

MAAA 0090336

D/SM 9/24

DEVIATION: EXTENSIVE INFRASTRUCTURE DAMAGES CAUSED BY HEAVY RAINS IN THE WESTERN CAPE OVER THE LONG WEEKEND OF HERITAGE DAY (24-26 SEPTEMBER 2023) DISCOVERED AFTER 06 OCTOBER 2023



MEMORANDUM

CHECK BEFORE SUBMISSION	YES	NO
REGISTERED ON CSD DATABASE		
LETTER - SOLE SUPPLIER if applicable.		
QUOTE/INVOICE ATTACHED		
BUDGET (SAMRAS)		
CASHFLOW		
SIGNATURES		

INFRASTRUCTURE SERVICES

Water and Wastewater Services

To / Aan: MUNICIPAL MANAGER

From / Van: DIRECTORATE: INFRASTRUCTURE SERVICES

Job Title: SENIOR MANAGER – ESSENTIAL SERVICES
(Water & Wastewater Services)

Date / Datum: 10 November 2023

Re / Insake: DEVIATION: EXTENSIVE INFRASTRUCTURE DAMAGES CAUSED BY HEAVY RAINS IN THE WESTERN CAPE OVER THE LONG WEEKEND OF HERITAGE DAY (24-26 SEPTEMBER 2023) DISCOVERED AFTER 06 OCTOBER 2023

1. PURPOSE

To obtain approval in terms of Supply Chain Management Policy, to deviate from the official procurement process in terms of Section 36 of the approved SCM Policy

REASON FOR DEVIATION: (Mark with x where applicable)		
1.	Emergency. "Emergency dispensation" means emergency as referred to in paragraph 36(1)(a)(i) of this policy under which one or more of the following is in existence that warrants an emergency dispensation;	
a	The possibility of human injury or death;	
b	The prevalence of human suffering or deprivation of rights;	
c	The possibility of damage to property, or suffering and death of livestock and animals;	
d	The interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole;	
e	The possibility of serious damage occurring to the natural environment;	X

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	f	The possibility that failure to take necessary action may result in the municipality not being able to render an essential community service;	
	g	The possibility that the security of the state could be compromised; or	
	h	The prevailing situation, or imminent danger, should be of such a scale and nature that it could not readily be alleviated by interim measures, in order to allow time for the formal procurement process. Emergency dispensation shall not be granted in respect of circumstances other than those contemplated above.	X
2.		Goods or services are produced or available from a single provider	
3.		Acquisition of special works of art or historical objects where specifications are difficult to compile.	
4.		Acquisition of animals for zoos and /or nature and game reserves	
5.		Exceptional case and it is impractical or impossible to follow the official procurement processes	X

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2. SUBSTANTIATE WHY SCM PROCESS COULD NOT BE FOLLOWED (TO BE REPORTED TO COUNCIL)

Heavy rains from the 24 – 26 September 2023 caused severe infrastructure damage from the resulting flooding conditions. The storm led to huge damages to road, electricity and water and wastewater infrastructure which made it impossible to deliver essential services to the affected areas.

Gravity sewers/pipelines transport raw sewage by gravity to the Wastewater Treatment Works. Damage to these pipelines is an emergency, as it always results in substantial sewerage spills. This will essentially cause extensive damage to the natural environment, including increased risk to human health, farming activities and pollution to ground water resources.

The Water and Wastewater Services department attended to each critically damaged pipeline (water and Wastewater) as soon as damages were discovered. The damages discovered prior to 06 October 2023 included a section of the Main Gravity Sewer transporting the bulk of sewage from Franschhoek Town to the Wemmershoek WWTW.

The department only became aware of damage to the 110mm Diameter Gravity sewer/pipeline in Elands Road going past Dirkie Uys Street, Franschhoek on the 23rd October 2023 when a site meeting was called by effected property owners. An approximate length of 950 meters of the pipeline is damaged. The delay in those effected reporting this to municipality or the municipality discovering the damaged service was due to the extensive damage to the roads in the vicinity. Temporary road repairs and clearing of debris, allowed access and thus the subsequent discovery of the damaged services.

The Stellenbosch Municipality is obligated through the National Environmental Management Act, 1998 (NEMA), Section 28 (3) (c) to "*cease, modify or control any act, activity or process causing pollution or degradation;*" and Section 28 (3) (c) to "*eliminate any source of the pollution or degradation;*"

No interim measure is possible as installing gravity sewers above ground cannot work for transporting sewer by gravity.

3. BACKGROUND

On 24 September 2023, a media release (Annexure B) was received from the Western Cape Government to inform local municipalities that a Disaster Centre was activated due to the intensity of the storm that approached parts of the Overberg, Cape Winelands, and Garden Route over the long weekend of Heritage Day. The initial Level 6 Impact Warning for heavy rains was increased to a Level 9 Impact for torrential rains.

The area that was hit the hardest by the weather conditions was the Franschhoek Valley. The driest month in Franschhoek is normally February, with 25 mm of rain. The month with the highest

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precipitation average is normally June, with an average of around 128mm. (Reference: climate-data.org/africa/south-africa/western-cape/franschhoek).

It can be confirmed that the quantity of rain that was recorded from the 24th until the 25th of September 2023, by the rainfall station in Franschhoek was an enormous 299mm. Heavy rainfall forced several rivers to break their banks, destroying infrastructure, causing electricity outages and flooded homes and farmland in the valley. This was evident in the damages and devastation of the storm after tourist and residents were temporarily stranded after widespread flooding washed away roads, pipelines and bridges. Several parts of the town were without water, electricity and totally stranded due to the exceptional impact of the mudslides.

The Directorate: Infrastructure Services has been working overtime to rehabilitate the damaged infrastructure to its original state to enable service delivery. Various teams had to be deployed to the affected areas to perform proper clean-up actions and to gain access to the municipal infrastructure to finalise the assessments to determine the financial implication of the storm damages. It must be noted that not all sewer and water pipes could be accessed for assessment until the water levels lowered and roads had been made accessible.

Furthermore, the clean-up actions assisted the directorate to evaluate the extent and implications of previously undiscovered storm damages.

CRITICAL IMPACT OF STORM DAMAGES DISCOVERED AFTER 06 OCTOBER 2023

WATER AND WASTEWATER SERVICES

The flooding damaged various water and sewer mains as well as gravity sewers.

The additional damage to the sewer network was discovered on 23 October 2023 namely:

- Elands Road intersecting with Dirkie Uys Street, Franschhoek 110 mm diameter sewer pipe

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WATER & WASTE WATER SERVICES

**1. Elands Road intersecting with Dirkie Uys Street,
Franschhoek 110 mm dia. sewer pipeline damage:**

The damages to the 110 mm sewer pipeline including house connections and manholes occurred during the massive rainstorms and landslides in the Franschhoek area. The sewer pipeline is currently exposed with various sections of the pipeline, manholes and house connections broken/severed. As a result, the raw sewerage is currently spilling in this area that's causing unhealthy conditions.



Figure 1: The 110 mm diameter is approximately 950 m in length with 13 manholes services farms in this area.



Pictures: The 110 mm sewer diameter damages

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MOTIVATION FOR DEVIATION

The Municipality does not have the ability to repair this type and scale of damage without the assistance of external specialist service providers. The repair requires specialized machinery (Excavators, Cranes, etc.) and complex civil engineering repair techniques.

Due to the aforementioned, the case for this deviation can thus be motivated for two reasons: 1) an **"emergency"** and/or as 5) **"exceptional case"**.

Option 1) calls for an "emergency dispensation" of municipal funds, in accordance with Section 36.1 of the Supply Chain Management Policy.

Option 5) is deemed as an exceptional case and it is impractical or impossible to follow the official procurement processes to timeously appoint a service provider.

The implications of either of the reasons call for the funds to be made available to appoint service providers to repair the additional critical services as a result of the storm damages.

4. DISCUSSION

The storm led to huge damages to the road infrastructure which made it impossible to deliver essential services to the affected areas.

To address the current emergency repair to the abovementioned sewer infrastructure services it is imperative to appoint a specialist service provider to reinstate the services to its original state or temporary repairs where applicable, in order for service delivery to effectively continue.

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5. FINANCIAL IMPLICATIONS

It must be noted that the attached quotes are the full cost for repair. Emergency repair works will be funded from the Sewer Pipe replacement U-key.

- R539 076,50 excl. VAT as quoted by NEJENI
- or
- R503 240,00 excl. VAT as quoted by EXEO

The Quotes are attached to this Deviation as Annexure A.

6. CONCLUSION

It is therefore requested that approval be given to deviate from the official procurement process in terms of Section 36 of the approved SCM Policy to meet legislative requirements, reduce the negative impacts of the flood and allow for all services to be returned to operations as before. Each department will submit a comprehensive close out report with all the categories, quotations, reconciliation of payments on completion of all the infrastructure re-instatement works.

7. RECOMMENDATION

It is recommended that the deviation for the appointment of: EXEO (@ R503 240,00 excl. VAT), as specialist service provider, to repair damages to the sewer pipeline, detected after the clean-up process and the exposure of the services, be considered for approval.



**SHANE CHANDAKA
INFRASTRUCTURE SERVICES**

Date: 10/11/2023

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7. SUPPLY CHAIN MANAGEMENT COMMENTS:

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8. APPROVAL:

REQUEST SUPPORTED / NOT SUPPORTED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
Comments: <i>Support the appointment of EXEO as a</i> <i>Democrat. All SCM compliance checks to be performed.</i>		
CHAIRPERSON <i>[Signature]</i>		DATE <i>10/10/2023</i>
RECOMMENDATION FROM BID ADJUDICATION COMMITTEE APPROVED BY THE ACCOUNTING OFFICER		
Approval granted for deviation Comments: <i>This is urgent as it can pollute groundwater and lead to possible</i> <i>Directives i.t.o. Nema which the municipality is. Accounting officer is</i> <i>held criminally liable for. If this is not fixed asap it will lead to unrecal-</i> <i>law offence being discharged in the river & groundwater. It should be</i> <i>noted that this was only discovered later as by accessibility to requests</i> <i>had to be obtained and physical infrastructure needed to be repaired.</i>		
ACCOUNTING OFFICER <i>[Signature]</i>		DATE <i>10/11/2023</i>

NB We also had to wait for water to subside and access to infrastructure was only discovered after access and other repairs was done. Department letter to test market by obtaining two quotes. Due to the fact that this raw sewage effluent and other sample will far exceed allowable values. 5 Service providers were contacted. Please advise BAC on decision. 2023/2024

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Annexure A – Quotes

ensure that all the
Decisions above complies with all the SCM governance requirements


