

DEVIATION FROM AND RACTIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES – YEAR 2022/2023

M1840

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.

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	:	AUTO ELECTRICAL REPAIRS/STARTER/ALTERNATOR MOTORS
Requested by	:	MECHANICAL WORKSHOP
Telephone contact number	:	034 327 7600 EXT 225
Department	:	TECHNICAL SERVICES (MECHANICAL)
Cost Centre	:	010440010344
Requisition Number	:	
Value	:	R100 000.00
Supplier	:	VALUCORP 328 T/A MOTOLEK
Reason for Deviation: as above, please circle		1 (2) 3 4 5 b

Explanation for Deviation:

Deviation through single Service Provider

The Municipality has number of plant and heavy motor vehicles which from time to time requires auto electrical repairs and maintenance due to its aging status. These types of repairs can only be conducted by experienced AUTO ELECTRICAL outlets within the Newcastle area as they cannot be taken to workshops outside Newcastle due to high disbursement costs and kilometers to be travelled.

Due to supply chain management governance compliance process, only Motolek meet these legislative requirements such as registration on National Treasury Central Supplier Database (CSD), Company registration documents as well as filling of

**DEVIATION FROM AND RACTIFICATION OF MINOR BREACHES OF
PROCUREMENT PROCESSES – YEAR 2022/2023**

SECTION 36(1)

Municipal Bidding Documents as prescribed by National Treasury SCM regulation, there limited number of AUTO ELECTRICAL companies available in Newcastle some of them do not meet these legislative requirements.

Limited mechanical workshop companies

The Municipality normally request quotation following mechanical workshop companies who are specializing in AUTO ELECTRICAL repairs :-

- **Autolek:** The company is not registered with National Treasury CSD, and it cannot be determined if their tax matters are in order with SARS. The Company work on prepayment terms which compels the Municipality to make payment before work done which is against the Municipal Finance Management Act
- **Rafiqs Auto Electrical:** The company is not registered with National Treasury CSD, and it cannot be determined if their tax matters are in order with SARS. The Company work on prepayment terms which compels the Municipality to make payment before work done which is against the Municipal Finance Management Act

Due to the emergency nature of auto electrical repairs MOTOLEK is the only service provider who meet all Municipality SCM legislative requirements within Newcastle Municipal area.

Therefore, approval is sought to appoint Valucorp 328 T/A Motolek in line with regulation 36(1)(a)(v) of the MFMA SCM Regulation for a period of 12 months from date of approval to allow the municipal vehicles to be serviced on time and to meet service delivery targets.

Signature: _____

Date: 29/09/2022

SED: Technical Services

Mr B P Mnguni

Supported / Not Supported

Signature: _____

Reason for not supporting (if applicable):

Date: 29/9/2022

Director: Supply Chain Management Unit

Mr. M. Mdhlalose

Supported / Not Supported

Signature: _____

Reason for not supporting (if applicable):

Date: 29/9/2022

**DEVIATION FROM AND RACTIFICATION OF MINOR BREACHES OF
PROCUREMENT PROCESSES – YEAR 2022/2023****Act. SED: Budget and Treasury Office****Mr. M S Ndlovu****Supported/ Not Supported**

Signature: _____

Date: 2021/09/29

Reason for not supporting (if applicable):

Municipal Manager**Mr ZW Mcineka**Approved / ~~Not Approved~~

Signature: _____

Date: 06/10/2022

Reason for not supporting (if applicable):

**TAX COMPLIANCE STATUS****PIN Issued**

MOTOLEK
POST OFFICE
PO BOX 1043
NEWCASTLE
2940

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: 9110134187

Always quote this reference
number when contacting SARS

Issue Date:

2021/10/05

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	Valucorop 328 Cc
Trading Name	MOTOLEK
Tax Reference Number(s)	IT - 9110134187 Vat - 4290255902 PAYE - 7680776350
Purpose of Request	Good Standing
Request Reference Number	0019781000GS0510210938572
PIN	C9931862EB
PIN Expiry Date	05/10/2022

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

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 favouritism, 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: Lee- Anne Fourie
 - 3.2 Identity Number: 7801260045087
 - 3.3 Position occupied in the Company (director, trustee, shareholder): Member
 - 3.4 Company Registration Number: 2001057064123
 - 3.5 Tax Reference Number: 9110134187
 - 3.6 VAT Registration Number: 4290255902
 - 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, 1999 (Act No.1 of 1999);
- (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? YES / **(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? YES **(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? YES **(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. YES **(NO)**

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number
Lee-Anne Fournie	7801 260045087	-
David Fredrik Bates	8505255117087	-

Jourie
Signature

19-09-2022
Date

Member
Capacity

Lee-Anne Fournie
Name of Bidder

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 arrears 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) Lee-Anne Fourie
 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.

Fourie
 Signature
Member
 Position

19-09-2022
 Date
Lee-Anne Fourie
 Name of Bidder
 Js367bW



CSD REGISTRATION REPORT

SUPPLIER IDENTIFICATION

Supplier number	MAAA0588354	South African company/CC registration number	2010/057064/23
Is supplier active?	Yes	Have Bank Account	Yes
Supplier type	CIPC Company	Total annual turnover	R10 million or less; or
Supplier sub-type	Close Corporation	Financial year start date	01 Mar 2017 00:00:00:000
Legal name	VALUCORP 328	Registration date	30 Apr 2010 00:00:00:000
Trading name	Motolek Newcastle	Created by	motolek@wiselink.co.za
Identification type	South African Company/Close Corporation Registration Number	Created date	06 Mar 2018 14:35:14:000
Government breakdown	Close Corporations (CC)	Edit by	motolek@wiselink.co.za
Business status	In Business	Edit date	18 Sep 2022 15:06:32 173
Country of origin	South Africa	Restricted Supplier	No

SUPPLIER INDUSTRY CLASSIFICATION INFORMATION

INDUSTRY CLASSIFICATION 1			
Main group	Wholesale and retail trade, repair of motor vehicles and motorcycles	Core industry	Wholesale and retail trade and repair of motor vehicles and motorcycles
Division	Retail trade, except of motor vehicles and motorcycles	% share of annual turnover	20.00
Division	Wholesale and retail trade and repair of motor vehicles and motorcycles	% share of annual turnover	80.00

SUPPLIER CONTACT INFORMATION

CONTACT 1			
Contact type	Bid Office	Fax number	0343121548
Is this your preferred Contact?	No	Do you want this contact to also be a CSD user ?	Yes





CSD REGISTRATION REPORT

Name(s)	David Frederik	Created by	motolek@wiselink.co.za
Surname	Botes	Created date	06 Mar 2018 14:35:14:517
Identification type	South African Identification Number	Edit by	motolek@wiselink.co.za
Prefer communication via email	Yes	Edit date	14 Aug 2018 08:40:01:517
Email address	motolek@wiselink.co.za		
Telephone number	0343121601		
Cellphone number	082 779 1176		
CONTACT 2			
Contact type	Finance	Prefer communication via sms	Yes
Is this your preferred Contact?	Yes	Prefer communication via telephone	Yes
Name(s)	Lee-Anne	Email address	motolek@wiselink.co.za
Surname	Foune	Telephone number	034 312 1601
Identification type	South African Identification Number	Cellphone number	082 767 7661
Prefer communication via cellphone	Yes	Fax number	034 312 1548
Prefer communication via email	Yes	Do you want this contact to also be a CSD user ?	Yes
Prefer communication via fax	Yes	Created by	motolek@wiselink.co.za
Prefer communication via postal	Yes	Created date	06 Mar 2018 14:35:14:530
		Edit by	motolek@wiselink.co.za
		Edit date	14 Aug 2018 08:40:01:500

SUPPLIER ADDRESS INFORMATION

ADDRESS 1			
Is this a preferred address?	Yes	Postal code	2940
Address line 1	P.O. Box 1043	Ward Number	4
Address line 2	Newcastle	Country	South Africa





CSD REGISTRATION REPORT

Suburb	Newcastle CBD	Created by	motolek@wiselink.co.za
Province	KwaZulu-Natal	Created date	06 Mar 2018 14:35:14:470
Municipality	Newcastle	Edit by	motolek@wiselink.co.za
City	Newcastle	Edit date	06 Mar 2018 14:35:14:470
ADDRESS 2			
Is this a preferred address?	No	Postal code	2940
Address line 1	6 Murchison Street	Country	South Africa
Address line 2	Newcastle CBD, Newcastle	This address S/A delivery	Yes
Suburb	Newcastle CBD	Created by	motolek@wiselink.co.za
Province	KwaZulu-Natal	Created date	06 Mar 2018 14:35:14:483
Municipality	Newcastle	Edit by	motolek@wiselink.co.za
City	Newcastle	Edit date	26 Apr 2022 07:43:05:940

SUPPLIER BANK ACCOUNT

BANK ACCOUNT 1			
Account type	Current Accounts	Created by	motolek@wiselink.co.za
Bank	FIRST NATIONAL BANK	Created date	20 Aug 2018 12:24:53:000
Branch number	270324	Edit by	csd.safetynetbatchdownload@treasury.gov.za
Branch name	NEWCASTLE 314	Edit date	21 Aug 2018 17:00:06:370
Account number	62266618522	Bank Verification Status	Verification Succeeded
Account holder	VALUCORP 328 CC	Foreign Bank Account	No
Is this a preferred account?	Yes	Is the identifier linked at the bank	Yes
Active start date	15 Aug 2018 08:57:33:000	Is this a Shared Funding Account	No





CSD REGISTRATION REPORT

TAX INFORMATION

Income tax number	9110134187	Would you like to receive notifications?	Yes
VAT number	4290255902	Overall Tax Status	Tax Compliant
Is this supplier a VAT vendor?	Yes	Created by	motolek@wiselink.co.za
PAYE number	7680776350	Created date	06 Mar 2018 14:35:14:723
Are you Registered with SARS?	Yes	Edit by	csd.reverifibatch@treasury.gov.za
Last validation date	29 Sep 2022 08:30:00:000	Edit date	18 Sep 2022 15:06:32:000

B-BEE INFORMATION

Are you an empowering supplier	Yes	B-BBEE Procurement Recognition	100%
% Owned by black people	0.00	Accept and understand the content of the affidavit	Yes
% Owned by black people who are women	0.00	Commissioner of Oath	Anton Smith
% Owned by black people who are youth	0.00	Date affidavit signed by commissioner of oath	01 Feb 2018 00:00:00:000
% Owned by black people with disabilities	0.00	Affidavit expiry date	31 Jan 2019 00:00:00:000
% Owned by black who are unemployed	0.00	Created by	motolek@wiselink.co.za
% Owned by black people who are military veteran	0.00	Created date	06 Mar 2018 14:35:15:130
% Owned by black people living in rural or underdeveloped areas	0.00	Edit by	motolek@wiselink.co.za
Status	Expired	Edit date	14 Aug 2018 08:40:01:610
B-BBEE Status Level Of Contributor	Level 4 Contributor	Verification Status	Manual Verification Required





CSD REGISTRATION REPORT

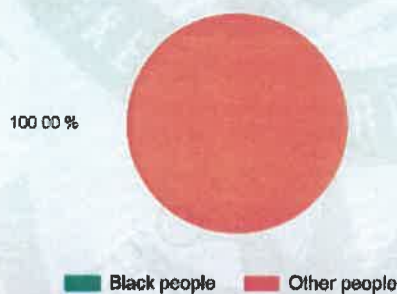
OWNERSHIP INFORMATION

Owner s name and surname Legal name	Owner s Identification number	RSA Citizen	Ethnic group	Gender	Ownership %	Youth	Disabled	Military	Rural	Township
DAVID FREDERIK BOTES	8505255117087	Yes	White	Male	50.00%	No	No	No	Yes	
LEE-ANNE FOURIE	7801260045087	Yes	White	Female	50.00%	No	No	No		Yes
Total					100.00%					

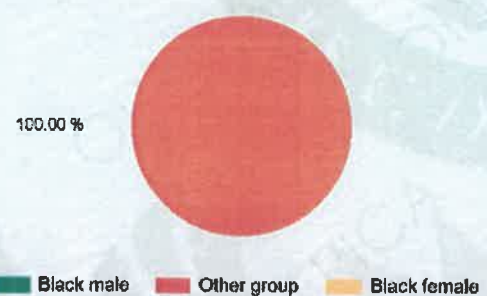
OUTCOMES AGAINST PREFERENTIAL PROCUREMENT CRITERIA BASED ON OWNERSHIP

Enterprise type	EME
B-BBEE status level of contributor	Level 4 Contributor
Owned by black people	0.00%
Owned by black people who are youth	0.00%
Owned by black people who are women	0.00%
Owned by black people with disabilities	0.00%
Owned by black people who are military veteran	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



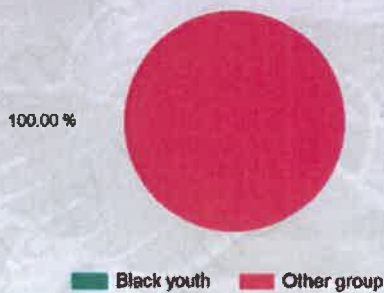
Gender % Ownership



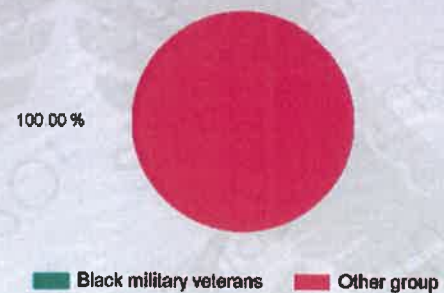


CSD REGISTRATION REPORT

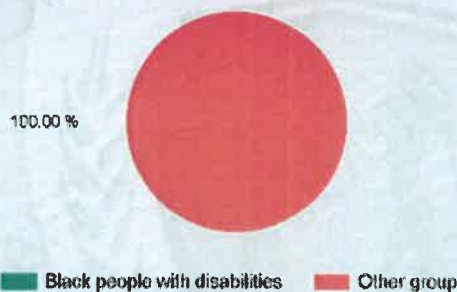
Youth % Ownership



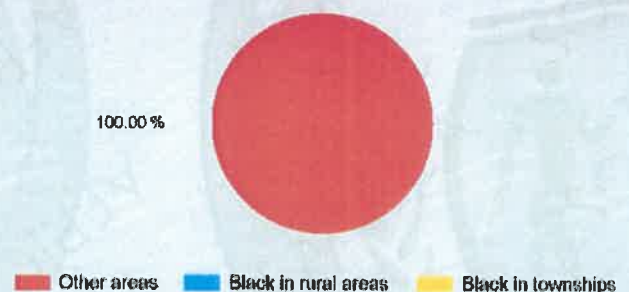
Military veteran % Ownership



Disabled % Ownership



Living area % Ownership



DIRECTORS/MEMBERS/OWNERS INFORMATION

DIRECTOR/MEMBER 1

Director type	Member, Owner	Owner's gender	Male
Director status	Active	Owner youth	No
Name(s)	DAVID FREDERIK	Owner person with disabilities	No
Surname	BOTES	Owner military veteran	No
Country	South Africa	Created by	motolek@wiselink.co.za
Identification type	South African Identification Number	Created date	06 Mar 2018 13:24:52:000
South African identification number	8505255117087	Edit by	csd reverifybatch@treasury.gov.za





CSD REGISTRATION REPORT

Work permit	0000000	Edit date	08 Sep 2022 07:49:58:000
Appointment date	10 Feb 2015 00:00:00:000	Restricted Supplier	No
Email address	motolek@wiselink.co.za	Restriction Last Verification Date	29 Sep 2022 08:30:23:770
Cellphone number	082 779 1176	Government Employee	No
Owner	Yes	Government Employee Last Verification Date	29 Sep 2022 08:30:23:597
Ownership %	50.00%	SA identification number Verified	Yes
Living areas of owner	Umzinyathi, Dundee SP	SA identification number verification date	29 Sep 2022 08:30:23:643
Owner's ethnic group	White		

The CSD does not automatically verify foreign company registration number, international securities identification number, foreign identification numbers, foreign passport numbers, work permit numbers, foreign bank accounts, B-BBEE, demographic and accreditation information. Organs of State are required to manually verify this information with the applicable verification institutions as per their current policies and procedures.





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 stating the bank information I captured on the CSD was sent for bank account validation and could not be validated. The response received from the bank contains an error message.](#)

The various possible error messages received from the bank are highSemiBolded 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 certificate click here: [What should a supplier do if the 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 certificate click here: [How does CSD determine 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 Directors/Members are not being populated on the CSD Directors/Members screen as they appear at CIPC. how can I rectify 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.

