

SUBJECT		MINUTES OF COMPULSORY TENDER CLARIFICATION MEETING															
TENDER NUMBER		TNPA/2023/09/0019/43828/RFP															
TITLE		PROVISION FOR FEASIBILITY STUDIES FOR THE DEVELOPMENT OF NEW BERTH 605 AT THE PORT OF RICHARDS BAY															
MEETING NO.		01															
VENUE		Port of Richards Bay, Elwazini Boardroom, Richards Bay															
DATE & TIME		17 November 2023 at 14:00															
ATTENDEES		Transnet (TNPA) Representatives:															
		<table><tr><th>Name</th><th>Role</th></tr><tr><td>Nomvula Makeleni Vundla (NMV)</td><td>Senior Procurement Specialist</td></tr><tr><td>Alpheus Lekganyane (AL)</td><td>Manager - Supplier Development</td></tr><tr><td>Lwanda Sidlayi (LS)</td><td>Senior Project Manager</td></tr><tr><td>Brian Goulding (BG)</td><td>Senior Project Manager</td></tr><tr><td>Mbongeni Sangweni (MS)</td><td>Programme Manager</td></tr><tr><td>Muziwokuthula Ntuli (MN)</td><td>Programme Manager</td></tr></table>		Name	Role	Nomvula Makeleni Vundla (NMV)	Senior Procurement Specialist	Alpheus Lekganyane (AL)	Manager - Supplier Development	Lwanda Sidlayi (LS)	Senior Project Manager	Brian Goulding (BG)	Senior Project Manager	Mbongeni Sangweni (MS)	Programme Manager	Muziwokuthula Ntuli (MN)	Programme Manager
		Name	Role														
		Nomvula Makeleni Vundla (NMV)	Senior Procurement Specialist														
		Alpheus Lekganyane (AL)	Manager - Supplier Development														
		Lwanda Sidlayi (LS)	Senior Project Manager														
		Brian Goulding (BG)	Senior Project Manager														
		Mbongeni Sangweni (MS)	Programme Manager														
		Muziwokuthula Ntuli (MN)	Programme Manager														
Tenderers:																	
• As per the attached attendance register.																	
ITEM	DESCRIPTION OF DISCUSSION		RESPONSIBLE PERSON														
1.	OPENING: WELCOME & INTRODUCTIONS																
1.1	<u>Welcoming & purpose:</u> NMV welcomed and thanked all tenderers for making the time to attend the compulsory tender clarification meeting for the Provision of Feasibility Study for the development of New Berth 605 at the Port of Richards Bay. NMV explained the purpose of the meeting was to discuss the content of the tender document, provide guidance in terms of the tender process, discuss technical scope, and give opportunity for tenderers to ask questions.		Nomvula Makeleni Vundla														
1.2	<u>Introductions:</u> NMV requested the Transnet Representatives to introduce themselves.		TNPA team														
1.3	<u>Attendance Register:</u> An attendance register was circulated for all attendees to sign as proof of attending the tender clarification meeting. An attendance register will be circulated at the end of the discussions, and all must ensure that they sign this register. Please also ensure that, as per the tender data, Schedule 1 in the RFP document is completed and signed by TNPA and forms part of the returnable documents.		Nomvula Makeleni Vundla														
2.	SAFETY BRIEFING																
	All attendees were requested to observe all safety protocols. The emergency evacuation protocols for the Elwazini Boardroom were outline to attendees.																

3.	SCOPE OVERVIEW	
3.1	<u>Project Background</u> BG presented the project overview, and the following points were noted. • It is Transnet National Ports Authority's (TNPA) intention to develop a dedicated Container Handling Facility with a dedicated berth within the 600 series berths for the exclusive use of containers. • The Container Handling Facility will be developed in accordance with a process as outlined in Section 56 of the National Ports Act, and other than those services required as per Task Order 1, will not form part of this Scope. • In summary the services required for this project are as follows: ○ Confirm concept design ○ Complete the detail design ○ Produce and evaluate options for the various development packages ○ Produce schedules, cost estimates, constructibility, sequencing risks and assumptions for preparation of the business case to secure funding ○ Prepare an execution business case ○ Provide procurement support to the <i>Employer</i> ○ Undertake construction management services ○ Undertake pre-commissioning activities and support project commissioning until certification is obtained ○ Provide end of project documentation ○ Undertake all environmental approval requirements ○ Support the <i>Employer</i> with stakeholder engagements ○ Support the <i>Employer</i> with technical queries ○ Prepare and supply all documentation and reports for the TNPA gate review process ○ Provide on-the-job training, skills transfer, and mentorship to the <i>Employer's</i> Team.	Brian Goulding
3.2	<u>Description of services</u> BG presented the project scope overview attached as per the RFP documents under C3.1 Scope Services. The following salient points were noted; • Scope of Services consists of five (5) task orders and these will be awarded sequentially at the discretion of Transnet (<i>Employer</i>). • Task Order 1 focuses on confirmation of the preliminary design for the port authority infrastructure as well as the Facility Operator infrastructure investigation which was completed by the <i>Employer</i> (i.e. Pre-feasibility study). It is expected to be completed within four (4) months. • Task Order 2 entails the detail design and construction drawings, legislative approvals, works information, cost estimates, schedule, PLP documentation and gate review processes for the Berth 605 quay wall infrastructure only. Task order 2 is expected to be completed in eleven (11) months. • Task Order 3 entails providing support to the <i>Employer</i> during the procurement of the main contractor, including attending tender clarification meetings, responding to bidder's technical queries, tender evaluation, and assisting in the development of the tender evaluation report. Task order 3 is expected to be completed within six (6) months. • Task Order 4 entails managing the construction phase of the project until commissioning and project close out. It entails engineering supervision and construction supervision and management of the construction contractor by the <i>Consultant</i>. Task Order 4 is expected to be completed within twenty-two (22) months. • Task Order 5 involves commissioning of the facility and the provision of technical support during the Bid process of appointing a Facility Operator. The <i>Consultant</i> will also provide technical support to the Facility Operator during the construction phase of the facility by the Facility Operator. Task Order 5 is expected to be completed within twenty-two (22) months.	Brian Goulding

	Refer to attached presentation.	
4.	COMMERCIAL	
4.1	<u>Communication Procedures</u> NMV highlighted communication procedures during the tender period and the following points were noted. All communications general, commercial or technical to go via Procurement and by e-mail only, as specified in the RFP tender document. • All queries will be communicated via a clarification register and will be issued to the attendees who attended this clarification meeting and posted on the NT Portal and Transnet Management Portal. • Last day for tender clarifications – Five working days before the closing date. • Bidders were urged to ensure that they go through the RFP document and compile their questions, should there be any, and send them all at once instead of one by one. • Bidders were requested to note that the December shutdown is coming and during that period their queries may not be attended to.	Nomvula Makeleni Vundla
4.2	<u>Tendering Procedures</u> NMV presented the Part T1 Tendering Procedures of the RFP tender documents, and the following points were noted. • Tender Issue Date: 10 November 2023. • Compulsory Tender Clarification Meeting: 17 November 2023 • Tender closing date: 17 January 2024 at 16h00 via the Transnet electronic tender submission system, the e-Tender Submission Portal and the guide on how bidders can register, which formed part of the tender invite in the RFP document. • Bidders were urged to submit as early as possible and to not wait until the last hours as there might be congestion in the system. Should challenges be encountered and need clarity, it might not be possible to respond if it is too near the closing time. • The Bidders must also note the maximum size of data that can be submitted at one time as indicated in the RFP document. Multiple submission from bidders will be considered and the information will be put together for the bidder. • No late submissions will be considered.	Nomvula Makeleni Vundla
4.3	<u>Contract Data</u> NMV presented the Contract Data and the following salient points were noted. C1 Contract and agreements • Bidders were requested to include the total of prices for task orders 1 to 5 on C1.1 Form of Offer and Acceptance. • The price must be written in both words and numerical figures, and bidders to add VAT. • Bidders requested to take note of the conditions of contract applicable to the RFP tender document as presented in C1.2 Contract Data including i.e. NEC 3 Professional Services Contract (PSC), Main Option G, all applicable secondary clauses (X Clauses) and additional clauses (Z Clauses) • Bidders were requested to furnish information about their insurance and populate this under C1.3 Form of Securities. C2 Pricing Data • The pricing in the pricing schedule is set out per task order as the engagement of the successful bidder will be done per task order.	Nomvula Makeleni Vundla

	- The adjustment of the pricing will be done by the CPI at the anniversary of the contract. - Sum of each task order must be exclusive of VAT and must be transferred to C1.1 Form of Offer and Acceptance. - The disbursement under each task order is detailed in the pricing data – the expenses shall cover costs for flights, subsistence allowance, car hire, accommodation as described in C2.1 Pricing Instruction C3: Scope of Work - C3.1. Scope of services was presented by Brian Goulding under “Item 3 – Scope Overview”.																
5.	TENDER EVALUATIONS																
5.1	<u>Stage 1: Pre-qualification</u> NMV presented the tender evaluation, and the following points were noted. - T2.2-01: Certificate of attendance at “Tender Clarification Meeting” attached in the RFP documents will be used as a pre-qualifier for all bids received. - All bidders were requested to ensure that the certificate of attendance is signed by Transnet Representative at the end of the session. - No certificate of attendance sent via email will be accepted after the session.	Nomvula Makeleni Vundla															
5.2	<u>Stage 2: Technical Evaluation Schedules</u> BG presented functionality criteria to be used for evaluating bidders’ proposal and the following functionality criteria were noted. <table border="1"> <thead> <tr> <th>Reference</th><th>Functionality criteria</th><th>Maximum points</th></tr> </thead> <tbody> <tr> <td>T2.2-02</td><td>Management CVs of the key persons</td><td>60</td></tr> <tr> <td>T2.2-03</td><td>Approach paper</td><td>20</td></tr> <tr> <td>T2.2-04</td><td>Previous experience</td><td>10</td></tr> <tr> <td>T2.2-05</td><td>Programme</td><td>10</td></tr> </tbody> </table> The following key points were noted under each functionality criteria; Management CVs of key persons: - Bidders must submit comprehensive CVs of key persons with copies of qualification, and proof of professional registrations attached. - Thirteen (13) key persons have been identified as per C.3.1 Scope of Services and each resource will be evaluated based on criteria set out in T2.2-02 of the returnable schedules. Approach paper: - Bidders were requested to ensure that the Approach Paper is specific to the scope of services and will be evaluated based on the key elements stipulated in T2.2-03 of the returnable schedules. Company experience: - Bidders were requested to complete a list of projects they have completed in the last 20 year on the table provided on T2.2-04 and must include project description, client, value of the contract, completion date. - Bidders will be evaluated based on number of similar projects/services within the port infrastructure/built environment, where a minimum of 2 similar projects must be completed over the last 20 years. - Bidders are to submit reference letters from previous clients and points will be allocated based on the number of reference letters submitted with minimum of two (2) reference letters to be submitted. Programme: - Bidders must submit a detailed level 3 Gantt chart for task orders 1 and 2,	Reference	Functionality criteria	Maximum points	T2.2-02	Management CVs of the key persons	60	T2.2-03	Approach paper	20	T2.2-04	Previous experience	10	T2.2-05	Programme	10	Brian Goulding
Reference	Functionality criteria	Maximum points															
T2.2-02	Management CVs of the key persons	60															
T2.2-03	Approach paper	20															
T2.2-04	Previous experience	10															
T2.2-05	Programme	10															

	- Bidders will be evaluated based on the proposed duration for task orders 1 and 2 as stipulated in T2.2-05 of the returnable schedules Points allocation - Each evaluation criteria will be assessed in terms of scores of 0, 40, 70, 90, 100. - The scores of each of the evaluators will be averaged, weighted, and then totaled to obtain the final score for functionality, unless scored collectively. - Bidder must obtain a minimum score of 70 points to be considered further. - Any tender not complying with the above-mentioned requirements, will be regarded non-responsive and will therefore not be considered for further evaluation.													
5.2	<u>Stage 3: Preferential Point system</u> NMV presented the preferential point system applicable to the RFP and the following points were noted: - Tenders that achieve a minimum qualifying score for functionality will be evaluated further in accordance with the 90/10 preference points systems as described in Preferential Procurement Regulations. - The preferential point systems will be applicable as follows; <table><tr><th>Criteria</th><th>Points</th></tr><tr><td>Price</td><td>90</td></tr><tr><td>Specific goals</td><td>10</td></tr></table>	Criteria	Points	Price	90	Specific goals	10	Nomvula Makeleni Vundla						
Criteria	Points													
Price	90													
Specific goals	10													
	<u>Specific Goals</u> AL presented the specific goals related to the RFP and the following key points were noted. - Transnet has identified specific goals for the project in line with the latest xxx regulations. - The following key points as per the below table were presented: <table><tr><td>B-BBEE Level of contributor (1 or 2)</td><td>3.00</td></tr><tr><td>The promotion of enterprises located in Kwa-Zulu Natal (KZN) province for work to be done or services to be rendered in that KZN province</td><td>2.00</td></tr><tr><td>The promotion of supplier development through subcontracting for a minimum of 30% of the value of a contract to/with EMEs and/or QSEs 51% owned by black people, youth, women or disabled people.</td><td>5.00</td></tr></table> - Bidders will be required to provide evidence; to be included in the tender proposal. The acceptable evidence is as follows; <table><tr><th>For bidders to submit the following evidence to be allocated; Specific Goals</th><th>Acceptable Evidence</th></tr><tr><td>B-BBEE Status Level of Contributor 1 or 2</td><td>B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines.</td></tr><tr><td>The promotion of enterprises located in Kwa-Zulu Natal (KZN) province for work to be done or services to be rendered in KZN province</td><td> - CIPC registration documents - B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines. - Proof of Registered address of the entity </td></tr></table>	B-BBEE Level of contributor (1 or 2)	3.00	The promotion of enterprises located in Kwa-Zulu Natal (KZN) province for work to be done or services to be rendered in that KZN province	2.00	The promotion of supplier development through subcontracting for a minimum of 30% of the value of a contract to/with EMEs and/or QSEs 51% owned by black people, youth, women or disabled people.	5.00	For bidders to submit the following evidence to be allocated; Specific Goals	Acceptable Evidence	B-BBEE Status Level of Contributor 1 or 2	B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines.	The promotion of enterprises located in Kwa-Zulu Natal (KZN) province for work to be done or services to be rendered in KZN province	- CIPC registration documents - B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines. - Proof of Registered address of the entity	Alpheus Lekganyane
B-BBEE Level of contributor (1 or 2)	3.00													
The promotion of enterprises located in Kwa-Zulu Natal (KZN) province for work to be done or services to be rendered in that KZN province	2.00													
The promotion of supplier development through subcontracting for a minimum of 30% of the value of a contract to/with EMEs and/or QSEs 51% owned by black people, youth, women or disabled people.	5.00													
For bidders to submit the following evidence to be allocated; Specific Goals	Acceptable Evidence													
B-BBEE Status Level of Contributor 1 or 2	B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines.													
The promotion of enterprises located in Kwa-Zulu Natal (KZN) province for work to be done or services to be rendered in KZN province	- CIPC registration documents - B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines. - Proof of Registered address of the entity													

	The promotion of supplier development through subcontracting for a minimum of 30% of the value of a contract to/with EMEs and/or QSEs 51% owned by black people, youth, women or disabled people. • Subcontracting agreements and declaration • Subcontractors CIPC registration documents • Subcontractors B-BBEE Certificate / Sworn - Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guidelines.	
6.	GENERAL	
6.1	Bidders were requested to abstain from using the Transnet Logo on their documents. Bidders are also to note and report any solicitations to engage in corrupt and fraudulent practices.	Nomvula Makeleni Vundla
7.	QUESTION AND ANSWERS	
7.1	The following questions were posed by the tenderers and the following responses were noted: Q1: Is the pricing fixed or subject to escalation? A1: Escalation will apply. As per Contract Data C1.2 Clause X1 Q2: Why is dredging not done by TNPA? A2: Only maintenance dredging is carried out by TNPA. New dredging is a capital expense and is to be carried out under the contract. Q3: Why is the tenderer to estimate disbursements? Can a lump sum not be provided as a provisional amount in the BoQ? A3: Tenderers are based in different areas and will be subject to different disbursement expenses. Eg. A tenderer based in Richards Bay will not be subject to airfare and accommodation costs when attending meetings, so will therefore presumably tender a lower disbursement cost. It is incumbent on each tenderer to estimate their total disbursement cost per Task. Q4: A technical query was raised re Navigational Studies. A4: It was requested that all such technical queries be put in writing for forwarding to the TNPA Engineers for a response. Q5: What is the extent of services and roads that are to be included? A5: All services and roads between the berth and the boundary of the Container Handling Facility are to be provided for. A survey of existing roads and services within the boundary of the site is to be carried out to establish whether or not upgrades are required.	All
7.2	<u>Submitting Tender Clarifications</u> NMV highlighted the following key information for bidders when submitting their tender clarifications post compulsory tender clarification meeting. • Tenderers were requested to e-mail any further questions/clarifications to Nomvula.MakeleniVundla@transnet.net • Tender clarifications will close five (5) days before tender closing date. • No clarification will be entertained after the closing of the tender clarification. • It was noted that a tender clarification register will be kept for all received clarifications and responses and that it will be uploaded on the Transnet tender portal and e-tender website.	Nomvula Makeleni Vundla

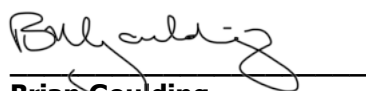
8.	CLOSING	
8.1	T2.2-01 Certificate of attendance at Compulsory Tender Clarification Meeting was signed and the meeting adjourned at 15:15	NMV

Compiled:



Nomvula Makeleni Vundla
Senior Procurement Specialist
Transnet National Ports Authority
Date: 14 Dec 23

Reviewed and accepted by:



Brian Goulding
Senior Project Manager
Transnet National Ports Authority
Date: 14 Dec 23