



## **water & sanitation**

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA

### **MINUTES OF COMPULSORY BRIEFING SESSION MEETING FOR BID:**

**DWS03-0720 WTE**

**SUPPLY AND DELIVERY OF FLY ASH FOR THE CONSTRUCTION OF VLAKFONTEIN CANAL NEAR STANDERTON IN THE MPUMALANGA PROVINCE FOR A PERIOD OF 24 MONTHS.**

#### **DEPARTMENT OF WATER AND SANITATION OFFICIALS PRESENT:**

Mr. Mohale Shai	SCM Representative Head Office (Acting Chief Director)
Ms. Nondumiso Mnguti	SCM Representative Head Office
Ms. Julia Dirane	SCM Representative Head Office
Ms. Nellie Noge	SCM Representative Construction East
Mr. Thulani Nyezi	Project Manager : Construction East
Mr. Mlungisi Maseko	Site Technician: Construction East
Mr. Karabo Kgatle	Site Agent: Construction East

**SCM Presentation by: Ms. Julia Dirane**

**Technical Presentation by: Mr. Thulani Nyezi**

**Date: 06 August 2020**

**Time: 14:00pm**

**Venue: Vlakfontein Construction Site Office**

## 1. OPENING AND WELCOME

Ms. Dirane opened the meeting and introduced herself, other DWS representatives were also requested to introduce themselves. 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.	<b>SUBMISSION OF TENDER:</b>
	<p>Mr. Shal took the bidders through the process to be followed when completing and submitting the bids.</p> <ul style="list-style-type: none"><li>• Bid documents with the Local production and content (Annex C, D and E) annexures can be downloaded from the Departmental website under current tenders: <a href="http://www.dwa.gov.za/Tenders/tendersCurrent.aspx">www.dwa.gov.za/Tenders/tendersCurrent.aspx</a>,</li><li>• The briefing session minutes, briefing session registers as well as any other bid documentations will be placed under the current bids where the bid is placed.</li><li>• The closing date for the bid is <b>24 August 2020 at 11:00am</b>. Any bid received later than the stipulated date and time will not be acceptable.</li><li>• <b>Two copies</b> of the Bid Documents (One original and one copy) shall be duly completed, signed and submitted.</li><li>• 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.</li><li>• The bid document must be deposited in the bid box situated at the entrance of Zwamadaka Building, 157 Francis Baard Street, Pretoria.</li><li>• On the closing date, there will not be a public opening due to the Covid19 regulation which must be observed.</li><li>• Bidders have three options to submit their bid documents (hand delivery, via couriers or by post).</li><li>• 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</li></ul>

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	<p>arrangements on time with the bid office to avoid unnecessary disappointments.</p> <ul style="list-style-type: none"> <li>• The last date for sending queries for clarifications will be on <b>17 August 2020</b> at 16:00pm. The questions to be forwarded to <a href="mailto:bidenquirieswte@dws.gov.za">bidenquirieswte@dws.gov.za</a>. Queries received after the due date will not be considered.</li> <li>• 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.</li> <li>• All enquiries should be done through emails not cell phone message will be responded to.</li> </ul>
<b>5.</b>	<b>INSTRUCTION TO BIDDERS:</b>
	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Section 3 (Pricing Schedule) in the bid document must be fully completed and priced out by the bidder. The enclosed SBD document 3.2 is non-firm, should a bidder confirm that their pricing is non-firm <b>PRICE ADJUSTMENTS</b> part A of SBD 3.2 must be fully completed. If the bidder's <b>PRICES ARE SUBJECT TO RATE OF EXCHANGE VARIATIONS</b> part B of SBD 3.2 must be fully completed. Bidders, who choose to keep their bid firm, don't have to complete Part A and B but these pages must be crossed out to indicate that they are not applicable. <i>"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."</i></li> <li>• The successful bidder will be required to submit a "Letter from the manufacturer" confirming the supply arrangement within <b>14 days</b> 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.</li> </ul>
<b>6.</b>	<b>EVALUATION CRITERIA:</b>
	<p>The bid will be evaluated on a three phased approach outlined as follows:</p> <ul style="list-style-type: none"> <li>➤ <b>Phase 1: Pre-qualification criteria</b></li> <li>➤ <b>Phase 2: Administrative compliance and mandatory requirements</b></li> <li>➤ <b>Phase 3: Evaluation of price and preference points claimed</b></li> </ul> <ul style="list-style-type: none"> <li>• Bids will be evaluated in accordance with the new Preferential Procurement</li> </ul>

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	<p>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).</p> <ul style="list-style-type: none"> <li>The lowest acceptable bid will score 80 points for price and a maximum of 20 points will be awarded for attaining BBEE points.</li> </ul>								
6.1	<p><b>Phase 1: Prequalification criteria - Preferential Procurement Regulations 2017, Regulation 4:</b></p>								
	<ul style="list-style-type: none"> <li>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.</li> <li>Pre-qualification criteria will be used in this bid to advance designated groups on the basis of</li> </ul> <p>Level 1 and 2 of B-BBEE Level of contributors and</p> <table border="1" data-bbox="389 931 727 1034"> <thead> <tr> <th>Level 1</th> <th>Level 2</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table> <p>EME or QSE</p> <table border="1" data-bbox="389 1133 727 1227"> <thead> <tr> <th>EME</th> <th>QSE</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table> <p>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.</p>	Level 1	Level 2			EME	QSE		
Level 1	Level 2								
EME	QSE								
6.2	<p><b>Phase 2: Administrative Compliance – documents to be submitted:</b></p>								
	<ol style="list-style-type: none"> <li><b>Detailed CSD report</b> 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.</li> <li><b>A valid copy of Tax Clearance Certificate (TCC) and the Tax Compliance status page which has the company PIN.</b> (This is applicable to JV partners or sub-contractors should there be any)</li> <li><b>Status of the company in the CSD should indicate "Active" and "In business". Company to attach copy of CIPC/ CIPRO certificate.</b> 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.</li> <li>The bid must be signed by the director of the company or a duly authorised</li> </ol>								

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	<p>person and proof of such authority must be submitted.</p> <ol style="list-style-type: none"> <li>5. 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).</li> <li>6. Bidders are to initial and sign Section 2 Tender data.</li> <li>7. All SBD forms attached to the bid must be completed in full and signed. (SBD1, SBD3.2, SBD 4, SBD 6.1, SBD 8 &amp; SBD 9).</li> </ol> <p>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.</p>
6.3.	<p><b>Mandatory requirements – (Failure to submit any of the documents listed below will render the bid non-responsive and the bid will be disqualified)</b></p>
	<ol style="list-style-type: none"> <li>1. Attendance of the compulsory briefing session (Attendance register will serve as proof, no certificate of attendance was issued at the compulsory briefing session).</li> <li>2. 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 either from "Federated Employees Mutual Assurance (FEMA) or Compensation Fund "Department of Labour".</li> <li>3. A valid copy of certified UIF certificate or a valid letter of good standing/tender letter.</li> </ol>
6.4	<p><b>Phase 3: Evaluation of Price and Preference Point Claimed:</b></p>
	<p>The following preference point system is applicable to this bid:</p> <p>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.</p> <ul style="list-style-type: none"> <li>• 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).</li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p><b>NB:</b> A copy of certified copy of B-BBEE status level contributor certificate will not be accepted.</p> <p><b>NB:</b> A copy of a sworn affidavit will not be accepted.</p> <p><b>BIDDERS ARE REQUESTED NOT TO MAKE A COPY OF THE DOCUMENT WHICH HAS</b></p>

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	<b>ALREADY BEEN CERTIFIED FOR TENDERING PURPOSES!!</b>
7.	<p><b>STANDARDS, SPECIFICATIONS AND DEFINITIONS</b></p> <p>Mr. Nyesi took the bidders through the standards, specifications and the definitions entailed in the bid document.</p>
7.1.	<ul style="list-style-type: none"> <li>▪ All final dimensions are to be checked on site and any discrepancies are to be reported in writing to the Site Agent and resolved before manufacture will commence.</li> <li>▪ Any cost incurred due to discrepancies not resolved with the Site Agent prior to manufacturing will be the responsibility of the successful bidder. Any discrepancies not in writing and claims submitted will not be paid</li> <li>▪ It is thus recommended that a site inspection between the successful bidder and the Department (Site Manager / Agent) be conducted prior manufacturing.</li> <li>▪ Setting out of the subcontract works will be the sole responsibility of the successful bidder and the successful bidder shall provide everything necessary for this purpose.</li> <li>▪ The successful bidder will be required to rectify errors in the subcontract work that arise out of incorrect setting out, without any adjustment to the subcontract sum.</li> <li>▪ Items not according to the specifications will not be accepted and paid for and the material shall be removed and replaced by the successful supplier on his/her own account.</li> </ul>
7.2	<p>The bid specification is supported by the standards of SANS 1491: Part II-2005 Fly Ash standard specifications for Portland Cement Extenders Part II-Fly. Part 1: Common Fly Ash and Part 2: Conformity Evaluation.</p>
7.3.	<p><b>FLY ASH SPECIFICATION</b></p> <p>The Fly Ash to be supplied shall be free of lumps or other deleterious matter.  <b>NB: No cement shall be accepted or delivered that does not conform to these specifications</b></p> <p>The Fly Ash shall be supplied in Bulk and shall be free flowing and free of lumps or other deleterious matter. Hardened or lumpy cement will not be accepted when delivered to site and if so, be removed by the Bidder at his expense.</p> <p><b>On delivery date, the Fly Ash shall not be older than 30 days from date of manufacture.</b></p> <p><b>NB: No imported Fly Ash shall be accepted.</b></p> <p>The temperature of the fresh Fly Ash delivered to site shall not exceed 32°C, unless otherwise agreed by DWS.</p> <p>The Fly Ash delivered to site shall be as cold as possible. Fly Ash directly from the processing plant will not be accepted.</p> <p>It is a requirement of this contract that the successful bidder must specify the maximum degree Celsius of the product to be delivered. If the product exceed the temperature it will be returned at the successful bidders own expense.</p> <p>For every 36 000Kg or tanker (batch) of Fly Ash delivered to site; the following tests in accordance with SANS 50196 shall be carried out by the department:</p>

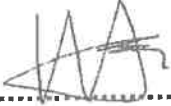
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	<ul style="list-style-type: none"> <li>• Fineness of grinding.</li> <li>• Initial and final setting times and soundness.</li> <li>• 2, 7 and 28 day mortar prism strength test.</li> <li>• Quantitative determination of constituents</li> <li>• Heat of hydration.</li> <li>• Equivalent sodium oxide content</li> <li>• Sulphate content.</li> <li>• Date of manufacture.</li> </ul> <p>No compressed air will be made available on site or at any point of delivery by DWS to empty containers.</p> <p>A SABS approved certificate of compliance shall be submitted by the Bidder showing the properties of the requested material.</p> <p>The Department will perform testing on the material delivered to ensure that all the material do comply with the relevant specification.</p> <p>DWS will not accept the material that does not comply and this material will not be paid for. The material will be removed and replaced by the bidder.</p>
8.	<p><b>COSTS</b></p> <p>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.</p>
9.	<p><b>BID PRICE</b></p> <p>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 delivery periods are preferred.</p> <p><b>DELIVERY PERIOD</b></p> <p>A firm delivery period is required. Adherence to bid delivery period is of utmost importance. The penalty for late delivery prescribed in paragraph 15 of the specification will be imposed.</p>
10.	<p><b>PENALTIES AND DELAY DAMAGES</b></p> <p>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.</p>
11.	<ul style="list-style-type: none"> <li>• <b>CLOSURE:</b></li> </ul>
11.1.	<ul style="list-style-type: none"> <li>• Meeting adjourned at 11:46.</li> </ul>


No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
1.	SARS is no longer issuing copies of the Tax Clearance certificate and this is a requirement that valid copies must be submitted, will this requirement be removed from the criteria?	The department was not aware of such and SCM will verify this matter with SARS and feedback will be given to bidders before the closing date of the bid.
2.	Department of labour is no longer issuing original UIF certificate to companies but sent them to companies through emails, this emailed copies are considered as original documentation at the commissioner of oath how are the bidders going to obtain a certified certificate?	The department was not aware of such and SCM will verify this matter with Department of Labour and feedback will be given to bidders before the closing date of the bid.
3.	Most of the small companies don't have employees and they don't qualify to get the UIF certificate, will this lead to non-compliance if a certificate is not submitted?	<p>The letter of good standing is issued to applicants who do not have employees.</p> <p>The UIF compliance certificate is issued to employers who have employees, and it serves as confirmation that the employer was complying with all the UIF requirements at the date of issuing the certificate. The certificate is valid for a period of twelve months from the date of issue.</p>
4.	What is the purpose of submitting COIDA if the bid is for supply and delivery?	<p>DWS Vlakfontein site office is considered as the construction site therefore adherence to the Health and Safety regulations is important.</p> <p>It is essential to ensure that all contractors that perform work on the premises of the employer be registered with the Compensation Fund in terms of the Compensation for Occupational Injuries and Diseases Act (COIDA Act).</p> <p>In order to ensure the above mentioned the contractor or service provider needs to produce a letter of good standing with the Compensation Commissioner. In the case of</p> <p>In the case of any workplace injuries during the delivery of material on site the Department of Water and Sanitation will not be held liable for any cost due to injuries. This includes all medical expenses and other costs.</p>
5.	Does the department have money currently? Will the department be able to make payments within 30 days after material has been delivered on site?	<p>No bid is advertised without confirmation of funds been available. The department tries by all means to honour the 30 days payment regulation.</p> <p>Payment will be done within 30 days of receipt and approval of original invoice, provided that</p>



No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
		all the required documentation is submitted by the bidder. When all documentations have been submitted payment does not take longer than 7 working days after receipt of the invoice.
6.	What is the meaning of a non-firm bid price as per the pricing schedule SBD 3.2 attached?	<p>For the purpose of this bid document non-firm prices can be defined as prices that are subject to adjustments due to economic conditions. In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point.</p> <p>Therefore it means that in this category the price variation will only be considered following the index/indices used to calculate the bid price and also taking into consideration all the factors indicated in the price breakdown under paragraph 4 as percentage of the bid price.</p>
7.	The enclosed SBD 3.2 does not give allowance for other costs to be added?	Bidders are more that well come to submit their own detailed pricing schedule or quotation which will show other costs they feel should be taken note of in their pricing.
8.	What will happen if the bidder increases their bid amount during the period when the department request the validity period to be extended?	The purpose of the validity period is for bidders to commit to keeping their bid legally binding for a specific number of days, in order to assure the department that there will be no modification of their during the specified bidding period to allow for SCM processes to be finalised.
09.	Does the department offer SMME advance payment to up-lift them?	No advance payment will be applicable for these bids.
10.	The price quoted for these bids is based on the lead time it takes to awards finalising the bid, how long will it take the department to evaluate and adjudicate the bid?	<p>The bid has been advertised with a validity period of 120 days based on our forecast plans.</p> <p>However there are other factors which affect or brings delay to the awarding, e.g. issues of bidders TAX not being compliant on the day of evaluation or adjudication or creation of purchase order, If the bidder is found non-tax compliance there are certain number of days given to a bidder to rectify their company tax status before a bidder can be considered as responsive.</p>
13.	Will the department cover the standing time cost encountered by the supplier on site?	Any penalties encountered will be taken into consideration and the party liable will be held accountable as per the contract signed.
14.	What is the delivery capacity required	The delivery is through the tanker, capacity 32-34 ton

No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
15.	When "Letter of Authority" issued by NRCS should be submitted?	The first letter is for surety given by the manufacturer. The second letter is for quality assurance between the manufacturer and the bidder

 19/08/2020  
 .....  
**Signature**  
**Project Manager**

 19/08/2020  
 .....  
**Signature**  
**SCM Secretariat**  
