

# TENDER NO. 412Q/2022/23



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

SCM – 509 | Approved by Branch Manager

Version: 6

Page 1 of 522

## CONTRACT DOCUMENT

FOR THE

## CONSTRUCTION OF THE PHASE 2A IRT INFRASTRUCTURE: WORK PACKAGE E2 ALONG GOVAN MBEKI ROAD (M9) FROM WEST OF NY72 ROAD TO EAST OF KLIPFONTEIN ROAD (SUBJECT TO SECTION 33 APPROVAL)

## VOLUME 1: TENDERING PROCEDURES

### NOTE:

- The Form of Offer and Acceptance (C1.1) is on page 36 of this document
- Table B2: Awards ABOVE R100 mil (VAT inclusive) Tender Preference Claim (Specific Goals Allocated Points) is on page 16 of this document

<b>ISSUED BY:</b>	<b>COMPILED BY:</b>	<b>For official use.</b>
<b>DIRECTOR: TRANSPORT INFRASTRUCTURE IMPLEMENTATION URBAN MOBILITY DIRECTORATE CITY OF CAPE TOWN Tower Block, Civic Centre 12 Hertzog Boulevard CAPE TOWN 8001</b>	<b>GIBB (Pty) Ltd 8th Floor, The Link, 19 DF Malan Street CAPE TOWN 8001</b>	<b>TENDER SERIAL No.:</b>
		<b>SIGNATURES OF CITY OFFICIALS AT TENDER OPENING</b>
		1.
		2.
		3.

JUNE 2023

<b>NAME OF TENDERING ENTITY</b>	
<b>EMAIL ADDRESS OF TENDERING ENTITY</b>	
<b>FAX NUMBER OF TENDERING ENTITY</b>	
<b>NATURE OF TENDER OFFER (please indicate below)</b>	
<b>Main Offer (see clause C.2.12)</b>	
<b>Alternative Offer (see clause C.2.12)</b>	

CITY OF CAPE TOWN

DIRECTOR: TRANSPORT INFRASTRUCTURE IMPLEMENTATION URBAN MOBILITY DIRECTORATE

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## General Tender Information

TENDER ADVERTISED	:	23 June 2023
ESTIMATED CIDB CONTRACTOR GRADING DESIGNATION	:	9CE or higher
SITE VISIT/CLARIFICATION MEETING	:	10h00 on 12 July 2023 (Compulsory)
VENUE FOR SITE VISIT/CLARIFICATION MEETING	:	Boardroom A, 14th Floor, Civic Centre, 12 Hertzog Boulevard, Cape Town  Or via Skype below: <a href="https://meet.capetown.gov.za/johan.fowler/5NQMCCLDF">https://meet.capetown.gov.za/johan.fowler/5NQMCCLDF</a>
CLOSING DATE	:	02 August 2023
CLOSING TIME	:	10h00
TENDER BOX & ADDRESS	:	<b>Tender Box 118</b> at the <b>Tender &amp; Quotation Box Office</b> , 2 <sup>nd</sup> Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town.  The Tender Document (which includes the Form of Offer and Acceptance) completed in all respects, plus any additional supporting documents required, must be submitted in a sealed envelope with the name and address of the tenderer, the tender No. and title, the tender box No. and the closing date indicated on the envelope. The sealed envelope must be inserted into the appropriate official tender box before closing time.  If the tender offer is too large to fit into the abovementioned box or the box is full, please enquire at the public counter (Tender Distribution Office) for alternative instructions. The onus remains with the tenderer to ensure that the tender is placed in either the original box or as alternatively instructed.

**TENDERERS MUST NOTE THAT WHEREVER THIS DOCUMENT REFERS TO ANY PARTICULAR TRADE MARK, NAME, PATENT, DESIGN, TYPE, SPECIFIC ORIGIN OR PRODUCER, SUCH REFERENCE SHALL BE DEEMED TO BE ACCOMPANIED BY THE WORDS 'OR EQUIVALENT'**

CITY OF CAPE TOWN

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## Part T1: Tendering procedures

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## T1.1 Tender Notice and Invitation to Tender

The CITY OF CAPE TOWN, DIRECTOR: TRANSPORT INFRASTRUCTURE IMPLEMENTATION URBAN MOBILITY DIRECTORATE, invites tenders for Tender No. 412Q/2022/23: CONSTRUCTION OF THE PHASE 2A IRT INFRASTRUCTURE: WORK PACKAGE E2 ALONG GOVAN MBEKI ROAD (M9) FROM WEST OF NY72 ROAD TO EAST OF KLIPFONTEIN ROAD.

Tenderers must be registered on Supplier Databases as described in the tender conditions.

Tenderers who are not registered on these Supplier Databases are not precluded from submitting tenders, but must however be registered upon being requested to do so in writing and within the period contained in such a request.

It is estimated that tenderers must have a CIDB contractor grading designation of 9CE or higher.

Preferences are offered to tenderers who tender in accordance with the Preferential Procurement Regulations and the City of Cape Town's Supply Chain Management Policy (SCM Policy). Furthermore, in terms of these Regulations and the SCM Policy, tenderers are required to meet the HDI and/or RDP specific goals.

The physical address for collection of tender documents is:

**Tender Distribution Office**, 2<sup>nd</sup> Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town.

Documents may be collected during working hours between 08:30 – 15:00 from **23 June 2023**.

A non-refundable tender fee of R300.00 payable by cash or EFT is required on collection of the tender documents.

Queries relating to any issues in these documents may be addressed to Johan Fowler, Tel No. 082 775 1862, e-mail [johan.fowler@capetown.gov.za](mailto:johan.fowler@capetown.gov.za).

A compulsory site clarification meeting with representatives of the Employer will take place Cape Town Civic Centre, Hertzog Boulevard, 14th Floor 2-Bay Side, Boardroom 14A (Refer to Locality Plan – Site Visit/Clarification Meeting Venue overleaf) or via using the following Skype Link <https://meet.capetown.gov.za/johan.fowler/5NQMCLDF> on **Wednesday 12 July 2023 starting at 10:00**. Reference source not found.

The closing time for receipt of tenders is **10:00** on **02 August 2023**.

Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted.

Tenders may only be submitted on the tender documents that have been issued. Printed Bills of Quantities, in the same format (that is, layout, billed items and quantities) as those issued electronically by the Employer upon request, may be submitted as stated in the Tender Data.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

The Employer's Information Officer who is responsible for overseeing questions in relation to data protection, may be contacted at [Popia@capetown.gov.za](mailto:Popia@capetown.gov.za).

By submitting a tender to the City of Cape Town, (and by including any ensuing related agreement with the City of Cape Town, if applicable), the Tenderer thereby acknowledges and unconditionally agrees:

- 1.1 that the Tenderer has been informed of the purpose of the collection and processing of his personal information as defined in the Protection of Personal Information Act 2013 ("POPIA"), which, for the avoidance of doubt is for, and in relation to, the tender process and the negotiation, conclusion, performance and enforcement of the ensuing agreement, if applicable, as well as for the City of Cape Town's reporting purposes;
- 1.2 to the collection and processing of the tenderer's personal information by the City of Cape Town and agrees to make available to the City of Cape Town, all information reasonably required by the City of Cape Town for the above purposes;

- 1.3 that the personal information the City of Cape Town collects from the tenderer or about the tenderer may be further processed for other activities and/or purposes which are lawful, reasonable, relevant and not excessive in relation to the purposes set out above, for which it was originally collected;
- 1.4 that, the tenderer indemnifies the City of Cape Town and its officials, employees, and directors and undertakes to keep the City of Cape Town and its officials, employees, and directors indemnified in respect of any claim, loss, demands, liability, costs and expenses of whatsoever nature which may be made against the City of Cape Town (including the costs incurred in defending or contesting any such claim) in relation to the tenderer or the tenderer's employees', representatives' and/or sub-contractors' non-compliance with POPIA and/or the City of Cape Town's failure to obtain the tenderer's consent or to notify the tenderer of the reason for the processing of the tenderer's personal information.
- 1.5 To the disclosure of the tenderer's personal information by the City of Cape Town to any third party, where the City of Cape Town has a legal or contractual obligation to disclose such personal to the third party (or a legitimate interest exists therein);
- 1.6 That, under POPIA, the tenderer may request to access, confirm, request the correction, destruction, or deletion of, or request of description of, personal information held by the City of Cape Town in relation to you, subject to applicable law; and
- 1.7 That, under POPIA, subject to applicable law, the tenderer also has the right to be notified of a personal information breach and the right to object to, or restrict, the City of Cape Town's processing of its personal information.

