



## agriculture, land reform & rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA

Question and answers for: SSC WC 15 (2020/2021) DALRRD- **3**

Bid: The provision of professional services in consortium/ multi-disciplinary for engineering projects, located in the Western Cape for a period of three years

### Questions raised through emails.

<p>In Terms of Section 2 Technical Mandatories please advise what supporting documents bidders are expected to submit in relation to the Notes Below.</p> <p>The tendering Service Provider in Consortium is made up of professional practices each of the professional service as listed in T1.1.2 in the tender document and which is owned by registered professional/s of that specific profession. <u>Valid documentation</u> must be provided as proof.</p>	<p><b>Answer:</b> With respect to the Technical mandatory requirements for multidisciplinary we require Professionals to be registered with the respective bodies in terms of the different acts as specified under the Technical Mandatory Requirements. These registrations need to be valid which implies these individuals must have good standing with the respective bodies (their registration must be up to date and effective).</p> <p>Further in a multi-disciplinary it is a requirement that the organisation is owned by one or many of the professionals as specified to form part of the key core personal. This can be proven by submitting a shareholder certificate.</p> <p>Similarly, in a consortium, the professionals nominated for the various core services must be an owner of that organisation. This can be proven by submitting a shareholder certificate.</p>
<p>Tender SSC WC 15 (2020/2021) DALRRD stated as a note on p 65 that a discount of no more than 30% of the recommended ECSA fee scale will be accepted “to ensure an effective and acceptable level of service.” It appears that this is only applicable to Item No 2 of the BOQ, i.e. the Normal Services %-fees. Can this be confirmed?</p>	<p>Yes, this is correct.</p>

<p>If the 30% discount is applicable to only the Normal Services %-fees and not ECSA time-based fee scales, how will “to ensure an effective and acceptable level of service” be managed?</p> <p>Your Questions and Answers Summary of 21 May 2021 confirms that the Guidelines for Engineering Services of 2015 and Table 4-1 Category D should be used for pricing. However, for a R 150 000 000 project there are no lower and upper limits of %-fee, with the minimum fee value guideline 4%. ECSA indicates that fees for comprehensive services (and it is believed that a project with value of R 150 000 000 is one) should be viewed with caution, etc. Considering your view of “to ensure an effective and acceptable level of service”, will a discount of 30% on the minimum fee of 4% be rejected?</p> <p>Notwithstanding the above, it is to be noted that the Guidelines for Engineering Services of 2015 have been replaced with new guidelines as per ECSA Board Notice 22 of 2021 as published pre-tender advertisement in the Government Gazette of 26 March 2021, i.e. prior to the advertisement of Tender SSC WC 15 (2020/2021) DALRRD. The question is why and how can a government institution use an outdated guideline for tender purposes if a new guideline is already published? It is requested that the tender be corrected to allow for the new Guidelines for Engineering Services of 2021 to be aligned with government approved regulations and publications.</p>	<p>The R150 million is the estimated total value of projects to be implemented over a period of 3 years and not the value of one project. There are several projects which will be implemented, projects varying in size, scope and nature.</p> <p>Though new guidelines were published in 2021, no date is stipulated for its commencement. Therefore, the reference document applicable to contract is the one of 2015.</p>
<p>Item 8 of the Questions &amp; Answers dated 20 May 2021 indicates that the Civil &amp; Structural Engineer must be Pr Eng.</p> <p>However, the TOR is silent about the Construction &amp; Project Manager. It is therefore the understanding that such a person should only be a Pr CPM with no differentiation between Pr Eng and PrTech? Please confirm?</p>	<p>The ToR requires a Registered Construction and Project Manager under the Construction and Project Management Profession Act, 2000 (Act no 48 of 2000).</p>
<p>If a person is Pr CPM, should he be Pr Eng or Pr Tech or none of these two? The TOR is silent about the latter.</p>	<p>Regarding the Registered Construction and Project Manager, the only requirement is that the individual is registered as a Registered Construction and Project Manager under the Construction and Project Management Profession Act, 2000 (Act no 48 of 2000). The individual can be PrTech or PrEng or neither.</p>

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If the 30% discount is applicable to only the Normal Services %-fees and not ECSA time-based fee scales, how will “to ensure an effective and acceptable level of service” be managed?

Your Questions and Answers Summary of 21 May 2021 confirms that the Guidelines for Engineering Services of 2015 and Table 4-1 Category D should be used for pricing. However, for a R 150 000 000 project there are no lower and upper limits of %-fee, with the minimum fee value guideline 4%. ECSA indicates that fees for comprehensive services (and it is believed that a project with value of R 150 000 000 is one) should be viewed with caution, etc.

Considering your view of “to ensure an effective and acceptable level of service”, will a discount of 30% on the minimum fee of 4% be rejected?

Yes, this is correct.

The department as the client will be able to manage the service.

The R150 million is the estimated total value of projects to be implemented over a period of 3 years and not the value of one project. There are several projects which will be implemented, projects varying in size, scope and nature.

Item No	Activity Description	Unit	Tendered percentage Fee	Amount	
				R	C
2.1	Provide Professional Engineering Services as described in the scope of works in respect of: Stage 1: Inception Stage 2: Concept and Viability Stage 3: Design Development Stage 4: Documentation and Procurement Stage 5: Contract Administration and Inspection Stage 6: Close out	Sum	Estimated Contract value inclusive contingencies and exclusive of VAT (Construction Cost) R 150 000 000 (a)  Tendered basic fee as a percentage of the estimated contract value (a) above  _____ % (b) Price (c) = (b)/100 x (a)		
2.2	Fee discount Applicable	%		-	

Though new guidelines were published in 2021, no date is stipulated for its commencement. Therefore, the reference document applicable to contract is the one of 2015.

It is general knowledge that anything that is published in an official Government Gazette is valid from the date of publication. Page 10 of 60 of the ECSA Guidelines of 26 March 2021 clearly state that the 2015 Guidelines are repealed. As government organisation you have to adhere to government guidelines.

It is concluded from Item 21 of the Questions & Answers dated 20 May 2021 that it is confirmed that all BOQ Items 4 are to be priced as for 160 hours per month. Is that correct?

Some of the items, such as Items 4.6 & 4.7 refers to “when requested by Employer”. Are they also to be priced as if 160 hours per month?

Yes, this is correct.

Yes.

Can it be confirm that Item 4.8 is full time, i.e. 160 hours per month?

Yes

Without knowing where the projects will be, how will accommodation and travelling be reimbursed?

We have stipulated a quantity of 30 000 km in the BOQ which should be sufficient to cover the travelling expenses where the tenders would stipulate a rate per km. Since the projects are unknown, the requirements for accommodation and related costs will be dealt with the appointed bidder and approval for such expenditure will be needed by the Department. The funds for such will be sourced from the Provisional sums.