

TENDER NO. 84Q/2025/26		 CITY OF CAPE TOWN ISIXEKO SASEKAPA STAD KAAPSTAD	
SCM – 509	Approved by Branch Manager: 15/07/2024	Version: 6.4	Page 1 of 274

CONTRACT DOCUMENT

FOR THE

REHABILITATION AND UPGRADE OF CLASS 4 AND 5 ROADS AND RELATED WORKS IN BONTEHEUWEL AND UITSIG

THE TENDER

NOTE:

- The Form of Offer and Acceptance (C1.1) is on **page 39** of this document
- Table 1: Tender Preference Claim Form (is on **page 270** of this document)

ISSUED BY: DIRECTOR: ROAD INFRASTRUCTURE MANAGEMENT, URBAN MOBILITY DIRECTORATE CITY OF CAPE TOWN Tower Block, Civic Centre 12 Hertzog Boulevard CAPE TOWN 8001	COMPILED BY: 	For official use. TENDER SERIAL No.: SIGNATURES OF CITY OFFICIALS AT TENDER OPENING 1. 2. 3.
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OCTOBER 2025

NAME OF TENDERING ENTITY	
EMAIL ADDRESS 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: 84Q/2025/26

CITY OF CAPE TOWN

URBAN MOBILITY DIRECTORATE: ROAD INFRASTRUCTURE MANAGEMENT DEPARTMENT

CONTRACT NO. 84Q/2025/26

REHABILITATION AND UPGRADE OF CLASS 4 AND 5 ROADS AND RELATED WORKS IN BONTEHEUWEL AND UITSIG

General Tender Information

TENDER ADVERTISED	:	17 October 2025
ESTIMATED CIDB CONTRACTOR GRADING DESIGNATION	:	8CE or higher
SITE VISIT/CLARIFICATION MEETING	:	10h00 on 31 October 2025 (Not compulsory, but strongly recommended)
VENUE FOR SITE VISIT/CLARIFICATION MEETING	:	Meeting Link https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODg4Nzk4ZTgtZjdOS00ZTY5LWE5ODYtZTc1MmFiZmUyMDIz%40thread.v2/0?context=%7b%22Tid%22%3a%22360b91a5-6eb3-411d-b652-fcc1bc93073b%22%2c%22Oid%22%3a%2245abc380-2593-47d0-bb7a-53dcad7de7b4%22%7d Meeting ID: 323 607 924 917 3 Passcode: dM2HS2ap
CLOSING DATE	:	19 November 2025
CLOSING TIME	:	10h00
TENDER BOX & ADDRESS	:	Tender Box 207 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 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

URBAN MOBILITY DIRECTORATE: ROAD INFRASTRUCTURE MANAGEMENT DEPARTMENT

CONTRACT NO. 84Q/2025/26

REHABILITATION AND UPGRADE OF CLASS 4 AND 5 ROADS AND RELATED WORKS IN BONTEHEUWEL AND UITSIG

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CITY OF CAPE TOWN

URBAN MOBILITY DIRECTORATE: ROAD INFRASTRUCTURE MANAGEMENT DEPARTMENT

CONTRACT NO. 84Q/2025/26

REHABILITATION AND UPGRADE OF CLASS 4 AND 5 ROADS AND RELATED WORKS IN BONTEHEUWEL AND UITSIG

T1.1 Tender Notice and Invitation to Tender

The **CITY OF CAPE TOWN**, URBAN MOBILITY DIRECTORATE, Road Infrastructure Management Department, invites tenders for Tender No. **84Q/2025/26: REHABILITATION AND UPGRADE OF CLASS 4 AND 5 ROADS AND RELATED WORKS IN BONTEHEUWEL AND UITSIG**.

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 8CE 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, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town.

Documents may be collected during working hours between 08:30 – 15:00 from **17 October 2025**.

A non-refundable tender fee of R300.00 payable by cash or Electronic Funds Transfer (EFT) in favour of the City of Cape Town, is required on collection of the tender documents.

The Employer's Information Officer who is responsible for overseeing questions in relation to data protection may be contacted at via email Popia@capetown.gov.za. Additional contact details are provided in clause C.1.6.5.6 of the Tender Data.

Queries relating to any issues in these documents may be addressed to SCM.tenders8@capetown.gov.za

A non-compulsory but strongly recommended clarification meeting with representatives of the Employer will take place via Teams (https://teams.microsoft.com/join/19%3ameeting_ODg4Nzk4ZTgtZjdhOS00ZTY5LWE5ODYtZTc1MmFjZmUyMDIz%40thread.v2/0?context=%7b%22Tid%22%3a%22360b91a5-6eb3-411d-b652-fcc1bc93073b%22%2c%22Oid%22%3a%2245abc380-2593-47d0-bb7a-53dcad7de7b4%22%7d) Meeting ID: 323 607 924 917 3, Passcode: dM2HS2ap) on **31 October 2025** starting at **10:00**.

The closing time for receipt of tenders is **10:00** on **19 November 2025**.

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.

CITY OF CAPE TOWN

URBAN MOBILITY DIRECTORATE: ROAD INFRASTRUCTURE MANAGEMENT DEPARTMENT

CONTRACT NO. 84Q/2025/26

REHABILITATION AND UPGRADE OF CLASS 4 AND 5 ROADS AND RELATED WORKS IN BONTEHEUWEL AND UITSIG

T1.2 Tender Data

The conditions of tender 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 tender was advertised, save that if the Employer adopts a new SCM Policy which contemplates that any clause therein would apply to the contract emanating from this tender, such clause shall also be applicable to that contract. 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 rights and remedies available to it as described in the SCM Policy and / or applicable law.

The Employer is the City of Cape Town ("City" or "CCT"), represented by the Director: ROADS INFRASTRUCTURE MANAGEMENT DEPARTMENT: URBAN MOBILITY DIRECTORATE.

C.1.2	Tender Documents
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Add the following:

The documents issued by the employer for the purpose of this tender, is described in the **Contents** page preceding **Part T1: Tendering Procedures** of this document.

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

VOLUME 1: Drawings (listed in C3.2 Engineering) Download Tender drawings from:

<https://1drv.ms/f/c/efb66c4bfb9d4d62/ErrWq7lQfc9EmPPNuf1fYfKb-KEvMIb7LtOpVx8UT7clRw?e=G4eO8C>

VOLUME 2 : 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 3 : The COTO Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard October 2020 edition), issued by the Committee of Transport Officials. These publications are available and tenderers can download it

free of charge from the National Department of Transport's website (www.transport.gov.za/?page_id=1155).

- C1.2.1 The standard forms of contract and the applicable reference standards may also be reviewed, by appointment, at the offices of the Employer's agent during normal office hours.
The employer will only issue tender documents through its Tender Distribution Office as described on **T1.1 Tender Notice and Invitation to Tender**. Bidders who obtain documents through any means other than described herein, will not be known to the employer and may thus not receive tender notices and addendums.

It is the responsibility of bidders who obtain documents through any means other than described herein to notify the employer in accordance with C1.4 of these tender conditions that they are participating in the tender. The employer accepts no liability for any tender notices or addendums not reaching any bidders who obtained documents through any means other than described herein.

C1.4 **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 contact details are:

Name: SCM Department
Address:City of Cape Town
.....Civic Centre
..... 12 Hertzog Boulevard
.....Cape Town 8001
Tel: 021 400 0000
E-mail: SCM.tenders8@capetown.gov.za

C1.5 **Cancellation and Re-Invitation of Tenders**

Delete the fullstop at the end of C.1.5.1 d) and replace with , or

Add the following after C.1.5.1 d):

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

C1.6.2 **Competitive negotiation procedure**

Add the following to C.1.6.2.1:

A competitive negotiation procedure will not be followed.

C1.6.3 **Proposal procedure using the two-stage system**

Add the following between C.1.6.3 and C.1.6.3.1:

A two-stage system will not be followed.

Add the following after C.1.6.3.2.2

C1.6.4 **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.

C1.6.5 **Objections, complaints, queries and disputes/ Appeals in terms of Section 62 of the Systems Act/ Access to court**

C1.6.5.1 **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.

C1.6.5.2 **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.1.6.5.3 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).

For purposes of the contract and these Conditions of Tender, the terms "data subject", "Personal Information" and "Processing" shall have the meaning as set out in section 1 of POPIA, and "Process" shall have the corresponding meaning.

The Employer, its employees, representatives and sub-contractors may, from time to time, process the tenderer's and/or its employees', representatives' and/or sub-contractors' personal information, for purposes of, and/or relating to, the tender, the contract and these conditions of tender, for research purposes, and/or as 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 processing of the latter personal information by the Employer's due diligence assurance provider, professional advisors and the Appeal Authority as applicable. The Employer's justification for the processing of such aforesaid personal information is based on section 11(1)(b) of POPIA, i.e., in terms of which the Employer's processing of the said personal information is necessary to carry out actions for the conclusion and/or performance of the contract, to which the applicable data subject (envisaged in this clause 2.1.6.6 above) is a party.

All requests relating to data protection must be submitted in writing to:

The City Manager - C/o the Information Officer, 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: Popia@capetown.gov.za

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 and frivolous or otherwise manifestly inappropriate 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 using the GL Data Capture Receipt attached as annexure 'B' (see Schedule 26) . 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.

The current surcharge for vexatious and frivolous or otherwise manifestly inappropriate tender related appeals will be calculated as $\frac{1}{2}$ (Administrative cost of the tender appeal) + 0.25%(Appellant's tender price).

Should the payment of the administration fee of R300.00 or the surcharge not be received, such fee or surcharge will be added as a Sundry Tariff to the bidder's municipal account.

In the event where the bidder does not have a Municipal account with the City, the fee or surcharge 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.

C.2 Tenderer's obligations

C.2.1 Eligibility

C.2.1.1 *Delete the clause and replace with the following:*

Tenderers are obligated to submit a tender offer that complies in all aspects to the conditions as detailed in this tender document. An 'acceptable tender must "COMPLY IN ALL aspect with the tender conditions, specifications, pricing instructions and contract conditions.

Add the following after C.2.1.2:

C.2.1.3 Only those tender submissions from which it can be established that a clear and unambiguous offer has been made to Employer, by whom the offer has been made and what the offer constitutes, will be declared responsive.

C.2.1.4 Only those tenders that satisfy the following criteria will be declared responsive:

C.2.1.4.1 **Construction Industry Development Board (CIDB) Registration**

Only those tenderers who are registered with the cidb, or capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations, for a 8CE class of construction work, are eligible to have their tenders evaluated. Tenderers must obtain such active status upon being requested to do so in writing and within the period contained in such a request, failing which their tenders will be declared non-responsive.

Joint Ventures are eligible to submit tenders provided that:

- every member of the joint venture is registered with an active status with the CIDB;
- the lead partner has a contractor grading designation of not lower than one level below the required grading designation in the class of construction work; and
- the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 8CE class of construction work or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.

For alpha-numerics associated with the contractor Grading Designations see Annex G attached.

C.2.1.4.2 **Compliance with requirements of CCT SCM Policy and procedures**

Only those tenders that are compliant with the requirements below will be declared responsive:

- A completed **Compulsory Enterprise Questionnaire** to be provided (applicable schedule to be completed);
- A completed **Certificate of Authority for Partnerships/ Joint Ventures/ Consortiums** to be provided authorising the tender to be made and the signatory to sign the tender on the partnership /joint venture/consortium's behalf (applicable schedule to be completed);
- A copy of the partnership / joint venture / consortium agreement to be provided;
- A completed **Declaration of Interest – State Employees** to be provided and which does not indicate any non-compliance with the legal requirements relating to state employees (applicable schedule to be completed);
- A completed **Declaration – Conflict of Interest and Declaration of Bidder's past Supply Chain Management Practices** to be provided and which does not indicate any conflict or past practices that renders the tender non-responsive based on the conditions contained thereon (applicable schedules to be completed);
- A completed **Certificate of Independent Bid Determination** to be provided and which does not indicate any non-compliance with the requirements of the schedule (applicable schedule to be completed);
- The tenderer (including any of its directors or members), has not been restricted in terms of abuse of the Supply Chain Management Policy;
- The tenderer's tax matters with SARS are in order, or the tenderer is a foreign supplier that is not required to be registered for tax compliance with SARS;
- The tenderer is not an advisor or consultant contracted with the Employer whose prior or current obligations creates any conflict of interest or unfair advantage;
- The tenderer is not a person, advisor, corporate entity or a director of such corporate entity, involved with the bid specification committee;
- A completed Authorisation for the Deduction of Outstanding Amounts Owed to the City of Cape Town to be provided and which does not indicate any details that renders the tender non-responsive based on the conditions contained thereon (applicable schedules to be completed);
- The tenderer (including any of its directors or members), has not been found guilty of contravening the Competition Act 89 of 1998, as amended from time to time;