

REF NO: 054/2024/PMID/MCWAP2/RFB NOTICE 39

19 June 2024

***ABSTRACTION WORKS, PUMPING STATIONS, RESERVOIRS, PIPELINE, RELATED  
MULTIDISCIPLINE WORKS, ANCILLARY WORKS***

Dear Bidder,

TCTA acknowledges receipt of the requests for clarification listed in the attached table. The response to each request for clarification is provided in the attached table.

Yours faithfully

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Azwi Nelwamondo

Senior Manager: Procurement

NO.	REQUESTS FOR CLARIFICATION	TCTA RESPONSES
1	<p>In T2.1.1 - RETURNABLE DOCUMENTS of Volume 2, document No. 15 is Certificate of Compliance with OHSA 1993 and Construction Regulations 2003 (Certificate of Good Standing).</p> <p>In Notice #9, the response to the clarification “Certificate of Compliance with OHSA 1993 and Construction Regulations 2003 (Certificate of Good Standing) does this include all partners or would it be acceptable if the Leading JV Lead Partner has the certificate, and will ISO 45001 be acceptable? ” is “All partners of the JV as the regulations apply to all partners in the JV. There is no such a thing called Certificate of Good Standing, but a “Letter of Good Standing”. This is obtained from the Department of Labour giving assurance that the company complies or up to date with Compensation for Occupational Injuries and Diseases Act (COIDA) requirements.”</p> <p>But in T2.1.1 - RETURNABLE DOCUMENTS of Volume 2, document No. 14 is “Evidence that the Tenderer is registered and in good standing with a compensation insurer who is approved by the Department of Employment and Labour in terms of section 80 of the Compensation for Occupational Injury and Disease Act (COID) (Act 130 of 1993). “(Please see attached)</p> <p>Is it that in T2.1.1 - RETURNABLE DOCUMENTS of Volume 2, document No. 14 and No. 15 talks about the same thing? Is it acceptable if we submit “LETTER OF GOOD STANDING in terms of COID” for both No. 14 and No. 15?</p>	<p>All partners must submit “LETTER OF GOOD STANDING” for both No. 14 and No. 15, indicating compliance to with Compensation for Occupational Injuries and Diseases Act (COIDA) requirements.</p>
2	<p>We appreciate the Excel BOQ that has been sent through but the whole document is password protected and we can't edit it or input in the cells where we need to in order to populate the bill. Can please re-send the Excel BOQ with cells where we need to input the rates unprotected with formulae on the amount cells or also left unprotected for us to be able to edit.</p>	<p>The unprotected BOQ was issued to all bidders and updated accordingly on <a href="https://www.etenders.gov.za/Home/opportunities">https://www.etenders.gov.za/Home/opportunities</a></p>

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3	The key personnel required are few in the industry and we would like to know if it will be considered a conflict of interest if two or more tenderers submit same person for the key position.	It will not be considered a conflict of interest. However, the Contractor must ensure that any resources to which this applies: <ul style="list-style-type: none"> <li>• Provide a letter attached to his CV indicating in which other tenders he is submitted as a resource.</li> <li>• Both the Contractor and the resource should submit a signed sworn affidavit stating that such resource has not compromised / influenced competitive bidding of the contractors he is associated with in any way and was not involved with the submission of the Financial Proposal.</li> </ul>
4	Submission requirement on T2.1.1 - Returnable documents No.15 where it states, "Tender is required to submit Certificate of Compliance with OHS Act 1993 and Construction Regulations 2003 (Certificate of Good Standing)."  Construction regulation 2003 has been repealed and replaced with the 2014 version and The Occupational Health and Safety Act, 1993, (Act No. 85 of 1993) has been amended by Government Gazette 37305, Notice No. R. 84, Construction Regulations, 2014. Can please clarify the requirement 15 on T2.1.1 returnable page 1 in lieu of Construction regulation 2003 being repealed and OHS Act 1993 being amended.	The requirement is as per Construction Regulations 2014 which replaced Construction Regulations 2003. Kindly refer to Addendum #26.
5	Can please send us the presentation and video that were presented on site visit on the 27th day of Feb'24	The video cannot be distributed due to Protection of Personal Information Act (POPIA) restrictions. The presentation was forwarded to all bidders that attended the site visit.
6	We found some drawings missing from the drawing list and also from the BOQ (Please find attached), can please provide us?	We have checked the drawings you referred to, but we found that they are part of the published or indeed missing. TCTA will update and inform all bidders accordingly. Kindly refer to addendum No.24.
7	We cannot find scope of work in Part C3, can please provide us.	The scope of work is part of the published RFB.
8	On Page L in T2.2.1 Returnable Schedules of Volume 2, it writes TCTA reserves the right and may request from the applicant to provide client reference letters on completed projects and running project(s) related to projects listed in Page E, Pages F1 to F6 and (Pages V1 to V6., for construction management plans from Pages V1 to V6, what does the reference letter mean for them? Please clarify).	Experience required on page E and as indicated in Table 1 of Volume1 _Tender Procedures, required Tenderer to submit reference letter for pipeline construction related experience. Additionally, Tenderers must complete all for E, F1-F6 indicating all their project experience as well as their track record.
9	For the performance security, in T2.2.1 Returnable Schedules of Volume 2, it writes provide a Performance Security of up to ZAR100 million on page P6, but it writes provide a 10% of the accepted contract amount as Performance Security on Page W3, which amount we should follow for the performance security, please clarify.	Tenderer must confirm that they would be able to submit a performance security of 10% of the accepted contract amount as indicated in Page W3. An addendum will be issued in this regard.

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10	We also request for Volume 3 of the bid document. We've searched through the TCTA and e-tenders websites and haven't found it.	<p data-bbox="1391 188 2215 252"><a href="https://www.etenders.gov.za/#">https://www.etenders.gov.za/#</a> and Volume 3 tender files are published in this website with files containing the following titles:</p> <table border="1" data-bbox="1391 320 2152 571"> <thead> <tr> <th data-bbox="1391 320 1794 357">Name</th> <th data-bbox="1794 320 2063 357">Type</th> <th data-bbox="2063 320 2152 357">Compress</th> </tr> </thead> <tbody> <tr> <td data-bbox="1391 379 1794 411">Part C1 Agreement and Contract Data</td> <td data-bbox="1794 379 2063 411">File folder</td> <td data-bbox="2063 379 2152 411"></td> </tr> <tr> <td data-bbox="1391 427 1794 459">Part C2 Pricing Data</td> <td data-bbox="1794 427 2063 459">File folder</td> <td data-bbox="2063 427 2152 459"></td> </tr> <tr> <td data-bbox="1391 475 1794 507">Part C3 Scope of Work</td> <td data-bbox="1794 475 2063 507">File folder</td> <td data-bbox="2063 475 2152 507"></td> </tr> <tr> <td data-bbox="1391 523 1794 555">Part C4 Site Information</td> <td data-bbox="1794 523 2063 555">File folder</td> <td data-bbox="2063 523 2152 555"></td> </tr> </tbody> </table> <p data-bbox="1391 608 2215 703">This is the case as the website capacity is limited to upload the above files at once hence Volume 3 files had to be broken-down to allow upload.</p>	Name	Type	Compress	Part C1 Agreement and Contract Data	File folder		Part C2 Pricing Data	File folder		Part C3 Scope of Work	File folder		Part C4 Site Information	File folder	
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Part C1 Agreement and Contract Data	File folder																
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11	Please provide drawings as listed in the drawing list attached.	<ol data-bbox="1435 746 2215 979" style="list-style-type: none"> <li data-bbox="1435 746 2215 874">1 All the drawings noted as missing in file "Missing drawings from drawing list provided final.xlsx in the Sheets Page 1, Page 2 and Page 3" were issued as part of the original tender documents and are on the website.</li> <li data-bbox="1435 879 2215 979">2 The drawings listed in the file "List of missing drawings final.xlsx" will be dealt with separately and tenderers notified accordingly.</li> </ol> <p data-bbox="1480 1018 2215 1114">For ease of use, a folder with all the drawings will be shared with all the Tenderers that attended the compulsory briefing session.</p>															