

TENDER NO. 147Q/2022/23



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CM – 518
amended

Approved by Branch Manager: 03/04/2020

Version: 5

Page 1 of 290

FRAMEWORK CONTRACT DOCUMENT (WINNER-TAKES-ALL TYPE)

FOR THE

**TERM TENDER FOR DESIGN, MANUFACTURE, DELIVERY,
INSTALLATION, AND COMMISSIONING OF MEDIUM VOLTAGE INDOOR
SWITCHGEAR AND ANCILLARY EQUIPMENT FOR MAIN SUBSTATIONS**

Framework Contract Period: 36 Months from Commencement Date

Works Projects: Above R1 up to R30 000 000

VOLUME 1: TENDERING PROCEDURES

NOTE:

- The Form of Offer and Acceptance (C1.1) is on **page 38** of this document
- Table 1: Preference Schedule (B-BBEE contribution) is on **page 144** of this document

ISSUED BY:	COMPILED BY:	FOR OFFICIAL USE.
DIRECTOR: ELECTRICITY GENERATION & DISTRIBUTION Bloemhof Electricity Head Office Bloemhof Complex Bloemhof Road, BELLVILLE 7530	MANAGER : ENGINEERING Bloemhof Electricity Head Office Bloemhof Complex Bloemhof Road, BELLVILLE 7530	Tender Serial No.:
		Signatures of City Officials at Tender Opening
		1.
		2.
		3.

September 2022

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

CITY OF CAPE TOWN

ELECTRICITY GENERATION AND DISTRIBUTION

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General Tender Information

TENDER ADVERTISED	:	23 September 2022
CIDB CONTRACTOR GRADING DESIGNATION	:	7EP or higher
CLARIFICATION MEETING	:	12h00 on 30 September 2022 (Not compulsory but strongly recommended)
VENUE FOR SITE VISIT/CLARIFICATION MEETING	:	Skype Meeting Join Skype Meeting 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: 6542616 https://meet.capetown.gov.za/johanette.vandermerwe/JNH8G4JQ
CLOSING DATE	:	28 October 2022
CLOSING TIME	:	10h00
CLOSING VENUE	:	Tender Box 158 at the Tender & Quotation Box Office , 2 nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town.
TENDER BOX	:	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' WHERE A BRAND NAME IS SPECIFIED, IT MUST BE READ AS "OR EQUIVALENT" TO ALLOW FOR COMPETITIVE BIDS. IF AN EQUIVALENT PRODUCT IS OFFERED, IT MUST MEET THE STANDARDS AS SPECIFIED IN THIS DOCUMENT.

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T1.1 Tender Notice and Invitation to Tender

The **CITY OF CAPE TOWN**, Electricity Generation and Distribution, invites tenders for Tender No. **147Q/2022/23: TERM TENDER FOR DESIGN, MANUFACTURE, DELIVERY, INSTALLATION, AND COMMISSIONING OF MEDIUM VOLTAGE INDOOR SWITCHGEAR AND ANCILLARY EQUIPMENT FOR MAIN SUBSTATIONS.**

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 7EP or higher.

Preferences are offered to tenderers who tender in accordance with the Preferential Procurement Regulations, 2017.

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 23 September 2022.

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

Queries relating to any issues in these documents may be addressed to Mr Stefan Rautenbach, Tel No. 021 444 8386, e-mail stefan.rautenbach@capetown.gov.za.

A non-compulsory but strongly recommended clarification meeting with representatives of the Employer will be held on **30 September 2022 at 12h00** by way of a Skype Meeting.

The closing time for receipt of tenders is 10:00 on 28 October 2022.

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

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.

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.

By submitting a tender to the City of Cape Town, (and by concluding 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 its personal information as defined in the Protection of Personal Information Act of 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 information 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 a 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.

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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 Director: ELECTRICITY GENERATION AND DISTRIBUTION.

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

VOLUME 3A: Specifications

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

VOLUME 5: The Conditions of Contract for Plant and Design-Build for Electrical and Mechanical Works and for Building and Engineering Works Designed by the Contractor, First Edition 1999 (Yellow Book), published by the International Federation of Consulting Engineers (FIDIC).

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