

# TSHWANE RAPID TRANSIT (PTY) LTD ("TRT")

BID NO: TRT03/24 APPOINTMENT OF A TECHNICAL EXPERT
TENDER FOR THE APPOINTMENT OF A TECHNICAL EXPERT ON AS AND WHEN REQUIRED BASIS.
TENDER ISSUE DATE: 28 FEBRUARY 2024
NAME OF BIDDER:
Prepared by:
Tshwane Rapid Transit (Pty) Ltd 177 Dyer Road, Hillcrest Office Park, Barbet House (ground floor) Pretoria Tel: (012) 323 1754
BID CLOSES 05 APRIL 2024

# **DEPARTMENT: OPERATIONS**

# BIDS ARE HEREBY INVITED FROM SUPPLIERS FOR THE FOLLOWING BIDs:

Bid No.	Description	Contact Person	Closing Date
TRT03\24 BRT	Appointment of technical expert	NJABULO SIBIYA	05 April 2025

Duly completed bids and supporting documents must be deposited in the bid box situated at 177 Dyer Road, Hillcrest Office Park, Barbet House (ground floor) Pretoria not later than 05 April 2024

Enquiries: procurement@tshwanetransit.net

Any communiqué and queries should be forwarded in writing on the above emails.

Bids received after the closing date and time will not be considered. Tshwane Rapid Transit does not bind itself to accept the lowest or any other bid in whole or in part.

#### **DISCLAIMER**

TRT has prepared this information document to provide an opportunity to parties interested in submitting bid proposals.

While TRT has taken due care in preparation of information contained herein, neither TRT, its employees or advisors give any warranty or makes any representations, express or implied, as to the completeness for purposes or accuracy of the information contained in this document or any information which may be provided in connection therewith.

The information contained herein is not intended to be exhaustive. Interested parties are required to make their own enquiries and bidders must confirm in writing that they have done so and that they do not rely on the information provided in the bid in submitting their response.

The information is provided on the basis that it is non-binding on TRT its employees or advisors providing assistance with regard to the bid. TRT reserves the right not to proceed with the Bid as well as the right not to discuss the Bid further with any Bidder.

No reimbursement of costs or expenses of any type whatsoever will be paid to bidders, any other persons, or entities expressing interest in the bid for purposes of submitting a response to this bid. Accordingly, no bidders shall have a claim against TRT, its employees or advisors in relation to any matter relating to this bid whether or not the circumstances arising as a result of such claim is based on any act or omission by TRT its employees or advisors.

#### 1.BACKGROUND

TRT is planning to appoint a seasoned and accredited (with relevant industry body) or registered independent bus technical expert to undertake technical inspections to ensure that all buses to be operated on the BOCA:

- meet legislative requirements.
- comply with the vehicle specifications and quality standards detailed in the BOCA;
- comply with the relevant Universal Access Design Guidelines issued by the Department of Transport incorporating all aids for people with physical disabilities; and
- comply with any other bus design and vehicle safety requirements not listed above.

It will be expected of the appointed Professional Service Provider (PSP) to:

- first assess the condition of TRT's 114 low-floor BRT buses (those operated as well as those parked) to establish and quantify the extent of repairs to be undertaken to ensure that buses meet legislative requirements and comply with BOCA vehicle specifications. Buses that are parked (i.e. that are not in operation) must be inspected first;
- following the assessment of the 114 low-floor BRT buses, assess the condition of the 19 high-floor commuter buses that will be operated to establish the extent of repairs to be undertaken to ensure that buses meet legislative requirements and comply with BOCA vehicle specifications;
- prepare a programme for repairs to be undertaken on the BRT and commuter buses to ensure that all buses required are fully BOCA compliant by no later than 31 May 2024;
- document all findings and recommendations in report format;
- assist TRT and the City to (i) prepare the necessary Terms of Reference for Service Providers to either tender for or submit quotations to undertake the necessary bus repairs, (ii) evaluate the quotations or bids received and (iii) make recommendations on the preferred bidder(s);
- undertake follow-up inspections to verify that the necessary repairs were undertaken and that it meets the required standards; and
- prepare and submit a Close-out Report once all repairs have been finalised.

#### 2. PURPOSE OF DOCUMENT

TRT intends to appoint a PSP who is reputable, seasoned, and accredited (with relevant industry body) or registered independent bus technical expert to carry out technical inspections on 114 low-floor BRT buses and 19 high-floor commuter buses that will be operated by TRT to:

 ensure that the vehicles meet legislative and other gazetted vehicle requirements and guidelines and comply with the vehicle specifications and standards detailed in the 12-year BOCA; and identify the need for bus repairs to operationalise buses and implement the BOCA.

This document outlines the Scope of Work for the inspections that are to be undertaken by the appointed PSP.

#### 3. SCOPE OF WORK

The Scope of Work encompasses 3 tasks which are required as deliverables. The tasks are the following:

- Task 1: Inception;
- Task 2: Carrying out of technical bus inspections; and
- Task 3: Reporting

The tasks are described below.

# 3.1 Inception

Immediately after appointment, TRT will arrange an Inception meeting with the PSP and the City to confirm the Scope of Work, the deliverables, the inspection arrangements, the timeframe, and the final fee structure. The meeting will further establish the following:

- the facilities that will be made available for the PSP to undertake the inspections;
- the details of the vehicles that are to be inspected;
- the individuals in TRT and the City with whom the PSP will liaise with as well as their contact details;
- the timeframe:
- the fee proposal;
- the level of confidentiality required;
- the allocation of responsibilities between TRT (the client), the PSP and any other parties that may be involved; and
- foreseeable risks and how they can be mitigated.

The PSP is to provide TRT and the City with a proposed inspection strategy detailing the work to be undertaken, the risks posed and how they will be mitigated, an inspection program and final budget proposal within 5 working days following the Inception Meeting. The PSP will only be allowed to proceed with the bus technical inspections once the City approves the submission.

Should it become apparent during the assignment that the Scope of Work has changed such that the original engagement mandate is no longer adequate, new terms of engagement will be agreed upon and reduced to writing.

# 3.2 Carrying out of Technical Inspections

# (a) Inspection Facility

The City's IRPTN Division will make the necessary arrangements for the inspections to be carried out at the City's Licensing Department as well as to avail staff to test the brakes using the Licensing Department's vehicle testing equipment. TRT will avail shunter drivers to move buses to and from the inspection pits. The PSP undertaking the inspections must comply with the Occupational Health and Safety Act No. 85 of 1993 requirements and protocols of the Licensing Department's vehicle testing facilities. As such, all relevant and appropriate safety precautions will be the responsibility of the PSP.

# (b) Approach

A vehicle is to be inspected and determinations made about the pass or fail outcome of the inspection based on the condition of the vehicle <u>at the time of inspection</u>. The inspection is not intended to ensure that a vehicle remains in a safe condition for any period after the inspection.

All 114 low-floor BRT and 19 high-floor commuter buses must undergo a first round of thorough technical inspections. It is a requirement that the BRT buses be inspected first.

The main objectives of the inspections are to:

- assess compliance with the Compulsory Specification for Motor vehicles of Category M1/M2 as published in Government Gazette No. 27947 as per Government Notice No. R855 dated 2 September 2005 (the Notice), including:
  - The various SABS requirements highlighted in the Notice;
  - The National Road Traffic Act (Act No. 93 of 1996) and Regulations issued thereunder; and
  - Other Government Notices mentioned in the Notice.
- assess compliance with the vehicle specifications and quality standards detailed in the BOCA;
- assess compliance with the relevant Universal Access Design Guidelines issued by the Department of Transport incorporating all aids for people with physical disabilities;
- assess compliance with any other bus design and vehicle safety requirements not listed above;

- determine and quantify the extent of repairs to be undertaken with respect to the BRT and commuter buses to ensure that buses meet legislative requirements and comply with BOCA vehicle specifications; and
- develop a programme for repairs to be undertaken on the BRT and commuter buses to ensure that all vehicles are fully compliant by no later than 30 April 2024.

The BOCA specifications and standards for BRT and commuter buses are attached as Annexures 1 and 2 to these Terms of Reference.

The inspections are to cover all technical aspects of a vehicle such as but not limited to the following:

- Power Train;
- Suspension;
- Brake Systems;
- Steering;
- Instruments and Auxiliary Equipment;
- Lamps;
- Electrical System;
- · Coupling System;
- Body; and
- Tyres.

In terms of the 12-year BOCA to be entered into with the City, the City will have the right to carry out general and technical bus inspections at any stage. Copies of the standards that will be applicable and the vehicle inspection form that the City intends to use in carrying out the inspections, are attached as Annexures 3 and 4 to these Terms of Reference. The standards and form were gazetted by the National Department of Transport. It will be expected of the PSP to apply the gazetted standards. It will however not be expected of the PSP to use the inspection form as the form may not be exhaustive. However, the PSP is to ensure that all aspects detailed on the form are inspected and reported on.

It will be expected of the appointed PSP to undertake a second round of inspections to confirm that the necessary repairs identified in the first round, were undertaken and that the work is of an acceptable standard. Bidders are to note that buses are under no circumstances to be "signed-off" as fully compliant if all repairs have not been attended to or if the work undertaken does not meet the required standards.

# (c) Development of Terms of Reference for Bus Repairs and Evaluation of Bids or Quotations

The appointed PSP is to assist TRT and the City to prepare the necessary Terms of Reference for Service Providers to either tender for or submit quotations to undertake bus repairs, evaluate the quotations or bids received and make recommendations on the preferred bidder(s).

# (d) Vehicles to be inspected

A detailed vehicle fleet list with information on all vehicles to be inspected will be made available by TRT on appointment of the PSP.

# 3.3 Reporting

Upon completion of the work, the PSP must provide TRT and the City with a detailed Technical Report that covers the following:

- the approved approach that was followed in carrying out the inspections;
- definitions of various terms used in the report to support consistent interpretation e.g., "loose", "damaged", "missing", "reject if", etc.
- a categorization of fluid/liquid leaks with respect to the level of severity of the leak;
- measurements and tolerances applied; and
- the findings/results for each vehicle inspected, the extent of repairs required on each vehicle as well as a programme to ensure that the repairs are undertaken by the timelines detailed in paragraph 3.2(b).

The Technical Report must be submitted in both hard and soft copy (Microsoft Word as well as PDF formats). The original source data (hard copies of the completed inspection form for each vehicle inspected) must accompany the Report. The same approach should also be followed with respect to the submission of the Close-out Report.

## 4. TIMEFRAME

It will be expected of the PSP to carry out the inspections and issue a detailed Technical Report within 6 weeks of appointment. A Close-out report must be submitted within a week of having finalised the second round of inspections.

#### 5. DELIVERABLES

The following deliverables will be expected from the PSP:

- Attend and participate in project management and technical meetings;
- Carry out a first round of technical bus inspections as detailed in these Terms of Reference;
- Submit findings, recommendations and a proposed bus repair program in a detailed Technical Report as per paragraph 3.3;

- Assist TRT and the City to prepare the necessary Terms of Reference for Service Providers
  to either tender for or submit quotations to undertake the necessary bus repairs, evaluate
  the quotations or bids received and make recommendations on the preferred bidder(s);
- Undertake a second round of technical inspections to confirm that the necessary repairs were undertaken and that the work meets the required standards; and
- Prepare and submit a Close-out report.

# 6. MANDATORY REQUIREMENTS

The appointed PSP must be a seasoned and accredited (with relevant industry body) or registered independent bus technical expert with a minimum of 10 years' proven, verifiable experience in the field. The expert must be a qualified Red-Seal Diesel Mechanic. Qualification as an Auto-Electrician as well as knowledge of bus bodywork would be preferable

If additional capacity is required to undertake the work within the timeframes set by the City, the appointed PSP will be allowed to appoint an assistant(s) provided that the person(s) also meets the above mandatory requirements. In the event that the proposed assistant(s) does not meet the requirements, the bidder's proposal will be rejected (not considered).

#### Bidders must submit the following:

- A Statement of Methodology that describes how the bidder intends to render the bus inspection services as per the TOR stipulated;
- Detailed Curricula Vitae (CV's) with references of all individuals that will be carrying out the bus inspections as well as certified copies of their qualifications; and
- Signed reference letters not older than 3 years with contactable references for each bus inspection project successfully completed.

# 7. EVALUATION CRITERIA

Bidders responses will be evaluated based on compliance with the listed mandatory requirements. A bidder's proposal may be disqualified for non-compliance.

An 80/20 weighting system will apply in evaluating bids, *i.e.* 80% for functionality and 20% for price.

For functionality, a minimum of 75 points out of 100 must be obtained for a bidder's proposal to be further considered. Only bidders who score 75 points and above will be evaluated further. The evaluation criteria are detailed in Table 1 below.

**Table 1: Evaluation Criteria** 

Quality criteria	Sub-criteria	Scale	Maximum number of points
Methodology and Technical approach	Excellent	40	40
(Statement of Methodology)	Good	20	
	Satisfactory	10	
	Poor	0	

**Table 1: Evaluation Criteria (continue)** 

Quality criteria	Sub-criteria	Scale	Maximum number of points
Experience in Bus Inspections     Bus Inspections projects/work done previously.	5 or more projects completed	20	20
Submit signed reference letters not older than 3 years with contactable references	4 or more projects completed	10	
for each project successfully completed.  NB: Failure to submit valid reference letters with respect to the successful execution of bus technical inspections will result in the bidder obtaining 0 points.	3 projects or less completed	5	
Qualification and experience of bus technical expert (attach CV and certified copies of qualifications)  Minimum requirements:  Qualification as a Red-Seal Diesel	Seasoned and accredited (with relevant industry body) or registered independent bus technical expert with required qualification and more than 20 years' experience in bus technical inspections	20	20
Mechanic with at least 10 years' proven, verifiable experience	Seasoned and accredited (with relevant industry body) or registered independent bus technical expert with required qualification and more than 15 years' experience in bus technical inspections	10	
	Seasoned and accredited (with relevant industry body) or registered independent bus technical expert with required qualification and more than 10 years' experience in bus technical inspections	5	
Maximum possible score for functionality			80
Price criteria	Sub-criteria	Scale	Maximum number of points
Ranking of pricing	Most affordable (lowest price) 2 <sup>nd</sup> most affordable Least affordable (highest price)	20 10 5	20

# 3. LODGING OF PROPOSALS

- 3.1. The bid proposals shall be lodged with TRT by no later than 11:00am on 05 April 2024
- 3.2. Proposals shall be delivered in a sealed envelope in a bid box marked "RFP REFERENCE: TRT03/24 appointment of Technical expert

# 177 Dyer Road, Hillcrest Office Park, Barbet House (ground floor) Pretoria

3.3. Late submissions shall not be considered for evaluation.

#### 4. CLARIFICATIONS/QUERIES

All queries and communications from bidders in relation to this RFP shall be directed to Njabulo Sibiya, as the single point of contact on this email address **procurement@tshwanetransit.net** Prior to the RFP closing date, all questions and answers arising from clarifications will be transmitted or distributed to all bidders simultaneously, provided the bidder's questions reach TRT timeously within the stipulated cut-off time.

The reference number should be mentioned in all correspondence. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all bidders by e-mail only. TRT will respond to clarification questions up to 3 (three) days before the closing date.

## 5. SUBMITTING BID DOCUMENTS

- 5.1. The submission of the bid documents must be strictly in accordance with these instructions:
  - 5.1.1. 4 (four) X original copies of the complete submission including all attachments.

    The hard copies must be clearly marked and bound and placed in separately sealed envelopes or package prior to packing together.

- 5.1.2. It is further important to note that once submitted, the bidder's submissions shall be fully binding upon the bidders. Failure by the bidders to satisfactorily investigate the conditions and requirements fully shall not relieve the bidders from the responsibility of properly estimating the complexity or the cost of performing the scope of work, in the event of being awarded the contract.
- 5.1.3. The successful bidder may be required to work with our appointed consultant (s) / Vendors (s) in the performance of required deliverables as per scope of work.
- 5.1.4. Bids received after the closing date and time may be disqualified, with or without notice to the tendering party.
- 5.1.5. Modifications to the bid document will be made in the form of an addendum to the bid document and will be transmitted simultaneously to all tendering parties.
- 5.1.6. A technical proposal including:
  - 5.1.6.1. Information on and motivation for the bidder, setting out his or her personal, and his or her firm's suitability for the assignment.
  - 5.1.6.2. Relevant skills and experience for each relevant experience cited, outline the precise role the bidder played, the role of the firm, contract duration and contract value.
- 5.1.7. The BBBEE proposal, setting out:
  - 5.1.7.1. The number and percentage of black professionals playing leading roles in the bidder.
  - 5.1.7.2. The percentage of black equity in the consortium.
  - 5.1.7.3. Demonstrated understanding of skill and experience within the Team on concluding effective black participation in similar projects; and
  - 5.1.7.4. Skills transfer plan within the company, consortium or joint venture to directly benefit black people.
- 5.1.8. The Price proposal setting out:
  - 5.1.8.1. The cost per item and applicable discounts.

5.1.8.2. The proposals must include all costs and be fixed for 12 months, as TRT shall not accept any increase in the agreed rates once the proposal has been accepted. The pricing structure must be clearly stipulated.

#### 6. ELIGIBILITY OF BIDDERS

- 6.1. A bidder, and all parties constituting the bidder, shall meet the following criteria to be eligible to participate in the bid:
  - 6.1.1. The bidder has the legal capacity to enter into a contract;
  - 6.1.2. The bidder is not:
    - 6.1.2.1. Insolvent;
    - 6.1.2.2. Bankrupt;
    - 6.1.2.3. Being wound up or liquidated;
    - 6.1.2.4. Dormant or its business activities have not been suspended;
    - 6.1.2.5. The subject of legal proceeding for any of the following:
      - 6.1.2.5.1. Circumstance in paragraph 6.1.2 above; and 6.1.2.5.2. The bidder has fulfilled its tax obligations.
- 6.2. A bidder shall be a natural person, juristic person, or any combination of them with the intent to enter into an agreement or under an existing agreement in the form of a joint venture, consortium or association. In the case of a joint venture, consortium or association all parties shall be jointly and severally liable.
- 6.3. Only authorised signatories may sign the original and all copies of the bid document where required.
- 6.4. In the case of a natural person submitting a bid, this shall be clearly stated.
- 6.5. In the case of a company submitting a bid, the bidder shall include a copy of a resolution by its board of directors authorising a director to sign on behalf of the company, in the case of a close corporation a resolution of its members authorising a member of the corporation to sign on behalf of the close corporation, in the case of a joint venture a resolution of each member of the joint venture, in the case of a partnership all the members shall sign the bid unless one partner has been authorised to sign.

- 6.6. Failure to submit proof of authorisation to sign the bid shall result in the bid offer being regarded as non-responsive.
- 6.7. The bid offer shall be valid for a period of 180 days after submission of the bid documents to TRT. The price shall be valid for 12 months. If the bid validity period expires on a Saturday, Sunday or public holiday, the bid offer shall remain valid and open for acceptance until closure of business on the following working day.
- 6.8. The bidder shall not make any attempt either directly or indirectly to canvass any of the TRT employees or advisors, after the submission of the bid proposal and prior to TRT arriving at a decision thereon.
- 6.9. Shortlisted bidders may be required to make formal presentations to the relevant TRT bid evaluation committee.
- 6.10. Formal notifications will be sent to the shortlisted bidders notifying them regarding the date, time and venue the various presentations are to be made.
- 6.11. Bidders are advised that presentations should only cover aspects pertaining to the Scope of Works and TRT will disregard any aspects of the presentations that are not related to the Scope of Works.

#### 7. DEFAULTS BY BIDDERS

- 7.1. If the bidder, after he has been notified of the acceptance of his proposal:
  - 7.1.1. Fails to enter into a formal agreement when called upon to do so within such period as TRT may specify;
  - 7.1.2. Fails to accept an order in terms of the proposal;
  - 7.1.3. When called upon to do so, fails to furnish satisfactory security of the fulfilment of the contract, where applicable;
  - 7.1.4. Withdraws such proposal after the advertised date and hour for the receipt of bids;
  - 7.1.5. After signing the formal contract resulting from the proposal, fails to perform or has breached any condition of such contract.
  - 7.1.6. Has offered, promised or given a bribe in relation to the obtaining or the execution of such contract.

7.1.7. Has acted in a fraudulent or improper manner or in bad faith towards TRT, or any Government Department or towards any public body, company, or person in respect of any contract flowing from its proposal.

TRT may, in any such case, without prejudice to any other legal remedy which it may have, proceed to accept any other proposal that may have been shortlisted or, if it is necessary to do so, call for fresh proposals, and may recover from the defaulting bidder any additional expense incurred by it in calling for new offers or in accepting a lower offer.

7.2. Any disqualification imposed upon any person or enterprise, unless TRT determines otherwise, shall apply to any other enterprise under the same or different names of disqualified persons or enterprise, or firm or associates and shall for avoidance of doubt also be applied to any agent or employee in a fiduciary position.

#### 8. BID PRICE AND CURRENCY

8.1. All prices must be quoted in the currency of the Republic of South Africa unless otherwise specified.

#### 9. PAYMENTS

- 9.1. TRT will pay the successful Bidder the fees as set out in the final contract concluded in respect of the Bid. No additional amounts will be payable by TRT to the Bidder.
- 9.2. The successful Bidder shall from time to time during the contract period invoice TRT for the services rendered or goods supplied. No payment will be made unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to TRT.
- 9.3. Payment shall be made to the successful Bidder's bank account 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this Bid is awarded).
- 9.4. The contractor shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other moneys required to be paid in terms of any applicable law.
- 9.5 The Price must be in South African Rands, and they will be no deposit paid.

#### **10. PENALTIES**

12.1. Penalties for non-performance will be levied in terms of the training agreement to be concluded between the bidder and TRT. The bidder understands that TRT will levy penalties to recover costs and/or damages incurred as a result of such nonperformance.

# 11. CONFIDENTIALITY

- 11.1. The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
- 11.2. All bidders are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding TRT or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation, or products to other clients without written approval of the accounting officer or the delegate.

# **ANNEXURE "A"**

# **CHECKLIST FOR DOCUMENTS TO BE SUBMITTED**

# Please tick in the relevant block below

YES	NO
	Covering letter signed by a duly authorized representative of the Bidder.
	One original Bid document with four copies (clearly marked as original and copy 1 of 2, etc)
	A Company profile.
	Original and Valid Tax Clearance certificate.
	Certified copies of all share certificates (i.e. copy with original stamp), in case of a company.
	Shareholding breakdown per race, gender, and percentage shareholding with shareholders of the Bidding Company who are not individuals.
	List of references of past and present clients (Company name, department, branch, contact person with office telephone number)
	BBBEE rating certificate issued by a SANAS Accredited BBBEE verification agency or declarations
	Resolution authorising the signatory to the proposal to sign and submit the proposal on the Bidder's behalf
	In the case of private companies, identification documents (Bar Coded Green ID Book, ID cards or Passport) of each director of the Company

The same documents must be submitted for all other companies that are involved in the Bidding in case of a consortium or a joint venture.

# Bidders to ensure that the following information is provided:

YES	NO	
	Completed Bid Form.	
	Technical Submission / Proposal	
	Price Proposal (with detailed breakdown)	
Kindly take	e note that:	
Should all	of the abovementioned documents not be include	ed, the Bidder may be disqualified on
the basis o	of non-compliance.	
Signed		Name in print
Date		Capacity