



# transport

Department:  
Transport  
Province of KwaZulu-Natal

PROVINCE OF KWAZULU-NATAL  
DEPARTMENT OF TRANSPORT

## NON- COMPULSORY CLARIFICATION MEETING MINUTES

THE UPGRADE OF DISTRICT ROAD 883, ENDULINDE – SAMUNGU CLINIC (KM 3+000 -KM 8+433) IN THE DURBAN REGION

CONTRACT No. CONTRACT NO. ZNB00478/00000/00/HOD/INF/21/T

CIDB GRADE 8 or higher

Minutes of Clarification Meeting held at 12h00 On Tuesday, 13<sup>th</sup> February 2024 on Microsoft Teams

NAME	ABBREVIATION	ORGANISATION
Nonhlanhla Manukuza	NM	KZN Department of transport
Mlungisi Gwala	MG	KZN Department of transport
Sphesihle Mkhize	SM	KZN Department of transport
Bongani Msani	BM	KZN Department of transport
Vusi Mnyandu	VM	Naidu Consulting (Pty) Ltd

### 1. Welcome and Conduct During Meeting

- 1.1. NM welcomed all in attendance and introduced herself as the SCM of the head office.
- 1.2. She then mentioned that questions would be taken at the end of the presentation. She also stated that the clarification meeting would adhere to the following procedures
  - One question at a time by raising one's hand.

### 2. Introduction

- 2.1 NM also introduced the following people:

- |                             |                                              |
|-----------------------------|----------------------------------------------|
| • Client Body               | <b>KwaZulu-Natal Department of Transport</b> |
| • Consultant                | <b>Naidu Consulting (Pty) Ltd</b>            |
| • Client Representative     | Bongani Msani                                |
| • Consultant Representative | Vusi Mnyandu                                 |

### 3. Tendering Procedures

- 3.1. NM stated that the Bid document is to be read thoroughly and take note of all the forms that need to be signed.
- 3.2. NM stated that no addenda will be issued in the meeting.

- 3.3. NM stated that the closing date for submission of bids is 11h00 on Thursday 29 February 2024 at the offices of the **Department of Transport** located at 172 Burger Street, Pietermaritzburg, 320. She also stated that late submissions will not be considered.
- 3.4. NM stated that the procedure for evaluation of responsive Bid Offers will be evaluated based on the Functionality and 90/10 Preference point system.
- 3.5. NM stated that the qualifications for key personnel must be certified.
- 3.6. She stated that the:
- Contract Manager must be professionally registered with ECSA and / or SACPCMP (Pr Eng. / Pr Tech Eng. / Pr Techni / Pr CPM or Pr CM only) and Years of Road Upgrade experience
  - Construction Manager (Senior Site Agent) must have LIC NQF 5 "Manage Labour-Intensive Construction Processes" or equivalent Quality Council for Trades and Occupations (QCTO) qualifications at NQF level 5 or 7 and Years of Road Upgrade experience.
  - Foreman must have LIC NQF level 4 "National Certificate: Supervision of Civil Engineering Construction Processes" and Years of Road Upgrade experience
- 3.7. NM stated that the evaluation will consider the nature of the reference projects, scope of services provided, and Employer completion certificate. Final Approval Certificates/ Completion Certificates not older than 15 years per project to be provided with contact details of references.
- 3.8. NM stated that Form M & N are not applicable.
- 3.9. NM then allowed VM to present further on the tender document.

#### 4. THE CONTRACT

- 4.1. VM stated that if there is any discrepancy between the presentation and the tender document, the tender document will take precedence.
- 4.2. The following aspects of the contract data were highlighted by VM:

##### **SCC 4.1.1            Extent of Contractor's obligations**

Add the following new paragraphs to the end of Clause 4.1.1:

"If the Contractor fails to achieve the monetary value of the target set by the Employer for local labour content in terms of Part F: Requirements of the Expanded Public Works Programme (EPWP) of section C3.3 Particular Specifications in Part C3: Scope of Works, the Contractor shall be liable to the Employer for a sum calculated in accordance with the Contract Data and the aforementioned Scope of Works as a penalty for such underachievement.

If the Contractor fails to achieve the monetary value of the target set by the Employer for contract participation by Targeted Enterprises in terms of Part G: Small Contractor Development of section C3.3 Particular Specifications in Part C3: Scope of Works, the Contractor shall be liable to the Employer for a sum calculated in accordance with the Contract Data and the aforementioned Scope of Works as a penalty for such underachievement."

<b>REFERENCE</b>	<b>CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER</b>
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Clause 1.1.1.13:	The Defects Liability Period is 12 months.
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.
Clause 5.13.1:	The penalty for failing to complete the Works is 0.05% of the total Tender Sum per day, up to a maximum limit of twenty-five thousand rand per day (R25000.00 per day).

## CONTRACTOR'S GENERAL OBLIGATIONS

- Clauses 4.1.1 and SCC 4.1.1: The contract participation goal for local labour content is 11.63%.
- The penalty for failing to achieve the monetary value of the target set by the Employer for local labour content in terms of Part F: Requirements of the Expanded Public Works Programme (EPWP) of section C3.3 Particular Specifications in Part C3: Scope of Works, 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 36.77%.
- The penalty for failing to achieve the monetary value of the target set by the Employer for contract participation by Targeted Enterprises in terms of Part G: Small Contractor Development of section C3.3 Particular Specifications in Part C3: Scope of Works, is 5% of the monetary value by which the achieved monetary value falls short of the target monetary value.

## TIME AND RELATED MATTERS

- Clauses SCC 5.3.1 and SCC 5.3.2: Where the Employer is required to apply for a permit to do construction work in terms of Construction Regulation 3(1), the following documentation is to be submitted within 14 days from the commencement date before commencing to carry out the Works:
- Health and Safety Plan (refer to Clause 4.3)
  - Initial Programme (refer to Clause 5.6)
  - Security (refer to Clause 6.2)
  - Insurance (refer to Clause 8.6)
  - Form C1.4 'Agreement in terms of Section 37(2) of the Occupational Health and Safety Act No. 85 of 1993' to be signed by the Contractor and the Employer (refer to Clause 4.3)

Proof of registration and good standing with the compensation fund or with a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993) (refer to Clause 4.3);

-The documents required by the Employer to apply for a permit to do construction work in terms of Regulations 3(1) and (2) of the Construction Regulations 2014:

- Clause 6.8.3: Price adjustments for variations in the costs of bitumen as a special material 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.

## 8. RISK AND RELATED MATTERS

The Risk and related matters regarding insurances are in accordance with page C14.

## 5. PRICING DATA

5.1. VM stated that the quantities given in the Schedule 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 Schedule of Quantities, shall be used to determine payments to the Contractor.

5.2. He then presented on the project specifications.

## 6. PROJECT SPECIFICATIONS

6.1. VM stated that the contract entails the upgrading of District Road 883 from km 3+000 to km 8+433. D883 starts at the intersection of P459 and ends at the intersection of D356. The project is located in Lembe District Municipality, Ward 6, KZ 291 in the Province of KwaZulu-Natal. The portion of the road under consideration is from km 3+000 to km 8+433.

6.2. He stated that the extent of works for the contract is as follows:

- Establishment of Contractors and Engineers Site Camp.
- Provision of traffic accommodation facilities.
- Survey requirements.
- Construction of all pavement layer to the top of the G2 base, including priming to protect the G2 layer.
- Construction of a 40mm AC.
- Road prism drainage.
- Construction of erosion protection measures (gabions, stone pitching, etc.)
- Installation of guardrails.
- Hydro seeding and or planting grass sods to protect cut and fill slopes and to reinstate the vegetation at spoil sites.
- Rehabilitation of borrow pits
- Finishing and cleaning up of the road and road reserve.
- 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.
- Removal of all site establishment facilities and construction plant on completion of the Works
- Making good of any defects during the Defects Liability Period.
- Undertaking maintenance work during the defect liability period

6.3. He then highlighted the following points:

- 6.3.1. The G9 for the lower selected layer shall be obtained from borrow or stockpile and G7 material for the upper selected layer shall be obtained either from borrow, stockpile or from commercial sources. The material for the stabilized subbase layer shall be obtained from commercial sources.
- 6.3.2. The material for the G2 base and all concrete materials shall be obtained from commercial sources.
- 6.3.3. Spoil areas and areas for the temporary stockpiling of construction materials shall be determined and agreed on site in conjunction with the Employer's Agent, the PLC (where applicable) and the local communities (where applicable). The Contractor shall be permitted to use only these agreed spoil and stockpile areas, which shall be landscaped and vegetated on completion of the work.
- 6.3.4. The accommodation of traffic forms an integral part of the Contract. The contractor shall provide flagmen to direct, control traffic, and provide signs and barriers. All accommodation of traffic and safety measures shall be in accordance with South African Road Traffic Signs Manual (SARTSM- latest edition).

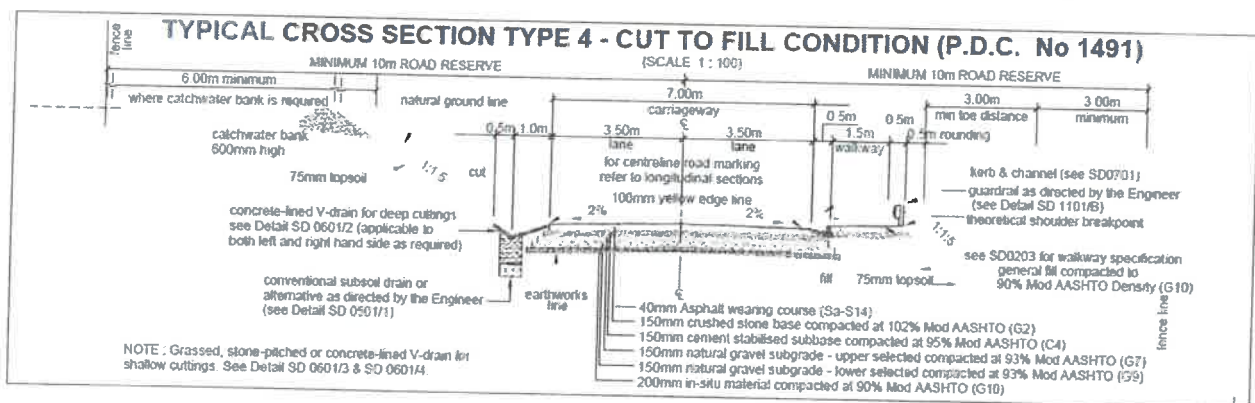
6.3.5. Appropriate portions of the Works included in the Contract shall be executed using labour-intensive construction methods. These are indicated by "LI" in the bill of quantities and detailed in the project specifications.

6.3.6. It may be necessary for the Contractor to work within confined areas. Except where provided for in the specifications, no additional payment shall be made for work done in restricted areas.

6.4. He then advised that the pavement layers for District Road 883 are as follows:

Layer	Thickness	Material	Description
Surfacing	40mm	AC	Asphalt wearing course
Base	150mm	G2	Graded crushed stone at 102% Mod AASHTO Density
Sub Base	150mm	C4	Stabilised natural gravel at 95% Mod AASHTO Density
Selected (1)	150mm	G7	Selected layer to 93% Mod AASHTO
Selected (2)	150mm	G9	Selected layer to 93% Mod AASHTO
Subgrade	200mm	G10	In-situ to 90% Mod AASHTO

6.5. He indicated that D883 has been classified as a Secondary Road, in order to cater for medium to long distance movements between primary roads, towns and agricultural areas. The road has therefore been designed to meet the standards of a Type 4 road within a minimum 30m road reserve width. The typical cross section conforms to the Department's standard detail SD0208/B as shown in the figure below:



6.6. He stated that the bidders are to read the Entire Part B of the document in conjunction with the relevant supporting documentation and ensure that all items in the bill of quantities are priced accordingly.

6.7. VM emphasized that Contractors shall note that they shall employ in labour-intensive works only those supervisory and management staff that have completed the required Skills Programme in terms of Appendix C of the aforementioned guidelines:

- Foremen / Supervisors at NQF level 4 "National Certificate: Supervision of Civil Engineering Construction Processes".
- Site Agent / Construction Manager at NQF level 5 "Manage Labour-Intensive Construction Processes" or equivalent Quality Council for Trades and Occupations (QCTO) qualifications at NQF level 5 or 7.

Tenderer's declaration with respect to participation in job creation using local labour.

## 7. POINTS OF CLARIFICATION

7.1. VM quired if there were any questions.

7.1.1 *Thabang queried which envelope system will be used?*

VM stated that that it is indicated on page T9, clause C2.13.6 that a two envelop system will not be followed.

NM further indicated that a one system envelope will be used.

7.1.2 *Talent queried if bidders have to also attach their Health and Safety Officers' qualifications under section L - Bidders Health and Safety Declaration or rather just declare their details only.*

NM stated that on Section L all the tenderers are required to complete the form, and not attach any qualifications. She further indicated that attachments of qualifications are only required for key personnel (Contract Manager, Site agent and Foreman) under section H – Key Personnel.

7.1.3 Thabang queried the threshold for subcontractors

VM indicated that the minimum target for targeted enterprises is 36.77% as indicated on the tender document.

7.1.4 BM stated that BOQ in Excel as well as the design drawings shall be shared on the DOT website.

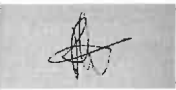
## 8. CLOSER

NM indicated that there will be no addendum issued for this bid. And then she officially closed the meeting at 12h40.

### MINUTES COMPILED BY:

Name: <b>V Mnyandu</b>	Date: <b>20 February 2024</b>
Signature: 	Organisation: <b>Naidu Consulting (Pty) Ltd</b>

### MINUTES APPROVED BY:

Name: <u>Nonhlanhla Mankwa</u>	Date: <u>23/2/24</u>
Signature: 	Organisation: KZN Department of Transport
Name: <u>Percival Bongani Msani</u>	Date: <u>23/02/24</u>
Signature: 	Organisation: KZN Department of Transport