

DEVIATION FROM AND RACTIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES – YEAR 2021/2022

M1812

This form is to be used in all cases in which there is a deviation from the standard procurement processes and for the ratification of minor breaches of procurement processes. The form is to be signed by the Accounting Officer and a copy is to be forwarded to the Supply Chain Management Unit (SCMU) for reporting to Council. The SCMU is to submit these reports to Council on behalf of the accounting officer as well as include this report as a note to the annual financial statements.

NEWCASTLE MUNICIPALITY

Section 36 (1) of the Supply Chain Management Policy states that:

The accounting officer may –

- (a) dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only-
 1. In an emergency.
 2. If goods and services are produced or available from a single provider only.
 3. For the 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. In any other exceptional case where it is impractical or impossible to follow the official procurement processes.
- (b) ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

Details of goods /services required	:	REPAIRS AND SERVICES TO TATA FLEET (NN88230/NN95252/NN83241)
Requested by	:	MECHANICAL WORKSHOP
Telephone contact number	:	034 327 7600 EXT 225
Department	:	TECHNICAL SERVICES (MECHANICAL)
Cost Centre	:	010440010344
Requisition Number	:	
Value	:	
Supplier	:	ITABIRO INVESTMENTS CC (TATA TRUCK AND BUS)
Reason for Deviation: as above, please circle		1 2 3 4 5 b

Explanation for Deviation:

Single Service Provider

ITABIRO INVESTMENTS CC (TATA TRUCK AND BUS) is the only approved Tata service centre within a 100KM radius.

The Provincial Government has donated one water tanker and two desludging trucks which are of the TATA brand.

Due to the complexity of the Agent service required for warranty purposes, approval is therefore sought to utilize **ITABIRO INVESTMENTS CC (TATA TRUCK AND BUS)** for the purposes hereof for a period of 18 months from date of approval in order to allow the municipal vehicles to be serviced on time and to comply with the Newcastle Municipality's vision and mission in terms of service delivery.

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Act SED: Technical Services

S. Shange

Supported / Not Supported

Signature: 

Reason for not supporting (if applicable):

Date: _____

Director: Supply Chain Management Unit

Mr. M. Mdlalose

Supported / Not Supported

Signature: 

Reason for not supporting (if applicable):

Date: 20/4/2022

Supported provided budget is available

Chief Financial Officer

Mr. S. Nkosi

Supported / Not Supported

Signature: 

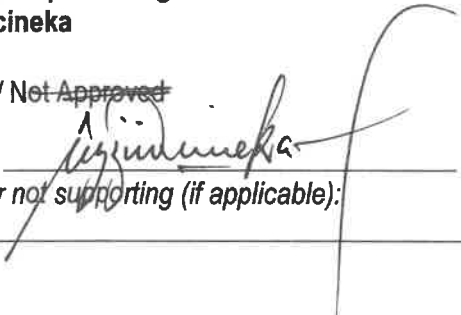
Reason for not supporting (if applicable):

Date: 2022/04/21

Acting Municipal Manager

Mr. ZW Mcineka

Approved / Not Approved

Signature: 

Reason for not supporting (if applicable):

Date: 26/04/2021

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's/municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).	☐	☒
	The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.		
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	☐	☒
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	☐	☒
4.3.1	If so, furnish particulars:		

Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality/municipal entity, or to any other municipality/municipal entity, that is in areas for more than three months?	☐	☒
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality/municipal entity or any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	☐	☒
4.5.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME), SHAYOG MAHLEA
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
 FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
 ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
 PROVE TO BE FALSE.

Signature SHAYOG MAHLEA Date 06/04/2022
 Position

ITAB INVESTMENTS CC
 REG NO: 2014/08820/3036/08/27/0027834
 81 NEWCASTLE ROAD - LADYSMITH - 3370
 TEL: 038 - 631 1288
 FAX: 038 - 637 6575
 EMAIL: bellahzn@itab.co.za

ANNEXURE C

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favoritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
 3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 3.1 Full Name of bidder or his or her representative: SHATOG MAHAENJ.
 - 3.2 Identity Number: 8506305137083
 - 3.3 Position occupied in the Company (director, trustee, shareholder²): SHARE HOLDER
 - 3.4 Company Registration Number: 2004/088720/23
 - 3.5 Tax Reference Number: 9168457167
 - 3.6 VAT Registration Number: 4760957834
 - 3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
 - 3.8 Are you presently in the service of the state? YES / NO
 - 3.8.1 If yes, furnish particulars.
- ¹MSCM Regulations: "in the service of the state" means to be –
- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
 - (b) a member of the board of directors of any municipal entity;
 - (c) an official of any municipality or municipal entity;
 - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1989 (Act No.1 of 1989);
 - (e) a member of the accounting authority of any national or provincial public entity; or
 - (f) an employee of Parliament or a provincial legislature.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

- 3.9 Have you been in the service of the state for the past twelve months? YES / NO
 - 3.9.1 If yes, furnish particulars.
- 3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO
 - 3.10.1 If yes, furnish particulars.
- 3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? NO
 - 3.11.1 If yes, furnish particulars.
- 3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? NO
 - 3.12.1 If yes, furnish particulars.
- 3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? NO
 - 3.13.1 If yes, furnish particulars.
- 3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. NO
 - 3.14.1 If yes, furnish particulars.

4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number
PHILIP MOTSOAKAFA MAFEE	6007105912186	--
SHAYOG MAHAEN	8506305137083	--

Signature Date 06-04-2022

SHAPE HOLDER Name of Bidder
Capacity

ITABIRO INVESTMENTS CC
REG NO: 2014/008820/23 - VAT NO: 4216257934
81 NEWCASTLE ROAD - LADYSMITH - 3370
TEL: 036 - 631 1288
FAX: 036 - 637 6678
EMAIL: belahzn@telkomsa.net



CSD REGISTRATION REPORT

SUPPLIER IDENTIFICATION									
Supplier number	MAAA0077867	South African company/CC registration number	2004/088920/23	Is supplier active?	Yes	Have Bank Account	Yes	Total annual turnover	R10 million or less; or
Supplier type	CIPC Company	Financial year start date	01 Mar 2016 00:00:00:000	Supplier sub-type	Close Corporation	Registration date	01 Sep 2004 00:00:00:000	Created by	labiro@telkomsa.net
Legal name	ITABIRO INVESTMENTS	Created date	07 Apr 2016 13:21:52:000	Trading name	ITABIRO INVESTMENTS CC	Edit by	labiro@telkomsa.net	Edit date	03 Mar 2022 00:00:00:000
Identification type	South African Company/Close Corporation	Restricted Supplier	No	Government breakdown	Close Corporations (CC)				
Business status	In Business								
Country of origin	South Africa								

SUPPLIER INDUSTRY CLASSIFICATION INFORMATION

INDUSTRY CLASSIFICATION 1		Main group	
Construction	Construction of buildings (for erection of complete prefabricated constructions from self-manufactured parts not of concrete, see divisions 16 and 25)	Core Industry	Construction of buildings (for erection of complete prefabricated constructions from self-manufactured parts not of concrete, see divisions 16 and 25)
Division	% share of annual turnover		100.00

SUPPLIER CONTACT INFORMATION

CONTACT 1	Administration, Bid Office	Do you want this contact to also be a CSD user?	Yes
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CSD REGISTRATION REPORT

Is this your preferred Contact?	Yes	Created by	labiro@telkomsa.net
Name(s)	Motokohepa Phillip	Created date	07 Apr 2016 12:44:53:000
Surname	Motokohepa	Edit by	labiro@telkomsa.net
Identification type	South African Identification Number	Edit date	01 Nov 2017 14:59:42:500
Prefer communication via email	Yes		
Email address	shairines19@webmail.co.za		
Cellphone number	082 448 9144		
CONTACT 2			
Contact type	Bid Office, Finance	Email address	shairines19@webmail.co.za
Is this your preferred Contact?	No	Telephone number	0366311288
Name(s)	Dharamraj	Cellphone number	082 448 9144
Surname	Maharaj	Fax number	0366378575
Identification type	South African Identification Number	Do you want this contact to also be a CSD user?	Yes
Prefer communication via cellphone	Yes	Created by	labiro@telkomsa.net
Prefer communication via email	Yes	Created date	07 Apr 2016 12:35:36:000
		Edit by	labiro@telkomsa.net
		Edit date	01 Nov 2017 14:59:42:557

SUPPLIER ADDRESS INFORMATION

ADDRESS 1		Country	South Africa
Is this a preferred address?	Yes	This address S/A postal	Yes
Address line 1	7981 Newcastle Road	This address S/A delivery	Yes
Address line 2	P.O. Box 1427	This address S/A payment	Yes
Suburb	Lady Smith Central	Created by	labiro@telkomsa.net
Province	KwaZulu-Natal		



CSD REGISTRATION REPORT

Are you an empowering supplier	Yes	B-BBEE Procurement Recognition	135%
% Owned by black people	100.00	Accept and understand the content of the affidavit	Yes
% Owned by black people who are women	0.00	Commissioner of Oath	Muhammed Asmal
% Owned by black people who are youth	0.00	Date affidavit signed by commissioner of oath	24 Feb 2022 00:00:00:000
% Owned by black people with disabilities	0.00	Affidavit expiry date	23 Feb 2023 00:00:00:000
% Owned by black who are unemployed	0.00	Created by	labiro@lakomsa.net
% Owned by black people who are military veterans	0.00	Created date	07 Apr 2018 18:08:03:000
% Owned by black people living in rural or underdeveloped areas	0.00	Edt by	labiro@lakomsa.net
Status	Active	Edt date	01 Mar 2022 08:10:17:883
B-BBEE Status Level Of Contributor	Level 1 Contributor	Verification Status	Manual Verification Required

OWNERSHIP INFORMATION

Owner's name and surname Legal name	Owner's Identification number	RSA Citizen	Ethnic group	Gender	Ownership %	Youth	Disabled	Military	Rural	Township
MOTSOAKAPA PHILLIP MATEE	8007108212188	Yes	Black African	Male	20.00%	No	No	No	No	
SHAYOG MAHAPAJ	8608035157083	Yes	Indian	Male	80.00%	No	No	No	No	
Total					100.00%					

OUTCOMES AGAINST PREFERENTIAL PROCUREMENT CRITERIA BASED ON OWNERSHIP

Enterprise type	EME
B-BBEE status level of contributor	Level 1 Contributor
Owned by black people	100.00%
Owned by black people who are youth	0.00%



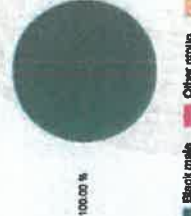
CSD REGISTRATION REPORT

Owned by black people who are women	0.00%
Owned by black people with disabilities	0.00%
Owned by black people who are military veterans	0.00%
Owned by black people living in rural or underdeveloped areas	0.00%
Owned by black people living in townships	0.00%

People % Ownership



Gender % Ownership



Youth % Ownership



Military veterans % Ownership





CSD REGISTRATION REPORT

Tips and Frequently Asked Questions (FAQ)

Identifier

CSD cannot electronically verify the identity of a supplier other than a South African Individual / Sole Proprietor (through Home Affairs) or a company registered at the Companies and Intellectual Property Commission (CIPC). For this reason, a disclaimer is displayed for supply chain practitioners to obtain supporting documentation to verify the identity and legitimacy of a supplier in these cases.

Bank

For help on how to resolve bank failures click here: [I received an email during the bank information I entered on the CSD and was told to check my account. What should I do?](#)
The various possible error messages received from the bank are highlighted in red. Search for the applicable message and follow the detailed steps associated with that error message.

Tax

Tax Compliance Status
For help on how to deal with tax status differences between CSD and the tax clearance certificates click here: [What should I do if my tax status on CSD differs from the tax clearance certificate?](#)

Tax Compliance Expiry Date
For help on how to deal with tax status differences between CSD and the tax clearance certificates click here: [Why does CSD show the tax compliance expiry date?](#)

CIPC

Should the director/member information reflected on the CIPC registration report differs to that reflected on CSD for help click here: [The active director/member information on CSD differs from the CSD director/member information on the CIPC. What can I do about this?](#)

State Employee

For more information pertaining to government employment status click here: [Will there be verification done to identify if a supplier is a government employee?](#)

BBBEE

CSD does not automatically verify all certificate information with the various accreditation bodies. Organs of State are required, where not automatically verified by CSD, to manually verify this information with the applicable accreditation body as per current policies and procedures. Expired certificate information do not reflect on the report.



TAX COMPLIANCE STATUS PIN Issued

ITABIRO INVESTMENTS
PO BOX 1427
LADYSMITH
3370

Enquiries should be addressed to SARS:

Contact Detail

SARS
Alberton
1528

Contact Centre Tel: 0800 00 SARS (7277)
SARS online: www.sars.gov.za

Details

Taxpayer Reference Number: 9168457167

Always quote this reference
number when contacting SARS

Issue Date: 2021/04/26

Dear Taxpayer

TAX COMPLIANCE STATUS PIN ISSUED

The South African Revenue Service (SARS) has issued your tax compliance status (TCS) PIN as indicated below:

TCS Details:	
Taxpayer Name	Itabiro Investments Cc
Trading Name	ITABIRO INVESTMENTS
Tax Reference Number(s)	IT - 9168457167 Vat - 4760257834
Purpose of Request	Tender
Request Reference Number	0007668848TS2604211220472
PIN	8842368245
PIN Expiry Date	26/04/2022

You may authorise a third party to view your TCS by providing them the PIN. The PIN only allows the third party access to your TCS. All other tax information remains secure.

Your TCS displayed is based on your compliance as at the date and time the PIN is used.

You may cancel this PIN at any time before the expiry date reflected above. Once cancelled, a third party will not be able to verify your TCS.

SARS reserves the right to cancel this PIN in the event that it was fraudulently issued or obtained.

Should you have any other queries please call the SARS Contact Centre on 0800 00 SARS (7277). Remember to have your taxpayer reference number at hand when you call to enable us to assist you promptly.

Sincerely
ISSUED ON BEHALF OF THE SOUTH AFRICAN REVENUE SERVICE