



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

MINUTES OF COMPULSORY BRIEFING SESSION MEETING FOR BID:

DWS03-0419 WTE

**SUPPLY AND DELIVERY OF FINE AGGREGATE, COURSE AGGREGATE;
CRUSHER RUN AND RIP RAP TO THE DEPARTMENT OF WATER AND
SANITATION CLANWILLIAM DAM.**

DATE : 14 MAY 2019
TIME : 09:30AM
VENUE : CLANWILLIAM DAM

Procedural Matters

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| 1. Opening and welcome | :Mr. Manfred Röhrs |
| 2. Introduction and signing of attendance register | :By all attendees |
| 3. Supply Chain Management Presentation | :MS Malose Seeletsa |
| 4. Technical Presentation | :Mr. Manfred Röhrs |
| 5. Questions and Answers | :By presents and other DWS Officials |
| 6. Closure | :Mr. Manfred Röhrs |

1. OPENING AND WELCOME

Mr. Manfred Röhrs welcomed all to the compulsory briefing session. All the attendees were requested to complete the attendance register and complete and sign the indemnity form. The safety induction was conducted by Mr. Manfred Röhrs. Bidders were informed that attendance register will serve as proof during the evaluation that bidders have attended the compulsory briefing session. They were also advised to ensure that the name of the company listed in the attendance register, must be the same name they intend to bid with. During the evaluation, if the name of the company of the response received does not correspond with the name on the attendance register, the bid will not be considered.

Mr. Manfred Röhrs gave a Description of the project: The raised dam wall will be approximately 370m in length and 49m high. The works includes the addition of concrete on the downstream side, extending the apron, construction of an intake tower, river outlet control house, a power generating house, tunnel and cofferdams on the upstream side and various pipe outlet structures on the downstream side. Access to site is next to the N7 through controlled gates.

2. SCM PRESENTATION

Ms Seeletsa took bidders through the administrative, mandatory bidding procedure and compliance thereof. She indicated that there has been administrative and supply chain related changes made to the bid document. The changes made did not affect nor include the specifications.

The presentation was outlined as follows:

- **Submission of tender;**
- **Conditions of tender;**
- **Evaluation Criteria**

SUBMISSION OF TENDER

●The bid will closing date has been moved to 20 June 2019 at 11:00am no longer 06 June 2019, any bid received later than the stipulated date and time will not be acceptable.

- The cost for participation is free, bid documents can be downloaded from the Departmental website under current tenders.
- The original Bid and 2 copies, together with a covering letter and supporting documents, shall be submitted in a sealed envelope endorsed with a bid description and bid number as well as the name of the bidder which must be clearly shown on the cover.
- The bid document must be deposit in the bid box situated at the entrance of the ZwaMadaka Building, 157 Francis Baard Street, Pretoria
- On the closing date, public opening of the received bid and tendered prices will be announced.
- Bidders have three options to submit their bid documents (hand delivery, via couriers or by post).

- In case where a bidder prefers to post their bid response, it must be done 5 days prior to the closing date; it will remain the bidder responsibility to inform SCM to collect their bid response from registry days before the closing date.
- Failure to do so and the bid response is received late, SCM will not take the held accountable.
- In all three (03) options listed above, it remains the responsibility of the bidders to make necessary arrangements in time as not late bids will be accepted.
- The last date for sending questions for clarification been moved to 28 May 2019 at 11:00am no longer be on 28 May 2019 at 16:00pm. The questions / queries to be forwarded to bidenquirieswte@dws.gov.za. Queries received after the due date will not be considered. The due date is set to allow the Department to answer questions in time and to incorporate all the response in the briefing minutes which will be send to all bidders who attended the briefing.

CONDITIONS OF THE TENDER.

- It is the bidder's responsibility to ensure that the bid response is returned with all the relevant SBD forms and as well as the supporting documents., failure to do so will render the bid non-responsive.
- All SBD forms must be completed in full and initialed as per the condition of the tender and where required.
- Each page of the completed document that will be submitted should be initialled by the Bidder at the bottom of the page.

Please take note

- The successful bidder will be required to submit a "Letter from the manufacturer" confirming the supply arrangement within **14 days** after the approval of the bid, this will be applicable only to the recommended bidder. **Failure to do so will invalidate the Bid.**

• APPLICABLE EVALUATION CRITERIA.

- The bid will be evaluated on a four phased approach outlined as follows :
 - Phase 1 : Compulsory Subcontracting
 - Phase 2 : Administrative and mandatory compliance.
 - Phase 3 : Technical Evaluation and Specification compliance
 - Phase 4 : Price and preference points claimed
- Bids will be evaluated in accordance with the new Preferential Procurement Regulations, 2017, which came into effect on the 1st April 2017 using 90/10 preference points system as prescribed in the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000).

The lowest acceptable bid will score 90 points for price and a maximum of 10 points will be awarded for attaining the Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution.

PHASE 1

COMPULSORY SUBCONTRACTING(PREFERENTIAL REGULATION 2017, REGULATION 9)

- In order to give effect to the Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act (Act No 5 of 2000) the selected prequalification criteria for this bid is in terms of regulation 9.
- Only bidders who have a 30% sub-contracting agreement to a 51% black owned EME or QSE will be considered for this bid .Verification documentation to be submitted to confirm 30% sub-contracting compliance requirements are as listed (failure to submit the supporting documents, bidders will be disqualified).
- Sub-contractor's valid sworn affidavit or BBBEE status level verification certificate.
- Sub-contractor must be tax compliant with SARS (the status will be verified through CSD and SARS). Attach copy of Tax Clearance certificate or status compliance Pin.
- Pro-forma sub-contracting agreement signed by both parties

PHASE 2

ADMINISTRATIVE COMPLIANCE

Take Note: Bidders are required to submit and comply with all mentioned requirements and failure to do so will render their bid non-responsive and will be disqualified without being considered for further evaluation

1. Detailed CSD report (The bidder must be registered with the National Treasury Central Supplier Database upon the closing of the bid. In bids where consortia / joint venture is formed, separate CSD report must be submitted.
2. A valid copy of Tax Clearance Certificate (TCC) and the Tax Compliance status page which has the company PIN. The submitted TCC or Status compliance pin will be validated on the Central supplier database system or with South African Revenue Services. Bidders must note that if they are found to be non-compliant at any stages of evaluation and the matter cannot be resolved within the reasonable time period stipulated by the Department, their bid will be regarded as non-responsive and will be disqualified. In bids where consortia/joint venture/sub-

contractors are involved , each party must submit separate TCC or tax compliance status pin It remains the bidders responsibility in ensuring that their business partners adheres to CSD requirements and SARS for bidding purposes.

3. Company to attach copy of CIPC/ CIPRO certificate. In case of consortia/joint venture all parties involved must submit its own CIP/CIPRO certificate, active and in good standing with all CIPC/CIRPO requirements.
4. Letter of authority indicating the person duly authorised thereto by a Board of directors or the owner of the company.
5. All SBD forms attached to the bid must be completed in full and initialed where required. (SBD1, SBD3.2, SBD 4, SBD 6.1 ,SBD 8 & SBD 9). In case of consortia/joint venture, each party must complete a separate SBD4, SBD8 and SBD9.It remains the bidder's responsibility to conduct background check on companies they intend to form joint venture with and ensure that their business partner has good track record in terms of the bidder's past supply chain practices. The Central Supplier Database registration number (MAAA number) on SBD 1 should be of the leading bidder.
6. Bidders are to initial and sign Section 2 Tender data, failure to do so will render your bid non-responsive & disqualified.

CHANGES

●The National Treasury Republic of South Africa Government Procurement :General Conditions of Contract July 2010 will not be applicable to the contracts. Only the General Conditions of Contract for Construction Works, The South African institute of Civil Engineering Third Edition (2015) will be used

PHASE 3: MANDATORY REQUIREMENTS

Take note: Bidders are required to comply with all the mentioned requirements, failure to do so will render their bid no-responsive and will be disqualified.

1. Attendance of the compulsory briefing session (Attendance register circulated at the briefing session will serve as proof).
2. A copy of Valid letter of Good Standing with the Compensation Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act No 130 of 1993
3. Certified copy of UIF certificate or letter of good standing.

PHASE 3 SPECIFICATION AND TECHNICAL COMPLIANCE

The bid will be evaluated using the below criteria. Bids that fails to achieve a minimum score of 57 will not be considered for phase 4 of the evaluation. **Failure to comply with the specification requirements, bidders will be disqualified and not considered for further evaluation**

PHASE

PRICE AND PREFERENCE POINTS TO BE CLAIMED.

The following preference point system is applicable to this bid:

the 90/10 system for requirements with a Rand value above R50 000 000 and the lowest acceptable bid will score 90 points for price and a maximum of 10 points will be awarded for attaining the Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

- Any bidders who want to claim the preferential points must submit proof of valid B-BBEE Status Level of contributor Certificate or its original Sworn Affidavit with the bid – Failure to submit the required documentation will be interpreted to mean that the preference points for the B-BBEE status level of contribution are not claimed.
- BBEE certificate must be a certified copy and it must be valid on or before the closing date of the invitation in order for a bidder to qualify for the points to be claimed.
- The original Sworn Affidavit endorsed or signed off by the commissioner of oath must be the original document not a copy and it must be valid on or before the closing date of the invitation in order for a bidder to qualify for the points to be claimed
- In bids where there is Consortia/Joint Ventures, a consolidated valid B-BBEE certificate must be submitted.

Please take note:

- NB: A Copy of certified copy of B-BBEE status level contributor certificate will not be accepted.
- NB: A Copy of a sworn affidavit will not be accepted.
- Bidders are requested not to make a copy of the document which has already been certified for tendering purposes.

3. QUESTIONS AND ANSWERS.


QUESTIONS	ANSWERS
The actual quality of material of borrow pit is designated to meet the requirement of the ACV and stuff like that?	The Geological report that was done on acv show that
In the contract it is saying that it is the contractor's responsibility?	Yes it is the responsibility of the bidder and if you find weak material you should inform the department
We never went to the stockpile area and who is responsible to prepare the floors for stockpile	Preparing of the floor for stockpile area is the department responsibility (The Department want to use top soil)
In terms of sub-contractor this project is not complex	


What is the minimum CIDB for the subcontractor?	Is the 30% of the total bid price of the main bidder.
Different product and stockpile's how are you going to manage that and access control (security guard)	Access Control to be managed by the Department
Maintain of stockpile area: do we transport at stockpile area?	Yes
We have a query pertaining to the technical evaluation section of the bid. We understand that a minimum for the entire section is required as was discussed at the meeting. In the document there is a minimum for each of the sub sections. Is it correct for us to assume that the minimum indicated for each of the sub sections is also required and that failure to achieve such sub section minimums will render the bid invalid or non-compliant?	Yes it is correct that the bidder has to comply with the subsections minimum and the total for the entire section.
At the site meeting a note was made by one of our representatives that we should not adhere to the SAICE as stated in the General Conditions of Contract – please advise correct SAICE for this contract	SAICE GCC 2015 is applicable but the NATIONAL TREASURY GCC is not applicable
Please could I ask if you could possibly send me drawing 125 775/97 for the 1.8m high semi-security fence?	<p>This is what the document states.</p> <p>PS 516 Anti-Intruders Fencing</p> <p>The contractor will be required to erect 650m of 1.8m high anti intruder fence. The fence will consist of normal straining and corner posts as well as intermodules. It will have a diamond mesh bed to 6 strand fence and a three strand barbed wire overhang around the Quarry area that will depict your area of jurisdiction and under your control. An appropriate access gate must also be installed at the entrance to the area.</p> <p>There is no specific drawing for this and it is for the contractor to comply with the minimum standards as set above.</p>
TECHNICAL Layout of proposed crushing facilities (PS 4.1) States that "The contractor must establish his yard and works within the boundary of the demarcated quarry" This is not possible due to space and blasting activities. Where else on the site will we be able to establish our yard and works?	The only other area would be at Stockpile area 3. The use of this area would have to be motivated and it must also be noted that there are fruit trees directly next to the Stockpile Area 3. Any dust or other nuisance would be for the Contractors account.
TECHNICAL What are the responsibilities of the contractor with regard to the slimes	Any effluent/dirty water that is produced must be purified/cleaned to acceptable standards as noted in the environmental documentation. The to-be appointed

produced in washing the sand crushed in the designated quarry? There are no provisions for this in the EMP. Are slimes considered hazardous material? The sand will have to be washed to achieve the grading required, washing is inevitable.	contractor carries full responsibility.
TECHNICAL What are the responsibilities of the contractor with regards to rehabilitation of the stockpile areas/waste rock/overburden/ unsuitable material and slimes? Is there a specification aside from a visual aspect?	Stockpile areas 1 and 2 are below the full supply area of the raised dam. Other than shaping to ensure neat construction operations the to-be appointed carries no further responsibilities other than dealing with slimes and hazardous materials as provided for in the EMP and the exemption approval received from DMR. The quarry slopes were prescribed in the tender specifications. The developed quarry will become part of the future dam basin area on condition free drainage must always be possible. DWS will be responsible for rehabilitating stockpile floors for Stockpiles 3 and 4.
BIDDING What is the cost /rate of raw water from the dam once permissions are obtained? Or, where can we obtain the rates for the water to be used in the washing process?	This water is for free but the contractor is responsible to obtain/pump the water at his cost.
BIDDING/TECHNICAL What is KVA rating of overhead power line on site, and what is the capacity of the line wrt feeding our works?	There is no spare capacity according to ESKOM. DWS has already tried.
TECHNICAL The contractor is responsible for quality of rescreened materials off the stockpile floors (PO7.9.12), but the hardstands are to be constructed by the client. It must be understood that the quality of stockpile floor preparation, or hard stands, shall affect this product, so we need to know what the plans are for hardstand preparation?	The idea is to remove the topsoil off the designated areas and then the aggregates will be stockpiled on these areas.
BIDDING Does force majeure includes community disruptions.	? No
BIDDING Latent defects is listed as 10 years in clause C.1.3 Contract Specific Data Item 5.16.3. How can we be responsible for the quality of the stone where the source is designated?	Quarry slopes maybe if not done as required.
BIDDING Who pays government royalties for the quarry? We confirm since the source (Quarry)	Correct. No royalties are payable for material coming from the quarry. Royalties might be payable in case external sand sources are used.

<p>belongs to the client, these will be for the clients account for the quarry? However as per the document if we source sand from a permit area that royalty will be for our account. Is this assumption correct?</p>	
<p>TECHNICAL Can you supply the square meter age of the available work and stockpile areas?</p>	<p>Please do your own calculations for this. Based on the anticipated material deliveries per month and the prescribed minimum and maximum allowable stockpile sizes.</p>
<p>BIDDING/ TECHNICAL We wish to confirm that it is not your intention to have the crushing facilities remain on site for the entire project, but rather that it be removed and re-established later? So there is no need for a P&G Portion for leaving a plant behind on site, until completion of the works?</p>	<p>Correct. It is for the bidder to decide as to the time that they want to crush/use plants on site and then remove them. Re-establishment will have to be done at the end of the contract period. Taking the comments given as part of 12 above into account.</p>
<p>BIDDING The contract period is for 36 months. Are we required to be on site for 36 months and do we need to price all Time Related P&G Items for the full 36 month period? We envisage a crushing period of less than 36 months.</p>	<p>This is incorrect. The period should be 48 months. Again see 12 above.</p>
<p>BIDDING/ TECHNICAL The Document states under PS8.1 that there shall be no claim in the event of the BOQ being altered. This is extremely onerous and risky. In the event of the requirements being changed to such an extent that the ratio between the product quantities becomes dysfunctional from a material production point of view, and a large amount of waste ends up being produced, how will the contractor be compensated or safeguard against this?</p>	<p>Claims will be considered within the specific circumstances affecting the merit of claims.</p>
<p>TECHNICAL At the site meeting, there was no indication given of where unsuitable material / overburden must be spoilt. Can you indicate this location to us perhaps?</p>	<p>Attach the spoil area drawing</p>
<p>BIDDING At the site inspection on the presentation it states "The recommended bidder will be</p>	<p>What is the requirement? This is only if you are not the supplier/manufacturer</p>

required to submit a "Letter from the manufacturer" confirming the supply arrangement within 14 days after the approval of the bid, this will be applicable only to the recommended bidder. Failure to do so will invalidate the Bid". What does this mean?	
BIDDING Will a retention guarantee for 5% is accepted in place of retention? If it is accepted when can it be released?	At the end of the time period (48 months) Retention should be as defined in the bid documentation. This is for SCM to decide.
I am currently testing different fine materials but am having difficulty comparing them to your specification with regards to the grading. Your grading requirements for both course and fine material are still using the old Colto specification whilst all the laboratories have moved to the new SANS specification. Will the Department adjust their grading specifications to the new SANS sieves? If so will an addendum be issued?	All the basic mix designs have been done on the existing grading's as stipulated in the tender documentation. For this project DWS will remain with the grading as shown the tender documentation.
With the required material to be crushed, there will be excess stock that remains due to the product split; can the excess material remain in stockpile or what needs to happen to that material once the contract is complete?	Contractually this material will be dealt with as spoil material
Will we be allowed to pump the water out of the quarry into the dam if it needs de-watering?	In line with the approved EMP for the project
In the bill there is an item for "Acquisition of Material Sources" what does this refer to?	If a contractor were to purchase material form an outside source and the source would have to be purchased. Only related to the sand source (and not quarry materials – quarry materials must come from the designated quarry)
For the time related items – should we price on how long we plan to be on site or is there a required period we should price?	This is for the contractor to determine depending on delivery tempos etc. the total contract period is 48 months. Once the initial crushing is completed the contractor will be required to re-establish on site to do screening as was stated.
There is no filter material in the bill – will any be required?	No
We would like to clarify the issue of the rations of the various fine and course concrete aggregates.	The final split in the various materials can only be confirmed after approval of the different concrete mix designs for the different respective concrete types

<p>In the bill there are specified quantities of the various sand and stone but the document refers the DWAF has the right to change these ratios based on changes in mix design. The rates/price for the sand and stone are very sensitive to such changes and as such we are at great risk based on this clause. Please clarify DWAF position on this?</p>	<p>which will be done with the first approved materials received from the quarry. The current split of materials is based on theoretical concrete mix designs which might be subject to some degree of variation.</p>
<p>Is the plan for us to use one of the designated stockpile areas to set up the crushing plant?</p> <p>If so which one is preferred?</p>	<p>We would prefer that the crusher is erected next to the quarry.</p> <p>The only other area would be at Stockpile area 3. The use of this area would have to be motivated and it must also be noted that there are fruit trees directly next to the Stockpile Area 3. Any dust or other nuisance would be for the Contractors account.</p> <hr/> <p>Quarry area layout and designated stockpile areas</p> 
<p>Does the approved EMP allow for the use of slimes dams for the washing of fine aggregates?</p>	<p>Yes. Any effluent/dirty water that is produced must be purified/cleaned to acceptable standards as noted in the environmental documentation. The to-be appointed contractor carries full responsibility.</p>
<p>Are there designated areas to store the overburden removed from the quarry area?</p>	<p>Material can be spoiled inside the dam basin directly opposite the quarry. Indicated as Area 6 below.</p>

	<p>CWD- Unsuitable Excess Spoil Areas</p> 
<p>How will the process work to decide the suitability of the material in the quarry? How should we price for the potential of being forced to selectively mine the quarry?</p>	<p>This was clarified at the Site Meeting. It is expected of the competent contractor to advise the client if material will not meet the required standards.</p>
<p>Are there any vibration requirements for the drill and blast in the quarry</p>	<p>? As described in P06.5.8.8.</p>
<p>Can we put in alternative bids?</p>	<p>Yes, but only if you also completed the original bid.</p>
<p>Should there be any waste material produced can we sell that material outside of the contract to mitigate costs?</p>	<p>No. The license was issued that material can only be used for the construction of the Clanwilliam Dam.</p>
<p>Where should we price to stockpile waste material should any exist?</p>	<p>In the rates of the material to be supplied.</p>

CLOSURE

The meeting adjourned at 11:45



Signature
Chairperson

