

- 2.2 These dates and times do not create an obligation on the part of the University to take any action or create any right for a Tenderer to demand that the University executes a certain action on a specific date at a certain time.
- 2.3 In accordance with section 6 of the Tender Terms and Conditions, the University may issue amendments until 3 (three) Business Days before the Submission Date and Time.

### 3 INTENT TO SUBMIT A TENDER SUBMISSION.

Prior to the submission of any returnable schedules, documents or other information as set out in the Tender Documents, it is recommended that the Tenderer submit to the University's Procurement Representative (see section 4) in a single email, on or before the time indicated in section 2.1, the Tenderer's written statement of intention to partake in the Tender.

### 4 UNIVERSITY CONTACT INFORMATION

Queries relating to the issue of the Tender Documents must be addressed to the Tender Administrator at [admin.tenders@wits.ac.za](mailto:admin.tenders@wits.ac.za) and Nkhumeleni Nethavhani (**Procurement Representative**) via e-mail: [nkhumeleni.nethavhani@wits.ac.za](mailto:nkhumeleni.nethavhani@wits.ac.za).

### 5 DEVELOPING YOUR TENDER SUBMISSION

- 5.1 The Tender Documents set out the step-by-step process and conditions that apply.
- 5.2 Tenderers should take time to read and understand the Tender Documents, in particular:
- 5.2.1 the Tender Terms & Conditions;
- 5.2.2 the Tender Submission protocol (please refer to section 6);
- 5.2.3 develop a strong understanding of the University's Scope of Work detailed in Annexure A;
- 5.2.4 in structuring your Tender Submission consider how it will be evaluated, Part C: The Evaluation Process of this document describes the evaluation approach;
- 5.2.5 important checklists are included in Annexure B: Returnable Schedules and Documents to assist Tenderers with the completion of their Tender Submission. Tenderers are required to tick the relevant boxes for verification purposes. Where information is not applicable, the symbols N/A must be inserted in the space provided.
- 5.3 Tenderers are advised to check the number of pages and should any be missing or duplicated, or the reproduction indistinct, or any descriptions ambiguous, or this document contain any obvious errors they shall inform the parties indicated in section 4 above.
- 5.4 The University will respond to requests for clarification received up to 5 (five) Business Days before the Submission Date and Time. Queries should be by email to the parties indicated in section 4 above. Please note that additional information supplied to anyone Tenderer may also be provided to other Tenderers via e-mail.
- 5.5 It must be noted that the University shall not be held liable for any loss or damage incurred to the Tenderer should the Tenderer fail to fulfil the requirements of the Tender.

### 6 SUBMITTING YOUR TENDER SUBMISSION

- 6.1 The mode of delivery for submission is set out below and will apply to this Tender:

6.2 Electronic Submissions:

- 6.2.1 The [Electronic Submission Protocol](#) will apply to this Tender.

Full Link: <https://www.wits.ac.za/media/wits-university/footer/about-wits/procurement/Electronic%20Submission%20Protocol%2015.08.2020.pdf>



- 6.2.2 Tenderers must submit Annexure C: Pricing in an editable xls - Microsoft Excel file and a .pdf - PDF file.
- 6.3 Tenderers are urged to contact the University's Procurement Representative if unsure which mode of delivery applies to the Tender. The University will not be held responsible where the Tenderer incorrectly interprets the mode of delivery.

For the avoidance of don't, please note that telegraphic, telephonic, telex, facsimile, physical submissions, and late submissions will not be accepted by the University.

## PART C: THE EVALUATION PROCESS

### 7 EVALUATION METHODOLOGY

- 7.1 The University will apply a multi-criteria approach in evaluating the prospective Tender Submissions. It is envisaged that the following core criteria (not complete and in order of preference) will amongst others form the basis of the tender evaluation:
- 7.1.1 The financial offer;
- 7.1.2 The Tenderer's ability to match service requirements as set out in Annexure A: Scope of Work and adequate client liaison;
- 7.1.3 The type of organisation and the number of years in operation in the industry;
- 7.1.4 The track record and experience of the Tenderer;
- 7.1.5 The Tenderer's contactable client references;
- 7.1.6 The competence of the proposed management, project managers and staff of the Tenderer;
- 7.1.7 Accuracy and presentation of the calculations which much be sufficient for comparison purposes;
- 7.1.8 Financial ability of the Tenderer to provide the goods and/or services and to meet its contractual obligations;
- 7.1.9 Adequate insurance coverage with regard to the goods and/or services.
- 7.2 **Evaluation Procedure:**
- 7.2.1 The University may request additional information, clarification or verification in respect of any information contained in or omitted from a Tenderer's Tender Submission and this information will be requested in writing.
- 7.2.2 The University may enforce whatever measures it considers necessary to ensure the confidentiality and integrity of the contents of the Tender.
- 7.2.3 The University will evaluate the proposals with reference to the University's set and approved evaluation criteria as indicated in these Tender Documents.

### 8 EVALUATION CRITERIA

#### 8.1 **Stage 1: Pre-qualification Stage (Procurement Mandatory Criteria & Functionality Criteria)**

- 8.1.1 The University has a defined minimum pre-qualification listed in the table under section 1.5 that must be met by the Tenderer in order for the University to accept the Tender Submission for evaluation.
- 8.1.2 The pre-qualification evaluation will be carried out by the University's tender evaluation committee members to determine which Tender Submissions are compliant or non-compliant with the requirements issued by the University as part of this tender process.
- 8.1.3 Where there is failure to comply with the pre-qualification criteria as set out in section 1.5 or the University is for any reason unable to verify whether the pre-qualification criteria are fully complied with, the University may disqualify the Tender Submission;
- 8.1.4 Tenderers that do not meet the pre-qualification criteria may not advance to the next stage of evaluation.
- 8.1.5 Please note that no points are allocated at this stage.
- 8.1.6 **Note:** Documents submitted in support of this Tender must be documents of the Tenderer's entity. It is not permitted that documents submitted pertain to different companies or business units within a group.

## 8.2 **Stage 2: Functional including Technical Evaluation**

8.2.1 In this stage, the Tenderer must get a minimum of **70%**, in order to move on to the next stage of evaluation.

8.2.2 The evaluation of the Functionality Criteria of the Tender Submission will be based on the following criteria:

No.	Criteria	Proof and Documents Required	Weight
1.	Track record / Experience:	<p>1.1 The Tenderer must provide a detailed company profile, stipulating the number of years rendering similar services.</p> <p>1.2 Current and relevant business activities of similar projects, practical experience, and knowledge. List of drilling projects completed in the last 5 to 10 years detailing the length of the project, the company worked for, total meters drilled and the average depth of boreholes (if available). One reference check is to be validated and checked for applicability.</p> <p><b>Provide this information in Schedule 5A</b></p>	10%
2.	Full Technical Specifications	<p>2.1 Full technical specifications of drill rig including make, model, year of manufacture and year of acquisition if different from year of manufacture or when it was refurbished. The maximum depth capacity of the drill rig for safely drilling HQ and NQ sized drill core must be included as well as the pull-back capacity. The rig should be refurbished/manufactured within the last five to seven years.</p> <p>2.2 Details of proposed drilling fluid and sump system.</p> <p>2.3 Specifications of drill rods and bottom hole assemblies to be used.</p> <p>2.4 Specifications of proposed directional survey equipment plus the procedure for the use of the equipment - Review maximum dogleg severity for the downhole equipment.</p> <p><b>Provide this information in Schedule 5B</b></p>	30%
3.	Comprehensive Project Plan	<p>3.1 Project schedule including expected mobilization and completion dates, number of shifts per month, length of shift and projected production rates (meters/shift). Both project plans (single and double shifts) will be assessed for acceptability and completeness.</p> <p>3.2 Method statement detailing the proposed method of constructing the borehole.</p> <p><b>Provide this information in Schedule 5C</b></p>	10%
4.	Staff Capacity and Experience	<p>4.1 Current summarized CV's and qualifications of key management, operational and supervisory staff including their years of experience in their respective role (on-site).</p> <p>4.2 Organogram of the on-site project team including the role and responsibilities plus legal appointments according to the MHSA. Individuals fulfilling the roles should be identified.</p> <p><b>Provide this information in Schedule 5D</b></p>	20%
5.	Safety - General	<p>5.1 Companies Health and Safety Policy</p> <p>5.2 Baseline Risk Assessment of a current or previous project. Risk assessment to identify all risks identified during drilling operations and how to mitigate these risks.</p> <p>5.3 Two examples of a past accident or incident investigation reports which have occurred within the last 12 months. Make sure that the project</p>	10%

		name and client details remain anonymous.  5.4 Example of a Pre-start checklist  <b>Provide this information in Schedule 5E</b>	
6.	Technical safety requirements (photographs numbered below)	6.1 Supply photographs according to Schedule 4 (photos 1 to 13)  6.2 Standard Operating Procedures (SOPs)  6.3 Review the specifications supplied for the main hoist rope (hydraulic long stroke) or the wire ropes/chains securing the rotation head for a top drive drill rig (photo 11)  6.4 Review the specifications supplied for the wireline rope (Photos 12 and 13) 6.5 Review make-up and break-out procedure for the drill rods (photo 10) 6.6 Review ergonomics of drillers control panel and emergency stops (photos 5 to 9)  <b>Provide this information in Schedule 5F</b>	18%
7.	Community Project	7.1 Supply an example of a social and/or community support programme the company is involved with presently. A summary of the project with the positive outcomes highlighted.  <b>Provide this information in Schedule 5G</b>	2%
	<b>Total</b>		<b>100%</b>
	<b>Threshold</b>		<b>70%</b>

### 8.3 Stage 3: Presentation.

8.3.1 This phase of assessment is the third stage in the evaluation process and only successful Tenders that have met the minimum requirements in the technical/functionality stage will be considered.

#### 8.3.2 Presentations:

8.3.2.1 The University may require short-listed Tenderers to make presentations to the University evaluation team on the date and at the place in section 2.1.

8.3.2.2 Presentations are designed to allow Tenderers to present their solution and various aspects as identified by the University. A question-and-answer session is part of the presentation phase. A threshold of **70%** will apply to the presentation phase. Client Site visits may be required as part of the process.

### 8.4 Stage 4: Price, Preference (B-BBEE) Evaluation and where applicable Consideration of Previous Stages

8.4.1 Tenderers who scored a minimum of **70%** in stage 3 will be considered for stage 4 (final stage).

8.4.2 In this final stage, the criteria elements below will be considered. Therefore, a Tenderer's Tender Submission will be evaluated based on the weightings set out below:

Price and B-BBEE and Consideration of Previous Stages	Documents Required	Weighting %
Price	Annexure C: Pricing to be completed	65%
B-BBEE	Please submit a current, valid B-BBEE certificate issued by a SANAS accredited verification agency unless the Tenderer is an exempted micro enterprise (EME) or a qualifying small enterprise (QSE), in which case the Tenderer may submit a sworn affidavit in accordance with the B-BBEE Act: Codes of Good Practice published in Government Gazette No. 36928.	20%
Functionality/Presentation (if applicable)		15%
<b>Total</b>		<b>100%</b>



#### 8.4.3 B-BBEE Score Card

B-BBEE Status Level Contributor	Number of Points (20% B-BBEE)
Level 1 contributor	20
Level 2 contributor	18
Level 3 contributor	14
Level 4 contributor	12
Level 5 contributor	8
Level 6 contributor	6
Level 7 contributor	4
Level 8 contributor	2
Non-Compliant contributor	0

**Note:** Non-compliant contributors or failure to provide certification substantiating the B-BBEE status level of contribution will result in the Tenderer being awarded zero (0) points for the preference point system.

#### 8.5 Price Points Calculation

A maximum of 65= X points is allocated for price on the following basis:

$$PS = X \left\{ 1 - \frac{Pt - Pmin}{Pmin} \right\}$$

Where:

Ps = Points scored for the comparative price of Tender Submission under consideration;

X = Ratio allocated to pricing for scoring purposes;

Pt = Comparative price of the Tender Submission under consideration; and

Pmin = Comparative price of the lowest acceptable Tender Submission.

#### 8.6 Other Information

8.6.1 All Tenderers will be formally notified (successful or not) after the evaluation process has been completed, and are requested not to contact the University in this regard.

8.6.2 The detailed evaluation results and Tenderer ratings will not be published or made available to anyone.

### PART D: SCOPE OF WORK

#### 9 SCOPE OF WORK

9.1 The detailed scope of work is attached to the Tender Documents and marked as Annexure A: Scope of Work.

9.2 Tenderers must carefully review Annexure A: Scope of Work and confirm their ability to meet all the requirements outlined therein before submitting a Tender Submission.

9.3 The University strictly prohibits any material variation to Annexure A: Scope of Work. This prohibition encompasses but is not limited to changes in the products, services, and service levels specified in the scope of work. Any Tender Submission that deviates materially from the requirements stated in Annexure A will not be accepted by the University.

9.4 Tenderers explicitly and unequivocally confirm that the pricing submitted encompasses all activities outlined within Annexure A: Scope of Work, and includes any associated costs, materials, and services required for the successful completion of the Contract. The Tenderer acknowledges and agrees that the pricing provided is comprehensive and accounts for all foreseeable expenses related to the specified activities. Any additional costs incurred due to incomplete or inaccurate pricing will be the sole responsibility of the Tenderer, and no claims for reimbursement will be entertained by the University.

### PART E: RETURNABLE SCHEDULES & DOCUMENTS

#### 10 THE SUBMISSION OF RETURNABLE SCHEDULES & DOCUMENTS

10.1 The Tender Submission will be evaluated based on the information submitted as instructed through the



returnable schedules and documents.

- 10.2 The Tenderer's Tender Submission must be composed according to, and in the sequence as set out in Annexure B: Returnable Schedules and Documents. Additional instructions are contained under the applicable sections per Annexure B: Returnable Schedules and Documents.
- 10.3 Tenderers must complete the returnable schedules in type-written format and submit them in PDF and/or Excel-compatible (.xls) format (where indicated).
- 10.4 Tenderers must ensure that all returnable schedules, documents, and certificates are legible, current, legally compliant and valid.

## PART F: PRICING

### 11 PRICING INSTRUCTIONS

- 11.1 The pricing that the Tenderer submits will be considered the Tenderer's final pricing which will be included in the Contract. The Excel spreadsheet is Annexure C: Pricing must be used to submit the applicable pricing as indicated in these Tender Documents.
- 11.2 Tenderers must show their pricing information using the pricing template contained in Annexure C: Pricing and ensure that their pricing addresses the full scope of work.
- 11.3 Pricing must be submitted in editable and printable softcopy in both the original Excel compatible (.xls) and .pdf formats.
- 11.4 Tenderers must carefully consider the provisions as set out in sections 11.5 and **Error! Reference source not found.** when providing provisions.
- 11.5 **Annual Escalation Adjustments:**
  - 11.5.1 The prices for the goods and/or services specified in Annexure A: Scope of Work will remain unchanged for the first 12 (twelve) months of the Contract. Thereafter, such amounts may be adjusted provided that the relevant supporting documentation is supplied in accordance with CPI on the first and each subsequent annual anniversary of the effective date (the successful service provider is required to give 1 (one) month's prior written notice of such adjustment). The prices for the goods and/or services must include VAT, all other taxes (insofar as they are applicable) and insurance as required. The University will consider whether an increase is applicable or not, and if an increase is applicable then it will be capped at CPI.  
**Note:** CPI means the average annual rate of change (expressed as a percentage) in the Consumer Price Index for all metropolitan areas as published by Statistics South Africa (or such other index reflecting the official rate of inflation in the Republic of South Africa as may replace it), which annual change shall be determined by comparing the most recently published index with the average index published over the 12 (twelve) months preceding the anniversary of the start date of the awarded Contract, and applying the lower of the 2 (two) compared indices.
- 11.6 **Cost Savings:**
  - 11.6.1 The University expects the Tenderer to be an active partner in generating ideas to reduce costs beyond only price reductions. Alternative cost reduction methods must be included in a separate spreadsheet in Annexure C: Pricing.

## PART G: INSURANCE

### 12 INSURANCE REQUIREMENTS

- 12.1 A Tenderer must demonstrate that it has adequate insurance cover to meet the minimum requirements as set out in the Scope of Work or obtain a letter of confirmation from its insurers indicating that the Tenderer will qualify for adequate insurance cover to satisfy the minimum requirements, or they need to agree to have insurance in place and not add any additional cost by stating in the tender document with tick boxes in the returnable schedule. The Tenderer will have to establish its standard company insurance (please refer to Annexure B: Returnable Schedules and Documents) and details of:
  - 12.1.1 public liability (value of R15 million to R20 million); and/or
  - 12.1.2 insurance covering its liability to any employees, its agents or representatives as contemplated in the Compensation for Occupational Injuries and Diseases Act, 130 of 1993; and/or

- 12.1.3 general insurance which includes but is not limited to motor vehicle, defective workmanship, products and equipment liability, environmental impairment, bodily injury and death, and property damage (including but not limited to structural damage) (value of R5 million to R10 million).
- 12.2 Tenderers agree that should it be awarded as a successful service provider that it shall at all times maintain insurance coverage satisfactory to the University's insurance brokers. Proof of payment of premium for the respective policy shall be furnished annually to the University in the event the Tenderer is the successful service provider. This should not have an impact on the Tenderer's submitted pricing.

## PART H: THE CONTRACT

### 13 THE CONTRACT

- 13.1 Tenderers must please take note of the following important contractual terms:

Indicative Contract Dates:	The target date is from September 2023
Indicative Contract Duration:	12 (Twelve) months
Classification and Type of Contract:	Minor Works Contract

- 13.2 Any award made as a result of this Tender process will be governed by the regents of the Contract.
- 13.3 In the event that a Contract has been included in the Tender Documents (see Annexure D: Draft Contract) and if a Tenderer takes exception or wishes to propose a deviation to any term or condition in the Contract, it must be done clearly and conspicuously by referencing the specific clause number or the term or condition and by describing the exception or deviation in Annexure B under the Contract Deviation Schedule. If a Tenderer does not clearly and conspicuously take an exception or propose a deviation to a specific term or condition, the Tenderer shall be bound by such term or condition in the event the award is made to it. The University reserves the right to in each instance:
- 13.3.1 Accept the deviations or exceptions; or
- 13.3.2 Negotiate the deviations or exceptions; or
- 13.3.3 Reject a proposal with deviations or exceptions deemed unacceptable by the University at its option and in the exercise of its sole discretion.
- 13.4 The rejection or amendment by the Tenderer of any terms and conditions contained in the Contract may increase the risk to the University and will thus be taken into consideration when assessing the Tenderer's Tender Submission.
- 13.5 Tenderers should not provide or include their contract, service level agreement or '*reserve the right to negotiate if the Tenderer is selected as the preferred service provider*' statement (the University will not consider this type of documentation). Tenderers must ensure that they follow the protocol as set out in section 13.3.
- 13.6 The Tender awarded will be conditional and subject to successful negotiations and the signing of a written contract, failing which the University reserves the right to withdraw the Tender and to award another Tenderer without the need to repeat the same Tender process.
- 13.7 Should final contract negotiations with the preferred Tenderer not be concluded within 4 (four) weeks of the tender award or the preferred Tenderer takes exception to certain terms in the Contract that the parties cannot agree to, the University reserves the right to cancel the award and select an alternative Tenderer.