

**MINUTES OF COMPLUSORY CLARIFICATION MEETING FOR RFP NO.:
TNPA/2024/03/0036/59996/RFP**

REQUEST FOR PROPOSAL (RFP) FOR THE APPOINTMENT OF A CONTRACTOR TO UNDERTAKE THE COMPLETE CONSTRUCTION, ASSEMBLE, PAINT, COMMISSION, DELIVER, OPERATIONALIZE, AND HANDOVER THE TUGBOAT TO THE PORT OF PORT ELIZABETH FOR A PERIOD OF 14 MONTHS.

VENUE: Transnet National Ports Authority, Jetty Street, Gqeberha, Port of Port Elizabeth, Marine House Boardroom on 18 April 2024, at 10:00 am [10 O'clock] for a period of ± 2 (two) hours.

IN ATTENDANCE:

Transnet National Ports Authority (TNPA) Employees in attendance:

1. Xolani Mdluli (XM): Commodity Specialist
2. Sisanda Msi (SM): Commodity Manager
3. Alpheus Lekganyane (AM): Supplier Development Manager
4. Tshegofatso Motlhake (TM): Governance Specialist
5. Xolani Mpongoshe (XMQ): Quality Assurance Manager
6. Michael Mararakanye (MM): Project Planner
7. Stephen Bailey (SB): Senior Engineering Manager
8. Ronald Roberson (RR): Marine Intern
9. Terrence Vilakazi (TV): Safety Practitioner

Tenderers in attendance:

1. Brevimode (Pty) Ltd
2. Olufemi Projects (Pty) Ltd
3. Enelad (Pty) Ltd
4. Sandock Austral Shipyard
5. Clark Marine
6. Eli Marketing
7. ZamaDunga (Pty) Ltd
8. Lungisa Naval Arch
9. Fegro Enterprise
10. TMA Africa
11. Boyise Trading
12. Chiefton Facilities
13. Oyisii (Pty) Ltd

NB: In total, twelve (12) tenderers that attended the compulsory briefing session.

ITEM	DESCRIPTION	
1.	Opening and Welcome	(XM)
	XM welcomed all present to the compulsory briefing session and requested to complete the attendance register and certificate of attendance for the tenderers as it a compulsory requirement for the tender.	
2.	Safety Briefing / Evacuation Procedure	(SB)
	SB conducted an evacuation procedure in case of an emergency.	
3.	In Attendance	(All)
	All present were requested to ensure that they complete the attendance register clearly and in full.	
4.	Introductions	(XM)
	XM introduced the TNPA team and further gave an opportunity to the tenderers to introduce themselves and the the companies they are representing.	
5.	Tendering Process & Tender Evaluation Procedure	(XM)
	<ul style="list-style-type: none"> • XM took attendees through the tendering procedures, and Invitation as follows: • All tenderers sign the register and certificate of attendance as it will be used on the Substantive responsiveness step and it has qualification and disqualification implications. • The briefing session is compulsory, tenderers who failed to attend the compulsory clarification meeting meeting will be disqualified. • Tenderers remain for the entire duration of the briefing session as important information pertaining to the RFP was presented and the Project Manager was requested to lead attendees for a site visit. • This session was recorded and minutes of the meeting will be shared with those that attended the meeting, uploaded onto the Transnet e-tender portal and National Treasury e-tender portal. • Tenderers to ensure that T2.2-01a (Returnable): Certificate of attendance of compulsory RFP briefing is signed by the Employer’s Representative and attached to the submission by closing date. • All Clarification questions were recorded, the answers will be consolidated and will be uploaded onto the Transnet e-tender portal and National Treasury e-tender portal. 	

ITEM	DESCRIPTION	
	<ul style="list-style-type: none"> • Tender Invitation: • The RFP was issued on the Transnet etender Portal and National Treasury etender Portal, and the documents are free of charge. • The compulsory clarification session and site visit held on 18 April 2024, at 10h00 am. • The cut-off date for any additional clarification questions in writing will be before 12h00 on 26 April 2024 as indicated on T2.2-23 RFP Clarification Form. Tenderers should use returnable schedule T2.2-23 RFP Clarification Form for any questions related to this tender and e-mail it to TNPATenderenquiries1@transnet.net. • The Procurement Lead will provide written responses to all additional questions received in writing. • After the closing date of the RFP, a Respondents may ONLY communicate using TNPATenderenquiries1@transnet.net on any matter relating to this RFP. A copy of the presentation will be uploaded onto the Transnet e-tender portal and National Treasury e-tender portal. • The closing date for this RFP is the 10 May 2024 before 16h00 (The tender closes at the Transnet e-Tender Submission Portal: www.transnet.net). <p>Tenderers were requested to submit supporting documents together with their proposals such as :</p> <ul style="list-style-type: none"> • Central Supplier database proof of registration • Tax Pin to check tax matters • Valid B-BBEE certificate i.e SANAS accredited for Generic size companies, Sworn affidavit for EMEs and QSE who are 51 % black owned. • Complete tender documents in full, sign where they are required to sign and submit on time to avoid any technical glitches because the principle is that when document are submitted late or to the wrong platform, it will not be accepted for evaluation. 	
6.	Scope of Works	(SB)
	SB took the members through the Scope of Work-refer to the RFP.	
7.	Evaluation Methodology by Technical Team	(XM),(SB), (MM), (TV) and (XMQ)
	<p>XM presented Transnet’s 7 stages of evaluation of the evaluation methodology-Refer to the presentation:</p> <p>He further presented Administrative in Detail as follows:</p> <ul style="list-style-type: none"> • Whether the Bid has been lodged on time. 	

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	<ul style="list-style-type: none"> • Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time. • Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time <p><i>The test for administrative responsiveness must be passed for the bidder to progress to STEP TWO.</i></p> <p>The test for Eligibility Criteria responsiveness to this RFP will include the following:</p> <ul style="list-style-type: none"> • Respondents to submit a Certificate of Attendance of the Compulsory Briefing Session- <i>T2.2-01a</i> • Whether the tender contains completed and signed form of offer and acceptance- <i>C.1.1</i> <p><i>The test for substantive responsiveness [Step Two] must be passed for a Respondent's proposal to progress to Step Three for further evaluation</i></p> <p>He further called upon the team to come forward and present the criteria on their respective areas as detailed in the RFP follows:</p> <ul style="list-style-type: none"> - SB presented in detail to the attendees <i>T2.2-02: Previous Experience of the company</i> and evidence required for the tenderer to score points. - SB presented <i>T2.2-03: Organogram, Experience and Qualifications of Key Personnel</i> and evidence required for the tenderer to score points. - MM presented <i>T2.2-04: Programme</i> and evidence required for the tenderer to score points - TV presented <i>T2.2-05: Health and Safety Management</i> and evidence required for the bidders to score points. (NB: addendum to issued on the Evaluation criteria) - SB presented <i>T2.2-06: Method Statement</i> and evidence required for the tenderers to score points - XMQ presented <i>T2.2-07: Quality Plan</i> and evidence required for the tenderer to score points. <p>Price and B-BBEE Evaluation</p> <ul style="list-style-type: none"> - XM presented Price and B-BBEE(specific goals) - The value of this bid is estimated to exceed R50 million and therefore the 90/10 preference point system shall be applicable. - The Finance and team shall conduct financial and price evaluation to check the following: - Financial stability of the bidder - If the bid price is market related or falls within the budget - The pricing activities to be checked for any discrepancies and/or arithmetical errors. 	

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8.	Supplier Development	(AL)																
	<p>AL presented the applicable specific goals and evidence to be submitted for claiming preference points for each specific goal in this tender as follows:</p> <p>In terms of Transnet Preferential Procurement Policy (TPPP), the following preference points must be awarded to a bidder who provides the relevant required evidence for claiming points.</p> <table border="1" data-bbox="188 667 1315 1099"> <thead> <tr> <th data-bbox="188 667 960 734">Selected Specific Goal</th> <th data-bbox="960 667 1315 734">Number of points allocated (90/10)</th> </tr> </thead> <tbody> <tr> <td data-bbox="188 734 960 801">B-BBEE Status Level of Contributor 1 or 2</td> <td data-bbox="960 734 1315 801">2</td> </tr> <tr> <td data-bbox="188 801 960 902">The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province</td> <td data-bbox="960 801 1315 902">2</td> </tr> <tr> <td data-bbox="188 902 960 1032">The promotion of supplier development through subcontracting a minimum of 30% of the value of the contract to/with EMEs and/or QSEs 51% owned by black people, youth, women, or disabled people</td> <td data-bbox="960 902 1315 1032">6</td> </tr> <tr> <td data-bbox="188 1032 960 1099">Non-compliant and/or Level 3-8 Contributors</td> <td data-bbox="960 1032 1315 1099">0</td> </tr> </tbody> </table> <p>NB: Addendum will be issued with revised specific goals above.</p> <table border="1" data-bbox="188 1245 1326 1762"> <thead> <tr> <th data-bbox="188 1245 612 1294">Selected Specific Goal</th> <th data-bbox="612 1245 1326 1294">Acceptable Evidence</th> </tr> </thead> <tbody> <tr> <td data-bbox="188 1294 612 1451">B-BBEE Status Level of Contributor 1 or 2</td> <td data-bbox="612 1294 1326 1451"> <ul style="list-style-type: none"> Valid B-BBEE Certificate / Sworn-Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline. </td> </tr> <tr> <td data-bbox="188 1451 612 1762">The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province</td> <td data-bbox="612 1451 1326 1762"> <ul style="list-style-type: none"> CIPC registration documents B-BBEE Certificate / Sworn Affidavit/ CIPC B-BBEE Certificate as per DTIC guidelines Proof of registered address of the entity (e.g., Municipality or Eskom Letter, Levy Statement, etc) </td> </tr> </tbody> </table>	Selected Specific Goal	Number of points allocated (90/10)	B-BBEE Status Level of Contributor 1 or 2	2	The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province	2	The promotion of supplier development through subcontracting a minimum of 30% of the value of the contract to/with EMEs and/or QSEs 51% owned by black people, youth, women, or disabled people	6	Non-compliant and/or Level 3-8 Contributors	0	Selected Specific Goal	Acceptable Evidence	B-BBEE Status Level of Contributor 1 or 2	<ul style="list-style-type: none"> Valid B-BBEE Certificate / Sworn-Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline. 	The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province	<ul style="list-style-type: none"> CIPC registration documents B-BBEE Certificate / Sworn Affidavit/ CIPC B-BBEE Certificate as per DTIC guidelines Proof of registered address of the entity (e.g., Municipality or Eskom Letter, Levy Statement, etc) 	
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	<p>The promotion of supplier development through subcontracting of a minimum of 30% of the value of the contract to/with EMEs and/or QSEs 51% owned by black people, youth, women, or disabled people</p>	<ul style="list-style-type: none"> • Sub-contracting agreement/s and declaration • Subcontractors CIPC registration documents • Subcontractors B-BBEE Certificate /Sworn Affidavit / CIPC B-BBEE Certificate as per DTIC guidelines. • Certified copy of ID Documents of the Owners which are 51% owned by black women, youth and disabled people. • Doctor’s note confirming disability and/or Employment Equity Act 1(EEA1) form. 	
<p>T2.2-14: SBD 5- The National Industrial Participation Programme (NIPP)</p>			
<p>Introduction</p>			
<p>The National Industrial Participation Programme (NIPP), which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIPP requirements. NIPP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.</p>			
<p>Pillars of the Programme</p>			
<p>1.1 The NIPP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$5 million or other currency equivalent to US\$5 million will have a NIP obligation. This threshold of US\$5 million can be reached as follows:</p>			
<p>(a) Any single contract with imported content exceeding US\$5 million.</p>			
<p style="text-align: center;">or</p>			
<p>(b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2-year period which in total exceeds US\$5 million.</p>			
<p style="text-align: center;">or</p>			
<p>(c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$5 million.</p>			
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	<p>d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$5 million.</p> <p>1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30% of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIPP obligation on a pro-rata basis.</p> <p>1.3 To satisfy the NIPP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.</p> <p>1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.</p> <p>Requirements of the Department of Trade and Industry</p> <p>2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of R10 million (ten million Rands), submit details of such a contract to the DTI for reporting purposes.</p> <p>2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.</p>	
9.	Returnable Documents	(XM)
	<p>XM took the tenderers through the list of returnable documents and the critical ones that will be used for scoring and essential returnable documents. He further emphasized that failure to submit any mandatory documents will deem a tenderer bid as non-responsive-<i>Refer to the RFP</i></p>	
10	Activity Schedule	(SB)
	<p>SB presented the Activity schedule and urged tenderers to note the amendment on line item 2.7 of the activity schedule which will be removed as the engines, gearboxes and alternators have already been procured and are in storage.</p> <p><i>NB: Addendum will be issued addressing the change on the Activity schedule.</i></p>	

ITEM	DESCRIPTION	
11	Contract Data	(XM) and (SM)
	<ul style="list-style-type: none"> • XM took attendees through the contract data on a high level, and indicated that the Transnet Contract Manager is on leave, tenderers are welcomed to send through their queries related to contract data, they will be addressed. • SM explained the forms of Securities (garantees) required by TNPA and provided for the tenderers i.e Advance Payment Guarantee is up to 30 % and tenderers are not obliged to provide it if they don't need it. • However for performance guarantee it required to be submitted as it will be a material condition of a contract. 	
10.	Physical site inspection	(SB)
	SB led the attendees for site visit.	
11.	Closing	(XM)
	XM thanked everyone for attending the compulsory session and closed the meeting at 11h55. He further urged tenderers to be cognisance of the closing date and time, and avoid waiting up until the last minute to upload their bids.	
12.	Questions and Answers	(All)
	<p>Q: Is it allowed for the tenderer to use its own pricing schedule?</p> <p>A: No, tenderer must utilize the provided Activity schedule on the RFP</p>	

Prepared by:


Xolani Mdluli
Commodity Specialist

Date: 18 April 2024

Supported by:


Stephen Bailey
Senior Engineering Manager

Date: 18 April 2024