



**REPORT TO MUNICIPAL PUBLIC ACCOUNTS COMMITTEE
COUNCIL**

1 ITEM NUMBER MPAC 08/02/24

2 SUBJECT

**QUARTERLY REPORT OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE:
30 SEPTEMBER 2023**

ONDERWERP

**KWARTAALVERSLAG VAN DIE MUNISIPALE KOMITEE OOR OPENBARE
REKENINGE: 30 SEPTEMBER 2023**

ISIHLOKO

**INGXELO YARHOQO NGEKOTA YEKOMITI KAMASIPALA EJONGENE
NEEAKHAWUNTI ZOLUNTU: NGOWAMA-30 KWEYOMSINTSI 2023**

LSU M0153

3 DELEGATED AUTHORITY

In terms of paragraphs 6.10 of the Municipal Public Accounts Committee's (MPAC's) Terms of Reference (ToR), approved by Council on 27 July 2023 (C 35/07/23), "*Quarterly reports of MPAC and other reports as may be required are to be tabled by the Speaker in Council.*"

This report is FOR NOTING BY

- Committee name:** Municipal Public Accounts Committee (MPAC)
- The Executive Mayor together with the Mayoral Committee (MAYCO)
- Council

4 DISCUSSION

In terms of section 59 of the Local Government: Municipal Systems Act, Act 32 of 2000 (MSA) Council must develop a system of delegation to maximise administrative and operational efficiency and provide for adequate checks and balances, while section 63 of the MSA requires MPAC to report to Council on decisions taken in terms of its

ISINDULULO

Asigunyaziswanga: isiqqibo seseBhunga:


KUNDULULWE ukuba iKomiti kaMasipala ejongene neeAkhawunti zoLuntu mayiqwalasele imisebenzi kwaye iyixhase ukuze ingeniswe kwiBhunga.

ANNEXURES

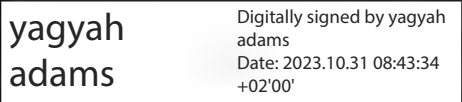
ANNEXURE A: MPAC’s activities for the period 1 July 2023 to 30 September 2023

ANNEXURE B: MPACs 2023/24 Annual Oversight Work Plan for the period 1 July 2023 to 30 September 2023

FOR FURTHER DETAILS CONTACT

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DIRECTORATE	OFFICE OF THE CITY MANAGER	FILE REF NO	2/9/1/2
SIGNATURE (AUTHOR)			

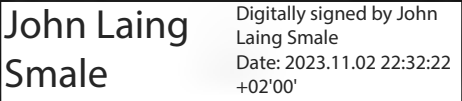
MPAC CHAIRPERSON

NAME	CLLR YAGYAH ADAMS	COMMENT:
DATE		
SIGNATURE		

The MPAC Chairperson’s signature represents support for the report content and confirms POPIA compliance.

LEGAL COMPLIANCE

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

NAME		COMMENT:
DATE		<div style="border: 1px solid black; padding: 5px;"> Certified as legally compliant based on the contents of the report. </div>
SIGNATURE		

**MUNICIPAL PUBLIC ACCOUNTS COMMITTEE'S ACTIVITIES FOR THE PERIOD
1 JULY 2023 TO 30 SEPTEMBER 2023**

1. MEETINGS AS PER THE COUNCIL CALENDAR:

(a) Three (3) ordinary and confidential meetings were held:

- 18 July 2023
- 8 August 2023
- 12 September 2023

(b) Eighteen (18) task team meetings were held between 1 July 2023 and 30 September 2023. During some of the Task Team meetings more than one matter was dealt with.

2. MEMBERSHIP AND MEETING ATTENDANCE

MPAC Member		MPAC Meetings			
		18 Jul 2023	8 Aug 2023	12 Sep 2023	Attendance
1.	Cllr Adams (CMC) (Chairperson)	✓	✓	✓	100%
2.	Cllr van Zyl (DA) (Deputy Chairperson)	✓	✓	✓	100%
3.	Cllr Southgate (DA)	✓	✓	✓	100%
4.	Cllr Witbooi (DA)	✓	✓	✓	100%
5.	Cllr Moses (DA)	✓	✓	✓	100%
6.	Ald B Watkyns (DA)	✓	✓	✓	100%
7.	Ald J van der Merwe	✓	✓	§	67%
8.	Cllr S Booysen	✓	✓	✓	100%
9.	Cllr Majingo (ANC)	✓	✓	✓	100%
10.	Cllr Phakade (ANC)	✓	✓	§	67%
11.	Cllr Botha-Rossouw (FF+)	✓	✓	✓	100%
12.	Cllr Ntshuntshe (EFF)	✓	✓	✓	100%
13.	Cllr Little (GOOD)	✓	✓	✓	100%

Legend:

✓ Member was **present** at the meeting

§ **Leave of absence** was granted by the Chief Whip in terms of Part 4 Delegation 1(1) of the Council's System of Delegations

* **No leave of absence** was granted by the Chief Whip in terms of Part 4 Delegation 1(1) of the Council's System of Delegations

3. THE FOLLOWING MPAC REPORTS WERE TABLED AT COUNCIL AS AT 30 SEPTEMBER 2023:

No.	Council Resolution	MPAC Reference	Item Description	Irregular Expenditure Amount	Fruitless and Wasteful Expenditure
Note: MPAC Task Team investigations are only finalised once Council resolves on the item					
1.	CIC 14/07/23	MPACIC 15/06/21	Reporting of irregular expenditure (Expenditure Without A Valid Contract) Relating to the procurement of the [REDACTED] Software License and Professional Services	Not Irregular Expenditure	
2.	CIC 13/07/23	MPACIC 10/09/21 MPACIC 05/02/22	Tender [REDACTED]: Supply, installation and maintenance of security alarms	R266 256.55	
3.	CIC 10/07/23	MPACIC 26/02/22	SK120C0502 and DP6218/2020/21 Langa pumpstation	R136 482.69	
4.	CIC 07/07/23	MPACIC 09/03/22	Tender [REDACTED]: Rehabilitation and upgrade of existing reservoir as an archive storage facility for Records Management	R2 537 553.88	
5.	CIC 09/07/23	MPACIC 07/04/22	Cleaning and unblocking of the Duinefontein Road culvert within the big Lotus Canal in Gugulethu area	R17 940.00	
6.	CIC 15/07/23	MPACIC 06/11/22	Tender [REDACTED]: Supply and support for the telecommunications infrastructure management system	Not Irregular Expenditure	
7.	CIC 16/07/23	MPACIC 11/01/23	Training completed in terms of contract [REDACTED] before purchase order being generated	R66 033.00	
8.	CIC 08/07/23	MPACIC 12/02/22	Provision of the handling, chipping and removal of green waste service to Solid Waste facilities within the City of Cape Town	Not Irregular Expenditure	
9.	CIC 12/07/23	MPACIC 25/02/22	Oil cooler, nylon liner and load cell fault repairs at Bellville refuse transfer station	R26 580.00	
10.	CIC 17/07/23	MPACIC 07/10/22	Tender number [REDACTED]: Provision of professional services: Business planning, transport and urban development	R4 216 181.75	

No.	Council Resolution	MPAC Reference	Item Description	Irregular Expenditure Amount	Fruitless and Wasteful Expenditure
11.	CIC 12/08/23	MPACIC 12/04/21	Section 32 of the MFMA: Irregular expenditure: Investigate irregular expenditure incurred for professional services rendered by [REDACTED] for design and construction supervision of a sewer link for properties in Digtebij road, Kuils River	R52 708.58	
12.	CIC 18/07/23	MPACIC 08/10/22	The development and application of a benchmarking tool and implementation	R2 300 000.00	
13.	CIC 10/08/23	MPACIC 22/05/21	2019/20 AGSA Findings: Water and Waste & Sanitation Directorate: COMAF 9 (Contract: [REDACTED] CIDB grading not included in the tender) (Linked to COMAF 33)	R12 978 046.98	
14.	CIC 11/08/23	MPACIC 05/07/21	Payment to [REDACTED] under contract [REDACTED] professional services for the construction of Strandfontein Road)	R10 944 713.30	
15.	CIC 07/08/23	MPACIC 13/09/21 MPACIC 08/02/22	Payment for the provision of professional design and construction supervision services in relation to the upgrading of Strand sea wall phase 1	R1 451 660.84	
16.	CIC 18/08/23	MPACIC 27/02/22 MPACIC 05/05/22	COMAF 37: Emergency deviation approvals: Tender [REDACTED]: Diversion of existing midblocks Gugulethu NY1 To NY5	R1 960 694.68	
17.	CIC 14/08/23	MPACIC 14/02/22	Unauthorised contract cleaning and gardening services expenditure within the Economic Opportunities and Asset Management directorate: tender [REDACTED]; tender [REDACTED]; tender [REDACTED]; tender [REDACTED] and tender [REDACTED]	Not Irregular Expenditure	
18.	CIC 06/08/23	MPACIC 07/03/22	Contract [REDACTED]: Reconstruction of concrete roads in Heideveld, area 5	R363 016.66	

No.	Council Resolution	MPAC Reference	Item Description	Irregular Expenditure Amount	Fruitless and Wasteful Expenditure
19.	CIC 08/08/23	MPACIC 06/04/22	Appointment of attorneys in a Labour Court review application	R33 513.49	
20.	CIC 05/08/23	MPACIC 06/05/22	Incorrect payment for a learner law enforcement officer (██████████) (FSD 285/19-20)		Irrecoverable and written off
21.	CIC 09/08/23	N/A	SCMB 92/09/19: Request for deviation and or condonation: Tender no. ██████████: Innovative design, supply and construction of temporary informal dwellings	R14 203 209.42	
22.	CIC 11/07/23	MPACIC 06/09/22	Tender ██████████: Provision of medical waste disposal service including pharmaceutical waste CM63742C	R166 472.99	
23.	CIC 13/08/23	MPACIC 10/11/22	Appointment of Legal Services providers	R658 301.26	
24.	CIC 15/08/23	MPACIC 07/01/23	Payment of interest in respect of payment certificate 6 & 7: Contract ██████████ Repairs of Culverts Beneath Duncan Road		Not Fruitless and Wasteful Expenditure
25.	CIC 19/07/23	MPACIC 13/01/23	Procurement on tender ██████████: Maintenance of stormwater infrastructure by mechanical methods	R137 487.10	
26.	CIC 16/08/23	MPACIC 05/02/23	Tenders ██████████ and ██████████: Provision of an enterprise mobile messaging solution (SMS & Content Rich)	R9 583 791.69 R2 941 379.48	
27.	CIC 19/08/23	MPACIC 08/02/23	Investigate irregular expenditure incurred due to services completed before purchase orders being generated	R24 743 346.77	
28.	CIC 17/08/23	MPACIC 05/03/23	COMAF 25: Preferential Procurement Regulations (pre-qualification criteria not met)	R6 155 003.42	
TOTAL				R95 940 374.53	0.00

4. THE FOLLOWING TASK TEAM INVESTIGATIONS WERE IN PROGRESS AS AT 30 SEPTEMBER 2023:

No.	MPAC Resolution	Item Description
1.	MPACIC 08/02/21	Irregular expenditure [REDACTED] term tender for the repair and plumbing installation of Water Management Devices at domestic properties occupied by indigent households
2.	MPACIC 28/02/22	Tender [REDACTED]: Period tender for optic fibre civil infrastructure construction and tender [REDACTED]: Term tender for the construction of new switching centres for the City of Cape Town's optic fibre network
3.	MPACIC 05/05/22	Part A: 2020/21: COMAF 51: Projects allocated in respect of the term tender/contract were out of the scope of the tender/contract [REDACTED]
4.	N/A	Part B: (Stemming from COMAF 51) [REDACTED]: Investigation into the matters stemming from the Forensic Services' report: (1) Payment for incomplete work (2) Not following a competitive tender process for monetary allowances in excess of R200 000. (3) Incorrect Construction Industry Development Board (CIDB) grading was applied and therefore the full value spent on the tender was rendered irregular.
5.	MPACIC 05/05/22	2020/21: COMAF 52: [REDACTED] Construction of [REDACTED] (Extension of time claims approved, additional work performed outside of scope of original tender)
6.	MPACIC 07/06/22	DP6218W/2020/21: Strip, quote and repairs to [REDACTED] inlet screen at the Mitchell's Plain Wastewater Treatment Works (WWTW)
7.	MPACIC 06/07/22	Contravention of City's Supply Chain Management Policy relating to the appointment of a service provider (Tenders: [REDACTED] and [REDACTED])
8.	MPACIC 07/07/22	Tender number: [REDACTED]: Appointment of service providers for temporary employment services
9.	MPACIC 07/09/22	Supply delivery and maintenance of coin operating photocopiers and printers linked to the SMARTCAPE System
10.	MPACIC 09/11/22	Contravention of the City's supply chain management policy IERM membership fees
11.	MPACIC 06/01/23	Irregular Expenditure: Costs incurred without following due SCM Legislative Framework-Regulation and City SCM Policy (Sub- Council 18)
12.	MPACIC 08/01/23	Payment of management fees for electronic infrastructure connected to the fuel dispensing system at Roeland Street fire station linked to tender/ contract [REDACTED]
13.	MPACIC 09/01/23	Condonation for work done by vehicle tech without valid purchase orders
14.	MPACIC 10/01/23	Tender [REDACTED] 20: Provision of a professional service provider to provide SMART driver training for City of Cape Town
15.	MPACIC 12/01/23	Transport service being rendered by the service provider before purchase order being generated
16.	MPACIC 06/02/23	Irregular Expenditure: Emergency repair to 150mm sewer main in Bergroos Street and Koringblom Street, Stellenridge
17.	MPACIC 07/02/23	Tender [REDACTED]: Provision of a panel of professional services for the Transport and Spatial Planning and Environmental directorates
18.	MPACIC 09/02/23	Contract [REDACTED]: Civil and building works for a new Stercus building and other works at Borchers Quarry wastewater treatment works
19.	MPACIC 10/02/23	Meals for staff during pipeline shutdown (no purchase order)
20.	MPACIC 11/02/23	Cleaning of sewer septic tanks at Coastal Park, Bellville South Landfill, Swartklip RTS, Melton Rose CD, Schaapkraal Drop-Off And Wynberg Depot

No.	MPAC Resolution	Item Description
21.	MPACIC 06/03/23	Emergency repair to sewer in Kendal road
22.	MPACIC 07/03/23	Contract [REDACTED]: Provision of secure GPRS data and related services for machine-to-machine and POS connectivity from a first tier service provider
23.	MPACIC 05/05/23	Irregular expenditure (contravention of the City's Supply Chain Management policy) relating to the appointment of a service provider.
24.	MPACIC 06/05/23	Investigation in terms of section 32(1) of the MFMA: CM642569A - Unauthorised, Irregular And Fruitless & Wasteful (UIFW) expenditure notification form submission: courier services
25.	MPACIC 07/05/23	Renting floor space at the building centre before the availability of a purchase order
26.	MPACIC 09/05/23	Irregular expenditure: [REDACTED] term tender for the repair and plumbing installation of water management devices at domestic properties occupied by indigent households (FSD156/20-21).
27.	MPACIC 06/06/23	Procurement of forensic services without a valid purchase order
28.	MPACIC 07/06/23	Provision of professional services - construction monitoring for various waste management facilities in the City
29.	MPACIC 08/06/23	Emergency repairs for sewer collapse at c/o Printers and Freedom Way, Marconi Beam
30.	MPACIC 07/07/23	Contract [REDACTED]: Provision of mobile data services
31.	MPACIC 08/07/23	Contravention of the City's supply chain management policy relating to the appointment of a service provider
32.	MPACIC 09/07/23	Wasteful expenditure within the Social Development and Early Childhood Development department, Area 4 office
33.	MPACIC 04/08/23	Contract [REDACTED]: Supply and Delivery of Plastic Refuse Bags to the Cleansing Branch
34.	MPACIC 06/08/23	Professional Services rendered by [REDACTED] for construction monitoring for tender [REDACTED]: Construction of Sewerage Network in Penhill Eerste River – Phase 3
35.	MPACIC 07/08/23	FSD 243/18-19: Forensic investigation into allegations that vehicles hired by the City were parked at the Royal Ascot offices and not used for three weeks
36.	MPACIC 11/08/23	Payment dispute regarding the supply and delivery of food packs and family games to families participating in the strengthening family programme implemented by Social Development and Early Childhood Development department in Area North
37.	MPACIC 12/08/23	Irregular expenditure caused by the delay in not submitting deviation reports to the Director: Supply Chain Management timeously
38.	MPACIC 05/09/23	Reporting of alleged irregular expenditure in the procurement of two training courses during July - August 2018 within the Safety and Security directorate: Fire Service training academy - Epping
39.	MPACIC 06/09/23	Installation of instrumentation at the Faure water treatment plant - purchase order 4503885316 (FSD 254/20-21)
40.	MPACIC 18/09/23	Procurement on tender 124Q/2021/22: The upgrading of roads around Cape Town Stadium

No.	Timing (When?)	Activity (What?)	Output (How?)	Responsibility (Who?)	Supported By (Who?)	Status	Comments
AD HOC							
1	Ad hoc	Induction Training	Other	Chairperson	Technical Support Team	N/A	
2	Ad hoc	Refresher/Update Training	Other	Chairperson	Technical Support Team	N/A	
3	Ad hoc	Meet with the Speaker	Meeting	Chairperson	Deputy Chairperson	Complete	Informal meeting between the MPAC Chairperson and the Speaker.
4	Ad hoc	Appoint task teams to assist MPAC in its functions and investigate unauthorised, irregular or fruitless and wasteful expenditure	Meeting	Chairperson	Committee	Complete	Occurs at MPACIC meetings when reports are tabled by the line departments, via the City Manager or referred by Council
5	Ad hoc	Formalise operational processes, systems and procedures	Other	Chairperson	Committee	WIP	MPACIC 11/09/23 MPAC ToR: SoP to be approved by the City Manager MPAC 06/08/23
6	Ad hoc	Review and amend Terms of Reference	Report to MPAC	Chairperson	Technical Support Team	Complete	
7	Ad hoc	Approve Terms of Reference	Report to Council	Chairperson	Secretariat	Complete	C 35/07/23
QUARTER 1							
8	Jul	Set and agree the agenda for meetings to ensure clear meeting objectives and outcomes	Other	Chairperson	Secretariat	Complete	
9	Jul	MPAC meetings	Meeting	Chairperson	Secretariat	Complete	18 July 2023
10	Jul	Ensure corrective action has been taken in respect of the comments and resolutions of MPAC	Outstanding Matters Schedule	Chairperson	Secretariat	Complete	
11	Jul	Task Team submits report to MPAC	Report to MPAC	Task Team Chairperson	Internal Audit	Complete	MPACIC 10/07/23 MPACIC 11/07/23 MPACIC 12/07/23 MPACIC 13/07/23 MPACIC 14/07/23 MPACIC 15/07/23 MPACIC 16/07/23 MPACIC 17/07/23
12	Jul	MPAC submits Task Team report to Council	Report to Council	Committee	Internal Audit	Complete	CIC 07/07/23 CIC 08/07/23 CIC 09/07/23 CIC 10/07/23 CIC 11/07/23 CIC 12/07/23 CIC 13/07/23 CIC 14/07/23 CIC 15/07/23 CIC 16/07/23 CIC 17/07/23 CIC 18/07/23
13	Jul	Monitor achievement of the Work Plan	Meeting	Chairperson	Internal Audit	Complete	
14	Jul	Meeting with the City Manager	Meeting	City Manager and Chairperson	Committee and Office of the City Manager	Complete	21 July 2023
15	Aug	Set and agree the agenda for meetings to ensure clear meeting objectives and outcomes	Other	Chairperson	Secretariat	Complete	
16	Aug	MPAC meetings	Meeting	Chairperson	Secretariat	Complete	8 August 2023

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No.	Timing (When?)	Activity (What?)	Output (How?)	Responsibility (Who?)	Supported By (Who?)	Status	Comments
17	Aug	Ensure corrective action has been taken in respect of the comments and resolutions of MPAC	Outstanding Matters Schedule	Chairperson	Secretariat	Complete	
18	Aug	Task Team submits report to MPAC	Report to MPAC	Task Team Chairperson	Internal Audit	Complete	MPACIC 08/08/23 MPACIC 09/08/23 MPACIC 10/08/23 MPACIC 13/08/23 MPACIC 14/08/23
19	Aug	MPAC submits Task Team report to Council	Report to Council	Committee	Internal Audit	Complete	CIC 05/08/23 CIC 06/08/23 CIC 07/08/23 CIC 08/08/23 CIC 09/08/23 CIC 10/08/23 CIC 11/08/23 CIC 12/08/23 CIC 13/08/23 CIC 14/08/23 CIC 15/08/23 CIC 16/08/23 CIC 17/08/23
20	Aug	Monitor achievement of the Work Plan	Meeting	Chairperson	Internal Audit	Complete	
21	Aug	Assess individual member performance	Other	Chairperson	Speaker	Incomplete	To be completed in the next quarter.
22	Aug	MPAC's Annual Report (1 Jul - 30 Jun) to MPAC	Report to MPAC	Chairperson	Internal Audit	WIP	MPAC 06/09/23 The committee requested amendments, and the amended report will be tabled at the MPAC meeting on 10 October 2023.
23	Sep	Set and agree the agenda for meetings to ensure clear meeting objectives and outcomes	Other	Chairperson	Secretariat	Complete	
24	Sep	MPAC meetings	Meeting	Chairperson	Secretariat	Complete	12 September 2023
25	Sep	Task Team submits report to MPAC	Report to MPAC	Task Team Chairperson	Internal Audit	Complete	MPACIC 07/09/23 MPACIC 08/09/23 MPACIC 09/09/23 MPACIC 11/09/23 MPACIC 12/09/23 MPACIC 13/09/23 MPACIC 14/09/23 MPACIC 15/09/23 MPACIC 16/09/23
26	Sep	MPAC submits Task Team report to Council	Report to Council	Committee	Internal Audit	N/A	No Council meeting in the September 2023.
27	Sep	Ensure corrective action has been taken in respect of the comments and resolutions of MPAC	Outstanding Matters Schedule	Chairperson	Secretariat	Complete	
28	Sep	Monitor achievement of the Work Plan	Meeting	Chairperson	Internal Audit	Complete	
29	Sep	Refer outcomes of individual member performance to the Speaker for individual councillor interventions	Report to Speaker	Chairperson	Technical Support Team	Incomplete	To be completed in the next quarter.

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No.	Timing (When?)	Activity (What?)	Output (How?)	Responsibility (Who?)	Supported By (Who?)	Status	Comments
30	Sep	Self- and stakeholder evaluation of MPAC's activities	Other	Internal Audit	Speaker	WIP	Outcomes of the evaluations to be tabled at MPAC meeting on 10 October 2023.