

TENDER NO. 90Q/2022/23



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

SCM – 663 | Approved by Branch Manager: 03/04/2020

Version: 5

Page 1 of 272

FRAMEWORK CONTRACT DOCUMENT (WINNER-TAKES-ALL TYPE)

FOR THE

PRIORITY PROGRAMME : REPAIR & REPLACEMENT OF ELECTRICAL RETICULATION AT RENTAL STOCK - AREA 4 (SOUTH)

Framework Contract Period: Three Years from Commencement Date

Works Projects: Above R0 up to R20 000 000

VOLUME 1: TENDERING PROCEDURES

NOTE:

- The Form of Offer and Acceptance (C1.1) is on **page 36** of this document
- Table 1: Tender preference claim (B-BBEE contribution) is on **page 137** of this document

ISSUED BY:	COMPILED BY:	For official use.
DIRECTOR: HUMAN SETTLEMENTS CITY OF CAPE TOWN Tower Block, Civic Centre 12 Hertzog Boulevard CAPE TOWN 8001	PUBLIC HOUSING DEPARTMENT UPDGRADES AND MAINTENANCE BRANCHES CITY OF CAPE TOWN	TENDER SERIAL No.:
		SIGNATURES OF CITY OFFICIALS AT TENDER OPENING
		1.
		2.
		3.

January 2021

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)	

CITY OF CAPE TOWN

PUBLIC HOUSING DEPARTMENT

CONTRACT NO. 90Q/2022/23

PRIORITY PROGRAMME : REPAIR & REPLACEMENT OF ELECTRICAL RETICULATION AT RENTAL STOCK - AREA 4 (SOUTH)

General Tender Information

TENDER ADVERTISED	:	02 September 2022
CIDB CONTRACTOR GRADING DESIGNATION	:	6EB or higher
SITE VISIT/CLARIFICATION MEETING	:	10h00 on 13 September 2022 (Non Compulsory)
VENUE FOR SITE VISIT/CLARIFICATION MEETING	:	Via the Skype Meeting Platform. Tenderers are hereby requested to forward the names and relevant e-mail addresses of those who will be in attendance, to the Employer's Agent: Sue-Anne Verhoog, Tel No. 021 400 9449, e-mail sue-anne.verhoog@capetown.gov.za ; prior to the meeting taking place.
CLOSING DATE	:	04 October 2022
CLOSING TIME	:	10h00
TENDER BOX & ADDRESS	:	Tender Box 174 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'

CITY OF CAPE TOWN

PUBLIC HOUSING DEPARTMENT

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PRIORITY PROGRAMME : REPAIR & REPLACEMENT OF ELECTRICAL RETICULATION AT RENTAL STOCK - AREA 4 (SOUTH)

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CITY OF CAPE TOWN

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CONTRACT NO. 90Q/2022/23

PRIORITY PROGRAMME : REPAIR & REPLACEMENT OF ELECTRICAL RETICULATION AT RENTAL STOCK - AREA 4 (SOUTH)

T1.1 Tender Notice and Invitation to Tender

The **CITY OF CAPE TOWN**, PUBLIC HOUSING DEPARTMENT, invites tenders for Tender No. **90Q/2022/23: PRIORITY PROGRAMME : REPAIR & REPLACEMENT OF ELECTRICAL RETICULATION AT RENTAL STOCK - AREA 4 (SOUTH)**

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 6EB 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 **02 September 2022**. For further information regarding tender documents contact Mr A Van Heerden, Phone (021 400-2505).

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 Sue-Anne Verhoog, Tel No. 021 400 9449, e-mail sue-anne.verhoog@capetown.gov.za

A non compulsory but strongly recommended briefing session will be held on 13 September 2022, via the Skype Meeting Platform. Tenderers are hereby requested to forward the names and relevant e-mail addresses of those who will be in attendance, to the Employer's Agent: Ms Sue-Anne Verhoog; e-mail address: sue-anne.verhoog@capetown.gov.za ; prior to the meeting taking place.

The closing time for receipt of tenders is **10:00 on 04 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.

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.'
- 1.8 The Employer's Information Officer who is responsible for overseeing questions in relation to data protection may be contacted at Popia@capetown.gov.za.

CITY OF CAPE TOWN

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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: HUMAN SETTLEMENTS.

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) (Refer to CD/DVD issued with the tender document)

VOLUME 5: The Principal Building Agreement Edition 6.2, May 2018 as prepared by the Joint Building Contracts Committee Incorporated. This publication is available and tenderers must obtain copies at their own cost.

VOLUME 6: The General Preambles for Trades 2017 as published by the Association of South African Quantity Surveyors

Volumes 5 and 6 may also be inspected, by appointment, at the offices of the Principal Agent during normal office hours.

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

Add the following to C.1.3.3:

- | | |
|---------|--|
| C.1.3.3 | <ul style="list-style-type: none">g) framework contract means the Framework Contract defined in Part C1.2 Contract Datah) standby panel means Standby Panel defined in Part C1.2 Contract Datai) winner means Winner defined in Part C1.2 Contract Dataj) winner-takes-all means the basis on which the highest ranked contractor in area 4, "the winner" in terms of the framework tender evaluation, is allocated work on an on-going basis, unless he refuses a work opportunity (or if his offer is non-responsive/invalid), in which |
|---------|--|