



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

MINUTES OF COMPULSORY BRIEFING SESSION MEETING FOR BID:

DWS11-1019WTE

**NATIONAL CONTRACT FOR THE SUPPLY OF SPARE PARTS FOR THE
SERVICE AND REPAIR OF ALL COMPONENTS OF CONSTRUCTION
EQUIPMENT AND MOTOR VEHICLES FOR 36 MONTHS FOR
CONSTRUCTION (THIS BID INVITATION IS APPLICABLE TO ORIGINAL
EQUIPMENT MANUFACTURERS, AUTHORIZED AGENTS AND FRANCHISED
EQUIPMENT AND VEHICLE SUPPLIERS ONLY) OF 24 MONTHS TO
CONSTRUCTION CENTRAL**

DATE : 08 NOVEMBER 2019
TIME : 10:00AM
VENUE : DWS HEAD OFFICE, EMANZINI G18

Procedural Matters

1. Opening and welcome : Mr K. Fortuin
2. Signing of attendance register : By all attendees
3. Supply Chain Management Presentation : Ms Julia Dirane
4. Technical Presentation : Mr K Fortuin
5. Questions and Answers : By presenters and other
DWS Officials
6. Closure : Mr K. Fortuin

1. OPENING AND WELCOME

Mr K.Fortuin welcomed all to the compulsory briefing session. The attendees were reminded that the tender is only applicable to original manufacturers, authorized agents, franchised equipment and vehicle suppliers. Bidder who does not comply with criteria or does not meet the requirements of the bid will not be considered.

2. SCM PRESENTATION

Ms Dirane took the bidders through the tendering process and supply chain compliance thereof. She further indicated that the 36 months period will commence after the successful bidder has signed the contract and received the official order from the Department.

Ms Dirane explained that because the briefing session is compulsory, only bidders who attended the session will be considered. Bidders were requested to complete the attendance register, which will serve as proof of attendance during the evaluation. They were also advised to ensure that the name of the company registered on the attendance must be the name of the company the bidder intend to bid with, an exception of using a different name will only be allowed in instances where companies are forming joint ventures of which one company must have attended the compulsory briefing session.

During the evaluation, if it is discovered that the name of the bidding company does not correspond with the name on the attendance register, the bid will not be considered.

The presentation was outlined as follows:

- **Instruction to bidders**

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

INSTRUCTION TO BIDDERS

- The documents can be downloaded from the Departmental website under current tenders , website www.dwa.gov.za/Tenders/tendersCurrent.aspx
- Bidders were requested to complete the tender document with an black and each page of the completed document that will be submitted should be initialed by the bidder at the bottom of the page.
- Technical queries with regard to the bid can be forwarded to Mr K Fortuin at fortuink@dws.gov.za , tel no 012 336 6868 from 08:00-16:00.
- Bidders were informed that for supply chain management related queries , bidders must forward their queries to bidenquirieswte@dws.gov.za
- Ms Dirane advised bidders to formalize their queries in writing as their queries together with the responses from the Department will form part of the minutes and all the information will be shared with all the bidders who attended the compulsory briefing.
- The bid must be signed on Standard bidding document (SBD1) with all blanks in the bid and the appendix filled in. All spaces in the bid forms and the annexures shall be completed in full.
- Section 3 (pricing schedule) in the bid document must be fully completed and prices out by the bidder. Failure to do so will deem your bid invalid.

SUBMISSION OF TENDER

- The closing date for the bid is 28 November 2019 at 11:00am. Telkom line (1026) will be used to confirm the time. On the closing date, public opening of the bids received will be conducted where the names of bids received and the tendered prices will be announced, bidders are welcome to attend the public opening.
- Bidders were informed that any bid received later than the stipulated date and time will not be acceptable.
- Bidders were requested to clearly indicated the following when packaging their bid document :
- The name and contact details of the authorised person to compile the tender.
- The reference number and the description of the tender.

- The original bid, 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 deposited in the bid box situated at the entrance of the ZwaMadaka Building, 157 Francis Baard Street (formerly known as Schoeman Street) Pretoria.
- The tender box is opened 24 hours and 7 days per week.
- In case where the bid packaging is too big to be inserted in the bid box, bidders are requested to make necessary arrangement timeously with Supply Chain Officials.
- In case where a bidder prefers to post their bid response, it will remain the bidder's responsibility inform the Supply Chain Officials prior to the closing date, to enable SCM officials to make necessary arrangement with registry personnel.
- Where the bidder will be using courier's services, it remains the bidder's responsibility to ensure that their bid document is delivered to the correct address and on time.
- Should bidders submit their bid document in none of the method mentioned above, and the bid is received late, SCM will not be held accountable and the bid will not be considered.
- The bid must be signed by a director of the company or a duly authorised person and proof of such authority must be submitted with the bid. In case where there is Board of Directors, a nominee must be appointed in writing and such proof must be submitted with the bid on the closing date. Any correspondence pertaining to the bid will be communicated with the person nominated on behalf of the company.
- If the bid is submitted by joint venture of more than one person and/or companies and/or firms it shall be accompanied by the following :
 - The original or a notarial certified copy of the original document under which such a joint venture was constituted which must define precisely inter alia the conditions under which joint venture will function , its period of duration and the participation of the several constituent persons and/or companies and/or firms.
 - A certificate signed by or on behalf of each participating person and/or company and/or firm authorising the person who signed the bid to do so .

- The joint venture agreement must be attached, clearly indicating the leading company.
- The department will prefer that the nominated personnel who will be compiling the bid document, be from the leading company.
- The last date for sending queries for clarifications will be on **19 November 2019** at 16:00pm. The questions to be forwarded to bidenquirieswte@dws.gov.za. Queries received after the due date will not be considered.

APPLICABLE EVALUATION CRITERIA.

The assessment of completeness and responsiveness will be done in terms of the approved evaluation criteria. The bid will be evaluated on a three phase approach outlined as follows:

Phase 1: Administrative compliance

Phase 2: Technical Compliance

Phase 3: Evaluation of price and preference points claimed.

Bids will be evaluated in accordance with the new Preferential Procurement Regulations 2017, which came into effect on the 01 April 2017 using 80/20 preference points system as prescribed in the Preferential Procurement Policy Framework Act, Act 5 of 2000).

The lowest acceptable bid will score 80 points for price and a maximum of 20 points can be obtained as per the bidder's B-BBEE status level of contribution.

PHASE 1

ADMINISTRATIVE COMPLIANCE

Bidders are required to submit and or complete the following documents which should form part of the bid. Omission to complete and /or submit the listed documents will render your bid non-responsive and the bid will not be considered for Phase 2.

Mr. M. Mdletshe also highlighted that under administrative compliance bidder's maybe, with the permission of the bid evaluation committee requested to submit or complete documents after the closing date. The supplier may be given a certain maximum days to rectify or submit the documents.

Bidders were advised to follow the sequences of the required documents when indexing the bid. The document will be user friendly and will timeously enable SCM official to identify which documents can the bidder be requested to submit if need be.

- (a) The bidder must be registered with the National Treasury Central Supplier Database (CSD) upon the closing of the bid. Recent copy of detailed CSD report must be submitted. The following key information will be verified on the day of the evaluation.
- Business registration , including details of directorship and membership
 - Bank account holder information
 - In service of the state status
 - Tax compliance status
 - Identity number
 - Tender defaulting and restriction status ;and
 - Any additional and supplementary verification information communicated by the National Treasury.
- (b) A valid copy of Tax Clearance Certificate (TCC) .The compliance status will be verified through CSD and SARS. On the evaluation day, upon verifying the compliance status whether through CSD or SARS, if found that the bidder is non-tax complaint, the bidder will be notified in writing of their tax status and be requested to rectify their tax matters.
- (c) All SBD forms attached to the bid must be completed in full ,signed and returned.
- SBD 1 (Invitation to bid)
Bidder's company details and contact must be completed in full, where there is a provision for signatures, signatures must be attached
 - SBD 3.2 (pricing schedule – firm price)
Bidders are required to complete the pricing schedules and the annexures as per the instructions of the bid. The pricing schedules will be used during the evaluation and at contract stage.
 - SBD 4 (Declaration of interest)
Reference was made to paragraphs 2 and 3 of the standard bidding document. Bidders were informed that the standard bidding document must be completed in full and where proof is required, it must be furnished. They must be honest with their declarations.

Ms Dirane emphasized the importance of paragraph 2.7, bidders were informed that at times the department outsources personnel from other departments to pre-evaluate, evaluate or adjudicate tenders. Furnishing the information or particulars will assist members to recuse themselves from the meetings if found to have connections with the bidder. This will ensure that the tendering process is not jeopardized, is fair and transparent.

Bidders were also informed that paragraph 3 must be fully completed. The names of the directors/trustees/members and shareholders and the ownership must be the same information reflecting on the central supplier database and the CIPC. It remains the bidder's responsibility to monitor their compliance status even after submitting their bid document.

- SBD 6.1

Bidder who will be sub-contracting any of the works must complete information of the sub-contractor in paragraph 7. Mr Mdletshe indicated that whilst the primary principle for subcontracting is about empowerment, the Department has of late noted that companies will subcontract their subsidiary or subcontract companies which they partly owned. The practice is not allowed as per the National treasury SCM prescripts as it deems that the company is competing amongst themselves.

- SBD 8 (Declaration of bidder's past supply chain management practices)

The standard bidding document must be completed in full, in instance where any of the directors committed fraud or any other improper conduct in relation to supply chain management system, information must be provided. SCM verifies the directorship provided by the bidders through National treasury's register of tender defaulters and database of restricted suppliers. Bidders were once again urged to be honest and transparent in their declarations.

- SBD 9 (Certificate of independent bid determination)

The SBD serves as a certificate of declaration to ensure that reasonable steps were taken to prevent any form of bid-rigging when bids are considered. Bidders were encouraged not to secretly conspire or discuss pricing and tender materials with other companies before completing the tender document.

The Department has of late noted that companies will participate in the same tendering process with their subsidiary or with companies which they partly owned. The practice is not allowed as per the National treasury SCM prescripts as

it deems that the company is competing amongst themselves. It remains the bidder's responsibility to ensure that they do not share information and joint venture partners bidding for the same tender as it an automatic disqualification.

Mr Mdletshe indicated that if found both companies will be disqualified and the department may take the decision to report the companies to the Competition Commission.

Information to be provided for consortia / joint ventures

- In bids where Consortia/Joint Ventures are involved, each party must complete a separate Standard bidding document 4, 8 and 9 and the central supplier database register number to be completed on SBD1 must be of the leading company.
 - Attach valid copy of Tax Clearance Certificate (TCC) of each company.
 - Submit a detailed central supplier database report for each company.
 - Attach separate CIPC and the status should indicate active and in business.
 - Attach a certified copy of consolidated BBBEE certificate.
- (d) Bidders are required to submit copy of CIPC certificate and the status should active and in business .
- (e) Attendance of compulsory briefing session (attendance register will serve as proof).

PHASE 2:

TECHNICAL COMPLIANCE

NB: Bidders will be required to submit proof of qualifications and experience of all Artisans, Competent persons and skilled workers who will be performing work on this contract. Mr Fortuin clarified that for this requirement bidders can only submit the qualification and experience of the person in charge of the workshop. One CV attached for the person in charge of the workshop will suffice.

- The contractor needs to have a well-equipped workshop to ensure quality of work is not compromised.
- (a) Trade Test certificates issued by the relevant authorized for artisans employed by the bidder or proof of relevant qualifications required for certain repair categories to be attached as indicated or to be submitted within 5 days after receipt of official request.

If companies have a high number of experienced artisans employed (e.g 70 employees), there is no need to submit CV's with trade test certificate and qualifications for all of its employees but can submit for the person in charge of the workshop.

- (b) Workshops or premises must comply, as specified for the different repair categories. Workshops and premises will be inspected to ensure compliance with the requirements specified in the bid documents.

The department might send someone to the workshop to check if it is fully equipped and also to ensure that the quality of the work will not be compromised.

- (c) Proof of accreditation where indicated for certain repair categories to be attached as indicated or to be submitted within 5 days after receipt of official request. The bidders were informed that this requirement will not be applicable for evaluation purposes, but will be for noting by the bid evaluation committee. The requirement will only be applicable at the time of ordering.

This part will only be taken note of by the Bid Evaluation Committee, for example if you have a turbo which needs to be repaired or lifting and the company needs accreditation for it, that accreditation will be required after the department has placed an order

PHASE 3

PRICE AND PREFERENCE POINTS TO BE CLAIMED.

The following preference point system is applicable to this bid:

The 80/20 system for requirements with a Rand value of below R50 000 000 and the lowest acceptable bid will score 80 points for price and a maximum of 20 points will be awarded for attaining the Broad-Based Black Economic Empowerment (BBBEE) Status Level of Contribution.

- Any bidders who want to claim the preferential points must submit proof of valid BBBEE 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 BBBEE status level of contribution are not claimed)
- BBBEE certificate must be a certified copy and it must be valid on the closing date of the tender 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 the closing date of the tender in order for a bidder to qualify for the points to be claimed.

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 were requested not to make a copy of the document which has already been certified for tendering purposes.

QUESTIONS AND ANSWERS.

QUESTIONS	ANSWERS
It was highlighted that the supplier must be registered on CSD; we are OEM and have registered but have only been supplying spare parts under quotations must we register with National Treasury for this bid.	The central supplier database was established as a single platform by National Treasury for the registration of prospective suppliers including the verification functionality of key supplier information. Only suppliers who are registered with CSD are allowed to do business with all organs of the state either through quotations or tendering process.
Instruction to bidders, paragraph (d), does contradiction of the special conditions stipulated in this bid include the warranty?	Since well the department does not know what bidders may indicate as contradictions to the conditions stipulated in the bid, where there are contradictions, the department will engage with the supplier.
With regards to warranty, most of the company warranties are based on 12 months period, if the department indicated 18 months what will happen because companies cannot change their standards?	18 months will prevail, if the bidder signs the bid that means he is accepting the conditions of the bid.
Does that mean that if I am not accepting 18 months warranty, I am not allowed to bid?	No, if there are contradictions in the bid, the bidders were requested to clarify that before the time and it will be communicated to all the bidders who attended the compulsory briefing session.
If the bidder has deviated from the department's terms and conditions, will the department notify the bidders that their deviations were acceptable	If bidders feel strongly about the clauses in the bid documents, they are requested to put that in writing on a covering letter and bring to the

or not?	attention of the Department. Yes, the department will notify the bidders if their deviations have been accepted or not.
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, will be applicable only to the recommended bidders. Failure to do so will invalidate the Bid.	The requirement will remain as it is, not to be changed.
What will happen if a company does not appear on the list of equipment manufacturers listed in the document	The name of the companies listed in the document is not a complete list, there may be equipment that the department has and it does not mean that the bidder cannot make an offer to it, your company can supply the department with that equipment then the company can apply for it.
The department may be having a Cat machine which need repairs and Cat Company is not here for the briefing session or is not part of the bidders, when you have a breakdown on site and the machine needs to be repaired, obviously the service provider will need a workshop that has a the relevant accreditation to carry out such work Can sub-contracting be a solution?	Sub-contracting will be allowed and provision has been made in the bid documentation.
Can the department provide us with a geographical list of all the projects?	The department will provide bidders with maps where project are situated, but the configuration may change year after year depending on when the projects are coming.
What happens if the breakdown happens in the middle of nowhere, will the mobile facility or workshop be preferred?	A mobile facility or workshop will be acceptable
How will the overtime be managed?	The overtime rate to be considered will be based on the Basic Condition of Employment act
Is the intension of this bid to identify the contracting suppliers, spare parts price cannot be given at this stage but once the contractor is identified the spare parts price will be negotiated because the bid document has not made allowance for price but discount ?	Yes the bid document does not require price for the spare parts.at this stage.

The companies do know the price of the spares they have but in the bid document provision was not made for price.	
In the bid document there is a list of personnel, equipment and certificate which the contractor will be required to have at their workshops, what sort of document must the bidders submit	CV and trade tests to be submitted

3. CLOSURE

The meeting adjourned at 12:00.



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Signature
Chairperson



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Secretary
Chairperson

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