

Non – Compulsory but Strongly Recommended Clarification Meeting – Online (Skype)

94G/2022/23: SUPPLY AND DELIVERY OF BULK FUEL (PETROL AND DIESEL) TO THE CITY OF CAPE TOWN'S VARIOUS SITES ON AN ADHOC BASIS.

Date: 13 September 2022

Present from City of Cape Town:

Peter Powell– Chairperson

Ayanda Walter Mili – Advisor (SCM)

Thamsanqa M–Admin Support (SCM)

Malcom van Niekerk- Member

Mario Hans- Member

Tenderers Present:

<u>Company Name</u>	<u>Company Representative</u>	<u>Email Address</u>
Zodwa	Ipeloz Fuels	zmgcina@gmail.com
EML Energy	Hasa Baloyi	hasa@emlenergy.com
Suzanne Payle Axis Footprint t/a Axis Fuels Pty LTD	Suzanne Payle	suzannepayle@gmail.com
Mosuli	TKD Holdings	tkdlamini@hotmail.com
Aschendorf's Carry Bee (Pty) Ltd t/a Trifapro Oil SA	Themba C. Mondli Morokolo	info@trifapro.com
Batsumi Investment Holdings PTY LTD	Thato Ramatiisa	piusthato.ramatiisa@yahoo.com
Osher Fuels (Pty) Ltd	Peter van der Merwe	Peter@van-der-Merwe.co.za
MANENZHE GUARDS (PTY) LTD	Mbavhalelo	mbavharamuluvhana@outlook.com
Taloc Projects (PTY) ltd	Tamarin Rynhardt	amarin@taloc.co.za
Vusi Skosana	Jali Petroleum	info@jalipetroleum.co.za
Unathi Ndzwane Company Taloc Projects (PTY) Ltd	Unathi Ndzwane	unathi@taloc.co.za
JD FUELS (PTY) LTD	Kaleb	kaleb@jdtrade.co.za
NDUDUZO NGCOBO	INSIKA RESOURCES CC	NDUDUZO@INSIKARESOURCES.COM
TTM Trading and Projects	Florence	
Tipublox Pty Ltd	Paula	admin@tipublox.co.za

Welcome and opening

Chairperson welcomed all and allowed 10 minutes for others to join the meeting.

Volume 1: Tendering Procedures

General Information

-Ayanda presented the tender document and discussed the following:

-Closing date is on **27th September 2022** at box number: **123** at 10:00am and detailed the process for hardcopy delivery of the tender document. Contract period will be 36 months from date of commencement.

-City of Cape Town Technical Representative is Mario Hans, email: Mario.hans@capetown.gov.za and Commercial Representative is Ayanda Mili, email: ayandawalter.mili@capetown.gov.za

-These contact persons may be contacted during the advertising period. All communication to be done via email (in writing) and all responses will come from the Supply Chain Management Department.

Conditions of Tender

General

-The CCT intends to appoint 3 (three) tenderers, 1 is the highest ranked tenderer ("the winner") and in addition 2 (two) ("standby tenderer") for the allocation of work. If insufficient responsive bids are received, the CCT reserves the right to appoint fewer tenderers, or not to appoint any tenderers at all.

- The contract period shall be for a period of **three years** from the commencement date of the contract until 19 October 2026.

Disputes, objections, complaints and queries

-In terms of Regulations 49 and 50 of the Local Government: Municipal Finance Management Act, 56 of 2003 Municipal Supply Chain Management Regulations (Board Notice 868 of 2005):

a) Persons aggrieved by decisions or actions taken by the City of Cape Town in the implementation of its supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint or query or dispute against the decision or action.

Appeals

-In terms of Section 62 of the Local Government: Municipal Systems Act, 32 of 2000 a person whose rights are affected by a decision taken by the City, may appeal against that decision by giving written notice of the appeal and reasons to the City Manager within 21 days of the date of the notification of the decision.

-An appeal must contain the following:

- i. Must be in writing
- ii. It must set out the reasons for the appeal
- iii. It must state in which way the Appellant's rights were affected by the decision;
- iv. It must state the remedy sought; and
- v. It must be accompanied with a copy of the notification advising the person of the decision

-The relevant City appeal authority must consider the appeal and **may confirm, vary or revoke** the decision that has been appealed, but no such revocation of a decision may detract from any rights that may have accrued as a result of the decision.

City of Cape Town Supplier Database Registration

-Tenderers are required to be registered on the CCT Supplier Database as a service provider.
-Tenderers who wish to register on the City of Cape Town's Supplier Database may collect registration forms from the Supplier Management Unit located within the Supplier Management / Registration Office, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town (Tel 021 400 9242/3/4/5). Registration forms and related information are also available on the City of Cape Town's website www.capetown.gov.za (follow the Supply Chain Management link to Supplier registration).

Tenderer's Obligation

-Eligibility - tenderers are obligated to submit a tender offer that complies in all aspects to the conditions as detailed in this tender document. Only those tenders that comply in all aspects with the tender conditions, specifications, pricing instructions and contract conditions will be declared to be responsive.

Mandatory Requirements

The tenderer MUST provide an annual valid certificate that they are the holder of a wholesale license for the supply of petrol and diesel issued in terms of regulations issued under sections 2A, 2C, 2E, 2F and 12C of the Petroleum Products Act 120 of 1977 (as amended) Preferably with the tender document or within 3 days from date of request by the City of Cape Town. The certification must be in the bidding entity's name.

Volume 2: Returnable Documents

-Tenderers to complete the information required on pages 21 – 25, sign the Form of Offer and Acceptance part of the document;

-Price Schedule: tenderers must state the rates and prices in Rand unless instructed otherwise in the tender conditions.

-Tenderers to provide fixed rates and prices for the duration of the contract that are not subject to adjustment except as otherwise provided for in clause 17 of the Conditions of Contract and as amplified in the Special Conditions of Contract.

Supporting Schedules:

-Schedules 1,2,3, 4, 5, 6, 7, 8, 9, 13, 14 and 15 must be completed completely as they are applicable for this tender.

-Schedules 10, 11, 12 are not applicable.

-Schedule 15: info to be provided with the tender: SCM representative explained in detail the information required under this schedule and tenderer to tick the appropriate tick boxes.

Volume 3: Draft Documents:

SCM practitioner opened a platform for questions

Q: Florence: Posed a question references regarding how references should be drafted.

A: Ayanda Mili: The tenderer must provide evidence of experience in the Supply and Delivery of Bulk Fuel. **The tenderer must submit references with the tender submission**, completed and signed by the referee. If the reference is not signed by the referee, it is required to be stamped by the referee's company stamp. Failure to submit references with the tender submission will result in the tenderer forfeiting points. The list of evidence must include volumes that the tenderer has successfully undertaken. Points will be allocated based on the volumes demonstrated in the Supply and Delivery of Bulk Fuel. **This information must be captured in Returnable Schedule 15B.**

Q: Florence: Must the CV's of key personnel have proof of qualifications attached to them?

A: Ayanda Mili: The tenderer must provide supporting evidence in the form of Curriculum Vitae (CVs) for Key Personnel who is experienced in Contract/Project Management in fuel administration, accounts and invoicing management. **The tenderer must submit the required CVs with the tender submission or within 5 days written request thereof.** Failure to submit CVs with the tender submission will result in the tenderer forfeiting points. Points will be allocated based on the years of experience demonstrated by Key Personnel in fuel administration, accounts and invoicing management. **This information must be captured in Returnable Schedule 15C.**

Q: Florence: Must the section with the Insurance broker's warranty (pro forma) have the insurance brokers letterhead attached?

A: Ayanda Mili: That option should be completed, signed and the insurance broker's letterhead can be attached to the document.

Q: Suzanne Payle: When it comes to Joint ventures, Can the lead company carry the weight of the start up company?

A: Ayanda Mili: Yes, Where the entity tendering is a Joint Venture the tender must be accompanied by a statement describing exactly what aspects of the work will be undertaken by each party to the joint venture. Tenderers shall ensure that all relevant information has been submitted with the tender offer in the prescribed format to ensure optimal scoring of functionality points for each Evaluation Criteria. Failure to provide all information **IN THIS TENDER SUBMISSION** could result in the tenderer not being able to achieve the specified minimum scoring.

Q: Suzanne Payle: Will the City allow companies with minimum experience to sub-contract to companies with less experience?

A: Ayanda Mili: We as the City do not dictate whom you get into a Joint Venture with.

A: Peter Powell: Joint ventures need to submit one bid and not submit two bids for each company of the Joint venture. If this is the case then the bidders in the Joint Venture will be disqualified.

Q: Thokozani from New Light Holdings: How many suppliers are you looking to appoint for the project?

A: Ayanda Mili: There will be one successful bidder and two standby bidders for item one and one successful bidder and two standby bidders for item 2. In total, there will be six appointed contractors.

Q: Helizma van Zyl (Blue Bay Energy): Since 500ppm diesel will be phased out by 2023, Will the City then accept 50ppm diesel?

A: Marias Hans: Yes. This will be assessed when the issue arises too.

A: Peter Powell: When quoting, do not manipulate the pricing schedule by changing the 500ppm to 50ppm as this will result in your bids pricing schedule not being accepted. Bid for the 500ppm even when you will be providing a quote for the 50ppm it will be accepted.

Q: Peter Grobler: Will the size of the tankers be considered when taking orders? Can the equipment be inspected prior to commencement of the delivery runs? Pricing is a concern as the product is sourced against wholesale prices and does not include things like RAF levies etc, will they need to price it against the fuel price for retail?

A: Marias Hans: That information will be sent to the awarded bidder and the stand by bidder as the demand varies per month. Said information is sensitive and can only be shared with the standby and awarded bidders.

A: Peter Powell: There is no issue with inspecting the City's equipment prior to commencement of tender. Stick to basic fuel prices and that is the requirement.

Q: Lindikhaya Zittatu Oil and Gas: What is the minimum drop per site and can drops be consolidated? Pricing remains relevant to do monthly announcements .

A: Marias Hans: Fuel drops/runs can be consolidated depending on demand per site.

Chairperson thanked all prospective tenderers and wished them well.

Minutes will be published and distributed as a notice to all prospective tenderers.

Meeting adjourned 09:59 13 September 2022 via Skype

APPROVAL

I, the chairperson of the Bid Evaluation Meeting, confirm the above minutes are correct and a true reflection of the discussions and decisions made by the Bid Specification Committee in terms of the Rules of Order.

SIGNATURE OF THE CHAIRPERSON: _____ DATE: _____
(In consultation with members of BSC)