



THE APPOINTMENT OF A CONSULTING FIRM FOR THE PROVISION OF PROFESSIONAL SERVICES (STAGES 1-6), RELEVANT TECHNICAL STUDIES AND APPLICATIONS, AND PROJECT GRANT FUNDING MOBILISATION FOR: THE CONSTRUCTION OF A RE-PURPOSED/RE-USE/RECLAMATION OPTION 3x20 M³/d (60M³/D) WASTEWATER TREATMENT PLANT (WWTP) IN PELZVALE WITHIN THE RAND WEST CITY LOCAL MUNICIPALITY IN GAUTENG PROVINCE

BID NO: HDA/GAU/2024/018

RE: BID CLARIFICATION LETTER

Date: 17 JUNE 2024

Dear Bidders,

This communication is set out in the interest of assisting with clarifications on questions raised by prospective bidders for the appointment of a Consulting Firm for the Provision of Professional Services (stages 1-6), relevant technical studies and applications, and project grant funding mobilisation for: the construction of a re-purposed/re-use/reclamation option 3x20 (60M³/D) Wastewater Treatment Plant (WWTP) in Pelzvale within the Rand West City Local Municipality in Gauteng Province.

1. Query No 1

Could you kindly please provide clarity in terms of the following.

Please confirm the qualifications required for the Legal Advisor. The current qualifications are suitable for a Transactional / Financial Advisor and not a Legal Advisor.

Legal Advisor	Inadequate or no information submitted to determine points to be allocated or a CV of Legal advisor with 3 years or less relevant demonstrable experience in Project Finance and Transactional Advisory and National Diploma.	0
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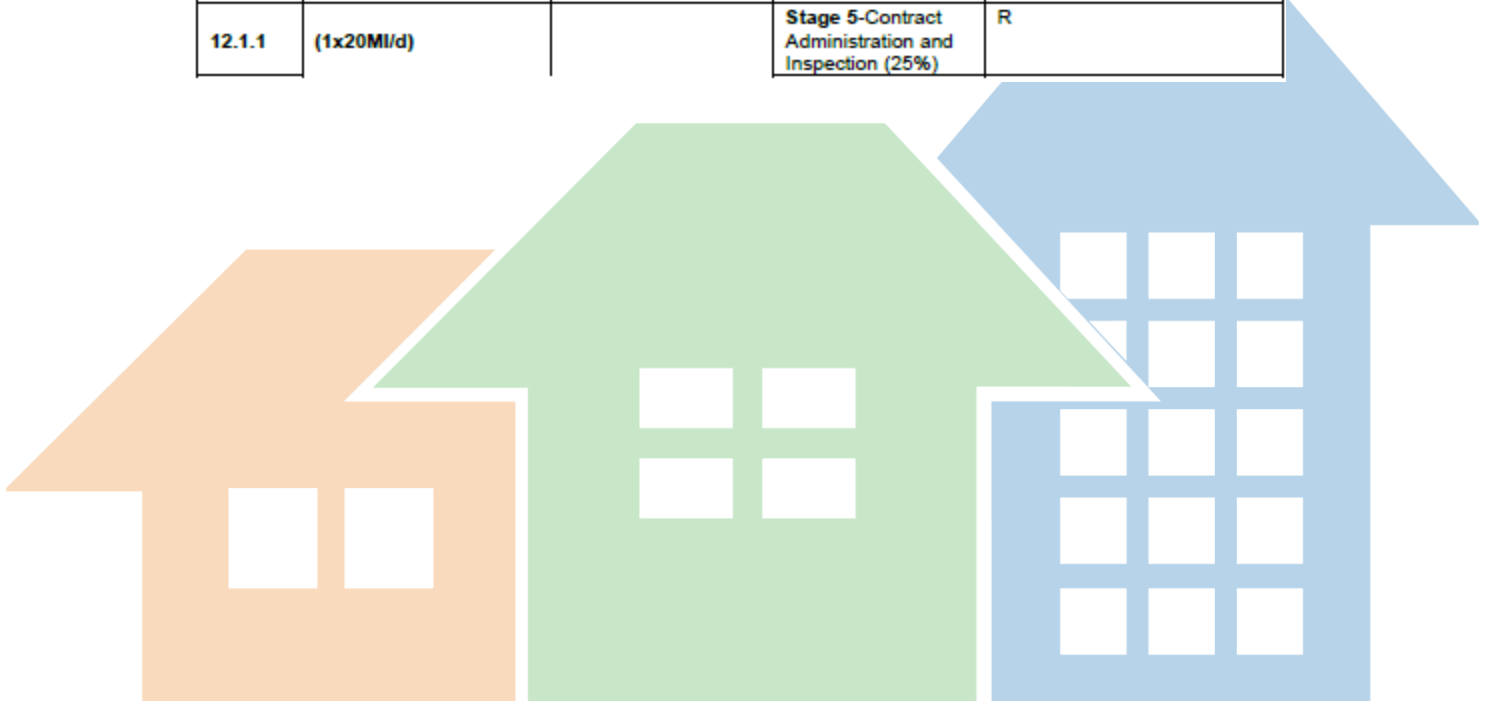
	A CV of Legal advisor with 3 to 5 years relevant demonstrable experience in Project Finance and Transactional Advisory and Honours degree	3
	A CV of Legal advisor with 5 or more years relevant demonstrable experience in Project Finance and Transactional Advisory and Masters or equivalent. Hi Thami, are we requesting a masters in Law?	4

Response No 1. to Query No 1: Kindly note that this legal advisor context is of a wrong document from the working document that we once worked on. The correct legal advisor context is as per below snapshot : the legal advisor we're looking for is with **experience in deal structuring and preparation of project documents.**

	submitted	
	Inadequate or no information submitted to determine points to be allocated or a CV of Legal advisor (LLB) with 5 years or less relevant demonstrable experience in deal structuring and preparation of project documents	0
Legal Advisor	A CV of Legal advisor (LLB) with 6 to 9 years relevant demonstrable experience in deal structuring and preparation of project documents	3
	A CV of Legal advisor (LLB) with 10 or more years relevant demonstrable experience in deal structuring and preparation of project documents	4

Please provide a Cost of Works value for each element in Phase 2 to allow bidders to all price the same value.

Phase 2	Professional Fees (Stages 5-6) for 1x20MI/d+ supporting bulk infrastructure		
D	Professional Fees (Stages 5-6)		
10	Estimated Project Construction Value (R 1 575 888 727.00 - excl. VAT)		
11	Stage 5-6 to be priced based on per 1x20MI/d module with a total of 60MI/d+ supporting bulk infrastructure considering that the project is a multiyear project.		
12	Tendered Fees based on Guideline of Services and Processes for Estimating Fees for Registered Engineering Professionals (Engineering Council of South Africa) (Discount included if applicable)		
12.1	Summary of Item D10 in stages of service		
	Calculated Project Basic Fee	% Discount offered	Project Stages with payment % basic fees
12.1.1	(1x20MI/d)		Stage 5-Contract Administration and Inspection (25%)
			Amount
			R



12.1.2			Stage 6-Close-Out (5%)	R
12.1.3	(1x20MI/d)		Stage 5-Contract Administration and Inspection (25%)	R
12.1.4			Stage 6-Close-Out (5%)	R
12.1.5	(1x20MI/d)		Stage 5-Contract Administration and Inspection (25%)	R
12.1.6			Stage 6-Close-Out (5%)	R
12.1.7	(Bulk sewer infrastructure)		Stage 5-Contract Administration and Inspection (25%)	R
12.1.8			Stage 6-Close-Out (5%)	R

Please provide a quantity (time duration) to allow Bidders to price the same period of time.

E Additional resources					
	Description	SI Unit	Quantity	Rate	Amount
12	Site Supervision-Employers Representative (Full Time)	Month		R	R
13	Site Supervision-Assistant Employers Representative (Full Time)	Month		R	R
14	Site Supervision-Health and Safety Specialist (Full Time)	Month		R	R
15	Site Supervision-Environmental Specialist (Full Time)	Month		R	R

changes made kindly see as per the snapshot.



2. Query No 2

Please kindly advise on the below mentioned regarding Key Personnel:

Is it a specific requirement for bidders to provide a Social Facilitator that is NIHSS registered, or would the department (HDA), consider Key Personnel who meet the additional requirements in terms of qualifications and years of experience in Social Science Studies?

i.e.: (BA in Arts and majored in Social Sciences and Communication with over 30 years relevant industry experience).

Response No 2. to Query No 2- Kindly note that a Social Facilitator that is NIHSS registered was an error and rather the agency is looking for a Social Facilitator that is ASEFSA registered.

On page 58-60 of the attached Bid document, it states deliverables of a Social Facilitator, Land Surveyor & Project Development Financer however, they do not form part of the Technical & functionality requirements on page 24-32.

Apart from pricing required for the Land Surveyor, please advise if bidders are required to submit key personnel CVs with qualifications and professional registrations for both? (Land Surveyor & Project Development Financer).

The deliverables of a Social Facilitator, Land Surveyor & Project Development Financer are indeed expressed, however, they also do form part of the Technical & functionality requirements as coined as Social Facilitator; Project Development Financer as Project leader with brief context due to context limitation under key personnel. The Land Surveyor is not under the key personnel but rather under the pricing schedule.

please be advised that bidders are required to submit key personnel as per the Bid document requirements.

3. Query No 3

Can you please provide clarification for the following regarding the above-mentioned RFP:

1. The RFP document uses pre-purposed and re-purposed phrases interchangeably. Can you clarify which is the requirement? Do you understand the two phrases to mean the same thing?
2. Our understanding of re-purposed assumes that there is an existing facility that needs to be re-purposed for the new requirements. Does such an existing facility exist?
3. What is meant by re-use facility as this is different from pre-purposed or re-purposed facility?
4. Is the understanding that HDA requires professional service for the design an construction of a 60 Ml/d wastewater treatment plant correct?

Response No 3

1. The pre-purposed is a contextual error and the agency only meant re-purposed.
2. re-purposed does not only assume that there is an existing facility that needs to be re-purposed for the new requirements; it equally means that the design parameters can be changed to fit a different narrative from normality. In this in case, a Wastewater treatment plant is meant to treat effluent and dispose off the water to a water stream, however, in this case, we want the water to be re-used for domestic usage and discharge the access water.
3. The word re-use is synonymous to re-purposed which also means reclamation option.
4. The understanding is wrong. The agency isn't looking for a turnkey, rather, it is looking for design, project management and funding mobilisation services (by the consultant) which is phase 1, only once the funds are available will the project enter phase 2 which is construction implementation (by a contractor) and construction monitoring (by the consultant)

4. Query No 4

With regards to the referred tender document, may we please enquire about the following:

1. Could an extension of time please be provided since it is an extensive project, requiring significant pre-work in tender development.
2. The following services are not included in the key personnel section (p 26 of 97) – should provision be made for them and if so, what would be the “Targeted Goals” and “Points Allocation”:
 - a. Civil Engineer

Process Engineer – considering that the water needs to be treated to re-use quality we believe this will be a critical resource in the project

Response No 4.

1. The closing date of the tender has been extended to 19 July 2024. The amended tender document was uploaded on the etender portal and the HDA website on 3 July 2024.
2. This aspect of personnel is undertaken under an activity “water quality tests and investigations” for the purpose of re-use quality.

6. Query No 5

Please may we request clarity with regards to the below matter:

Bid number: HDA/GAU/2024/018

Query: Technical evaluation - Key personnel

- **Project Lead** requirement indicates: the bid requires proof of qualification (MBA/CFA/Masters in DevFin) **and** a registration (certificate from SAICA)

Clarification required:

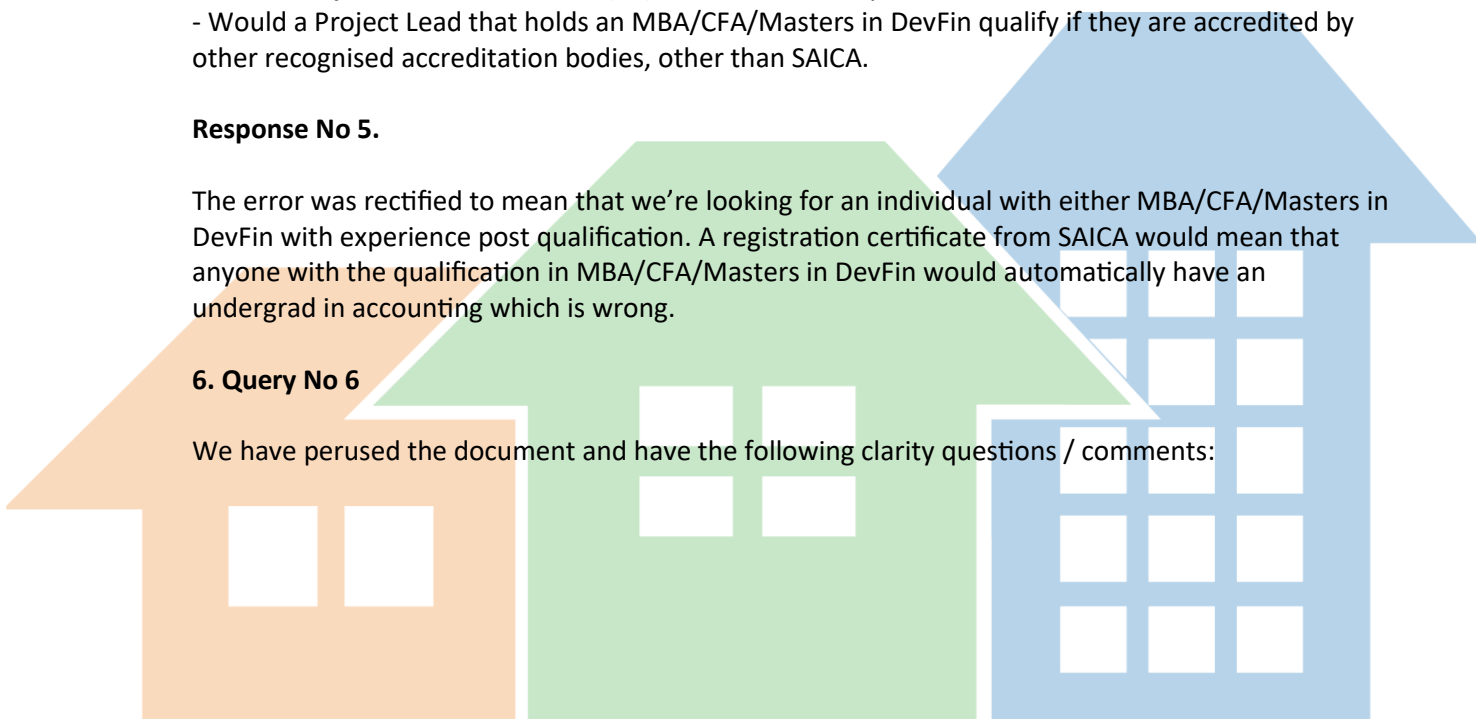
- It is understood that SAICA is the accreditation body for Chartered Accountants (CA(SA)) only.
- Is the requirement for Project Lead to be understood as ONLY CA(SA)'s may be the Project Lead, or that the Project Lead must be a CA(SA) that has also completed a MBA/CFA/ Masters in DevFin?
- Would a Project Lead that holds an MBA/CFA/Masters in DevFin qualify if they are accredited by other recognised accreditation bodies, other than SAICA.

Response No 5.

The error was rectified to mean that we're looking for an individual with either MBA/CFA/Masters in DevFin with experience post qualification. A registration certificate from SAICA would mean that anyone with the qualification in MBA/CFA/Masters in DevFin would automatically have an undergrad in accounting which is wrong.

6. Query No 6

We have perused the document and have the following clarity questions / comments:



1. We have spoken to someone at the NIHSS who confirmed the following:
 - i. The NIHSS is not a membership-based institute. As such, they do not offer memberships, to any professionals within the Humanities and Social Sciences field and specifically to Social Facilitators, nor do they offer membership certificates.
 - ii. The scope or application of the **NIHSS** will be to advance and co-ordinate scholarship, research and ethical practice in the fields of Humanities and the Social Sciences (HSS) within and through the existing public universities and those to be established or declared in future as public Universities.
 - iii. Furthermore, they are in no way involved with the practice of Social Facilitation or Public Participation and **do not regulate or act in this space whatsoever**.
Based on the above, may we request that the criteria asking for a certificate from the NIHSS be removed from the requirements of the Social Facilitator (page 31 of 97)..

2. Is it possible to extend the closing date for submissions by two (2) weeks considering that it the size and multidisciplinary nature of the RFP?

Response No 6.

The aspect of NIHSS has been answered under Response No 2. to Query No 2.

7. Query No 7

The above tender has References; we would like to clarify the scope.

Could you please confirm if the project includes the Design of the pipes as listed on page 56

Will we be required to do Geotechnical and Survey for these pipe routes as well

Is there a drawing , layout that you could share showing extend of the scope of work to be designed please



• Backfilling

1	Dan Tloome		
	400ND Part of sewer outfall from Dan Tloome Mega to R28 Sewer Outfall	m	0
	560ND Part of sewer outfall from Dan Tloome Mega to R28 Sewer Outfall	m	1320
	630ND Part of sewer outfall from Dan Tloome Mega to R28 Sewer Outfall	m	435
	710ND Part of sewer outfall from Dan Tloome Mega to R28 Sewer Outfall	m	1825
2	Finsbury		
	400ND Part of sewer outfall from Finsbury to join sewer outfall from Dan Tloome	m	3540
	450ND Part of sewer outfall from Finsbury to join sewer outfall from Dan Tloome	m	780
	560ND Part of sewer outfall from Finsbury to join sewer outfall from Dan Tloome	m	830
	630ND Part of sewer outfall from Finsbury to join sewer outfall from Dan Tloome	m	1600
3	3rd Avenue		
	400ND Part of sewer outfall along R28 from intersection with R559 to intersection with 3rd Ave	m	0
	560ND Part of sewer outfall along R28 from intersection with R559 to intersection with 3rd Ave	m	0
	1000ND Part of sewer outfall along R28 from intersection with R559 to intersection with 3rd Ave	m	1450
4	Toekomsrus		
	400ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) along south east of Mohlakeng to R28 sewer outfall	m	1485
	450ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) along south east of Mohlakeng to R28 sewer outfall	m	2350
	500ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) along south east of Mohlakeng to R28 sewer outfall	m	1390
	560ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) long south east of Mohlakeng to R28 sewer outfall	m	3470
	400ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) along south east of Mohlakeng to R28 sewer outfall	m	1485
	450ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) along south east of Mohlakeng to R28 sewer outfall	m	2350
	500ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) along south east of Mohlakeng to R28 sewer outfall	m	1390
	560ND Part of sewer outfall from Toekomsrus Ext 4 (Western Mega) long south east of Mohlakeng to R28 sewer outfall	m	3470
5	Zenzele		
	New 450ND Sewer outfall from Zenzele to R28 Sewer Outfall	m	1550
6	Pelzvale		
	1500ND Part of sewer outfall from R28 to Pelzvale WWTW	m	1450
	500ND Part of sewer outfall from Montrose to Pelzvale WWTW	m	4350

Response No 7.

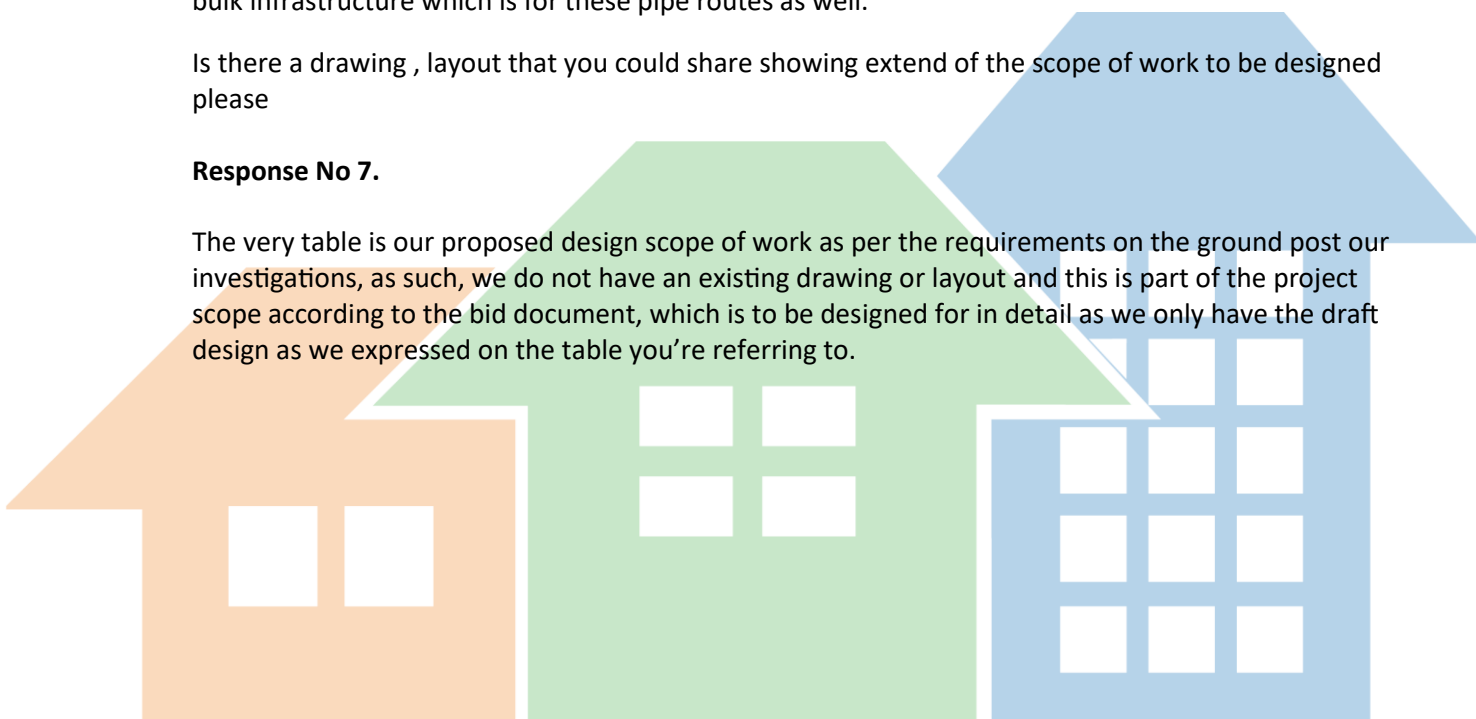
Yes, the project includes the Design of the pipes as listed as per the table you reference which the document refers to as the supporting bulk infrastructure.

Under the “price proposal” phase 1-B, the geotechnical and survey requested is for the supporting bulk infrastructure which is for these pipe routes as well.

Is there a drawing , layout that you could share showing extend of the scope of work to be designed please

Response No 7.

The very table is our proposed design scope of work as per the requirements on the ground post our investigations, as such, we do not have an existing drawing or layout and this is part of the project scope according to the bid document, which is to be designed for in detail as we only have the draft design as we expressed on the table you’re referring to.



7. Query No 8

Find below questions regarding the above bid that we seek clarity on:

1. On page 28 under the criteria for the Professional Valuer the first row stipulating the targeted goals that would score zero points appears unrelated to those typically applicable to a Valuer, but rather to a Financial Advisor.
2. Under the key personnel there is no provision for a Financial Advisor.
3. On page 28 it lists the requirements for a Project Leader. The qualifying criterion for this resource is immensely strict and onerous. It also excludes engineers with this experience. Could this be relaxed or more broadly defined?
4. The Team leader as described is typically as would be required for a transaction advisory appointment. This appointment however also includes Professional Engineering Services from Stages 1-6. On projects that follow Design-Finance-Build-Operate-Transfer (DFBOT) approach the detailed designs are done by the Contractor and not the PSP. Kindly clarify the engineering scope of the project.
5. On page 60 the deliverables for the project Development Financier are listed but no key resource is required for this role (also see question 1). No deliverables are listed for the Legal Advisor, but provision is made for a legal advisor under key resources. Kindly clarify scope for Legal Advisor.
6. Page 95. Items B2 to B11. Some, or all of these, items require the initial investigative work to be done before the scope can be determined and the items properly priced. We kindly request that information to allow the PSP to price for this should be made available please if it exists from previous studies etc. Alternatively, we suggest these be replaced by a Provisional Sum provided by the HDA.
7. Page 96. Items E12 to E16. To enable HDA to evaluate offers on an equal basis we kindly request that durations must be provided. Alternatively, to prevent bidders from pricing these items at unsustainable rates we suggest that it be replaced by a provisional sum item to be provided by HDA .
8. Page 97. The penalties listed appears to be applicable to the Contractor in a DFBOT approach and not necessarily the PSP. For example, if the Contractor causes delay to commissioning the PSP cannot be accountable. In addition, the penalties appear to only focus on the engineering elements, but not the legal or finance workstreams.
9. There are no limits on the penalties and poses major unsustainable commercial risk to bidders. We request that the penalties be reconsidered by inclusion of limits and be reviewed in general to be applicable to the anticipated workstreams.



PENALTY TABLES					
DELAYS ON ITEMS ATTRACTING PENALTIES	Value of Contract (Excl VAT.) in millions R				
	<1	≥1<5	≥5<20	≥20<50	≥50
PROGRAMME AND PRELIMINARY DOCUMENTS (Rand's per day delay)	1 000	5 000	10 000	10 000	10 000
DRAWINGS AND DESIGN PACK (Rand's per day delay)	2 500	10 000	15 000	20 000	25 000
SECTIONAL COMPLETION	1% of the value of the outstanding work/ week				
OVERALL COMPLETION	1% of the value of the outstanding work/ week				
COMMISSIONING (Rand's per day delay)	5 000	10 000	15 000	20 000	25 000
REMEDYING OF DEFECTS					
a) Critical to asset functioning/ running (Rand's per day delay)	5 000	25 000	50 000	50 000	50 000

Confidential – Specification / Scope Submission (Ver.1 2023)

b) Not critical to asset functioning/ running (Rand's per day delay)	500	2 500	5 000	5 000	5 000
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Response No 8

1. Response: in accordance with the bid document, we're requiring a demonstrable experience in deal structuring, financial analysis, financial modelling, project risks analysis, valuation models, transactional advisor and preparation of project documents.
2. Response: kindly refer to a response above.
3. Response: the aspect of requirements have been broadly defined
4. Response: The bid document never mentioned the Design-Finance-Build-Operate-Transfer (DFBOT) been undertaken by a contractor, rather it mentions a consulting firm which is a PSP. Additionally, the team leader required should have experience in Infrastructure Finance, Infrastructure Assets valuations and project management which isn't limited to infrastructure transaction advisory but understanding of deal structuring and understanding of Design-Finance-Build-Operate-Transfer (DFBOT) models.
5. The scope for Legal Advisor has been attended to under Response No 1. to Query No 1
6. This has been attended to under Response No 7. to Query No 7, additionally, an initial investigative work was done to determine the required scope which equally informed the estimated project construction value expressed as R 1 575 888 727.00 - excl. VAT under "price proposal", and this value includes this aspect of work which is the supporting bulk infrastructure to be part of the project which is the desired provisional sum to be provided by the HDA.
7. An initial investigative work was done to determine the required scope which equally informed the estimated project construction value expressed as R 1 575 888 727.00 - excl. VAT under "price proposal", this estimated project construction value is meant to ensure sustainable rates are suggested by bidders.

8. The penalties cut across the entire scope from design; practical completion; overall completion; commissioning; and remedying of defects which is for both the PSP and contractor.

9. The exclusion of penalty limits was an error from the Agency and has since been rectified as per the below table which finds expression on the revised bid document.

