

MIDVAAL LOCAL MUNICIPALITY

**MINUTES OF THE 5TH ORDINARY MEETING OF 2023 HELD ON THURSDAY,
25 MAY 2023 AT 14:00 IN THE COUNCIL CHAMBERS**

C 3091/05/2023
MC A/6065/05/2023

**9.A.19 [FS]: REPORT ON DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT
POLICY AS REQUIRED BY THE MUNICIPAL SUPPLY CHAIN MANAGEMENT
REGULATIONS: MONTH OF APRIL 2023**

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 April 2023 be noted.

C 3091/05/2023
MC A/6065/05/2023

9.A.19 [FS]: REPORT ON DEVIATIONS FROM THE SUPPLY CHAIN MANAGEMENT POLICY AS REQUIRED BY THE MUNICIPAL SUPPLY CHAIN MANAGEMENT REGULATIONS: MONTH OF APRIL 2023

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 April 2023.

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 April 2023 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.”*

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

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 **April 2023**:

(i) PURCHASES ACQUIRED IN EMERGENCY CASES					
R/N	DEP	DESCRIPTION	DATE	REASON	AMOUNT
		NONE			
(ii) PURCHASES ACQUIRED WHERE GOODS AND SERVICES PRODUCED OR AVAILABLE ARE FROM A SINGLE PROVIDER ONLY/AGENTS					
R/N/R	DEP	DESCRIPTION	DATE	REASON	AMOUNT
APR002-2022/2023	Finance	Adapt IT – On-site specialist support in Compilation of Annual Financial Statements using the Caseware Software (already purchased)	14/04/2023	Regulation (1)(a)(ii) Adapt IT is the sole distributor of Caseware software products in South Africa	R 79 444.93
					R 79 444.93
(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

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		NONE		v) IMPRACTICAL OR IMPOSSIBLE			
R/N	DEPT	DESCRIPTION	DATE	REASON	AMOUNT		
APR001-2022/2023	Corporate	LL Hotel (Pty) Ltd 1/8 Lord's Signature Hotel - Conference for 19 people for Mayoral Committee and all HOD's	05/04/2023	Regulation (1)(j)(v) The budget workshop for the Mayoral Committee & HOD's was held on 16-17 March 2023 at the Lords Signature Hotel. The presence of the Mayor and the speaker were critical to the sitting and subsequently the bodyguards were on duty to ensure all safety protocol is observed. The three bodyguards were not initially included when the planning, quotation & arrangements were confirmed and it would be impractical to source quotes at different service provider as they had to be at the same venue at all times.	R2,700.00		
APR003-2022/2023	Corporate	Guardian Forensic Services cc-Council Resolution SC2943/09/2022 Dated 15 September 2022	26/04/2023	Regulation (1)(a)(v) Council resolved on 15 September 2022 for the service provider to be appointed to conduct investigations.	R249,147.50		
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
 3 May 2023

REVIEWED BY:


MR. F JONAS
 DIRECTOR: SCM
 3 May 2023

RECOMMENDED / NOT RECOMMENDED


MR. Z.N MHLONGO
CHIEF FINANCIAL OFFICER
3 May 2023

APPROVED / NOT APPROVED


MR. A.M GROENEWALD
MUNICIPAL MANAGER
3 May 2023

ENCLOSED HEREWITH:

Annexure A: Supporting evidence

MIDVAAL LOCAL MUNICIPALITY

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**COMMENTS: MEETING OF THE MUNICIPAL MANAGER AND HEADS OF
DEPARTMENT: 16 MAY 2023**

Resolved to Recommend

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

**COMMENTS: SECTION 80 FINANCE SERVICES PORTFOLIO COMMITTEE: 15
MAY 2023**

The recommendation is supported.

ANNEXURE “A”

MIDVAAL LOCAL MUNICIPALITY

**AGENDA OF THE 5TH ORDINARY MEETING OF 2023 TO BE HELD ON THURSDAY,
25 MAY 2023 AT 14:00 IN THE COUNCIL CHAMBERS**

APR 001

Tel: +27 16 100 5298
P.O.Box 2364
Vanderbilpark
1900
Var no: 4890306519



Telefax: +27 16 100 5298
33 Raymond Suerer
Risiville
1929
Reg: 2022/613141/07

TAX INVOICE

Reference No. 37008

Friday 17 March 2023

Attention : Mrs Louise van Staden

Conference for: Midvaal Municipality
Address : Cnr Mitchellle and Junious Street
Meyerton
Gauteng, South Africa
1960

Tel : 016 360 7553
Email : louisevs@midvaal.gov.za
Fax : 086 619 3332
Cell : 0

Start Date : Thursday 16 March 2023
End Date : Friday 17 March 2023

Date	Description	Price (Excl)	Price (Incl)
16/03/2023	Snacks and Lunch 3 @ R450.00	R 1,173.91	R 1,350.00
17/03/2023	Snacks and Lunch 3 @ R450.00	R 1,173.91	R 1,350.00
		Sub-Total	R 2,347.83
		Balance	R 2,700.00
		Sales Excl	R 2,347.83
		Expenses	R 0.00
		VAT	R 352.17
		Sub - Total	R 2,700.00
		Payments	R 0.00
		Balance	R 2,700.00



FUNCTIONS

- * Please note that we do not allow own food and drinks on the premises. We have a full functioning restaurant and bar that guests can make use of
- * Your booking will only be secured once 50% or full payment has been received.
- * Full payment must be received atleast 2 weeks (14 days) before event date.
- * A quotation is not a booking.
- * No food are allowed to leave the premises after an event/function/wedding/conference
- * Total number of people for the event needs to be confirmed at least 2 weeks (14 days) before event.
- * No attendance decrease changes will be done on the day.

ACCOMMODATION

- * Please note that we do not allow own food and drinks on the premises. We have a full functioning restaurant and bar that guests can make use of
- * Should your booking be only for one person, and you have an extra guest, it will be expected of you to pay for your extra guests

Banking Details

Account Holder : LL Hotel Pty Ltd
Bank Name : First National Bank
Branch : Three Rivers
Branch Code : 251337
Account Number : 63011873379
Swift Code :

Cancellation Policy
CANCELLATION POLICY

Should your accommodation or function be cancelled for whatever reason once the deposit/voucher number has been paid a refund will only be made once the date any discounts passed onto the new booking will be deducted from the potential refund. In the event of non-payment of the fees with in the time specified Lords Signature Hotel shall be entitled to cancel a booking.

- Please note the following refund structure:
- * 60 days or more notice 75 percent of the Total Invoice Amount shall be refunded.
 - * 21 - 30 days notice is given 50 percent of the Total Invoice Amount shall be refunded.



MIDVAAL LOCAL MUNICIPALITY

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APRI 002

ORDER FORM

Created Date	11 Apr 2023	Expiration Date	11 May 2023
Account Name	Midvaal Local Municipality	Tel No(s)	016-360-7400
Contact Name	Katiso Kanono	eMail	katiso@midvaal.gov.za
Account Number	MID03A	Reference No	00271341

Description	Quantity	Initial Fee	Disc. Amount	Est. Annual Fee	Tax	Total Price
Caseware Specialist Support: PS On-site (per hour) - 8 - 12 May 2023 (Zwell)	40.00	R 1,641.62	R 0.00	R 0.00	R 9,849.72	R 65,684.80
Travelling cost per kilometre Specialist Support	775.00	R 4.41	R 0.00	R 0.00	R 512.66	R 3,417.75
Total Price:						R 69,082.55
VAT:						R 10,362.38
Grand Total:						R 79,444.93

Terms and Conditions

Licences

- 100% Payment of the software invoiced amount is to be made on presentation of invoice.
- Payment can be made via credit card, EFT (Bank details below)
- No orders will be processed nor will products or services be supplied without proof of payment being presented.
- Failure to pay any outstanding dues to Adapt IT will result in your software license being revoked and immediate cancellation of this order and any current licenses.
- All prices quoted exclude VAT
- If we quote you in any currency other than Rands (ZAR), you must pay us the Rand equivalent of the foreign currency. You must use the exchange rate that is applicable on the date of the invoice to calculate the Rand equivalent.

By signing the order form, it is an offer to us that you cannot revoke. You will be deemed to have read and accepted the Customer Relationship Terms and CaseWare International EULA and Caseware Africa EULA, that are incorporated into this agreement by reference. They are available from us at https://success.casewareafrica.com/CW_home EULA's may be accepted on installation via clickwrap agreement or like the previously mentioned EULAs, may be incorporated by reference

Annual Licence Renewals

- The annual renewal fee of your Caseware license will be due within 12 months from the effective date of signing this order form.
- The annual license fee will be based on Adapt IT license fees applicable at the time of renewal.
- All prices are subject to an annual price increase.

Services

- Payment for any services like consulting and training can be made by EFT and credit card only on presentation of invoice.
- Any on-site consulting bookings cancelled or re-scheduled less than 5 days prior to the original dates booked, will be charged the travel expenses incurred/booked at the time as well as 25% of the consulting fee
- Payment for any training course is required before the training event. If payment is not received before the training event, you will unfortunately not be able to join the course.
- Please note that the training bookings have to be cancelled at least 5 working days prior to the scheduled training event, or penalty fees will apply. Telephonic cancellations of booking will not be accepted. Please email your cancellation to training@adaptit.co.za
- For any non-attendance / cancellation or rescheduling within 5 days prior to the event, a 50% penalty fee per delegate will be charged up to 24 hours before the event.
- For any non-attendance / cancellation or rescheduling within 24 hours prior to the event, a 100% of the course fee per delegate will be charged.

APPROVAL:

Purchase Order No: _____	Physical Address: _____
Name (print): _____	_____
Designation: _____	_____
Date: _____	Postal Address: _____
Signature: _____	_____
VAT Number: _____	Method of Payment (Tick Applicable) Credit Card <input type="checkbox"/> EFT <input type="checkbox"/>

We respect your privacy, for more information on how we protect your personal information, please see our Privacy Policy on our website: <https://www.adaptit.com/privacy-policy>

Adapt IT Holdings Limited 1998/017276/06 152 14th Road, Noordwyk Midrand, Johannesburg, South Africa, 1687	Account Name: Adapt IT Holdings Limited Standard Bank of SA, Rosebank Branch Code 004305 Account Number 001635522 Swift Code SBZAZAJJ
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APR1003



Guardian Forensic Services

Tax Invoice

Client Information

Midvaal Local Municipality
PO Box 9
Meyerton
1960

Guardian Forensic Services CC
PO Box 22194, Helderkruijn, 1733
Contact Number: 083 453 1895
VAT No. 4130245873
Reg. No. 2008/063503/23

For attention: Ms Retha van Greune

Invoice date: 12 April 2023
Midvaal VAT No: 4700193503

Invoice number: MLM030

RE: FORENSIC INVESTIGATION INTO POSSIBLE TENDER IRREGULARITIES INVOLVING KOTULANG TRADING ENTERPRISE CC

Cost description	Estimated hours/km/units	Rate per /hour/km/unit	Total estimated cost
Forensic Director (Tinus Koen)	32 hours	R1 400.00	R44 800.00
Forensic Manager (Ivan Breedts)	120 hours	R1 200.00	R144 000.00
Forensic Investigator (Alexander Koen)	40 hours	R650.00	R26 600.00
Travelling	250 km	R5.00	R1 250.00
Sub-total			R216 650.00
VAT			R32 497.50
Total			R249 147.50

Banking Details

Nedbank, Westgate, Branch Code: 19834143, Account No: 1983176613, Current Account



CERTIFICATION OF INVOICE FOR PAYMENT

- Goods or services have been received / rendered
- Goods or services comply with specifications & quality
- Price is correct as per the contract / order / quotation
- This invoice was not previously paid
- Goods or services has been procured in terms of the MLM / SCMP

Name: Ms Retha van Greune
Signature: [Signature] Date: 21/4/2023