



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

MINUTES OF COMPULSORY BRIEFING SESSION MEETING FOR BID:

DWS11-0319 WTE

**THE SUPPLY AND DELIVERY OF BULK CEMENT TO THE DEPARTMENT OF
WATER AND SANITATION, CLANWILLIAM DAM FOR 52 MONTHS**

DATE : 15 APRIL 2019
TIME : 10:00AM
VENUE : CLANWILLIAM DAM BOARDROOM

1. OPENING AND WELCOME

Mr. Manfred Röhrs opened the meeting formally and introduced Supply Chain Management (SCM). Mr. Manfred alerted the bidders of the changes in the period from 48 months to 52 months. He further indicated that there is an attendance register that was circulated and bidders must fill in their names correctly, eligibly especially telephone numbers and email addresses to ensure that they are contactable, he further emphasized that there was a situation where emails were returned because SCM couldn't read the hand writing. Company representative must complete the details of the company they are tendering for.

2. PRESENTATION

Mr. Manfred Röhrs started with the presentation and he highlighted to the bidders that if they have question on the specific slide must stop the presenter and ask the question, bidders must not wait until the end of the presentation and try to ask the question, because we will lose the information there.

This presentation outline:

1. Introduction
2. Standard Specifications
3. Submission of the tender/ bid
4. Condition of tender
5. Evaluation Criteria and Changes to be made

Various parties will be doing various part of the presentation. The raised dam wall will be roughly 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. The picture of the site was illustrated for bidders to see the actual dam site. All the truck tankers will use the access that the bidders used to go to the briefing session venue.

3. STANDARD SPECIFICATION

Scope of Work

- Supply and deliver cement of type Ordinary Portland Cement (CEM I) 52.5N or (CEM II/A-L) 52.5N as described in SANS 50197-1: 2013 in bulk into silos at Clanwilliam Dam
- No imported material will be considered. There is a stipulation further done in the document which also says no cement may be older than 30 days.

- The supplier must issue a Letter of Authority from the manufacturer for the particular cement requested and must submit with the bid. Failure to comply will invalidate the bid.
- If the bidder is not a manufacturer, the Letter from the Manufacturer confirming sufficient stock availability at the required rate for the duration of the bid period must accompany this bid. Failure to comply will invalidate the bid.
- A copy of SANS certificate of compliance to SANS 50197-1:2013 of the product/s must accompany this bid. Failure to comply will invalidate the bid.

When we come to the specification there are additional requirements that need to be submitted with the bid:

- The originating factory must be stated in the supporting documents where the cement is coming from and the area from which it comes, which is the province.
- The cement shall be free flowing and free of lumps
- On delivery date the cement shall not be older than 30 days from the manufactured date.

Acceptance criteria, for us to accept the specification of the tender:

- The chemical composition of the cement types offered must not have a total equivalent alkali content of higher than 0.7%
- A SABS Certificate of compliance shall be submitted by the supplier after every 1000 tons of material delivered.
- The material delivered to site shall be as cold as possible. The maximum temperature of 50°C will be allowed but preferably between 30°C and 40°C.

With regards to the program as previously mentioned by Mr. Manfred

- There is a change to PS 4, which reads the duration of the project is 52 months not the 48 months that is on the tender document and all headings in the bid document.
- The delivery will be for a period of 52 months.

Delivery of the products:

- There is a change to the delivery of products and directly indicated as PS 6.1 in the specifications.
- Deliveries may be during working hours : 7h00 to 16h00, but not on the following days or periods
 - ✓ Fridays 14h00 to Mondays 7h00
 - ✓ All public holidays
 - ✓ The period 11 December to 9 January
 - ✓ The last Friday of the month, unless they will be working overtime
 - ✓ Unless otherwise agreed before delivery
 - ✓ There is a deletion to PS 6.4 as it is in contradiction to PS 3.3.4, where was previously stated as that on the delivery date of the cement shall not be older than 30 days from the day of the manufacturer, 6.4 says that is 3 months, so we deleting the 3 months and the 30 days will be applicable.

4. SCM PRESENTATION

Ms Seeletsa took bidders through the submission of tender, conditions of tender and evaluation criteria and the changes made:

4.1 Submission of tender;

- The bid closing date has been moved to 07 May 2019 at 11:00am, any bid received later than the stipulated date and time will not be acceptable.
- The cost for participation is R200, bidders to attach the deposit slip together with the bid document upon the submission of the bid. EFT payments are not allowed, we need the original bank deposit slip. Bid documents can be downloaded from the Departmental website under current tenders.
- The presentation will be emailed to all the bidders who attended the briefing session.
- The original bid and two 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 will be on 25 April 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.
- There are changes on this document, even though we did not put the heading with changes to the bid but there are changes.

4.2 Conditions of 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 initialed by the Bidder at the bottom of the page.

There is a change, the recommended 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.** Mr Ishmael emphasised that this is the different letter from the letter for the stock availability.

4.3 Evaluation criteria

The bid will be evaluated on a four (4) phased approach outlined as follows:

- Phase 1: Compulsory subcontracting;
- Phase 2: Administrative and mandatory requirement;
- 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, 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).

PHASE 1:

Compulsory sub-contracting - Preferential procurement regulations 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 pre-qualification criteria for this bid is in terms of regulation 9.

Only bidders who do 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 (failure to submit the supporting documents, the bidder will be disqualified).

- Sub-contractor's valid sworn affidavit or BBBEE Status level verification certificate.
- The sub-contractor's proof of central supplier database registration.
- Tax compliant with SARS (to be verified through CSD and SARS). Attach a copy of Tax Clearance certificate or status compliance Pin.
- Pro-forma sub-contracting agreement signed by both parties.

PHASE 2:

Administrative Compliance – documents to be submitted:

- Companies must be registered with National treasury Central Supplier Database. Provide MAAA number on SBD 1. Detailed CSD report is required.
- A bidder must be TAX compliant with SARS and a valid copy of Tax Clearance Certificate (TCC) and the Tax Compliance status page which has the company PIN must be submitted for validation purposes.
- Company CIPC/ CIPRO certificate
- In case of case of consortia/joint venture all parties involved must submit its own CIPC/CIPRO certificate, active and in good standing with all CIPC/CIPRO requirements.
- Letter of authority indicating the person duly authorised thereto by a Board of directors or the owner of the company.
- All SBD forms attached to the bid must be completed in full and initialled 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. The Central Supplier Database registration number (MAAA number) on SBD1 should be of the leading supplier.
- Valid Sworn Affidavit or B-BBEE Status Level Verification Certificate of the main bidder – 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.

Mandatory requirements – documents to be submitted:

1. Attendance of the compulsory briefing session (Attendance register will serve as proof).
2. Additional Documentation to be submitted.
3. A copy of the "Letter from the Manufacturer" confirming the supply arrangement.
4. A copy of SANS Certificate of Compliance to Standard for product/s
5. Chemical composition of product/s
6. Certified copy of UIF certificate or letter of good standing. The UIF number should be appearing on the Tax clearance certificate. We have challenges where people submit the SARS letter of Good standing.
7. Valid letter of Good Standing with the Compensation Commission in terms of the Compensation for Occupational Injuries and Diseases Act No 130 of 1993

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

PHASE 3

Technical Evaluation and Specification Compliance:

The minimum points to be achieved by the bidder in order to be considered responsive and moved to phase 4 of the evaluation is indicated as **47** points out of **60**.

1. Schedule of Plant = 10 points

A fully completed and signed schedule list of the delivery tankers and capacity that the bidder own or will lease and have for this contract must be provided. The following must be presented on the schedule to be provided:

- Item description
- Type and size
- Capacity
- Quantity
- Year of manufacture
- Present Financial liability

The amount of product to be delivered ranged between 20 to 500 ton/week therefore at least 4 of 30Ton Tankers will be required at peak. Points allocation will be as follows: (Please attach truck registration or lease agreement for trucks).

5 and more 30 Ton tankers available = 10 points

4 of 30 Ton Tankers available = 5 points

3 of 30 Ton Tankers available = 3 points

2 of 30 Ton Tankers available = 1 point

2. Past Experience = 10 points

- 2.1 Contactable reference (description of the project, period of the contract, contract amount and project manager for reference).
- 2.2 Provide a minimum of 3 contactable references of clients for which bulk supply and delivery of cement where done.
- 2.3 Bidders must submit signed reference letter(s) from previous clients/ employer.
- 2.4 Note that only completed projects will be accepted for evaluation.
Reference letter(s) must indicate any of the above listed projects completed by the bidder. Point's allocation will be as follow:

- ✓ 6 Completed projects = 10 points
- ✓ 5 Completed projects = 8 points
- ✓ 4 Completed projects = 6 points
- ✓ 3 Completed projects = 4 points
- ✓ 2 Completed related projects = 2 points
- ✓ Less than 2 Completed projects = 0 points

3. Product Compliance = 30 points

It is a requirement that Manufacturer of the product be the same throughout the contract and Manufacturer do have a "Letter of Authority" as issued by National Regulatory Compliance Standard (NRCS) and a SANS certificate. Points allocated as follow:

- A "Letter from the Manufacturer" confirming sufficient stock availability at the required rate for the duration of the bid period is presented. **Yes=15 No=0**
- Copies of the SABS Certificate of Compliance to Specification SANS 50197-1: 2013 of the product/s are presented. **Yes=15 No=0**

4. Quality Management System = 10 points

- Provide a sample Compliance SANS certificate that will be provided after every 1000 Ton delivered. **Yes=10 No=0**

Mr. Ishmael handed to Malose to continue with the presentation.

PHASE 4

Price and preference points claimed calculation.

The following preference point system is applicable to this bid:

- the 90/10 system for requirements with a Rand value of 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.

B-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.
- In bids where there is Consortia/Joint Ventures, a consolidated valid B-BBEE certificate must be submitted in order to claim preference points.
- 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!!

QUESTIONS	ANSWERS
Mr Manfred asked if there are bidders who want to go for the site visit	All these bidders indicated that they don't want to go for the site visit.
Bidders required clarity in terms of the letter that was required to be submitted by the successful bidder, because if the bidder is successful it means the bid is already adjudicated.	SCM clarified that the letter will be required to be submitted by the recommended bidder not the successful.
<p>Question regarding the past experience, the objectives of the Broad based Black Economic Empowerment Act is very clear, Most of the Black Companies because we do not have two or more of successful tenders or are going to be penalised and that condition itself set aside the Act.</p> <p>Follow-up question to say that this tender is designed for the big companies as the small companies do not have the experience and did not</p>	<p>The reason why this bid have the 30% subcontracting is not for only participation but it is for the whole tender, If you will be bidding yourself at an amount of R200 million the 30% is the one that is emphasized in terms of the EME and QSE empowerment. Furthermore it says about the main company which can be the white company, prequalification says that particular company need to subcontract the company that is more than 51% black owned and the 51% of the black owned must</p>

complete more than two projects.	be subcontracted 30% and that 30% is not a maximum is a minimum. The past experience it can be either for the main bidder or the subcontractor.
If two companies come together on the joint venture, are they still needed to subcontract the 30%.	30% is compulsory, even if you do the joint venture, the joint venture need to have the lead company, you cannot have the joint venture that is 50/50.
The wording of the past experience on the presentation regarding the 10 points it must be real stated that you or your supplier or your manufacturer.	Bidder must subcontract subcontractors that have experience. Through negotiation you can achieve the required points.
There are two points that are contradicting, letters from the manufacturer, the one comes when you are recommended within 14 days but there is also the one that says you need to get the letter confirming supply when you submit, the people who can confirm the supply are the manufacturers by insisting that we submit that now, if they don't issue that letter to company X the only people who will qualify are the manufacturer. The letter confirming supply agreement and letter sufficient stock is same thing. So it is suggested that the letter be submitted at the end.	Unfortunately the letters will not be removed. We are not going to remove the letters of manufacturers because now there are standards. There are cement that are coming from other country. The reason why letter of manufacturer must sub submitted after 14 days of the recommended is because initially manufacturers did not want to give the companies the letter.

CLOSURE

The meeting adjourned at 12:30.

Signature
Chairperson

