



KWAZULU-NATAL PROVINCE

TRANSPORT
REPUBLIC OF SOUTH AFRICA

CONTRACT NO. ZNB01553/00000/00/IXO/INF/22/T

**THE REGRAVELLING AND BETTERMENT OF ROAD L3042(KM0.000
TO KM 7.299) AND L3043 (KM 0.000 TO KM 1.649) - IXOPO AREA
OFFICE**

BRIEFING NOTES

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1. BACKGROUND AND PURPOSE

The KZN Department of Transport's objectives are to deliver suitable public infrastructure in a cost-effective way, and in the process create employment and upliftment opportunities for local communities and contractors.

For this project the main objectives are the following:

Regravelling and betterment of road L3042 from km 0.000 to km 7.299 and L3043 from km 0.000 to km 1.649 in Ixopo Area Office – Zone 3.

The Employer's objectives in delivering public infrastructure and services for this project include the provision of temporary work opportunities to the local community through the application of labour-enhanced methods to the maximum extent feasible, in accordance with the Expanded Public Works Programme (EPWP) Guidelines.

The purpose of the project is to ensure that all the Local roads in Zone 3 are maintained properly and regularly.

2. PROJECT TEAM AND ENQUIRIES

Client - KZN Department of Transport

Client Representative - Adriana Lazarova

Project Manager - Ms N P Ngidi

Resident Engineer - Ms N P Ngidi

Queries relating to issues arising from these documents may be addressed to the following:

	Contact Person	Email Address	Telephone
Technical	Nqobile Ngidi	Nqobile.Ngidi@kzntransport.gov.za	(039) 834 0500
SCM	Ms. Joyce Dludla	Joyce.Dludla@kzntransport.gov.za	(039) 834 0500

3. TENDERING PROCEDURE

T1.2 TENDER DATA (Page T6-T10)

The conditions of tender are the standard conditions of tender contained in Annex C of the Construction Industry Development Board Standard for Uniformity in Engineering and Construction Works Contracts, published in Government Gazette No. 42622 dated 8 August 2019.

C1.2

- (c) **'General Conditions of Contract for Construction Works, Third Edition (2015)'** issued by the South African Institution of Civil Engineering (abbreviated title 'General Conditions of Contract 2015' – 'GCC 2015'). This document is obtainable separately and Tenderers shall obtain their own copy.
- (d) **'Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard) (October 2020)**. This document is obtainable separately and Tenderers shall obtain their own copy.
- (e) **'Occupational Health and Safety Act No. 85 of 1993', 'Occupational Health and Safety Amendment Act No. 181 of 1993', and the 'Construction Regulations, 2014'** (Government Notice No. R. 489 published in Government Gazette No. 40883 of 2 June 2017,). These documents are obtainable separately and Tenderers shall obtain their own copies.
- (f) **'Construction Industry Development Board Act No. 38 of 2000'** as amended and the **'Regulations in terms of the Construction Industry Development Board Act No. 38 of 2000'** (Government Notice No. R. 692 published in Government Gazette No. 26427 of 9 June 2004, as amended).

C2.1

Only those tenderers who satisfy the following criteria are eligible to submit tenders.

(a) CIDB registration

Only those tenderers who are registered with the CIDB, at close of tender, in a contractor grading designation equal to or higher than a 5 for a CE class of construction work, are eligible to have their tenders evaluated.

(b) Central Supplier Database

Tenderers, or in the event of a joint venture, each member of the joint venture, must be registered on the Central Supplier Database at the closing date for tender submissions. **Tenders received from such tenderers who do not comply with this requirement, will be considered non-responsive**

C2.13

C.2.13.3 Tender offers shall be submitted as an original hard copy.

C.2.13.5 The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:

Location of Tender Box: KZN Department of Transport, Ixopo cost Centre
Physical Address: 23 High Street, Ixopo
Identification Details: Contract No.: **ZNB01553/00000/00/IXO/INF/22/T**

C2.15

The closing time for submission of Tender Offers is:

11:00 on Tuesday 21 February 2023

Telegraphic, telephonic, telex, facsimile, electronic, e-mail and late tenders will not be accepted.

C2.16

The tender offer validity period is **twenty-four (24) weeks**, calculated from the date of bid closure

C3.11

The evaluation of tender offers will be based on price and preference in accordance with the Preferential Procurement Regulations 2017, as amended.

The weighting of tender Price and Preference(SBD 6.1- Page T19) for the tender will be done by way of a point system:

In the case of acquisition of services, works or goods with a Rand value of up to R50 million:

- 80 points are assigned to Price; and
- 20 points are assigned to Preference.

The total points for Price and Preference in each case above must add up to 100 points.

The tenderer's B-BBEE Status Level Verification Certificate must comply with the requirements of Returnable Schedule D and be submitted as an attachment to the returnable schedule.

Returnable Schedules

Notes to tenderer:

1. Returnable schedules have been based on the CIDB Standard for Uniformity in Construction Procurement and incorporates National Treasury requirements within them. Returnable schedules are separated into the following categories:
 - i) Forms, certificates and schedules for completion by the tenderer for use in the quantitative and qualitative evaluation of the tender (Forms A, B and C).
 - ii) A list of other returnable documents for completion by the tenderer and which will subsequently be incorporated into the contract (Section C1).
2. Failure to fully complete the relevant returnable documents shall render such a tender offer to be declared non-responsive.
3. Tenderers shall note that their signatures appended to each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided, including the information provided by candidates proposed for the specified key positions.
4. Notwithstanding any check or audit conducted by or on behalf of the Employer, the information provided in the returnable documents is accepted in good faith and as justification for entering into a contract with a tenderer. If subsequently any information is found to be incorrect such discovery shall be taken as wilful misrepresentation by that tenderer to induce the contract.

The tenderer must complete the following returnable documents:

Document Checklist: Page T2 Please complete all documents as required, use the checklist

Returnable Schedules required for Tender Evaluation Purposes(A to N)

- A - RECORD OF ADDENDA TO TENDER DOCUMENTS
- B - COMPULSORY ENTERPRISE QUESTIONNAIRE - for JV's – must be completed individually by each JV partner
- C - STANDARD BIDDING DOCUMENTS
 - SBD 1: INVITATION TO BID- for JV's – SBD1 must be completed individually by each JV partner
 - SBD 4: BIDDER'S DISCLOSURE (All questions must be answered. Pay special attention to Item 2.3 – please declare all companies that the owners of the bidding company have interest in) for JV's – SBD4 must be completed individually by each JV partner
 - SBD 6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017
 - SBD 6.2: DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS (Complete and sign Annexure C listing all the items described in the Table on page T26; complete and sign SBD6.2 declaration- pagesT31-T32)
- D - B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE (The Sworn affidavit and the BBBEE SANAS accredited certificates must be issued in terms of the amended construction sector codes – gazette Vol.630 No.41267)
- E - CERTIFICATE OF AUTHORITY FOR SIGNATORY (Provide Specimen Signature, ensure signatory remains constant and provide a Resolution letter, authorising the signatory to sign the bid documents with a specimen of his signature- both parts are required, if you don't submit any one of them your bid will be non-responsive.)
- F - CONSTRUCTION EXPERIENCE
- G - KEY PERSONNEL (G1 – Management, provide names of the 3 Key personnel and attach their CV's; G2 – Labour Enhanced activities – provide the names of Foreman/Supervisor and Site Agent/Construction Manager with copies of their Qualification certificates and CV's)
- H - CONSTRUCTION EQUIPMENT
- I - PROPOSED SUBCONTRACTORS
- J - PARTICIPATION IN JOB CREATION USING LOCAL LABOUR (Minimum 6%)
- K - HEALTH AND SAFETY DECLARATION
- L - DEVIATIONS AND QUALIFICATIONS
- M - SCHEDULE OF ALTERNATIVE TENDERS
- N - NOTICES TO TENDERERS REGARDING THE COMPLETION OF FORMS

RETURNABLE J - PARTICIPATION IN JOB CREATION USING LOCAL LABOUR (Minimum 3%)

T42 Must be signed, dated and completed as indicated on the bottom of page T42. Please follow the instructions on page T41 on how to calculate the minimum labour percentage and note that the specified minimum labour percentage is 3% as indicated. **The field with the Bidders anticipated local labour % must be filled in.**

RETURNABLE K - HEALTH AND SAFETY DECLARATION

T43 Must be completed correctly and signed.

Question 3 has three subheadings- all of them must be answered.

If the bidder answers yes on a)- the name, position and CV must be filled in and attached in 4(a).

If the bidder answers yes on b) – the details in 4(b) must be filled in.

If the bidder answers yes on c) – the details in 4(c) must be filled in.

4. THE CONTRACT

C1.2 - CONTRACT DATA

C1.2.2: DATA PROVIDED BY THE EMPLOYER

Clause 1.1.1.14: The time for achieving Practical Completion is **9 months** from the Commencement Date, including non-working days and special non-working days.

Clause 1.1.1.26: Pricing Strategy: The Contract is to be a Re-Measurement Contract.

Clauses SCC 4.1.1: The contract participation goal for local labour content is 3%.

The penalty for failing to achieve the monetary value of the above target set by the Employer for local labour content in terms of Part E: Expanded Public Works Programme of section C3.3 Particular Specifications in Part C3: Scope of Work, is 5% of the monetary value by which the achieved monetary value falls short of the target monetary value.

Clause SCC 6.2.1 The security to be provided by the Contractor shall be: Fixed Performance guarantee of 8% of the first One Million Rand plus 3.5% of the balance of the Accepted Contract Sum.

Clause 6.5.1.2.3: The percentage allowance to cover overhead charges is 10%.

Clause 6.8.2: The values of the coefficients for calculating the Contract Price Adjustment Factor are:
Routine Maintenance (Excluding Bitumen):
a = 0.48 b = 0.37 c = 0.05 d = 0.10

The "Consumer Price Index" will be as for the province of KwaZulu-Natal.

Clause 6.8.3: Price adjustments for variations in the costs of special materials are allowed.

Clause 6.10.1.5: The percentage advance on materials not yet built into the Permanent Works is 80%.

Clause 6.10.3: The percentage retention on the amounts due to the Contractor is 10%. The limit of retention money is 5% of the first One Million Rand plus 1.6% of the remaining amount of the tender offer excluding contract price adjustment, contingencies and VAT.

A retention guarantee in lieu of a cash retention is permitted.

The Risk and related matters regarding insurances are in accordance with page C13

5. PRICING DATA

PART C2: PRICING DATA (C23-C26)

The quantities given in the Bill of Quantities are estimates only, and are subject to re-measure during the execution of the work. The quantities finally accepted and certified for payment, and not the quantities given in the Bill of Quantities, shall be used to determine payments to the Contractor. The Contractor shall obtain the Employer's Agent's detailed instructions for all work before ordering any materials or executing work or making arrangements for it. The quantities of material or work stated in the Bill of Quantities shall not be regarded as authorisation for the Contractor to order material or to execute work.

The Works as finally completed in accordance with the Contract shall be measured and paid for as specified in the Bill of Quantities and in accordance with the Standard Specifications for Road and Bridge Works for South African Road Authorities (COTO), Draft Standard (DS), October 2020, the Project Specifications and the Drawings. Unless otherwise stated, items are measured net in accordance with the Drawings, and no allowance has been made for waste. The validity of the contract will in no way be affected by differences between the quantities in the Bill of Quantities and the quantities finally certified for payment.

The Bill of Quantities is only one section:

- 1. Bill (Pg. C28-C36) – this must be priced**

6. PROJECT SPECIFICATIONS

C3.1 PROJECT SPECIFICATIONS - PART A

1.1 DESCRIPTION OF THE WORKS

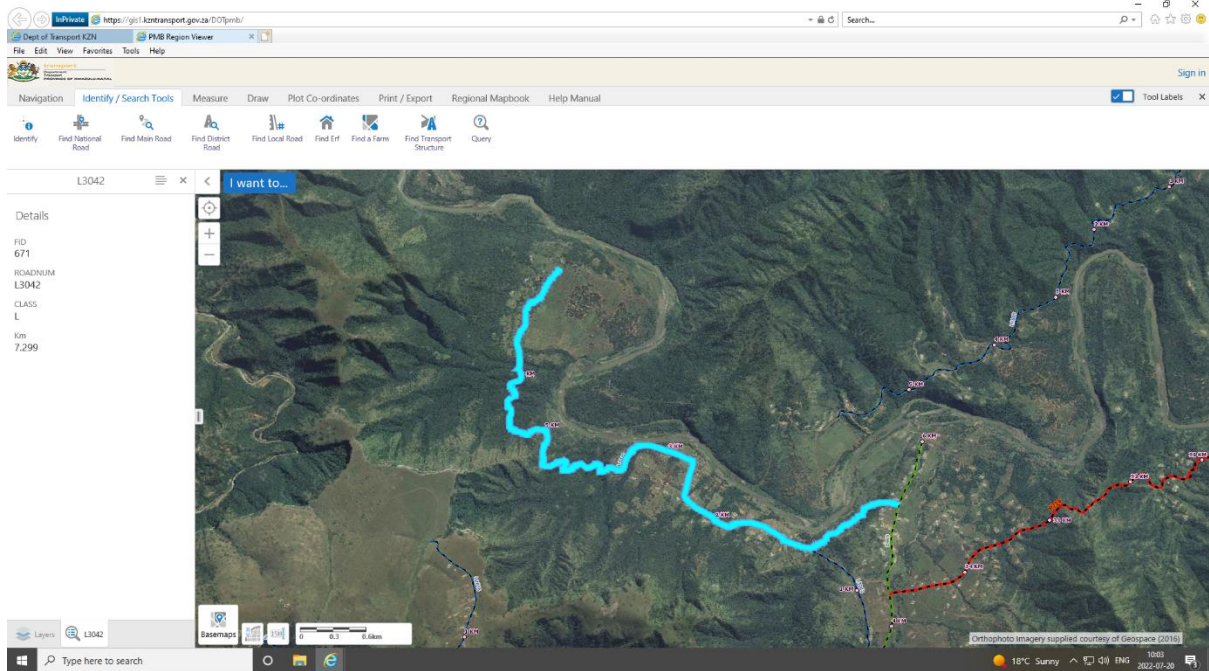
The scope of work of this project includes the establishment, provision of traffic accommodation facilities, roadbed preparation, pavement layers. The duration period is 9 months.

The various maintenance activities will be performed following the guidelines, specifications and quality standards included in the following Departmental Manuals:

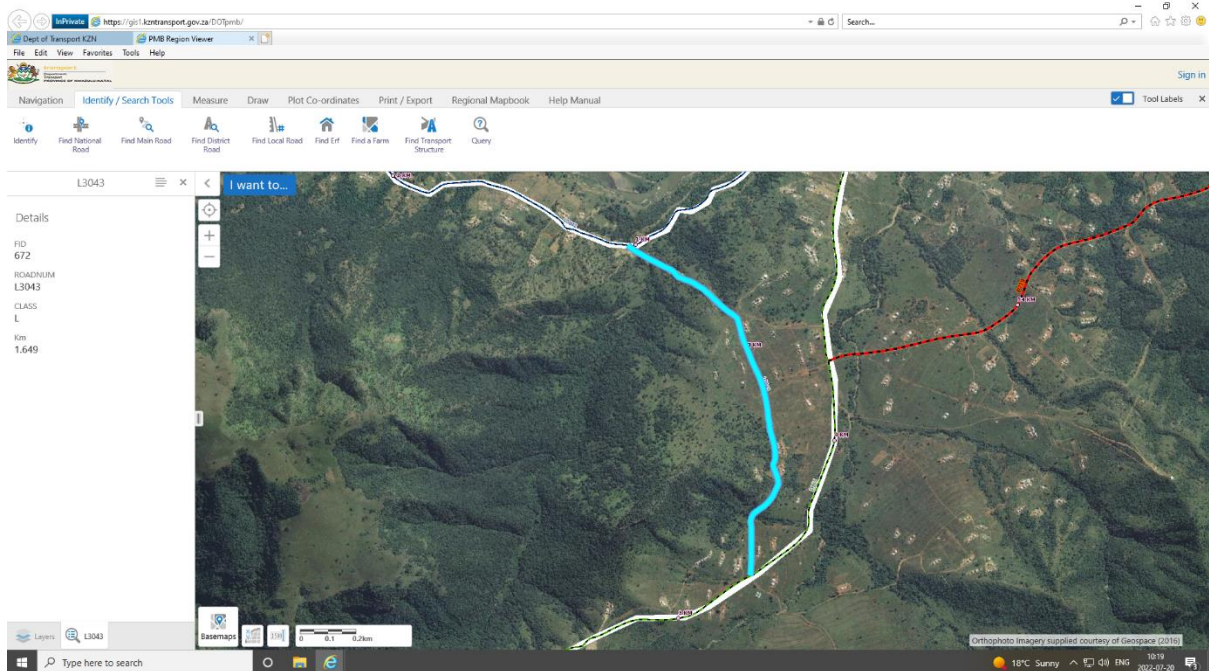
- Establishment and De-establishment
- Provision of traffic accommodation facilities,
- Roadbed preparation,
- Pavement layers of 150 mm gravel compacted 95 % MDD,
- Continuous quality control over materials and workmanship, and compliance with the Particular Specifications with regard to environmental management and occupational health and safety, during all the above construction activities,
- Clearing of road reserve
- Finishing and tidying of the road and road reserve

1.2 LOCATION OF THE WORKS

The work includes Local road L3042 as well as L3043 both located in Sqandulweni Ixopo as can be seen on the sketches below.



L3042



L3043

Figure C4.1 – Locality Plan of maintenance areas

1.4 EXTENT OF THE WORKS

The Works to be carried out include the following activities:

- Establishment and De-establishment
- Provision of traffic accommodation facilities,
- Roadbed preparation,
- Pavement layers of 150 mm gravel compacted 95 % MDD,
- Continuous quality control over materials and workmanship, and compliance with the Particular Specifications with regard to environmental management and occupational health and safety, during all the above construction activities,
- Clearing of road reserve
- Finishing and tidying of the road and road reserve

1.5.1 ACCESS TO SITE

Due to the nature of the project and having multiple site locations, access to sites will be confirmed with the Employers Agent during the course of the project

1.5.7 ACCOMMODATION OF TRAFFIC

The contractor shall nominate a member of his staff as site safety officer with specific responsibilities. The accommodation of such traffic can be on the existing road, on deviations or on both.

The travelling public has the right of way on all public roads. The contractor shall employ suitable, approved methods to control the movement of his equipment in such a way that the travelling public is not endangered.

The overall responsibility of ensuring that adequate temporary traffic control and safety measure are in place at all times shall be that of the contractor.

1.5.9 EXISTING SERVICES

The Contractor shall make himself acquainted with the position of all existing services before any excavation or other work likely to affect the existing services is commenced. The Contractor will be held responsible for any damage to known existing services caused by or arising out of his operations and any damage shall be made good at his own expense. Damage to unknown services shall be repaired as soon as possible and liability shall be determined on site when such damage should occur.

1.5.12 LABOUR

A Project Liaison Committee will be established and will a vital means of communication between all parties involved with the project. The composition of the PLC comprises representatives of the Employer, the Employer's Agent and formal structures within the community.

The Contractor shall make use of these communication channels, and shall appoint from amongst his site personnel a responsible person to participate in the affairs of the PLC, and this representative will be also required to attend the monthly PLC meetings.

It is mandatory that the Contractor shall interact with the community via proactive project liaison and project participation by its leaders and constituted organisations and forums, as well as through the employment of its people, and these activities shall constitute essential facets of the project.

Local labour is to be used and the employment of such labour is to be done in conjunction with the PLC. The PLC will form a Labour Committee who shall assist the Contractor with the recruitment of local labourers to ensure an equal distribution of people employed between the various Amakhosi in the area.

1.7 TESTING OF MATERIALS

The Contractor shall arrange for all tests required for process control to be done by a laboratory acceptable to and approved by the Engineer.

1.12 CONSTRUCTION PROGRAM

The Contractor shall submit a detailed time programme in accordance with clause 5.6.2 of the General Conditions of Contract 2015, clause A1.2.7 of the Standard Specifications for Road and Bridge Works for South African Road Authorities (COTO), Draft Standard (DS), October 2020.

Under item C1.2.2.1 The program to be submitted must be a Scheme 1 Program due to the nature of the project. As per COTO Pg1-18 and 1-19 a Scheme 1 Program is a relatively simple program in the form of a Bar chart. The main activities that are to be programmed is the implementation of the Small Contractor Development Contracts and Training that is to be provided under the Expanded Public Works Programme.

C3.2 PROJECT SPECIFICATIONS - PART B

Amendments to the standard specifications

Please read the Entire Part B of the document in conjunction with the relevant supporting documentation and ensure that all items in the bill are priced accordingly.

PSA1.2.3.4 Extension of time for delays caused by rainfall

PART C: ENVIRONMENTAL MANAGEMENT SPECIFICATION
PART E: OHSA 1993 HEALTH AND SAFETY SPECIFICATION
PART F: EXPANDED PUBLIC WORKS PROGRAMME