

## **QUESTIONS AND ANSWERS**

### **KINDLY NOTE THAT THE UPDATES RELAYED BELOW WILL BE SHARED VIA THE UPDATED TENDER DOCUMENT ADDENDUM 2**

**Prior to commencing with our responses to the questions posed, we deem it necessary to note that it is clear that a number of the tenderers have not read the Tender document and we, thus, urge the Tenderers to do so prior to the submission of their respective Tender submissions:**

Important information to set the tone for the response:

- DBSA have used this format for tendering, on many previous tenders. Unfortunately, this time around we have been inundated with clarification questions, received
- The contractual conditions/wording remain in place.
- The contract period is expected to be as follow:
  - PSP appointment expected in April 2023. Contractor to be appointed and start with construction in September 2023. (Meaning that the designs, tender documentation, approvals, and all other required legislative approvals must be completed to go to tender by 1 August 2023. DBSA does have internal approval committees [Bid Review Committee (BRC) and Supply Chain Management Committee (SCMC)] that only sit once a week, with a submission deadline of a week prior to sitting. SCMC will always be a minimum on 1 week, following BRC approval. The construction is expected to be completed within 24 months from appointment.
- Please read, study, and understand all the tables (pricing tables and pricing instructions), as most of the tables have a bearing on a following table. No table should be read in isolation.
  - The pricing tables allows for different disciplines, disbursements as well as contingencies.
  - Please refer to the notes below C2.2.2.(A2). Always use the “upper value of column A”.
  - DBSA have no intention to rewrite the scope of work in the response answers.
- The work that will be reviewed, will be shared with the successful bidder:
  - The documentation prepared in the previous tender shall not be made available during the tender stage and shall only be made available to the successful bidder. Moreover, the information prepared during the previous tender is confidential and subject to copyright, in terms of the Copyright Act 98 of 1978. The use thereof, without the Employer's permission, amounts an infringement in terms of the aforementioned Act and such use may be subject to legal action.
- The Geotechnical Engineer is required.
  - Only ECSA registration will suffice. As per the original tender document.
- Geohydrologist is required.
- A geohydrologist is needed to ensure that the water table is not at a level that would influence the foundations of the WTW. This may be a concern because the WTW is adjacent to the Luvuvhu River and just downstream of the Nandoni Dam that may experience seepage. The scope of works would involve a preliminary geohydrological investigation to check water levels and the groundwater quality. The preliminary geohydrological investigation will include a risk assessment to check the potential impact of the construction works on the groundwater quality.
- All the designs, tender documentation, approvals, and all other required legislative approvals must be completed adhered to and complied with.
  - The contractual agreement is based on the CIDB Standard Professional Services Contract.

- This is a contract implemented for government, hence the specific deliverables stated will be required, as well as the deliverables for the stages defined by FIDPM, SACPCMP, Professional bodies (ECSA etc.), that would govern the deliverables.
- The governance requirements for the DWS (example RBIG) processes, must be adhered to as well.
- The professional guidelines deliverables for each stage per discipline, will also have to be adhered to.
- In general, please refer to the scope of work that must be priced.
  - An experienced PSP would be able to make a fair judgement of the work done up to stage 2, which reports are available etc., for this type of work, enabling the successful tenderer to be 85% to 95% accurate with their estimation/calculation.
  - An experienced PSP would be able to make a fair judgement of ALL the work required for all the stages, for this type of work, enabling the successful tenderer to be 90% to 95% accurate with their estimation/calculation.
- All CV's, for all the resources as well as all qualifications, registrations, certificates, etc., must be submitted for each discipline. That means that all relevant information, pertaining to each discipline, must be submitted.
- If an answer to a specific question was missed, you should be able to obtain the answer from the above information.
- Many clarification questions are duplicate questions, just phrased in a different way, please work through all the answers provided, as you will find an answer to your clarification question.
- There are leading questions, where DBSA interoperate it as a request to complete the tender/bid submission on the bidder's behalf. DBSA want to emphasize that each bidder should use their own discretion, based on the tender information shared, to complete the tender/bid and when satisfied with the submission, submit the bid.

Clarification questions:

1. **Instruction to TENDER BRIEF: The document refer to a "Tender Brief Link as provided with the Tender Invitation". We are unable to find the link.**
  - The tender brief will be conducted physically as per page 1 and 3 of the RFP documents, page 4 refers the bidders to Part A which informs you where the briefing session will be held and time/s thereof.
2. **Clause 4.1 states: "Bidders need to access the documents provided on the e-mail invitation for RFP032/2023." Should this clause be deleted?**
  - Amended to- Bidders need to access the documents provided on the DBSA website and National Treasury eTenders Portal for RFP032/2023.
3. **The table of key personnel required for Pre-qualification lists 7 professionals. The Scope of works include a list of 19 professionals. It is not clear if CV's for the additional (non- prequalifier) resources must be submitted with the tender or only once an appointment letter is issued. Please clarify.**
  - Refer to Page 111 where clarity is provided.
4. **The table of responsiveness criteria list the following: "Proof of Professional Indemnity Insurance to the value of R 2 000 000.00". In the Contract Data on page 87 the requirement is R5000 000. Should these not be the same? Will an addendum be issued?**

- Corrected to reflect R 5000 000.00.
- 5. Item (ix) regarding the risk assessment of unduly low prices. A consultant may have prior knowledge of the project placing him in a position to tender at a lower rate. Will this be considered in the risk assessment process?**
- The risk might exist, but all the previous work done, based on the reports, will be shared with the successful bidder, placing the successful bidder in a similar position as a “consultant that may have prior knowledge”. The work expected for the remaining stages should be the same for all bidders. Each bidder indicates the % fee for the different project value ranges, with the average %, which will be used for evaluation.  
The period of performance is the same for all bidders based on the following timelines:  
PSP appointment expected in April 2023. Contractor to be appointed and start with construction in September 2023. (Meaning that the designs, tender documentation, approvals, and all other required legislative approvals must be completed to go to tender by 1 August 2023. DBSA does have internal approval committees [Bid Review Committee (BRC) and Supply Chain Management Committee (SCMC)] that only sit once a week, with a submission deadline of a week prior to sitting. SCMC will always be a minimum on 1 week, following BRC approval. The construction is expected to be completed within 24 months from appointment.
- 6. It states that bidders should submit as Annexure K documentation in support of their responses to the evaluation criteria, but Annexure K on page 48 contains the Standard Conditions of Contract. Will an addendum be issued?**
- Updated to Annexure I
- 7. The last paragraph refers to pro-forma documents to be completed. Are these applicable to professional services or construction?**
- The CIDB Build Programme is applicable to this tender.
- 8. The table for acknowledging addendums appears to have been placed under Annexure A by mistake. Will an addendum be issued?**
- Updated to Annexure K
- 9. Deletion of clauses 13.5.2 and 13.6 on the Standard Conditions of Contract. The changes to the document implies unlimited liability and as such is un-insurable. We request that a cap be placed on liability to make it commercially feasible.**
- The submissions are noted. However, the DBSA is of the opinion that the maximum damage, which is set at, “the sum insured in terms of 5.4 in respect of insurable events; and to an amount equal to twice the amount of fees payable to the Service Provider under the Contract,” would not be exceeded and the provisions of Clauses 13.5.2 and 13.6 of the CIDB Standard Professional Services Contract would not find application.
- 10. The paragraphs about “Contract Participation Goal” and “Enterprise Development Coordinator” appears relevant to construction works. It refers to Site Agent, Contract manager etc. Can it be deleted?**
- CIDB Build Programme incorporation has been updated

- 11. Pricing Schedule. Why such a wide range (R0 to R900 000 000)? On page 19 it states that DBSA QS estimate will be used as a guide to indicate financial risk. Can the QS refine the estimate of the project value to simplify the pricing and also remove inherent risk associated with such a wide range?**
- Please price the ranges as indicated. The estimated value will not be shared, as the final value will be based on the market response from the bidders, based on the final design done by the successful PSP bidder and approved by DWS.
- 12. How do we price for the geohydrologist? Where do we find the scope of work for this resource.**
- A geohydrologist is needed to ensure that the water table is not at a level that would influence the foundations of the WTW. This may be a concern because the WTW is adjacent to the Luvuvhu River and just downstream of the Nandoni Dam that may experience seepage. The scope of works would involve a preliminary geohydrological investigation to check water levels and the groundwater quality. The preliminary geohydrological investigation will include a risk assessment to check the potential impact of the construction works on the groundwater quality.
- 13. Stage 1.1 and Stage 1.2 refer to reviewing of previous work done. We request that the preliminary Design report of 2016 be made available to assess the effort required.**
- Please also refer to previous answers in this regard. All the previous work done, based on the reports, will be shared with the successful bidder. This information cannot be shared with all parties beforehand, as it is privileged information, until appointment of the successful PSP is concluded. An experienced PSP would be able to make a fair judgement of the work done up to stage 2, which reports are available etc., for this type of work, enabling the successful tenderer to be 85% to 95% accurate with their estimation.
- 14. Date for DBSA response to questions is 13 March 2023 @ 16:00. The closing time is 16 March 2023 @ 23:55. Based on the above questions related to the document that impacts our pricing we need to get responses to questions earlier. Alternatively, we request that the closing date be delayed by 14 days.**
- Please review addendums that were issued on 2023/03/13.
- 15. We attended the briefing meeting for this project yesterday. Due to the complexity and size of this project it is evident that there are issues of clarity in the Terms of Reference and pricing that will need to be clarified before we will be able to submit a substantive responsive tender.**
- Please also refer to previous answers in this regard.
- 16. We accordingly hereby request an extension of the submission date to the 31st March 2023.**
- Please also refer to previous answers in this regard.
- 17. On the pricing schedule C2.2.2(A), the table illustrates an extensive range of disciplines. Are we to provide CVs and certificates for these disciplines?**
- All CV's, as well as all qualifications, registrations, certificates, etc., must be submitted for each discipline. That means that all relevant information, pertaining to each discipline, must be submitted.
- 18. On the pricing schedule C2.2.2.2(B,) the table indicates that the professional fee allocation "must equate to A total of 100%". Please can you provide clarity as to a 100% of what?**

- As per the table, the breakdown/% split must add up to 100%. [i.e: If there were 10 lines items, and the bidder apportioned an equal percentage of 10% to each line item, it would add to 100% (10 x 10 % = 100%)].
- 19. According to Section 26.1.1A of the RFP Document (and supported by Slide #11 of the briefing presentation), is it the correct understanding that only the seven (7) listed disciplines (ie. Project Manager, Civ Eng, Str Eng, Electr Eng, Mech/Fire Eng, Construction HSA and Geotech Eng – all registered professionals of-course) comprise the minimum pre-qualifying criteria/requirements for the Key team's composition?**
- Please also refer to previous answers in this regard.
- 20. According to the document, the additional disciplines, i.e., Resident Engineer, Site Supervision, Project Administrator, etc., must have a min of 8 - 10 years of experience. If you do not require CVs and qualifications, how should a tender demonstrate this experience in their respective submissions?**
- Please refer to the tender document, stating the requirements for CV submissions, the contractual conditions/wording remain in place. As an example, refer to the information below:
  - Professional Registration requirements are indicated. CV's with qualifications for all resources are required.
  - Page 105/120
  - NOTE: (CV's with detailed experience is required and will be evaluated, however the Proof of Registration with a recognized professional body / institution, shall form part of the assessment. All resources should be professionally registered as stipulated and valid. Should a bidder have one or more resources that does not comply with the stipulated requirements, the bidder shall be expected to provide resource(s) equal or better, than the stipulated requirements for the resources in question, before the appointment can be affected. Should the bidder not be able to provide the required resources, the appointment cannot be affected, and the bid will not be considered for appointment.
  - Page 111/120
  - The Resources and applicable requirements as listed under Clause 26.1.1, Stage 1 Evaluation, form part of the tender Pre-qualifiers to be assessed at tender stage.
  - The additional Resources and applicable requirements listed above under Clause C3.2.1 (excl. those referenced under Clause 26.1.1, Stage 1), forms part of the Conditions to Contract and will be included as returnables to the Conditional Appointment Letter of the successful tenderer.
  - CV's with detailed experience and Proof of Registration with a recognized professional body / institution, is required and will be assessed as part of the Conditional Appointment Letter of the successful tenderer.
  - All resources must be professionally registered as stipulated and valid. Should a tenderer have one or more resources that do not comply with the stipulated requirements, the tenderer shall be expected to provide resource(s) equal or better than the stipulated requirements for the resources in question, before the appointment can be affected. Should the tenderer not be able to provide the required resources, the appointment cannot be affected, and the bid will not be considered for appointment.
- 21. What sort of professional registrations are you expecting to see for disciplines such as Assistant Site Supervisor, QA/QC Compliance officer, etc.?**
- Please refer to the tender document, stating the requirements for Prof. Registration, the contractual conditions/wording remain in place.

- Resources where Professional Registrations is required, is clearly indicated.

**22. Should all the Entities in the consortium complete SBD 4 form. Please advice**

- Yes

**23. Can you please provide the full chemical and bacteriological analysis of the raw water in the dam and that of the potable water present WTW.**

- Please also refer to previous answers in this regard. All the previous work done, based on the reports, will be shared with the successful bidder. This information cannot be shared with all parties beforehand, as it is privileged information, until appointment of the successful PSP is concluded. An experienced PSP would be able to make a fair judgement of the work done up to stage 2, which reports are available etc., for this type of work, enabling the successful tenderer to be 85% to 95% accurate with their estimation.

**24. Annexure A states CV's of Design Team, however information on the page is about Addenda. Should we use Annexure A as CV's for personnel or Record of Addenda? (pg 30)**

- Updated, Annexure L Addendum added.

**25. Do we submit all attachments that came with the Tender (eg. SHEQ policy, BRA, H&S Baseline spec) with the Completed Tender or we only submit the Completed Tender with Returnable documents?**

- Refer to Page 4 "Instructions for Tender Submission"

**26. May we compile all returnables (attachments) separately from the Tender or should we insert them as per the Annexure of the Tender Document (after each annexure)?**

- See response to No.25 above.

**27. May we please have a copy of the Briefing Attendance Register**

- Register published.

**28. The document does not provide the Company experience required? please advise. Please could you provide the functionality Criteria (points to be rewarded for each discipline)**

- Functionality evaluation is not applicable to this bid.

**29. We assume that the current works have an existing Water Use License (WULA)? Please confirm.**

- There is no authorization in place with respect to Nandoni WTWs. Attempts were made by Lepelle Northern Water, but the process could not materialize due to missing information.

**30. Are we submitting all the supporting documentation for each discipline e.g. Tax Clearance, CSD,CIPRO?**

- Consortiums, Joint Venture Companies and Partnership must submit a consolidated BBBEE Certificate).
- As for TCC CSD etc: if a bidder is either a Consortiums, Joint Venture or Partnership, each entity forming part of this, must submit the required documents. Only the tender Returnables may be signed by the entity as per DoA in the bid.
- However, if a PSP is subcontracting and not forming one of the above (Consortiums, Joint Venture or Partnership) then only the submitting entity/ bidder need to provide their respective documents

31. Can you please clarify if we need to only submit cv/qualifications for the key personnel listed below:
- Project Manager
  - Civil Engineer
  - Structural Engineer
  - Electrical Engineer
  - Mechanical and Fire Engineering
  - Construction Health and Safety Agent
  - Geotechnical Engineer / specialist
- Please also refer to previous answers in this regard.
  - Professional Registration requirements are indicated. CV's with qualifications for all resources are required.
32. Do we provide the names only of the additional resources or a comprehensive list of personnel together with their cv /qualifications as per Section 3.1.2 Scope of works.
- Please also refer to previous answers in this regard.
  - Professional Registration requirements are indicated. CV's with qualifications for all resources are required.
  - All personnel inline with the contractual requirements, must be submitted.
33. Will it be necessary for sub-consultants under such circumstances to also submit their company registration documents and copies of their shareholding arrangements (as per Annex G and Annex H of the RFP Doc
- Refer to answer in No. 30 above
34. Can you please confirm that clause 16 of the Contract Data, and in particular clause 16.8, does not result in the Service Provider being deemed to have accepted the role of OHS Agent and furthermore that the relevant roles and duties of the service provider are limited to those of "designer".
- Yes, Service Provider not deemed to accept the role of the Pr. CHS Agent but the appointment of the Pr. CHS Agent and providing assistance to ensure that the mentioned resource can conduct the required function. Relevant roles and duties of the service provider are not limited to those of the "designer".
35. Please confirm that the fee offer set out in the Pricing Schedule does not include the cost of making the arrangements for appointment or the cost of the H&S agent contemplated in clause 16.4 of the Contract Data
- This includes the cost for both as mentioned. The SHEQ requirement and resources forming part of the tendered submission, is clearly indicated and thus included in the bidder's submission.
36. Please confirm that the contract participation goal shall be 0,25% (one quarter of one percent) as given in item (i) of the Part 2: Data provided by the Employer.
- CIDB Build Programme application updated in RFP.*



**37. We therefore request that: the penalty value (percentage) be reduced from 1% per day to 0.015% of the Contract Price per day; and the maximum amount of penalties be reduced from 15% to 5% of the Contract Price; and that consideration be given to reduction of the penalty value in relation to parts of the services and/or deliverables that have already been completed by the Service provider.**

- Please note that the penalty provisions contained in the tender shall not be amended and shall be applied in accordance with the provisions thereof.

**38. We request that the limit of liability for these insurable risks, as also contemplated in 13.5.1(a) of the CIDB GCC, be amended to be equal to the limit given for non-insurable events, i.e. that “...the sum insured in terms of 5.34 in respect of insurable events” be limited to “twice the amount of fees payable to the Service Provider under the Contract”.**

- Please also refer to previous answers in this regard.
- The submissions are noted. However, the DBSA is of the opinion that the maximum damage, which is set at, “*the sum insured in terms of 5.4 in respect of insurable events; and to an amount equal to twice the amount of fees payable to the Service Provider under the Contract,*” would not be exceeded and the provisions of Clauses 13.5.2 and 13.6 of the CIDB Standard Professional Services Contract would not find application.

**39. Can you please confirm what work was previously done and make available to reports, documents and information that were produced? These are considered essential inputs to our proposal.**

- Please also refer to previous answers in this regard. All the previous work done, based on the reports, will be shared with the successful bidder. This information cannot be shared with all parties beforehand, as it is privileged information, until appointment of the successful PSP is concluded. An experienced PSP would be able to make a fair judgement of the work done up to stage 2, which reports are available etc., for this type of work, enabling the successful tenderer to be 85% to 95% accurate with their estimation.

**40. Further to the above, can you please clarify the work previously done against each of the listed deliverables under stages 1 and 2 (in order that we can determine the input required to “provide feedback, comments and report indicating acceptance or shortcomings”).**

- Stages 1 & 2 have conditionally been accepted and approved by DWS
- Please also refer to previous answers in this regard. All the previous work done, based on the reports, will be shared with the successful bidder. This information cannot be shared with all parties beforehand, as it is privileged information, until appointment of the successful PSP is concluded. An experienced PSP would be able to make a fair judgement of the work done up to stage 2, which reports are available etc., for this type of work, enabling the successful tenderer to be 85% to 95% accurate with their estimation.

Deliverables per Stage	Previous work done
<b>Stage 1.1: Strategic Briefing</b>	
• Attendance of briefing meeting.	
• Set-up and signing of DBSA-PSP contract	



Obtaining locality/ Facility manager information, document and report templates and information prepared by previous consultants on site development plans.	
Compile Project Execution Plan (PEP) for approval by DBSA	
Obtain DBSA approval of PEP. • Stage Gate Notification / Client Approval to Proceed to Next Stage	
Construction Safety Agent shall render services, as per SACPCMP scope of services on stage 1.	
<b>Stage 1.2: Initiation</b>	
• Stakeholder Register & Consultations with local Municipalities; WTW; (if required).	
• Conducting condition assessments for existing facility and produce reports with recommendations on remedial works / improvements	
Assessment of the existing facility for suitability to withstand proposed additions.	
Conduct relevant studies and obtain necessary approvals for proposed work (e.g. Heritage Impact Assessment, etc.)	
• Produce indicative site development plan	
Develop Cost Estimates, Suggested Procurement Strategies, and Indicative Implementation Schedules for recommended interventions	
<b>Stage 2: Concept</b>	
• Prepare concept design drawings	
• Prepare implementation (decanting, decommissioning, and demolishing) plan	
Prepare preliminary cost estimate.	
• Prepare site-specific Health and Safety specification including a detailed Baseline Risk Assessment	

• Identify and prepare work packages for SMMEs	
• Submit concept design drawings and preliminary cost estimate to DBSA for approval.	
• Client review and approval of concept design drawings and preliminary cost estimate.	
• Submit Site Development Plans to local authorities	
• Stage Gate Notification / Client Approval to Proceed to Next Stage	
• Construction Safety Agent shall render services, as per SACPCMP scope of services on stage 2.	

**41. It is noted that the project stages listed in the scope of work are similar (but not identical) to those set out in the National Treasury SIPDM. However, it is also noted that there are some apparent deviations from the SIPDM, that might result in ambiguity or uncertainty:**

- a. The numbering differs from the SIPDM stages;
- b. The scope of work for Stage 5 seems to imply that this stage (and hence the tendered fee value) should make allowance for all necessary construction monitoring services as it includes the requirements for “full inspection and oversight of construction”;
- c. There are references to the scope of work contained in the ECSA guideline (e.g. on page 110 of 115: “...in line with the standard professional practices as per the gazette guidelines of the scope of services of the relevant professional bodies such as the Engineering Council of Southern Africa (ECSA).”) that would potentially be in conflict with the above as ECSA Stage 5 does not cover full-time monitoring.

**In light of the above, we request that DBSA please clarify:**

**a. What is the definitive source for the scope of work per stage – is it as contained in pages 108 to 111 of the RFP document, or is there another source of expected tasks and deliverables?**

- The contractual conditions/wording remain in place.
- The contractual agreement is based on the CIDB Standard Professional Services Contract.
- This is a contract implemented for government, hence the specific deliverables will be required, as well as the FIDPM, SACPCMP stages, that would govern the deliverables.
- As mentioned, the governance requirements for the DWS processes, must be adhered to as well.
- The professional guidelines deliverables for each discipline, will also have to be adhered to.

**b. Is the expectation that the Stage 5 services should include all construction monitoring (i.e. not only the Level 1 monitoring as contemplated in the ECSA guideline) and if so, what is the specification for the monitoring that must be provided?**

- Site supervision shall be based on fulltime
- Please also refer to previous answers in this regard.

**42. Can you please provide clarification on the pricing schedules as contained in C2.2 and the “offered total percentage professional fee” as contained in the offer (C1.1.1):**

**a. C2.2.1 (A) to (M) requires a series of hourly rates to be entered. Is the intention that these hourly rates will be the rates applicable to any rate (or time and cost) based work?**

- Hourly rates will only be used when there is additional work assigned, which work falls outside the Scope of Work.
- Please refer to 3.9.5 of the special conditions.

**b. Table A2 (C2.2.2) requires bidders to enter percentage fees for Stage 1 &2 and then for Stages 3 – 7 for a series of sever project value ranges. Column F of the table then determines the average percentage fee as the quotient of the total percentage from column E and the number of categories (seven).**

- Correct.

**c. Please clarify whether or not it is this average fee percentage that must be entered under “Tender Price” as “Professional Fees (Average%)” in the table in C1.1.1.**

- Please refer to the pricing instructions, which clearly explain the percentages, calculations and form of offer.
- The information in the form of offer is clear as well as the pricing instruction. No Table should be completed in isolation as they link to each other.

**d. Following from the above, please clarify how and at what stage the applicable project value (and hence the applicable fee percentage) will be determined.**

- The final project value will be determined by the market.
- The bidders that complied with all requirements, pass the stages and go through to the further stages, will be evaluated on the best offer, and the further provisions contained in the tender document, as per the contractual conditions/wording that remain in place.

**e. Given the uncertainties inherent in the inspection and/or monitoring of works of this nature, we request that DBSA considers allocating a provisional sum for construction monitoring and related costs.**

Please also refer to previous answers in this regard

**f. The table under C.2.2.3 Disbursements and Operational Expenses contains text in brackets that seem to imply what needs to be covered by the disbursements, i.e. “travel; housing, site allowance, printing/copying/binding costs for contract, reports, manuals and drawing documents”. It is furthermore noted that the table under C2.2.4 “Overall cost summary professional fees and disbursements” limits the disbursement value by stating that the value of disbursements “... NB. Cannot exceed 10% x C2.2.2”.**

- Both statements are correct.

**g. It is not clear whether the pricing schedule includes for any expenses for investigations and other additional services (e.g. topographical surveys, geotechnical investigations; environmental authorisation) or if these have already been concluded. Can DBSA please confirm what investigations have already been concluded and what authorizations are already in place?**

- Disbursements % allowance, must cover all costs that will be incurred over and above the allowance for each specific discipline.
- h. In the event that there are investigations and additional services that remain outstanding, we request that DBSA considers allocating provisional sums for these expenses.**
- Disbursements % allowance, must cover all costs that will be incurred over and above the allowance for each specific discipline.
  - Additional funding can only be requested and submitted for approval for work that fall outside the normal scope of work.
- i. We request that DBSA considers allocating a provisional sum for the provision of OHS Agent services for the duration of the contract.**
- Disbursements % allowance, must cover all costs that will be incurred over and above the allowance for each specific discipline.
  - Additional funding can only be requested and submitted for approval for work that fall outside the normal scope of work.
- j. We request that DBSA considers allocating a provisional sum for the provision of environmental services pursuant to obtaining and/or renewing environmental authorizations and water use licenses.**
- F
- 43. Table C2.2.2 (B) contains a number of staff categories that generally align with the key staff addressed elsewhere in the document. However, the table also contains a list of resources, under the heading “site supervision” that includes Resident engineer; Site supervision / QA Inspectors; Assistant site supervisor; Project administrator; Environmental Control Officer (ECO) and QA/QC compliance officer. These resources potentially relate to the Stage 5 services (i.e. Stage 5: Works – full inspection and oversight of construction). Please clarify:**
- 1. The expected number of construction contracts and construction duration for each [the delivery period for Stage 5 is given in the RFGP as “TBC after appointment (will be a fast-paced project with very short timeline).”]; and**
    - Please refer to answers explaining the expected duration.
  - 2. The number of resources and nature of deployment expected (i.e. full time or part time).**
    - Resources must be always available for the project. All required deliverables must be delivered, meetings attended, reports submitted etc.. Site supervision resources, should be fulltime.
- 44. We assume that the WULA will have to be upgraded and that we must allow for this in our pricing? Please confirm.**
- Correct. WULA will have to be upgraded and that must be allowed for in the pricing
- 45. What would the estimated construction period be for us to allow construction monitoring for?**
- The construction is expected to be completed within 24 months from appointment
- 46. Does the scope of work include or exclude the upgrading of the Clear water pump station within the site adjacent to the Treatment works?**

- The scope of work includes the upgrading of the Clear water pump station

**47. Will we receive a confirmation that the uploaded tender documents were received before closing time?**

- Submission receipt will be received, the link will expire for bidder use at cut off time.

**48. What are the requirements for the social facilitator scope of work?**

- The social facilitator typical scope of work:
  - To develop a social facilitation Implementing Plan as a reference document for the programme
  - To utilise existing governance structures for easy implementation of the programme at all levels and set up structures where there is none
  - To facilitate stakeholder engagement both at management and stakeholder level
  - To provide inputs to the Risk Management Plan
  - To develop and manage the Communication Plan
  - To provide input into the Monitoring and Reporting tool for the projects (with reference to employment, training and SMME development reports)
  - To develop and apply conflict resolution mechanisms
  - To craft and implement interventions and mitigation strategies
  - To develop social facilitation monthly reports.
  - Over and above, the list all requirements for a Social Facilitator need to be attended to.

**49. Will the social facilitator be required to manage the procurement process for the employment of local subcontractors as part of the construction project?**

- The social facilitator can participate as an observer during the procurement process, if required.

**50. Confirm the scope of work is limited to within the borders of the existing WTW site.**

- The scope of work is limited to within the borders of the existing WTW site

**51. Define the role of the geohydrologist and what is (s)he required to do on the project as the need for this professional is unclear.**

- See answer to question 12.
- A geohydrologist is needed to ensure that the water table is not at a level that would influence the foundations of the WTW. This may be a concern because the WTW is adjacent to the Luvuvhu River and just downstream of the Nandoni Dam that may experience seepage. The scope of works would involve a preliminary geohydrological investigation to check water levels and the groundwater quality. The preliminary geohydrological investigation will include a risk assessment to check the potential impact of the construction works on the groundwater quality.

**52. What specialist studies should be allowed for in terms of the EIA. This information is required in order for all bidders to tender on an equal basis.**

- For the purpose of this project, please price for:
  - Environmental Risk assessment (construction and operations)
  - Contingency planning
  - Cost Benefit Analysis of possible mitigation strategies on environmental impact
  - Environmental Legislation and Policy

- Groundwater contamination
- Health risk assessment
- The specialist will be required to (1) Define the scope of work. (2) Establishing baseline environmental conditions. (3) Perform Field surveys and data collection. (4) Identify and predict potential impacts. (5) Prescribe mitigation measures and their implications (6) Implement monitoring requirements.

**53. Costs for the ECO, Resident Engineer, H&S Officer and other site supervisory staff are dependant on the length of the construction contract. Please provide a construction timeframe for tender purposes so that all bidders tender on the same time period / equal basis.**

- See answer to question 44.
- The construction is expected to be completed within 24 months from appointment.

**54. Will Water Use License applications and Water Abstraction applications need to be undertaken? If yes, please indicate what is required and how these must be priced for as they are Additional Services.**

- See previous answers in this regard.

Water Use Licence Application – Nandoni WTW Upgrade

Stage	Requirements	Estimated Completion Period	Cumulative Duration	Status / Comment
Pre-application (WUL)	Complete DW758 form	15 days	15 days	Pre-consultation meeting and site inspection to be held with DWS. Submit WULA
	Copy of title deed/PTO/Other			
	Proof of Licence application fee (R1158,00 - to be confirmed)			
	Pre-application meeting			
	Site inspection			
Technical Report	Yield analysis report on Nandoni Dam to show water availability (Yield Assessment)	30 days	30 days	Research any reconciliation strategy previously done or yield analysis report and develop a technical report that indicates water availability from Nandoni Dam
Public Participation Process (WUL)	Public Participation	60 days	90 days	Process starts after completion of technical report.  Advert notice to be published in local newspaper for 60 days for public comments. Provide proof of advert
Application initiation (WUL)	Complete DW758, DW760, DW784, DW901, DW902	60 days	90 days	Process runs concurrently with Public Participation Process (WUL)  Phase 1 on e-WULAAS must be completed
	Copy of company registration certificate if applicable			
	Copy of title deed/PTO/Other			
	Public Participation Report			
	Section 27 of NWA motivation			
Processing and finalising	Assessment of technical report by DWS	90 days	180 days	DWS internal Process
Decision by DWS (WUL)	Acceptance / refusal of application by DWS	90 days	180 days	DWS internal Process
	Issuing Licence and conditions of Licence			

**55. Limit of Liability to be maximum of 2 x professional fee earned.**

- The maximum damage, which is set at, "the sum insured in terms of 5.4 in respect of insurable events; and to an amount equal to twice the amount of fees payable to the Service Provider under the Contract," should not be exceeded.

**56. Can you please provide clarification on the following issues:**

RFP032/2023- APPOINTMENT A MULTI-DISCIPLINARY PROFESSIONAL  
SERVICE PROVIDER FOR THE UPGRADE OF THE NANDONI WATER TREATMENT  
WORKS (WTW).



Query no.	Reference	Page no.	Query	Reply
1	26.1.1 STAGE ONE: Test for Administrative Responsiveness:	16	Are only the CVs of the following persons required? ·Project Manager (Team leader) ·Civil Engineer ·Structural Engineer ·Electrical Engineer ·Mechanical & Fire ·Construction Health and Safety Agent	Please also refer to previous answers in this regard
2	26. EVALUATION PROCESS:	17	<u>Geotechnical Engineer:</u> Will registration with the South African Council for Natural Scientific Professions (SACNASP) also suffice?	Only ECSA registration will suffice. As per the original tender document.
3	PART 2: DATA PROVIDED BY THE EMPLOYER	85	·The document refers to “the contractor”, and “experience of 5 years in the construction industry”. ·As this is not a construction tender, <b>please confirm if these clauses are relevant and applicable to this project?</b>	The clause is irrelevant and not applicable to this stage of the project.
4		86	<u>Clause 3.12.1: Daily Penalty:</u> <b>We request that this clause be waived or amended, given the nature of this project</b>	The document remains as is. Please also refer to previous answers in this regard.
5		88	<u>Clause 8.1:</u> <b>We request that the time be amended to two (2) weeks</b>	The document remains as is.
6	C1.2 CONTRACT DATA	90	<u>Table C1.2.2.3 The Service Provider’s Key Persons / Experts</u> Are Key Persons the resources listed in Query 1 above?	These are the details of the resources that you are using to submit the bid.
7	C2.1 PRICING INSTRUCTIONS	91	<u>Clause 2 states:</u> ·The fee scales shall be calculated as per the Government Gazette Vol. 606 December 2015, No. 39480. ·The most recent Guideline Professional Fees R-01-GFF, Revision 0: 09 December 2020. Should we not rather use these?	Your bid submission will be evaluated as stated in the tender document, based on the tables provided. Please ignore the comment regarding the fee scales.



8			<p><u>Construction monitoring:</u></p> <ul style="list-style-type: none"> <li>-In terms of the Guideline Professional Fees construction monitoring is not part of Contract Administration (Stage 5: Normal Services) but is an Additional Service (Clause 3.3 of the Guidelines) and as such should be priced separately from Professional Fees. See Clause 4.3.3 and 4.5 of the Guidelines.</li> <li>-<b>As such we request that Site Supervision be separated from Tables C2.2.2 (B) and C2.2.3 and priced separately.</b></li> </ul>	Allowance have been made for this pricing
9			<ul style="list-style-type: none"> <li>-Clause 5 states: The rates, sums, professional fee and prices in the schedules are to be fully inclusive prices for the work described under the several items. Such prices and rates <u>are to cover all costs and expenses</u> that may be required in and for the execution of the work.</li> <li>-See also Clause 10.</li> <li>-<b>Are these costs and expenses the same as referred to in Table C2.2.4, Item C2.2.3?</b></li> </ul>	Tables C.2.2..2 & C2.2.3 provided detailed breakdown. The items in C2.2.4. are the prices that will be carried to your offer.
10			<ul style="list-style-type: none"> <li>-Clause 9 states: Tenderers are to carefully note that only those recoverable <u>expenses listed</u> in the schedules will be reimbursed to the Service Provider.</li> <li>-<b>Can you please provide the list of expenses?</b></li> </ul>	Please refer to the C2.2.3. "heading"
11	C2.2.1 TIME-BASED FEES		<p><u>Table C2.2.1(L): Geo-Hydrologist</u></p> <p><b>Is this resource required for this project?</b></p>	Please also refer to previous answers in this regard
12	C2.2.2 (A.2) PROFESSIONAL FEES	99	<ul style="list-style-type: none"> <li>-Table C2.2.2 (A.1): The heading refers to "average percentage (%) of a range of estimated project value categories" but the pricing is in Rands.</li> <li>-<b>Please clarify?</b></li> </ul>	Please read all the tables as no table should be read in isolation
13		100	<p><u>Table C2.2.2 (A.2):</u></p> <ul style="list-style-type: none"> <li>-Column C must be calculated by dividing Column B by Column A carried over from Table C2.2.2 (A.1). However, <u>which Category Value must be used</u>, as Column A indicates both upper and lower values per category. Please clarify?</li> <li>-Please note that as this is a very large project, the Professional Fees in terms of the Guideline Professional</li> </ul>	Please refer to the notes below C2.2.2.(A2). Always use the "upper value of column A".

			<p>Fees <u>completely overshadows</u> the fees for Stages 1 and 2. For example:</p> <ul style="list-style-type: none"> <li>o Say the fees for Stages 1 and 2 are R200 000, the Column C % will be in the region of 0.027% (0.00027).</li> <li>o The typical fees for a project of this magnitude will be in the region of 5 to 6% of the construction value. Adding Columns C and D <u>will make virtually no difference to the value of Column D.</u></li> </ul> <p><b>o Please reconsider the logic of combining the fees for Stages 1 and 2 with Stage 3 to 7 in this manner.</b></p>	
14		101	<p><u>Column C2.2.2 (B):</u></p> <ul style="list-style-type: none"> <li>· This table requires the subdivision of the % expenses into 19 resources. This exercise is not practical as many expenses are shared between resources.</li> </ul> <p><b>· Please advise.</b></p>	This was done on many previous occasions, with other tenders, using similar methods of pricing. Although it requires some calculation work, it is doable and must be submitted.
15	C.2.2.2: PAYMENT MILESTONES	102	<ul style="list-style-type: none"> <li>· Stages 5 and 6 (Works and Handover) in the tender document corresponds to Stage 5 (Contract Administration and Inspection) in the Guideline Professional Fees. The corresponding Milestone percentages are <math>35+7.5 = 42.5\%</math> and 15%.</li> <li>· In our view this is an unfair fee allocation that severely prejudices the PSPs project cashflow.</li> </ul> <p><b>· We hereby request that the Milestone percentages be more fairly distributed.</b></p>	The tender document remains as is. It is your prerogative to accept it or not.
16		102 105	<p>Please confirm if the cost of water quality testing (page 105) must be included as part of the expenses to be priced in Table C2.2.4, Item C2.2.3?</p>	All realistic anticipated expenses, for a project of this nature, must be allowed for.
17	C3.1: SCOPE OF WORK:	106	<p><u>Please confirm our understanding of the execution of the following activities/tasks:</u></p> <ul style="list-style-type: none"> <li>· Updating the cost estimates in the Preliminary Design Report completed in 2016 – to be completed under <b>Stage 2</b></li> <li>· Verification of the current water quality at the inlet / outlet works, to understand whether the water quality has been compromised since 2016 and if not, then the preliminary</li> </ul>	Please also refer to previous answers in this regard. Deliverable and scope of work were addressed adequately. DBSA cannot confirm your understanding.

		<p>design is still acceptable – to be completed under <b>Stage 2</b></p> <ul style="list-style-type: none"> <li>·The completion of the Implementation Readiness Study (IRS) – to be completed under <b>Stage 2</b></li> <li>·Design Calculations - to be completed under <b>Stage 3</b></li> <li>·Preliminary Design Report - to be completed under <b>Stage 2</b></li> <li>·Detail Design Report - to be completed under <b>Stage 3</b></li> <li>·Drawings (survey, site layout, Inlet works, flocculation channels, settling tanks, sand filters, raw water pump station, typical, electrical drawings and process flow diagrams) to be completed under <b>Stages 3 and 4</b></li> <li>·Bill of Quantities - to be completed under <b>Stages 2, 3 and 4</b></li> <li>·Geotechnical Report to be completed under <b>Stage 2</b></li> <li>·Hazard Identification Report - to be completed under <b>Stage 4</b></li> <li>·Hazard &amp; Operability Study - to be completed under <b>Stage 4</b></li> <li>·Operational Documents - to be completed under <b>Stage 6</b></li> <li>·Process Audit Reports - to be completed under <b>Stage 2</b></li> <li>·Design Close Out Report - to be completed under <b>Stage 7</b></li> </ul>	
18	106	<p>·<u>Please confirm our understanding of the execution of the following activities/tasks</u></p> <p>Topographical and environmental surveys, analyses, tests and site or foundation or other investigations, model tests, laboratory tests and analyses carried out on behalf of the client - to be completed under <b>Stage 3</b></p> <p>Geotechnical Report - to be completed under <b>Stage 3</b></p> <p>Hazard Identification Report - to be completed under <b>Stage 3</b></p> <p>Hazard &amp; Operability Study - to be completed under <b>Stage 3</b></p>	<p>Please also refer to previous answers in this regard. Deliverable and scope of work were addressed adequately. DBSA cannot confirm your understanding.</p>

		<p>Process Audit Reports - to be completed under <b>Stage 2</b></p> <p><u>·As the aforementioned are Additional Services, <b>please clarify</b> how the cost of the following activities must be tendered:</u></p> <p>Topographical and environmental surveys</p> <p>Geotechnical survey</p> <p>Hazard &amp; Operability Study</p>	
		<p>111</p> <p>·The tender document states that payment will be done in accordance with the approval of the different stages listed below:</p> <p>Stage 1 Needs Assessment</p> <p>Stage 2 Scoping Report</p> <p>Stage 3 Feasibility Study</p> <p>Stage 4 Preliminary Design</p> <p>Stage 5 IRS</p> <p>·However, these stages do not correspond with the High Level implementation Stages indicated in C3.1.2 on page 107. In addition, the latter does not require a Feasibility Study.</p> <p>·Please clarify.</p>	<p>Payments on DWS projects funded through RBIG are made upon the completion of each stage below for the planning phase:</p> <ul style="list-style-type: none"> <li>o Stage 1 Needs Assessment</li> <li>o Stage 2 Scoping Report</li> <li>o Stage 3 Feasibility Study</li> <li>o Stage 4 Preliminary Design</li> <li>o Stage 5 IRS</li> </ul>
19		<p>112</p> <p><u>·Under Stage 4 Preliminary Design the following components are listed as Deliverables:</u></p> <p>O&amp;M / Asset Management Plans</p> <p>Water Conservation/ Demand Management Plans</p> <p>Water Use license application</p> <p>Environmental Impacts Approvals</p> <p>These deliverables are separate studies that are not listed in the Stages described on pages 108 to 111.</p> <p><b>·Please clarify.</b></p>	<p>Please also refer to previous answers in this regard. Deliverable and scope of work were addressed adequately.</p>
20		<p>113</p> <p><u>·Under Stage 5 Implementation Ready Study/ Report the following component is listed as a Deliverables:</u></p> <p>Water Service Development Plan</p> <p>·This deliverable is a separate exercise that is not listed in the Stages described on pages 108 to 111.</p> <p><b>·Please clarify.</b></p>	<p>Please also refer to previous answers in this regard. Deliverable and scope of work were addressed adequately.</p>