

SUPPLY CHAIN MANAGEMENT DEVIATIONS TO THE SCM REGULATIONS & SCM POLICY REPORT FOR THE PERIOD: 01 APRIL 2016 TO 30 APRIL 2016

No.	CM Ref No.	CMO log no.	Directorate	Project Title	Objective/Explanation/ Comments Provided by the Author	Recommendation of report	Total Value Requiring ratification by CM (R's) [Excl. VAT]	Reasons for Deviation	Responsible/ Accountable Official	Date & time received by OCM	Date approved by City Manager	CM Comments/ Comments for Approval	Additional Comments
1.	CM 01/02/16 SCMB 23/02/16 – CM40001	CM 40001	EESP	SCMB 23/02/16 – Request for deviation: Tender No. 274C/2014/15: Provision of Professional Services: Medium Term Infrastructure Investment Framework	To obtain approval in terms of clause 264 of the Supply Chain Management Policy for an increase in contract sum only. The costs to be incurred fall within the Energy, Environmental and Spatial Planning Directorate/Spatial Planning and Urban Design Department Budget to implement the medium Terms Infrastructure Investment Framework (MTIF)	It is recommended that for the reasons set out in the report, and in accordance with clause 264 of the Supply Chain Management Policy, the contract sum in respect of contract number 274C/2014/15 Provision of Professional Services: Medium Terms Infrastructure Investment Framework awarded to AECOM SA (Pty) Ltd <b>BE INCREASED</b> by an amount of R1 239 080.00 from R8 268 156 80.00 to R9 527 236 80.00 (all amounts excluding VAT).	R1 239 080.00 [Excl. VAT]	Exceptional Circumstance	Cause Rabe	30/03/2016 @12:45	01/04/2016	As recommended by the SCMBAC the request for a deviation in terms of paragraph 308.5 of the CoCT SCM Policy to appoint AECOM SA (Pty) Ltd for the provision of Professional Services for the Medium Term Infrastructure Investment Framework <b>BE APPROVED</b> at the same terms and conditions under Tender no. 274C/2014/15 in the amount of R1 239 080.00 [excl. VAT].	A new tender process was followed and the SCMBAC awarded Tender no. 274C/2014/15 which commenced in May 2015 for completion in December 2016. A third land use scenario into the medium term infrastructure investment framework is required as the only course of action as part of the MTIF programme. The <u>exceptional circumstance</u> are that it is impractical and impossible to follow any other process as a full tender process has been followed and the services are required as a continuation of the original brief. The SCMBAC at its meeting on 8 February 2016 resolved that the extension be recommended subject to the compliance with Section 116(3) of the MFMA. A public participation process has been concluded and the matter was tabled at Moyca on 15 March 2016.
2.	CM 07/03/16 SCMB 71/03/16	CM 40056	Utility	SCMB 71/03/16 – Request for deviation: Design, Manufacture, Testing at Manufacturer's Works, Supply, Delivery, Installation, Testing and Commissioning of Transformer Fire Protection: W010160107	To obtain approval in terms of clause 308 of the Supply Chain Management Policy sub-clause 5.2 for deviation from the official procurement processes and for condonation in terms of clause 310 of the policy for the appointment of a service provider to deliver the required services. The costs to be incurred fall within the Utility Services: Electricity budget to implement the manufacturing, supply, delivery, installation, testing and commissioning transformer fire protection.	It is recommended that: a) The official procurement process established and adapted <b>BE DISPENSED</b> with in terms of clauses 308 of the Supply Chain Management Policy, sub-clause 5.2. b) The non-compliance with quotation conditions of not submitting the NRS 040 Responsible Person document and the use of correction fluid <b>BE NOTED</b> as it is not material or substantial. c) Whip Fire Projects (Pty) Ltd <b>BE APPOINTED</b> to render the manufacturing, supply, delivery, installation, testing and commissioning of transformer fire protection, for three years from date of commencement, at the rates as per annexure B, in accordance with Quote no. W010160107/2015/16	Subject to budget R 2 m	Exceptional Circumstance	Edgar Capes	04/04/2016 @10:37	05/04/2016	As recommended by the SCMBAC a deviation in terms of paragraphs 308 and 309 of the CoCT SCM Policy <b>BE APPROVED</b> as follows:  (a) appoint Whip Fire Projects (Pty) Ltd for the manufacturing, supply, delivery, installation, testing and commissioning of transformer fire protection in accordance with Quote No. W010160107, for a period of 3 years from date of commencement of contract.  (b) ratify the minor breach of the procurement process which has subsequently been corrected, as it is not material or substantial.	The Electricity Department business plan for the next 5 years includes the installation of various new power transformations at substations to ensure reliability of supply to customers. A number of transformers have been installed which now require the fire protection to be installed. The previous tender expired in June 2014 and a new tender (Tender 114Q/2014/15) was advertised and three tenders were received but were all non-responsive due to failing to correctly complete the tender documentation and the tender was cancelled on administrative grounds. Quote 72Q/2015/16 was issued and no response was received. After consultation with SCM a RFQ was issued and only one proposal was received. The quote documentation had minor breaches of the procurement process by not submitting the NRS 040 Responsible Person document and the use of correction fluid on certain pages, but did initial these edits which are not material or substantial as it does not refer to any quoted rates. The relevant department has motivated that it is not in the best interest of the City to not re-issue the tender as the market has been tested and will lead to a risk for the City of transformers being unprotected of possible fire hazards. Furthermore it is now urgently required to install fire protection at recently completed facilities due to the risk of operating indoor power transformers without suitable protection systems and going out to tender will delay the work by at least 6 months. The <u>exceptional circumstance</u> is that it is impossible and impractical to follow a full tender taking into account the time constraints.
3	CM 08/03/16 SCMB 72/03/16	CM 40057	Utility	SCMB 72/03/16 – Request for deviation and/or condonation: Manufacture, Testing, Supply and Delivery of Pillar Boxes, Meter Kiosks, Distribution Kiosks and Service Pillars	To obtain approval in terms of clause 308 of the Supply Chain Management Policy, sub-clause 1 and 5, for deviation from the official procurement processes. The costs to be incurred fall within the Consolidated Stock Account – Purchase No 300 000 in the first instance as the equipment is	It is recommended that a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clauses 308 of the Supply Chain Management Policy, sub-clauses 1 and 5. b) Polybox Enterprises (Pty) Ltd (Item 1) and Power Process System	As per price list agreement	Exceptional Circumstance	John Graham	04/04/2016 @10:37	05/04/2016	As recommended by the SCMBAC a deviation in terms of paragraphs 308.5 of the CoCT SCM Policy for the appointment of Polybox Enterprises (Pty) Ltd (Item 1) and Power Process System (Pty) Ltd (Items 2 to 6) for the manufacture, supply and delivery of steel pillar boxes, meter kiosks, distribution kiosks and service pillar <b>BE APPROVED</b> in accordance with price list agreement R091600260 from date of approval by the City Manager until 30 June 2016.	The Electricity Department has a current tender, Tender 460G/2011/12 which was extended and is valid until 30 June 2016 after following a Section 116 process. The contractor for the steel kiosk range ceased deliveries and after a process of engagement advised that they were going into liquidation. An advert for a six month Price List Agreement (PLA) was processed to put a replacement contractor in place to ensure delivery of an essential service. The stock in the Stores has been

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					purchased to stock, and are later re-allocated to the appropriate capital or operating budget as and when the equipment is issued from stores.	(Pty) Ltd (Items 2 to 6) <b>BE APPOINTED</b> to manufacture, supply and deliver steel Pillar Boxes, Meter Kiosks, Distribution Kiosks and Service Pillars in accordance with the specification, terms and conditions of Price List Agreement R091600260 during the period from award of contract until 30/06/2016							depleted and numerous electricity distribution system projects are now either at a standstill or significantly retarded. The replacement tender is not yet ready to be advertised and the only remaining option to purchase the essential stock for the balance of the 2015/16 financial year is a formal deviation from the SCM process. The <u>exceptional circumstance</u> is that it is impossible and impractical to follow a full tender process taking into account the time constraints and the urgency to obtain essential stock for the ongoing needs of current projects which includes the <u>Backyarders Project</u> .
4	CM 09/03/16 SCMB 76/03/16	CM 40058	CORC	SCMB 76/03/16 - Request for deviation and condonation: Payment of SAP-ERP Software Licences: Annual Maintenance Fees	To obtain approval in terms of clause 308.2 of the Supply Chain Management Policy, to deviate from the official procurement processes to enact payment to SAP South Africa is the sole service provider for the annual SAP software maintenance. The costs to be incurred fall within the Corporate Services, Transport for Cape Town and Safety & Security Directorate Budgets	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clause 308 of the Supply Chain Management Policy, sub-clause 2, for the reasons as set forth under 6 of this report b) The payment of R37 683 147,00 for the period 1 January 2016 to 31 December 2016 (payable in December 2016) for the licensing of the SAP Products deployed within the City of Cape Town, to the sole provider of this service SAP Africa. <b>BE APPROVED</b>	R37 683 147 00 (excl. VAT)	Sole provider	Rudy Abrahams	04/04/2016 @10:37	05/04/2016	As recommended by the SCMBAC the request to condone and appoint in terms of paragraph 308.2 & 310 of the CoCT SCM Policy of SAP Africa for the provision of licensing of SAP products deployed within the City of Cape Town <b>BE APPROVED</b> in the amount of R37 683 147,00 (excl. VAT) for the period 01 January 2016 to 31 December 2016 (payable in December 2015).	The City of Cape Town business information systems strategy is founded in the SAP-ERP system. This system and business process was selected in 2001 after following a competitive procurement process. The City has invested in an array of additional SAP modules and the SAP system is now regarded as a "mission critical service" within the City. A number of new and additional SAP modules have been purchased following the approved procurement process. These include SAP Productivity Pack, Mobile Asset Management the Business Objects suite of reporting tools, SAP Advance Meter Reading and recently the Transport Solution as well as the Safety and Security Solution. The exceptional circumstance is that it is impossible and impractical to obtain the services through any other procurement process due to SAP South Africa (Pty) Ltd being the <u>sole provider</u> of SAP software in South Africa.
5	CM 10/03/16 SCMB 77/03/16	CM 40059	TCT	SCMB 77/03/16 - Request for deviation: Upgrading of the Van Riebeeck/Langverwacht Road Intersection in Kuilsriver: Financial Contribution to developer	To obtain approval in terms of clause 308 of the Supply Chain Management Policy, sub-clause 308.5, for a deviation from the official procurement processes. The costs to be incurred fall within the Transport for Cape Town's (TCT) Capital Budget to undertake the upgrading of roads in the Bottery area.	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with as is provided for in terms of clause 308 of the Supply Chain Management Policy, sub-clause 308.5. b) Southern View SA (Pty) Ltd t/a Capfin <b>BE APPOINTED</b> to undertake the City of Cape Town's portion of the upgrading of the <b>Van Riebeeck Road and Langverwacht Road Intersection</b> IN THE AMOUNT OF R3 500 000 (exclusive of VAT)	R3 500 000 (excl. Vat)	Exceptional Circumstances	Wynand Buhr	04/04/2016 @10:37	05/04/2016	As recommended by the SCMBAC the request for a deviation in terms of paragraph 308.5 of the CoCT SCM Policy to appoint Southern View Finance SA (Pty) Ltd t/a Capfin to undertake the City of Cape Town's portion of the upgrading of the Van Riebeeck Road and Langverwacht Road Intersection <b>BE APPROVED</b> in the amount of R 3 500 000 (excl. VAT).	In terms of the consent use approval by the City, which requires the developer to upgrade the relevant intersection as a set-off against the Development Charges (DC) as determined by the City's development charges policy, TCT has entered into a Service Agreement with Capfin whereby the developer is required to undertake the upgrading work. The additional funding for services which is not the responsibility of the developer is for TCT to make a financial contribution as provided for in the budget. The <u>exceptional circumstances</u> are that it is impractical or impossible to follow any other official procurement process and to proceed in terms of the Service Agreement and the consent use approval.

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6	CM 01/04/16 SCMB 30/04/16	CM 40215	TC1	SCMB 30/04/16 – Request for a deviation: Construction of Jip de Jager Road "South" between van Riebeeckshof Road and Tygervalley Road; Financial Contribution to Developer	To obtain approval in terms of clause 308 of the Supply Chain Management Policy, sub-clause 308.5.2 [exceptional circumstances where it is impossible to follow the official procurement process and where compliance with the official process is not in the public interest], for deviation from the official process is not in the public interest), for deviation from the official procurement processes. The costs to be incurred fall within transport for Cape Town's ("TCVT") capital budget to undertake road improvement projects, namely main Road Northern Corridor.	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clause 308 of the Supply Chain Management Policy, sub-clause 308.5.2. b) Pareto limited <b>BE APPOINTED</b> to undertake the City of Cape Town's portion of the Construction of Jip de Jager Road from Van Riebeeckshof Road Intersection up to Tygerberg Valley Road in the amount of R12 600 000 excluding VAT.	R12 600 000.00 (excl. VAT)	Exceptional Circumstances	Günther Rehndt	13/04/2016 @15:07	14/04/2016 (Acting CM G Ras)	As recommended by the SCMBAC the request for a deviation in terms of paragraph 308.5 of the CoCT SCM Policy to appoint Pareto Limited to undertake the City of Cape Town's portion of the Construction of Jip De Jager Road from Van Riebeeckshof Road Intersection up to Tygerberg Valley Road <b>BE APPROVED</b> in the amount of R12 600 000.00 (excl. VAT).	In terms of the Development Agreement with the developers of extensions to the Tygervalley Centre, the developer is required to undertake certain major road improvements including construction of a portion of Jip De Jager in lieu of payment of the calculated Development Contributions for major roads. The amount does not fully cover the necessary improvements to cater for existing and future traffic that will be diverted to this road once it has been constructed – traffic that is not the responsibility of the developer. The Developer has called for tenders via a competitive process to undertake the necessary major road works for the entire project. The estimated cost of the project amounts to R 28,7 m (excl. VAT). The <b>exceptional circumstances</b> are that it is impractical or impossible to follow any other official procurement process as more than one contractor cannot be contracted at the same geographical location at the same time for the same project and to proceed in terms of the Development Agreement.
7	CM 02/04/16 SCMB 31/04/16	CM 40216	Safety & Security	SCMB 31/04/16 – Request for deviation and/or condonation: Use of external aerial appliances to abate the spread of fire, avert the loss of life, Property and the National Electric Power Grid	To obtain approval in terms of clauses 308, 310 and 313 of the Supply Chain Management Policy sub-clause 308.1; 313.1; 313.3; 313.5; and 313.6 for deviation from the official procurement processes and for condonation in terms of clause 310 of the policy for the appointment of a service provider to deliver the required services/goods. The costs to be incurred fall within the Safety and Security, Fire and Rescue Services' budget to implement the use of external Fire Fighting Emergency Aerial Appliances.	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clauses 308, 310 and 313 of the Supply Chain Management Policy, sub-clause 308.1; 313.1; 313.3; 313.5 and 313.6 b) The appointment of Kishugu Aviation (Pty) Ltd <b>BE CONDONED</b> in terms of section 310 of the Supply Chain Management Policy for services rendered at the amount of R244 821.06 (Excluding Vat)	R244 821.06 (excl. VAT)	Emergency	Timothy Ackerman	13/04/2016 @15:07	14/04/2016 (Acting CM G Ras)	As recommended by the SCMBAC in terms of paragraph 308.1, 310 & 313 of the CoCT SCM Policy the request to condone and appoint Kishugu Aviation (Pty) Ltd for the provision of external aerial appliances to abate the spread of fire, avert the loss of life, property and the national electric power grid services <b>BE APPROVED</b> in the amount of R244 821.06 (excl. VAT).	On 16 February 2016 the Fire and Rescue Services was requested to respond to vegetation fires at the West Coast Road, R 27, Melkbosstrand, Blaauwberg. Fire Control dispatched 3 fire vehicles, on arrival it was reported that they were dealing with a major vegetation fire with gale force winds and temperature of 35°. A request for additional resources including aerial support was made. Fire Control immediately dispatched the City's contracted helicopters to the scene and a further 76 vehicles over the duration of the fire. In spite of the additional vehicles, aerial support and manpower in place fire fighters battled to contain the fire in weather with perfect conditions for runaway fires. The threat of losing property was imminent as the prevailing winds were fanning the fire in the direction of structures belonging to Eskom Holdings, Koeberg Nuclear Power Station, Bveslock as well as the National Power Grid Pylons. The Incident Commander therefore requested additional aerial support as the area involved was too vast that the City's contracted helicopters were able to suppress/subdue the spreading of the fire. Further aerial support from Kishugu Aviation (Working on Fire) in line with the MoU between the City and PGWC dispatched 2 Water Bombers to the scene. As this was <b>emergency measures</b> taken to prevent further spreading and the potential loss of property and life the <b>exceptional circumstances</b> were justified.
8	CM 03/04/16 SCMB 50/04/16:	CM 40285	All Directorates	SCMB 50/04/16: Request for Deviation: Appointment of Service Providers for RFQ PLA W061600521 and RFQ PLA W 061600608: The Supply and Delivery of Multi-Function Peripherals (MFP)	To obtain approval in terms of clause 308 sub-clause 1, and clause 313 sub-clause 4 of the Supply Chain Management Policy for deviation from the official procurement processes for the appointment of service provider to deliver the required goods. The costs to be incurred fall within all	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clauses 308 sub-clause 1, and clause 313 sub-clause 4 of the Supply Chain Management Policy b) For the reasons set out in this report the	Subject to budget and as per schedule	Exceptional Circumstance	Berilo Wiese	20/04/2016 @10:37	21/04/2016	As recommended by the SCMBAC the request for a deviation in terms of paragraphs 308.1 and 313.4 of the SCM Policy of the CoCT to appoint Legends Information and Communication Technology (Pty) Ltd t/a Legends IT, Printegration CC Datacentrix (Pty) Ltd t/a Datacentric Western Cape, The Business Advocacy Group (Pty) Ltd t/a Datacentrix Western Cape, The Business Advocacy Group (Pty) Ltd t/a	Tender 117G/2015/16 is currently of evaluation stage, however due to unexpected legal questions that arose the process was stalled. The nature of the items under procurement is of such a nature that it is unavailable and affects all directorates and departments within the City. Without the essential IT equipment service delivery will be seriously hampered. Several departments including Legal Services, Council Support and Sub

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					the directorates/ departments budgets to implement the appointment of service providers for RFQ PLA W061600521 and RFQ OLA W061600608 – The Supply and Delivery of Multi-Function Peripherals (MFP)	quotations submitted by Legends Information and Communication Technology (Pty) Ltd t/a Legends IT, Printegration CC, Datacentrix (Pty) Ltd t/a The BA Group and Vela Phanda Trading and Projects CC, for the appointment of service providers for RFQ PLA W061600521 and PLA W061600608 – The Supply and Delivery of Multi-Function Peripherals (MFP), be accepted from the date of appointment on a month to month basis not exceeding a period of 12 months as per the report. c) Order of allocation – All orders will be submitted to the first ranked vendor first, with the second ranked vendor only being utilised in the event that the first ranked vendor is not able to supply the products or the volumes that we require.						the BA Group and Vela Phanda Trading and Projects CC for the Supply and delivery of Multi-Function Peripherals (MFP) in terms of RFQ PLA W061600521 and RFQ PLA W061600608. BE APPROVED on a month to month basis from date of approval by the City Manager, not exceeding a period of 12 months, as per the schedule attached to the original report.	Councils and Property Management have all indicated that the items under procurement are urgently required since their unavailability is affecting service delivery. The exceptional circumstance are that it is impractical and impossible to follow any other process as the official tender process has been followed, and a further RFQ was required from all tenderers who submitted an official tender. Furthermore the interruption of essential services, including communication facilities or support services could critically affect the functioning of the City and warrants and emergency dispensation.
9	CM 04/04/16 SCMB 51/04/16	CM 40286	All Directorates/ departments	SCMB 51/04/16: Request for deviation: Appointment of Services Providers for RFQ W061600520: The Provision of related commodities hardware services	To obtain approval in terms of clause 308 sub-clause 1, and clause 313 sub-clause 4 of the Supply Chain Management Policy for deviation from the official procurement processes for the appointment of service providers to deliver the required goods, and for condonation in terms of clause 310 of the Supply Chain Management Policy for goods previously delivered by service providers. The costs to be incurred fall within the various Directorate/department budget to implement the appointment of services provider for RFQ W061600520 – The provision of related Commodities Hardware Devices	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clauses of clause 308 sub-clause 1, and clause 313 sub-clause 4 of the Supply Chain Management Policy b) The appointment of Legends IT (Pty) Ltd t/a Legends IT, Mantella Trading 634 (Pty) Ltd t/a Mantella Support Services, DLK Group (Pty) Ltd t/a (Pty) Ltd, KPG Agencies CC t/a KPG Media Technologies, CHW Vuwani Computer Solutions National (Pty) Ltd and Dean Ferrier & Associates (Pty) Ltd t/a DFA Solutions to render the supply the goods for project RFQ W061600520 – The Provision of Related Commodities Hardware Devices in the amount of R19 308 605.32 (Excl. VAT) from the date of signature of RFQ W061600520 to date <b>BE CONDONED</b> in terms of clause 310 of the Supply Chain Management Policy. c) For the reasons set out in this report the	R19 308 605.32 (Excl. VAT) and Subject to budget as per schedule	Exceptional Circumstances	Berta Wese	20/04/2016 @10:37	21/04/2016	As recommended by the SCMBAC the request for a deviation & condonation in terms of paragraphs 308.1, 313.4 & 310 of the CoCT SCM Policy <b>BE APPROVED</b> as follows: (a) condone the appointment of Legends IT (Pty) Ltd t/a Legends IT, Mantella Trading 634 (Pty) Ltd t/a Mantella Support Services, DLK Group (Pty) Ltd t/a DLK Group (Pty) Ltd, Datacentrix (Pty) Ltd t/a Datacentrix Western Cape, DG Store SA (Pty) Ltd, KPG Agencies CC t/a KPG Media Technologies, CHW Vuwani Computer Solutions National (Pty) Ltd and Dean Ferrier & Associates (Pty) Ltd t/a DFA Solutions) for the Provision of related commodities hardware devices in terms RFQ W061600520, from 01 January 2016 until date of approval by the City Manager, in the amount of R19 308 605.32 (excl. VAT). (b) appoint Legends IT (Pty) Ltd t/a Legends IT, Mantella Trading 634 (Pty) Ltd t/a Mantella Support Services, DLK Group (Pty) Ltd t/a DLK Group (Pty) Ltd, Datacentrix (Pty) Ltd t/a Datacentrix Western Cape, DG Store SA (Pty) Ltd, KPG Agencies CC t/a KPG Media Technologies, CHW Vuwani Computer Solutions National (Pty) Ltd and Dean Ferrier & Associates (Pty) Ltd t/a DFA Solutions) for the Provision of related commodities hardware devices in terms RFQ W061600520, on a month to month basis from date of approval by the City Manager, not exceeding a period of 12 months, as per the schedule	The new Tender 152G/2015/16 is currently at evaluation stage and due to the voluminous submissions, data capturing and comparisons to be undertaken the new tender will not be awarded before July 2016. The previous Tender 256G/2011/2012 expired on 31 December 2015. A RFQ was advertised and approved by SCM with the intention that no single purchase order for the individual vendor would be in excess of R 200 000. Following a Legal opinion it was confirmed that purchases exceeding R 200 000 exceeded the authority of the Director SCM and required to be condoned. Therefore a condonation is required for the equipment purchased since 1 January 2016 to date. It is furthermore requested that in the interim the prices as obtained in the RFQ in January 2016 on which current purchases have been done, be extended until the award of the new tender. The exceptional circumstances are that it is impractical and impossible to follow any other process as the official tender process has been followed, and a further RFQ was obtained. The interruption of essential services, including communication facilities or support services could critically affect the functioning of the City and warrants and emergency dispensation. The City Manager requires the ED: CORC to investigate the reasons for the delays in following the official procurement process with a view to remedial action.

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						quotations submitted by Legends IT (Pty) Ltd t/a Legends IT, Mantella Trading 634 (Pty) Ltd t/a Mantella Support Services, DLK Group (Pty), Datacentrix (Pty) Ltd t/a Datacentrix Western Cape, DG Store SA (Pty) Ltd, KPG Agendas CC t/a KPG Media Technologies, CHW Yuvani Computer Solutions National (Pty) Ltd and Deon Ferrer & Associates (Pty) Ltd t/a DFA Solutions BE APPOINTED for the appointment of service providers for RFQ W061600520 – The Provision of Related Commodities hardware Devices from the date of appointment on a month to month basis not exceeding a period of 12 month as per report.						attached to the original report	
10	CM 04/01/16 SCMB 31/01/16	CM39043 & CM40136	Human Settlements	SCMB 31/01/16 – Request for deviation: Bardale Low Cost Housing Scheme: Upgrading of Informal Settlements Programme : 5681 Units – Section 116(3)	To obtain approval in terms of clause 264 of the Supply Chain Management Policy for increase in contract sum. The costs to be incurred fall within the Human Settlements budget to implement the Bardale Low Cost Housing Scheme: Upgrading of Informal Settlements Programme: 5681 Units	It is recommended that for the reasons set out in the report, and in accordance with clause 264 of the Supply Chain Management Policy, the contract sums in respect engineering services, marketing/conveyancing and community facilitation be increased as per the report.	R1 009 705.24 (excluding VAT)	Exceptional Circumstances	Ian Quintus Weiman	07/04/2016 @11:51	21/04/2016	As recommended by the SCMBAC a deviation in terms of paragraphs 308.5 of the CoCT SCM Policy for the appointment of Luktad Consulting Engineers (Pty) Ltd (Engineering Services), Gibb (Pty) Ltd (Marketing & Conveyancing, Professional Team Project Managers, Community Facilitation) for the provision of Professional Services in respect of the Bardale Low Cost Housing Scheme – Upgrading of Informal Settlements Programme – 5681 Units, BE APPROVED as per the increases as indicated in the original reports for a total amount of R 1 009 705-24 (excluding Vat).	The Bardale Housing Project was initiated following an "out of court" settlement between the three spheres of Government and Intersite to relocate families living within the rail reserve (between Nalungile and Nanqubela). In May 2005 the City secured land in Mfuleni. Phase 1 of the project was completed in May 2008. In 2008 the City received additional funding and the project value was increased to R 149 614 114,00 for 5425 even. Phase 2 & 3 of the project was completed in December 2009, and Phase 4 the upgrade of Phase 1 was completed in November 2013. Further subsidy funding approval was received increasing the project with an additional amount of R 176 021 051 00. The construction of Phase 5a & 5b is in the final stage under Tender no. 155Q/2012/13 and will be completed mid 2016. The increase of consultant fees is now due to be finalised due to various unforeseen reasons during the duration of the project, E.G. Community facilitation – housing opportunities for non-qualifying individuals, in-situ upgrade, identification of backyard beneficiaries, marketing and conveyancing, subsidy applications, time delays - consulting engineering, project management, etc. The exceptional circumstances are that it is impractical and impossible to follow any other process as a full tender process was followed and the services required was a continuation of the original brief. The SCMBAC at its meeting on 25 January 2016 resolved that the extension be recommended subject to the compliance with Section 116(3) of the MFMA. A public participation process has been concluded and the matter was tabled at Mayco on 19 April 2016.

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**SUPPLY CHAIN MANAGEMENT DEVIATIONS ITO THE SCM REGULATIONS & SCM POLICY REPORT FOR THE PERIOD: 01 APRIL 2016 TO 30 APRIL 2016**

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11	CM 04/03/16 SCMB 70/03/16	CM 40299	CORC	SCMB 70/03/16: Request for deviation: Critical Repairs and Maintenance of the existing HVAC System at Cape Town Civic Centre	To obtain approval in terms of clauses 308 of the Supply Chain Management Policy sub-clause 1. for deviation from the official procurement processes of the policy for the appointment of a service provider to deliver the required services. The costs to be incurred fall within the Corporate Services and Compliance Directorate: Specialised Services Department Budget to implement Critical Repairs and Maintenance of the existing HVAC System at Cape Town Civic Centre	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clauses 308 of the Supply Chain Management Policy, sub-clause 1. b) The appointment of Critical Repairs and maintenance of the existing HVAC System at Cape Town Civic Centre, Cape Automation System (Pty) Ltd <b>BE APPOINTED</b> to render the service for project in the amount of R3 653 340.26 (excl. VAT) for the period 6 months in terms of clause 313.4 of the Supply Chain Management Policy	R4 507 590.26 (excl. VAT)	Sale Agent	Msulthu Ndwana	20/04/2016 @ 14:43	21/04/2016	As recommended by the SCMBAC the request for a deviation in terms of Sections 308.2 and 308.5 of the CoCT SCM Policy for the appointment of Cape Automation Systems (Pty) Ltd for the Critical Repairs and Maintenance of the existing HVAC System at Cape Town Civic Centre <b>BE APPROVED</b> from date of approval by the City Manager for a period of 12 months in the amount of R4 507 590.26 (excl. VAT) and as per the rates in the report.	The Tender was advertised in December 2014, closed in February 2015 and was subsequently cancelled in October 2015 due to bidders tendering outside their CIDB grading. The last major service was done in January 2015 and equipment are now beginning to fail and emergency repairs are currently being procured under R 200 000. In the last 4 months emergency repairs have exceeded R 1 mil. The HVAC System is operated by a Metliss BMS Control which is proprietary to Jonson's Control (Pty) Ltd. Only accredited agents of Jonson's Control (Pty) Ltd can maintain and work on the BMS System. Cape Automation Systems (Pty) Ltd is the <u>sole agent</u> and distributor for Jonson's Control (Pty) Ltd in the Western Cape. They are also the company currently doing the emergency repairs and have been the only company that ever worked on the Civic Centre HVAC System since it was commissioned in 1979. Therefore no other procurement process can be followed to procure the required services.
12	CM 05/04/16 SCMB 38/04/16	CM 40331	Utility Services	SCMB 38/04/16 – Request for deviation: Tender No. 65G/2015/16: Supply and Delivery of ARC Flash and Burning Insulating Oil Protective Suits and Associated clothing	Tenders were invited for the Supply and Delivery of Electrical Arc Flash and Burning Insulating Oil Protective Suits and Associated clothing are to be used to provide protection to operators while carrying out switching operations on oil insulated or gas insulated MV switchgear.	It is recommended that: a) Tenders submitted by <b>A1 Work Health and Safety CC and Uhambo Procurement and Distribution CC</b> for Tender No. 65G/2015/16 for the Supply and Delivery of Electrical Arch Flash and Burning Insulating Oil Protective Suits and Associated Clothing for the contract period of thirty six (36) months from date of commencement of contract, <b>BE ACCEPTED</b> as per report. b) The non-compliance by Uhambo Procurement and Distribution CC with clause 7.6 of the Specification for not having a minimum of 2 years' experience in the supply and delivery of similar protective clothing, <b>be noted</b> , as it is not material or substantial c) <b>It be noted</b> the above prices are subject to price variations in accordance with the conditions/formula (e) stipulated in the tender document. d) The official procurement process established and adopted <b>be dispensed</b> with in terms of clause 308 of the Supply Chain Management Policy, sub-clause 5 for the additional size X-Large jacket • A1 work Health	R5 869.94 (excl. VAT) per unit	Exceptional Circumstances	John Petersen	22/04/2016 @14:08	22/04/2016	As recommended by the SCMBAC that a deviation in terms of paragraph 308.5 of the CoCT SCM Policy to appoint A1 work Health and Safety CC to provide additional size X-large Arc Flash and burning insulating oil protective switching suit jacket (Section 5), omitted from the tender document <b>BE APPROVED</b> in the amount of R 5869.94 (excl. VAT) per unit for a period of 36 months from date of approval by the City Manager, and that price adjustment be calculated in accordance with the tender documents.	The pricing schedule in the tender document omitted item 5.5 which was for a size X-large Arc Flash and burning insulating oil protective switching suit jacket (Section 5). Both A1 work Health and Safety CC and Sidicks offered a rate for this item. The <u>exceptional circumstance</u> are that it is impractical and impossible to follow any other process as a full tender process has been followed and the additional item was included of the some rates, terms and conditions by the bidders.

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						and Safety CC be appointed to provide additional size: X Large Arc Flash and burning insulating oil protective switching suit jacket (Section 5) that was omitted from the tender document in the amount of <b>R5 849.94 per unit (excl. VAT) BE ACCEPTED</b> for a period of 36 months from date of commencement of contract • The above price is subject to price variations in accordance with the conditions/formula (a) stipulated in the tender document.																																										
13	CM 07/04/16 SCMB 72/04/16	CM 40404	OCM	SCMB 72/04/16 – Request for deviation and/or condonation: Printing of Contact Staff Newsletter	To obtain approval in terms of clause 308 of the Supply Chain Management Policy sub-clause 5 for deviation from the official procurement processes for the appointment of a service provider to print the Contact Staff newsletter until 30 June 2016 to enable a new long term tender to be put into place. The costs to be incurred fall within the Integrated Strategic Communication, Branding and Marketing Department's budget to implement the staff newsletter project.	It is recommended that: a) the official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clause 308 of the Supply Chain Management Policy, sub-clause 5. b) Tandym Print CC <b>BE APPOINTED</b> to print the remainder of the planned Contact Staff Newsletters at the print rate structure in the report (excl. Vat) until 30 June 2016.	As per schedule in report	Exceptional Circumstances	Geoff Howard		29/04/2016	As recommended by the SCMBAC the request for a deviation in terms of paragraphs 308.5 of the CoCT SCM Policy to appoint Tandym Print CC to print the remainder of the planned Contact Staff Newsletters until 30 June 2016, <b>BE APPROVED</b> at the following rate structure as per the original report  <table border="1"> <thead> <tr> <th>Material</th> <th>Quantity</th> <th>Unit</th> <th>Unit Price</th> <th>Total Price</th> <th>Unit Price</th> <th>Total Price</th> </tr> </thead> <tbody> <tr> <td>Colour Copy</td> <td>100</td> <td>pp</td> <td>R140.00</td> <td>R14,000.00</td> <td>R140.00</td> <td>R14,000.00</td> </tr> <tr> <td>Black Copy</td> <td>100</td> <td>pp</td> <td>R120.00</td> <td>R12,000.00</td> <td>R120.00</td> <td>R12,000.00</td> </tr> <tr> <td>Colour Copy</td> <td>100</td> <td>pp</td> <td>R140.00</td> <td>R14,000.00</td> <td>R140.00</td> <td>R14,000.00</td> </tr> <tr> <td>Black Copy</td> <td>100</td> <td>pp</td> <td>R120.00</td> <td>R12,000.00</td> <td>R120.00</td> <td>R12,000.00</td> </tr> </tbody> </table>	Material	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Colour Copy	100	pp	R140.00	R14,000.00	R140.00	R14,000.00	Black Copy	100	pp	R120.00	R12,000.00	R120.00	R12,000.00	Colour Copy	100	pp	R140.00	R14,000.00	R140.00	R14,000.00	Black Copy	100	pp	R120.00	R12,000.00	R120.00	R12,000.00	A tender was awarded to a company for the printing of the City's staff newsletter. Contact. Since the first run in December 2014 numerous problems with print quality and adherence to tender specifications were encountered which led to the implementation of termination of tender process. Since a service provider was urgently required for printing the newsletter, a RFQ process as provided for in the SCM Policy was followed, and the only responsive tenderer was appointed. The intention was to secure a service provider for the interim period to print the next edition until a new tender process could be concluded. A new tender process was initiated and the tender will be advertised on 29 April 2016 whereafter the bids need to be evaluated, adjudicated and provision to be made for an appeal period. The <u>exceptional circumstances</u> are that it is impossible and impractical to follow any other procurement process as the services are required for the printing of at least three Contact Newsletters for the period April to June 2016. Therefore a deviation is required for not being able to conclude the new tender process timeously and to appoint the service provider obtained through the RFQ process.
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14	CM 08/04/16 SCMB 73/04/16	CM 40403	Utility Services	SCMB 73/04/16 – Request for deviation and/or condonation: Strip and Quote to repair Engine and Re-spraying of solid waste management caterpillar landfill compactor: Vissershok Landfill site	To obtain approval in terms of clauses 308 of the Supply Chain Management Policy sub-clause 308.5.3 ("ad-hoc repairs to plant and equipment where it is not possible to ascertain the nature or extent of the work required in order to call for bids") for deviation from the official procurement processes and for condonation in terms of clause 310 of the	It is recommended that: a) The official procurement process established and adopted <b>BE DISPENSED</b> with in terms of clauses 308 of the Supply Chain Management Policy, sub-clause 308.5 b) The assignment of Barloworld South Africa (Pty) Ltd to strip and quote on the Caterpillar Landfill Compactor Engine	R870 353.72 (Excl. VAT)	Exceptional Circumstances	Shaun Christian		29/04/2016	As recommended by the SCMBAC the request for a deviation & condonation in terms of paragraphs 308.2, 308.5 & 310 of the CoCT SCM Policy to condone the appointment of Barloworld South Africa (Pty) Ltd for the strip, quote and repair of the Caterpillar 826H Landfill Compactor Engine and re-spraying of machine of the Vissershok Landfill Site <b>BE APPROVED</b> in the amount of R870 353.72 (excl. VAT).	The Caterpillar 826H Landfill Compactor is currently 7 years old with an operational lifespan of a minimum of 12 years with no history of serious breakdowns or problems. Until recently the machine started to overheat repeatedly and the engine protection system cutting out. All relevant processes were followed and not recommending stripping on site the machine was transported to the agent's workshop for a strip and quote to determine the nature of defects and repairs. The <u>exceptional circumstances</u> are that the strip and quote process																																			

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					policy for the appointment of a service provider to deliver the required services. The costs to be incurred fall within the Solid Waste Management's budget for repairs and maintenance.	and Re-spraying machine <b>BE CONDONED</b> in terms of clause 310 of the Supply Chain Management Policy; c) Borrower a South Africa (Pty) Ltd. <b>BE APPOINTED</b> to undertake Repairs to the Caterpillar Landfill Compactor Engine and re-spraying of the machine for the amount of R870 353,72 (Exc. VAT).							was followed in terms of the SCM Policy and it was impossible and impractical to follow any other procurement process as all work was undertaken by the city (page 10). This request is in line with the provision of the SCM Policy and the City Manager has no option as to either not approve the deviation and/or condition.

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