

MINUTES OF COMPULSORY BRIEFING SESSION MEETING FOR BID:

DWS010-1020 WTE

SUPPLY AND DELIVERY OF CLASS E WEARING COURSE AGGREGATE AT MZIMVUBU WATER PROJECT – ACCESS ROAD FOR CONSTRUCTION EAST NEAR MACLEAR IN THE EASTERN CAPE PROVINCE FOR A PERIOD OF 12 MONTHS.

DEPARTMENT OF WATER AND SANITATION OFFICIALS PRESENT:

Ms Julia Dirane	SCM Representative Head Office
Ms Nondumiso Mnguti	SCM Representative Head Office
Mr Ayanda Shumane	Project Manager : Construction East
Mr Jan Moloko	Laboratory Technician

SCM Presentation by: Ms Julia Dirane

Technical Presentation by: Mr Ayanda Shumane

Date: 22 October 2020

Time: 09:30am

Venue: Esiqhungqwini Junior Secondary School, Eastern Cape

1. OPENING AND WELCOME

Mr Shumane opened the meeting and introduced him and other DWS representatives. Attendance register was circulated to bidders.

2. ATTENDANCE

Participants and attendance were recorded on the attendance register attached.

3. PRESENTATION OUTLINE

- Submission of tender;
- Instruction to bidders, and
- Evaluation criteria.

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4.	SUBMISSION OF TENDER:	
	Ms. Dirane took the bidders through the process to be followed when completing and submitting the bids.	
	 Bid documents can be downloaded from the Departmental website under current tenders: www.dwa.gov.za/Tenders/tendersCurrent.aspx. 	
	 The briefing session minutes, briefing session registers as well as any other bid documentations will be placed under the current bid, departmental website, where the bid is placed. 	
	 The closing date for the bid is 13 November 2020 at 11:00am. Any bid received later than the stipulated date and time will not be acceptable. 	
	 <u>Two copies</u> of the Bid Documents (One original and one copy) shall be duly completed, signed and submitted. 	
	 A completed and signed bid document together with a covering letter and supporting documents shall be submitted in a sealed envelope endorsed with a bid number and a bid description 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 Zwamadaka Building, 157 Francis Baard Street, Pretoria. 	
	 On the closing date, there will not be a public opening due to the Covid19 regulation which must be observed. 	
	 Bidders have three options to submit their bid documents (hand delivery, via couriers or by post). 	
9	 However in a 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's responsibility to inform SCM to collect their bid response from registry 3 working days before the closing date. Failure to do so and the bid response is received late, SCM will not be held accountable. Bidders are requested to make necessary arrangements on time with the bid office to avoid unnecessary disappointments. 	
	 The last date for sending queries for clarifications will be on 5 November 2020 at 16:00pm. The questions to be forwarded to bidenquirieswte@dws.gov.za. Queries received after the due date will not be considered. 	
	 Office contact details of the SCM officials are placed on the DWS advert including their work cellphone numbers. Bidders are requested to make contact with the officials during working which is from 8:00am in the morning till 16:30pm. 	
	 All enquiries should be done through emails not cell phone message will be responded to. 	

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5.	INSTRUCTION TO BIDDERS:
	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.
	The bid must be signed with all the blanks in the bid and the appendix filled in. All spaces in the bid forms and other annexures shall be completed in full.
	 Section 3 (Pricing Schedule) in the bid document must be fully completed and priced out by the bidder. The enclosed SBD document 3.1 is for firm price. NO PRICE ADJUSTMENT will be allowed.
	"Bidders using the system calculator for their pricing are requested to limit their pricing to two decimals (cents) to avoid completing/transferring wrong figures on the bid document."
	 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. "Letter of Notification to Bidder" from this Department. Failure to comply with this requirement within 14 calendar days shall result in the bid being awarded to another bidder.
6.	EVALUATION CRITERIA:
	The bid will be evaluated on a five phased approach outlined as follows:
	Phase 1: Mandatory requirements.
	Phase 2: Pre-qualification criteria.
	Phase 3: Administrative compliance.
	Phase 4: Submitting and testing of samples.
	Phase 5: 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 will be awarded for attaining BBBEE points.
6.1	Phase 1: Mandatory requirements – (Failure to submit any of the documents listed below will render the bid non-responsive and the bid will be disqualified)
	Attendance of the compulsory briefing session (Attendance register will serve as proof, no certificate of attendance was issued at the compulsory briefing session).
6.2	Phase 2: Pre-qualification criteria - Preferential Procurement Regulations 2017, Regulation 4.

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	 In order to give effect to the Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act (Act No 5 of 2000), and the selected prequalification criteria for this bid is in terms of regulation 4.
	Pre-qualification criteria will be used in this bid to advance designated groups on the basis of
	Level 1 and 2 of B-BBBEE Level of contributor, and
	Level 1 Level 2
	EME EME
	 Failure to meet the above indicated pre-qualification in terms of the PPR, 2017 Regulation 4 will automatically disqualify your bid.
	Compliance or verification will be made on B-BBEE level contributor status on CSD or submitted B-BBEE certificate or sworn affidavit submitted with the bid.
6.3	Phase 3: Administrative Compliance – documents to be submitted:
	1. Detailed CSD report
	The bidder must be registered with the National Treasury Central Supplier Database (CSD) upon the closing of the bid. In bids where consortia/joint venture is formed, separate CSD reports must be submitted.
	 A valid copy of Tax Clearance Certificate (TCC) and the Tax Compliance status page which has the company PIN. (This is applicable to JV partners or sub-contractors should there be any)
	3. Status of the company in the CSD should indicate "Active" and "In business". Company to attach copy of CIPC/ CIPRO certificate.
Q	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.
	4. Bidders are to submit a copy of the B-BBEE Status Level Verification Certificate or sworn affidavit. (Failure to submit, the bidder will forfeit the preferential points to be claimed).
	 Bidders to attach a valid letter of Good Standing with the Compensation Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act No. 130 of 1993 and or third party insurance registered with Financial Services Board. (Verification will be done with the relevant authority)
	 Bidders to attach a copy of a valid UIF certificate of compliance or copy of a valid good standing/tender letter. (Verification will be done with the Department of Labour).

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	7. Bidders are to initial and sign Section 2 Tender data.
	8. The bid must be signed by the director of the company or a duly authorised person and proof of such authority must be submitted.
	9. All SBD forms attached to the bid must be completed in full and signed. (SBD1, SBD3.1, 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.
6.4	Phase 4: Submitting and testing of samples
	Bidders that passed phase 3 of the evaluation criteria will be contacted to submit samples within 10 working days after receipt of official request. The bid will be evaluated using below criteria and failure to comply with all the specifications as listed will render your bid as not to specification and non-responsive and the bid will not be considered for phase 4 evaluation.
	 Samples should be submitted within 10 working days after receipt of official request for submission of samples as per Clause 7 of the Tender data under Section 2. Test result must be in compliance with Standard Specifications as set out under Section 2: Tender data.
	3. The Sample Identification Card should be attached to the bag of sample. There should also be a copy of this card be put in the same bag to insure that if the outside Sample Identification Card gets lost, the sample can still be identified. Failure to adhere to this will invalidate the bid.
6.5	Phase 5: Evaluation of Price and Preference Point Clamed:
	The following preference point system is applicable to this bid:
	The 80/20 preference point system in accordance with PPPFA Act, where 80 points will be attained in respect of price and 20 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 certified copy of B-BBEE Status Level 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).
9	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 bids where there is Consortia/Joint Ventures, a valid certified copy of a consolidated B-BBEE certificate of the legal entity 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

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	WHICH HAS ALREADY BEEN CERTIFIED FOR TENDERING PURPOSES!!
7.	STANDARDS, SPECIFICATIONS AND DEFINITIONS
	Mr Shumane took the bidders through the standards, specifications and the definitions entailed in the bid document.
7.1	STANDARDS, SPECIFICATIONS AND DEFINITIONS APPLICABLE
	APPLICABLE
	Material to conform to THR14 standards and COLTO and other relevant test specifications.
	The size and range of the graded stone / gravel, Bearing Strength and Swell shall conform to the requirements and grading as shown in the table below. (FOR MORE INFORMATION REFER TO TRH14 AND RELEVANT TESTS SPECIFICATIONS)
7.2	General
	Blending, washing or by such other methods as the Department may from time to time approve, may be used.
	 Where materials are blended, the Bidder shall provide means, to the approval of the Department, of such blending. The blending techniques and proportions used from time to time shall take due account of the moisture in the materials. The methods and durations of mixing of the materials shall all be subject to the approval of the Department prior to commencing and during the execution of the work.
	The Bidder shall perform at his own expense, such test as the Department may approve or subsequently order to develop a satisfactory blending technique and such additional routine tests to ensure that the desired uniformity of quality is maintained.
	The water used for washing the material shall be free from silt or other suspensions that might impair the washing efficiency or detrimentally affect the material properties
2	• The quality used for the construction of the structures and the methods of procuring and processing materials shall at all times be subject to the approval of the Department who shall be at liberty to order the Bidder to operate from any of the approved sources of supply. A stockpiled material no longer conforming to the specified requirements or able to yield a uniform product shall be re-processed at the expense of the Bidder and to the satisfaction of the Department.
	The material delivered shall be free from any contamination including but not limited to rubble, vegetation, spillage and steel material. Contaminated material during delivery will not be accepted
	MATERIAL CLASS CLASS E WEARING COURSE

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	PARENT MATERIAL	Similar material as the base course
	NOMINAL MAXIMUM SIZE	Maximum size ±37.5mm
	STRENGTH (CBR)	Minimum soaked CBR at 95% mod AASHTO shall be at least 15%
7.3	QUARRY SITES AND WOR	KS
	Bidders are required to decid	de for themselves which commercial quarry/ crusher they

Bidders are required to decide for themselves which commercial quarry/ crusher they propose to use.

The responsibility for the selection of a suitable quarry / crusher rests with the Bidder. Any selected quarry / crusher may only be used after the samples submitted from that quarry / crusher is tested and approved by the Department.

The decision regarding which offer to accept will be made on the conformation to the relevant specifications and in conjunction with the Preferential Procurement Regulations, 2001. Accordingly, no additional or subsequent claim for any difficulties or expenses incurred in the removal and delivery of any material will be entertained at any stage.

The Department have the right to inspect the quarry / crusher of all the Bidders to ensure whether sufficient quantities of material is available and whether the plant of the Bidder is in such condition to complete the contract. The inspection may take place before, during and after the award of the contract.

The Bidder shall be in possession of and approved Environmental Management Programme Report (EMPR) to conduct all quarry and/or sand extraction processes where applicable. Such report shall be made available on request by the Department.

7.4 AGGREGATE AND PRODUCTS

The Bidder shall maintain stockpiles in the designated area that:

- (i) Provide adequate capacity to ensure no interruption to the construction operations
- (ii) Ensure separate storage areas for different types and sizes of material such that no contamination between sizes occurs
- (iii) Ensure that there is no inter mixing or contamination by deleterious matter
- (iv) Ensure that there is no segregation

7.4.1 Gravel wearing course for road layer construction

The material shall comply with the following: standards of SABS 1200M, SABS 1200ME, SABS 1200DM, SABS 1200MF and SANS 1083 in the form of their latest editions, the grading and wearing course properties according to paragraph 6.1.to 6.7 as well as additional specifications listed in this document.

7.4.2 Parent Material

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	Natural gravel and boulders which may require crushing, or crushed rock
7.4.3	Additional Fines
	May contain approved natural fines not obtained from parent rock.
7.4.4	Strength
	CBR at 95% of Mod. AASHTO max. density shall be at least 45%. Swell at 100% of Mod. AASHTO max. density shall not exceed 0,5%.
7.4.5	Durability
	Mudrocks shall have a wet 10% FACT Value of at least 90kN
7.4.6	Shape
	All alluvial or colluvial material shall be so crushed that at least (50% by mass) of the fraction retained on the 4.75mm sieve has at least one fractured face.
7.4.7	Atterberg limits
	LL shall not exceed 30. PI shall not exceed 10, except that for materials other than mudrocks, the PI shall not exceed 12 if less than 30% of the sample passes the 2,00mm sieve. LS shall not exceed 5%. In the case of calcretes, the PI shall not exceed 15, provided that the LS does not exceed 6% and the product of the LS and the percentage passing the 0,425mm sieve does not exceed 320.
7.4.8	Size
	The maximum size of crushed material shall be 53mm before compaction. The maximum size of uncrushed material shall be 63mm.
7.4.9	Grading
	The percentage (by mass) passing the 2,00mm sieve shall be not less than 20% and not more than 70%. Grading modulus shall be not less than 1,5 and not more than 2,5.
7.5	PRODUCT TESTING
	The supply of samples of at least 3 x 50kg bags of product (Class E Wearing Course) material is a condition of the bid.
	The samples shall be clearly marked, inside and outside of the bag, with the Bidder's name, bid number, item number and product description (The form is in Section 4, please do make enough copies)
	NOTE: Samples should be submitted within 10 working days after receipt of official request for submission
	and shall be delivered to:
	Department of Water and Sanitation Construction East Attention: Mr. Jan Moloko Grootdraai Dam - Materials Laboratory Standerton Mpumalanga Province 2430

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	For Lab enquiries: Mr. J Moloko – (t) 060 980 5584 / 017 720 1600 (During office hours)
	For Technical and site enquiries : Mr. A Shumane – 060 980 8141 (During office hours)
	It is the responsibility of the bidder to ensure that the identification cards, inside and outside of the bags, are protected against mechanical damage or damage by moisture and that the card stays intact at all times.
	Failure to submit the samples properly identified showing the bid number; the Bidder's name and the item number etc., four (10) working days after the official communication from the Department will invalidate the bid.
7.6	TECHNICAL SUPPORT
	Should any problem be reported to the supplier concerning the services, the following response times are expected:
	Within 24 hours a representative of the supplier should be on site to resolve the problem.
	Within 24 hours there should be a solution to the problem or if not possible, replacement products should be on site within 48 hours at the supplier's expense.
	ANY DEFECTED PRODUCT SHOULD BE REPLACED AT THE SUPPLIER'S EXPENSE.
7.7	SCOPE OF CONTRACT
	The Bidder will be required to perform the following service as part of this contract:
	 (i) Supply and deliver of Class E Wearing Course for DWS-Construction East (Mzimvubu Water Project in the Eastern Cape Province) (ii) All transport and loading costs shall be included in the bid rates.
7.8	QUANTITIES REQUIRED / DELIVERY
Q	Required quantity is: 45000 tons Minimum stock pile is 15000 tons Peak rate per week is 5000 tons Minimum rate per week is 4000 tons
	The quantity required cannot be guaranteed. The attached schedule provides a unit price only. However, the requirements can be as per the demand specified in the orders.
	Orders will be placed as and when requirements become known. Deliveries will be required from date of order.
	The Bidder will not be entitled to claim any form of compensation for any requirement variations in the total quantities or specific quantities whatsoever.

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	The delivered material will be accepted and regarded as being similar to the approved sample and in accordance with the specification if it fulfils the requirements given in hereunder.
	The difference, expressed as a percentage of the mass retained by any sieve shall not differ by more than 5 percentage points from the corresponding percentage as determined for the standard of reference (sample) as supplied. The quality of the material shall be visually similar to the sample that was submitted but when suspect it will be verified by laboratory testing
	NOTE: THE DEPARTMENT RESERVES THE RIGHT TO CHANGE THE QUANTITY/QUANTITIES TO BE ORDERED FROM THE SUCCESSFUL BIDDER.
7.9	PROGRAMME OF WORKS
	 It is required from the successful bidder to start with the work (5) five days after receipt of an official DWS order. It is also a requirement of the bidder to submit a program of works, to indicate the
	duration of each activity.
7.10	ROAD CONDITIONS AND DISTANCE
	Bidders are advised to acquaint themselves with roads, road conditions, distances, etc. on and to the site, before bidding.
7.11	COSTS
	Bidders shall provide in their bid for all labour, plant, material, implements and vehicles necessary for the execution of the contract and all operating and maintenance costs in accordance with the bid documents.
7.12	DELIVERY
	Delivery of the Class E Wearing Course material to site will commence once the contract has been awarded and 5 days after receipt of the official DWS order.
0	Also, the contractor will contact the supplier in advance to arrange a date and time on which the material must be delivered to site.
	The site address is: Department of Water and Sanitation Construction East - Mzimvubu Water Project R396 Road, Ntabelanga dam Maclear Eastern Cape Province
	Coordinates - 31°07'19"S and 28°41'13"E.
	Deliveries may be made during the following working hours 7h30 to 15h00 from Monday to Thursday but not on the following days or periods:

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	 (i) Fridays 14h00 to Mondays 7h00 (ii) All public holidays (iii) The period 14 December to 07 January per annual calendar. (iii) The last Thursday and Friday of the month
	The Bidder shall nominate a contract person with whom the Department will arrange and schedule deliveries. Official Purchase orders for material will be placed 48 hours before delivery is required.
	DWS Construction will perform testing of all material delivered to site to ensure that all material do comply with the relevant specification.
	DWS will decline material that does not comply. The declined consignments must be removed from site ASAP for the Bidders own cost.
	The ownership of and risk for purchased material will pass to the Department at the point of delivery i.e. where a signed acceptance take place.
7.13	DELIVERY PERIOD
	A firm delivery period is required. Adherence to bid delivery period is of utmost importance.
	Note that the penalty for late delivery prescribed in paragraph 17 of the Specification will be imposed.
7.14	BID PRICE AND DELIVERY PERIODS
	All-inclusive bid prices are required, meaning delivery and any other cost mentioned in the specification for the Bidders account must be included in the unit price. Firm bid prices and delivery periods are preferred.
7.15	PENALTIES AND DELAY DAMAGES
2	The penalties referred to in clause 25 of the General Conditions of Contract state if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the price as a penalty, a sum services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC clause 23.
7.16	PAYMENT
	Payment will be made as per pricing schedule; no interim payments will be made.
	The Department reserves the right to check the quantities of work done at any time. Payment will be made monthly on receipt of specified tax invoices.
	Payment will not be made for consignment unless supported by delivery notes and weighbridge tickets duly signed by the official checking the delivery. Payment will be done within 30 days of receipt and approval of original invoice by depositing the

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	payment directly into the bank account of the successful bidder. No cash or cheque payment will be done. Payment for standing time exceeding two hours will only be made if such standing time is a result of the action of the Department.
7.17	ACCEPTANCE CRITERIA FOR DELIVERED MATERIAL
	The delivered material will be accepted and regarded as being similar to the reference sample and in accordance with the grading specification if it fulfils the requirements given in Clause 4 and 6.
7.18	SAFETY AND ENVIRONMENTAL
	Bidders are required to adhere to the Departments Safety and Environmental policies.
8.	CLOSURE:
8.1.	Meeting adjourned at 10:35am.

No.	GENERAL AND TECHNICAL	ANSWERS
	QUESTIONS	
1.	Is local content not included under phase 1 for national tenders?	Local content is not part of this tender.
2.	Under phase 1, the briefing is compulsory, if not attended, then the document will be non-responsive. How will the Department verify this information?	Register will be uploaded on the website. The BEC members will have access to this for the evaluation purposes. They will check the register for both legal name and trading name against what is on the register. Bidders were requested to write clearly.
3.	It was mentioned in the previous tenders that there will be no public opening due to COVID 19. Will it not be possible to have transparency in opening just like the briefing session?	The bidder was requested to put it in writing as there is no space at Head Office where the public opening can be conducted. The request will be forwarded to the superiors. The request should be forwarded as soon as possible
	FSJ was not happy with the process of not opening the tenders publicly and wishes to put it on record that the reasons are similar to the briefing session meeting. Bidders are gathered for the briefing session under COVID 19 Act. Is it not possible that something similar to this gathering be done for public opening? Briefing session took place under COVID Act as well. It is only fair that a public area be sought instead of electronic website.	

No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
4.	Should bidders tick all the boxes on SBD 6.1 page 3 paragraph 7.1.1 (v)?	Only if you are sub-contracting. Not applicable to bidders who are not sub-contracting.
5.	Which website to be used to verify the information.	www.dws.gov.za/www.dwa.gov.za. The register and the minutes will be published on this website.
6.	Is it compulsory to write personal income tax number on SBD 4 page 4?	If personal income tax number is not available, bidders should write not applicable.
7.	Name of the person responsible for technical enquiries.	It is available on SBD 1 together with those of SCM practitioners. Bidders should make sure that when they send inquiries, they send them to both emails provided on the document.
8.	What documents should one submit If they have never worked or they have no employees? The reason for this is that, Department of Labour wants this information from the applicant when they apply for UIF .certificate	Department of Labour provide companies that have no employees with tender letter / letter of good standing. Certificates are issued to those who have employees.

Mr. A.A. Shumani

Project Manager

Ms. N. Mnguti

SCM Secretariat