



CHARTER OF THE TENDER COMMITTEE

1. NAME

The name of the committee is the *Tender Committee*, hereafter referred to as the TC.

2. STATUS

The Tender Committee (TC) is a sub-committee of the Management Executive Committee appointed to ensure that policy and procedures as set out in the document "Procurement Services: Purchasing Policy, Tender and Procurement Procedures", are followed in the awarding of purchase requests in excess of R1 million but are up to R15 million.

3. MISSION AND GOALS

The TC serves to regulate the recommendation for awarding within the University of Johannesburg is conducted in an **honest, fair, impartial, transparent, cost effective** and in an **accountable manner**.

4. COMPOSITION

The Tender Committee comprises of the following members:

4.1 Voting Members

- 4.1.1 Chief Financial Officer (Chairperson);
- 4.1.2 Chief Operating Officer;
- 4.1.3 Legal Counsel;
- 4.1.4 Representative of the School of Accounting;
- 4.1.5 Representative of the Faculty of Law; and
- 4.1.6 Representative of the Faculty of the Built Environment and Engineering.

4.2 Attendees (non-voting members):

- 4.2.1 Executive Director: Expenditure
- 4.2.2 Executive Director: Financial Governance and Revenue;
- 4.2.3 Executive Director: Operations;
- 4.2.4 Executive Director: ICS
- 4.2.5 Senior Director: Campuses;
- 4.2.6 Director: Expenditure; and
- 4.2.7 Manager: Tenders (Administrator)

- 4.3 The Chief Financial Officer is the Chairperson of the Tender Committee.
- 4.4 A quorum consists of the Chief Financial Officer or Chief Operating Officer and two of the following:
 - 4.4.1 The representative of the School of Accounting;
 - 4.4.2 Legal Counsel; and
 - 4.4.3 The representative of the Faculty of Engineering and Built Environment .
- 4.5 The representative of the School of Accounting and the representative of the Faculty of Engineering and Built Environment are appointed for a term of three years, after which the Management Executive Committee may, at its discretion, reappoint the outgoing members if they make themselves available.
- 4.6 The TC shall continuously consider its delivery capacity and consequently co-opt additional relevant and skilled members.
- 4.7 The Tender Office shall provide secretariat services to the Tender Committee.

5. FUNCTIONS

- 5.1 The Tender Committee performs its functions according to the procedures as set out in the “Purchasing policy, Tender and Procurement procedures” document.
- 5.2 The Tender Committee’s activities and recommendations are confidential and may not be divulged by its members, unless the Tender Committee discloses information officially.
- 5.3 All tenders awarded by the Tender Committee which are above the mandate of the Committee shall be presented to the Management Executive Committee for ratification.
- 5.4 Depending on the nature of the tender, the Tender Committee may, at its discretion, invite other expert staff of the University of Johannesburg or consultants to advise the Tender Committee.
- 5.5 The Tender Committee is not obliged to recommend the award of any tender, or to recommend the award of a tender to the lowest tenderer.
- 5.6 Should the Tender Committee deviate from the approved tender procedures and policy of the University, such deviation shall be reported to the Management Executive Committee for ratification before implementation of the decision.
- 5.7 The Tender Committee ensures that a fair and transparent tender process is followed.

6. FINANCIAL MANAGEMENT

The TC:

- 6.1 Functions within the University’s financial management policies and procedures.
- 6.2 Applies the principles of corporate governance with regard to financial management.

7. DUTIES OF THE COMMITTEE MEMBERS

7.1 *Duties of the Chairperson*

- 7.1.1 Ensures that majority vote is reached on all matters that are approved.
- 7.1.2 Ensures that all the criteria relating to the adjudication of a bid are complied with.
- 7.1.3 Ensures that all awarding's above R10 million inclusive of VAT are recommended to MEC for further approval.

7.2 *Duties of the Administrators*

- 7.2.1 Presentation of process followed in Bid invitation;
- 7.2.2 Keeping of minutes of proceedings;
- 7.2.3 Ensure that all documentation issued at the meeting be collected and recorded;
- 7.2.4 Ensure completion of "Declaration of Interest";
- 7.2.5 Ensure completion of Attendance register.
- 7.2.6 Ensure completion of Confidentiality

7.3 *Duties of the members*

- 7.3.1 Ensure that all offers as received are assessed in accordance with the pre-disclosed criteria.
- 7.3.2 Assess the capacity of prospective bidders to perform the services or supply the goods as sought.
- 7.3.3 Ensure that the required service levels and product standards are complied with.

8. DECISION MAKING

- 8.1 The Tender Committee remain liable for the awarding of purchase requests above R1 million but are up to R10 million inclusive of VAT.
- 8.2 In the case of a deadlock, the matter shall be referred back to the Bid Evaluation Committee for further consultation and where all opinions will be presented to assist them in making a final decision.
- 8.3 A member of the TC may be co-opted to sit in the consultation meeting.

9. PROCEEDINGS OF MEETINGS

All proceedings of the Tender Committee meetings shall be kept at the Tender Office for reference purposes for a period of five years.

10. CONFIDENTIALITY

- 10.1 All members of the Tender Committee including those who provide administrative support are obliged to sign a declaration as part of the attendance list at each meeting.
- 10.2 By signing, the members declare that:
 - All proceedings of the meeting and deliberations shall remain confidential;
 - They shall not make any documentation related to the proceedings available;
 - They shall not purposefully favor or prejudice anyone;

- They, nor their close relatives, have any personal material interest.

11. AMENDMENTS

This charter is amended by the Management Executive Committee – August 2018.