

TANZANIA NATIONAL ROADS AGENCY



Good roads for national development

CONSTRUCTION OF DAR ES SALAAM BUS RAPID TRANSIT (BRT) INFRASTRUCTURE – PHASE 3: LOT 1 – ROAD WORKS (23.33KM)

TENDER NO. AE/001/2019-20/HQ/W/03

Clarification No. 5

Date: 19th October 2020

With reference to the questions/queries raised by the prospective bidders and pursuant to Instructions to Bidders ITB 7.1, TANROADS is herewith providing clarifications as follows:

S/No.	Issues/Questions	Clarifications/Responses
1.	Please confirm that the reply to these clarifications shall supersede any of the Contract Documents in regard to mentioned in the clarifications.	<i>Bidders' attention is drawn to Sub-Clause 1.5 of GCC with regard to Priority of Documents.</i>
2.	<p>Section VII Scope of Works Description of works</p> <p>"The works comprise of: -Construct of 23.33km of asphalt concrete surfaced roads including 6.70km of service roads and paving blocks surfaced non-motorized lanes on the periphery of the motor lanes, together with associated storm water sewer system. -Construction of 2 Terminal stations with concrete surfaced "</p> <p>Reference to the scope of works stipulated in the contract, Could you please confirm the bidder's scope included construction only not design as the particular conditions include professional indemnity insurance and this type of insurance is usually for design liability.</p>	<i>Please Refer to Conditions of Contract Sub-Clause 1.15, Sub-Clause 4.1 and Sub-Clauses 17.1, 17.2, and 17.4.</i>
3.	<p>Section IX. Particular conditions (PC) Part A – Contract Data "Permitted Limits" Sub-Clause 19.1</p> <p>"insurance required for liability for breach of professional duty": TZS 3 million".</p> <p>The bidder is asking about the Insurance of Professional duty, could the Employer clarify how there is the bidder is required to submit professional indemnity insurance (PI), however, the bidder's scope is included construction only not design liability?</p>	<i>The Professional Indemnity Insurance under PC 19.1 shall cover Contractor's design for temporary works. Bidders' attention is drawn to Sub-Clause 4.1 (i) of the General Conditions of Contract.</i>

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	<p>The FIDIC 2017 General conditions stated that:</p> <p>Liability for breach of professional duty</p> <p>To the extent, if any, that the Contractor is responsible for the design of Part of the Permanent Works under Sub-Clause 4.1 (Contractor's General Obligations), and./or any other design under the Contract, and consistent with the indemnities specified in clause 17 (Care of the Works and Indemnities):</p> <p>a) The Contractor shall affect and maintain professional indemnity insurance against liability arising out of any act, error or omission by the Contractor in carrying out the Contractor's design obligations in an amount not less than the stated in the Contract Data (if not stated, the amount agreed with the Employer); and</p>	
4.	<p>Section IX. Particular Condition (PC) Part A – Contract Data “amount of insurance required for liability for breach of professional duty” Sub – Clause 19.2.3</p> <p><i>“100% the amount of the design agreement for the specific design obligation”</i></p> <p>The bidder has the same concern of the previous point which is could the Employer clarify how there is the bidder is required to submit professional indemnity insurance (PI), however, the bidder's scope is included construction only not design liability?</p>	<p><i>Please refer to Item No. 17 of Addendum No. 4.</i></p>
5.	<p>Section IX. Particular Condition (PC) Part A – Contract Data “Permitted deductible Limits” Sub-Clause 19.1</p> <p><i>“other insurances required by laws and by local practice: 5% of the claim”.</i></p> <p>Could you please clarify the mentioned statement?</p> <p>What are the type of insurance that may be required by laws and local practice?</p> <p>What is meant by the word “5% of the claim”?</p>	<p><i>Please refer to Sub-clause 19.1 and sub-clause 19.2.6.</i></p> <p><i>Bidders are advised to contact responsible insurance authority for more inquires on the following address: -</i></p> <p>The Commissioner of Insurance, Headquarters Office, LAPF Building, 5th floor, Plot No. 4/5, Makole street, P. O. Box 2987, Dodoma - Tanzania.</p> <p><i>Tel: +255(026)2321180 Fax: +255(026)2321180</i></p> <p><i>Email: coi@tira.go.tz Website: www.tira.go.tz</i></p>
6.	<p>Extent of insurance required for goods amounting of insurance required for Goods Sub-Clause 19.2.2</p>	<p><i>Please refer to Sub-Clause 19.2.2 for the requirement of 110% and</i></p>

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	<p>From the time the Goods are delivered to the site until they are no longer required for the works</p> <p>Amount of insurance required for goods</p> <p>110% the cost of Goods as deliver site</p> <p>Could you please replace the stipulated 110% by 100%?</p> <p>110% the cost of Goods as delivered to the site.</p>	<p><i>Refer to Sub-Clause 19.2.3(a) for the requirement of 100%.</i></p> <p><i>The extent of insurance required for Goods shall remain 110%.</i></p>
7.	<p>Delay damages payable for each day of delay Sub-Clause 8.8: "0.05% of the Accepted Contract Amount, less provisional sum, for DAAB".</p> <p>Is there a possibility to apply the following:</p> <p>"0.05% of the delayed Works amount, less provisional sum, for DAAB".</p>	<p><i>Refer to Sub-Clause 1.1.28</i></p> <p><i>Delay damages payable for each day of delay as per Sub-Clause 8.8 remains 0.05% of the Accepted Contract Amount, less provisional sum for DAAB.</i></p>
8.	<p>Repayment of Advance payment Sub-Clause 14.2.3</p> <p>a) Exceeds 10% of the portion of the Accepted Contract Amount payable in that currency less Provisional Sums</p> <p>b) Deductions shall be made at the amortization rate of 25% of the amount of each IPC</p> <p>Is there is possibility to replace the highlighted statement by the following</p> <p>deductions shall be made at the amortization rate of 15% of the amount of each IPC due to the Advanced payment is 15% of Contract Amount not 25%.</p>	<p><i>No. The requirement on amortization rate shall remain 25%.</i></p>
9.	<p>Bill 11000 (Water relocation), there are two types of washout chambers (Type 1 & Type 2), please provide drawing/ specs for each type.</p>	<p><i>Bidders attention is drawn to Sub-Section 2.6 of specifications for relocation of water pipelines.</i></p>
10.	<p>Bill 11000 (Water relocation), we have not found items for HDD crossing in Parts 2,3,6,8,9,11,14,15 &16, please confirm that no HDD crossing is required for these Parts.</p>	<p><i>Bidders are required to quote their prices as provided in the BOQ.</i></p>
11.	<p>Bill 11000 (Water relocation), for horizontal drilling items, please confirm the following: -</p> <p>a) Permanent sleeve shall be required, if yes please provide the thickness of annular between carrier and sleeve.</p> <p>b) Carrier pipes shall be HDPE pipes SDR11 with sub ends jointing with the DI flanged pipes.</p> <p>c) Grouting and spacers are not required.</p>	<p><i>HDD include all items. Bidders' attention is drawn to the Specifications of materials provided in the specifications for relocation of water pipelines.</i></p>
12.	<p>Please confirm our understanding that all cost related to the inspection to be conducted by Engineer/Client during pipe manufacturing process as well as the appointment of third-party inspector (TPI) shall be borne by the Client.</p>	<p><i>The Costs for inspection and other related items shall be borne by the Contractor. Bidders' attention is drawn to Section 3 of Preamble to BoQ for Roadworks.</i></p>
13.	<p>Bill 11000 (Water relocation), we noticed that E.O items referring to wrong Bill items, please correct.</p>	<p><i>Serial numbering is noted and corrected.</i></p>

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		<i>Please refer Item No. 3 – 16 of Addendum No. 4</i>
14.	Bill 11000 (Water relocation), we found BOQ items for pipeline bed and surround with S3 &S4 materials and E.O. items for pipeline bed and surround with the same S3&S4. Please clarify duplication.	<i>The noted duplication on S3 & S4 have been amended. Please refer Addendum No. 4</i>
15.	Bill 13000 Part B (Relocation of TTCL cables), please confirm that for horizontal direction drilling (HDD) process HDPE sleeve with 110mm dia is acceptable.	<i>Please refer to descriptions provided in Bill of Quantities for relocation of TTCL Cables.</i>
16.	Bill 11000 (Water relocation), E.O BOQ items for reinstatement of bitumen surface road, murrum, path...etc. please clarify/amend the following: - a- In order to reach a common price between bidders, please amend the unit of price to be per “m2” instead of “m” or identify the width needs to be reinstated. b- Particular specification for road works clause 2.614 stipulates that “Temporary surfaces shall be maintained in a condition satisfactory to the Engineer’s Representative and/or responsible Authority until the permanent reinstatement is made. Please identify the type of temporary reinstatement required. c- For reinstatement of paths and driveways, please clarify the type of paths and driveways, is that concrete pavement or interlocking tiles?	<p>a. <i>Please refer to Specifications for water relocations. Unit of Measurement shall remain to be “m”.</i></p> <p>b. <i>Please refer to Section 2 of Specifications for water relocation</i></p> <p>c. <i>Please refer to Section 2 of Specifications for water relocation</i></p>
17.	Bill 11000 (Water relocation), BOQ items (Provisional sums) for connection to existing pipelines, please confirm our understanding that cut, dewatering, removal of existing utilities and connection to existing utilities including supply of all necessary materials shall be paid under this item.	<i>Please refer to description (CONNECTIONS) on these particular items.</i>
18.	Bill 5000, item 57.10 (Extra work for landscaping), could you please advise about the type of landscaping (soft or hardscape). In order to reach a common price between bidders please amend the unit of pricing to be per m2 instead of L.S.	<i>Please refer to Special Specifications for Roadworks. The unit shall remain L.S.</i>
19.	Bill 3000, item 32.01 (Removal of existing pipe culvert including headwalls, wingwall and apron), In order to reach a common price between bidders please amend the unit of price to be per “m” instead of “L.S”.	<i>The unit for Item 32.1 remains L.S</i>
20.	We have huge quantities of pipes (DI, CS, HDPE...etc.) which will be imported from abroad considering custom 25% of its amount. Please confirm that no exemption from customs will be implemented for this Project.	<i>Bidders’ attention is drawn to preamble to Bill of Quantities for Roadworks.</i>
21.	Please provide standard specification for building as it is missed from Tender documents.	<p><i>Specifications for Building Works was provided together with other Bidding Documents.</i></p> <p><i>Please refer to: VOLUME 2B: BUILDING WORKS SPECIFICATIONS.</i></p>