



THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF WORKS AND TRANSPORT

**TANZANIA NATIONAL ROADS AGENCY**



*When you reply please specify:*

**Ref. No:** AC.74/251/26

**Date:** 3<sup>rd</sup> November, 2022

**To:** All Prospective Bidders

**RE: CONSTRUCTION OF DAR ES SALAAM BUS RAPID TRANSIT (BRT) INFRASTRUCTURE - PHASE 4: PACKAGE B; LOT 3: BUILDING – MBUYUNI DEPOT, SIMU2000 DEPOT AND KIVUKONI TERMINAL, TENDER NO.: AE/001/2021-22/HQ/W/50**

**Sub: Clarification No. 1 and Addendum No. 1 to the Bidding Documents**

Please refer to the above subject.

Pursuant to Sub-Clauses 7.1 & 8.1 of the Instructions to Bidders (ITB) of the Bidding Documents, TANROADS issues the attached **Clarification No. 1 and Addendum No. 1** to the Bidding Documents.

**Eng. Rogatus H. Mativila**  
**CHIEF EXECUTIVE**

**Encl:** As stated



THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF WORKS AND TRANSPORT



**TANZANIA NATIONAL ROADS AGENCY (TANROADS)**

**CONSTRUCTION OF DAR ES SALAAM BUS RAPID TRANSIT (BRT) INFRASTRUCTURE  
- PHASE 4: PACKAGE B; LOT 3: BUILDING – MBUYUNI DEPOT, SIMU2000 DEPOT AND  
KIVUKONI TERMINAL**

**TENDER NO.: AE/001/2021-22/HQ/W/50**

**Addendum No. 1 to the Bidding Documents**

**Date: 3<sup>rd</sup> November 2022**

**Addendum No. 1 to the Bidding Documents** is issued in accordance with Instructions to Bidders, Clause 8.1 to effect changes to the Bidding Documents and will become binding document, overriding the original provisions to the applicable extent indicated. All other items and conditions of the original Bidding Documents remain unchanged. The following provisions of the Bidding Documents are amended as follows:

## Section II. Bid Data Sheet

### Item No. 1 (page 33)

#### Replace:

ITB 18.1	The Bid shall be valid until: <b>1<sup>st</sup> March 2023</b>
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#### With:

ITB 18.1	The Bid shall be valid until: <b>31<sup>st</sup> March 2023</b>
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### Item No. 2 (page 34)

#### Replace:

ITB 22.1	For <b>bid submission purposes</b> only, the Employer's address is Attention: <b>The Secretary, TANROADS HQ Tender Board</b> Street Address: <b>10 Shaaban Robert Road/Garden Avenue Junction,</b> Floor/Room number: <b>2<sup>nd</sup> Floor, Room No. 44,</b> City: <b>Dar es Salaam</b> Country: <b>Tanzania</b> <b>The deadline for bid submission is:</b> Date: <b>1<sup>st</sup> November 2022</b> Time: <b>10:00 hrs</b> Bidders <b>do not</b> have the option of submitting their bids electronically.
ITB 25.1	The bid opening shall take place at: Street Address: <b>10 Shaaban Robert Road/Garden Avenue Junction</b> Floor/Room number: <b>2<sup>nd</sup> Floor,</b> City: <b>Dar es Salaam</b> Country: <b>Tanzania</b> Date: <b>1<sup>st</sup> November 2022</b> Time: <b>Immediately after the deadline for submission of bids.</b>

#### With:

ITB 22.1	For <b>bid submission purposes</b> only, the Employer's address is Attention: <b>The Secretary, TANROADS HQ Tender Board</b> Street Address: <b>10 Shaaban Robert Road/Garden Avenue Junction,</b> Floor/Room number: <b>2<sup>nd</sup> Floor, Room No. 44,</b> City: <b>Dar es Salaam</b> Country: <b>Tanzania</b> <b>The deadline for bid submission is:</b> Date: <b>1<sup>st</sup> December 2022</b> Time: <b>10:00 hrs</b> Bidders <b>do not</b> have the option of submitting their bids electronically.
ITB 25.1	The bid opening shall take place at:

	Street Address: <b>10 Shaaban Robert Road/Garden Avenue Junction</b> Floor/Room number: <b>2<sup>nd</sup> Floor,</b> City : <b>Dar es Salaam</b> Country: <b>Tanzania</b> Date: <b>1<sup>st</sup> December 2022</b> Time: <b>Immediately after the deadline for submission of bids.</b>
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#### **Section IV Bidding Forms**

##### **Item No. 3 (page 61)**

Letter of Bid

##### **Replace:**

- (h) Our Bid shall be valid until **1<sup>st</sup> March 2023**, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

##### **With:**

- (h) Our Bid shall be valid until **31<sup>st</sup> March 2023**, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

**Section IX. Particular Conditions (PC)**

Item No. 4 (page 147)

**Replace:**

Financing charges for delayed payment (percentage points above the average bank short-term lending rate as referred to under sub-paragraph (a))	14.8	Financing charges shall be calculated at the annual rate of three percent (1%) above:  (a) the average bank short-term lending rate to prime borrowers prevailing for the currency of payment at the place of payment, or  (b) where no such rate exists at that place, the same rate in the country of the currency of payment, or  (c) in the absence of such a rate at either place, the appropriate rate fixed by the law of the country of payment.
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**With:**

Financing charges for delayed payment (percentage points above the average bank short-term lending rate as referred to under sub-paragraph (a))	14.8	Financing charges shall be calculated at the annual rate of one percent (1%) above:  (a) the average bank short-term lending rate to prime borrowers prevailing for the currency of payment at the place of payment, or  (b) where no such rate exists at that place, the same rate in the country of the currency of payment, or  (c) in the absence of such a rate at either place, the appropriate rate fixed by the law of the country of payment.
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TANZANIA NATIONAL ROADS AGENCY (TANROADS)

CONSTRUCTION OF DAR ES SALAAM BUS RAPID TRANSIT (BRT) INFRASTRUCTURE -  
PHASE 4: PACKAGE B; LOT 3: BUILDING – MBUYUNI DEPOT, SIMU2000 DEPOT AND  
KIVUKONI TERMINAL

TENDER NO.: AE/001/2021-22/HQ/W/50

Clarification No. 1 to the Bidding Documents

Date: 3<sup>rd</sup> November 2022

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/N	Issues/Questions	Clarifications/Responses
1.	We request to extend the tender submission date from 1 <sup>st</sup> November 2022 to 1 <sup>st</sup> December 2022, because we need more time to investigate the complex site, public utilities, mineral sources and traffic safety plan for the public road. Please kindly consider our above request and approve the extension of tender submission	<i>The Employer has considered the request for extension of Bids Submission date.</i>  <i>Please refer Item No. 2 of Addendum No. 1.</i>
2.	We note a discrepancy in the wording of sub-Clause 14.8 of the PCC, where it is stated that the financing charges for delayed payments "shall be calculated at the annual rate of three percent (1%)" above the bank lending rate. Please, clarify which one is the correct percentage.	<i>Please refer Item No. 4 of Addendum No. 1</i>
3.	Please clarify the amounts/limits for insurances in PCC, Part A - Contract Data - Permitted deductible limits to Sub-Clause 19.1. Does "0" mean, it is not applicable, or can we use an amount at our own discretion, or is the Amount really "0"? Same for Professional Indemnity Insurance.	<i>Sub-Clause 19.1 remains unchanged.</i>  <i>The Employer would like to clarify that the Professional Indemnity Insurance under PC 19.1 shall cover Contractor's design for temporary works. Bidders' attention is also drawn to Sub-Clause 4.1 (i) of the General Conditions of Contract.</i>
4.	In Section I: Instruction to Bidders, Item No. 2 - Source of Funds, we note that this	<i>Pursuant to Sub-Clause 14.1 of Part B: Special Provisions, Value Added Tax</i>

S/N	Issues/Questions	Clarifications/Responses
	is a World Bank Funded project. Please clarify if the supply of goods and services relating to this project is exempt from Value Added Tax (VAT) as provided under section 6(2) of the VAT Act.	<i>(VAT) in connection with the importation, purchases or delivery of goods and services procured for the implementation of the Contract shall be exempted upon Employer's application of VAT exemption in accordance with the requirement of the National Laws prior to Works execution. At stage, Bidders are required to quote their Total Bid Prices as provided in the Grand Summary of Bills of Quantities.</i>
5.	Is there any spoil dump near the construction site? How many kilometres away is the spoil dump from the construction site? Is there any charge for spoil? What is the charge standard?	<i>It is Bidder's obligation to identify and acquire all relevant permit of disposal/dumping site(s) in compliance with the Contract and National Laws</i>
6.	Please refer to Sub-Clause 21.6(a) of Part B (Special Provisions) of the Particular Conditions of Contract, which states that "the place of arbitration shall be the neutral location specified in the Contract Data". However, such "neutral location" is not indicated in the Contract Data. Please clarify the place of international arbitration	<i>The place of international arbitration will be agreed by both Parties before signing the Contract.</i>
7.	We note that PC Sub-Clause 14.1 provides that the customs bond is callable in the event the equipment on temporary importation basis remains in the Country. However, to determine the amount import duties to be paid, the import duty on equipment remaining in the country, the amount of duties on equipment for re-export is to be included and this is contradictory. In line with section 117 (4) of the East African Community Management Act, 2004 which provides that there will be no import duties and the bond will be released as long as conditions of importation are met. Kindly clarify the basis for charging import duties on re-exported equipment.	<p><i>Please abide with the terms and conditions contained in the as-issued Bidding Documents.</i></p> <p><i>Bidders are required to contact the Tanzania Revenue Authority (TRA) for information on taxes and duties for goods and services, and equipment and spare parts thereof, which have been exempted.</i></p> <p><b>"Information on the Contractor's tax liabilities in the Client's country can be found from:</b></p> <p><b>The Commissioner General, Tanzania Revenue Authority (TRA), TRA Headquarters Building, Third Floor, 28 Edward Sokoine Drive, 11105 Mchafukoge, Ilala CBD, P. O. Box 11491, Dar Es Salaam. Telephone: +255 22 2119591-4 Fax: +255 22 212 8593/6908 Email: <a href="mailto:info@tra.go.tz">info@tra.go.tz</a> website: <a href="http://www.tra.go.tz">www.tra.go.tz</a></b></p>