

Tender 288C/2021/22 - Minutes of non-compulsory Site Clarification Meeting, held on Friday 22 April 2022 @ 10:00 via Skype

Attendance Register:-

Chaired by: Garth Elliott – CCT – garth.elliott@capetown.gov.za

Present:

Iris Wink - JG Afrika - wink@jgafrika.com

Adrian Johnson - JG Afrika - 021 5301800 - johnsona@jgafrika.com

Mishquah Carlsen JG Afrika - tenders-ct@jgafrika.com

HHO Consulting Engineers (Pty) Ltd - Tania Cotton - tania@hho.co.za - 021 425 2870

HHO Consulting Engineers (Pty) Ltd – Lihan van der Merwe - lihan@hho.co.za - 021 425 2870

Johan Brink (Innovative Transport Solutions) johanb@itsglobal.co.za

David Stephenson. David.Stephenson@zutari.com

Nigel Le Grange Nigel.legrange@zutari.com

Noel Petersen - Zutari (Pty) Ltd noel.petersen@zutari.com 0846278324

Cary Hastie - Engineering Advice and Services (Pty) Ltd caryh@easpe.co.za 041 581 2421

Kerneels Lion-Cachet (Kerneels Lion Cachet Ingenieurs - kerneels.lc@cachetsa.co.za 083 555 0077)

Pulane Eunice Shai, KABE Consulting Engineers, info@kabe.co.za, 0878090982

Donahue Mhere - Deedscon Consult (Pty) Ltd - deedscon@deedscon.co.za - 012 655 0994

Kwezi Mpuhlu, MBSA CONSULTING, kwezi@mbsaconsultants.com. 0832999988

Mary-Jane Sekele, EKS Consulting Engineers, info@eksengineers.co.za, 087 094 6046

Seniel PILLAY, NAKO SYSTRA (PTY) LTD, seniel.pillay@nakosystra.com, 079 507 0937

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Emile Jordaan SMEC South Africa emile.jordaan@smec.com 079 922 7050

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Mary-Jane Sekele, EKS Consulting Engineers, info@eksengineers.co.za, 087 094 6046 or 072 135 8294

Theuns Lamprecht, Tolplan, tlamprecht@tolplan.co.za, 082 291 3122

Danuta Hodgson - Sky High Consulting Engineering, 081 329 7383, quintonw@shconsulting.co.za, 17 Progress Street George

Zizipho Nenga - Koleko (Pty) Ltd - 010 205 9294 - info@koleko.co.za/ ziziphon@koleko.co.za

Andri de Bruin, EFG Engineers (Pty) Ltd, 021 975 3880, 3A Queen Street, Durbanville, 7550, andri@efgeng.co.za

Edzani Nefale, edzanin@tshi-innovations.com, Tshi innovations, 0630324653

Colin Tichauer, Mowana Engineers, colint@mowana-engineers.co.za. 0828268100

Vanessa Gomes, DELTA BUILT ENVIRONMENT CONSULTANT, bids@deltabec.com, 072 248 9330, 012 368 1820

Jones Mapeka, Mont Projects Pty Ltd , 012 807 5093, madimetja@montprojects.co.za , malesela@montprojects.co.za

Minutes:

1. Garth Elliott (GE) welcomed all and indicated that;
 - a. All attendees enter their full name, company represented, email address and contact number in IM field. This to serve as attendance register, and to ensure that all present are contactable for the purposes of issuing any notifications to tenderers after the meeting.
 - b. All questions of clarity are to be typed into IM field with identification of whom the request is from (if not clearly provided by Skype).
 - c. If response could not be provided immediately during meeting, it would be provided via a Notice to Tenderers in the following week
2. GE further advised that in response to the numerous requests for **Electronic Copies** received, CCT could supply the following in electronic format:
 - a. Schedule of Rates (SoR)
 - b. Standardised Key Personnel tables per Returnable Schedule 11
 - c. MyCiTi Signal Warrants for Pedestrian Crossings (request in this regard received via email – likely to assist with costing of rates for specific Works Item/s per SoR)
 - d. Abovementioned will be uploaded onto the CCT tender website for download by tenderers.
 - e. Tenderers are to furthermore note the contents of tender clause C.2.13.11 – see page 6 of these minutes.
3. Experience of Key Personnel C.2.1.4.2:
 - a. Tenderers attention drawn to the need for compliance with the requirements of abovementioned section given that this falls under the Eligibility portion of the tender
4. Proposed Deviations & Qualifications - GE highlighted the following clauses:
 - a. Pg 14 - C.2.24 *"The tenderer accepts that the Employer will examine such deviations in terms of clause C.3.8.2 and shall not be bound to accept any such deviations or qualifications."*
 - b. Pg 15 - C.3.8 Test for responsiveness
C.3.8.2 Replace the final sentence of C.3.8.2 with the following:
"Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the material deviation."
 - c. Pg 26 – "C.3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:
 - a) *Detrimentially affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,*
 - b) *Significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or*
 - c) *Affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.*Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation."

- d. Pg 82 – “*SCHEDULE 20: PROPOSED DEVIATIONS AND QUALIFICATIONS BY TENDERER: The Tenderer’s attention is drawn to clause C.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the Employer’s handling of material deviations and qualifications.*”

5. Schedule of Rates (SoR):

- a. GE highlighted a change in approach from previous versions of this tender. SoR now includes specific Work Items, such as Traffic Calming investigations:
- i. Historically, based on invoices per previous versions of tender, these have typically been invoiced at a flat rate in past
 - ii. This approach should facilitate ease of creation of Purchase Orders (POs) by Employer and Invoicing by Service Provider.
 - iii. Exceptions are listed where relevant
 - iv. Details are provided on pg 121 under “Table 7.3.a: Typical Work Item Descriptions, including maximum Work Item Periods”.

- b. Post-meeting note: Further to above, the attention of Tenderers is drawn to C2.1 “Pricing Assumptions” on Pg 108:

“4 The rates, sums, and prices in the Schedule of Rates are to be fully inclusive prices for the work described under the several items. Such prices and rates are to cover all costs and expenses that may be required in and for the execution of the work...”

Travel and other costs are therefore to be included in the Itemised Rates per SoR. Tendered rate/s therefore need to include all the tenderer’s costs, ultimately culminating in a completed investigation report plus any associated drawing/s (as relevant).

6. Track record of tenderer: GE referred to the clauses below and highlighted the need for tenderers to clearly indicate:

- a. whether projects are complete or currently underway. The stages which have been completed are to be clearly stipulated in both cases,
- b. the consultant fee/appointment value/s - not the overall project value/s.

Pg 10 - C.2.1.4.5 *“In order to be declared responsive, the tenderer must demonstrate an acceptable track record in the fields of traffic and transportation engineering, transport infrastructure design & transportation road network planning. Tenderers must list, on **Schedule 10**, Part T2.2, Returnable Schedules, all relevant work that has been successfully completed by the tenderer in the past 12 years, or that are underway at present. Should a project that is currently underway be indicated, the tenderer shall indicate which stage/s have been completed.”*

Pg58 - SCHEDULE 10: SCHEDULE OF WORK EXPERIENCE OF TENDERER

*“The tenderer is referred to **clause C.2.1.4.5** of the Tender Data and shall indicate on the schedule below all relevant work that has been successfully completed in the past 12 years, or that is underway at present.*

Should a project that is currently underway be indicated, the tenderer shall indicate which stage/s have been completed.

***Tenderers are to indicate the FEE VALUES, not the project values.**”*

Record of Queries raised via Skype IM comments and CCT responses thereto:

[2022-04-22 10:07 AM] David Stephenson - Zutari:

Do the years of experience of key personnel count from achievement of first qualification? For example, Primary Specialist requires a post graduate qualification with 8+ years experience - does the experience start counting from completion of undergraduate qualification, or from post grad achievement?

G. Elliott - CCT: It would count from completion of the relevant undergraduate qualification, provided there is clear evidence of relevant experience post-qualification experience.

[2022-04-22 10:09 AM] Zeenat Bell:

Key Personnel : Will the qualification of BTech in Urban Design deemed unresponsive or responsive?

[2022-04-22 10:14 AM] Zeenat Bell:

Urban Design Engineering

G. Elliott - CCT: B.Tech in Urban Engineering would be deemed acceptable for a Traffic Engineering related role since the qualification syllabus includes Transportation Engineering

[2022-04-22 10:11 AM] tania:

Why would this contract be subject to a Section 33 process if it is a 3 year term tender?

G. Elliott - CCT: A 6 year tender period is envisaged, hence the need for Section 33 Process.

[2022-04-22 10:15 AM] tania:

can one key person fulfill 2 roles?

G. Elliott - CCT: Yes but typically not at lower levels. Tenderers ultimately need to consider the requirements of C.2.1.4.2(b) "Table of Key Personnel: Listing required qualification & experience requirements for this tender, along with minimum weekly availability per role." (pg 129) and ensure compliance with same. Should tenderers wish to be considered for an appointment in 2 Regions, the minimum availability requirements per role (per table C.2.1.4.2(b)) would also need to be considered and sufficient Key Personnel tendered accordingly.

[2022-04-22 10:16 AM] Noel Petersen:

When are you looking to appoint Consultants

G. Elliott - CCT: 1 July 2023, provided there are no unforeseen delays.

[2022-04-22 10:17 AM] Iris Wink:

Appointment July 2022 or 2023?

G. Elliott - CCT: 1 July 2023, provided there are no unforeseen delays.

[2022-04-22 10:17 AM] Theuns Lamprecht (Tolplan):

When we tried to collect a tender document on Monday there were no copies available anymore. Do you know if there is copies again?

G. Elliott – CCT: The SCM Tender office advise that further documents would be available from 25 April onwards. Relevant contact details as follows:

Bonginkosi Ntuntwana

Tender Distribution Office - Supply Chain Management,

12 Hertzog Boulevard, Cape Town

Tel: 021 400 5042 | Fax: 086 201 1510 | Email: bonginkosi.ntuntwana@capetown.gov.za

[2022-04-22 10:18 AM] Andri de Bruin:

why is **electronic copies** not available

G. Elliott – CCT: Tenderers' attention is drawn to the following clauses of the tender document:

Page 2:

"The physical address for collection of tender documents is:

Tender Distribution Office, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town.

Documents may be collected during working hours between 08:30 –15:00 from 11 April 2022.

A non-refundable tender fee of R250.00 payable by EFT or Cash, is required on collection of the tender documents."

Page 12:

"C.2.13.11 The Employer shall not formally issue tender documents in electronic format and shall only issue tender documents in hardcopy. An electronic version of the issued tender documents, or elements thereof, may be made available to the tenderer at the Employer's discretion, upon written request in terms of this clause, subject to the following:

a) Electronic copies of the issued tender documents, or parts thereof, will only be provided to tenderers who have been issued with the tender documents as contemplated in C.1.2 in hardcopy.

b) The electronic version shall not be regarded as a substitute for the issued tender documents.

c) The Employer shall not accept tenders submitted in electronic format. Only those tenders that have been completed on the issued hard copy tender document shall be considered, provided that printed Bills of Quantities, in the same format (that is, layout, billed items and quantities) as those issued electronically by the Employer, may be submitted with the tender as stated in C.2.13.2.

d) Where Addenda have been issued which amend the Bills of Quantities, then the printed Bills of Quantities shall take these into account. The pages of the issued Bills of Quantities should not be removed from the tender document.

e) The Employer accepts no responsibility or liability arising from any reliance on or use of the electronic version provided in terms of this clause. Tenderers are alerted to the fact that electronic versions of the tender documents may not reflect any notices or addenda that amend the tender document.

f) Any non-compliance with these provisions, including effecting any unauthorised alterations to the tender documents as contemplated in C.2.11, shall render the tender non-responsive. The Employer reserves the right to take any action against such tenderer allowed in law including, in circumstances where the tender had already been awarded, the right to cancel the contract.

g) In requesting the electronic version of the tender documents or parts thereof, the tenderer is deemed to have read, understood and accepted all of the above conditions"

Should any tenderer wish to be issued with an electronic version of the tender document an email request, along **with proof of payment**, should be directed as follows:

Charnel.elias@capetown.gov.za (with CC to **garth.elliott@capetown.gov.za**).

Such email heading shall include the following text:

"Tender 288C/2021/22 – Request for electronic copy per clause C.2.13.11"

[2022-04-22 10:18 AM] Danuta Hodgson:

Had the same problem as Theuns Lamprecht

Also there is no feedback for getting identifier numbers to purchase tender

G. Elliott – CCT: see response above

[2022-04-22 10:20 AM] Mishquah Carlsen:

Could Schedule 11 not be issued in excel to facilitate the completion of the document.

G. Elliott – CCT: Will be issued electronically (note the source document is MS Word, not Excel, and will be made available in PDF format) – **available for download via CCT tenders website.**

This will also aid the City with adjudication via a consistent approach to the submission of Key Personnel data.

[2022-04-22 10:21 AM] Kerneels Lion Cachet Ingenieurs:

Please confirm escalation applicable.

G. Elliott – CCT: Yes, per tender conditions below:

July 2009: Edition 3 of CIDB document 1015 Standard Professional Services Contract:

3.16 Price adjustment to time-based fees for inflation

3.16.1 Time-based fees which are stated in the Pricing Data as a unique rate and are not calculated by multiplying the total annual cost of employment contained, shall unless otherwise stated in the Contract Data, be adjusted in terms of 3.16.2 on each anniversary of the Starting Date.

3.16.2 The adjustment to the time-based fees shall be equal to:

$(CPI_n - CPI_s) / CPI_s$

where CPI_s = the indices specified in the Contract Data during the month in which the start date falls

CPI_n = the latest indices specified in Contract Data during the month in which the anniversary of the Start Date falls

Tender Clause 3.16.2:

Replace the words “in which the start date falls” with “prior to the closing date of the tender”.

Add the following:

*The indices are those contained in Table A of the P0141 (Western Cape) Consumer Price Index for the **CPI for services** published by Statistics South Africa.*

[2022-04-22 10:21 AM] Andri de Bruin:

hence the fixed hourly rate should be based on prices of today and not for 2023?

G. Elliott – CCT: Tenderers are to carefully consider clause 3.16 above

[2022-04-22 10:23 AM] tania:

C2.1.4.2 Pg8 - experience claimed for KP cannot overlap - please explain

G. Elliott – CCT: Key Personnel (KP) cannot claim experience for multiple projects during the same timeframe. The submission needs to highlight when the bulk of the work relating to a specific project (as relevant to this tender) was undertaken. Tenderers to furthermore note that the aim is to establish whether or not Key Personnel have sufficient relevant experience per tender stipulations. Project durations are not to be indicated – rather the duration/s of active involvement by the KP in a specific project is to be clearly stated. Furthermore, the role and responsibilities of the KP is to be clearly defined.

[2022-04-22 10:24 AM] Mishquah Carlsen:

Can sub consultants team up with more than 1 company submitting tender?

G. Elliott – CCT: Yes. Tenderers are however to note the various tender stipulations and conditions applicable to Joint Ventures.

[2022-04-22 10:25 AM] Zeenat Bell:

It is practise to work on more than one project at a time.

G. Elliott – CCT: Key Personnel (KP) cannot claim experience for multiple projects in the same timeframe. The submission needs to highlight when the bulk of the work relating to a specific project (as relevant to this tender) was undertaken.

[2022-04-22 10:28 AM] Lihan:

Hi Garth, we only submit the relevant time for the specific role during the duration of the project. The project duration could be 15 months. The KP relevant role could only then be 6 months relevant.

G. Elliott – CCT: Above is the correct approach

[2022-04-22 10:30 AM] Lihan:

Additional then, the relevant years of experience required by the KP then needs to be made up by adding the relevant time periods.

G. Elliott – CCT: Yes, this is correct. The relevant experience may have gaps inbetween where other (or non-tender-related) work was undertaken. The cumulative total relevant experience does however need to satisfy or exceed the minimum duration specified per role.

[2022-04-22 10:31 AM] Lihan:

The KP could have a total of 20 years experience in the industry. However, only 8 years of relevant experience as detailed in the tender?

G. Elliott – CCT: Yes, correct. For the purposes of this tender we are only interested in relevant experience as defined in the tender document. Listing non-related experience on serves to add to the tender adjudication burden as CCT staff may then have to sift through irrelevant information to try and identify relevant experience.