

MIDVAAL LOCAL MUNICIPALITY

MINUTES OF THE 1ST ORDINARY MEETING OF 2023 HELD ON TUESDAY,
31 JANUARY 2023 AT 14:00 IN THE COUNCIL CHAMBERS

C 3010/01/2023
MC A/5965/01/2023

9.A.9 [FS]: REPORT ON DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT
POLICY AS REQUIRED BY THE MUNICIPAL SUPPLY CHAIN MANAGEMENT
REGULATIONS: MONTH OF DECEMBER 2022

8/1/1

COMPETENCY: COUNCIL

IT WAS UNANIMOUSLY RESOLVED:

That the report on the deviations from the MFMA Supply Chain Management Policy, as required by the Municipal Supply Chain Regulations, for the month of December 2022, be noted.

C 3010/01/2023
MC A/5965/01/2023

**9.A.9 [FS]: REPORT ON DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT
POLICY AS REQUIRED BY THE MUNICIPAL SUPPLY CHAIN MANAGEMENT
REGULATIONS: MONTH OF DECEMBER 2022**

8/1/1

COMPETENCY: COUNCIL

PURPOSE

To report on deviations from the Supply Chain Management policy as required by the Municipal Supply Chain Management (MFMA) Regulations for the month of December 2022.

RECOMMENDATION

That the report on the deviations from the MFMA Supply Chain Management Policy, as required by the Municipal Supply Chain Regulations, for the month of December 2022, be noted.

REPORT

The Municipal Supply Chain Management Regulations published under General Notice 868 in Government Gazette 27636 of 30 May 2005, inter alia, contains the following reporting requirements:

***“Regulation 6 provides that the council of a municipality has an oversight role over the implementation of its supply chain management policy.*”**

- (1) *The council of a municipality must maintain oversight over the implementation of its supply chain management policy.*
- (2) *For the purposes of such oversight the accounting officer must –*
 - (ii) *Whenever there are serious and material problems in the implementation of the supply chain management policy, immediately submit a report to the council of the municipality.”*

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The following Regulations are applicable to the implementation of the SCM policy and reported on as per the SCM regulations:

REPORT	SCM REGULATION NO	REPORT TO	FREQUENCY	RESPONSIBLE PERSON
Report on deviations from SCM Policy	36(2)	Council	Monthly (next Council meeting)	ASD: SCM
Report whenever there are serious and material problems in the implementation of the SCM Policy, immediately submit a report to the Council	6 (2) (a) (iii)	Council	Immediately (as and when applicable)	ASD: SCM

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MIDVAAL LOCAL MUNICIPALITY: MFMA SCM REGULATIONS - REGULATION 36 (1) & (2) OF THE: DEVIATIONS AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESS

1. The Accounting Officer may dispense with the official procurement processes established by Midvaal Local Municipality's SCM policy and procure goods or services through a convenient process which includes:

- i) Emergency;
- ii) Goods and services produced or available from a single provider only;
- iii) Special works of art, historical objects;
- iv) Animals for zoos;
- v) Exceptional cases where it is impractical or impossible to follow the official procurement process.

Herewith the report to Council on purchases that could not follow the official procurement process for the month of **December 2022**:

(i) PURCHASES ACQUIRED IN EMERGENCY CASES				REASON	AMOUNT
R/N	DEP	DESCRIPTION	DATE		
DEC001 2022-2023	Public Roads&Safety	S&R AFRICA - Cleaning of sewer spill in Henley on Klip	07/12/2022	Regulation (1)(a)(i) Due to loadshedding, the sewer pumps became dysfunctional and lead to a sewage spill running down to the Kliprivier. This posed as a health risk to the environment.	R 80 575,00
DEC006 2022-2023	Community services	Midas/ Vaal Hi performance spares - Repair of Tana landfill compactor joystick unit	14/12/2022	Regulation (1)(a)(i) Emergency repair to the landfill compactor joystick unit. The landfill compactor cannot function without the joystick therefore, operations are delayed, and any additional delays will result in non-compliance and a fine will be issued by Gauteng Department of Agriculture and Rural Development (GDAD).	R 19 550,00
(ii) PURCHASES ACQUIRED WHERE GOODS AND SERVICES PRODUCED OR AVAILABLE ARE FROM A SINGLE PROVIDER ONLY/AGENTS					R 100 125,00
R/NR	DEP	DESCRIPTION	DATE	REASON	AMOUNT
DEC003 2022-2023	Public Safety & Roads	Marce Projects (Pty) Ltd- Annual service of TNT Hydraulic equipment (Vehicle BP41D/GP)	15/12/2022	Regulation (1)(a)(ii) - Marce Projects (Pty) Ltd is the sole representative for sales /services of the TNT range for South Africa.	R 17 250,00
DEC004 2022-2023	Public Safety & Roads	Marce Projects (Pty) Ltd- Annual service of TNT Hydraulic equipment (Vehicle engine TGP)	15/12/2022	Regulation (1)(a)(ii) - Marce Projects (Pty) Ltd is the sole representative for sales /services of the TNT range for South Africa.	R 17 250,00
(iii) SPECIAL WORKS OF ART OR HISTORIC OBJECTS					R 34 500,00

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(iii) SPECIAL WORKS OF ART OR HISTORIC OBJECTS						
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT	
		NONE				
(iv) ACQUISITION OF ANIMALS FOR ZOOS AND/OR NATURE AND GAME RESERVES						
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT	
		NONE				
(v) IMPRACTICAL OR IMPOSSIBLE						
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT	
36 (1)(b) RATIFICATION OF MINOR BREACH BY ACCOUNTING OFFICER						
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT	
		NONE				

Implementation of the SCM policy Regulation 6 (2) (a) (iii)

That it be noted that there are no serious or material problems in the implementation of the MFMA SCM policy.

PREPARED BY:



MRS. D SEMANO
ASSISTANT DIRECTOR: SCM
03 JANUARY 2023

REVIEWED BY:



MR. F JONAS
DIRECTOR: SCM
03 JANUARY 2023

RECOMMENDED / NOT RECOMMENDED



MR. ZN MHLONGO
CHIEF FINANCIAL OFFICER
03 JANUARY 2023

APPROVED / NOT APPROVED



MR. AM GROENEWALD
MUNICIPAL MANAGER
03 JANUARY 2023

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**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF
DEPARTMENT: 17 JANUARY 2023**

Resolved to Recommend

That the Item be referred to the Section 80 Finance Services Portfolio Committee.

**COMMENTS: SECTION 80 FINANCIAL SERVICES PORTFOLIO COMMITTEE: 16
JANUARY 2023**

The recommendation is supported.