



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

MINUTES OF COMPULSORY BRIEFING SESSION MEETING FOR BID:

DWS14-1120 WTE

TO APPOINT A SUITABLE PROFESSIONAL SERVICE PROVIDER (PSP) TO UNDERTAKE THE DESIGN, CONTRACT DOCUMENTATION AND CONSTRUCTION SUPERVISION FOR DAM SAFETY REHABILITATION WORK AT THE DER BROCHEN DAM FOR THE DEPARTMENT OF WATER AND SANITATION.

DEPARTMENT OF WATER AND SANITATION OFFICIALS PRESENT:

Ms. Nondumiso Mnguti Ms. Julia Dirane	SCM Representative Head Office SCM Representative Head Office
Mr. John Kgopiso Mr. Rodney Siwelani Mr. Leepile Motlagomang	DSRP: Programme Manager Candidate Engineer: DSS Production Engineering Technician : SAM

SCM Presentation by: Ms. Julia Dirane
Technical Presentation by: Mr. John Kgopiso

Date: 10 December 2020
Time: 10:00am
Venue: Der Brochen Dam site

1. OPENING AND WELCOME

Mr. Kgopiso 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;
- SCM Instruction to bidders, and
- Evaluation criteria.
- Technical Presentation

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4.	<p>SUBMISSION OF TENDER:</p> <p>Ms. Dirane took the bidders through the process to be followed when completing and submitting the bids.</p> <ul style="list-style-type: none"> • Bidder must note that the same bid has been advertised twice with different bid number and as the closing date. The first advert issued on 27 November 2020 was published as DWS14 1120 WTE with the briefing session date of 10 December 2020 and closing on 08 January 2021. The second one was issued ON 04 December as DWS14 1220 WTE with the briefing session date of 18 December 2020 and closing on 12 January 2021. This was an oversight from the Department and Government Printing Works, with that been said there will be a second briefing session meeting however bidders who attended the first briefing session are not compelled to attend the second meeting. • An addenda will be issued to confirm the actual closing date of the bid and a corrected bid document will be issued as well. • Bid document be downloaded from the Departmental website under current tenders: https://www.dws.gov.za/Tenders/tenders.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. • A completed and signed bid document together with a covering letter and supporting documents shall be submitted in a sealed envelop. It must be endorsed with a bid number and description as well as the name of the bidder and their contact details • The bid document must be deposited in the bid box situated at the entrance of Zwamadaka Building, 157 Francis Baard Street, Pretoria. Any bid received later than the stipulated date and time of the bid will not be accepted. • Bidders have three options to submit their bid documents (hand delivery, via couriers or by post). • 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 23 December 2020 at 16:00pm. Unless extension has been provided the date will be communicated on the Addenda issued. The questions to be forwarded to bidenquirieswte@dws.gov.za. Queries received after the due date will not be considered.

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	<ul style="list-style-type: none"> 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; no cellphone message will be responded to.
5.	INSTRUCTION TO BIDDERS:
	<ul style="list-style-type: none"> 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 3.3. "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." Bid documents to be submitted at the tender box not to DWS officials
6.	EVALUATION CRITERIA:
	<p>The bid will be evaluated on a five phased approach outlined as follows:</p> <ul style="list-style-type: none"> ➤ Phase 1: Mandatory requirements ➤ Phase 2: Pre-qualification criteria ➤ Phase 3: Administrative compliance ➤ Phase 4: Functionality Compliance ➤ Phase 5: Evaluation of price and preference points claimed <ul style="list-style-type: none"> 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 B-BBEE points.
6.1	Phase 1: Mandatory requirements
	<p>Failure to submit any of the documents listed below will render your bid non-responsive and will be disqualified.</p> <ul style="list-style-type: none"> Attendance of compulsory briefing session Table listing key Professional members
6.2	Phase 2: Prequalification criteria - Preferential Procurement Regulations 2017, Regulation 4:

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	<ul style="list-style-type: none"> 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 or 2 or 3 of B-BBEE Level of contributor only <table border="1" data-bbox="400 568 933 678"> <thead> <tr> <th colspan="3">EME or QSE</th> </tr> </thead> <tbody> <tr> <td>Level 1</td> <td>Level 2</td> <td>Level 3</td> </tr> </tbody> </table> <p>Compliance or verification will be made on B-BBEE level contributor status on CSD and/ or submitted B-BBEE certificate or sworn affidavit submitted with the bid.</p>	EME or QSE			Level 1	Level 2	Level 3
EME or QSE							
Level 1	Level 2	Level 3					
6.3	Phase 3: Administrative Compliance – documents to be submitted:						
	<ol style="list-style-type: none"> The Tax Compliance status page which has the company PIN. (This is applicable to JV partners or sub-contractors should there be any) Status of the company in the CSD should indicate “Active” and “In business”. Company to attach copy of CIPC/ CIPRO certificate. In case of sub-contracting and or consortia/joint venture all parties involved must submit its own CIPC/CIPRO certificate, active and in good standing with all CIPC/CIPRO requirements. All SBD forms attached to the bid must be completed in full, initialed and signed where required. (SBD1, SBD3.3, 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. 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. Submit a certified copy of ECSA registration certificates for the Professional team members including Approved Professional Person. Submit a certified copy Professional registration for Project Manager/Leader. A certified copy of a valid Unemployment Insurance Fund (UIF) Certificate of Compliance or Tender letter. (To be changed to a copy not certified) A copy of a valid Letter of Good Standing from the Compensation Commissioner, in terms of the Compensation for Occupational Injuries and Diseases Act (COIDA) 						
6.4.	<p>Phase 4: <u>Functionality Compliance.</u> (Failure to comply with the terms of reference will render the bid non-responsive and will not be considered for phase 5)</p> <p>Bidders must score at least 65 out of 100 in respect of functionality in order to qualify</p>						

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	<p>for advancement to Stage 4. A bidder that scores less than 65 out of 100 will be regarded as submitting a non-responsive bid and will be disqualified.</p> <p>0 = no submission of information 1 = poor, 2 = average, 3 = good, 4 = very good, and 5 = excellent</p> <p>The evaluators are to score the bidder on a scale of 1 to 5 and use the scored value to determine the archived weight of the criterion.</p>																																																																																																																																																																																																																																																																																																																																																																																																																										
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		must be submitted or other similar program may be used and supporting documents must be submitted (Clearly indicating project activities (Stages), start & finish per activity, and the (3) critical path.)	
		Programme submitted covers all six (6) stages of scope of service	5
		Programme submitted covers five (5) stages of the project scope of service.	4
		Programme submitted covers four (4) stages of the project scope of service.	3
		Programme submitted covers three (3) stages of the project scope of service.	2
		Programme submitted covers one (1) and two (2) stages of the project scope of service.	1
	Knowledge Sharing Plan	Skills development of DWS Candidates Engineers/Technicians to facilitate their professional registration. This should be done in the following fashion Phase A: Stage 1 and 2 Phase B Stage 3 and 4 Phase C: Stage 5 and 6	10
		PSP submitted knowledge sharing plan which allow at least two (2) DWS Candidate involvement on each phase of the three (3) phases of scope of service	5
		PSP submitted knowledge sharing plan which allow at least two (2)) DWS Candidates involvement on phase (B and C) of the project scope of service.	4
		PSP submitted knowledge sharing plan which allow at least one (1) DWS Candidate involvement on each of the three (3) phases of the project scope of service.	3
		PSP submitted knowledge sharing plan which allow at least one (1) DWS Candidate involvement on two (2) phases (B and C) of the project scope of service.	2
		PSP submitted knowledge sharing plan which allow at least one (1) DWS Candidate involvement on (1) phase (B or C) of the project scope of service.	1
	TOTAL		100
6.4	Phase 5: Evaluation of Price and Preference Point Claimed:		

#	ITEM
	<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"> 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). <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"> 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. <p>NB: A copy of certified copy of B-BBEE status level contributor certificate or sworn affidavit will not be accepted.</p> <p>NB: An enterprise can only have one status level. Using the wrong sworn affidavit will lead to the bidder forfeiting their preferential points. The date deponent signed and date of Commissioner of Oath must be the same.</p> <p>NB: Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.</p> <p>NB: A copy of a sworn affidavit will not be accepted to claim preferential points.</p> <p>BIDDERS ARE REQUESTED NOT TO MAKE A COPY OF THE DOCUMENT WHICH HAS ALREADY BEEN CERTIFIED FOR TENDERING PURPOSES!!</p>
	TECHNICAL PRESENTATION
7.	<p>Presentation layout</p> <ul style="list-style-type: none"> 7.1 Project background 7.2 Locality 7.3 Description of the dam 7.4 Scope of work 7.5 Legislative Requirements 7.6 Other Requirements 7.7 Available Documentation 7.8 Pricing Schedule 7.9 Duration of the Assignment 7.10 Form of Contract 7.11 Key Stakeholders 7.12 Responsible Person
8.	PROJECT BACKGROUND

#	ITEM
	<p>Der Brochen Dam is situated on Groot Dwars River, about 34 km west of Lydenburg Town in Mpumalanga Province, Republic of South Africa. The dam can be located in block 2530AA in the geographic grid system. The owner of the dam is Department of Water and Sanitation: Chief Directorate: Strategic Asset Management.</p> <p>Chief Directorate: Strategic Asset Management is the custodian of all departmental dams. Their responsibility is to insure that the safety of dams is maintained. In doing so, the Chief directorate has two programmes namely; Dam Safety Evaluation (DSE) and Dam Safety Rehabilitation Programme (DSRP) to fulfil its responsibility.</p> <p>DSE programme include conducting 5 yearly dam safety valuation on the dams owned by the department. DSRP is informed by the recommendation from the 5 yearly dam safety evaluation. DSRP implement the recommendations from DSE by rehabilitating dams to comply with the dam safety regulations.</p> <p>Jericho dam is one of the dams in which the dam safety evaluation was conducted and the several dam safety issues have been identified which need to be addressed, below is the list of recommendations that need to be addressed:</p> <p>Safe access ladders to reach the bottom of the intake tower should be provided. Upgrade the pedestrian bridge over the spillway. Re-instatement of the NOC and introduction of cross-fall forwards the upstream. Remedial of hallow section below the spillway crest. Mechanical and electrical recommendations Other dam safety problems</p>
9.	<p>Locality</p> <ul style="list-style-type: none"> • Mpumalanga Province • 34 km west of Lydenburg town
10.	<p>Der Brochen Dam Description</p> <ul style="list-style-type: none"> • Dam type: Zoned Earthfill Embankment • Height : 30.5 m • Classification: Category 3 with high hazard potential • Spillway type: Concrete side channel spillway • SEF: 714 m³/s • Storage Capacity: 7.3 x10⁶ m³
11	<p>Scope of Work</p> <p>The deliverables that the PSP is required to produce as part of this study, are as follows:</p> <p>Stage 1: Inception</p> <ul style="list-style-type: none"> • site meeting with DWS officials and stakeholders to confirm dam safety issues at the dam • Inception Report

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	<p>Stage 2: Preliminary design/feasibility studies</p> <ul style="list-style-type: none"> • Develop concepts in order to meet the objectives as stipulated on the project background. <p>Stage 3: Detailed design</p> <ul style="list-style-type: none"> • Analyze and prepare design report • Prepare construction drawings, specifications and contract documentation for the rehabilitation works. <p>Stage 4: Tendering</p> <ul style="list-style-type: none"> • Assist with the compilation of tender documentation • Assist during tender site briefing meeting • Assist with responding to any queries from bidders prior the closing of the tender <p>Stage 5: Construction</p> <ul style="list-style-type: none"> • Perform site supervision and monitoring up to the end of this appointment • Review and recommend contractor's payments certificate for payment • Ensure that OHS and Environmental audits are conducted by relevant persons <p>Stage 6: Commissioning</p> <ul style="list-style-type: none"> • Prepare as built drawings and handover to client with the necessary O&M and EPP manuals, completion reports. <p><u>Other service required to meet objectives</u></p> <ul style="list-style-type: none"> • Facilitate stakeholder meetings at various stages of the assignment and produce meeting minutes. • Provide monthly progress/assessment reports • Fulfill the duties of Employer's Agent • Apply for license to alter a Category III dam • Environmental screening • Obtain Environmental Authorization • Compile baseline risk assessment and OHS specification
12	<p>Legislative Requirement</p> <p>12.1. Der Brochen Dam is classified as category III dam in terms of Dam Safety Regulation R139 of 24 February 2012. Therefore, PSP must have the following in their Design Team:</p> <ul style="list-style-type: none"> • An Approved Professional Person (APP) • Professional Team <p>12.2. Provision for appointment of an Occupational Health & Safety Agent (OHS Agent) should the construction scope of work require a work permit in terms of Construction Regulations, 2014</p> <p>12.3. Compliance with National Environmental Management Act, 1998. If required, PSP must provide:</p>

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	<ul style="list-style-type: none"> • Environmental Assessment Practitioner • Environmental Control Officer <p>12.4. Water Use License (WULA, if required)</p> <p>Other Requirements</p> <ul style="list-style-type: none"> ✓ Make provision for any studies that maybe required while implementing the project e.g Geotechnical investigations, Environmental impact assessment and lidar survey etc. ✓ Submission of reports: 1 hard copy and CD with soft copies including calculations.
13	<p>Available Documentations</p> <p>The following documentations are available on request at Head Office:</p> <ul style="list-style-type: none"> 13.1. Hydraulic Design of Spillway, Revision 1 , 1989 13.2. Preliminary Design Services for the Rehabilitation of the Der Brochen Dam to comply with dam safety standards , 2012 13.3. Inception Report - Final , 2011 13.4. Der Brochen Dam Intake/Outlet Tower: Finite Element Analysis – Transient Dynamic & response Spectrum Analysis , 2001 13.5. Structural Analysis of Inlet Tower , 1995 13.6. Groot Dwarsriver – Dam op die Plaas Der Brochen Laboratorium Resultate ,1988 13.7. First Geological Maintenance report for dam safety purposes , 1999 13.8. Second Engineering Geological Report for Dam Safety Purposes, 2010 13.9. Flood Frequency Analysis: Der Brochen Dam , 2006 13.10. Flood Frequency Analysis: Der Brochen Dam, 2017 13.11. Flood Frequency Analysis: Der Brochen Dam, 1999 13.12. Operation Maintenance manual, Der Brochen Dam - Handleiding , 1989 13.13. Emergency Preparedness Plan, Der Brochen Dam - Handleiding , 1989 13.14. Fourth Dam Safety Evaluation Report , 2011 13.15. Third Dam Safety Inspection Report, 2005 13.16. Second Dam Safety Inspection Report, 2001 13.17. As Build drawings
14.	<p>Duration of Assignment and Form of Contract</p> <p>The contract period for this assignment is estimated at 3 years from date of appointment. The standard DWS PSP contract will be used for the assignment.</p>
15.	<p>Site inspection</p> <p>Bidders are encouraged to conduct site inspection on the dam before submitting their proposals.</p>

#	ITEM
16.	• CLOSURE:
16.1.	• Meeting adjourned at 12:15pm.

No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
1.	The bid results are advertised where?	This bid was advertised on the government tender bulletin, national Treasury e-tender portal and our departmental website. The results will be published on the same media platform used.
2.	Where on the website can we find the bid information?	www.dws.gov.za/www.dwa.gov.za . The briefing session attendance register and the minutes will be published on this website, where the bid document was placed.
3.	It will only be fair to bidders if the closing date of the bid can be extended since there is too much work to be done when compiling the bid response?	Request to extend the closing date will be send to relevant managers and once granted SCM will communicate with bidders who attended the meeting.
4.	We also request DWS to allow bidder the opportunity to conduct the inspection with their other team members for certain specialist works.	Permission will be granted if prior arrangements are made on time. Arrangements can be made with: Mr Kobus Pretorius-082 807 5654
5.	Will the department issue addenda to address the UIF matter as well as the change of the closing date?	Addenda will be issued and emailed to bidders who attended the briefing session on the 10 December 2020 and to those wo will attend on 14 December 2020. The register of attendees for both meeting dates will be uploaded on the website as well.
6.	B-BBEE certificates obtained at CIPC or CIPRO are issued online, how do we certify that document since it is not an original document	Companies with a B-BBEE Status Level of Contributor that are EME are encouraged to submit sworn affidavit not the certificate, however if there are QSE companies certificate the department will do a verification to confirm the authenticity of the certificate with relevant authority. However it is advised that bidders submit the sworn affidavit to avoid the length process it takes for the verification to be conducted by the department.
7.	Do we say hydrology is up to date or repeat hydrology as this could be cost factor	DWS has hydrology section which is responsible for compilation of flood frequency analysis of all departmental dams. If PSP sees a need to re-do the hydrology of the dam then is allowed to quote for it.

No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
8.	<p>Could the department rather provide provisional sums in the document instead of giving provision to quote for “other studies” as there can be vast interpretation of studies and the playing field would not be level?</p>	<p>Project Manager discussed the request with his superiors and it was agreed that no provisional sums will be provided for the studies because the terms of reference (ToR) was approved by Bid Specification Committee (BSC). The process will be delayed if the ToR is to be taken back to BSC for review and include provisional sums under studies. Also this will invite lots of variation order should the Department provisional sums is less than the actual study price.</p>
9.	<p>Could the department rather provide provisional sums in the document instead of saying other studies as there can be vast interpretation of studies and the playing field would not be level?</p>	<p>It has been discussed and agreed that no provisional sums will be provided for the studies because the terms of reference (ToR) was approved by Bid Specification Committee (BSC). The process will be delayed if the ToR is to be taken back to BSC for review and include provisional sums under studies. Also this will invite lots of variation order should the Department provisional sums is less than the actual study price.</p>
10.	<p>Are EME or QSE companies allowed to partner with companies that are not EME or QSE?</p>	<p>Partnering or consortium or joint venture is allowed, provided that the entity submits their consolidated B-BBEE scorecard/ certificate as if they were a group structure and that such a consolidated B-BBEE certificate is prepared for every separated bid.</p> <p>However the bidding company/ entity as a JV consortium will have to qualify for pre-qualification points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.</p> <p>A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.</p> <p>A person will not be allowed awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends subcontracting .more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder</p>

No.	GENERAL AND TECHNICAL QUESTIONS	ANSWERS
		<p>qualifies for, unless the intended sub-contractor contractor is an EME that has the capability and ability to execute the sub-contract.</p> <p>A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state or the department.</p>
12.	On the team capability, is this the combined years of experience as there is a mixture of people in this team?	The main focus should be on Approved Professional Person and the Project Manager/leader.
13.	<p>As-Built Drawings (De Brochen)</p> <p>Need general embankment details, drainage specifics and toe drain details, outlet works and bridge, all pipework and valves, spillway chute, spillway bridge, access road. Is there a floating safety cable? – deta</p>	Drawings of the dam will be attached on the fifth dam safety evaluation report, March 2020. The report will be part of the documents uploaded on the website.

Mr. J. Kgotso

Programme Manager

Ms. J. Dirane

SCM Secretariat