



**CLLR M. BILLY**  
**PR - WARD 12,14,16**  
**079 386 5615**

The City Manager  
eThekweni Municipality  
Musa Mbhele  
City Hall  
Durban

2 March 2023

Mr Musa Mbhele

**Use of Section 36 in awarding of DSW refuse collection tenders worth R144.8 million in just 120 days**

According to eThekweni Municipality's monthly tender reports, the City recently awarded 20 Durban Solid Waste (DSW) refuse collection tenders worth R144.8 million using Section 36 of the Supply Chain Management regulations between October 2022 and January 2023.

This is of great concern as one would expect that the municipality would plan better and follow the normal competitive procurement process to ensure fairness and transparency and avoid any possible abuses.

In fact, Section 217 of the Constitution requires Procurement - When an organ of the state in the national, provincial, or local sphere of government, or any other institution identified in national legislation, contracts for goods or services, it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective.

Accordingly, section 36 (2) of the city's SCM policy, requires the Accounting Officer to record the reasons for any deviations and report them to the next meeting of the council.

In accordance with this requirement and for transparency, can I request that you provide information relating to the reasons for deviations for the following contract number;

WS-6993A, WS-6994B, WS-6995C, WS-6996D, WS-6997E, WS-6993J, WS-6994J, WS-6995J, WS-6996J, WS-6997J, WS-6972K, WS-6978Q, WS-6977, WS-6973L, WS-6970I, WS-6967F, WS-6966E, WS-6965D, WS-6964C, WS-6963B

Yours sincerely

Cllr Mzamo Billy