



## KWAZULU-NATAL PROVINCE

TRANSPORT  
REPUBLIC OF SOUTH AFRICA

### DIRECTORATE: TIDS

Private Bag X9043, PIETERMARITZBURG, 3200  
The Regional Office Pietermaritzburg  
01 Woodlands Road, Pietermaritzburg, 3200  
Tel: 033 392 6600

PMB REGION

Email: Sphelele.Gumede@Kzntransport.gov.za

Reference: T5/7

### SUBMISSION

TO: CHAIRPERSON - RBAC

SUBJECT: REQUEST FOR THE CANCELLATION OF BID NO: ZNB01940/00000/00/IXO/INF/23/T: EXTENSION OF LOCAL ROAD L21855 FROM THEM BENI TO IBISI: 2.0800KM TO 5.791KM UNDER UMZIMKHULU LOCAL MUNICIPALITY, PIETERMARITZBURG REGION

#### 1. PURPOSE

To seek for the approval to cancel Bid No: ZNB01940/00000/00/IXO/INF/22/T: Extension of Local Road L2185 from Thembeni to Ibisi: 2.800km to 5.791km in line with delegation 5.23 of the Financial Delegations as approved by the Accounting Officer on 23 June 2023.

#### 2. BACKGROUND

ZNB01940/00000/00/IXO/INF/22/T: Extension of Local Road L2185 from Thembeni to Ibisi: 2.800km to 5.791km was advertised on the 29 August 2023 with a closing date of the 28 September 2023. After closing of the bid, the following material error was discovered in the bid invitation document which was published:

- T5 and T10: Functionality criteria for experience of key persons, company past performance in similar specialised projects, as stated in the Tender Data, are eligible to be considered for further evaluation whereas the project functionality criteria were not stipulated when it was advertised. **Refer to draft bid document attached for ease of reference.**

#### 3. MOTIVATION

In view of the above background, the bid document contains a serious material error. The material error in the bid document may result to unnecessary irregular expenditure should the bid not cancelled at this stage. Evaluating this project unrectified may also result to bidders disputing the process through appeals.

#### 4. IMPLICATIONS

##### 4.1 Legal Implications

Should the bid not be cancelled, the Department may be challenged legally by bidders.

##### 4.2 Time Implications

Time delay in the cancellation of bid, will result prolonged service delivery and unnecessary strikes from the community.

##### 4.3 Financial Implications

Appeals and Court orders are inevitable.



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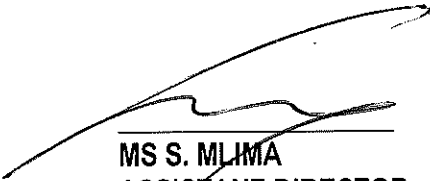
4.4 Social Implications

Should the bid not be cancelled and readvertised immediately, service delivery will be compromised.

**5. RECOMMENDATIONS**

5.1 It is recommended that:

Bid No: ZNB01374/00000/00/IXO/INF/22/T: Construction of new gravel road, associated drainage and ancillary works on L3640 between km 0.00 to km 1.500 from Bhala to Cabazi in Umzumkhulu, Pietermaritzburg Region be cancelled in line with Financial Delegation 5.23 as approved by the Accounting Officer on 23 June 2023. The project be readvertised after approval of the new bid document by the Technical BSC: PMB Region.

  
MS S. MLIMA  
ASSISTANT DIRECTOR: ADMIN SUPPPORT  
DATE: 2/11/2023

~~RECOMMENDED / NOT RECOMMENDED~~

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MR R.A ZONDO  
ACTING DEPUTY DIRECTOR: CC IXOPO  
DATE: 2/11/2023



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SUPPORTED / NOT ~~SUPPORTED~~

MR S.N GUMEDE  
DEPUTY DIRECTOR: FINANCE PMB REGION  
DATE: 07/11/2023

SUPPORTED / NOT ~~SUPPORTED~~

MS A.L LAZAROVA  
ACTING CHIEF DIRECTOR: PMB REGION  
DATE: 08/11/2023

APPROVED / NOT APPROVED

The Committee raises concerns on the cancellation and support for the matter to be investigated for <sup>to</sup> ~~con~~ ~~compliance~~ ~~management~~.  
*mission*

THE CHAIRPERSON: RBAC  
DATE: 2023/11/23