

ITEM NUMBER: C 31/04/16

RECOMMENDATION FROM THE EXECUTIVE MAYOR: 19 APRIL 2016

MC 53/04/16 REPORT IN TERMS OF REGULATION 36 OF THE SUPPLY CHAIN MANAGEMENT REGULATIONS, AND PARAGRAPH 311 OF THE SUPPLY CHAIN MANAGEMENT POLICY, FOR MARCH 2016

It is **RECOMMENDED** that the matters as authorised by the City Manager in terms of Regulation 36 of the Supply Chain Management Regulations and Paragraph 311 of the Supply Chain Management Policy, for March 2016, attached as Annexure A to the report on the agenda, be noted and be included as a note to the Council's annual financial statements.



REPORT TO MAYCO

DATE 2016-04-19

1. ITEM NUMBER : MC 53/04/16

2. SUBJECT

REPORT IN TERMS OF THE SUPPLY CHAIN MANAGEMENT REGULATIONS, REGULATION 36, AND THE SUPPLY CHAIN MANAGEMENT POLICY, PARAGRAPH 311, FOR MARCH 2016: FOR INFORMATION PURPOSES

ONDERWERP

VERSLAG INGEVOLGE DIE VOORSIENINGSKANAALBESTUURSREGULASIES, REGULASIE 36, EN DIE BELEID OOR VOORSIENINGSKANAALBESTUUR, PARAGRAAF 311, VIR MAART2016: VIR INLIGTINGSDOELEINDES

ISIHLOKO

INGXELO ENGENISWA NGOKWEMIGAQO YOLAWULO LOBONELELO NGOMSEBENZI WEZIKO, UMGAQO-36 NANGOKOMGAQO-NKQUBO WOLAWULO LOBONELELO NGOMSEBENZI WEZIKO, UMHLATHI-311, NGOMATSHI 2016: INGENISELWA IINJONGO ZENGCACISO

LSU G4948

3. STRATEGIC INTENT

- Opportunity City
- Safe City
- Caring City
- Inclusive City
- Well-run City

4. PURPOSE

This report serves to advise Council of matters authorised by the City Manager in terms of the Supply Chain Management (SCM) Regulations and Policy during the 2015/16 financial year for March 2016. The reasons submitted by

the respective business units and/or the Supply Chain Management Bid Adjudication Committee to dispense with the official procurement processes, as approved by the City Manager, which needs to be reported to Council in terms of regulation 36 (2) of the Municipal Supply Chain Management Regulations issued by National Treasury and in terms of paragraph 311 of Council's Supply Chain Management Policy as approved on 31 July 2013. Furthermore, the expenditure related to such deviations is included as a note to the Annual Financial Statements.

5. FOR NOTING BY / FOR DECISION BY

Recommendation for Decision by Council

To be noted by Council in terms of regulation 36 of The Municipal Supply Chain Management Regulations and in terms of paragraph 311 of the Supply Chain Management Policy.

This report is for noting only/information only.

6. EXECUTIVE SUMMARY

This report is in line with providing equitable and effective service delivery to the community by ensuring that the critical goods and services required and to be procured are obtained, due to the exceptional circumstances, emergency of a situation, or when the normal procurement process could not be followed due to it being a sole provider, impractical, impossible or non-feasible as permitted in terms of paragraphs 308 - 310 of the City's SCM policy.

In terms of regulation 36 of the Municipal Supply Chain Management Regulations and in terms of paragraph 311 of the Supply Chain Management Policy any deviations from the Supply Chain Management Policy considered and approved by the City Manager needs to be reported to Council.

The relevant reports received, considered and authorised by the City Manager and the expenditure and reasons for these approvals are herewith reported to Council as per Annexure "A". These matters were all considered on its merits and the reasons provided were clarified or additional information obtained in compliance with the legislative criteria as provided for in terms of the Supply Chain Management Policy.

Furthermore, the expenditure needs to be included as a note to Council's Annual Financial Statements.

The breakdown of the deviations for March 2016 is as follows:

- Exceptional Circumstances - 5 matters: Where there were no alternatives or where it was impractical or impossible to follow the normal process;

Handwritten initials/signature

- Single Provider - 4 matters, sole provider and registered owner of the rights;

7. RECOMMENDATIONS

Not delegated: for noting by Council:

It is recommended that the matters as authorised by the City Manager in terms of the Supply Chain Management Regulations, regulation 36, and the Supply Chain Management Policy, paragraph 311, for March 2016, attached as annexure A, be noted by Council and be included as a note to the Council's annual financial statements.

AANBEVELINGS

Nie gedelegeer nie: vir kennisname deur die Raad:

Daar word aanbeveel dat die Raad kennis neem van die sake soos deur die stadsbestuurder gemagtig ingevolge die voorsieningskanaalbestuursregulasies, regulasie 36, en die beleid oor voorsieningskanaalbestuur, paragraaf 311, vir Maart 2016, hierby aangeheg as bylae A, en dat dit as 'n nota by die Raad se finansiële jaarstate ingesluit word.

IZINDULULO

Azigunyaziswanga: zingeniselwa ukuqwalaselwa liBhunga:

Kundululwe ukuba imibandela egunyaziswe nguMphathi weSixeko, ngokweMigaqo yoLawulo loBonelelo ngoMsebenzi weZiko, umgaqo-36, nangokoMgaqo-nkqubo woLawulo loBonelelo ngoMsebenzi weZiko, umhlathi-311, yangoMatshi 2016, eqhotyoshelwe njengesihlomelo-A, mayiqwalaselwe liBhunga kwaye mayibandakanywe kwiingxelo ezibhaliweyo zezimali zeBhunga zonyaka

DISCUSSION/CONTENTS

7.1. Constitutional and Policy Implications

The Municipal Supply Chain Management Regulations, General Notice 868, Government Gazette 27636 of 30 May 2005, Regulation 36 - Deviation from, and ratification of minor breaches of procurement processes refers.

The City of Cape Town's Supply Chain Management Policy - adopted by Council, 31 July 2013, Clause 308 – 310 and 311 – Deviation from the Procurement Process.

7.2. Legal Implications

To be noted by Council in terms of regulation 36 of The Municipal Supply Chain Management Regulations and in terms of paragraph 311 of the Supply Chain Management Policy. Furthermore, the expenditure needs to be included as a note to Council's Annual Financial Statements.

7.3. Other Services Consulted

In general, all deviations are submitted to the City Manager for approval after due consideration by the Supply Chain Management Bid Adjudication Committee

ANNEXURES

Annexure "A" – Deviations for the period 1 – 31 March 2016

FOR FURTHER DETAILS CONTACT:

NAME	Arno Vorster, Specialist Advisor: Office of the City Manager
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DIRECTORATE	Office of the City Manager
FILE REF NO	HO 9/7
SIGNATURE	 4/4/16



CITY MANAGER

ACHMAT EBRAHIM

NAME

DATE

07.04.2016

REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.



Ally

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LEGAL COMPLIANCE

NON-COMPLIANT

NAME CHARLYNNE ARONSON
TEL 021 400 1265
DATE 06/4/2016

Comment:
Certified as legally compliant: *(initials)*
Based on the contents of the report.

A.G. Am

EXECUTIVE DIRECTOR: EXECUTIVE
DIRECTOR: CORPORATE SERVICE &
COMPLIANCE (ED: CORC)

SUPPORTED FOR ONWARD SUBMISSION
TO MAYOR / MAYCO / COUNCIL

DATE 8/4/16

NOT SUPPORTED
 REFERRED BACK

COMMENT:

(Signature)

MAYORAL COMMITTEE MEMBER
Ald Ian Neilson

COMMENT:

NAME _____
DATE 8/4/2016

EXECUTIVE MAYOR

P. de Lillo

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SUPPORTED FOR ONWARD SUBMISSION
TO MAYCO COUNCIL

PC RECOMMENDATION

RECOMMENDATION AS CONTAINED IN
ORIGINAL REPORT

ALTERNATIVE RECOMMENDATION TO
BE REFLECTED BELOW

APPROVED I.T.O. DELEGATED
AUTHORITY

NOTED

REFUSED

REFERRED BACK

DATE

14.04.2016

COMMENT:

