

**CONTRACT JW OPS 003/23**  
**APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF POTABLE WATER ON AS AND WHEN REQUIRED BASIS FOR A PERIOD OF THIRTY-SIX (36) FOR A PERIOD OF THIRTY – SIX (36) MONTHS.**

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<b><u>CONTRACT NUMBER:</u></b>	JWOPS 003/23
<b><u>CONTRACT TITLE:</u></b>	APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF POTABLE WATER ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF THIRTY-SIX (36) MONTHS
<b><u>DEPARTMENT:</u></b>	SUPPLY CHAIN MANAGEMENT
<b><u>DATE OF MEETING:</u></b>	3 AUGUST 2023
<b><u>TIME OF MEETING:</u></b>	11:00
<b><u>VENUE FOR MEETING:</u></b>	AUDITORIUM, TURBINE HALL NETOWN

**1. WELCOME**

Ms. **Nthabiseng More** welcomed everyone who attended the meeting and introduced JWpersonnel.

Ms. **Nthabiseng More** indicated that this is an open tender, and the meeting is **COMPULSORY**, therefore bidders who did not attend the meeting will **NOT** be considered for this tender.

**2. CONTACT PERSONS**

<b>TECHNICAL ENQUIRIES</b>	<b>GENERAL ENQUIRIES</b>
Khomotso Modungwa	Nthabiseng More
<a href="mailto:Khomotso.modungwa@jwater.co.za">Khomotso.modungwa@jwater.co.za</a>	<a href="mailto:Nthabiseng.more@jwater.co.za">Nthabiseng.more@jwater.co.za</a>

**3. JOHANNESBURG WATER REPRESENTATIVES THAT ATTENDED THE BRIEFING MEETING**

<b>NAME &amp; SURNAME</b>	<b>DEPARTMENT</b>
Ms. Khomotso Modungwa	Supply Chain
Ms. Nthabiseng More	Supply Chain
Mr. Elgin Mathonsi	Operations Department
Ms. Gcina Ndela	Supply Chain
Mr. Lazola Lupondwana	Supply Chain
Ms. Nosipho Mokoena	Operations Department
Ms. Mapule Setaka	Supply Chain

#### **4. SUPPLY CHAIN MANAGEMENT PRESENTATION BY Nthabiseng More**

- Bid documents are available in PDF format, at no cost to the bidder, on the Johannesburg Water website ([www.johannesburgwater.co.za](http://www.johannesburgwater.co.za)) and on e-Tender Portal.
- Bid documents received from non-attended bidders of a compulsory briefing session will be disqualified. Attendees were requested to ensure that their company names (company that will be tendering) and contact details of the company and individual are registered on the attendance register as proof of attending the tender briefing meeting and for Johannesburg Water to be able to communicate tender specific information to the attendees of the briefing meeting. Each bid must be submitted in a separate, sealed envelope on which the NAME AND ADDRESS OF THE BIDDER, THE BID NUMBER, DESCRIPTION OF BID AND THE CLOSING DATE must be clearly written.
- It is the responsibility of the bidder to ensure that their bid document is submitted in a sealed envelope and placed in the Bid Box in good time so as not to miss the official deadline of 10:30am on the closing date.
- The sealed bid envelope or package must be addressed to Supply Chain Management Unit, Johannesburg Water (SOC) Ltd and deposited in the BID BOX situated at the entrance: Turbine Hall, 65 Ntemi Piliso Street, Newtown, Johannesburg.
- Bid documents submitted via courier services will be accepted provided that the bidder instructs such courier company or its representative to deposit the documents in the bid box as only bid documents in the Bid Box at the time of tender closing will be taken into account.
- Documents should under no circumstances be handed to an employee of Johannesburg Water, including the receptionist or security, as Johannesburg Water will not be held accountable in the event of any loss thereafter. Bid documents may not be submitted via the South African Post Office as only bid documents in the Bid Box at the time of closing will be taken into account.
- Bidders are to allow for sufficient time to access Johannesburg Water offices in Turbine Hall and deposit their bid document in the Johannesburg Water tender box situated at reception before tender closing time. Bidders are to note that the Johannesburg Water offices are open during 06:00am and 18:00pm seven (7) days a week.
- Bid documents must be completed using non-erasable black ink or may be completed electronically without altering or tampering with any of the scope of work, terms & conditions, specifications, evaluation criteria, special conditions, award and allocations

strategies, pricing schedule etc. in the tender documents. Tender documents received contrary to this requirement will be disqualified.

- Bids received after the closing time and date will not be accepted and will be returned to the bidder unopened.
- It is a requirement that the bidders tax matters are in order. To this effect, the bidder must furnish their Tax Compliance Status Pin or CSD MAAA number for bids as requested elsewhere in the bid document.
- Pricing schedule must be completed and signed in accordance with award strategy. Bids that are received contrary to this requirement will be disqualified.
- Tender documents need to be bound and contain all pages. Tenderers therefore need to ensure that the tender document is submitted in its entirety with no pages or parts missing.
- Any mistakes must be struck- off and corrected with black ink and signed by tenderer to authenticate each mistake. The use of correction fluid (i.e., Tipp-ex) to correct mistakes is not allowed
- The 90 / 10 point scoring system will be applicable to this tender. 90 points will be allocated to Price and 10 points will be allocated to Specific Goals as follows:
  - 1. Business located in a region within the boundaries of COJ
  - 2. Business located in the Gauteng Province
  - 3. An EME owned by 51% or more – Black People
- Tender will be valid for 90 days after closing date and may be extended upon agreement between Johannesburg Water and the bidder.
- Bidders who wish to tender as a Joint Venture (JV), consortium, partnership or equivalent need to include the JV, consortium, partnership, or equivalent agreement in their tender submissions. Each party must submit a separate TCS certificate/ Pin/ CSD number. The JV agreement is to state the percentage ownership, roles and responsibilities of each party to the agreement.
- Tenderers are required to submit one original hard copy and a soft copy in a USB, however, tenderers who did not submit the USB will not be disqualified.
- Bidders are to fill in the tender submission register at security after submitting their bids.
- Bidders are advised to be on the lookout on the Johannesburg Water website for any communication regarding this tender, all correspondence will be published on the website.

Bidders are also advised to check their emails for communication from either of the Johannesburg Water representatives as stated on the tender cover page.

- For further inquiries after the meeting, bidders can email through their queries, but do not send queries 10 days before closing date so that the bidders can have 7 days before closing date and time to finalize their submissions.
- Bidders were further advised to please note that, the Contactable Reference letter template inside the tender document, has a typo, therefore all bidders present in meeting will be issued with a copy of correct Contact Reference letter template, to supplement one in the tender document. **Bidders are requested to ensure that the Contactable Reference template is completed by the bidder's client and submit it as attachment with tender document.** The bidders also have an option to submit a reference letter on their client's letterhead, however, the reference letter on their client's letterhead must have the description of the service that was provided, the start and end date (DD/Month/year) when the service was provided, whether the service that was provided was satisfactory/good or not, name and contact details of the authorized person from the client that Johannesburg Water can communicate with, to confirm the reference and information contained on the reference letter.
- Bidders are requested to confirm receipt of any communication sent to then by Johannesburg Water. Official

#### **4.1 ADMINISTRATIVE EVALUATION**

- These are the applicable Municipal Bidding Documents (MBD) that the tenderer's duly authorized representative must fully complete and sign and provide administrative documents such as director's and company's municipal statement or valid lease agreements which must be valid and submitted before tender award. Should the administrative MBD's, Certificate of Authority and any other administrative documents that do not have a bearing on price, should not be submitted or be incomplete, the bidder will be given three (3) days to submit or adhere to the tender requirements or requests, the tenderer will be disqualified, and will not be considered for award.

##### **Administrative Documents**

1.	Certificate of Authority	Certificate of Authority or Board Resolution granting authority to sign.	Completed and signed certificate of authority to sign or signed board resolution
2.	MBD 1	Invitation to Bid Form	Complete and submit complete and signed MBD 1 Form.

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3.	CSD	Central Supplier Database Registration	Provide proof of CSD registration. Complete MAAA number on cover page or copy of CSD report.
4.	MBD 3.1	Pricing Schedule - Firm Prices (Purchases)	Complete and submit signed MBD 3.1 Form.
5.	MBD 4	Declaration of Interest	Complete and submit signed MBD 4 Form.
6.	MBD 5	Declaration of Procurement Above R10m (All Applicable Taxes Included)	Complete and submit signed MBD 5 Form.
7.	MBD 6.1	Preference Points Claim in Terms of The Preferential Procurement Regulations 2022	Complete and submit signed MBD 6.1 Form.
8.	MBD 8	Declaration of Bidder's Past Supply Chain Management Practices	Complete and submit complete and signed MBD 8 Form.
9.	MBD 9.	Certificate of Independent Bid Determination	Complete and submit signed MBD 9 Form.
10.	Annexure – Proof of Specific Goals	Refer to documents listed in 4.4 verification documents to be submitted with the tender document	Submit applicable documentation with the tender submission
11.	Annexure	Municipal Rates and Taxes for the Tenderer - Current municipal rates for the entity not in arrears by more than 90 days. If leasing/renting, submitted copy of valid lease agreement where premises are rented OR confirmation that suitable arrangements are in place for arrear municipal obligations with your local municipality OR current municipal rates which is not older than 90 days or valid lease agreement with affidavit from owner of property in cases stated in Proof of Good Standing with regards to Municipal Accounts document	Submit applicable documentation with the tender submission

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**MONTHS.**

12.	Annexure	Municipal Rates and Taxes - Current municipal rates for the directors of the entity not in arrears by than 90 days. If leasing/renting, submitted copy of valid lease agreement where premises are rented OR confirmation that suitable arrangements are in place for arrear municipal obligations with your local municipality OR current municipal rates which is not older than 90 days or valid lease agreement with affidavit from owner of property in cases stated in Proof of Good Standing with regards to Municipal Accounts document.	Submit applicable documentation with the tender submission
12.	Annexure	Joint Venture Agreement, Consortium or equivalent signed by all parties	Submit applicable documentation with the tender submission

#### **4.2 MANDATORY CRITERIA**

Documentation for equipment offered:

- Valid Proof of Certificate of Registration (RC1) in Respect of Motor Vehicle (National Road Traffic Act); and
- Valid LCO Certificate or Operator Card (National Road Traffic Act).
- Valid Insurance per item offered

The proof of certificate of registration in respect of motor vehicle and license disc or roadworthy certificates or operator card must be in the name of the tenderer or name of the company that the tenderer will be leasing the water tankers from.

If the tenderer's water tanker offered will be hired, the tenderer must provide proof of a letter of intent to hire the tankers offered which are not owned by the tenderer, as well as the required documents as stipulated above. **The letter of intent must commit that the equipment will be made available within 21 days of date of appointment.**

**Note: LCO = Motor Vehicle License, License Disc, Roadworthy Certificate and Operator Card**

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**5. PRESENTATION BY Khomotso Modungwane**

CRITERIA NO #	CRITERIA	EVIDENCE	SUB-CRITERIA/CLAUSE	WEIGH TING	SCORE
1.	Tenderer’s experience with respect to Supply / transportation and delivery of potable water using water tankers.	The tenderer must provide reference letter(s) as proof that supply/transportation and delivery of potable water with water tankers was carried out successfully.  NB: The attached reference template must be completed by the referee and included in the tender submission. Alternatively, the client’s letterhead may be used for this purpose provided it complies with the functional criteria requirements.	Total Years of Experience in the supply/transportation and delivery of potable water	100	
			Less than 1 year		0
			1 year and more but less than 2 years		70
			2 years and more, but less than 5 years		85
			5 years or more		100
MINIMUM QUALIFYING SCORE				70	
TOTAL				100	

## **6. AWARD STRATEGY**

The intention is to award to the highest preference ranking bidder per region to one or more bidders based on Johannesburg Water's capacity requirements.

Bidders will only be awarded one region irrespective of being the highest preference-ranking bidder in both regions, unless Johannesburg Water cannot award a certain region to other bidders in which case, Johannesburg Water can then award more than one region to a bidder.

Bidders are therefore requested to rank their preferred region of operation from 1-2. Please refer to Pricing Data. Bidders will be considered for region number tendered for and ranked.

Allocation to region in cases where the bidder is the highest preference-ranking bidder will be based on the preferred region provided by the tenderer underpricing schedule.

Johannesburg Water reserves the right to award a region to a bidder that is not the highest preference-ranking bidder if the highest preference-ranking bidder has been awarded another region.

### **ALLOCATION STRATEGY**

Allocate all water tankers offered by the bidder to the highest preference ranking bidder per region. If the bidder is the highest preferred ranking tenderer for both regions, their preferred choice of region will be used to determine which region they will be allocated if the water tankers offered are not sufficient to meet all Johannesburg Water capacity and technical requirements for that region, the following shall happen:

The next highest preference ranking bidder's water tankers offered that meet the technical requirements will be allocated the difference, provided they are not the highest preferred tenderer in another region and will be recommended for award.

If Johannesburg Water's capacity requirements are still not met, the next highest ranking preference Tenderer's water tankers offered that meet the technical requirements will be allocated the difference, provided they are not the highest preferred tenderer in another region and will be recommended for that region. The cycle will continue until all capacity requirements per region are met.

To ensure value for money / cost effectiveness, Johannesburg Water will negotiate prices with service providers who are recommended for market related price and reserve the right to standardize the rates of the bidder that are awarded for the same region/capacity using Johannesburg Benchmarked rates as a guide to determine cost effectiveness.



**7. PRESENTATION ON PRICING SCHEDULE BY ELGIN MATHONSI:**

The following aspects will be considered in the financial offer:

Costing for all items as described in the Pricing Schedule and applicable Strategies Review of financial offer and discrepancies between total and calculations.

Identify any parameters that may have a bearing on the financial offer, e.g., contract period, price escalations or adjustments required and life cycle costs.

**8. TENDER DATES**

Tender Closing: **10:30 on 31 August 2023.** No late submissions will be accepted under any circumstances. Tender documents must be submitted in sealed envelopes, clearly marked with the reference number JW OPS 003/23 and they must be deposited in the tender box.

**9. QUESTIONS AND ANSWERS BY Mr. Lazola Lupondwana / User Department**

**QUESTION 1:** Clarity on the Scoring System mentioned during the presentation.

**ANSWER 1:** There is the minimum qualifying score and the 90/10 preference point system. The minimum qualifying score is for functionality and the minimum qualifying score for this tender is 70 points. If the bidder meets or exceeds the minimum qualifying score, the bidder will progress to the next evaluation stage. The next evaluation stage is Preference Point system and the applicable preference point system for this tender is 90/10, where the 90 points is for Price and the 10 is for Specific Goals. Specific goals also have points for each goal which the bidder must claim and provide the requested verification documents so that the points claimed for specific goals can be verified and allocated.

**QUESTION 2:** How many trucks are needed?

**ANSWER 2:**  
An estimated number of 30 trucks in the Northern region and 40 trucks in the Southern region. This is an as and when required contract and the contract management will be conducted by the Regional Manager.

**Northern Region:**

Areas	Capacity (10kl to 14kl)	Capacity (16kl to 18kl)	Total
Hamburg	3	0	3
Randburg	14	0	14
Midrand	4	4	8
Sandton/Malboro	5	0	5
<b>Total</b>	<b>26</b>	<b>4</b>	<b>30</b>

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---

**Southern Region:**

<b>Areas</b>	<b>Capacity (10kl to 14kl)</b>	<b>Capacity (16kl to 18kl)</b>	<b>Total</b>
Soweto	2	10	12
Ennerdale	0	25	25
JHB Central-Langlaagte	3	0	3
<b>Total</b>	<b>5</b>	<b>35</b>	<b>40</b>

**Note:** It must be noted that the required number of water tankers stated above are estimates. The service provider shall be bound to supply whatever quantities of the water tankers that JW will require on an “as and when” required basis during the period of the contract, irrespective of the extent by which the total varies from those stated estimations. Note must be taken that the requirements may or may not exceed the stated amount. Please refer to the award strategy

**QUESTION 3:** Can I still use the JW Reference letter, even if I have my own reference letter?

**ANSWER 3:** As stated in the tender document, bidders must submit proof of the required experience to be able to meet the minimum threshold. This proof of required experience must be fully completed on the Contractable Reference template as attached or on the bidder’s client’s reference letter on the client’s letterhead. The letters must be completed by the bidder’s client and the name and contact details of the bidder’s client’s authorized person must be provided on the letter. If the bidder will attach Contactable Reference letter, the bidder must ensure that use exact same information which is on JW template is on the client’s reference letterhead on the clients letterhead. Must be completed by the bidder’s client and not the bidder else the letter will not be valid.

**QUESTION 3:** Award is for 1 Company or many?

**ANSWER3:** The tender award strategy is to award to one (1) or more bidders per region. The allocation strategy is to allocate to one or more bidders per region. The bidder will only be allocated work in their preferred region between – Northern or Southern Region. The bidder may not be allocated work in Northern /Southern region if they are awarded work in Southern/ Northern region. However, should there not be any successful bidder in a region or the successful bidders in that region are not able to meet Johannesburg Water requirements, Johannesburg Water reserves the right to allocate the work to a bidder that has already been awarded in another region. That bidder will have to be the highest preference ranking bidder for that region and capacity, should that bidder not be able to meet that requirement, the (difference) allocation will go to the next highest ranking preference bidder until the requirements are met in full. The award will therefore be to more than one bidder hence the award will be to a panel.

**QUESTION 4:** Does JW allow bidder to use leased vehicle and equipment?

**ANSWER 4:** Yes, its allowed, If the bidder’s water tankers offered will be hired, the bidder must

provide proof of a letter of intent to hire the tankers offered which are not owned by the tenderer, as well as the required documents as stipulated in the mandatory requirements. The letter of intent must commit that the water tankers will be made available within 21 days of date of appointment.

**QUESTION 5:** What if a bidder decides to lease water tankers from a supplier that is also bidding for the same tender?

**ANSWER 5:** Such a situation would not fall under co-bidding as MBD 9 Certificate of Independent Bid provided there is no breach of MBD 9. The requirements are stated out in the tender document and bidders that meet the evaluation requirements progress to the last stage where the bidders will be ranked in terms of price and specific goals. The highest-ranking bidder's in terms of preference will be awarded as per the award strategy.

**QUESTION 6:** Bidder had a concern that this tender is the same as the one they previously submitted previously, and that the bidder never got correspondence as who was awarded? Bidder also complained that there is no communication on the status of the tenders.

**ANSWER 6:** The previous tender was awarded as partial award due to the award strategy which meant that Johannesburg Water's capacity requirements were not met hence the need for this tender. In terms of receiving communication, a follow-up will be made internally. Bidders are encouraged to please make sure that their email addresses and contact details are eligible on the attendance register so that communication can reach the bidder

**QUESTION 7:** Bidder needed clarity on the Checklist of documents that will form part of the contract

**ANSWER 7:** These are all the documents or and information that will form part of the contract. There are checks that will be done at evaluation stage, prior award and after award by JW, also which documents will be checked at mandatory and which documents may be requested and duration given to submit or comply with the requirements. Bidders know this information is required, albeit at different stages. Bidders are to submit all the documents and complete all information and not necessarily rely on being given three (3) or seven (7) days to comply with administrative requirements.

**QUESTION 8:** Two bidders have sourced equipment from the same owner of equipment and have both submitted the same documents, the two bidders get the award for the same equipment but different regions, the owner of equipment has limited capacity meaning only limited supply can be made. How would JW go about handling such a situation and would it mean that the bidders will be eliminated?

**ANSWER 8:**

The terms and conditions of tender are spelt out clearly on the document in terms of what is allowed and not allowed. Please refer to MBD 9 – clause 2 with regards to anti-competitive behavior through co-bidding. This means in your interactions with potential equipment owners, you need to ensure that confidentiality and independence is always maintained.

If the bidder has met the tender conditions in terms of the evaluation and is awarded a region to supply water tankers, the bidder must within 21 days of notice, supply the required water tanker to the specification and quantity. Should the bidder not be able to supply the water tankers together with the mandatory documentation as stated in the contract within the stipulated period, the allocation strategy will be implemented i.e., the award and allocation will therefore go to the highest-ranking bidder in that region. During contract period, circumstance change which may necessitate the supplier to replace the equipment they had tendered for, that replacement is allowed provided that prior approval or agreement is reached with the regional manager and the equipment complies to the specifications and documentation required. The same principle will also apply, if the bidder can with the agreement of the regional manager therefore supply replacement equipment provided, they comply with all the requirements in terms of specification and valid documentation within that 21-day notice period to avoid losing out on the contract. Please note that the 21 days are normal days and NOT business days, they include the weekend.

**QUESTION 9:** Bidders raised an issue on the pricing schedule, gave an example that bidder doing ten thousand litre, price will charge higher, therefore the one who is transporting 14 thousand litre, will charge cheaper, so that pricing schedule will prejudice on other bidders, pricing schedule, the 3rd item, shows no indication of estimated kiloliters required for emergencies.

**ANSWER 9:** - The strategy is to group similar capacities together e.g. the 10KL to 14KL capacity water tankers have been grouped and the 16KL and 18KL capacity water tankers have been grouped together. The analysis conduct on cost effectiveness shows that the capacity sizes are similar in size and should not cause an impact. The bidders are to use their resources to be able to provide their best offer

The award per region will also include the award of emergency requirements. The hours that will be required for emergencies have not been provided due to the nature of the service (it is an emergency). When there is an emergency, as part of contract management, the regional manager will re-direct some of the water tankers from daily operations to emergency operations. The rate for the emergencies will not be a rate per kiloliter but a rate per hour to cover the risk for supplier. Written instructions will be done by the regional manager.

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**MONTHS.**

---

Bidders are to fully complete the price schedule to enable Johannesburg Water to be able to conduct a “like for like” comparison hence this requirement is a mandatory requirement.

**Annexure:**

Contactable Reference Template which must be completed by the bidder's client.

**CLOSURE**

Bidders are reminded to constantly look out for communication from Johannesburg Water Website and confirm receipt of emails received.

Ms. Nthabiseng More, thanked all who attended the briefing, and the meeting was adjourned.