



KWAZULU-NATAL PROVINCE

TRANSPORT
REPUBLIC OF SOUTH AFRICA

DIRECTORATE:

Private Bag X9043, PIETERMARITZBURG, 3200

SCM

Inkosi Mhlabunzima Maphumulo House, 172 Burger Street, Pietermaritzburg, 3201

Tel: 033 355 0004

Siphesihle.mkhize@kzntransport.gov.za

MINUTES OF MEETING: BRIEFING SESSION

Minutes of meeting for Tender no: ZNB02103/00000/00/HOD/INF/23/T
PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR THE REHABILITATION OF MAIN ROAD P10-2 (FROM KM 0.00 TO KM 15.50) IN THE UTHUKELA DISTRICT UNDER THE LADYSMITH REGION

Time: 10:00

Date: 22 February 2024

Venue: Virtual Briefing on Microsoft Teams

Procedural matter	Person
Opening and welcome: Miss N. Manukuza welcomed all present at the meeting and introduced the Project Managers and Service Provider.	Ms. N Manukuza
Members present: Mr. B Myeza Ms. Z Mnikathi Ms. S Mkhize	
Bidding process	Ms. Nonhlanhla Manukuza
The meeting was held to discuss the scope of works, tender rules, conditions of contract and give tenderers the opportunity to put forward questions relating to the scope of works and tender documentation for the above-mentioned contract. 1) The session is being recorded for minutes purposes. 2) The advert stated that the meeting will start at 10:00 and is non-compulsory. 3) All administrative queries must be directed to Ms. Londiwe Zondi 4) All technical questions must be addressed to Ms. Zanele Mnikathi 5) This document is based on three (3) stages of Evaluation: 1 st Administrative Compliance 2 nd Functionality 3 rd Price	



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1st Stage: Administrative Compliance:

- (a) Registered and Active on CSD - Bidders must be active on the CSD by the date of closing for this bid and each member of the joint venture has to be registered on the CSD.
 - (b) Tax Compliant
 - (c) None of the respondents or its principals may be listed on the register of tender defaulters, and all person listed as prohibited to do business with the state will be eliminated.
 - (d) Tender Closes on the 08th March 2024 at 11:00, no late entries will be considered.
 - (e) Validity period is 12 weeks from date of closing of this tender.
 - (f) Bidders are advised to obtain their own copies of the relevant acts, regulations and standards referred to in this document.
 - (g) Tender data will have precedence in the interpretation of any ambiguity or inconsistency between the tender data and the standard conditions of tender.
 - (h) Only Original documents filled in ink deposited in the Tender Box will be accepted.
 - (i) The tender box is situated at the Department of Transport Head Office, Inkosi Mhlabunzima Maphumulo House, 172 Burger Street, Pietermaritzburg.
 - (j) Submissions must be clearly sealed and clearly identified by tender number, description and closing date.
 - (k) Declare any other Companies in which Directors may have an interest in.
 - (l) Bidders to ensure that all returnable documents are fully completed, signed and submitted.
- Due to COVID Risks briefings are held virtually, but bidders are encouraged to visit site, use locality map on the tender document and coordinates are on page T4.

2nd Stage: Functionality

- 1 Discussed by the Project Manager or Service Provider as per tender document, refer to Page T9-T12.

3rd Stage: Price and Preference Points

- 1 The following preference point systems are applicable to invitations to tender: the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included);
- 2 Further explanation is discussed on Page T32
- 3 Acceptable Proof for the allocation of Specific Goals Points- page T56
- 4 The above specific goals will be verified on your CSD



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DESCRIPTION OF THE WORKS	Mr. Bongumusa Myeza
<p>The Province of KwaZulu-Natal, Department of Transport, invites tenders from Engineering Consultants, experienced in Roadworks, to provide professional services for the Rehabilitation of Main Road P10-2 (From Km 0.00 To Km 15.50). This project is located in the Okhahlamba Local Municipality under the Uthukela District Municipality in the Ladysmith Region. The total duration of the project is 24 months. The duration allowed for is to achieve all 6 Engineering Council of South Africa (ECSA) Normal Fee Services stages.</p> <p>The Client is the KwaZulu Natal Department of Transport.</p> <p>The authorised and designated representative of the Client is: Mr S. Ngubane</p> <p>The address of receipt of communication is: 172 Burger Street, Pietermaritzburg 3201 Faximile: E-mail: Shumi.Ngubane@kzntransport.gov.za Telephone: 033 355 8600</p> <p>The contract is for the provision of consulting engineering services for The Rehabilitation of Main Road P10-2 from KM 0.00 to KM 15.50 in Uthukela District Under the Ladysmith Region.</p> <p>The Period of Performance is 24 Months plus defect liability period (12Months).</p> <p>The Start Date will be date of the last party signing this agreement and terminate 24 months plus defect liability period (12Months) thereafter.</p> <p>Communication by e-mail / facsimile is not permitted.</p> <p>The location for the performance of the Project is P10-2 (KM 0.00 TO KM 15.50) Under the Ladysmith Region.</p> <p>The Consulting Engineer may not release public or media statements or publish material related to the Services or Project under any circumstances.</p> <p>The time-based fees used to determine changes to the Contract Price are as stated in the Pricing Data</p> <p>The penalty payable is R 10 000.00 per day subject to a maximum amount of R 3 600 000.00</p> <p>The programme shall be submitted within 7 Days of the award of the contract.</p> <p>The Consulting Engineer shall update the programme at intervals not exceeding 12 Weeks.</p> <p>The Consulting Engineer is required to assist in the obtaining of approvals, licences and permits from the state, regional and municipal authorities having jurisdiction over the Project.</p> <p>The Consulting Engineer is required to provide professional indemnity cover as set out in the Professional Indemnity Schedule.</p> <p>The Consulting Engineer is required to provide the following insurances:</p>	



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- Insurance against Professional Indemnity
Cover is: R13 000 000-00 **this cover will be amended on the addendum to be issued.**
Period of cover: Duration of Contract inclusive of the duration of the Design Period as agreed upon during the Design Development Stage.
- Insurance against: Third Party Indemnity
Cover is: R10 000 000-00
Period of cover: Duration of Contract
- Insurance against: General Public Indemnity
Cover is: R10 000 000-00

The Consulting Engineer is required to obtain the Client's prior approval in writing before taking any of the following actions:

- Appointment of sub-contractors for the performance of services
- Appointing Key Persons not listed by name in the Contract Data
- Any other work not as specified in the Scope of Works

The Consulting Engineer is required to provide personnel in accordance with the provisions of Clause 7.2.1 to Clause 7.2.4 and to complete the Personnel Schedule.

The Consulting Engineer is to commence the performance of the Services within 30 Days of date that the Contract becomes effective.

Unless terminated in terms of the Contract, or otherwise specified in the Contract Data, the contract shall be concluded when the 12 Months plus defect liability (12 Months) contract period has lapsed.

The period of suspension under clause 8.5 is not to exceed 2 years.

Copyright of documents prepared for the Project shall be vested with the Client
A Consulting Engineer may subcontract any work which he has the skill and competency to perform.

Interim settlement of disputes is to be by adjudication.

Final settlement is by arbitration.

The adjudicator is the person appointed by the Adjudicators Agreement bound in the Construction Industry Development Board's Adjudication Procedure.

In the event that the parties fail to agree on an arbitrator, the arbitrator must be nominated by the Kwa-Zulu Natal Society of Advocates.

All persons in a joint venture or consortium shall carry a minimum professional indemnity insurance of R10 000 000-00. **The cover will be amended on the addendum to be issued.**

Neither the Client nor the Consulting Engineer is liable for any loss or damage resulting from any occurrence unless a claim is formally made within 3 months from the date of termination or completion of the Contract.



The provisions of 15.6 do not apply to the Contract

The interest rate will be prime overdraft rate plus 2% per annum compounded monthly and calculated from the due date of payment.

The additional conditions of Contract are as sated in the Scope of Works and Pricing Data.

Pricing Schedule start on page C19 to page C21, the service provider to read and price accordingly. There will be an additional item 1 b which entails the ECSA 7 stages with their respective percentage for the service provider to price or calculate accordingly. This additional item will be provided on the addendum to be issued.

The construction monitoring service shall be for the duration of the works contract.

The services required of the service Provider are divided into the following Stages:

1. STAGE 1: Initiation or Prefeasibility Report

Defines project objectives, needs, acceptance criteria, organisation's priorities and aspirations, procurement strategies, and which sets out the basis for the development of the Concept Report.

Stage 1 is complete when the Initiation Report or Prefeasibility Report is approved.

2. STAGE 2: Concept or Feasibility Report

Document the initial design criteria, cost plan, design options and the selection of the preferred design option, or the methods and procedures required to maintain the condition of infrastructure for the project.

Stage 2 is complete when the Concept Report or the Feasibility Report is approved.

3. STAGE 3: Design Development Report

This stage includes the following phases

- Concept
- Preliminary
- Detailed design

A design development report which develops in detail the approved concept to finalise the design and definition criteria, sets out the integrated developed design, and contains the cost plan and schedule for one or more packages.

Stage 3 is complete when the Design Development Report is approved.

4. STAGE 4: Design Documentation Report

This stage includes the following

- a. Tender Documentation.
- b. Technical Report

Production information which provides the detailing, performance definition, specification, sizing and positioning of all systems and components enabling either construction (where the contractor is able to build directly from the information prepared) or the production of manufacturing and installation information for construction.

Stage 4 is complete when the Design Documentation Report is approved.



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5. STAGE 5: Contract Administration and Inspection

This stage is works stage which includes but not limited to Construction monitoring and deliverable is Completed works which are capable of being occupied or used by public road users.

Stage 5 is complete when the Works Completion Report is approved.

6. STAGE 6: Handover

Finalise and assemble record information which accurately reflects the infrastructure that is acquired, rehabilitated, refurbished or maintained.

Stage 6 is complete when the Handover/Record Information Report is approved.

7. STAGE 7: Close-Out

Works with notified defects corrected, final account settled, and the close-out report issued.

Stage 7 is complete when the Close-out Report is approved.

8. Additional duties, Special Services and Specialist Advice.

- a. Survey
- b. Geotechnical/ Laboratories Services
- c. Environmental Consultant
- d. Health and safety Consultant
- e. Supervision

9. The appointed Consulting Engineers will be required to execute all works in line with the National Treasury Framework for Infrastructure Procurement and Delivery Management (FIPDM) Policy and the KwaZulu Natal Department of Transport IDPM Policy,2020

Programme on page C29 should be ignored during tender stage, the millstone dates will be discussed and agreed with the appointed service provider.

Page C30 and C31 has the table on information that the service provider should read and understand as it indicate all requirements and qualification for key personnel and also for additional services personnel.

Page C32 has the different category definitions that the service provider must read and understand which are inline with ECSA guidelines.

NB! The service provider is expected to read and understand the scope of works in order to be able to perform the contract as required.

- ❖ Completion of the attendance register to be done electronically



❖ QUESTIONS AND ANSWERS

- Q1- Schedule H, the years of experience post qualification. Do you require the number of years with Rehabilitation Experience?
- A1 -Ensure that you submit Road Rehabilitation experience, Key personnel can also have any other experience.
- Q2- Under Functionality. Are you allowed to duplicate the key personnel?
- A2- No, you cannot have a repetition of key personnel
- Q3 – Section J, T46- Please clarify the table
- A3 – The scope of work will be discussed by the Engineer from DOT
- Q4 –What type of Technical proposal do you prefer?
- A4 – On page T54, A CV is requested. Attach a CV and qualifications on Section 3
- Q5 – For pricing purposes- Is there a list of awarded bidders to compare and be able to price for similar projects?
- A5 – DOT is not allowed to publish the detailed BOQ of awarded bidders. The service provider name, amount and closing registers are however published on the website
- Q6- With the Rehabilitation experience, do you consider Reseal works to be under company experience too?
- A6- Reseal will not be considered for experience. The Department is looking for Rehabilitation experience
- Q7- Page C10 clause 5.4.1 the Professional Indemnity (PI) Cover is said to be three (3) times the final offer is it only for normal services excluding disbursements or including disbursements?
- A7- This question will be addressed by the Department in a form of addendum.



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- Q8- Professional Indemnity is it R13 million or three times the offer?
 - A8- Professional Indemnity is three times the final offer.
 - Q9. Are the service providers allowed to issue the intent letter for PI cover?
 - A9. No, they are not allowed, the requirement is to provide the actual cover for PI.
- AN ADDENDUM WILL BE ISSUED**

Closure:	The meeting was closed at 11:13
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Approval by officials who attended the meeting

The minutes are a true reflection of the deliberations held.

Name	Designation	Signature	Date
Ms. N Manukuza	SCM		04/3/24
Mr. B Myeza	TIDS	Signed by Bongumusa Innocent Myeza Signed at 2024-03-04 11:15:44 +02:00 Reason: Witnessing Bongumusa Innocent 	04/03/24
Ms. Z Mnikathi	TIDS	Signed by Zanele Priscilla Mnikathi Signed at 2024-03-04 11:19:54 +02:00 Reason: Witnessing Zanele Priscilla Mnik 	04/03/24