

**RFP 149/2026: PROVISION OF PROFESSIONAL SERVICES AS A TRANSACTION ADVISOR TO UNDERTAKE A BANKABLE FEASIBILITY STUDY, COST-BENEFIT ANALYSIS, FINANCIAL MODELLING, PROJECT PREPARATION, AND TO DEVELOP PROCUREMENT DOCUMENTS FOR PERFORMANCE-BASED CONTRACT (PBC) PROJECTS FOR NON-REVENUE WATER (NRW) REDUCTION IN THEMBELIHLE LOCAL MUNICIPALITY AND KAI GARIB LOCAL MUNICIPALITY**

**QUESTIONS ARISING AND RESPONSES PROVIDED DURING AND AFTER THE COMPULSORY BRIEFING MEETING OF 11 SEPTEMBER 2026**

**Third Q&A Update: 12 October 2026**

| Item no. | Category                | Question / Enquiry / Query                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Answer / Response / Clarification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| 1.       | Technical / Compliance  | <p>We are finalising our consortium strategy and would particularly appreciate confirmation on the following outstanding points:</p> <ol style="list-style-type: none"> <li>Whether the required relevant NRW project experience totalling R25 million may be demonstrated collectively across members of a JV/consortium, or whether it must be met by a single lead bidder/entity.</li> <li>Where a consortium is proposed, how DBSA expects the respective project references, specialist experience and contractual values of the members to be presented for evaluation.</li> <li>Whether any formal Questions &amp; Answers / clarification document or addendum arising from the 11 September briefing has now been issued or is expected shortly. – <b>The updated tender document has been loaded on the 16<sup>th</sup> of December 2026</b></li> </ol> | <ol style="list-style-type: none"> <li>The required relevant NRW project experience totaling R25 million may be (is to be) demonstrated collectively across members of a JV/consortium, instead of being met by a single lead bidder/entity.</li> <li>The DBSA expects the collective project references, specialist experience and contractual values of the members to be presented for evaluation in the relevant Returnable Schedules – i.e. Schedule T2.2.7 and Schedule T2.2.8.</li> <li>This document is the first Questions &amp; Answers / clarification document or addendum to be issued, pursuant to the 11 September 2026 briefing.</li> </ol> |
| 2.       | Technical / Eligibility | <p>Could you please confirm specifically how the professional-fee experience threshold should be treated where a bidder participates as a formal JV, Consortium or Association?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Where a bidder participates as a formal JV, Consortium or Association, the professional-fee experience threshold is the <b>combined professional fees</b> of the Lead Tenderer and Entities in JV, Consortium, Association, etc., over the past ten (10) years.</p>                                                                                                                                                                                                                                                                                                                                                                                      |

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| 3.       | Technical / Eligibility | In particular, where the lead bidder and participating entities each have qualifying NRW / performance-based contracting transaction-advisory assignments, may the applicable professional-services fees of those qualifying projects be aggregated across the formally constituted JV / Consortium / Association for purposes of meeting and scoring the R25 million experience threshold?                                                                                                                                                                                                                                                                                                     | The applicable professional-services fees of those qualifying projects (successfully completed projects or project phases) will be aggregated across the formally constituted JV / Consortium / Association for purposes of meeting and scoring the R25 million experience threshold.                                                                                                                                                              |
| 4.       | Compliance              | Consortium formation and compulsory briefing attendance Clause C.2.1 states that only unincorporated joint ventures, consortia or associations are eligible to tender, while clause C.2.7 requires attendance at the compulsory briefing to be recorded in the name of the tendering entity. Please confirm whether prospective consortium members may attend the briefing under their individual company names and subsequently constitute the final tendering consortium, or whether the exact final consortium/JV name must appear on the attendance register on 11 September. If the latter, please advise what minimum evidence of consortium formation is required at the briefing stage. | Prospective consortium members may attend the briefing under their individual company names and subsequently constitute the final tendering consortium. It is not required for the exact final consortium/JV name to appear on the attendance register on 11 September 2026 briefing session. However, the name of the Lead Tenderer and consortium / JV members must appear on the attendance register of the 11 September 2026 briefing session. |
| 5.       | Technical / Compliance  | Applicable experience period: Clause C.2.1 and the functionality scoring criteria refer to qualifying experience during the past ten (10) years. However, Schedule T2.2.7 refers to qualifying experience during the last seven (7) years, while the continuation table on the following page again refers to ten (10) years.                                                                                                                                                                                                                                                                                                                                                                   | The relevant experience is in the past 10 years. The text of the qualifying experience in Schedule T2.2.7 was corrected via Addendum No 1 which was issued on 16 September 2026 to read "in the past 10 years". Please refer to the updated Tender document issued as per Addendum No 1 on 16 September 2026.                                                                                                                                      |
| 6.       | Technical / Compliance  | Please confirm whether the applicable experience period is seven (7) years or ten (10) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The applicable experience period is ten (10) years.                                                                                                                                                                                                                                                                                                                                                                                                |
| 7.       | Technical / Eligibility | Aggregation of qualifying professional fees across consortium members. Schedule T2.2.7 indicates that the experience of each consortium/JV/association entity must be submitted and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | That is correct.                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|          |                         | that the experience table may include experience across all tenderer team entities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                 |
| 8.       | Technical / Eligibility | Please confirm whether the minimum R25 million threshold in applicable professional fees may be satisfied by aggregating qualifying assignments undertaken by different entities within the tendering consortium, or whether one consortium member must individually satisfy the R25 million threshold.                                                                                                                                                                                                                                                                                                | As clearly stated in the Tender document, the minimum R25 million threshold in applicable professional fees may be satisfied by aggregating qualifying assignments undertaken by different entities within the tendering consortium.                                                                                                            |
| 9.       | Technical / Eligibility | Key-expert functionality scoring: The detailed functionality table appears to contain inconsistencies between the stated maximum points and the rating scores for certain experts. For example, the Civil Engineer (NRW) is allocated a maximum of 10 points, but the highest rating shown is 5 points; the Legal and Institutional/OD experts each show a maximum of 5 points, but a highest rating of 2.5 points; and the Municipal Finance/Infrastructure Investment Analysis Expert shows a maximum of 7.5 points, while the Good and Very Good ratings are shown as 9 and 10 points respectively. | The inconsistencies were corrected in the updated Tender document via Addendum No 1, which was issued on 16 September 2026. Please refer to the updated Tender document issued as per Addendum No 1 on 16 September 2026.                                                                                                                       |
| 10.      | Technical / Eligibility | Please confirm the correct maximum and rating scores for each key expert and whether a corrected scoring schedule or addendum will be issued.                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Please refer to the updated Tender document issued as per Addendum No 1 on 16 September 2026.                                                                                                                                                                                                                                                   |
| 11       | Technical / Eligibility | May we kindly request clarification on the below questions:<br>1. Does the 15-year experience requirement apply collectively across all listed legal competencies, or individually to each competency?                                                                                                                                                                                                                                                                                                                                                                                                 | The threshold <b>15 years “post-registration” experience</b> refers to <i>experience in any, or in some, or in all, of the listed legal services areas</i> (e.g. regulatory compliance, contracts management, etc.), without restriction to any specific listed service areas or to the number of listed service areas, in the tender document. |
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| 11       | Technical / Eligibility | 2. Is municipal water-services experience mandatory for the Legal Expert, or is broader infrastructure and construction-law experience acceptable?                                                                       | Yes, municipal water-services experience is mandatory for the Legal Expert. The tender document requires experience in legal <i>aspects of the delivery of municipal water services infrastructure and related services in South Africa or internationally.</i>                                                                 |
|          |                         | 3. Does experience in procurement, contract drafting, regulatory compliance, dispute resolution, and project finance satisfy the requirement for involvement in the delivery of municipal water-services infrastructure? | Experience in procurement, contract drafting, regulatory compliance, dispute resolution, and project finance will satisfy the requirement for involvement in this project (RFP149/2026) if they were gained on the delivery of municipal water-services infrastructure and related services in South Africa or internationally. |
|          |                         | 4. Will the Legal Expert be scored solely on years of experience, or will water-sector experience be evaluated separately?                                                                                               | The Legal Expert with water-sector experience will be scored solely on <b>the years of post-registration experience.</b>                                                                                                                                                                                                        |
|          |                         | 5. Given that the eligibility criteria require 15 years' experience, but the scoring table includes fewer than 15 years, are experts with less than 15 years' experience eligible?                                       | Experts with less than 15 years' experience will not be eligible and will be disqualified.                                                                                                                                                                                                                                      |
|          |                         | 6. May the Legal Expert be supported by additional legal specialists, or must one individual satisfy all requirements?                                                                                                   | The Legal Expert may be supported by additional legal specialists in the successful Tenderer's organization. Refer to <i>Table C1.5.4 The Service Provider's Personnel Schedule</i> in C1.2: CONTRACT DATA.                                                                                                                     |
|          |                         | 7. Are project-specific reference letters required for the Legal Expert, or is a CV and proof of registration sufficient?                                                                                                | Project-specific reference letters are required - in line with page 49 and 50 the CV Template.                                                                                                                                                                                                                                  |
|          |                         | 8. Will experience on municipal infrastructure, bulk water, wastewater, public procurement, FIDIC-based projects, and O&M contracts be accepted as comparable experience?                                                | In relation to the Legal, Regulatory Compliance, and Construction Contracts Expert, the tender document indicates that experience on municipal infrastructure, bulk water, wastewater, public procurement, FIDIC-based projects, and O&M contracts will be accepted as comparable experience if the                             |

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|          |                         |                                                                                                                                                                                                           | Expert has registration as a Professional Engineer in terms of the Engineering Professions Act, 2000, professional membership of the Association of Arbitrators Southern Africa or Arbitration Foundation of Southern Africa (AFSA), or Chartered Institute of Arbitrators. |
| 11       | Technical / Eligibility | 9. Is the Legal Expert expected to focus on legal review, procurement documentation, transaction structuring, negotiations, and contract drafting rather than construction-phase contract administration? | The Legal Expert is expected to focus on legal review, procurement documentation, transaction structuring, negotiations, and contract drafting, rather than construction-phase contract administration.                                                                     |
|          |                         | 10. Is the FIDIC Gold Book mandatory, or may the Transaction Advisor recommend an alternative form of contract?                                                                                           | The FIDIC Gold Book is NOT mandatory. The Transaction Advisor is free to recommend an alternative form of contract.                                                                                                                                                         |
|          |                         | 11. Does environmental and water-regulatory advice fall within the Legal Expert's scope, or under the Environmental/Social Expert role?                                                                   | Environmental and water-regulatory advice falls as follows:<br>a) Environmental advice falls within the Environmental Management and Development / Social Facilitation Expert's role.<br>b) Water-regulatory advice falls within the Legal Expert's scope.                  |