Name of the researcher: Jennica Jasmine Beukes

Name of the municipality: City of Cape Town

Province: Western Cape

National Treasury classification: A

Population size: 4,618, 000 (as at 2020)[1]

Budget: R42 225 117 for the 2020/21 budget year (excluding capital transfers and contributions)[2]

1. **Does the municipality have a functional website? Does the website have a dedicated page for procurement information, which can be accessed without registration?**
   a. Yes, the municipality has a functional website with a dedicated page for procurement information, and this information can be accessed without registration.
   b. Yes, the municipality has a functional website but the website has no procurement information or the municipality has a functional website with a dedicated page for procurement information but registration is required to access this information.
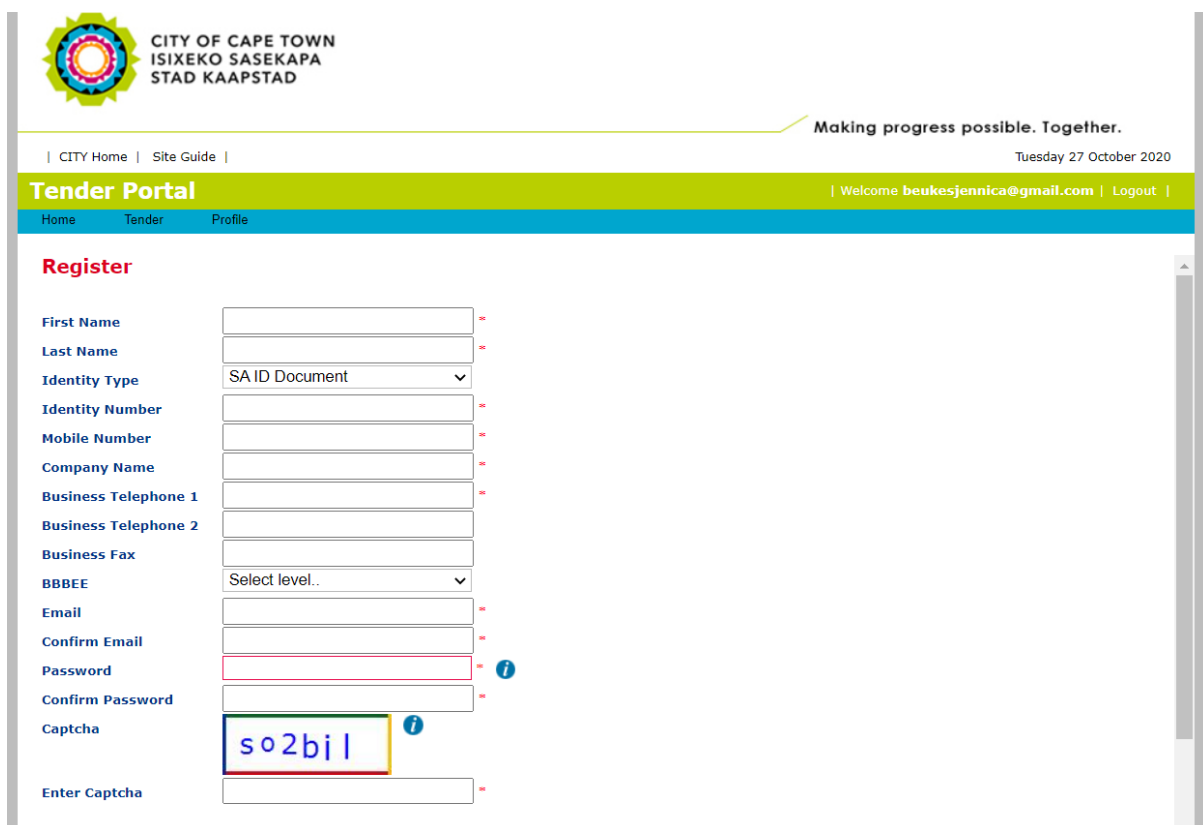   c. No, the municipality does not have a functional website.

Answer: B

Source: https://web1.capetown.gov.za/web1/TenderPortal/

Comments: The City of Cape Town does have a functional website with a dedicated page that contains procurement information. However, registration is required to access this information. Further, for a person to successfully register on the website, it is required that they have company details as a minimum requirement to complete the registration process. For this reason, it appears as though the target audience for accessing the tender page is limited to companies and not the general public. The annexure attached shows a red asterisk next to the required company details which means that it is information that has to be provided to

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[1] Macrotrends 'Cape Town, South Africa Metro Area Population 1950-2020' available at https://www.macrotrends.net/cities/22481/cape-town/population (accessed 4 November 2020).
[2] City of Cape Town *2020/21-2022-23 Budget* (2020) 21.

successfully complete the registration process. This significantly decreases transparency as the obstacles in the registration process may prevent members of the general public to access the procurement information. Transparency is generally viewed as ensuring openness and publicity to enable participants and supervisory authorities to observe its progress and ascertain or inform themselves as to which company was awarded a certain tender. However, due to the obstacles in the registration process it can be argued that transparency in this case is being undermined in that the registration requirements curtails the level of openness and publicity that ordinary members of the public ought to be afforded.

Register on the tender portal

You will need to register as a supplier before you can access the City of Cape Town's tender portal, where all of the tenders are displayed.

Step 1: To view the tenders available on the tender portal ⤢, click on the 'register' button.

To register you will need:

- your SA ID or passport

- company/business name

- business telephone number(s)

- a certificate indicating your B-BBEE level or other documentary proof applicable to small businesses

2. **Does the municipality publish tender notices?**

   a. Yes, the municipality publishes tender notices and the list of tender notices seems complete.

   b. Yes, the municipality publishes tender notices but the list of tender notices has obvious gaps or the list seems incomplete.

   c. No, there are no tender notices on the municipality's website.

Answer: B

Source: https://web1.capetown.gov.za/web1/TenderPortal/Tender

Comments: As at 27 October 2020, the CoCT's tender portal only contained tender notices for the period 7 October 2020 to 26 October 2020. There were no additional tender notices from the previous months on the website.
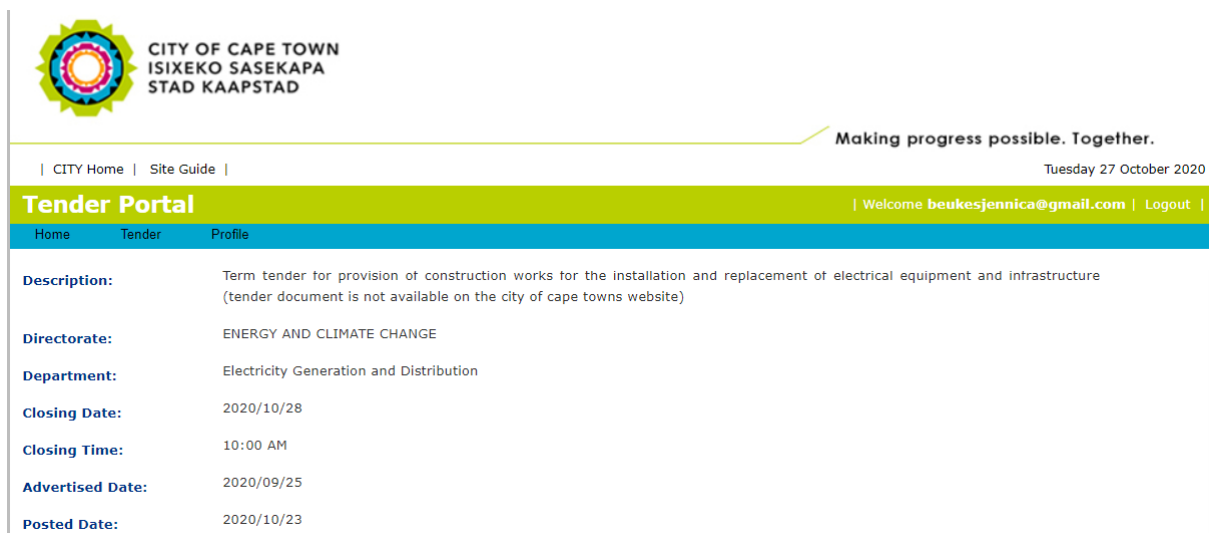
3. **Does the municipality publish tender specifications for tender notices on its website, can they be downloaded free of charge?**

a. Yes, the municipality publishes tender specifications on its website, which are downloadable free of charge.

b. Yes, the municipality publishes tender specifications, which are downloadable free of charge but only for some tender notices or the municipality publishes tender specifications but it imposes a cost to access the specifications.

c. No, the municipality does not publish tender specifications.

Answer: C

Source: https://web1.capetown.gov.za/web1/TenderPortal/Tender/Details/207243

Comments: The CoCT does not publish any tender documents online. The tender documents arecollected from the Supply Chain Management Offices at the Civic Centre at 12 Hertzog Boulevard, Cape Town. The information may be obtained at the offices free of charge. While the CoCT website suggests that one may download tender documents, the tender page suggests otherwise. The annexure below clearly indicates that tender documents for the indicated tender are not published online. **Similarly, the e-Tender portal also does not contain tender specifications and suggests that these documents can be found on the municipal website or collected from the City's offices as mentioned above. See the annexure below.**

CITY OF CAPE TOWN
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Tender Portal | Welcome **beukesjennica@gmail.com** | Logout |

Home   Tender   Profile

Description:	Term tender for provision of construction works for the installation and replacement of electrical equipment and infrastructure (tender document is not available on the city of cape towns website)
Directorate:	ENERGY AND CLIMATE CHANGE
Department:	Electricity Generation and Distribution
Closing Date:	2020/10/28
Closing Time:	10:00 AM
Advertised Date:	2020/09/25
Posted Date:	2020/10/23

Bid Number: 100Q/2020/21
Bid Description: Term Tender for the Repairs, Maintenance and Installation of Plumbing and Drainage Services to Municipal Facilities within the City of Cape Town
Name of Institution: City of Cape Town
Place where goods, works or services are required:

Date Published: 23/10/2020
Closing Date / Time: 27 November 2020
Enquiries:
Contact Person:Ismail Mogammad
Email: Ismail.Mogammad@capetown.gov.za
Telephone number: 021 444 0292

Where bid documents can be obtained:
Website: www.capetown.gov.za
Physical Address: Tender & Quotation Box Office, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town
Where bids should be delivered:
Physical Address: Tender & Quotation Box Office, 2nd Floor (Concourse Level), Civic Centre, 12 Hertzog Boulevard, Cape Town

Briefing Session
A compulsory / Optional briefing session will be held on:
Date: 11 November 2020
Time: 10:am
Venue: https://meet.capetown.gov.za/nandipa.dabula/nj35jnjh

Special Conditions:

The CoCT therefore has a low level of transparency as the municipality has limited their procurement information only to advertising tender notices on the website. This means that unless a person goes directly to a municipality (and assuming that they will make this information available to ordinary members of the public) such a person will not know or be aware of the nature of the tender. Approaching the Civic Centre to access these documents may discourage ordinary members of the public to get hold of tender specifications, especially those who come from vulnerable communities and who may not have the means to reach the Civic Centre in Cape Town. The condition that the public should approach the Civic Centre to access these important documents significantly waters down transparency and the ability of the public to monitor the implementation of the tender over time.

4. **Does the municipality publish the name of companies or individuals who win tenders on its website? Does it do so on time (i.e. within five working days after the award)?**
   a. Yes, the municipality publishes information about who wins tenders within five working days.
   b. Yes, the municipality publishes information about who wins tenders but after five working days or the list of names of companies or individuals who won the tender has obvious gaps or seems incomplete.
   c. No, the municipality does not publish information about who wins tenders.

Answer: B

Comments: The CoCT publishes information about who wins the tender. However, it appears that information about who wins the tender is not published within five working days but it is instead consolidated into a monthly list that is published at the end of the month. As at 27 October 2020, the lists of tender awards that were available on the website included the periods from January 2016 to September 2020.

Tenders awarded

Please see all tenders awarded by the City of Cape Town listed below.

2020

September 2020 Tenders Awarded
August 2020 Tenders Awarded
July 2020 Tenders Awarded
June 2020 Tenders Awarded
May 2020 Tenders Awarded
April 2020 Tenders Awarded
March 2020 Tenders Awarded
February 2020 Tenders Awarded
January 2020 Tenders Awarded

Further, accessing the tender awards is a cumbersome process and may be difficult for ordinary members of the public who are not tech savvy. First, the tender awards are not available on the dedicated website page that contains procurement information. This may mislead one to think that this information is not available online. Instead, to access the tender awards one has to follow the following process: access the home page > work and business > doing business **in** the City > doing business **with** the City > Tenders, RFQs and Supply > Tenders awarded. The tender awards are thus hidden behind a number of other pages, none of which clearly illustrate from the first few tabs that you are on track to finding procurement information relating to tender awards. Therefore, while there appears to be transparency as the information about tender awards may be accessed on the website, transparency is watered down because of the cumbersome procedure that ought to be followed to access these documents.

5. **Do tender specifications remain accessible on the website after the contract has been awarded for the duration of the contract?**
   a. Yes, the tender specifications remain accessible on the website after the contract has been awarded for the duration of the contract.
   b. Yes, the tender specifications remain accessible on the website after the contract has been awarded but not for the entire duration of the contract or not all tender specification information remains accessible on the website for the entire duration of the relevant contracts.
   c. No, the tender specifications are removed after the award of the contract or the municipality does not publish tender specifications.

Answer: C

Source: https://web1.capetown.gov.za/web1/TenderPortal/Tender

Comments: The CoCT does not publish tender specifications on their website. The tender specifications documents should be collected from the Supply Chain Management Offices at the Civic Centre at 12 Hertzog Boulevard, Cape Town.

6. **Does a municipality publish the price of the contract?**
   a. Yes, the municipality publishes the price of the contract.
   b. Yes, the municipality publishes the price of the contract but does not seem to publish the price of contracts for all tenders
   c. No, the municipality does not publish the price of the contract.

Answer: B

Source: https://www.capetown.gov.za/Work%20and%20business/Doing-business-with-the-city/Tenders-RFQs-and-supply/Tenders-awarded

http://resource.capetown.gov.za/documentcentre/Documents/Financial%20documents/Tenders_Awarded_Sept_2020.pdf

Comments: The CoCT publishes the price of most of the awarded contracts but with certain contracts no value is allocated. Consider, for example, the tender award list for September above. While most of the values are published on the list, there are some gaps for certain tender awards such as Tender notice 341C/2018/19.

No	TTS Ref	Decision Reference	Description	Vendor	Date of award	Value of Decision	Department
1	283S/2019/20	SCMB 08/09/20	Geotechnical Investigations for the upgrade of the existing Philippi Collector Sewer	Masana Waste and Environmental Management (Pty) Ltd	07 September 2020	R1 521 146.00	Informal Settlements, Water & Waste - Water & Sanitation
2	223Q/2019/20	SCMB 10/09/20	Term tender for Design, manufacture, delivery, installation, and commissioning of medium voltage indoor switchgear and ancillary equipment for main substations (ITEM B: Gas-insulated Switchgear for extending or replacing existing ABB TYPE ZX1.2 & ZX2)	ABB South Africa (Pty) Ltd	07 September 2020	R42 000 000.00	Energy - Electricity Generation & Distribution
3	120S/2019/20	SCMB 12/09/20	Maintenance of Stormwater Infrastructure by Mechanical Methods	Lazar Civil Engineering CC, VacJet Rentals (Pty) Ltd, Immex Waste Management CC and Tuboseal Services (Pty) Ltd	07 September 2020	R78 000 000.00	Transport for Cape Town - Infrastructure
4	289Q/2019/20	SCMB 16/09/20	Design, manufacture, supply and installation of 132 kV underground cable and accessories for Paardevlei – Helderberg	CBI Electric: African Cables, a division of ATC (Pty) Ltd	07 September 2020	R21 643 127.98	Energy - Electricity Generation & Distribution
5	561C/2018/19	SCMB 17/09/20	Framework Tender for the provision of various Built Environment Professional Services	Ebesa Architects (Pty) Ltd as Standby tenderer for Architectural Services	07 September 2020		Econ, Enviro and Spatial Planning - Economic Development
				Afric Oil Pty Ltd as the Main Service Provider for item 1, Petrol 95			

7. **Does the municipality publish any information on how the project will be implemented, for instance, timelines and deliverables, otherwise known as service delivery agreements or implementation plans?**

   a. Yes, the municipality publishes information on how the project will be implemented.

   b. Yes, the municipality publishes information on how the project will be implemented, but the list of service delivery agreement or implementation plans has obvious gaps or the list seems incomplete.

   c. No, the municipality does not publish information on how the project will be implemented.

Answer: C

Source: http://www.capetown.gov.za/Family%20and%20home/city-publications/Agreements/service-delivery-and-service-level-agreements

Comments: The CoCT publishes information on how the project will be implemented but there is no information for the period under review (2019-2020). The information that is available online dates back to 2002 and ends at 2018. In total, there are only 9 service delivery agreements available on the website. Therefore, the service implementation information is not published consistently and timeously. The failure to consistently publish this pertinent information not only enables municipalities to cover up service delivery failures but it also weakens accountability as the public is unable to access the information that they require to enforce accountability for how services are delivered.

2018 ∧

Cape Town Stadium Municipal Entity
Service Delivery Agreement

2014 ∧

Free Basic Electricity Funding Service
Delivery Agreement

2011 ∧

Fisantekraal Waste Water Treatment
Works Service Delivery Agreement
Zandvlei Waste Water Treatment Works
Service Delivery Agreement

2008 ∧

CCT and CTICC Service Delivery
Agreement

2004 ∧

South African Post Office Third Party
Payment Service Delivery Agreement
Shoprite Service Delivery Agreement
Syntell Service Delivery Agreement

2002 ∧

Easypay Service Delivery Agreement

8. **Does the municipality publish procurement information on both its website and the eTender portal?**

    a. Yes, the municipality publishes procurement information on both its websites and the eTender portal.

    b. Yes, the municipality publishes procurement information on both its website and the eTender portal but the information on these two platforms does not correspond.

    c. No, the municipality only publishes procurement information on either its website or the eTender portal.

    d. No, the municipality does not publish procurement information on either its website or the eTender portal.

Answer: B

Source: https://etenders.treasury.gov.za/content/advertised-tenders

https://web1.capetown.gov.za/web1/TenderPortal/Tender

Comments: The CoCT publishes procurement information on both the e-Tender portal and the municipal website. Whereas the information on the municipal website only contains procurement information for the month of October 2020, the procurement information provided on the e-Tender portal dates back to 25/09/2020 with one tender (199Q/2019/20) from 2019.

Advertised Tenders

Category
- Any -

Province   **Cluster**
Western Cape   - Any -

Department   **Tender Type**
City of Cape Town   - Any -

[Search] [Reset]

Category	Tender Description	Tender No.	Date published	Closing date & time	Compulsory briefing session
Services: Electrical	THE REPLACEMENT OF SINGLE PHASE ELECTRICAL METERS AND ASSOCIATED EQUIPMENT	103S/2020/21	25/09/2020	28/10/2020 - 10:00am	
Services: Professional	PROVISION OF PROFESSIONAL SERVICES IN SUPPORT OF THE UNDERTAKING OF VARIOUS PROJECTS BY THE DEPARTMENT OF PUBLIC HOUSING, AS GUIDED BY ITS ASSET MANAGEMENT PLAN	109C/2020/21	25/09/2020	30/10/2020 - 10:00pm	08/10/2020 - 10:00pm
Specialised construction activities	Upgrading of the Somerset West Public Transport Facility, Somerset West	108Q/2020/21	25/09/2020	29/10/2020 - 10:00am	
Other service activities	Design- Build of Mechanical and Electrical Works (Electrical, Process Control, Process Pipework and Acid Dilution System) at Witzands Potable Water treatment works, Atlantis , CApe Town	199Q/2019/20	29/11/2019	14/12/2020 - 10:00am	22/12/2020 - 10:00am

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General assessment:

a) What is your overall impression on how easy it is to navigate the municipal website to find procurement information?

Overall, it was not easy to access procurement information. Tender notices are hidden behind a wall for which you require company details to register and access the tender notices. Tender specifications are not available on the website but should be collected from the municipality in Cape Town. Tender awards and service delivery agreements are also not easy to find and one has to click on a number of pages (in other words, follow a long pathway) to get to the documents. An ordinary person would expect to access all procurement information on the

dedicated procurement web page and if not, to at least be transparent about where the information may be contained. For ordinary individuals who are not tech savvy, accessing procurement information may be a cumbersome process and may thus discourage them from getting hold of these documents. For the above reasons, I rate the municipality 4/10.

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b) Any tips on how the municipality could improve citizens' access to procurement information on its website?

It would be useful if the city could remove registration requirements, publish tender specifications documents online and include all tender related documents in one place that is easy to find on the website.

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c) Are there any best practices in the municipality which can be shared with other municipalities?

No, the CoCT may learn from the practices of other municipalities who are more transparent.

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d) Are there any other issues that caught your attention when undertaking the assessment?

There were no other issues besides the issues that I have highlighted above.