

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

M1839

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	:	REPAIRS/SERVICES/SUPPLY PARTS IN RESPECT OF ISUZU/OPEL SPARES
Requested by	:	MECHANICAL WORKSHOP
Telephone contact number	:	034 327 7600 EXT 225
Department	:	TECHNICAL SERVICES (MECHANICAL)
Cost Centre	:	010440010344
Requisition Number	:	
Value	:	R40 000.00
Supplier	:	NTT GM (Manufacturer's authorised agents)
Reason for Deviation: as above, please circle		1 2 3 4 5 b

Explanation for Deviation:

Deviation through single Service Provider

The Municipality has purchased new LDVs and 8ton trucks which are still under manufacturer's warranty, although these vehicles were purchased without a service plan, they would require spares/services/repairs from time to time and by utilizing NTT GM these vehicles would still hold the warranty for the specified period.

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Therefore, approval is sought to appoint NTT GM 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: 

Date: 29/9/2022

Reason for not supporting (if applicable):

Director: Supply Chain Management Unit

Mr. M. Mdalose

Supported / Not Supported

Signature: 

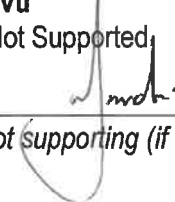
Date: 29/9/2022

Reason for not supporting (if applicable):

Act. SED: Budget and Treasury Office

Mr. M S Ndlovu

Supported / Not Supported

Signature: 

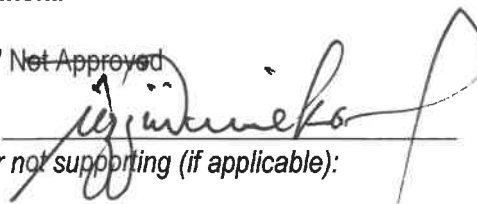
Date: 05/10/2022

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):

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.	Yes ☐	No ☒
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.	Yes ☐	No ☒
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?	Yes ☐	No ☒
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).....Fred Whelpton.....
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

28 September 2022
.....
Date

Director
Position

Ntt Motor Investments Pty Ltd
Name of Bidder
Js367bW

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: Fred Whelpton
- 3.2 Identity Number: 6008055045089
- 3.3 Position occupied in the Company (director, trustee, shareholder²): Director
- 3.4 Company Registration Number: 2006/036515/07
- 3.5 Tax Reference Number: 9846778141
- 3.6 VAT Registration Number: 4660272941
- 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
Fred Whelpton	608055045089	

.....

Signature

28 September 2022

Date

Director
Capacity

Nissan Motor Investments Pty Ltd

Name of Bidder



CSD REGISTRATION REPORT

SUPPLIER IDENTIFICATION

Supplier number	MAAA0395297	South African company/CC registration number	2006/036515/07
Is supplier active?	Yes	Have Bank Account	Yes
Allow associates?	Yes	Total annual turnover	More than R50 million
Supplier type	CIPC Company	Financial year start date	01 Mar 2017 00:00:00:000
Supplier sub-type	Private Company (Pty)(Ltd)	Registration date	22 Nov 2006 00:00:00:000
Legal name	NTT MOTOR INVESTMENTS	Created by	cvandermerwe@nttgm.co.za
Trading name	NTT ISUZU/HONDA NEWCASTLE	Created date	19 Jan 2017 13:32:59:000
Identification type	South African Company/Close Corporation Registration Number	Edit by	cvandermerwe@nttgm.co.za
Government breakdown	Private Companies (Pty) (Ltd)	Edit date	10 Jul 2022 15:45:34:413
Business status	In Business	Restricted Supplier	No
Country of origin	South Africa		

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	Wholesale and retail trade and repair of motor vehicles and motorcycles	% share of annual turnover	100.00

SUPPLIER CONTACT INFORMATION

CONTACT 1

Contact type	Administration,Bid Office	Cellphone number	083 660 2405
Is this your preferred Contact?	Yes	Fax number	0343123179





CSD REGISTRATION REPORT

Name(s)	Carol	Website address	www.nttgm.co.za
Surname	van der Merwe	Do you want this contact to also be a CSD user ?	Yes
Identification type	South African Identification Number	Created by	cvandermerwe@nttgm.co.za
Prefer communication via email	Yes	Created date	19 Jan 2017 13:33:00:143
Prefer communication via telephone	Yes	Edit by	cvandermerwe@nttgm.co.za
Email address	cvandermerwe@nttgm.co.za	Edit date	13 Sep 2017 16:18:40:393
Telephone number	0872861200		
CONTACT 2			
Contact type	Administration	Telephone number	0872861200
Is this your preferred Contact?	No	Cellphone number	078 301 4119
Name(s)	JP	Website address	www.nttgm.co.za
Surname	Kardos	Do you want this contact to also be a CSD user ?	Yes
Identification type	South African Identification Number	Created by	cvandermerwe@nttgm.co.za
Prefer communication via email	Yes	Created date	13 Sep 2017 16:18:40:550
Prefer communication via telephone	Yes	Edit by	cvandermerwe@nttgm.co.za
Email address	jpkardos@nttgm.co.za	Edit date	13 Sep 2017 16:18:40:550

SUPPLIER ADDRESS INFORMATION

ADDRESS 1			
Is this a preferred address?	Yes	Postal code	2940
Address line 1	24 Kirkland Street	Ward Number	4
Address line 2	Newcastle	Country	South Africa
Suburb	Newcastle CBD	This address S/A delivery	Yes
Province	KwaZulu-Natal	This address S/A payment	Yes
Municipality	Newcastle	Created by	cvandermerwe@nttgm.co.za





CSD REGISTRATION REPORT

City	Newcastle	Created date	27 Jun 2016 14:00:08:000
		Edit by	cvandermerwe@nttgm.co.za
		Edit date	19 Jan 2017 13:33:00:143
ADDRESS 2			
Is this a preferred address?	No	Country	South Africa
Address line 1	P O Box 2377	Created by	cvandermerwe@nttgm.co.za
Address line 2	Newcastle CBD, Newcastle	Created date	19 Jan 2017 13:29:39:000
Suburb	Newcastle CBD	Edit by	cvandermerwe@nttgm.co.za
Province	KwaZulu-Natal	Edit date	19 Jan 2017 13:33:00:143
Municipality	Newcastle		
City	Newcastle		
Postal code	2940		

SUPPLIER BANK ACCOUNT

BANK ACCOUNT 1			
Account type	Current Accounts	Created by	cvandermerwe@nttgm.co.za
Bank	STANDARD BANK OF SOUTH AFRICA	Created date	19 Jan 2017 13:33:00:143
Branch number	051001	Edit by	csd.safetynetbatch@treasury.gov.za
Branch name	STANDARD BANK SOUTH AFRICA	Edit date	06 Feb 2017 09:13:53:703
Account number	062093959	Bank Verification Status	Verification Succeeded
Account holder	NTT GM NEWCASTLE	Foreign Bank Account	No
Is this a preferred account?	Yes	Is the identifier linked at the bank	Yes
Active start date	19 Jan 2017 11:40:00:000	Is this a Shared Funding Account	No





CSD REGISTRATION REPORT

TAX INFORMATION

Income tax number	9846778141	Overall Tax Status	Tax Compliant
VAT number	4660272941	Created by	cvandermerwe@nttgm.co.za
Is this supplier a VAT vendor?	Yes	Created date	19 Jan 2017 13:32:59:703
PAYE number	7770792473	Edit by	csd.reverifbybatch@treasury.gov.za
Are you Registered with SARS?	Yes	Edit date	10 Jul 2022 15:45:34:000
Last validation date	29 Sep 2022 08:28:00:000		

B-BEE INFORMATION

Certificate type	None		
Created by	cvandermerwe@nttgm.co.za	Edit by	cvandermerwe@nttgm.co.za
Created date	19 Jan 2017 13:33:05:467	Edit date	13 Sep 2017 16:18:41:160

OWNERSHIP INFORMATION

Owner s name and surname Legal name	Owner s Identification number	RSA Citizen	Ethnic group	Gender	Ownership %	Youth	Disabled	Military	Rural	Township
FRED WHELPTON	6008055045089	Yes	White	Male	50.00%	No	No	No		
WERNER GEE WHELPTON	8610025027085	Yes	White	Male	50.00%	Yes	No	No		
Total					100.00%					

OUTCOMES AGAINST PREFERENTIAL PROCUREMENT CRITERIA BASED ON OWNERSHIP

Enterprise type

GEN



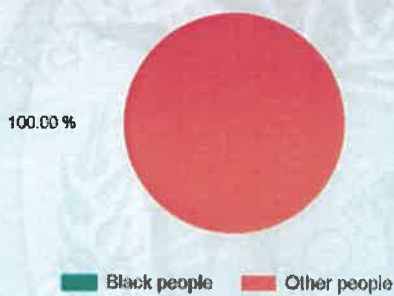


CSD REGISTRATION REPORT

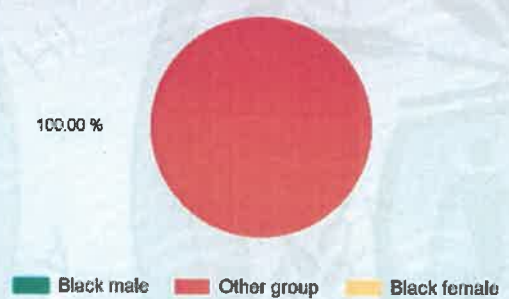
B-BBEE status level of contributor

Owned by black people	N/A
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%

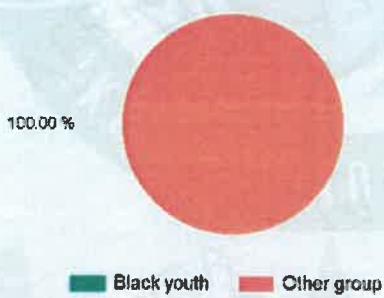
People % Ownership



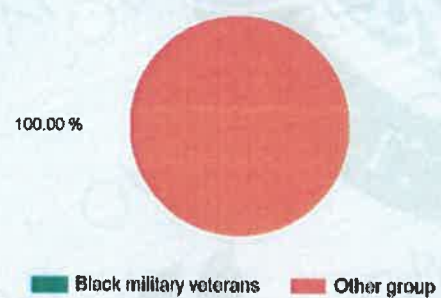
Gender % Ownership



Youth % Ownership



Military veteran % Ownership





CSD REGISTRATION REPORT

Disabled % Ownership

100.00 %



Black people with disabilities Other group

Living area % Ownership

100.00 %



Other areas Black in rural areas Black in townships

DIRECTORS/MEMBERS/OWNERS INFORMATION

DIRECTOR/MEMBER 1

Director type	Director, Owner	Owner youth	No
Director status	Active	Owner person with disabilities	No
Name(s)	FRED	Owner military veteran	No
Surname	WHELPTON	Created by	cvandernerwe@nttgm.co.za
Country	South Africa	Created date	13 Sep 2017 16:05:40:000
Identification type	South African Identification Number	Edit by	cvandernerwe@nttgm.co.za
South African identification number	6008055045089	Edit date	13 Sep 2017 16:11:50:000
Appointment date	07 Dec 2007 00:00:00:000	Restricted Supplier	No
Email address	whelpton@nttgroup.co.za	Restriction Last Verification Date	29 Sep 2022 08:28:09:233
Cellphone number	083 263 5350	Government Employee	No
Owner	Yes	Government Employee Last Verification Date	29 Sep 2022 08:28:09:157
Ownership %	50.00%	SA identification number Verified	Yes
Owner's ethnic group	White	SA identification number verification date	29 Sep 2022 08:28:09:203
Owner's gender	Male	Companies involved in	MAAA0101008; MAAA0128761; MAAA0130663; MAAA0131323; MAAA0139818; MAAA0189053...





CSD REGISTRATION REPORT

DIRECTOR/MEMBER 2

Director type	Director, Owner	Owner youth	Yes
Director status	Active	Owner person with disabilities	No
Name(s)	WERNER GEE	Owner military veteran	No
Surname	WHELPTON	Created by	cvandermerwe@nttgm.co.za
Country	South Africa	Created date	13 Sep 2017 16:06:09:000
Identification type	South African Identification Number	Edit by	cvandermerwe@nttgm.co.za
South African identification number	8610025027085	Edit date	13 Sep 2017 16:14:34:000
Appointment date	01 Oct 2015 00:00:00:000	Restricted Supplier	No
Email address	wernerwhelpton@nttgroup.co.za	Restriction Last Verification Date	29 Sep 2022 08:28:09:233
Cellphone number	083 260 3998	Government Employee	No
Owner	Yes	Government Employee Last Verification Date	29 Sep 2022 08:28:09:170
Ownership %	50.00%	SA identification number Verified	Yes
Owner's ethnic group	White	SA identification number verification date	29 Sep 2022 08:28:09:220
Owner's gender	Male	Companies involved in	MAAA0101008; MAAA0128761; MAAA0130663; MAAA0131323; MAAA0139818; MAAA0189053...

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 difference 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.

Print Date:

9/29/2022 8:28:21 AM

