Councillor in hot water over 'racial profiling' remarks

Vusumzi Tutu to appear before ethics committee after referring to acting CFO Pillay as 'a Gupta'

ASANDA NINI

A Buffalo City Metro councillor is in hot water and will soon be hauled before the council's ethics committee after being accused of racial profiling and discrimination against a senior metro official.

Council speaker Humphrey Maxegwana recommended on Wednesday that opposition party African Independent Congress proportional representative councillor Vusumzi Tutu be referred to the ethics committee.

Tutu had allegedly referred to acting chief financial officer Vincent Pillay as a "Gupta" because of his Indian origin and failed to retract the comments.

Tutu told the council he was "sick and tired of these Guptas" when the extension of Pillay's acting stint was discussed during a closed session of Wednesday's virtual special council meeting.

The confidential session approved another three-month acting spell for Pillay, effective from March 1.

Contrary to regulations, this will be Pillay's fifth consecutive acting session in the top finance position.

His current stint ends on Friday, but he is expected to hold the fort again until May 31.

The developments angered some councillors, with the DA later registering its dissent on the latest extension.

In late August 2024, it was reported that BCM chief financial officer Ntsikelelo Sigcau, who had been out of office for more than two years after being injured in a car crash in 2022, was back in action and raring to go.

This was after he had sent a letter to metro bosses saying he was ready to resume his duties.

However, a few days later the council approved Pillay's three-month acting stint.

Pillay's continuous acting stints are said to have been a source of serious tension within the ANC caucus in the council.

In August, his extension triggered a confrontation among warring ANC factions in the council which threatened to turn physical.

The disagreement reportedly resulted in a council meeting that month having to be abruptly adjourned as ANC councillors, in a heated closed-door meeting, could not agree whether Pillay or another senior metro official, Andile Xoseka, should be appointed as acting chief financial officer.

Pillay was suspended in 2018 and fired in early 2019 after an internal disciplinary hearing due to his alleged involvement in the Nelson Mandela funeral fraud scandal.

He was reinstated in 2023 after winning a court case against the metro.

> **Mr Tutu, it is wrong to refer to Mr Pillay as a Gupta because that is not his name. You cannot call him that because of his Indian origin**

However, because the city had already permanently appointed Sigcau, Pillay was instead appointed as chief operating officer in the office of city manager Mxolisi Yawa.

In November, a row erupted when mayor Princess Faku snuck in a surprise report which was not meant to form part of the council agenda.

ANC councillors, including Faku, had to beg opposition party councillors to bend council rules and allow for the tabling of a "compliance report".

This was after it had been distributed to councillors less than 24 hours before, contrary to council regulations.

A similar scenario played out again during the Wednesday meeting as Faku wanted to table Pillay's latest extension report, against council regulations.

This report was initially not part of the special council agenda and was given to councillors less than 24 hours before the meeting.

This was supposed to disqualify it for discussion on Wednesday, but Faku and council chief whip Nozandile Mhlola had to again plead with the council to bend its rules and allow its tabling.

When it was eventually tabled, it was EFF councillor Yolanda Masiki who fired the first salvo, demanding answers as to why Pillay had been appointed "time and time again" to act for more than six months, contrary to regulations.

Masiki said this should not be tolerated any further.

Tutu took over, asking why Pillay had always been the recommended one to act, "as if he is the only man here who knows how to handle finances".

"We are sick and tired of these Guptas.

"We just cannot depend on one man as if he is the only one with such skill in this municipality," Tutu said.

Maxegwana entered the fray, reading Tutu the riot act before asking him to retract his Gupta comment.

When Maxegwana said there was "no person named Gupta in council and in administration and no-one knows any Gupta here", asking Tutu to retract his statement, the AIC leader said: "But speaker the Guptas are still here, they are everywhere, and we are sick and tired of these Guptas."

An irate Maxegwana said: "Mr Tutu, it is wrong to refer to Mr Pillay as a Gupta because that is not his name.

"You cannot call him that because of his Indian origin."

After he had called on Tutu numerous times to retract his statement, with no luck, Maxegwana agreed with irate ANC councillors Mike Basopu and Kwanele Majeke that Tutu be referred to the ethics committee.

Majeke said Tutu had not only disrespected Pillay and Maxengwana but the entire council by his utterances and refusal to retract them.

Pillay could not be reached for comment on Thursday.

Paving the way

Freedom Front Plus members this week launched their campaign to tackle potholes and poor roads in Buffalo City Metro. Led by VF Plus councillor Debbie Theron, repairs were started on Salisbury Roads, the top of Western Avenue (old), Rayleigh Road at the island, and part of Tindale Road in Berea. Theron called for the community to rally to improve roads in the metro. Picture SUPPLIED

BUFFALO CITY METROPOLITAN MUNICIPALITY

TENDER

CONTRACT NO. & DESCRIPTION OF CONTRACT	COMPULSORY BRIEFING SESSION VENUE
CE/377	Tuesday, 11 March 2025 @ 10 AM
SUPPLY, DELIVERY, INSTALLATION AND CONFIGURATION OF AN EMERGENCY SERVICES CALL OUT AND RESPONSE SYSTEM.	47 FLEET STREET FIRE STATION EAST LONDON AUDITORIUM
CIDB GRADING	N/A

Evaluation Criteria: 80/20 Price = 80 BBBEE Points = 10 Specific Goals = 10
Submit a B-BBEE Certificate (to claim preferential points)
All Technical Enquiries: Mr Graeme Shakespears Email: Graeme@buffalocity.gov.za
All Procedural Enquiries: Rutanzi@buffalocity.gov.za

Additional objective criteria as per section 2(1)(f) of the PPPFA, will apply, as indicated in the tender document and which may include, but is not limited to:

- Poor Track Record of the preferred bidder
- Unrealistic Price offering which is not market related
- Unrealistic own conditions set by the bidder

REQUIRED DOCUMENTS
Potential bidders are urged to submit the following attachments when submitting Bid Documents, failure to do so will lead to disqualification.

- Current tax clearance certificate (original) or the sars pin code must be supplied with the tender
- Certified municipal debt clearance certificate/business premises lease agreement
- Proof of CIDB registration where applicable
- Certified joint venture agreement where applicable
- Original/certified BBBEE certificate or sworn affidavit
- A trust, consortium or joint venture must obtain and submit a consolidated BBBEE status level verification certificate with their tenders
- Prescribed MBD'S and compulsory documents and must be completed and signed
- CSD registration supplier number
- Prices must be inclusive of VAT (VAT vendors)

N.B. AS PER THE NATIONAL TREASURY REGULATIONS, PROSPECTIVE BIDDERS MUST BE REGISTERED ON THE CENTRAL SUPPLIER DATABASE PRIOR SUBMITTING THEIR BID PROPOSAL.

Bid documents, even if couriered, that arrive late, are incomplete, or unsigned will not be accepted.

OBTAINING OF TENDER DOCUMENTS:
Tender documents for each tender may be obtained from the Reception, Supply Chain Management Unit, 80 Phillip Frame Road, Chiselhurst East London at a non-refundable price of R300.00

SUBMISSION OF TENDERS:
Tenders must be submitted before 11:00, 4th April 2025

Tenders may be submitted by hand.

Faxed, e-mailed, unsigned or incomplete tenders will not be accepted.

By hand : One original tender document and all supporting documentation bound together with a USB Flash Drive sealed tenders endorsed in the envelope and an electronic copy saved in a USB with the Bidder's name and address and the contract number must be deposited in the Formal Tender Box, Supply Chain Management Unit, 80 Phillip Frame Road, Chiselhurst, East London.

Payments must be made by cash or bank deposit payable to the Buffalo City, Bank BCBMM Account details (EFT)

Account Holder: Buffalo City Metropolitan Municipality, Bank: Standard Bank Account Number:081186702, Branch: East London 050021/ 051001

Alternatively
Bidders can make payments for tenders at respective BCMM Paypoints before collection of documents at SCM, Prior payments bidders are to collect tender stubby at SCM for payment purposes

OPENING OF TENDERS
Tenders will be opened in public at 11:00; on the 4th April 2025, at Supply Chain Management Unit, no. 80 Phillip Frame Road, Chiselhurst.- Tender Boardroom, Ground Floor

Standard tender conditions will apply. Council reserves the right not to accept the only or lowest or any tender at all, or to accept the whole or part of any tender. The invitation and award of bidders is subject to the Council's Procurement Policy on tenders. The Council gives preference to previously disadvantaged contractors as set out in the procurement formula in the tender documents. Suppliers can only claim preferential points against a recognised B-BBEE status level of contribution and Specific Goals. Canvassing of councillors or municipal officials shall disqualify a tender.

The Council reserves the right to extend the tender period by a notice in the press.
All contracts will be subjected to risk assessment, including presentation or interviews with service providers. Council also reserves the right to consider the electronic copy of the tender document (USB) submitted by suppliers should any discrepancy arise during the evaluation process. (80/16)

M. Yawa City Manager

dailydispatch.co.za

BID NOTICE

King Sabata Dalindyebo LM hereby calls upon accredited service providers to bid for the following tender adverts:

No.	Project Name	CIDB Grading	Compulsory Briefing session/ Site inspection	Bid Number	Closing Date	Enquiries
1	Appointment of Turnkey developer on a risk basis for the development of a Mega Housing project within King Sabata Dalindyebo Municipality for a minimum period of three (03) years to a maximum period of ten (10) years.	N/A	To be held on the 11th of March2025 at Mqanduka building: Boardroom No.218 - 2nd floor. Time: 09h00	SCM: 039/ 2024/25	08/04/ 2025 @ 12h00	Technical Enquiries may be directed to: Ms G.R. Tobis (Executive and council) Email: lobier@ksd.gov.za
2	Provision of PMO Support for the Office of the Chief Operations Officer for a period of three (3) years. (Re-advert)	N/A	N/A	SCM: 021/ 2024/25	02/04/ 2025 @ 12h00	Technical Enquiries may be directed to: Ms G.R. Tobis (Executive and council) Email: lobier@ksd.gov.za
3	Panel of fifteen (15) ward-based CC – Operatives or SMMEs for waste management and environmental quality management for a period of two (02) years. (Re-advert)	N/A	To be held on the 6th of March 2025 at Mthatha City Hall. Time: 10h00 & at Mqanduka City Hall. Time: 12h00	SCM: 011/ 2024/25	01/04/ 2025 @ 12h00	Technical Enquiries may be directed to: Mr B. Mageza (Community Services) Email: mangeleb@ksd.gov.za

Place of Tender box: 1st Floor, Munitata Building, Next to Room 147. All bids must be put in a sealed envelope and clearly marked with SCM Number and Project Name and be placed in a tender box. Tender documents can be downloaded free of charge from the National Treasury's tender portal (http://www.etenders.gov.za/content/advertised-tenders) and the King Sabata Dalindyebo website (www.ksd.gov.za) as from the 4th of March 2025.

NO HARD COPIES OF THE TENDER DOCUMENT ARE AVAILABLE FOR SALE. ONLY THE ELECTRONIC VERSION WHICH IS TO BE DOWNLOADED AS PER THE ABOVE WEBSITES IS TO BE USED.

BIDDERS MUST TAKE NOTE OF THE FOLLOWING BID CONDITIONS:

a) Failure to submit comprehensive JV agreement (where applicable), failure to do so will result in a tender deemed non-responsive.
b) Individual partners of JV are to comply and submit all relevant documents, failure to do so will result in a tender deemed non-responsive.
c) Failure to complete properly and/ or in full tender forms, MBD 1 to MBD 9 and Annexures A to F will result in a tender deemed non-responsive.
d) Bidders must sign MBD 5 for any offer amounting or exceeding R10 million.
e) The bidder to submit Audited financial statements for the past three financial years for any offer amounting to or exceeding R10 million inclusive of VAT
f) Failure to submit or complete supplementary information will result in the tender being null, void and non-responsive.
g) Bidders must submit latest municipal rates statement (not older than three months) showing that municipal rates are not in arrears for periods in excess of three months, bodier who operate on leased properties are to submit a valid lease agreement and lastly bidders residing on areas not subjected to Municipal rates are to submit a confirmation from the Municipality's Finance Department confirming that such a bidder is not liable for municipal rates.
h) The KSD Municipality reserves their right to disqualify any service provider whose members and or shareholders owe municipal rates & rates.
i) The KSD Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept the whole or part of the bid or to withdraw the bid.
j) All certified copies submitted with a tender document must not be older than six months, failure to do so will result tender deemed non-responsive.
k) All alterations in prices/quotes must be signed for and failure to sign will result in tender deemed non-responsive
l) Use of tipex is prohibited and the bidder will be deemed non-responsive.
m) Bid document must be filled in black pen and not to be typed in.
n) Bids submitted will hold good for a period of 90 days.
o) Failure to be registered on Central Supplier Database registration will result in a tender being disqualified.
p) Bids that are late, incomplete, unsigned, or submitted by fax, mail or electronically including copy of a tender document, will not be accepted.
q) All bids must be put in a sealed envelope and clearly marked with SCM Number and Project Name and be placed in a tender box, failure to do so the document will not be considered.
r) In terms of the Preferential Procurement Policy Framework ACT 2022 (PPPFA) Points will be evaluated based on the following criteria:
   - Stage 1 Compliance.
   - Stage 2 Functionality (with a minimum threshold of 70 points out of 100 points to be attained by bidder in order to be evaluated further on the next stage).
   - Stage 3 Price and Special goals (whose 80 points will be for price and 20 points for specific goals).
s) All queries must be in a form of an e-mail, and there will be no queries that will be entertained 5 working days before the closing date.
t) Special Condition: Two-Envelope System

PROJECT NAME	SCM NUMBER	CONDITION
Appointment of Turnkey developer on a risk basis for the development of a Mega Housing project within King Sabata Dalindyebo Municipality.	039/2024/25	This bid is subject to a two-envelope system. Bidders are required to submit two separate envelopes
Provision of PMO Support for the Office of the Chief Operations Officer for a period of three (3) years. (Re-advert)	021/2024/25	This bid is subject to a two-envelope system. Bidders are required to submit two separate envelopes

u) Envelope 1: Technical/Functionality Proposal
v) This envelope should contain the bidder's technical proposal, KSDLM Tender document including company profile, relevant experience, and approach to delivering the project.
   - Envelope 2: Price Proposal
   - The envelope should contain the bidder's price proposal, including all costs associated with delivering the project.
w) Failure to submit the proposals in two separate envelopes or failure to clearly label the envelopes as "Technical/ Functionality Proposal' and 'Price Proposal' will result in disqualification.
x) Bidders are cautioned to ensure that the envelopes are properly sealed and labelled to avoid disqualification.

The tender will be evaluated and adjudicated on the basis of the Preferential Procurement Policy Framework Act, and the regulations pertaining thereto (2022 Regulations), as well as the King Sabata Dalindyebo Municipality's Supply Chain Management policy. The 90/10 and 80/20 preference point systems will be used as per the KSDLM SCM policy.

SCM related enquiries may be directed to the SCM Unit at pilanim@ksd.gov.za

Mr. N. Pakade - Municipal Manager

Traditional leaders hope Mabuyane will tackle pressing issues in opening address

LULAMILE FENI

Eastern Cape traditional leaders have high hopes that premier Oscar Mabuyane, due to deliver his address at the annual official opening of the Eastern Cape House of Traditional and Khoi-San Leaders on Friday, will confront the burning issues the province faces.

These include rural development, land issues, crime, deaths of initiates, efforts to deal with infighting within royal families, the promotion of traditional leadership institutions and their participation on issues of development.

The premier is expected to give clarity on the 2015 moratorium on recognising new traditional leaders and elevating some headmanships, as well as the progress on the work being done by the Mndende committee investigating traditional leadership disputes and claims.

Though co-operative governance and traditional affairs (Cogta) minister Velenkosini Hlabisa's office is on record as saying the 2015 moratorium on recognition of traditional leaders was lifted by former minister Nkosazana Dlamini-Zuma in June 2021, provincial Cogta MEC Zolile Williams' department is still enforcing it.

Western Thembuland King Siyambonga Dalimvula Matanzima said: "We want to know if there is a moratorium or not. The premier must explain the current situation.

"The Mndende committee has held many public hearings on issues of traditional disputes and claims but we have not heard of any outcomes.

"Also, the premier should explain the issues of reconstitution of traditional councils, especially those led by the province's headmen.

"Another burning issue is the kingdoms' budgets. The infrastructure in our great places is decaying. Some were destroyed by thunderstorms many years ago, but never fixed."

Matanzima said it had been many years since Mabuyane promised to tar the road connecting the R61 from KuMtshabe via the Ncorha Irrigation Scheme to Cala, yet nothing had happened.

> **The premier must speak about tourism safety, economic development in rural areas, rural maritime development and rural entrepreneurship**

AmaMpondomise King Luzuko Matiwane called for the lifting of the moratorium on the recognition of traditional leaders.

"We expect the premier to talk about food security through traditional leaders for the benefit of communities, crime, stock theft, youth employment, lack of skills development in rural communities and the funding of traditional councils," he said.

Contralesa provincial chair Nkosi Mwelo Nonkonyana said Mabuyane should assure the house the government was serious about addressing the issues Contralesa had raised since 1994, including:

- Reinstating the pride and dignity of the institution by restoring its powers and functions;
- Accelerating the lifting of the moratorium on recognition of traditional leadership;
- Restoring land stolen from the traditional leaders since the arrival of colonialists;
- Assisting royal families in establishing legitimate structures to prevent bogus claims;
- Implementing traditional policing with satellite police stations at all great places; and
- Announcing a date for the Traditional Leadership Summit.

Eastern Cape Royal Leaders Forum chair Nkosi Zwelithobile Mtirara suggested Mabuyane's address would be just another talk show.

"We need service delivery for our communities, water, agricultural development and robust strategies to fight crime in our areas. We need anti-poverty programmes."

Royal Leaders of SA provincial chair Nkosi Dakhile Ndamase said the failure of the government to respond to calls by traditional leaders to apply the law had led to lawlessness.

He was also concerned about diminishing traditional female leadership, because women's role in the traditional space added value to communities' social conduct.

Eastern Cape House of Traditional and Khoi-San Leaders chair Nkosi Mpumalanga Gwadiso said job creation through investment opportunities should be a key part of the premier's address.

He also wanted to see increased crime prevention, improvements in health provision, education and roads, and sufficient budgets for traditional leadership.

Imbumba Yamakhosikazi Akomkhulu provincial chair Queen MaDosini Ndamase referred to Mabuyane's 2023 state of the province address and the official opening of the Eastern Cape House of Traditional Leaders in the same year.

"He outlined a plan of how he is going to work with kings and institutions of traditional leaders and have great places and palaces renovated.

"A beautiful plan, but no action followed, no renovations were ever done."

The queen also said the issue of a gratuity for traditional leaders remained a crisis.

Nkosikazi Nosintu Gwebindlala, of Xhorha Mouth in Elliotdale, expressed concern over Wild Coast attacks targeting owners of establishments and tourists.

"The premier must speak about tourism safety, economic development in rural areas, rural maritime development and rural entrepreneurship," Gwebindlala said.

President Cyril Ramaphosa officially opened the National House of Traditional and Khoi-San Leaders on Tuesday, saying the deaths and injuries of initiates in the Eastern Cape "remains a matter of serious concern".