

**MINUTES OF CLARIFICATION MEETING FOR RFP NO.: TNPA/2023/10/0002/44106/RFP**

**DESCRIPTION OF THE WORKS: PROVISION OF A SERVICE PROVIDER FOR THE REFURBISHMENT OF THE LATIMER'S LANDING JETTY AT THE PORT OF EAST LONDON FOR A PERIOD OF TWENTY-FOUR(24) MONTHS**

**VENUE: EMD Building, Corner Dr. Zahn & Nuffield Road, West bank, East London, at 11h00am [11 O'clock in the morning] for a period of ± 2 (two) hours.**

**DATE:27 FEBRUARY 2024, AT 11H00**

NO.	MATTERS DISCUSSED	INITIALS
1.	<p><b>IN ATTENDANCE:</b></p> <p><b>Transnet National Ports Authority (TNPA) Employees that attended physically and virtually, the meeting:</b></p> <ol style="list-style-type: none"> <li>1. Lundi Landu L.L (Senior Procurement Specialist)</li> <li>2. Cebolenkosi Mzotho(Project Manager)</li> <li>3. Vuyokazi Matona (Administrator:BBBEE/SD/ED- Procurement)</li> <li>4. Loyiso Zwelakhe (Governance, Monitoring and Compliance)</li> <li>5. Gontsenjalo Mohutsiwa(Procurement)</li> <li>6. Notobeko Funde (Environmental Specialist:Infrastructure)</li> <li>7. Mohau Tlhotlogi(Quantity Officer: SHERQ)</li> <li>8. Yandisa Siralarala(Senior Construction Manager)</li> <li>9. Siyabonga Gadu(Principal Project Manager:Infrastructure)</li> <li>10. Masupha Letsie (Engineering)</li> <li>11. Mtunzi Gosa(Quantity Suveyor Mega Projects)</li> <li>12. Sihle Dotye(Intern: Quantity Suveyor)</li> <li>13. Zukiswa Duze(Project Manager)</li> <li>14. Babalwa Petse(Quality Lead)-<i>Attended virtually on teams</i></li> <li>15. Sharifa Ahmed (Health and Safety)- <i>Attended virtually on teams</i></li> <li>16. Nathi Madondo(H&amp;S Practitioner)-<i>Attended virtually on teams</i></li> <li>17. Tshifhiwa Khavhatondwi (Project Planner)-<i>Attended virtually on teams</i></li> <li>18. Victor Mhlakaza (Document Controller)-<i>Attended virtually on teams</i></li> <li>19. Buhle Sigalelana (Engineering: Mega Projects)-<i>Attended virtually on teams</i></li> </ol> <p><b>Bidders in attendance at the briefing meeting:</b></p> <ol style="list-style-type: none"> <li>1. Junson Constrution</li> <li>2. Empa Structures -<i>Represented by three employees(Jason, Christo and Jaco)</i></li> <li>3. Sky High Consulting</li> <li>4. A&amp;P Civils and Trading JV</li> <li>5. Khathakhatha Projects</li> <li>6. Nyambeni Consulting JV</li> <li>7. K35 Group Enterprise</li> <li>8. Stefanutti Stocks</li> <li>9. M&amp;D Construction</li> <li>10. Simandlovu Lethabo Afrika Peroto JV</li> </ol>	



	<p>11. HI Construction (Pty) Ltd  12. Mayibuye I-Afrika Trading  13. Southern Oceanering  14. Terra Strata Construction  15. Norland Construction  16. Zingce environmental Services  17. DT Mahlangeni Projects  18. GAP Management  19. Oxior- <i>representative signed twice-on row 21 and 34)</i>  20. Gveprini Marine Construction  21. Zebra Craft(Pty) Ltd  22. Manxiwa Group  23. Tangezo Trading  24. Zimpha Investment Group  25. Civil Element  26. Siyaqolc Civils  27. UWSB Contractor  28. Lwazi Enterprise (Pty) Ltd  29. GOAVECT  30. Hlwella Trading Enterprise  31. Toolslane (Pty)Ltd JV  32. Tadcron Projects  33. Ruwacon (Pty)Ltd  34. Sqlitt Poar Agencies&amp;Coalation Trading JV  35. Lubcon Civils</p>	
<b>2.</b>	<b>APOLOGIES</b>	
<b>2.1</b>	None	
<b>3.</b>	<b>WELCOMING</b>	
<b>3.1</b>  <b>3.3</b>	<p>Lundi Landu(LL) welcomed all in attendance to the clarification meeting and projected the agenda for the meeting. LL advised the attendees that he will be chairing the meeting. Thereafter, LL did an introduction and also confirmed if all the attendees were at correct place for a correct meeting.</p> <p>LL gave an opportunity to all the Transnet team/colleagues in attendance to introduce themselves and also to briefly explain their role to this project. The introduction was done by all TNPA attendees, including those that joined virtually.</p> <p>LL, issued out an attendance register to be completed by those that were in attendance. An attendance register was also circulated via email for those that joined virtually.</p> <p>LL, called upon the Project Manager, whom is Cebolenkosi Mzotho (CM) who did the safety and evacuation procedure.</p> <p>Immediately thereafter, LL took all the attendees through the presentation and explained the rules of engagement, as follows:</p>	<p><b>LL, CM,AND MT</b></p>



	<p>a) The briefing session is compulsory, bidders who failed to attend the compulsory clarification meeting will be disqualified.</p> <p>b) Bidders to remain for the entire duration of the briefing session as important information pertaining to the RFP will be presented and project Manager to lead attendees for a site visit after the clarification meeting.</p> <p>c) The session is being recorded and minutes of the meeting will be shared with all those that attended the meeting.</p> <p><b>d) Bidders to ensure that T2.2-01(Returnable): Certificate of attendance of compulsory RFP briefing is signed by the Employer's Representative and is attached to the submission by closing date. Bidders MUST forward the certificate to for signing: TNPATenderenquiries3@transnet.net.</b></p> <p>e) All Clarification questions will be recorded, and the answers will be consolidated and will be uploaded onto the Transnet e-tender portal and National Treasury e-tender portal.</p> <p>a) The cut-off date for any additional clarification questions in writing will be before <b>end business the 06 March 2024.</b></p> <p>b) <b>The Procurement Lead will provide written response to all additional questions received in writing from 27<sup>th</sup> February 2024 to 06<sup>th</sup> March 2024, as they come. On the 7<sup>th</sup> March 2024, a consolidated response of all question/s received will be re-distributed again to all those prospective bidders that attended the meeting.</b></p> <p>c) After the closing date of the RFP, a Respondent to this RFP may ONLY communicate using <a href="mailto:TNPATenderenquiries3@transnet.net">TNPATenderenquiries3@transnet.net</a> on any matter relating to this RFP. A copy of this presentation will be uploaded onto the Transnet e-tender portal and National Treasury e-tender portal.</p> <p>d) <b>The closing date for this RFP is the 14 March 2024 before 16h00 (The tender closes at the Transnet e-Tender Submission Portal: <a href="http://www.transnet.net">www.transnet.net</a>)</b></p> <p>LL signed all the certificates of attendance for the attendees on the clarification day.</p>	
<b>4.</b>	<b>Presentation: Scope of Work and Deliverables</b>	
<b>4.1</b>	<p>LL handed over the presentation to CM, the TNPA appointed Project Manager for the project, to take attendees through the background and scope of work.</p> <p>CM stated that, based on the conditional assessment that was done, Transnet took a decision to solicit the services of a contract/service provider for: <b>PROVISION OF A SERVICE PROVIDER FOR THE REFURBISHMENT OF THE LATIMER'S LANDING JETTY AT THE PORT OF EAST LONDON FOR A PERIOD OF TWENTY-FOUR(24) MONTHS</b></p> <p><b>Brief description of the goods or service required and the reason(s) for the proposed acquisition:</b></p> <ul style="list-style-type: none"> <li>The Latimer's Landing timber jetty was built in the late 1800's and was used as an industrial jetty that supported trucks and heisters. The usage of the Jetty was later changed into a public recreational area utilization, which as a public area, accommodated tourists, and residents of East London. The location of Latimer's allowed for water bound activities which includes sea and river boat cruises, eateries, and social gatherings.</li> </ul>	<b>LL and CM</b>

- The condition of the wooden jetty has deteriorated over the years. A condition assessment of the jetty (2008) revealed that the jetty was in a dire state. This resulted in the jetty being declared unsafe in 2009. The wooden jetty was then fenced off to ensure that the public could no longer access it and at the same time the Port commenced with the technical studies required for its replacement. Due to the closure of the Jetty, the businesses that operated in the area relocated and the wooden jetty was left to dilapidate and, in some areas, collapse under its own weight.
- Therefore, the port has decided to reconstruct this jetty. It will be replaced with a concrete structure. this was selected due to the life of the structure which will be achieved (50 years), coupled with the lower maintenance costs throughout its life span. It was also financially viable to focus on a long-term solution rather than periodical repairs which will end up costing more than the total refurbishment.

**The key deliverables of this project will contain the following but not limited to:**

- i Site establishment including securing of the construction site and access arrangements
- ii Demolishing of existing structure and removal from site
- iii Earthworks above and below a fluctuating tidal water level in benign conditions
- iv Driving of hollow steel pile offshore, providing reinforcement and casting in fill concrete into hollow sections
- v Casting of beams, pile caps and fender panels at precast yard. Transporting and placing all precast elements on site
- vi Supply and installation of 10-ton Tee bollards
- vii Procuring and installation of timber planks for the structure.
- viii Casting of concrete apron within the tidal zone
- ix Supply and placing of rock revetment materials comprising of the following:
  - W50 = 70kg.
  - Removal and replacement of existing armour rock along the foreshore, where required.
  - Supply and placing of Geotextile prior to placing of rock.

**5. Evaluation Methodology by Technical Team**

**5.1** LL presented Transnet's stages of evaluation and the evaluation methodology.explained the process of evaluation as follows:  
explained that failure to submit the Stage One:

- Compulsory Clarification Meeting(Must Attend)
- Proof of registration with CIDB at 8CE
- Proof of professional registration of the two(2) key personnel see attached, ***Power Point Presentation- Slide 17***

Any bidder that makes it through to Administrative and Substantive Assessment will then be tested on functionality;

***\*Note: In the event the bidder augments or supplements his or her experience by another company's experience (to meet one or more set criteria), a signed Partnership/Joint Venture/Consortium agreement must be attached. The bidder MUST package that proof of experience accordingly for purpose of evaluation.***



<b>5.2</b>	<b>Qualifying Quality Criteria</b>		<b>Total Number of Points</b>										
	Previous Experience of the company*			20									
	Management & CV's of Key Personnel			20									
	Method Statement			20									
	Health and Safety Requirements			10									
	Programme			10									
	Environmental Management			10									
	Quality Management			10									
<b>Total</b>			<b>100</b>										
<p>LL- Only those tenderers who attain the minimum number of evaluation points (60) will be eligible for further evaluation, failure to meet the minimum threshold will result in the tender being disqualified and removed from further consideration.</p> <p>LL called upon the the technail team to come forward and present their elements on the technical evaluation, the team presented in the following order:</p> <ul style="list-style-type: none"> <li>- CM presented in detail to the attendees what is required for Company experince and also experience of the key personnel(<i>slide 19-22 of the presentation</i>)</li> <li>- ML presented the method statatment in detail(<i>slide 23</i>)</li> <li>- SA presented Health and Safety in detail, that would be (<i>slide 24-25</i>)</li> <li>- NF presented environmental in detail, that would be(<i>slide 26-27</i>)</li> <li>- TK presented Programme in detail, that would be(<i>slide 28</i>)</li> <li>- MT presented on Quality in detail, that would be(<i>slide 29-30</i>)</li> <li>- MG presented the pricing schedule/BOQ directly from the RFP, that would be(<i>slide 45</i>)</li> </ul> <p>L.L then called upon Vuyokazi Matona to come and present Market and Suplier Analysis/Specific Goals.</p>													
<b>CM,ML,SA, NF,TK,MT and MG</b>													
<b>VM</b>													
<b>6. Market and supply Analysis(Specific Goals)</b>													
<p>VM; 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"> <thead> <tr> <th style="background-color: #D9D9D9;">Specific Goals</th> <th style="background-color: #D9D9D9;">Number of Points (90/10)</th> </tr> </thead> <tbody> <tr> <td>B-BBEE Status Level of Contributor 1 or 2</td> <td>2</td> </tr> <tr> <td>The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to EMEs and/or QSEs who are 51% black-owned</td> <td>3</td> </tr> <tr> <td>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>5</td> </tr> </tbody> </table>				Specific Goals	Number of Points (90/10)	B-BBEE Status Level of Contributor 1 or 2	2	The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to EMEs and/or QSEs who are 51% black-owned	3	The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province.	5	<b>VM</b>	
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The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province.	5												
<p>VM, briefed the attendees about the policy position of TPPP and also share some lesson learnt from current and completed project.</p> <p>VM,explained to the attended that in order to achieve the maximum score of 10 points, the prospective bidder is expected to submit the required document/evidence for scoring purpose:</p>													



Specific Goals	Acceptable Evidence
B-BBEE Status Level of Contributor 1 or 2	<ul style="list-style-type: none"> <li>B-BBEE Certificate / Sworn- Affidavit / B-BBEE CIPC Certificate (in case of JV, a consolidated scorecard will be accepted) as per DTIC guideline</li> </ul>
The promotion of supplier development through sub-contracting or JV for a minimum of 30% of the value of a contract to EMEs and/or QSEs who are 51% black-owned	<ul style="list-style-type: none"> <li>Sub-contracting agreements</li> <li>Subcontractors CIPC – B-BBEE Certificate / Sworn- Affidavit / B-BBEE Certificate as per DTIC guideline.</li> <li>Declaration / Joint Venture Agreement (in case of JV, a consolidated scorecard will be accepted)</li> </ul>
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"> <li>CIPC registration documents</li> <li>B-BBEE Certificate / Sworn Affidavit / CIPC B-BBEE</li> <li>Certificate as per DTIC guidelines</li> <li>Proof of registered address of the entity (e.g., Municipality or Eskom Letter, Levy Statement, etc)</li> </ul>

VM, advised the prospective bidders that for purpose of soliciting subcontracting, it is important to give preference to SMME's that are from Eastern Cape more especially when the main contractor is from outside of Eastern Cape. By doing so, that would improve the capacity of the SMME and also enhance skills transfer in the region.

VM, advised prospective bidders to make use of local databases of Local Municipalities, Distric or Metros to get capable SMME's for purpose of subcontracting.

VM, also shared the following key pointers determining the validity of a Sworn Affidavit:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorized to depose of an affidavit.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management account.
- Financial year end as per the enterprise's registration documents, which was used to determine the total revenue.
- B-BBEE Status level. An enterprise can only have one status level.
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same.





TRANSNET NATIONAL PORTS AUTHORITY

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	<ul style="list-style-type: none"> <li>Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.</li> </ul> <p><b>Power Point Presentation(slide 35)</b></p>	
<b>7.</b>	<b>Tender Data and Returnables</b>	
	<p>LL, explained to the attendees the importance of studying the tender data and provide all the required information as put on the RFP. It is important that prospective bidders adhere to all returnable and provide what is required.</p> <p>LL, went into detail and pointed out, all the returnables, see attached <b>Power Point Presentation.(slide 40-43)</b></p>	
<b>8</b>	<b>Pricing Instruction(Option B); Bill of Quantities:</b>	
<b>9.</b>	<b>Question and Answers</b>	
	<p><b>Question 1:</b> Is there a possibility for the extension of the closing date?</p> <p><b>Answer 1:</b> It would be expected from the prospective bidder to make a formal request for the extension of the closing date and motivate why the closing date must be extended. TNPA approval structures would consider that request and make a decision, whether to extend or not.</p> <p><b>Question 2:</b> Is transportation of material (Precast) via the Port allowed as opposed to using Road transport.</p> <p><b>Answer 2:</b> A request for for special approval must be sent through, the approval structures within TNPA will make that decision.</p> <p><b>Question 3:</b> Does TNPA have a preferred medical practitioner to conduct medical tests prior to site access?How do we include the Medicals without Confirmation of Award?</p> <p><b>Answer 3:</b> No, TNPA does not prescribe which medical practitioners to be used, the appointed contractor must go to the practitioner of their choice. TNPA will only expect the Preferred Bidder to fulfil this requirement prior to commencing on site.</p> <p><b>Question 4</b> How does TNPA go about conducting inductions and site access permits?</p> <p><b>Answer 4</b> The appointed contract will undergo an induction section, where all environmental and safety measures around the Port will be explained.</p> <p><b>Question 5</b> Does Transnet have any dates marked as non-operating days (Builders breaks, etc.) that we have to take into account when scheduling our Programme.</p> <p><b>Answer 5</b> Transnet is also guided by the Construction Industry calendar. Therefore if the contractor wishes to work on weekends or public holidays. The appointed contractor</p>	



would be expected to make written request, in the event the appointed contract request to work on weekends or public holidays. That contractor must adhere to labour relations requirements

**Answer 6**

At what stage would TNPA conform the parking vs site establishment spaces?

**Answer 6**

Prospective bidders in attendance would take to a site tour, where the available site or spaces would be shown to them. It is believed that the site visit would assist prospective bidders on their planning for execution of this project.

**Question 7**

**7.1** Are the 3 points allocated for The promotion of enterprises located in the Eastern Cape Province for work to be done or services to be rendered in that province for the main contractor or for the subcontractors?

**7.2** Does having a satellite branch in the eastern cape satisfy the specific goal aimed at promoting enterprises located in the Eastern Cape?

**7.3** Would a JV that constitutes 2 tenderers satisfy the tender condition of Promoting enterprises located in the eastern cape if the JV agreement is set out as follows:

70% Not from the Eastern Cape

30% From the Eastern Cape

**Answer 7**

**7.1** The 3 Points will be allocated for the Main contractor based in the Eastern Cape Province.

**7.2** Yes, it does, provided that the lease agreement/ Eskom Bill/Municipal bill is under the company name.

**7.3** Yes, the JV will score points on Locality.

**Question 8**

This contract is for period of twelve months(12), does the RFP factor factor for price escalation for inflation?

**Answer 8**

Yes, indeed the project duration is for twenty four(24)months, therefore as this project is more than twelve(12) months, prospective bidders are to factor in that risk, that would mean factoring price escalation an the prices are to remain fixed for a period of twenty fou(24) months.

**10. Closure**

Thereafter, all attendees were requested to join site visit, directions to site were led by Cebolenkosi Mzotho(Project Manager), aand were also requested to follow CM to site.

LL thanked everyone for attending the compulsory session and concluded the meeting at 13h24 was closed, LL confirmed that all attendees have signed the attendance register and a total of thirty eight(38) participats were in the meeting, including TNPA employees.





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<b>Prepared by:</b>		
	<b>Lundi Landu</b>	<b>Date: 5 March 2024</b>
	<b>Senior Procurement Specialist</b>	