

Evaluating the Current Tender Adjudication in the Western Cape Province, South Africa

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Abstract

This article investigates the effectiveness of the tender adjudication process in the construction industry in the Western Cape Province, South Africa. Currently, the construction industry has shortcomings such as delays, a lack of transparency, variations in criterion application, and concerns about corruption, all of which significantly impact the process's effectiveness. Using an online questionnaire survey (48) and online structured interviews (3), the study employs a mixed method research technique. Descriptive statistics (mean, standard deviation, and ranks) are used to analyse the data. The study adopted a content analysis for the qualitative data. The findings revealed the perceptions of stakeholders on the effectiveness of tender adjudication comprising the Supply Chain Management (SCM) team involved in the tender adjudication, the current performance of the tender adjudication method and the capabilities of many contractors selected under the current tender adjudication method. The qualitative findings reveal that contractors' price estimate, contractors' experience, government budget, functionality, formal education and training, and collaboration as the most effective tender adjudication used. In the re-allocation process, the respondents noted that functionality, price, and points for employing youth are significant in the tender adjudication process. Regarding an alternative tender adjudication process, price, functionality, gender, knowledge, education, and training were noted in the qualitative findings. The findings from this research could have several impactful implications, particularly in the context of construction project efficiency, policy refinement, and stakeholder satisfaction. The study's conclusions could lead to a restructuring of the Western Cape Province's tender adjudication procedure, which would increase openness, reduce delays, and ensure fairness. These reforms would raise stakeholder trust, reduce legal issues, and boost the construction industry's competitiveness.

Keywords: Fairness and Accountability, Procurement Efficiency, Tender Adjudication, Transparency in Procurement, and Western Cape Province

1. Introduction

The tender adjudication process plays a pivotal role in the selection of an appropriate contractor and during the implementation stage of a project (Urquhart, Whyte & Lloyd, 2017). Windapo and Cattell (2013) indicate that tender adjudication involves investigating, screening, and deciding if the contractor or bidder could be accepted. Furthermore, the course of action is conducted before the contract is awarded to the successful contractor and founded on the contractor's expertise, construction knowledge, financial steadiness, current workload, safety technique, record, and other criteria. The selection of an appropriate contractor for the right project depends on the bases of the procurement process (Kog & Yaman, 2014). According to Sarker, Chowdury and Deb (2012), the contractor for projects must be sensibly selected considering their knowledge, competence, and skills to achieve the best outcome for the project in terms of cost, time, and quality.

Guida *et al.* (2023) opine that project delays and the increase in the cost of construction projects are associated with specifications and contractors'

qualifications known as financial, technical, knowledge, and contract type, while variation between the contractor's bid price and the next lowest bidder's price are related with the know-how of contractors. Current research shows that although tender adjudication has faced several obstacles, it has developed and is currently a notable procurement system in the construction industry in South Africa (Bolton, 2014; Makube, 2019). Part of construction procurement in South Africa is the preferential procurement system that supports Black Economic Empowerment (BEE) to ensure that income and wealth are distributed more equally among the majority (black) population (Mazibuko, 2018).

Although there are broad appeals for improvements in public procurement methods, empirical research on what precisely impedes effective tender adjudication process is limited (Hof, 2024; Gnoffo, 2021). Furthermore, Diriye and Ogbazghi (2024) adds that a study that fills this gap would give data-driven insights that could support targeted process improvements and policy changes, ultimately increasing the overall efficacy of public procurement in the construction sector. Therefore, it was important to investigate the

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current tender adjudication process adopted by construction stakeholders and to evaluate the most effective tender adjudication factors adopted in the Western Cape Province. The majority of departments and municipalities are taking procurement seriously during various stages of the process, but others do not seem to be able to make significant progress in securing a watertight procurement and supply-chain process (Ambe & Badenhorst-Weiss, 2012). There are concerns that if the tender adjudication process in the procurement function of government Departments fails, the national government might not be able to achieve its socioeconomic objectives (Williams-Elegbe, 2019). Although the South African government has developed a tender adjudication criterion, Matemotsa (2017), there is still inconsistency in the tender adjudication process in terms of selecting a suitable competitive bid. Simone and Balasundharam (2023) noted that the South African construction industry needs to consolidate and strengthen its procurement in order to ensure that the spending of public resources is more efficient and achieve savings through an effective tender adjudication process. The study aims to give practical insights and recommendations for enhancing the effective adjudication process. The ultimate goal is establishing a more transparent, fair, and efficient procurement system that increases the construction industry's competitiveness and promotes long-term regional development.

2. Literature Review

2.1. Procurement

Procurement refers to acquiring goods or services via purchasing or contracting, influenced by delivery, marginal benefits, and price factors (Shende, 2014). In supply chain management, it is especially crucial in the public sector, where structured tendering is common. In South Africa, public procurement addresses past inequalities and is central to socio-economic development (Kettl, 2015; Leal Filho et al., 2019). The Preferential Procurement Policy Framework Act (PPPFA) of 2000 supports SMMs, HDIs, women, and people with disabilities to foster economic transformation. Public procurement, funded by taxpayers, increasingly mirrors global trade patterns and is seen as a socio-economic force (Corvaglia, 2016).

2.2. Targeted procurement in the construction industry

The Construction Industry Development Board (cidb) (2014) defines Targeted Procurement as a government procurement intercession strategy aimed at promoting the participation of targeted enterprises and labour in government infrastructure contracts. Developed in South Africa to address the legacy of apartheid, the policy seeks to shift tender and procurement opportunities from established contractors to emerging

ones, thus providing business opportunities and employment for disadvantaged communities and individuals (Adediran & Windapo, 2017; Watermeyer, 2000).

In 1995, a Procurement Development Team (PDT) introduced targeted procurement, which was later adopted and driven by the National Department of Public Works in 1997, following cabinet approval. This initiative was part of broader public sector reforms, initially outlined in the '10-point plan', which provided interim measures under the State Tender Board Act of 1968 (Riccardi *et al.*, 2019). Targeted procurement is widely used in the construction industry, particularly for public infrastructure projects, given the significant role of public spending in driving the sector's performance.

2.3. Tender adjudication

Tender adjudication involves evaluating contractor bids based on set criteria, including price, experience, and capacity (Lopez & Spiegel, 2023). While lowest bids are often prioritized, this can overlook quality and reliability (Jenkins, 2016). Inadequate evaluation may result in poor contractor performance (cidb, 2014). Challenges in South Africa include corruption, skill shortages, and poor communication with bidders (Komakech, 2016; Makube, 2019; Jenkins, 2016; Akram et al., 2023).

2.4. Tender adjudication process and criteria

The tender evaluation process begins with bid submission and compliance checks (Saboonchi et al., 2021). The PPPFA stipulates an 80/20 preference point system for tenders under R500,000 and 90/10 for those above. Price accounts for 80 or 90 points, while the remaining points are awarded for goals like B-BBEE, gender equity, and job creation (Watermeyer, 2004; Volmink, 2022). Misrepresentation of preferential claims can lead to contract termination and penalties (Korman, 2014).

2.5. Competitiveness of tender

In South Africa, the public procurement process primarily uses competitive bidding to ensure fairness, transparency, and value for money in government contracts (Akçay & Manisali, 2018). Traditionally, cost has been the main criterion for selecting contractors, with the lowest bid often winning, but this approach has evolved to include other evaluation criteria such as quality, sustainability, and socio-economic objectives (Thobela et al., 2022; Gasa, 2012). While awarding contracts to the lowest bidder remains common, there are concerns that such bids may signal financial instability and the inability to meet quality and project requirements (Botlhale, 2016; Sibanda & Tshikovihi, 2022). Therefore, verifying preferential claims before awarding PPPFA preference points is crucial (Hoffa, 2022; Munzhedzi, 2016). Contractors can improve their competitiveness by leveraging experience and

knowledge from previous projects (Leal Filho et al., 2019; Herman & Yohannis, 2018), with technical and financial capacity being critical success factors in the selection process (Kim & Mauborgne, 2014). Despite the dominance of large contractors in public sector projects, the selection process should be more rigorous and consider factors beyond price to enhance contractor performance (Oyewobi et al., 2014).

3. Research Methodology

3.1. Research design

Using a sequential mixed research design, this study investigates the efficiency of the tender adjudication process in the construction industry in the Western Cape Province, South Africa. A mixed methods approach allows for both quantitative and qualitative data to be collected simultaneously, analysed separately, and thereafter merged (Creswell & Plano-Clark, 2018).

The target population for this study comprised four government departments in the Western Cape Province, including the Department of Public Works (DPW), Department of Transport (DT), Department of Human Settlements (DHS), and the local government in the Western Cape (LGWC). The director from each department were contacted to provide the register of staff members. From these, using a non-probability technique and purposive sampling the adjudication committees within the (DPW), (DT), (DHS), and (LGWC) were selected to participate in the study (Patel & Patel, 2019). The participants included directors, quantity surveyors, architects, project managers, maintenance managers, and supply chain managers which were all members of the adjudication committee, which typically comprises no more than 12 members in each department of the government sphere (national, provincial, and local) resulting in 48 participants. A total of three (3) participants were randomly selected (Saunders *et al.*, 2011) from government sphere to participate in the interview session as a measure to validate the results obtained from the quantitative data. Each respondent's professional background and engagement in the tender adjudication process in relevant departments were confirmed to ensure their suitability for contributing information for the study (Muhammed *et al.*, 2022). Of the 48 questionnaires administered using Google Forms, a total of 37 questionnaires were retrieved and correctly completed, representing a 77% response rate, that is good to support this study as in the construction industry, acceptable response rates to tenders typically range from 20% to 30% (Hwang & Ng, 2013).

To collect data, a structured questionnaire (primary data) was developed based on a literature review (secondary data) of the tender adjudication of construction projects in public procurement in South Africa (Creswell & Creswell, 2018). The questionnaire

contained two sections. Section one obtained the biographic profile of the participants, namely position in the business, highest educational level, number of years' experience in the business, and experience in tender adjudication. Section two is a set of 10 Likert-scale items relating to the construct 'tender adjudication' in the public sector. The interview session with each participant commenced with an explanation of the study's overall goal and the title of the research lasted between 30 to 45 minutes. The semi-structured interview guide contained two sections, Section A the background information of respondents, and section B contained only one major question: "What are the alternative criteria compared to current adjudication criteria to assist with selecting the most suitable service provider?" (Watkins, 2021). This question was asked to gain, from the perceptual views of the participants, a broad understanding of construction stakeholders regarding the efficiency of the current tender adjudication in the Western Cape province.

3.2. Data analysis

The quantitative data obtained from the survey questionnaire were analysed using statistical Package for the Social Sciences (SPSS) 25 software and descriptive statistics. Quantitative analysis is the process of discovering and describing data patterns through calculated processes (Russell & Purcell, 2009). Descriptive statistics was used to calculate and report the respondent's profile and to rank the tender adjudication efficiency results including frequency distributions, percentage, mean, and standard deviation. The responses were ranked on a five-point Likert scale where 1 = Strongly disagree (SD) (≥ 1.00 and < 1.80), 2 = Disagree (D) (≥ 1.81 and ≤ 2.60), 3 = Neutral (N) (≥ 2.61 and ≤ 3.40), 4 = Agree (A) (≥ 3.41 and ≤ 4.20), and 5 = Strongly agree (SA) (≥ 4.21 and ≤ 5.00). Likert-type or frequency scales use fixed-choice response forms and are intended to assess attitudes, views, and perceptions (Leavy, 2017). Content analysis was adopted for analysing the qualitative data on alternative methods for procurement and tender adjudication (Fellows & Liu, 2015). A qualitative content analysis approach was employed to analyse textual data from respondents' opinions. The data were coded manually using an inductive approach, identifying recurring themes related to procurement inefficiencies.

4. Results and Interpretation

4.1. Demographic information of the respondents

Table 1 indicates that most respondents were Quantity Surveyors (35.1%) and Project Managers (24.3%), with fewer Chief Construction Project Managers (13.5%) and Professional Project Managers (10.8%). A significant portion (81.1%) had between 1 and 10 years of experience in their current positions, reflecting relatively short tenure in their roles. More than half (51.4%) had 1 to 5 years of experience in tender

Table 1: Demographic information of the respondents

Demographic	Category	Frequency (n=37)	%
Position	Regional Manager	1	2.7
	Director Property	1	2.7
	Director Projects	3	8.1
	Quantity Surveyor	13	35.1
	Architect	3	8.1
	Director Supply Chain Management	1	2.7
	Deputy Director Facilities Management	2	5.4
	Professional Project Manager	4	10.8
	Chief Construction Project	5	13.5
	Manager Chief Works Manager	2	5.4
	Others	2	5.4
Experience in current position	1 – 5 years	21	56.8
	6 – 10 years	9	24.3
	11 – 15 years	4	10.8
	16 – 20 years	2	5.4
	21 – 25 years	1	2.7
Experience in tender awards	0 Project	5	13.5
	1 – 5 projects	19	51.4
	6 – 10 projects	8	21.6
	11 – 15 projects	3	8.1
	16 and above	2	5.4
Education	Matric	4	10.8
	Diploma	11	29.7
	Bachelor/ Honours degree	18	48.7
	Master's degree	4	10.8

awarding and had been involved in 1 to 5 tender projects. Although 21.6% had 6 to 10 years of experience, they handled slightly more projects (6 to 10). Most participants (79.4%) held either a bachelor's/honours degree (48.7%) or a national diploma (29.7%) in construction-related fields. While their qualifications are adequate, the limited experience highlights the need for targeted capacity-building to strengthen tender adjudication skills and improve decision-making efficiency.

4.2. The perception of the procurement stakeholders on the efficiency of the current tender adjudication method

4.2.1. Quantitative analysis

Table 2 indicates an average mean score of 3.84 which indicates that on average procurement stakeholders agree that all the statements in the construct 'tender adjudication' influence the efficiency of the current tender adjudication method in the Western Cape Province of South Africa. With mean scores above 4.20, procurement stakeholders strongly agreed that three statements have the most influence on the efficiency of the current tender adjudication method. Rank first (MS=4.31), 67.8% of the respondents agreed that the SCM team involved in tender adjudication does

not have sufficient knowledge of the PPPFA to select a suitable contractor. 81.3% of respondents were concerned that the current tender adjudication process has loopholes that permit corrupt activities to take place in tender adjudication (MS=4.21) and 83% agreed that many contractors selected under the current tender adjudication process do not possess adequate capabilities to complete the project (MS=4.21), which affects the efficiency of tender adjudication. Although these two statements share the same mean score, this study adopted the standard deviation which show the loopholes that permit corrupt activities in the tender adjudication process are more significant in influencing the effectiveness of the current tender adjudication process (SD=0.631).

Underperforming service providers, which can be attributed to the ineffective selection method used in the current tender adjudication process (MS=3.17) had the lowest ranking, but 67.8% of the respondents agreed that this statement affects the tender adjudication process.

Table 2: Ranking the efficiency of the current tender adjudication method

Statement (n=37)	1= Strongly Disagree ... 5= Strongly Agree (%)					MS	Std. dev	Rank
The Supply Chain Management (SCM) team involved in the tender adjudication process do not have sufficient knowledge of the Preferential Procurement Policy Framework Act used in the adjudication process to select a suitable contractor.	10.2	0.0	22	45.8	22	4.31	0.721	1
The current tender adjudication process has loopholes that permit corrupt activities.	3.4	13.6	5.1	23.7	57.6	4.21	0.631	2
Many of the contractors selected under the current tender adjudication process do not possess adequate capabilities to complete the project.	0.0	5.1	11.8	25.6	57.4	4.21	0.907	3
The effectiveness of the tender adjudication process to select the most suitable service provider for a construction project influences the tender adjudication process.	0.0	8.4	15.7	42.3	33.6	4.13	0.629	4
The tender adjudication process is not fair in the selection of a suitable contractor for construction projects.	0.0	1.7	22.0	40.8	37.2	4.00	0.889	5
The current tender adjudication process used under the Preferential Procurement Policy Framework Act is biased in selecting a suitable service provider for construction projects.	0.0	3.4	18.6	59.3	18.6	3.73	0.803	6
The tender adjudication process is effective in assisting with the selection of a suitable service provider.	0.0	5.1	16.9	59.3	18.6	3.61	0.793	7
The Preferential Procurement Policy Framework Act is an effective policy in the tender adjudication of selecting a suitable contractor for construction projects.	0.0	1.7	22.0	59.3	16.9	3.57	0.923	8
There is no transparency in the current tender adjudication process.	0.0	5.1	28.8	39.0	27.1	3.41	0.651	9
Underperforming service providers can be attributed to an ineffective current tender adjudication process.	0.0	15.3	16.9	22.0	45.8	3.17	0.990	10
Composite score average						3.84		

4.3. Qualitative analysis

4.3.1. Background of the interviewees

Three interviews were conducted with professionals involved in tender adjudication in the Western Cape:

- Participant A, a Quantity Surveyor from the Department of Public Works, was interviewed on 19 October 2022. With a BTech in Quantity Surveying, they had 25 years' industry experience and 15 years in tender adjudication, focusing on building projects.
- Participant B, a Project Manager at the Department of Human Settlements, was interviewed on 28 October 2022. They held a Master's in Construction Management and had over 10 years' adjudication experience, including national projects.
- Participant C, a Supply Chain Director in local government, was interviewed on 11 November 2022. With a BTech in Construction Management and SACPCMP registration, they had 25+ years' industry experience and over five years in their current role.

4.3.2. Alternative criteria compared to current adjudication criteria to assist with selecting the most suitable service provider

The findings reveal that tender pricing plays a crucial role in adjudication, with *Participants A and B* emphasizing that cost, functionality, and B-BBEE status influence contractor selection. While price is a key determinant, over-reliance on the lowest bid may compromise project quality, as some contractors lower their prices despite lacking the necessary capacity and experience. Functionality, including workforce establishment, financial stability, and risk mitigation, is essential for ensuring successful project delivery. B-BBEE compliance remains a priority, fostering inclusivity without excluding qualified contractors in tender adjudication process. *Participant C* highlights the need for transparency and fairness in procurement, stressing that favouritism and bias must be eliminated to maintain integrity in the process. Furthermore, many SMME contractors lack a proper understanding of the tendering process, leading to competency concerns, and underscoring the need for contractor education and capacity-building initiatives to enhance their competitiveness and project execution capabilities. In summary, the results from participants highlight the following factors namely: price, functionality, experience, quality, B-BBEE compliance, transparency and fairness, education, and capacity building.

5. Results discussion

The quantitative results revealed that many Supply Chain Management (SCM) professionals involved in tender adjudication lack sufficient knowledge of the Preferential Procurement Policy Framework Act (PPPFA), with 67.8% of respondents agreeing it negatively impacts the process (MS=4.31). This aligns with Khuzwayo (2020) and Vinti (2021), who stress that limited PPPFA knowledge undermines preferential procurement goals and fair contractor selection. Corruption-related loopholes were identified as the second key issue (MS=4.21), with 81.3% of respondents agreeing they affect the adjudication process. Similarly, 83% agreed that many selected contractors lack the capabilities to complete projects. Mahmood (2010) notes corruption is common in construction procurement, while Bonsu et al. (2022) argue that transparent procurement practices can mitigate this. The effectiveness of current adjudication practices ranked third (MS=4.13), and fairness in contractor selection ranked fourth (MS=4.0), with 77.9% viewing the PPPFA-based process as biased (MS=3.73). This supports findings from Huang (2011) and Chen et al. (2021) regarding the lack of transparency in selection criteria. Despite these issues, many respondents acknowledged that the tender adjudication process remains important (MS=3.61) in ensuring project delivery, as also supported by Kafile (2018).

Qualitative results showed that contractor price competitiveness, experience, and capacity significantly influence adjudication outcomes. These findings align with Aljohani et al. (2017), Qiang (2015), and Akali & Sakaja (2018), who emphasize the value of tracking contractor history and resource availability. Contractor functionality and management competence were also found to be key, reinforcing the need for formal training and TVET as noted by Yangben & Seniwoliba (2014). *Participant C* emphasized collaboration between established and emerging contractors to improve competition, echoing Bemelmans et al. (2012) on the importance of networking in the industry.

6. Conclusion and Further Research

This study aims to propose effective procurement strategies adopted by construction stakeholders by proposing guidelines to enhance the efficiency of the current tender adjudication method. This study focuses on the Western Cape Province and cannot be generalized to other Provinces. Concerning the perception of procurement stakeholders on the efficiency of the current tender adjudication method, in hierarchical order, includes that the tender adjudication team does not have sufficient knowledge of the Preferential Procurement Policy Framework Act (PPPFA) used in the adjudication method to select a suitable contractor, the tender adjudication method has

loopholes to permit corruption activities, and the effectiveness of the tender adjudication method in selecting the most suitable service provider for the construction is important.

Based on the qualitative findings, alternative innovative methods for public procurement should include pricing, functionality, and gender equality. The quantitative results were supported by the qualitative findings regarding the effective tender adjudication process adopted in public procurement. Therefore, the tender adjudication process needs to recognise contractor functionality as a significant criterion to ensure successful project delivery. Furthermore, using a points award system for appointing youth requires a significant consideration in tender adjudication criterion to ensure that public projects limit the unemployment rate in the South African nation. The findings provide useful insights for government agencies and stakeholders, suggesting specific reforms that can speed up adjudication and improve fairness in public procurement. The study's evidence-based recommendations help to build more equitable and efficient tender methods, with the ultimate goal of improving service delivery, resource allocation, and public trust in the province.

The study recommends that the tender adjudication stakeholders should note that the current tender adjudication method, seen tenders sometimes awarded to incorrect contractors because of the tender adjudication team's inefficient knowledge regarding the Preferential Procurement Policy Framework Act (PFA). Thus, it is recommended that further research should be conducted on the level of training provided to the tender adjudication team to enhance the level of competency within the adjudication team. The tender adjudication team should be aware of the tender adjudication method that has loopholes that permit corruption activities in the South African procurement process. Public stakeholders should be aware of the effectiveness of the tender adjudication method in selecting the most suitable service provider, public practitioners who invest funding in the government sector should relook at the effectiveness of the current tender adjudication.

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