

RFP 39/2021: Appointment of a Panel for Design and Engineering Consultants for the Built Environment

Non-Compulsory (Virtual) Briefing Session Question & Answers

Last updated: 28/04/2022

#	Question	Answer
Questions during the Briefing Session		
1	In Section 11, category 1 – Structural engineering will SARS accept any structural resource with a B-tech for water but does structure for the company can the resource be used or is there a specific resource required for structure?	<p>In terms of the relevant Professional Government Gazetted Act, if SARS is undertaking structural engineering, the bidder will need to provide a qualified structural engineer who is registered with a professional body as a structural engineer as per Section 11.1.1 of the RFP document.</p> <p>GOVERNMENT GAZETTE, 26 MARCH 2021 326 No. 44333 BOARD NOTICE 21 of 2021 IDENTIFICATION OF ENGINEERING WORK REGULATIONS.</p> <p>CORE COMPETENCIES REQUIRED TO PERFORM IDENTIFIED ENGINEERING WORK</p> <p>4 (1) A person who performs any identified engineering work in a particular engineering discipline must, in addition to any other requirement contemplated in the Engineering Profession Act-</p> <p>(a) be suitably qualified;</p> <p>(b) be registered by ECSA in the appropriate category applicable to the level of service performed; and</p> <p>(c) possess the necessary core competency in the competency areas referred to in this item to perform such core service as a professional engineer, professional engineering technologist, professional certificated engineer, professional engineering technician or a specified category practitioner.</p> <p>(2) For the purpose of sub-item (1) "suitably qualified" means being in possession of a qualification that is recognised or accredited by ECSA for purposes of registering a person in any</p>

		<p>of the categories referred to in section 18(1)(a), (b) and (c) of the Engineering Profession Act.</p> <p>Additionally, bidders can consider submitting documentation confirming membership to the JSD list of Structural Engineering Professionals or other similar bodies (The IStructE SA List Of Structural Engineering Professionals - IStructE SA)</p>
2	<p>The structural and civil engineers are all registered as civil engineers there is no category for structural or geotechnical engineering, so how will this be differentiated?</p>	<p>The differentiation will be done via the terms of GOVERNMENT GAZETTE, 26 MARCH 2021 326 No. 44333, BOARD NOTICE 21 of 2021.</p> <p>Bidders are to supply membership credentials for Civil Engineering and proof via Company Profile and Resources returnables that they comply with Sections 4.1.a/b/c of the CORE COMPETENCIES REQUIRED.</p>
3	<p>Work services is not listed as a category on its own, will it fall under mechanical and electronic under electrical ?</p>	<p>Work services will fall under mechanical and electronic under electrical. This may be further determined at time of RFQ (Request for Quotation) when actual project specifics are known.</p>
4	<p>With regard to the envisaged scope, seeing that SARS is on a strategy to optimise office space, is energy optimisation within the scope of this tender?</p>	<p>Specialist under a relevant discipline will be invited at RFX stage. For the purpose of the establishment of the panel it is not a requirement. Bidders must submit primary documents as per category.</p>
5	<p>How many companies per category does SARS want to appoint?</p>	<p>There is no limit on the number, the panel is open to all bidders who will meet the threshold.</p>
6	<p>Section 11.1.1 of the RFP document requires bidders to have valid professional registration with the applicable body for the registered principal for each selected category they are bidding for.</p> <p>And</p> <p>Section 11.2.2.1 requires that the registered principal should have minimum of five (5) years post registration & Professional Practice Exam/ Assessment of Professional Competency.</p> <p>What about people who worked for 20 years internationally and have now returned to South</p>	<p>The intention of SARS is not to exclude any service provider, but the specification is drafted as per the needs of the organisation.</p> <p>The needs will be better served as per the published requirements.</p>

	Africa and has less than 5 years, these people are excluded, this is excluding emerging companies and the Bid Evaluation Committee must look into it.	
7	Can the same resource be proposed for different categories?	Yes, as long as the Resources put forward comply with the terms of GOVERNMENT GAZETTE, 26 MARCH 2021 326 No. 44333, BOARD NOTICE 21 of 2021 Section 4 (where applicable). The same principle applies for non ECSA categories such as Architects, QS, etc within their respective Government Gazette notices. The bidder must address the limitation of capacity at RFX stage that could cause delay in project where there is reliance on one resource.
8	If a resource has more experience in fire engineering and less experience in civil engineering will they be disqualified in civil?	No, the bidders will submit proposals per category they are bidding for. If they meet the threshold in one category and fail in another category, they will not be disqualified in a category where the threshold is met.
9	Are we required to duplicate Pre-qualification documents for each category?	No, Prequalification documents must be submitted once. Bidders must refer to section 13.10 of the RFP document.
10	Are we required to submit original and duplicate file and also same information on the USB/soft copy?	Yes, bidders must refer to section 13.8 of the RFP document on the required file submission.
11	How must the folders on the USB/soft copy be named?	Bidders must refer to section 13.10 of the RFP document on the format of file packaging.
12	Must each category be submitted on its own tender file or can one tender file be submitted with separate folders for each category?	Yes, one tender file can be submitted and each category on a separate folder.
13	Is it compulsory to submit the bids physical and on eSourcing?	Yes, bidders must submit the bids physical and on eSourcing.
14	Will bidders be disqualified if they do not return the RFP document with the bid proposal?	No, bidders will not be disqualified as they are not required to submit the RFP document as stated on section 13.10. of the RFP document.
15	Will the bidders be disqualified if the same resources are proposed by different companies?	No, as long as the Resources put forward comply with the terms of GOVERNMENT GAZETTE, 26 MARCH 2021 326 No. 44333, BOARD NOTICE 21 of 2021 (where applicable) and the bidder indicates the Resources as "ad hoc/other" on returnables.

		The bidder must address the limitation of availability at RFX stage that could cause delay in project where there is reliance on one resource by different companies.
16	Can the SBD documents be completed electronically?	Yes, as long as the information completed is visible and the forms are fully completed and signed.
17	Is there a limit in terms of the number of pages for the CV's required.	No, as long as the CV is detailing the required information as per section 11.2.2.1 of the RFP document.
18	Will a bidder be disqualified for submitting bids to all categories?	No, section 11 of the RFP document indicate that bidders may submit proposals in respect of any one or more of the nine categories. The returnables put forward for each category must comply with the terms of GOVERNMENT GAZETTE, 26 MARCH 2021 326 No. 44333, BOARD NOTICE 21 of 2021 (where applicable).
19	Are we allowed to submit bids as a Joint Venture (JV)? do we have to submit a consolidate B-BBEE Certificate?	Bidders may submit bids as an Incorporated or Unincorporated JV together with a JV legal agreement detailing the percentage ownership of each entity and a consolidated B-BBEE Certificate.
20	Are we allowed to sub-contract and what percentage can we sub-contract?	For the establishment of a panel there is no need to sub-contract. The percentage for sub-contracting will be determined at RFX stage. Bidders can only sub-contract to a bidder who also meet the requirements of the RFX at that stage.
21	<p>Section 14.4 of the RFP document, reference is made to, inter alia, the following:</p> <ul style="list-style-type: none"> • Application of the 80/20 Price/Preference points scoring system • That the 80/20 points scoring system will not be applied for purpose of the evaluation of this tender, but will become applicable at the time that SARS requests quotations from service providers that have been successfully appointed to the panel. <p>The concern that we have is the manner in which points scoring for the 80/20 system has been</p>	<p>The Constitutional Court handed down a judgement on 16 February 2022 declaring the Preferential Procurement Regulations, 2017 invalid.</p> <p>SARS applied to the Minister for exemption from the PPPFA in line with section 3 of the Act and the exemption was granted.</p> <p>Section 2 of the act state that an organ of state must determine its preferential procurement policy.</p> <p>SARS has developed its own internal Preferential Procurement Policy effective as on 22 March 2022 and is referenced in the RFP document and can be accessible on the link below:</p>

	<p>defined by SARS. To this end, I have extracted the following table (table 14B on page 16) from the RFP document. Below this table I have included the points scoring allocation for an 80/20 system as included in the Preferential Procurement Policy Framework Act (PPPFA): Preferential Procurement Regulations, 2017. As can be seen, there is a significant disparity between the RFP's points allocation for an 80/20 system and the points allocation outlined in the PPPFA Preferential Procurement Regulations, 2017.</p>	<p>https://www.sars.gov.za/wp-content/uploads/Ops/Policies/SS-PROC-03-SARS-Preferential-Procurement-External-Policy.pdf</p>
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Post Briefing Session

<p>22</p>	<p>In section 1.3 of Annexure B, Regarding the two (2) projects experience that must be submitted. What information is needed under:</p> <ol style="list-style-type: none"> 1. The problem? 2. The client brief? 3. The solution? 4. Outcome of the project? 	<p>SARS is inviting Professional Design and Engineering Consulting companies to become part of a Panel of Professionals. The bidding entity is appointed to the Panel as a “company” or going concern. SARS will not appoint individuals to the Panel, but individuals may apply as a company/going concern.</p> <p>In Section 11.2.1 of the RFP document, SARS will be testing if the Companies are genuine Consulting Design and Engineering going concerns within the respective categories they wish to apply for.</p> <p>As an example, if a Bidder wishes to apply to be considered as a suitable Architectural “company”, then in Section One, SARS is testing that the “company” is a genuine going concern that supplies Architectural Services to the South African market.</p> <p>If the Bidder is a “company” that supplies multi-disciplinary services (i.e. Architectural, Engineering, QS, etc) then the bidder will need to submit a separate response per section detailing the Companies experience in the category being applied for.</p> <p>Please tailor your responses - with respect to the questions asked - Indicate to SARS that you are a company experienced in</p>
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		supplying the services (category) you are applying to be considered for on the panel.
23	Our financial year ended is on 28 February 2022. Unfortunately, the financial statements for the year ending 28 February 2022 have not yet been drafted by our Accountant. Is it acceptable if we include the financial statements for year ending 28 February 2021?	Do not submit Financial Statements. Financial analysis evaluation will not be conducted for the establishment of the panel.
24	<p>Page 17 of the RFP document state:</p> <p>“Bidders will need to provide information which proves Black Ownership and turnover, in addition to the sworn affidavit, or request that their EME/QSE suppliers be verified and have this confirmed in the affidavit.”</p> <p>Based on the above : Will an EME without black ownership :</p> <ul style="list-style-type: none"> • be considered or will the submitted bid be disqualified • be considered as “non-compliant” on the 80/20 point system • still receive points as per the 80/20 system 	<p>SARS reserves the right to request that Service Providers submit their Black Ownership and turnover information in support of their affidavits. This information maybe requested at RFX stage and not for the establishment of the panel.</p> <p>All bidders will be considered and scored according to the 80/20 preference point system at RFX stage.</p>
25	We missed the Briefing Session Meeting can we still submit ?	Yes, the attendance of the briefing session meeting was non-compulsory.
26	In terms of the typical requirements of SARS listed on page 11 of the request for proposal document, does companies with TI Design, commercial spaces and warehouses, should all projects submitted be only such as these to meet the requirements?	The function of the Technical Evaluation Gate is to ensure that bidders who are appointed to the Panel have suitable experience to undertake the work that SARS would specifically request the Panel to quote on. In the test to confirm that Bidders have the necessary experience for SARS type projects, Bidders who have solid experience in works similar to that of SARS typical projects would score more points than those who do not have experience in SARS typical projects.

27	<p>Page 10 of the RFP document, section 11.2.2.1 - “PPE / APC (Professional Practice Exam / Assessment of Professional Competency)” - kindly advise if this is an additional qualification over and above being Professionally registered with the Engineering Council of SA. We have not come across this requirement in previous tenders submitted to other Organisations.</p> <p>“This is the most senior person who will sign off all drawings and be accountable for the Professional services delivered relevant to the category being applied for.” Our Built Environment Council allows this to be PR Eng or Pr Tech Eng.</p>	<p>SARS requires Proof of PR (Professional Registration) of the accountable Professional.</p> <p>SARS accepts that a company may have some qualified staff (Eng / Tech Eng) who are registered with their professional bodies as Candidates and who will work under the PR End/PR Tech Eng, but the Bidder must put forward as the name of the Principal in each category and confirmation that the Principals registration is PR Eng or PR Tech Eng.</p>
28	<p>1. Certified copies of documents : What is the oldest date that will be acceptable at closing of tender?</p> <p>2. If a QS company was not involved in commercial buildings and warehouses as required in the RFP document, how will they be evaluated technically? Will the fact that the company was involved in other types of buildings be considered and valuated?</p>	<p>SARS will accept certified copies not older 12 months with a 2021 date or newer.</p> <p>The function of the Technical Evaluation Gate is to ensure that bidders who are appointed to the Panel have suitable experience to undertake the work that SARS would specifically request the Panel to quote on. In the test to confirm that Bidders have the necessary experience for SARS type projects, Bidders who have solid experience in works similar to that of SARS typical projects would score more points than those who do not have experience in SARS typical projects.</p>
General & Important		
29	Bidders must carefully read the RFP document and its annexures.	
30	Bidders must carefully complete Annexure A to select the category they are bidding for and attach supporting documents specific to the category they are bidding for.	
31	Bidders are advised to regularly visit the SARS website for any up-dates	