


TENDER NO. 12Q/2024/25		 CITY OF CAPE TOWN isiXeko Sasekapa STAD KAAPSTAD	
SCM – 516	Approved by Branch Manager: 23/01/2024	Version: 6.2	Page 1 of 212

FRAMEWORK CONTRACT DOCUMENT (PANEL TYPE)

FOR THE

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

Framework Contract Period: 36 Months from Commencement Date

Works Projects: Category A: Value up to R500 000

Category B: Value Above R500 000 up to R1 000 000

Category C: Value Above R1 000 000 up to R3 000 000

VOLUME 1: TENDERING PROCEDURES

NOTE:

- The Form of Offer and Acceptance (C1.1) is on **page 35** of this document
- Table 1: Preference Schedule is on **page 87** of this document

ISSUED BY:	COMPILED BY:	For official use.
DIRECTOR – ROADS INFRASTRUCTURE AND MANAGEMENT: URBAN MOBILITY Tower Block, Civic Centre 12 Hertzog Boulevard Cape Town 8001	ROADS TERM TENDERS – ROADS INFRASTRUCTURE AND MANAGEMENT: URBAN MOBILITY Tower Block, Civic Centre 12 Hertzog Boulevard Cape Town 8001	TENDER SERIAL No.:
		SIGNATURES OF CITY OFFICIALS AT TENDER OPENING
		1.
		2.
		3.

July 2024

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

FILE REFERENCE NO:

CITY OF CAPE TOWN

URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT

CONTRACT NO. 12Q/2024/25

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

General Tender Information

TENDER ADVERTISED	:	12 July 2024
CIDB CONTRACTOR GRADING DESIGNATION	:	Category A: 1SK or higher Category B: 2SK or higher Category C: 3SK or higher
SITE VISIT/CLARIFICATION MEETING	:	10h00 on 26 July 2024 (Compulsory)
VENUE FOR SITE VISIT/CLARIFICATION MEETING	:	Online: Skype Meeting (Link available under T1.1 Tender Notice and Invitation to Tender)
CLOSING DATE	:	12 August 2024
CLOSING TIME	:	10h00
TENDER BOX & VENUE	:	Tender Box 147 at the Tender & Quotation Box Office , 2 nd 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 documentation 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'

Contents			
Number	Heading	Colour	Page No
VOLUME 1			
The Tender			
Part T1: Tendering procedures			
T1.1	Tender Notice and Invitation to Tender	White	2
T1.2	Tender Data	Pink	4 to 31
VOLUME 2			
Part T2: Returnable documents			
T2.1	List of Returnable Documents	Yellow	34
C1.1	Form of Offer and Acceptance – Category A	Yellow	35 to 38
C1.1	Form of Offer and Acceptance – Category B	Yellow	39 to 42
C1.1	Form of Offer and Acceptance – Category C	Yellow	43 to 46
C1.2	Contract Data (data provided by the Contractor)	Yellow	47 to 47
C2.2	Schedule of Rates (please see clause C.2.13.3)	Yellow	49 to 58
T2.2	Returnable Schedules (please see clause C.2.13.3)	Yellow	59 to 92
VOLUME 3			
Draft Contract			
Part C1: Agreements and Contract Data			
C1.2	Contract Data (data provided by the Employer)	Yellow	95 to 114
C1.3	Form of Performance Guarantee	White	115 to 118
C1.4	Form of Advance Payment Guarantee	White	119 to 120
C1.5	Occupational Health and Safety Agreement	White	121 to 121
C1.6	Protection of the Environment Declaration	White	122 to 122
C1.7	Insurance Broker's Warranty	White	123 to 123
C1.8	Contract of Temporary Employment as Community Liaison Officer	White	124 to 125
C1.9	Works Project Acceptance/Refusal Notice	White	126 to 126
Part C2: Pricing data			
C2.1	Pricing Assumptions	Yellow	128 to 130
Part C3: Scope of Work			
C3.1	Description of the Works	Blue	131 to 131
C3.2	Engineering	Blue	132 to 132
C3.3	Procurement	Blue	133 to 134
C3.4	Construction	Blue	135 to 164
C3.5	Management	Blue	165 to 202
C3.6	Annexes	Blue	203 to 209
Part C4: Site information			
C4	Site Information	Green	211 to 212

Part T1: Tendering procedures

	Pages
T1.1 Tender Notice and Invitation to Tender.....	2
T1.2 Tender Data	4 – 31

CITY OF CAPE TOWN

URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT

CONTRACT NO. 12Q/2024/25

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

T1.1 Tender Notice and Invitation to Tender

The **CITY OF CAPE TOWN**, URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT, invites tenders for Tender No.12Q/2024/25: **TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN**

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

Tenderers who are not registered on these 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.

Tenderers must have a CIDB contractor grading designation of 1SK or higher for Category A, 2SK or higher for Category B and 3SK or higher for Category C.

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, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town.

Documents may be collected during working hours between 08:30 – 15:00 from **12 July 2024**.

A non-refundable tender fee of R300.00 payable by cash or EFT made out in favour of the City of Cape Town, is required on collection of the tender documents.

Queries relating to any issues in these documents may be addressed to **Supply Chain Management**, e-mail SCM.Tenders8@capetown.gov.za.

A compulsory site visit/clarification meeting with representatives of the Employer will take place online via Skype on **26 July 2024** starting at 10:00.

Join Skype Meeting

<https://meet.capetown.gov.za/bradley.dutoit/HN6HZFT1>

(Copy and paste link directly into URL box)

Trouble Joining? [Try Skype Web App](#)

Join by phone

[+27214447999](#) (Civic)

English (United States)

[+27214003499](#) (Civic)

English (United States)

[Find a local number](#)

Conference ID: 3498705

[Forgot your dial-in PIN?](#) [Help](#)

The closing time for receipt of tenders is **10:00** on **12 August 2024**.

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

CITY OF CAPE TOWN

URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT

CONTRACT NO. 12Q/2024/25

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

Tenders may only be submitted on the tender documentation that has been issued. Printed Schedules of Rates, in the same format (that is, layout, scheduled items, units and quantities, if applicable) as those issued electronically by the Employer upon request, may be submitted as stated in the Tender Data.

A copy of the Schedule of Rates is available in Microsoft Excel file formats, and can be downloaded from the following Dropbox link (copy and paste link directly into URL box):

<https://www.dropbox.com/scl/fo/jfp5z2i76i53zfxsynh5u/AFB14hMhaNpoX8-nbmpvC5Y?rlkey=yhvxvsdjbeakqs2bolow6qyr&st=9tzncdyi&dl=0>

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

T1.2 Tender Data

The conditions of tender for the Framework Contract are the Standard Conditions of Tender as contained in Annex C of Government Gazette No. 42622 of 8 August 2019, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. (see www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of tenderers as an Annex to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The following variations, amendments and additions to the Standard Conditions of Tender as set out in the Tender Data below shall apply to this tender:

Clause number	Tender Data
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C.1	General
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C.1.1	Actions
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C.1.1.1	<i>Add the following:</i>
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The parties agree that this tender, its evaluation and acceptance and any resulting contract shall also be subject to the Employer's Supply Chain Management Policy ('SCM Policy') that was applicable on the date the bid was advertised. Please refer to this document contained on the Employer's website.

Abuse of the supply chain management system is not permitted and may result in the tender being rejected, cancellation of the contract, restriction of the supplier, and/or the exercise by the Employer of any other remedies available to it as described in the SCM Policy.

The Employer is the CITY OF CAPE TOWN, represented by the URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT.

In addition to the above, the following further documents are part of the tender:

VOLUME 4: Drawings (listed in C3.2 Engineering and, if applicable, in each Works Project)

VOLUME 5 : The General Conditions of Contract for Construction Works, Third Edition, 2015, prepared by the South African Institution of Civil Engineering (SAICE). This publication is available and tenderers must obtain copies at their own cost from the South African Institution of Civil Engineering (SAICE), Private Bag X200, Halfway House 1685, Tel: (011) 805 5947, Fax: (011) 805 5971, e-mail: civilinfo@saice.org.za.

VOLUME 6 : The COTO Standard Specifications for Road and Bridge Works for State Road Authorities prepared by the Committee of Transport Officials (COTO). This publication is available and tenderers can obtain copies from:

- South African National Roads Agency Ltd (SANRAL) website: <https://www.nra.co.za/sanral-downloads/detail/coto-standard-specifications>
- Department of Transport's website: <https://www.transport.gov.za/>

Volumes 5 and 6 may also be inspected, by appointment, at the offices of the Employer's agent during normal office hours.

VOLUME 7: The Works Project contract document (this is a separate document to be issued for each Works Project)

CITY OF CAPE TOWN

URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT

CONTRACT NO. 12Q/2024/25

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

C.1.3 Interpretation

Add the following to F.1.3.3:

- C.1.3.3 g) **framework contract** means the Framework Contract defined in Part C1.2 Contract Data
h) **panel** means Panel defined in Part C1.2 Contract Data
i) **Works Project** means Works Project defined in Part C1.2 Contract Data.

C.1.4 Communication and employer's agent

Delete the first sentence of the clause and replace with the following:

Verbal or any other form of communication, from the Employer, its employees, agents or advisors during site visits/clarification meetings or at any other time prior to the award of the Contract, will not be regarded as binding on the Employer, unless communicated by the Employer in writing to suppliers by its Director: Supply Chain Management or his nominee.

The Employer's agent is:

Name: ROAD TERM TENDERS -
URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT
Address: CITY OF CAPE TOWN
CIVIC CENTRE
12 HERTZOG BOULEVARD
CAPE TOWN 8001
E-mail: RoadTerm.Tenders@capetown.gov.za

C.1.5 Cancellation and Re-Invitation of Tenders

*Delete the full stop at the end of C.1.5.1 d) and replace with ,
Add the following after C.1.5.1 d):*

- e) the parties are unable to negotiate market related pricing.

C.1.6 Procurement procedures

C.1.6.1 General

Add the following:

The Employer intends to appoint a panel of three tenderers for each category city wide but reserves the right to appoint fewer tenderers to a panel, or not to appoint a panel at all.

Each tenderer may only be awarded a maximum of two categories; however, the Employer reserves the right to offer a tenderer more than two categories.

Please refer to C.3.11.1 for manner in which award would be made.

Contractors, once appointed and subject to operational requirements, will be invited to execute the Works by means of Works Projects.

Each Works Project shall be in the value range of:

- Category A: Works Project Value up to R500 000 (CIDB grade 1SK or higher)
- Category B: Works Project Value above R500 000 up to R1 000 000 (CIDB grade 2SK or higher),
- Category C: Works Project Value above R1 000 000 up to R3 000 000 (CIDB grade 3SK or higher),

Values including contingencies and VAT, but excluding contract price adjustment, if applicable.

The framework contract period shall be for a period of **thirty-six months** from the commencement date of the contract, as stated in Part C1.2 Contract Data.

C.1.6.2 Competitive negotiation procedure

Add the following to C.1.6.2:

A competitive negotiation procedure will not be followed.

CITY OF CAPE TOWN

URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT

CONTRACT NO. 12Q/2024/25

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

C.1.6.3 Proposal procedure using the two-stage system

Add the following to C.1.6.3:

A two-stage system will not be followed.

Add the following after C.1.6.3.2.2

C.1.6.4 Nomination of Standby Supplier

Standby Supplier means a bidder, identified at the time of awarding a bid, that will be considered for award should the contract be terminated for any reason whatsoever. In the event that a contract is terminated during the execution thereof, the CCT may consider the award of the contract, or non-award, to the standby supplier in terms of the procedures included its SCM Policy.

C.1.6.5 Objections, complaints, queries and disputes/ Appeals in terms of Section 62 of the Systems Act/ Access to court

C.1.6.5.1 Disputes, objections, complaints and queries

In terms of Regulations 49 and 50 of the Local Government: Municipal Finance Management Act, 56 of 2003 – Municipal Supply Chain Management Regulations (Board Notice 868 of 2005):

- a) Persons aggrieved by decisions or actions taken by the City of Cape Town in the implementation of its supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint or query or dispute against the decision or action.

C.1.6.5.2 Appeals

- a) In terms of Section 62 of the Local Government: Municipal Systems Act, 32 of 2000 a person whose rights are affected by a decision taken by the City, may appeal against that decision by giving written notice of the appeal and reasons to the City Manager within 21 days of the date of the notification of the decision.
- b) An appeal must contain the following:
 - i) Must be in writing
 - ii) It must set out the reasons for the appeal
 - iii) It must state in which way the Appellant's rights were affected by the decision;
 - iv) It must state the remedy sought; and
 - v) It must be accompanied with a copy of the notification advising the person of the decision
- c) The relevant City appeal authority must consider the appeal and **may confirm, vary or revoke** the decision that has been appealed, but no such revocation of a decision may detract from any rights that may have accrued as a result of the decision.

C.1.6.5.3 Right to approach the courts and rights in terms of Promotion of Administrative Justice Act, 3 of 2000 and Promotion of Access to Information Act, 2 of 2000

The sub- clauses above do not influence any affected person's rights to approach the High Court at any time or its rights in terms of the Promotion of Administrative Justice Act and Promotion of Access to Information Act.

**C.1.6.5.4 All requests referring to sub clauses C.1.6.5.1 and C.1.6.5.2 must be submitted in writing to:
The City Manager - C/o the Manager: Legal Compliance Unit, Legal Services Department, Corporate Services Directorate**

Via hand delivery at: 20th Floor, Tower Block, 12 Hertzog Boulevard, Cape Town 8001

Via post at: Private Bag X918, Cape Town, 8000

Via email at: MSA.Appeals@capetown.gov.za

C.1.6.5.5 All requests referring to clause C.1.6.5.2 3 must be submitted in writing to:

The City Manager - C/o the Manager: Access to Information Unit, Corporate Services Directorate

Via hand delivery at: 20th Floor, Tower Block, 12 Hertzog Boulevard, Cape Town 8001

Via post at: Private Bag X918, Cape Town, 8000

Via email at: Access2info.Act@capetown.gov.za

C.1.6.5.6 The minimum standards regarding accessing and 'processing' of any personal information belonging to another in terms of Protection of Personal Information Act, 2013 (POPIA).

The Employer, its employees, representatives and sub-contractors may, from time to time, Process the Contractor's and/or its employees', representatives' and/or sub-contractors' Personal Information, for purposes of, and/or relating to, the tender, this agreement, for research purposes, and/or as

CITY OF CAPE TOWN

URBAN MOBILITY: ROADS INFRASTRUCTURE MANAGEMENT

CONTRACT NO. 12Q/2024/25

TERM TENDER FOR PROVISION OF ROAD MARKING SERVICES IN THE CITY OF CAPE TOWN

otherwise may be envisaged in the Employer's Privacy Notice and/or in relation to the Employer's Supply Chain Management Policy or as may be otherwise permitted by law. This includes the employers due diligence assurance provider and the Appeal Authority.

C.1.6.5.7 Compliance to the City's Appeals Policy.

"In terms of the City's Appeals Policy, a fixed upfront administration fee will be charged. In addition, a surcharge may be imposed for vexatious tender related appeals.

*The current approved administration fee is R300.00 and may be paid at any of the Municipal Offices or at the Civic Centre in Cape Town. Alternatively, via EFT into the City's **NEDBANK** Account: **CITY OF CAPE TOWN** and using Reference number: **198158966**. You are required to send proof of payment when lodging your appeal.*

Should the payment of the administration fee of R300.00 not be received, such fee will be added as a Sundry Tariff to your municipal account.

In the event where you do not have a Municipal account with the City, the fee may be recovered in terms of the City's Credit Control and Debt Collection By-law, 2006 (as amended) and its Credit Control and Debt Collection Policy."

C.1.7 City of Cape Town Supplier Database Registration

Tenderers are required to be registered on the CCT Supplier Database as a service provider. Tenderers must register as such upon being requested to do so in writing and within the period contained in such a request, failing which no orders can be raised or payments processed from the resulting contract. In the case of Joint Venture partnerships this requirement will apply individually to each party of the Joint Venture.

Tenderers who wish to register on the City of Cape Town's Supplier Database may collect registration forms from the Supplier Management Unit located within the Supplier Management / Registration Office, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town (Tel 021 400 9242/3/4/5). Registration forms and related information are also available on the City of Cape Town's website www.capetown.gov.za (follow the Supply Chain Management link to Supplier registration).

C.1.8 National Treasury Web Based Central Supplier Database (CSD) Registration

Tenderers are required to be registered on the National Treasury Web Based Central Supplier Database (CSD) as a service provider. Tenderers must register as such upon being requested to do so in writing and within the period contained in such a request, failing which no orders can be raised or payments processed from the resulting contract. In the case of Joint Venture partnerships this requirement will apply individually to each party of the Joint Venture.

Tenderers who wish to register on the National Treasury Web Based Central Supplier Database (CSD) may do so via the web address <https://secure.csd.gov.za> .

It is each tenderer's responsibility to keep all the information on the National Treasury Web Based Central Supplier Database (CSD) updated.