

● Judge cites lack of evidence and history of irksome lawsuits by former EPWP worker

By LINDILE SIFILE

A R17m lawsuit against a municipality has gone nowhere after the court dismissed an application by an unemployed man who has been described as a persistent litigant. Thabang Motjamela had approached the Western Cape High Court seeking damages from the Garden Route district municipality, sitting in George, over its failure to permanently employ him after his involvement in the expanded public works programme (EPWP). He claimed he was shortlisted for a position as a senior worker in 2021 and was sent for a medical examination in anticipation of being employed. However, he was ultimately not appointed,

WHY MAN LOST R17M SUIT AGAINST MUNICIPALITY FOR ‘PROMISED’ JOB

apparently because of his criminal record. Motjamela argued that he had disclosed his criminal record before undergoing the medical examination but was nevertheless led to believe he would be successful. He sought compensation for past and future loss of earnings; emotional and psychological harm; loss of dignity; and alleged violations of his constitutional rights. His calculations for his earnings stretched all the way to his projected retirement in 2054. The judgment shows his original salary claim, according to his own calculations,



Thabang Motjamela hoped for permanent employment after a stint within the expanded public works programme. /Thapelo Morebudi



MAKHADO MUNICIPALITY

TENDER NOTICE



All suitable service providers are hereby invited to bid for the above-mentioned project. Bidders are requested to bid as per specification attached to the bid documents that will be obtainable **01st September 2026 at non –refundable amount of R600.00** per document at the Procurement Office No. B043 Ground Floor, 83 Krogh Street, Civic Center, Makhado or can be downloaded from e-tender portal for free <https://www.etenders.gov.za/#> or www.makhado.gov.za.

BID NO:	DESCRIPTION	EVALUATION CRITERIA	SPECIAL REQUIREMENTS	TECHNICAL ENQUIRIES	REFERENCE AND NOTICE NO.	CLOSING DATE AND TIME
35 of 2026	Re-advertisement: Request for proposals to develop and lease a portion on the remainder of portion 7 of farm Bergvliet 288-ls for the purpose of a commercial use in Makhado local municipality for the period of 75 years	80/20 preferential points with functionality		Director Development and Planning: Mr. A Mabunda or Mr TI Lipharama at 0155193000	Ref: 8/3/2/172 Notice no: 82/2026	30 September 2026 at 12:00pm
36 of 2026	Provision of vetting system for the period three (03) years	80/20 preferential points with functionality		Chief Financial Officer : Mr NG Raliphada or Mr LE Luvhimba at 0155193000	Ref: 8/3/2/173 Notice no: 83/2026	30 September 2026 at 12:00pm
37 of 2026	Appointment of a panel of registered professional land surveyor for period of a three (03)years	80/20 preferential points with functionality	Certified copy of professional registration certificate with PLATO/ SAGC	Director Development and Planning: Mr. A Mabunda or Mr T Musandiwa at 0155193000	Ref: 8/3/2/174 Notice no: 84/2026	30 September 2026 at 12:00pm
38 of 2026	Appointment of a panel of registered Town or Technical Planners for period of a three (03)years	80/20 preferential points with functionality	Certified copy of professional registration certificate with SAC-PLAN	Director Development and Planning: Mr. A Mabunda or Mr T Musandiwa at 0155193000	Ref: 8/3/2/175 Notice no: 85/2026	30 September 2026 at 12:00pm
39 of 2026	Appointment of a panel of registered environmental consultants for period of a three (03)years	80/20 preferential points with functionality		Director Development and Planning: Mr. A Mabunda or Mr T Musandiwa at 0155193000	Ref: 8/3/2/176 Notice no: 86/2026	30 September 2026 at 12:00pm

The Municipality is not bound to accept the lowest or any bid and reserves the right to accept any part of a bid. Bids must remain valid for a period of ninety (90) days after closing date of submission thereof. Submitted tenders will be evaluated as per above mentioned table.

Bids which are late, incomplete, unsigned, or submitted in pencil or by telegraph or facsimile or electronically by e-mail, or not having the following documents attached for evaluation or not complying with the tender specifications, will not be evaluated, and will be disqualified:

- Valid Tax compliance status pin issued by SARS
- A copy of company registration documents (CK)
- Certified copy/copies of company owner(s) ID book(s), not older than three (03) months certification.
- Attach proof of payment for municipal rates not older and not owing for more than (03) months or formal lease agreement for rental premises or letter from the traditional authority in cases of non-ratable areas. (Attach for both entity and directors of the company)
- Copy of central supplier database (CSD) report.

NB:

- All Service Provider doing business with Makhado municipality are required to register on the CSD (Central Supplier Database).
- A copy of a certified copy will not be accepted.
- Tenders must be properly deposited in the tender box on or before the closing date at Makhado Local Municipality Civic Centre, 83 Krogh Street, Makhado

All procurement enquiries should be directed to Ms. P Mudau or Mr M Ramabulana at Tel no. (015) 519 3044/3024

Civic Centre
83 Krogh Street
MAKHADO

MR KM NEMANAME
MUNICIPAL MANAGER

amounted to more than R32,285 per month before income tax. It included bonuses and provident fund contributions. But judge Phillipa Susan Van Zyl was unimpressed with the manner in which the case was brought before the court. She said Motjamela’s claims were not suited to motion proceedings because several issues would require oral evidence. “The applicant’s claims are generally not determinable on affidavit,” the judge said, adding that the information provided in the papers was sparse and lacked supporting documentation. The court described the application as “stillborn”, “bare and vague”, concluding that no case had been made out for the relief sought. But the judgment also opened another chapter in Motjamela’s lengthy legal history on the same matter with the same municipality. Motjamela has previously taken his fight over EPWP contracts to several forums, where the matter failed, including the SA Local Government Bargaining Council; the Commission for Conciliation, Mediation and Arbitration; the labour court; and the labour appeal court. He was eventually declared a vexatious litigant in relation to the George local municipality, a decision later confirmed by the Constitutional Court. The ConCourt has previously described his litigation as a “relentless campaign”. It noted that since 2023, Motjamela had brought four applications before it, including three applications for leave to appeal and an application for direct access. Several of these were dismissed for lack of reasonable prospects of success or because no case had been made out. The apex court also noted that after an order was issued in May, it received four further applications from Motjamela relating to his employment disputes. The ConCourt described the cases collectively as a pattern of “wanton and reckless litigation”. Despite this, Van Zyl declined to order him to pay costs. She said she had considered imposing a costs order to discourage Motjamela from pursuing similar litigation, but was reluctant to do so because he was unemployed, an indigent and his family was in poor financial circumstances. The application was dismissed.

