



**KWAZULU-NATAL PROVINCE**

TRANSPORT  
REPUBLIC OF SOUTH AFRICA

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**SCM**

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**MINUTES OF NON-COMPULSORY CLARIFICATION MEETING**

**MINUTES OF NON-COMPULSORY CLARIFICATION MEETING FOR TENDER NO. ZNB00159/00000/00/HOD/INF/20/T: THE CONSTRUCTION OF BLOUKRANS RIVER BRIDGE No. 2590 ON DISTRICT ROAD 489 (D489) AT KM 3.926 IN THE LADYSMITH REGION**

**Date:** 19 September 2022

**Time:** 10h00

**Venue:** Virtual Briefing via Teams

**1. Opening and Welcome: Mrs Maria Dewar (DOT SCM)**

**2. Introduction of Members Present:**

- Ms. Maria Dewar – Chairperson (MD)
- Ms. N. Duma – Project Manager (ND)
- Mr. Divesh Ramjee – Nankhoo Consulting Engineers (DR)
- Ms. Bavika Budhoo – Nankhoo Consulting Engineers (BB)

**3. Tender / Administration Presentation: Mrs Maria Dewar**

- Bidders were given until 10h00 am to join the non-compulsory virtual briefing session.
- MD had noted to everyone present that the meeting was being recorded for minute purposes.
- MD has stated that this is a non-compulsory virtual clarification meeting, and your attendance has no influence on the evaluation or the issuing of minutes, which will not be sent to each attendee separately but will be published on the Kwazulu Natal Department of Transport's website.
- Administrative or procedural queries can be addressed by Mr. Sandile Nkala. You will find his contact details on the tender document on page T5.
- Technical queries are to be addressed by Mr. D. Anthony / Mr. D. Ramjee. You will find their contact details on the bid document on page T5.
- MD welcomed everyone to the tender clarification meeting for ZNB00159/00000/00/HOD/INF/20/T: The Construction of Bloukrans River Bridge No. 2590 on District Road 489 (D489) at Km 3.926 in the Ladysmith Region.
- MD advised that the Department is hosting the meeting virtually due to the risk posed by the COVID pandemic, and bidders can find the locality information on Page T7. Visiting the site is not required, but it is recommended that all bidders do so in order to gain a clear understanding of what the job entails.
- MD emphasized that in order to be eligible to bid on this tender that at the time of closing, all bidders must be registered and active on the Central Supplier Database (CSD). Each member of a JV must be registered on



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CSD. If any bidder has not yet registered, the bidder can do so on the website, the website address for registration is on Page T9 of the tender document, and the bidder has until the closing of the tender.

- Minimum requirements for bidders: must be registered with CIDB and have a CIDB contractor grading designation 7CE or higher. JV Partners may submit a tender if they are registered on CIDB and the lead partner has a contractor grading designation in the 7CE class of construction work; not lower than one level below the required grading designation in the class of construction work under consideration, and possesses the required recognition status, and the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than 7 for a CE class of construction work. The bidder must be registered and active on CIDB. If the bidder's CIDB is suspended or expired, you will be disqualified.
- Only locally produced or locally manufactured goods with a stipulated minimum threshold for local production and content, as stated in the Tender Data, will be considered. Failure to meet the minimum threshold for local production and content will lead to disqualification.
- All bidders that are registered for Value Added Tax (VAT) with the South African Revenue Service (SARS) must include VAT in their tender offer.
- There will be a three (3) Stage Evaluation Process - 1. Administrative Compliance, 2. Functionality Criteria (Schedule O - Technical proposal) and 3. Preference Point evaluation.
- Only bidders who comply with the functionality criteria for the experience of key persons and the company's past performance in similar projects, as stated in the Tender Data, are eligible to be considered for further evaluation.
- The project duration is 12 months.
- The successful bidder must subcontract a minimum of 30% of the value of the Construction Work to Targeted Enterprises through Contract Participation Goals (CPG) for the bidder that is BEE Level 1 EME or QSE that is more than 51% owned by black person(s).
- Failure to submit proof of the B-BBEE status level of the contributor, together with the bid, will be interpreted to mean that preference points for the B-BBEE status level of contribution are not claimed.
- The tender closes at 11:00 am on 05<sup>th</sup> October 2022. No late submissions will be accepted. The bidder is solely responsible for ensuring that their bid documents are supplied on time. The acquisition staff will mark late submissions. No latecomers will be accepted under no circumstances. It is the responsibility of the bidder to ensure that the tender document is in the tender box by no later than 11h00.
- The validity period for this tender is 24 weeks, which is counted from the closing of this tender.
- Only original tender documents will be accepted. No emailed or faxed bid documents will be accepted. Documents must be placed in a sealed envelope clearly marked with the tender reference number, title, and closing date. Tenders must be placed in the tender box at the foyer of 172 Burger Street, Pietermaritzburg.
- Tender documents are not allowed to be retyped. Any tender document found to have been re-typed in any way will be marked non-responsive. Because this is a legal tender document, no changes will be allowed. If any bidder makes a mistake, neatly cross it out, initial it, and then make the necessary changes. All returnable documents must be completed, signed and attached to the tender – these are listed on page T16.
- All SBD forms need to be fully and accurately completed and signed. Incorrectly completed forms will be considered non-compliant with the administrative requirements and will not go further in evaluation.
- **SBD 1 on page T20 Standard Bidding Document**, read carefully and complete accurately.
- **SBD 4 on page T22 Bidder's Disclosure**, read carefully and complete accurately. The bidder is required to answer all questions and declare everything.
- **SBD 5 on page T25 National Participation Programme**, read carefully and complete accurately.
- **SBD 6.1 on page T27 Preference Points**. The 90/10 points system will be applied. The bidder is required to attach proof of B-BBEE status level. If not attached, no preference points will be allocated.



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- **SBD 6.2 on page T34 Certificate for Local Production and Content**, read carefully and complete accurately. Only locally produced or locally manufactured goods with a stipulated minimum threshold for local production and content, as stated in the Tender Data, will be considered. The stipulated minimum threshold(s) for local production and content for this bid is found on page T35. Please ensure that all items stipulated are accounted for, which will be found in the main Bill of Quantities (Pages C28 – C52) and the CPG Bill of Quantities (Pages C149 – C169). Annexures C, D and E need to be completed, signed and returned with the tender submission. The Guidance Document for the Calculation of Local Content can be obtained using the following link - <http://www.thedtic.gov.za/wp-content/uploads/IP-guideline.pdf>
- MD emphasised the legal requirement for acceptance of the tender on page T14.

#### 4. Functionality, Contract and Technical Presentation: Mr Divesh Ramjee

##### Functionality Requirements

- The scope of work for this contract is classified as complex and specialist work. There are two criteria that must be followed, which are your **Key Personnel and the Tenderer's Relevant Experience**. The bidder will need a minimum score of 60% to be considered for price and preference points.
- For **Key Personnel**, the criteria are **Qualifications, Project Implementation Experience And Construction Experience**. The following key personnel are required Contracts Manager, Construction Manager and Foreman/Supervisor. The points weighting can be found on page T12 of the tender document.
- For **Tenderers Relevant Experience**, the evaluation will consider the nature of the reference projects, the scope of service provided and the Employer/Client Completion Certificates. Appointment letters and Final Approval Certificates/ Completion Certificates for projects completed older than 15 years will not be considered as proof of experience. The points weighting can be found on page T13 of the tender document.

##### Contract and Technical Sections

- The Contract Section is made up of four parts. Part C1 - Agreements and Contract Data, Part C2 - Pricing Data, Part C3 - Scope of Works and Part C4 - Site Information.
- The Form of Offer on page C3 must be correctly completed and signed. Failure to sign will invalidate the tender offer. The amount in words shall govern.
- The contract follows the General Conditions of Contract for Construction Works (GCC) 2015. All special clauses and amendments should be read on pages C7, C8 and C9.
- The Defects Liability Period is 12 months.
- The time for practical completion of the contract is 12 months from the date of commencement of the Works, including non-working days and special non-working days.
- The Contract is to be a Re-measurable Contract.
- The minimum percentage of local labour content is 7.01%. Penalties shall occur if the target is failed to be met. Refer to page C11.
- The Contract Participation Target for Targeted Enterprises is 30.00%. Penalties shall occur if the target is failed to be met. Refer to page C11.
- The date of commencement of the Works shall be within 28 days, or 56 days if a construction work permit is required, after the Commencement Date.
- The non-working days are Sundays.
- The special non-working days are:



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- (i) the statutory public holidays in terms of the Public Holidays Act;
  - (ii) the foreseeable election days declared as a statutory public holiday; and
  - (iii) the annual year-end shutdown period as recommended by the Bargaining Council for the Civil Engineering Industry.
- The penalty for failing to complete the Works is 0,05% of the Contract Sum per day, up to a maximum limit of twenty-five thousand rand per day (R25 000,00 per day).
  - The requirements for achieving Practical Completion are as stated in the General Conditions of Contract 2015.
  - The Contract Price Adjustment (CPA) for the works was explained to all tenderers and the base month for CPA is the month prior to the month in which the closing date for the tender falls.
  - Risk and Related Matter were explained on Page C13.
  - Claims and Disputes were explained, and it was noted that disputes shall be referred to ad-hoc adjudication.
  - The target area for local labour and targeted enterprises are Inkosi Langalibalele Local Municipality (KZN 237)/ Uthukela District Municipality (DC23) / Ward 18.

### **Mr D. Ramjee went through the Pricing Schedule, and the following was highlighted:**

- The Bill of Quantities will need to be filled in the tender document and all the values transferred to the tender summary correctly.
- It was stated clearly to all tenderers present that market-related rates must be used when pricing the works.
- Sections F and G of the Bill of Quantities were explained, and Part F and G of the Particular Specifications must be reviewed before pricing.
- It was clearly stated that all provisional sum values must be totalled correctly when summing each section of the bill of quantities.
- It was clearly stated that an electronic bill of quantities would be uploaded with the meeting minutes to the KZN Department of Transport's website. It is the responsibility of the tenderer to ensure that all quantities and formulas are correct. The electronic bill of quantities is a tool to assist and does not form part of the tender submission. All quantities will need to be transcribed into the tender document.

### **Mr D. Ramjee went through Part C3 Scope of Works and Part C4 Site Information. The following main items were highlighted:**

- Part C3.2 Part A Project Specifications were clearly explained to all tenderers this included Description of Works, Drawings, Procurement, Construction and Management.
- Part C3.2 Part B Amendments to the Standard Specification were clearly explained to all tenderers. It was advised that all tenderers read these amendments before pricing the document.
- Part C3.3 Particular Specifications was clearly explained to all tenderers this included Part C, D, E, F and G of the tender document.
- Mr D Ramjee explained Part F and G of the tender document in detail. The bill of quantities for CPG works was also explained to all tenderers.
- Part C4 Site Information was explained to all tenderers. Mr D Ramjee highlighted the importance of Annexure A – Guidelines for Construction and Maintenance Projects During the Covid-19 Lockdown, and this will need to be considered when pricing the health and safety component of the bill of quantities.



## 5. Question and Answers

The floor was opened for questions and queries, which are highlighted below:

The floor was opened for questions and queries, which are highlighted below:

**Q1:** On-Page T32, a B-BBEE Affidavit has been provided for Exempted Micro Enterprises (EME). Is there no Affidavit for a Qualifying Small Enterprise (QSE)? **A QSE must obtain a valid B-BBEE certificate from a South African National Accredited System (SANAS) accredited Verification Professional.**

**Q2:** What is the nearest quarry to the site? **The Department of Transport has identified no quarry. As stated on Page C177 – C4.3.3 Borrow Pit Investigation – All materials for the works are to be sourced by the contractor and approved prior to use.**

**Q3:** Will the Contractor be allowed to divert the river on site using the material from the quarry? **Allowances have been made on Page C37 of the Bill of Quantities, Items C13.1.6.1 and C13.1.6.2 for access and drainage during construction. Further reference must be made to the COTO October 2022 (DS) chapter 13, page 13-4, for the execution of the works.**

**Q4:** How will the existing access for traffic be maintained, and where are the items allowed for the traffic accommodation and maintenance? **Allowances for Traffic Accommodation and a temporary deviation have been made in the provisional sums in Section G of the Bill of Quantities. Further reference can be made to Page C150 – CPG Bill of Quantities for the related items allowed.**

**Q5:** Who is responsible for obtaining the construction works permit? **The Application for the Construction Works Permit will be conducted by the Client, Contractor and Employers Agent jointly. An item has been allowed on Page C34 of the Bill of Quantities for obtaining the Construction Works Permit and must be priced by all bidders accordingly for a Professional Health and Safety Personnel to undertake the application of the Construction Works Permit.**

**Q6:** For the prescribed CPG contracts in Part G of the Contract Section, has allowance been made for their site establishment and general obligations? **Provisions have been made in Section G of the Bill of Quantities for all CPG Contract for their site establishment and general obligations.**

**Q7:** For CPG Contractors, who is responsible for paying the labourers they appoint? **It is noted that the contract participation goal for local content is 7.01%. The process for the employment of local labour can be found in Part F Expanded Public Works Programme – Page C94 of the tender document.**

**Q8:** Do we price the CPG Bill of Quantities? **The bill of quantities in Section G of the tender document, Pages C149 to C170, does not need to be priced at the tender stage. These bill of quantities will be used at the award stage to procure CPG Contractors.**

**Q9:** For Section F of the Bill of Quantities, an allowance has been made for training. Will the training be conducted on or offsite? **Provisions for onsite and offsite training have been provided in Section F of the Bill of Quantities on Pages C46 and C47.**

**Q10:** How will Page T29 be filled in Part 7 Subcontracting at the tender stage? **During the tender stage, if the tenderer already knows any subcontractors they will be utilising for the works, the information of these subcontractors can be provided.**



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**Q11:** Will the excel version of the Bill of Quantities be provided? **The excel version of the bill of quantities will be uploaded to the Department of Transport's website together with the meeting minutes. The tenderer's responsibility is to ensure that all quantities, formulas and descriptions are correct when using the Excel Bill of Quantities. This is merely a tool to assist tenderers, and the actual Bill of Quantities on Pages C28 – C52 must be filled and completed and submitted with the tender.**

**Q12:** Will an indicative program from the Employer be submitted to show how the 12 months duration is estimated? **The Employer will provide no indicative programme at the tender stage for the works.**

**Q13:** Will SAFCEC gazetted rates be used to pay for local labour? **Reference is made to Page C11 of the Contract Document Clause SCC 4.10.1 for wage rates for local labour.**

**Q14:** Has a spoil site been identified for the spoiling of the existing structure once it has been demolished? **Surplus material shall be spoiled in designated areas approved by the Employer's Agent. The spoil material shall be disposed of in accordance with subclause A4.1.7.2(l) of the COTO Standard Specifications.**

**Q15:** Do we completed all the Annexures? **If yes, what do we fill in on Annexure D and Annexure E as we are at the tender stage and no items will be imported? Please read page T35, which indicates each item that must be considered when filling out Annexures C, D and E. Each item on Page T35 has a BOQ reference which will need to be utilised in terms of the quantity and rate of the product. Please ensure that Form SBD 6.2 is read in detail. The SABS-approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrial-development/ip.jsp> at no cost, which will assist with completing SBD 6.2. The Guidance Document for the Calculation of Local Content can be obtained using the following link - <http://www.thedtic.gov.za/wp-content/uploads/IP-guideline.pdf>**

### 6. Closure

The meeting was closed by Ms. M Dewar at 11h17 am.

Compiled by:

Name:	Ms. Bavika Budhoo
Signature:	
Date:	19/09/2022

Approval by officials who attended the meeting

Name	Designation	Signature	Date
Ms. Maria Dewar	Admin Officer: Demand		20/09/2022
MS. N Duma	Project Manager		21/09/2022
Mr. Divesh Ramjee	Nankhoo Consulting Engineers		19/09/2022