

Reference: N.002-070-2024/2  
Date: 10/04/2024  
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Dear Tenderer

**CONTRACT NUMBER SANRAL: N.002-070-2024/2**

**FOR THE UPGRADING OF NATIONAL ROUTE 2 SECTION 7 BETWEEN TOUW RIVER (KM 36.80) AND DIE VLEIE (KM 43.58)**

**CLARIFICATION NO.1**

SANRAL hereby issue clarification no.1:

- Minutes of compulsory clarification meeting held on Wednesday, 27 March 2024 at 10:00
- Specific details and questions

Yours sincerely,

A handwritten signature in black ink, appearing to be "S. M. M. M.", is written above a horizontal line.

**PROCUREMENT OFFICE**

**SANRAL WESTERN REGION**

Western Region 1 Havenga Street, Oakdale, Bellville, 7530 | Private Bag X19, Bellville, South Africa, 7535 | Tel +27 (0) 21 957 4600, Fax +27 (0) 21 910 1699 Email [info@sanral.co.za](mailto:info@sanral.co.za) | Visit us at [www.sanral.co.za](http://www.sanral.co.za).

Directors: Mr. T Mhambi (Chairperson), Mr. R Demana (CEO), Mr. R Haswell, Mr C Hlabisa, Mr. E Makhubela, Mr. T Matosa Ms. R. Buthelezi, Ms. NL. Noxaka| Company Secretary: Advocate S Linda

Reg. No. 1998/009584/30. An agency of the Department of Transport.

This clarification is to be read in conjunction with and shall be deemed part of the Contract Documents.

**PART 1A: MINUTES OF COMPULSORY CLARIFICATION MEETING HELD ON Wednesday, 27 March 2024 AT 10:00**

**PRESENTERS:**

The Procurement Officer (PO) presented the Supply Chain Management (SCM) requirements of the project. The Consultant presented the scope of works for the project.

**AGENDA**

1. OPENING & WELCOME
2. ATTENDANCE
3. CONTENTS OF THE SCM BRIEFING
4. CONTENTS OF THE SCOPE OF WORKS BRIEFING
5. QUESTIONS AND ANSWERS

**1. OPENING & WELCOME**

The clarification meeting started at 10:00 on Wednesday, 27 March 2024. The Consultant and PO welcomed everyone to the compulsory tenderers' clarification meeting.

**2. ATTENDANCE**

The attendees were requested to make sure to write the name of the company they represent on the attendance register. Thereafter, the roll call was started at 10:15.

**3. CONTENTS OF SCM BRIEFING**

The PO explained in addition to the SCM presentation uploaded with the tender document, that the purpose of this meeting was to provide further clarification to the SCM and technical (scope of work) requirements of the projects: CONTRACT SANRAL N.002-070-2024/2.

The same presentation as uploaded on the SANRAL website was presented and the content consists of:

- TENDER NOTICE AND INVITATION TO TENDER
- COMPOSITION OF THE TENDER DOCUMENT
- CONDITIONS OF TENDER
- RETURNABLE SCHEDULE AND SUBMISSION REQUIREMENTS
- EVALUATION PROCESS
- FINANCIAL EVALUATION
- TIPS FOR SUBMITTING TENDER DOCUMENTS SUCCESSFULLY

### **3.1 TENDER NOTICE AND INVITATION TO TENDER**

#### **Tender Documents**

- The tender documents for these project were available from the Friday, 15 March 2024 and could be downloaded from SANRAL website in electronic format using this link: [https://www.nra.co.za/sanral-tenders/status?region\\_id=western](https://www.nra.co.za/sanral-tenders/status?region_id=western).
- The PO emphasized the importance of making sure that the returnable schedule Form A1 of the tenderers are signed at the end of the clarification meeting by the Procurement Officers and Project Managers.
- Any queries relating to N.002-070-2024/2 may be emailed to [procurementwr3@sanral.co.za](mailto:procurementwr3@sanral.co.za)

The closing time for receipt of tenders is on **Friday, 26 April 2024 at 11:00** at the **Western Region SANRAL Offices** as provided in the tender document. The PO encouraged tenderers using a courier service to submit their tender early to avoid delivery of documents after tender closure.

Telegraphic, telephonic, telex, e-mail, facsimile, and late tenders will not be accepted. Tenders may only be submitted in the format as stated in the Tender Data.

### **3.2 COMPOSITION OF THE TENDER DOCUMENT**

All forms from tender documents were presented. The tender document consists of returnable schedules which are in Word and Excel format and the clarification presentations in Pdf. These forms must be fully completed and signed by representatives and attach supporting documents were applicable.

### **3.3 CONDITIONS OF TENDER**

The condition of tender is the CIDB STANDARD FOR UNIFORMITY IN ENGINEERING AND CONSTRUCTION WORKS CONTRACTS and can be found on the website ( [www.cidb.org.za](http://www.cidb.org.za)).

The presenter addressed all clauses relating to tender data as follows:

#### **C.1.4 Communication and employer's agent:**

All communication must be in writing and only to the email address provided. Any communication received in any other form or to any other email address will not be regarded as an official clarification query and therefore will not be responded to.

#### **C.2.1 Eligibility**

The eligibility criteria are the first gate of evaluation of the tenderer and was explained in detail. Onus is on tenderers to ensure compliance to eligibility criteria as no additional documents will be requested or accepted after tender closing.

### C.2.8 Seek clarification

Request for clarifications will be accepted at least 12 working days before the closing date. The final date for clarification is 10 April 2024, it was emphasized that it is important for the tenderer to go through the tender document prior to this date. The Employer shall respond to any clarifications from the tenderers emanating from the clarification minutes until three (3) working days (23 April 2024) before tender closing date.

### C.2.12.1 Alternative Offer

If tenders wish to submit alternative tender offers, they must apply and request approval within the time frame of 7 days before the closing date. The employer will reply at least 5 working days before tender closing.

### C.2.15.1 Submission in tender Box

The tender closing date is 11:00 on Friday, 26 April 2024

- Location of tender box is at reception area at SANRAL Western Region offices.
- Physical address for SANRAL Western Region office: 1 Havenga Street, Oakdale, Bellville, 7530
- Tenderers were informed to place the completed tender offer (form of offer and pricing schedule) and flash drive in a sealed package marked with the tenderer's company name, the project number and description in the tender box.
- Tenders must be submitted during the following hours (09:00 to 16:00) Monday to Friday at the Employer's address.
- It is in the tenderer's interest to ensure that the delivery of the tender offer is recorded in the Employer's tenders received register and deposited in the tender box.

### C 3.1.1 Respond to requests from the tenderer

The employer shall respond to clarifications received up to 12 (twelve) working days before the tender closing unless there is an addendum that extends the closing date. Only clarifications emanating from the addenda will be responded to by the employer until 3 (three) working days from tender closing.

### C.3.9 Arithmetical errors, omissions, discrepancies, and imbalanced unit rates

Where there is an omission of a line item, no correction is possible, and the offer may be declared non-responsive.

- Should the original price not be retained after balancing the rates, the submission will be rendered non-responsive.
- Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the errors, omissions, or imbalanced rates.
- During testing of tender responsiveness, clause C.3.8 of the CIDB tender conditions will be applicable.
- The tenderer is required to submit balanced unit rates for rate only items in the pricing schedule.
- The rates submitted for these items will be taken into account in the evaluation of tenders.

### C.3.13 Acceptance of a tender offer

The presenter explained the other clauses in detail and what the tenderer should comply with regarding acceptance of tender offer.

The following was noted:

- Tenderer or any of the directors must not be restricted on any of the Register of Tender Defaulters, in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.
- The tenderer has not abused the Employer's supply chain management system.
- The tenderer has not failed to perform on any previous contract and has not been given a written notice to this effect.
- The tenderer is tax compliant. The recommended tenderer who becomes non-compliant, prior to award, shall be notified and must become compliant within 7 working days of the date of being notified. A recommended tenderer who remains non-compliant after the 7 working days of being notified, shall be declared non-responsive.
- The tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer. The licensed compensation insurer shall be approved by Department of Labour in terms of Section 80 of the Compensation for Injury and Disease Act, 1993 (Act No. 130 of 1993).

### C3.16 Registration of award.

SANRAL will notify the unsuccessful tenderers when the tender process has been concluded. Any unsuccessful tenderer may request a debriefing in writing.

## **3.4 RETURNABLE SCHEDULES**

Tenderers were informed that failure to fully complete the relevant returnable documents may render such a tender offer to be declared non-responsive. Tenderers shall note that signatures on each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided.

## **3.5 EVALUATION PROCESS**

The eligibility criteria required were as follows:

### a) CIDB Requirement

This tender requires that tenderers are registered with the CIDB. Registrations should be active and valid. The required CIDB grading for this project: CONTRACT SANRAL N.002-070-2024/2 is **9 CE**.

The Joint venture (JV) requirements were addressed; tenderers to ensure that each member of the JV is registered on the CIDB and that the lead partner has a grading designation equal to or not lower than one level below the required grading designation in the class of construction works under consideration and possesses the required recognition status.

The P O highlighted that the tenders will be declared non-responsive if:

- Tenderer is not registered on CIDB within the required contractor grading and category prior to evaluation of submission.
- The Tenderer has not provided proof that they have settled their outstanding CIDB annual fees or proof that they have made arrangements to pay outstanding CIDB annual fees has been made or proof of compliance with tax was submitted to CIDB, the tender will be declared non-responsive.
- The Tenderer has not declared interest of application to upgrade the grading.

b) The tenderer must be registered on National Treasury Central Supplier Database (CSD).

The second eligibility criteria require the tenderer to be registered on the National Treasury Central Supplier database at tender closing date. Therefore, tenderers are required to complete Form A3.4 and attach the proof of CSD registration.

In the event of a Joint Venture or a Targeted Enterprise, each member of the Joint Venture or Targeted Enterprise, shall be registered on the National Treasury Central Supplier Database at the closing date for tender submissions. If not registered as verified online at tender closing, the tender will be declared non-responsive.

### **Compliance Evaluation**

The tenderers must complete all declarations with correct and truthful information and sign. Failure to declare the correct information on declaration forms will render the tenderer non-responsive. This may also be subjected to the blacklisting policy as it will be regarded as false and misrepresented information.

### **Key Personnel and Minimum Requirements**

Tenderers key personnel experience (Contract director with 15 years' experience, Contract manager and Construction manager (Contractor's representative) with 10 years' experience) and professional registration in SACPCMP as PrCM or ECSA as PrEng or PrTechEng.

It was noted that if the key personnel are not in its permanent employment, the tender shall provide a signed undertaking from an organization having the required personnel, stating that they will undertake the necessary work on behalf of the tenderer in terms of a sub-consultant agreement.

If the tenderer's experience does not meet the stipulated minimum requirement or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of Clause C.3.13 (b) of the Tender Data.

### **Tenderer's Past Performance**

Form D5.1:

- The tenderer shall provide details of previous experience required for this project and attach contract performance evaluation certificates in the form of CIDB Contractor Performance Reports or official reference letters from previous employer(s)
- The Tenderer must have satisfactorily completed (at least completed as a prime contractor, joint venture member, management contractor or subcontractor) at least one (1) similar project with a

minimum value of R420m (For Joint Ventures, it can be a combined value), and two (2) similar projects with a minimum value of R200m, matching the subject project's scope of work, between 1st January 2009 and tender submission deadline. Each completed contract must have a Performance Rating not less than zero (0) Adequate, as rated in terms of the CIDB Performance Rating system or official reference letters from previous employer(s).

- Contracts under which the Tenderer participated as a joint venture member or subcontractor, only the Tenderer's share, by value, shall be considered to meet the minimum value requirement.
- If the Tenderer is a joint venture, the value of contracts completed by the individual joint venture members can be combined and shall be treated as one contract to determine whether the requirement of the minimum value of a single contract has been met. In the case of combined contracts, each contract performed by each member shall exceed fifty percent (50%) of the minimum value of a single contract as required for single entity. In determining whether the joint venture meets the requirement of total number of contracts, the number of contracts completed by all JV members each of value equal or more than the minimum value required shall be aggregated. For the aforementioned purpose, contracts which are combined to meet the minimum value shall be treated as one contract.
- If the tenderer's experience does not meet the stipulated minimum requirement e.g. less than the minimum stipulated number of recent civil engineering contracts; or If the proposed project is not relevant and as a result the tenderer does not meet the minimum requirement; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

#### Form D5.2:

- Submission of this form is optional. This form must be submitted if the tenderer does not comply with the requirements of Form D5.1 and elects to list projects that are in progress to comply with afore- mentioned requirements.
- The Tenderer must list details of similar projects in progress (as a prime contractor, joint venture member, management contractor or sub-contractor) matching the subject project's scope of work, between 1st January 2009 and tender submission deadline. Each project in progress must have a certified value of work that exceeds 80% of the awarded value and at least one (1) similar project shall have a minimum value of R420m (For Joint Ventures, it can be a combined value), and two (2) similar projects shall have a minimum value of R200m, matching the subject project's scope of work, and have a Performance Rating not less than zero (0) Adequate, as rated in terms of the CIDB Performance Rating system. The Performance Rating and certified value of work at closing date must be confirmed by the Project Employer or Project Engineer in writing.
- For contracts under which the Tenderer participated as a joint venture member or subcontractor, only the Tenderer's share, by value, shall be considered to meet the minimum value requirement.
- If the Tenderer is a joint venture, the value of contracts completed by the individual joint venture members can be combined and shall be treated as one contract to determine whether the requirement of the minimum value of a single contract has been met. In the case of combined contracts, each contract performed by each member shall exceed fifty percent (50%) of the minimum value of a single contract as required for a single entity.

- In determining whether the joint venture meets the requirement of total number of contracts, the number of contracts completed by all JV members each of value equal or more than the minimum value required shall be aggregated. For the afore-mentioned purpose, contracts which are combined to meet the minimum value shall be treated as one contract. If the tenderer's experience not meeting minimum requirements (certified value of work that exceeds 80% of the awarded value and exceeds specified rand value); or if the proposed project is not relevant and as a result the tenderer does not meet the minimum requirement; the tender shall be declared nonresponsive.

### **3.6 FINANCIAL EVALUATION**

The following must be noted in the financial evaluation stage:

- Tenderers who meet the eligibility compliance, technical and financial requirements shall be evaluated for Price and Preference.
- To score points for price the BOQ must be completed.
- Complete BOQ on excel sheet provided.
- Summary schedule must be completed and signed.
- Tendering ZERO RATES may pose a risk to the employer and your tender may be regarded as an unacceptable tender.

The presenter presented the table for scoring preference specific goals. The template and guideline of completing the Sworn Affidavit was projected and thoroughly explained.

### **3.7 Tips for Submitting Tender Documents Successfully**

Tips to submit an acceptable tender document was shared and tenderers were encouraged to follow it and submit their tenders on time.

## **4 CONTENTS OF THE SCOPE OF WORKS BRIEFING**

The Consultant confirmed that a Power Point Presentation has been uploaded onto the SANRAL website.

The Consultant presented the following Highlights:

- Rehabilitation and/or upgrading of the existing N2 including reparation of pavement failures
- Upgrade and improvement of various intersections.
- Construction of new accesses and frontage roads
- Widening of the N2 in certain locations
- Ancillary works including guardrails, road marking, road studs, road signs, kerbing, channelling, etc.
- Improvement of longitudinal and cross drainage
- Construction of bus stops
- Maintenance and rehabilitation work to existing structures
- Construction of new structures
- Construction of pedestrian walkways
- Location and relocation of services
- Slope stabilisation works (retaining structures, MSEW, soil nails, etc.)
- Installation of streetlights

- Establishment on site
- Accommodation of traffic
- Specification Data regarding Routine Road Maintenance
- Specification Data regarding Contract Participation Goals

The consultant noted that the above is not a comprehensive list.

## PRICING SCHEDULE

The following items were highlighted regarding the pricing schedule:

- Format of submission of Pricing Schedule
- Stabilised subbase layers will only be allowed to be constructed to a maximum layer thickness of 300mm. Any stabilised layer thicker than 300mm will have to be constructed in two or more layers. Tenderers to allow for this in their rates.

## 5 QUESTIONS AND ANSWERS

QUESTIONS	Tender Document	ANSWERS
1. Will alternatives on the proposed method of the insitu retaining walls be accepted?	Not Applicable	1. Yes, alternative will be considered. It must however be noted that a main postulated tender must be submitted if an alternative tender offer is also submitted.
2. Are there any proposal for a site camp?	Not Applicable	2. No, this is to be arranged by the Contractor. Other construction sites and possible traffic accommodation delays should be considered when choosing a site camp location.
3. Estimated construction start and end dates?	Not Applicable	3. SANRAL is aiming to appoint a Contractor in August/September 2024 with a three-month mobilisation period and a 36-month construction period.
4. Will the mobilisation period start August/September 2024.	Not Applicable	4. The mobilisation period will start once the successful Tenderer is appointed, and a handover meeting was held. Once all requirements of the mobilisation period are met access to site will be granted and construction may commence.

**The South African National Roads Agency SOC Limited**  
**01 Havenga Street**  
**Oakdale, Bellville**  
**7530**

**ACKNOWLEDGEMENT OF CLARIFICATION NO.1**

I \_\_\_\_\_

Representing \_\_\_\_\_

Hereby acknowledge that I have received the above clarification minutes and that I am conversant with the contents thereof.

**Receipt of clarification no.1 for contract SANRAL N.002-070-2024/2 is hereby acknowledged. Please acknowledge all files received by ticking the appropriate box.**

<b>Tick (√)</b>	<b>Type of Document</b>	<b>Document Name</b>
	(*pdf)	Minutes of clarification meeting
	(*pdf)	Specific details & questions

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

This clarification minutes is to be read in conjunction with and shall be deemed to form part of the Contract Documents.

You must therefore acknowledge receipt of this clarification minutes by emailing this form to the South African National Roads Agency SOC Limited at [ProcurementWR3@sanral.co.za](mailto:ProcurementWR3@sanral.co.za) and the original must be attached to the Returnable Schedules.