



REPORT TO: HUMAN SETTLEMENTS PORTFOLIO COMMITTEE

1. ITEM NUMBER: HS 13/05/21

2. SUBJECT

STATUS REPORT ON HUMAN SETTLEMENTS CANCELLED - REPLACEMENT TENDERS

ONDERWERP

STATUSVERSLAG OOR MENSLIKE NEDERSETTINGS GEKANSELLEERDE - VERVANGINGSTENDERS

ISIHLOKO

URHOXISO LWENGXELO ENGOBUME BEZOKUHLALISWA KOLUNTU – UKUFAKELWA KWEETHENDA

3. DELEGATED AUTHORITY

In terms of delegation

This report is FOR NOTING BY

- Committee name** : Human Settlements Portfolio Committee
- The Executive Mayor together with the Mayoral Committee (MAYCO)
- Council

4. DISCUSSION

This report provides an overview of cancelled tenders with their replacement status, due to AGSA finding on advertising with Local Office as a responsiveness criteria and regarding it as being biased and restrictive.

Financial Implications None Opex Capex
 Capex: New Projects
 Capex: Existing projects requiring additional funding
 Capex: Existing projects with no additional funding requirements

Policy and Strategy Yes No

Legislative Vetting Yes No

Legal Compliance

Staff Implications Yes No

Risk Implications Yes No

5. RECOMMENDATIONS

That the report be noted by the Human Settlements Portfolio Committee

AANBEVELING

Dat die portefeuljekomitee oor menslike nedersettings van die verslag kennis neem.

IZINDULULO

Ukuba ingxelo mayiqwalaselwe yiKomiti yeSebe lezokuHlaliswa koLuntu.

ANNEXURES

- 1. Annexure A - HS Cancelled - Replacement Tenders

FOR FURTHER DETAILS CONTACT

EXECUTIVE DIRECTOR

NAME	Nolwandle Gqiba	COMMENT:
DATE		
SIGNATURE	<div style="border: 1px solid black; width: 200px; height: 40px;"></div>	

LEGAL COMPLIANCE

- REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.
- NON-COMPLIANT

NAME		COMMENT:
DATE		
SIGNATURE	<div style="border: 1px solid black; width: 200px; height: 40px;"></div>	

Approval Form
Supported for inclusion on the agenda



STATUS REPORT HS CANCELLED/REPLACEMENT TENDERS

Report Reference: 517345
Meeting: Section 79 Portfolio Committee - Human Settlements
Meeting Date: 06.05.2021
Meeting Venue: Meeting Room A 5TH Floor Podium

Contact Person: Johann Dreyer
Contact Telephone: 0834599984
Contact Email: JOHANN.DREYER2@CAPETOWN.GOV.ZA

Item	Section	Approver	Approval	Approved Date	Approver Comments
01	Author	Johann Dreyer	Approved	19.04.2021 14:41:13	
02	Director	Nolwandle Gqiba	Approved	20.04.2021 12:29:28	
03	Executive Director	Nolwandle Gqiba	Approved	20.04.2021 12:45:11	
04	Legal Compliance	Jason Sam Liebenberg	Approved with Comments	21.04.2021 15:10:29	For information.

ECS Officer: Cynthia Minnaar

Cancelled Tender No	Project Description	Dept.	Cancelled Tender CRbD	Replacement DP/ New Tender No	New Tender CRbD	Date BIF / Spec Submission	Status	Comment
039Q/2019/20	Contractor for Construction of Civil Services - Maroela Housing Project (Northern Precinct)	HD	2020-08-01	DP5723_2019/20	2023-08-01	2022-08-01	00. Awaiting BIF/Spec	Tender replacement has been moved out due to Land Invasion. Line to resubmit BIF and Spec to restart the process and agree on new timeline based on the revised CRD. New BIF/Spec submission due 01.08.2022
045Q/2019/20	Construction of civil engineering services, top structures and bulk upgrades for the Sir Lowry's Pass Village Housing Project on a portion of Farm 1438	HD	2020-05-01	067Q/2020/21	2021-07-01	BIF Received 2020/06/16	08.Evaluation	25.11.2020 - 1st BEC to be held. Chairperson to submit legal request i.t.o an erroneous clarification letter submitted to a tenderer. 27.11.2020 - Legal request submitted and awaiting feedback. 15.12.2020 - Submitted e-mail on status of legal response. 10.02.2021 - Legal advised matter has been assigned to Senior Advisor. 08.03.2021 - Legal Advisor awaiting draft memorandum from PPO and Manager for approval, once approved, will provide advise to our Line department. 31.03.2021 Awaiting signed MOA from Principal Legal Advisor 09.04.2020 – 02nd BEC to be held. 16.04.2021 - Draft report to be submitted to SCM and Moore for assurance report.
137Q/2019/20	Civil services contract pertaining to the proposed Delft ACSA - Symphony Way Housing Development: Area A	HD	2020-04-01	101Q/2020/21	2021-07-01	BIF Received 2020/06/09	09.Drafting Report	12.11.2020 - Received schedule from the scheduling unit. 22.12.2020 – 01st BEC set up for the 26 January 2021. 26.01.2021 - 1st BEC held 29.01.2021 - Clarification letters to be submitted to SCM. 10.02.2021 – Draft Clarification letter sent to SCM 11.02.2021 – Clarification letters to be sent to tenderers. 17.02.2021 - Clarification responses due. 10.03.2021 - 2nd BEC to be held. 29.03.2021 - Award report to be submitted to SCM 29.03.2021. Due diligence and Moore assurance report to be completed. 31.03.2021 - PM confirmed BAC drafted and sent to SCM on 30/03/2021.
138Q/2019/20	Civil services contract pertaining to the proposed Delft ACSA - Symphony Way housing development for Area B	HD	2020-05-01	102Q/2020/21	2021-07-01	BIF Received 2020/06/09	09.Drafting Report	11.11.2020 - Received schedule from the scheduling unit. 22.12.2020 - 1st BEC set up for 27 January 2021. 10.02.2021 - Clarification letters drafted and submitted to SCM. 24.02.2021 - Department confirmed all clarifications received. SCM to confirm date of second BEC. 11.03.2020 - 2nd BEC to be held. 29.03.2021 - Draft report to be submitted to SCM. Moore to perform assurance report and DOI and debt review to be completed. 31.03.2021 - PM confirmed BAC drafted and sent to SCM on 30/03/2021.
161Q/2019/20	Appointment of Panels of Civil Engineering Contractors for the Construction of Civil Infrastructure related to Government Subsidised Housing Developments	HD	2020-05-01	23Q/2020/21	2021-07-01	BIF Received 2020/06/02	09.Drafting Report	11.11.2020 - PM confirmed "For Tender 23Q/2020/21 (Panel of Civil Engineering Contractors) the BAC Report was completed and submitted to the SCM Practitioner for vetting on the 10 November 2020. It was however agreed to not submit this report to the BAC, as a similar clause for which a legal opinion was requested for 14Q, was stated in 23Q. As soon as the legal opinion is obtained, a further decision reading this tender will be made. 09.02.2021 - Legal is awaiting the attorney firm to advise on Senior Attorney that will deal with the matter. 09.03.2021 - Legal confirmed appointment of external advisory representative. Current Milestone "Report Ready due 18.01.2021" is awaiting legal outcome. 30.03.2021 - PM received draft external legal opinion to continue with the procurement process for both panel tenders. A further session to be held with Snr Counsel before formal advise will be provided. 01.04.2021 - BEC requested too meet to discuss the feedback from legal. 15.04.2021 - 02nd BEC to be held.
122S/2018/19	General Cleaning, Garden Maintenance at Various Facilities Incl. Supply of Containers for the City of Cape Town	PH	2019-05-01	DP5826_2019/20 (New Tender #: 325S/2020/21)	2021-11-01	BIF Received 2020/09/30	04. Compiling Documents	19.11.2020 - Submitted e-mail to Moore for the rates of specialist. 07.12.2020 - 1st BSC held. 17.02.21 - Meeting cancelled due to member not available & no quorum. SCM attempted to have meeting next day but no response. 24.02.2021 - 2nd BSC held. 05.03.2021 - Final document to be submitted to SCM for Moore assurance report. 11.03.2021 - Final spec doc received from PM and submitted to Moore for assurance report. 17.03.2021 - Moore to provide assurance report. 06.04.2021 – 03rd BSC was held. 12.04.2021 – Directors Approval received. Tender and Box number to be obtain - Tender and BOX number Obtained, Tender In preparation for advertising. 23.04.2021 – Tender Advertised 25.05.2021 – Tender Closed
356Q/2018/19	Term Tender for Adhoc Roofing, Carpentry & Joinery at Various Facilities in the Cape Town Municipal Areas	PH	2019-05-01	282Q/2020/21 276Q/2020/21 275Q/2020/21 273Q/2020/21	2021-11-01	BIF Received 2020/09/30	08. Evaluation 07. Scheduling	16.04.2021 - 273Q (Evaluation) - Clarification letters due to SCM. 275Q (Scheduling) - Tender sent to scheduling unit to be scheduled Tender bids to be scheduled.1st BEC to be scheduled. Extended closing date of tender was 23/03/2021. 16.03.2021 - 24.03.2021 - 276Q - (Scheduling) - 24.03.2021 - 282Q - (Scheduling) -

Cancelled Tender No	Project Description	Dept.	Cancelled Tender CRbD	Replacement DP/ New Tender No	New Tender CRbD	Date BIF / Spec Submission	Status	Comment
357Q/2018/19	Term Tender for Repairs, Maintenance and Upgrading of Staircases at Various Facilities for the City of Cape Town Municipal Areas	PH	2019-05-01	DP5827_2019/20	2021-12-01	2020-12-01	03.BIF Complete	<p>13.01.2021 - Time-lines signed by PM.</p> <p>25.01.2021 - PM submitted specification documentation.</p> <p>26.01.2021 - PM to advise Moore specialist.</p> <p>27.01.2021 - PM confirmed specialist.</p> <p>01.02.2021 - Submitted request for comprehensive due diligence approval to Belinda.</p> <p>04.02.2021 - Manager SCM approved comprehensive due diligence.</p> <p>09.02.2021 - PO to be provided.</p> <p>15.02.2021 - PO obtained.</p> <p>19.02.2021 - Letter of instruction sent to Moore. CV's obtained from Moore and submitted to BSC members for recommendation.</p> <p>03.03.2021 - Follow up e-mail for approval of CV's.</p> <p>14.04.2021 - 1st BSC scheduled for 16/04/2021.</p>