



# KWAZULU-NATAL PROVINCE

TRANSPORT  
REPUBLIC OF SOUTH AFRICA

DIRECTORATE:

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SCM

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## MINUTES OF MEETING: BRIEFING SESSION

Minutes of meeting for Tender no: ZNB02268/00000/00/HOD/INF/24/T

PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR  
THE UPGRADE OF MAIN ROAD P447 (FROM KM 8.000 TO KM 22.000) IN THE UMKHANYAKUDE UNDER THE  
EMPANGENI REGION

Time: 11:00

Date: 26 June 2024

Venue: Virtual Briefing on Microsoft Teams

Procedural matter	Person
Opening and welcome:  Miss N. Manukuza welcomed all present at the meeting and introduced the Project Managers and Service Provider.	Ms. N Manukuza
Members present: Mr. T Sangweni Ms. S Mkhize	
Bidding process	Ms. Nonhlanhla Manukuza
<p>The meeting was held to discuss the scope of works, tender rules, conditions of contract and give tenderers the opportunity to put forward questions relating to the scope of works and tender documentation for the above-mentioned contract.</p> <ol style="list-style-type: none"><li>1) The session is being recorded for minutes purposes.</li><li>2) The advert stated that the meeting will start at 11:00 and is non-compulsory.</li><li>3) All administrative queries must be directed to Mr. Sandile Gwambe</li><li>4) All technical questions must be addressed to Mr. Thokozani Sangweni</li><li>5) This document is based on three (3) stages of Evaluation: 1<sup>st</sup> Administrative Compliance 2<sup>nd</sup> Functionality 3<sup>rd</sup> Price</li></ol>	



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### 1<sup>st</sup> Stage: Administrative Compliance:

- (a) Registered and Active on CSD - Bidders must be active on the CSD by the date of closing for this bid and each member of the joint venture has to be registered on the CSD.
- (b) Tax Compliant
- (c) None of the respondents or its principals may be listed on the register of tender defaulters, and all person listed as prohibited to do business with the state will be eliminated.
- (d) Tender Closes on the 25<sup>th</sup> July 2024 at 11:00, no late entries will be considered.
- (e) Validity period is 12 weeks from date of closing of this tender.
- (f) Bidders are advised to obtain their own copies of the relevant acts, regulations and standards referred to in this document.
- (g) Tender data will have precedence in the interpretation of any ambiguity or inconsistency between the tender data and the standard conditions of tender.
- (h) Only Original documents filled in ink deposited in the Tender Box will be accepted.
- (i) The tender box is situated at the Department of Transport Head Office, Inkosi Mhlabunzima Maphumulo House, 172 Burger Street, Pietermaritzburg.
- (j) Submissions must be clearly sealed and clearly identified by tender number, description and closing date.
- (k) Declare any other Companies in which Directors may have an interest in.
- (l) Bidders to ensure that all returnable documents are fully completed, signed and submitted.

- Due to COVID Risks briefings are held virtually, but bidders are encouraged to visit site, use locality map on the tender document and coordinates are on page T4.

### 2<sup>nd</sup> Stage: Functionality

- 1 Discussed by the Project Manager or Service Provider as per tender document, refer to Page T13- T15.

### 3<sup>rd</sup> Stage: Price and Preference Points

The following preference point systems are applicable to invitations to tender:  
the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

- 1 Further explanation is discussed on Page T32
- 2 Acceptable Proof for the allocation of Specific Goals Points- page T59
- 3 The above specific goals will be verified on your CSD



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DESCRIPTION OF THE WORKS AND CONTRACT DATA	Mr. Thokozani Sangweni
<p>The Province of KwaZulu-Natal, Department of Transport, invites tenders from Engineering Consultants, experienced in Roadworks, to provide professional services for the Upgrade of Main Road P447 (From Km 8.000 To Km 22.000). This project is located in the Umhlabuyalingana Local Municipality under the uMkhanyakude District Municipality in the Empangeni Region. The total duration of the project is 54 months. The duration allowed for is to achieve all 6 Engineering Council of South Africa (ECSA) Normal Fee Services stages</p> <p>The Client is the KwaZulu Natal Department of Transport</p> <p>The authorized and designated representative of the Client is: Ms. A Soshebe</p> <p>The address of receipt of communication is: 172 Burger Street, Pietermaritzburg 3201 E-mail: Anela.Soshebe@kzntransport.gov.za Telephone: 033 355 0566</p> <p>The contract is for the provision of consulting engineering services for <b>The Upgrade of Main Road P447 from KM 8.000 to KM 22.000 in uMkhanyakude District Under the Empangeni Region.</b></p> <p>The Period of Performance is 54 Months plus defect liability period (12Months).</p> <p>The Start Date will be date of the last party signing this agreement and terminate 54 months plus defect liability period (12Months) thereafter.</p> <p>Communication by e-mail / facsimile is not permitted.</p> <p>The location for the performance of the Project is along <b>Main Road P447 (KM 8.000 TO KM 22.000) Under the Empangeni Region.</b></p> <p>The Consulting Engineer may not release public or media statements or publish material related to the Services or Project under any circumstances.</p> <p>The time-based fees used to determine changes to the Contract Price are as stated in the Pricing Data</p> <p>The penalty payable is R 10 000.00 per day subject to a maximum amount of R 3 600 000.00</p> <p>The programme shall be submitted within 7 Days of the award of the contract.</p> <p>The Consulting Engineer shall update the programme at intervals not exceeding 12 Weeks.</p> <p>The Consulting Engineer is required to assist in the obtaining of approvals, licences and permits from the state, regional and municipal authorities having jurisdiction over the Project.</p> <p>The Consulting Engineer is required to provide professional indemnity cover as set out in the Professional Indemnity Schedule.</p> <p>The Consulting Engineer is required to provide the following insurances:</p>	



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- Insurance against Professional Indemnity

Cover is: Three (3) times the value of the tendered final offer for normal services, excluding disbursements, VAT and Contingencies.

Period of cover: Duration of Contract inclusive of the duration of the Design Period as agreed upon during the Design Development Stage

- Insurance against: Third Party Indemnity

Cover is: R10 000 000-00

Period of cover: Duration of Contract

- Insurance against: General Public Indemnity

Cover is: R10 000 000-00

The Consulting Engineer is required to obtain the Client's prior approval in writing before taking any of the following actions:

- Appointment of sub-contractors for the performance of services
- Appointing Key Persons not listed by name in the Contract Data
- Any other work not as specified in the Scope of Works

The Consulting Engineer is required to provide personnel in accordance with the provisions of Clause 7.2.1 to Clause 7.2.4 and to complete the Personnel Schedule.

The Consulting Engineer is to commence the performance of the Services within 30 Days of date that the Contract becomes effective.

Unless terminated in terms of the Contract, or otherwise specified in the Contract Data, the contract shall be concluded when the 12 Months plus defect liability (12 Months) contract period has lapsed.

The period of suspension under clause 8.5 is not to exceed 2 years.

Copyright of documents prepared for the Project shall be vested with the Client

A Consulting Engineer may subcontract any work which he has the skill and competency to perform.

Interim settlement of disputes is to be by adjudication.

Final settlement is by arbitration.

The adjudicator is the person appointed by the Adjudicators Agreement bound in the Construction Industry Development Board's Adjudication Procedure.

In the event that the parties fail to agree on an arbitrator, the arbitrator must be nominated by the Kwa-Zulu Natal Society of Advocates.

Neither the Client nor the Consulting Engineer is liable for any loss or damage resulting from any occurrence unless a claim is formally made within 3 months from the date of termination or completion of the Contract.



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The provisions of 13.6 do not apply to the Contract

The interest rate will be prime overdraft rate plus 2% per annum compounded monthly and calculated from the due date of payment.

The additional conditions of Contract are as stated in the Scope of Works and Pricing Data.

Pricing Schedule start on page C16 to page C23, the service provider to read and price accordingly. There will be an additional item 1 b which entails the ECSA 7 stages with their respective percentage for the service provider to price or calculate accordingly. This additional item will be provided on the addendum to be issued.

The construction monitoring service shall be for the duration of the works contract.

The services required of the service Provider are divided into the following Stages:

### 1. STAGE 1: Initiation or Prefeasibility Report

Defines project objectives, needs, acceptance criteria, organisation's priorities and aspirations, procurement strategies, and which sets out the basis for the development of the Concept Report.

*Stage 1 is complete when the Initiation Report or Prefeasibility Report is approved.*

### 2. STAGE 2: Concept or Feasibility Report

Document the initial design criteria, cost plan, design options and the selection of the preferred design option, or the methods and procedures required to maintain the condition of infrastructure for the project.

*Stage 2 is complete when the Concept Report or the Feasibility Report is approved.*

### 3. STAGE 3: Design Development Report

This stage includes the following phases

- Concept
- Preliminary
- Detailed design

A design development report which develops in detail the approved concept to finalise the design and definition criteria, sets out the integrated developed design, and contains the cost plan and schedule for one or more packages.

*Stage 3 is complete when the Design Development Report is approved.*

### 4. STAGE 4: Design Documentation Report

This stage includes the following

- a. Tender Documentation.
- b. Technical Report

Production information which provides the detailing, performance definition, specification, sizing and positioning of all systems and components enabling either construction (where the contractor is able to build directly from the information prepared) or the production of manufacturing and installation information for construction.

*Stage 4 is complete when the Design Documentation Report is approved.*



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### 5. STAGE 5: Contract Administration and Inspection

This stage is works stage which includes but not limited to Construction monitoring and deliverable is Completed works which are capable of being occupied or used by public road users.

*Stage 5 is complete when the Works Completion Report is approved.*

### 6. STAGE 6: Handover

Finalise and assemble record information which accurately reflects the infrastructure that is acquired, rehabilitated, refurbished or maintained.

*Stage 6 is complete when the Handover/Record Information Report is approved.*

### 7. STAGE 7: Close-Out

Works with notified defects corrected, final account settled, and the close-out report issued.

*Stage 7 is complete when the Close-out Report is approved.*

### 8. Additional duties, Special Services and Specialist Advice.

- a. Survey
- b. Geotechnical/ Laboratories Services
- c. Environmental Consultant
- d. Health and safety Consultant
- e. Supervision

### 9. The appointed Consulting Engineers will be required to execute all works in line with the National Treasury Framework for Infrastructure Procurement and Delivery Management (FIPDM) Policy and the KwaZulu Natal Department of Transport IDPM Policy, 2020

NB! The service provider is expected to read and understand the scope of works in order to be able to perform the contract as required.

❖ Completion of the attendance register to be done electronically

❖ An Addendum will be issued

Page 18, Section G- Experience in Road Rehabilitation  
Correct to Road Upgrade as it appears on page T44

Page T14- Lead Design Engineer points for years of Experience in Road Rehabilitation to be changed to Experience in Road Upgrade

All pages with Road Rehabilitation to be amended to Road Upgrades



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### ❖ QUESTIONS AND ANSWERS

- Q1- C20, the BOQ. Please clarify the percentage fee and splitting into the amount's column?
- A1- Please put the rate and the amount for the 5% split
- Q2- The project duration is 48 months. Can we accommodate for more months into design, the 8 months is too short considering the environment?
- A2- It will depend on environmental challenges
- Q3- If 8 months is used up. Would there be penalties?
- A3- Necessary adjustments will be done if the delay was due to something that was out of control
- Q4- Page C31-Are these preliminary milestones?
- A4- Yes these are guidelines but submit before the 8months
- Q5- C21, 3 e; The Land Acquisition process, as the land is in a reserve. Please clarify on this.
- A5- Land Acquisition is accommodated. DOT Legal Department will exercise this if it becomes an issue as the land belongs to Ingonyama Trust

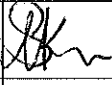


C21-e. Land Expropriation-is accommodated for when removal is necessary and is built on the projects area

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Closure:

The meeting closed at 12:06

**Approval by officials who attended the meeting**

The minutes are a true reflection of the deliberations held.			
Name	Designation	Signature	Date
Ms. S Mkhize	SCM		10/07/24
Ms. N Manukuza	SCM		10/07/24
Mr. T Sangweni	TIDS		11/07/24

