

MEETING:	TENDER BRIEFING MINUTES FOR: CONSTRUCTION OF TWO 80 TON REINFORCED CONCRETE BOLLARDS AT THE PORT OF EAST LONDON RFP NO: TNPA/2022/06/0565/6185/RFP CLOSING DATE: 22 July 2022 CLOSING TIME: 17h00 LINK TO SUBMIT TENDERS: HTTPS://transnetetenders.azurewebsites.net		
VENUE:	EMD Building; Corner Dr. Zahn and Nufield Road; Westbank; East London 12 July 2022	TIME:	10:00 – 12:00
ATTENDEES:	AS PER ATTENDANCE REGISTER		
PROJECT TEAM	NAME	SURNAME	ROLE
	Lungelwa	Mxokozeli	Procurement Manager
	Lwanda	Sidlayi	Project Manager
	Lutando	Tetani	Contracts Manager
	Kaelan	Veerasamy	Engineering
	Zukiswa	Nkonyeni	Procurement Officer
	Aphiwe	Bosman	Procurement Intern
	Masupha	Letsie	Manager Marine Structures
1	WELCOME AND INTRODUCTION:		
1.1	Ms Lungelwa Mxokozeli welcomed all present and introductions were done. Mr Lwanda Sidlayi conducted the emergency evacuation procedure. The attendance register was circulated for signature by all in attendance		
2.	PART T1: TENDERING PROCEDURE		
2.1	Ms Lungelwa Mxokozeli presented the Tendering procedure, and the following points were noted: - The RFP is an open tender process, and the attendance of the briefing is compulsory - The closing date of the RFP is 22 July 2022 at 17H00 - The tender validity period is 12 weeks from closing date - This Tender may be downloaded directly from the National Treasury eTender Publication Portal at www.etenders.gov.za and the Transnet website at https://transnetetenders.azurewebsites.net (please use Google Chrome to access Transnet link) FREE OF CHARGE - CIDB grading 3CE - Any Supply Chain related question must be directed to Lungelwa Mxokozeli at Lungelwa.Mxokozeli@transnet.net Telephone number 043 700 2247. - No late tenders will be accepted. The following eligible criteria to submit tenders were emphasized by Ms Lungelwa Mxokozeli <u>Stage 1 Attendance of Compulsory briefing Session</u> - Certificate of Attendance at Compulsory briefing session must be submitted. Any Tender who fails to attend the compulsory briefing session will be regarded as an unacceptable tender. <u>Stage 2 Pre-qualification criteria</u>		

- Tenders having a stipulated minimum B-BBEE Status Level 4 contributor

Stage 3 Local Production and Content

- Tenderers must properly complete, duly sign and submit returnable schedule T2.2-03, entitled "Declaration Certificate for Local Production and Content (SBD 6.2 and Annexures C, D & E)", committing to meet the following stipulated minimum thresholds for local production and content for the following designated sectors as determined by the Department of Trade and Industry (DTI):
 - Steel value products and components for construction are designated for local production and content, the minimum Local Content is 100%
 - Cement is designated at 100%

Stage 4 Eligibility in term of CIDB Registration

- Only those tenderers who are registered with the CIDB or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, designation of 3 CE or higher class of construction works, are eligible to have their tenders evaluated.

Ms Lungelwa Mxokozeli also went through the list of items the Tender is required to submit with his tender as follows:

- A valid Tax Clearance Certificate issued by the South African Revenue Services. Tenderers also to provide Transnet with a TCS PIN to verify Tenderer's compliance status.
- A valid B-BBEE Certificate from a Verification Agency accredited by the South African Accreditation System [SANAS], or a sworn affidavit confirming annual turnover and level of black ownership in case of all EMEs with 51% black ownership or more together with the tender;
- A valid CIDB certificate in the correct designated grading.
- Proof of registration on the Central Supplier Database.
- Letter of Good Standing with the Workmen's compensation fund by the tendering entity or separate Letters of Good Standing from all members of a newly constituted JV.

3.	PART T2: RETURNABLE DOCUMENTS
3.1	Tenderers must also submit the list of returnable documents as follows: • T2.2-01 Eligibility Criteria Schedule: Certificate of attendance at Compulsory Tender Clarification Meeting • T2.2-02 CIDB Grading Designation • T2.2-03 – Local Production and Content • T2.2-04 to T2.2-10 (Functionality /Technical evaluation) • T2.2-11 Authority to submit • T2.2-12 Record of addenda to tender documents • T2.2-13 Letter of Good Standing • T2.2-14 CIDB SFU ANNEX G Compulsory Enterprise Question • T2.2-15 Non-Disclosure Agreement • T2.2-16 RFP Declaration Form

	• T2.2-17 RFP – Breach of Law • T2.2-18 Certificate of Acquaintance with Tender Document • T2.2-19 Service Provider Integrity Pact • T2.2-20 Supplier Code of Conduct • T2.2-21 Agreement in terms of Protection of Personal Information (POPIA) • T2.2-22 Three (3) years audited financial statements • T2.2-23 Insurance provided by the Contractor Functionality Criteria was presented as follows • Programme with a maximum score of 10 • Project Organogram, Management, & CVs of Key Persons with a maximum score of 35 • Quality Management with a maximum score of 10 • Health and Safety Management with a maximum score of 5 • Environmental Management with a maximum score of 5 • Previous Experience with maximum score of 25 • Method Statement with a maximum score of 10 The minimum threshold on functionality is 60 points. • It was emphasized that the bidders have to make sure that they achieve at least 60% of each and every criteria. • Only tenders that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points systems as described in Preferential Procurement Regulations 6 and 7 where price is 80 and BBBEE Status Level of contribution is 20
4.	PART C1: AGREEMENT AND CONTRACT DATA
4.1	Mr Lutando Tetani briefed the contract as follows: • The Contract type is NEC3 of the bill of quantities, and the contract is using all the standard conditions of the ECC. And the clauses that are inclusive are secondary option clauses which are: ○ Change in law ○ Parent Company Guarantee ○ Delay damages ○ Performance guarantee ○ Retention and Limited Liability. • Mr. Lutando Tetani emphasized that the contract does not have escalation of price adjustment as it is only a three month contract, there is also no advance clause on it. • There are Z clauses that the Bidders were advised that they must go through. • He also emphasized that when bidders complete their documents, they must complete them thoroughly so that it can be easier when they get evaluated.
5.	Scope of Work
5.1	Mr. Lwanda Sidlayi briefly described the scope of work as follows: • Excavating for 3m x 3m foundations • Drilling, installing, and testing of threaded tie bars • Reinforced concrete casting • Installing 80 ton tee type bollards (issued by <i>Employer</i>) • Backfilling of existing trenches

	The bidders were taken through the applicable drawing including, site layout, reinforcement details, threaded tie bar details,
6.	Questions and Answers
6.1	Q1. What happens when the Tax certificate becomes non complaint during tendering stage, do bidders get notified and given time to update it or they just get disqualified? Response: National Treasury instruction No.7 of 2017/2018 Tax compliance status states that, Section 4.2 and 4.3, the bidder is offered 7 working days to sort out their tax matters they do not just disqualified. Q2. With regards to Audited Financial Statement that Bidders are requested to submit, is there any certain threshold of income to get audited or any public company should get their financial statement audited? Response: The Companies Act of South Africa (the Act) requires all companies to prepare financial statements within 6 months after the end of its financial year. Any profit or non-profit company if, in the ordinary course of its primary activities, it holds assets in a fiduciary capacity for persons who are not related to the company, and the aggregate value of such assets held at any time during the financial year exceeds R5 million Q3. Are you awarding the lowest bidder? Response: The employer is not compelled to award to the lowest bidder, the bid will be awarded according to the set qualifying criteria. Q4. Why would you allocate 10 points on 10 years company experience, but the eligible criterion for this tender is 3CE grading or SME's, is this project for companies who have been doing this work with so many years of experience or just for SME's or for SME's who have been operating in business but not growing? Response: L Sidlayi indicated the experience on the functionality is evaluated in two areas, (1) key persons assigned to the contracts, and (2) experiences of the company bidding for the contracts. The minimum required score to qualify on these areas is aligned to the minimum experiences required which is 5 years. The more the experience of the key persons the more points is allocated. This also goes for the company experience, the more the company has been operating within the construction industry there more points allocated. Q5. Are there any points allocated to Contract Questionnaire? Response: There are no points allocated to it, it is the standard document, but the bidders must complete it. Q6. The tenderer must submit a soft copy of the programme in Microsoft Project if is in Excel it is not accepted, what informs that? Response: L Sidlayi indicated that the bidders must submit a construction programme on Primavera or Microsoft Projects as per the tender requirement. Bidders will be evaluated on the format of the programme submitted. A programme presents in Excel format only provide a bar charts, does not have links between activities and makes it evaluate the logical sequencing between an activity and its successor. L Sidlayi advised that bidders to submit a construction programme in the format as stated in the functionality criteria.

7.	CLOSING
7.1	In the absence of no further questions, Ms Lungelwa Mxokozeli thanked everyone who attended the briefing session, wished them good luck, declared the meeting closed and informed Bidders to proceed to the site for inspection.

Compiled by:



Signature

Name: Zukiswa Nkonyeni

Designation: Procurement Officer

Date: 18/07/2022.

Approved by:



Signature

Name: Lungelwa Mxokozeli

Designation: Procurement Manager

Date: 18/07/2022