

D/SM 14/23



MEMORANDUM

**SOLID WASTE MANAGEMENT
DEPARTMENT**

CHECK BEFORE SUBMISSION	YES	NO
REGISTERED ON CSD DATABASE	X	
LETTER - SOLE SUPPLIER if applicable.		
QUOTE/INVOICE ATTACHED		
BUDGET (SAMRAS)		
CASHFLOW		
SIGNATURES		

To Aan: MUNICIPAL MANAGER
From Van: CLAYTON HENDRICKS
Job Title: SENIOR MANAGER: WASTE MANAGEMENT
Date Datum: 08 JUNE 2023
Re Insake: DEVIATION: RECYCLABLE WASTE COLLECTION AND PROCESSING
 OF RECYCLABLE MATERIAL AT A LICENCED MATERIAL RECOVERY
 FACILITY

Municipality - Munisipaliteit
Stellenbosch

21 JUN 2023

Office of the Municipal Manager
Bestuurder

1. PURPOSE

To obtain approval in terms of Supply Chain Management Policy, to deviate from the official procurement process in terms of section 36 of the approved SCM Policy

REASON FOR DEVIATION: (Mark with x where applicable)		
1.	Emergency. "Emergency dispensation" means emergency as referred to in paragraph 36(1)(a)(i) of this policy under which one or more of the following is in existence that warrants an emergency dispensation;	
	a The possibility of human injury or death;	
	b The prevalence of human suffering or deprivation of rights;	
	c The possibility of damage to property, or suffering and death of livestock and animals;	
	d The interruption of essential services, including transportation and communication facilities or support services critical to the effective functioning of the municipality as a whole;	
	e The possibility of serious damage occurring to the natural environment;	
	f The possibility that failure to take necessary action may result in the municipality not being able to render an essential community service;	
	g The possibility that the security of the state could be compromised; or	
	h The prevailing situation, or imminent danger, should be of such a scale and nature that it could not readily be alleviated by interim measures, in order to allow time for the formal procurement process. Emergency dispensation shall not be granted in respect of circumstances other than those contemplated above.	
2.	Goods or services are produced or available from a single provider	
3.	Acquisition of special works of art or historical objects where specifications are difficult to compile.	
4.	Acquisition of animals for zoos and /or nature and game reserves	
5.	Exceptional case and it is impractical or impossible to follow the official procurement processes	X

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.

**2. SUBSTANTIATE WHY SCM PROCESS COULD NOT BE FOLLOWED
(TO BE REPORTED TO COUNCIL)**

Tender BSM 12/21 for recyclable waste collection and processing of recyclable material at a licenced Materials Recovery Facility (MRF), was awarded to Resource Innovations until 30 June 2023. The tender entails the daily recycling collection and operation of the MRF where the collected recyclables are processed.

A new tender to replace tender BSM 12/21, was prepared (BSM 64/23) but could not be advertised until such time the 3 year budget was finalised and budget availability could be confirmed. The budget has now been finalised and the tender was advertised with the closing date being the 10 July 2023. This has resulted that no service provider will be in place by 1 July 2023 when tender BSM 12/21 ends on 30 June 2023. This has resulted an exceptional case and it is impractical or impossible to follow the official procurement processes to have a service provider on site by 1 July 2023.

3. DISCUSSION

The collection of recyclable waste and operating of the MRF, is a service that is rendered daily. An interruption of this service, must be avoided as it will impact negatively on recycling collection service which over time has become a standard service offering. The Municipality has also committed to and have committed to expand on this service over the next 3 years. By not having a recycling service may lead to the community not participating in the recycling programme due to the inconsistency/ or non-collection of recyclables and possible reputational damage.

4. FINANCIAL IMPLICATIONS

That the approval, from U-Key: 20220630077825 be granted in terms of the Municipality Supply Chain Management Policy 4.36.1 (a)(v), for current YEAR 3 rates (attached) as was quoted by Resource Innovations (Pty) Ltd to be granted until 31 December 2023, or until a new tender is in place. Monthly rate for such service is R 395 682,84.

5. VALUE FOR MONEY (OTHER RATES/VALUES/...)

The rates provided herein (attached: YEAR 3 rates) be used for this deviation.
A competitive bidding process was followed during the BSM 12/21 procurement process.

6. IT IS RECOMMENDED THAT:

- 6.1** That the approval be granted in terms of the Municipality's Supply Chain Management Policy – in any other exceptional case where it is impractical or impossible to follow the official procurement process to appoint Resource Innovations (Pty) Ltd until 30 September 2023 and then on a month to month basis thereafter, until a new tender is in place. This will ensure uninterrupted service of daily collecting of recyclables and processing collected recyclables at Stellenbosch Material Recovery Facility.

- 6.2 That the approval, from U-Key: 20220630077825 be granted in terms of the Municipality Supply Chain Management Policy – in any other exceptional case where it is impractical or impossible to follow the official procurement process in an emergency for the deviation of payments in accordance with the rates tendered.



Clayton Hendricks
Senior Manager: Waste Management

Date: 15/06/2023


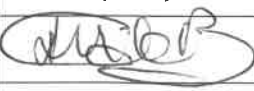


Shane Chandaka
Director: Infrastructure Services

Date: 15/06/23

7. SUPPLY CHAIN MANAGEMENT COMMENTS:

8. APPROVAL:

RECOMMENDATION SUPPORTED / NOT SUPPORTED BY THE STELLENBOSCH MUNICIPAL BID ADJUDICATION COMMITTEE		
Name	Signature	Date
S Chandaka	Online	15/6/2023
A Barnes	Online	15/6/2023
A de Beer		15/6/2023
G Boshoff	Online	15/6/2023
D Jacobs		15/6/2023
D. M.C. de Beer		 15/06/23
Comments:		

NB! All deviations i.r.o the amount will be tabled at the BAC Via the BEC.

15/06/23
20/6/23

CHAIRPERSON.....

DATE

RECOMMENDATION FROM BID ADJUDICATION COMMITTEE APPROVED BY THE ACCOUNTING OFFICER

Comments: Deviation, Recyclable Waste Collection and Processing of Recyclable material at a licensed material recovery facility

ACCOUNTING OFFICER.....

DATE 21/6/2023

9. Supply Chain Management Process:

Steps	Action
1.	ment initiates request to deviate using deviation template; document to be sent to Principal Clerk. (Renae Bergstedt)
2.	Principal Clerk (Renae Bergstedt) load information onto Deviation register with the following details:
3.	Information received to be sent to Database Administrator VIA assigned practitioner for Vetting of Supplier
4.	Completed documents to be sent to SCM Administrator via assigned Practitioner to be placed on the agenda for Bid Evaluation Committee (BEC)
5.	Recommendation of the BEC to be added on the agenda for Bid Adjudication Committee (BAC)
6.	Deviation as well as minutes sent for the approval by the Accounting Officer (MM)
7.	Office of Municipal Manager will contact SCM for the collection of the approved or not approved deviation
8.	Principal Clerk load information onto Deviation register
9.	Email sent to user- department with the approved minutes / deviation (Renae Bergstedt)
10.	Department initiates request on Flexgen
11.	Senior Buyer allocates the requisition to SCM Practitioner that dealt with the specific deviation
12.	SCM Practitioner completes order approval form
13.	Duly completed and signed order approval forms submitted to Paula Ribeiro to complete and update the contract register
14.	Order approval form is signed; contract register amended with approved amount, POE is scanned and saved on server.
15.	Fully completed, approved form is submitted to Senior buyer for order.

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