



KWAZULU-NATAL PROVINCE

TRANSPORT
REPUBLIC OF SOUTH AFRICA

CONTRACT NO. ZNB01317/00000/00/IXO/INF/22/T

**PROVISION OF ROUTINE AND SAFETY MAINTENANCE ON
VARIOUS ROADS WITHIN ZONE 5- UMZIMKHULU 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:

Implementation of routine, safety, periodic and special maintenance on various roads within the Umzimkhulu Area Office – Zone 5.

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 Provincial roads in Zone 5 are maintained properly and regularly. The maintenance work has further been divided to subcontract a minimum of 30% of the Contract Value to Targeted Enterprises to not only maintain the roads but also provide training and opportunities to the Targeted Enterprises.

Various Work packages have been set out in Table F1 on page C140 to assist with the work allocation for Targeted Enterprise subcontractors. The main Contractors' obligations regarding the Targeted Enterprises has been set out under F7.1 (C142). The main Contractor is obliged to not only manage the subcontractor but to also provide coaching, guidance, and mentorship to the Targeted Enterprise subcontractors as is summarized in section F of the Contract Document.

- It is a requirement of the contract that the Contractor facilitates the contractor development of targeted enterprises as a contract participation goal by means of subcontracting the scheduled work to contractors
- The Contractor is required to provide sustainable work opportunities for these sub-contractors and to provide assistance to these enterprises in the form of financial support for the procurement of goods and services.
- In addition, the Contractor is required to manage the skills development of the sub-contractors by providing training, coaching, guidance, mentoring and a clear path of progression to the higher CIDB Grades.

2. PROJECT TEAM AND ENQUIRIES

Client - KZN Department of Transport
Client Representative - Adriana Lazarova
Project Manager - Mr. Manelisi Mgibisa
Resident Engineer - Mr. Manelisi Mgibisa

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

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3. TENDERING PROCEDURE

T1.2 TENDER DATA (Page T5-T9)

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 8 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**
- (c) Local production and content of goods (Returnable Schedule C - SBD 6.2)
Only locally produced goods or locally manufactured goods for construction meeting the minimum threshold for local production and content as stipulated in Returnable Schedule C - SBD 6.2 will be considered.

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.: **ZNB01317/00000/00/IXO/INF/22/T**

C2.15

The closing time for submission of Tender Offers is:
11:00 on Thursday 16 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 T20) 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 above R50 million:

- 90 points are assigned to Price; and
- 10 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 M)

- 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

RETURNABLE J - PARTICIPATION IN JOB CREATION USING LOCAL LABOUR (Minimum 6%)

T46 Must be signed, dated and completed as indicated on the bottom of page T46. Please follow the instructions on page T45 on how to calculate the minimum labour percentage and note that the specified minimum labour percentage is 6% as indicated. **The field with the Bidders anticipated local labour % must be filled in.**

RETURNABLE K - HEALTH AND SAFETY DECLARATION

T47 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 **24 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 6%.

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.

The contract participation goal for Targeted Enterprises is 30%.

The penalty for failing to achieve the monetary value of the above target set by the Employer for contract participation by Targeted Enterprises in terms of Part F: Small Contractor Development 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 C14

5. PRICING DATA

PART C2: PRICING DATA (C24-C27)

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 has been separated into two separate bills:

- 1. Main Contractor Bill (Pg C29-C55) – this must be priced**
- 2. Small Contractor Development Bill (Page C153-C167)- don't price this-only indicates the quantities and type of Small Contractors' packages the Main Contractor has to subcontract.**

A provisional sum has been made available for the Small Contractor Development Bill under Items F10.2(a). Furthermore a management fee per month has been included under item F10.2(e) for the management, coaching, guidance and mentoring of the Targeted Enterprise subcontractors as per the description on Page C144

6. PROJECT SPECIFICATIONS

C3.1 PROJECT SPECIFICATIONS - PART A

1.1 DESCRIPTION OF THE WORKS

The scope of work of this project includes the routine, safety, special and periodic road maintenance activities on all roads in Zone 3. The duration period is 24 months.

The required maintenance will vary depending on the road condition and time of the year. The exact work to be conducted will be given by the Project manager.

Generally the maintenance activities covered by this contract will be on a continuous basis. However, certain specified activities are considered to be a priority or are critical, and it is a condition of contract that they shall be completed or responded to as specified, after receiving an instruction from the Engineer.

Due to the nature of maintenance activities, which must be performed it will be the Project Managers responsibility to programme the routine maintenance activities. The special, safety and periodic maintenance activities will be executed by the contractor as and when instructed by the Project manager.

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

1. Maintenance Policy Manual
2. Maintenance Task Procedure Manual
3. Performance Standard Manual
4. Betterment and Graveling Procedure manual
5. Quality Standard Manual
6. Maintenance Methods Manual
7. Operations Policy Manual

1.2 LOCATION OF THE WORKS

The work includes all of the roads within the boundaries of Zone 5 - Umzimkhulu Area Office and that fall under the jurisdiction of the Department of Transport. This includes Provincial, District and Local roads as can be seen in Figure C4.1 and the following list:

- P416
- P417
- D2415
- D2416
- D2417
- D2418
- D2426
- D2427
- D2465
- D2466
- L2153
- L2270
- L2240
- L2245
- L2250
- L2278
- L2333

Figure C4.1 – Locality Plan of maintenance area



1.4 EXTENT OF THE WORKS

The Works to be carried out include but are not limited to the following activities:

- (a) Establishment on site
- (b) Clearing and grubbing.
- (c) Removal of Large trees and stumps
- (d) Provision of traffic accommodation facilities.
- (e) Accommodation of traffic
- (f) Pipe desilting
- (g) Grass Cutting
- (h) Clearing of drains and water channels
- (i) Reshaping and construction of mitre drains
- (j) Installation of pipe culverts
- (k) Remove and replace damaged kerbs
- (l) Blading of gravel roads
- (m) Pothole Repairs and Crack Sealing
- (n) Construction of Gabions
- (o) Installation of road signs and kilometre markers
- (p) Dismantling of signposts and signs
- (q) Installation of road studs
- (r) Installation of handrails
- (s) Minor structural repairs
- (t) Control of undesirable vegetation
- (u) Road marking
- (v) Fencing
- (w) Roadbed Preparation
- (x) Construction of a gravel surfacing layer
- (y) Regravelling of roads
- (z) Construction of a Concrete surfaced road

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.

1.13 REMOVAL AND GRUBBING OF TREES

Trees to be removed with a girth of more than 600mm are to be removed by a registered tree feller.

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.

PSA1.2.3.11 – Dayworks

PSA 1.2.3.18 – Stakeholder Liaison

PSA 1.2.3.24 – Compliance with the road traffic act

PSA15.1 – Chemical Control of Undesirable Vegetation

PART C – MEASUREMENT AND PAYMENT ITEMS

PSC 1.2.4 - Stakeholder Liaison

PSC 1.5.13 – Blading by road Grader

PSC 3.1.25 - Reshape and cut side and mitre drains

PSC 15.1.1 – Chemical Control of Undesirable vegetation