



# PROJECT REPORT SERVICES SETA STAR SIGN AND PRINT PROC T474

# OUTA

# 1. BACKGROUND

- 1.1 Since 2018, OUTA has been investigating corruption and mismanagement in the Sector Education and Training Authorities (SETAs). In January 2019, OUTA submitted a request for information in terms of the Promotion of Access to Information Act 2 of 2000 (PAIA) to Services SETA (SSETA), requesting specific information on several tenders that were awarded by SSETA. One of the bids OUTA requested information on was PROC T474 – The appointment of a creative design agency for the development and production of SSETA's branding and marketing materials.
- 1.2 OUTA didn't receive any of the information requested in terms of PAIA. Only after a lengthy but successful court application on the Grayson Reed tender against SSETA, did SSETA hand over the requested documentation on PROC T474 as well.
- 1.3 The documents received enabled OUTA to do further investigations into and analysis of the bid that were to provide SSETA with marketing material. The contract ended up costing the taxpayer R28 million.
- 1.4 OUTA received the following documents from SSETA in November 2022 regarding Bid No: PROC T474:
  - Tender Compliance Checklist
  - Bid Proposal Document
  - BEC/ BAC Evaluation and Recommendation Report
  - BAC Report
  - SLA and Letter of Award
  - Invoices and Proof of Payment
- 1.5 OUTA also retrieved other documents and information relevant to the specific bid to do an investigation and analysis of the bid and to support the findings.



# 2 ADVERTISEMENT

- 2.1 According to the Bid Evaluation Committee (BEC) report, the bid was advertised in the City Press and Sowetan newspapers. Copies of the advertisements were not submitted by SSETA to OUTA and hard copies of the advertisements could not be traced.
- 2.2 OUTA did however obtain a copy of the advertisement in the Government Tender Bulletin of Bid No PROC T474. The bid was advertised in the Government Tender Bulletin in the publication of 01 December 2017. The bid was described as *"Appointment of a creative design agency for the development and production of Services SETA's branding and marketing materials"* with a closing date of 11 December 2017 at 11:00. See attached screenshot of the relevant page in the Government Tender Bulletin of 01 December 2017.

116 No. 2993	GOVERNMENT TENDER BULLETIN, 1 DECEMBER 2017
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DESCRIPTION	REQUIRED AT	TENDER NO	CLOSING DATE
PROC T474 - Appointment of a creative design agency for the development and production of the Services SETA's branding and marketing materials.	Gauteng: Service Seta Education and Training Authority: Service SETA	BID REFERENC- ES: PROC T 474	2017-12-11 at 11:00
Meeting/Briefing Session:			
Bids obtainable from: Documents can be downloaded on the website www.serviceseta.org.za, Cost of Documents: Free, Payment Details: N/A, Notes: N/A.			
Post or Deliver Bids to: Check address on the Bid document. No late submissions will be considered . Submissions should be delivered into bid box or couriered to : Senior Manager : Supply Chain Management , Ristone Office Park , Parktown , Johannesburg . The bid is open during office hours : Monday - Thursday ; 08h00-1600 For technical information please contact: . Hours: Monday - Thursday : 08h00 - 16h00 and Friday 08h00-15h00.			
For completion of bid documents please contact: Jabulani Kunene, Tel: 011 276 9723, Fax: 086 242 1857, Email: jabulanik@serviceseta.org. za; tenders@serviceseta.org.za, Hours: Monday - Thursday : 08h00- 16h00 and Friday 08h00-15h00.			
One advertisement for One (1) tenders.			

2.3 Although the BEC and BAC reports stated that the bid was advertised for a duration of 21 working days, the advertisement in the Government Tender Bulletin was only published for 11 calendar days before the closing date. This is not in compliance with Treasury Regulation 16A 6.3 which states that bids are to be advertised in at least the Government Tender Bulletin for a minimum period of 21 days before the closing date, except in urgent cases when bids may be advertised for such shorter period as the accounting officer or



accounting authority may determine. There was no urgency declared for this

bid.

- 16A6.3 The accounting officer or accounting authority must ensure that -
  - (a) bid documentation and the general conditions of a contract are in accordance with
    - (i) the instructions of the National Treasury; or
    - (ii) the prescripts of the Construction Industry Development Board, in the case of a bid relating to the construction industry;
  - (b) bid documentation include evaluation and adjudication criteria, including the criteria prescribed in terms of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and the Broad Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
  - (c) bids are advertised in at least the *Government Tender Bulletin* for a minimum period of 21 days before closure, except in urgent cases when bids may be advertised for such shorter period as the accounting officer or accounting authority may determine;
  - (d) awards are published in the *Government Tender Bulletin* and other media by means of which the bids were advertised;
  - (e) contracts relating to information technology are prepared in accordance with the State Information Technology Act, 1998 (Act No. 88 of 1998), and any regulations made in terms of that Act;

# 3 BID EVALUATION

- 3.1 The BEC considered and evaluated the bid on 13 February 2018. The BEC committee members in attendance were Mahlomola Teffo (Chairperson), Sibusiso Dhladha, Siyabonga Ntlantsana, Simon Shaba and Conny Mathebula.
- 3.2 It was reported that a total of 7 bids were received and that all the bids qualified as the bids fulfilled the minimum requirements and short-listing criteria.
- 3.3 Only the bidders who scored 70 out of 100 in the functionality evaluation would proceed to the price and preference evaluation.



3.4 Only one bidder, Star Sign and Print (Pty) Ltd, scored more than 70 during the functionality evaluation. One of the bidders, Busi Ntuli Communication, was scored 73/100 by Sibosiso Dhladla and 67/100 by Siyabonga Ntlantsana while Mr Teffo scored this bidder only 45/100. All the other scores given to bidders by Teffo were within 5 to 6 points of that of the other evaluators, except for Busi Ntuli Communication.

Bidder Name of Bid		Total Points	Evaluator 1	Evaluator 2	Evaluation 3	Total avg points	Status of Bidder
No.	Applicant	Weighted Points	Sibusiso Dhladhla	Mahlomola Teffo	Siyabonga Ntlantsana	Functionality	Accepted or Unacceptable
1	Blackmoon Design and Marketing.	100	70	65	65	66.67	Unacceptable
2	Flash Marketing.	100	68	65	60	64.33	Unacceptable
3	African Proficient Media.	100	63	55	61	59.67	Unacceptable
4	Kgabong Print Works.	100	45	45	48	46.00	Unacceptable
5	Star Sign and Print	100	75	75	73	74.33	Accepted
6	Busi Ntuli Communication.	100	73	45	67	61.67	Unacceptable
7	ACM Communications.	100	55	55	63	57.67	Unacceptable
						61.48	

Criterion 2- Functionality

- 3.5 Star Sign and Print was the only bidder who advanced to the price and preference evaluation and scored 100/100 with 80 points on price and 20 points on BEE compliance.
- 3.6 Star Sign and Print's proposed quotation for the list of products provided by SSETA in the Request for Bids, was R6 619 592.72. The lowest and highest prices by the losing bidders were R125 927.52 and R1 725 926.09 respectively. Star Sign and Print's quotation was more than three times higher than the highest losing bidder.



Bidder no	Points for Capacity and competencies and resources and individuals	Points for Methodology and project approach	Points For References	Points for Assignment Experience	Total Points	Average Points	Quoted Amount
1	55	55	60	30	200	66.67	*Non- responsive
2	50	58	55	30	193	64.33	R 633,491.44
3	35	54	50	40	179	59.67	R 1 725,926.09
4	40	53	0	45	138	46.00	R 1 109 703.87
5	50	80	50	43	223	74.33	R 6,619,592.72
6	50	70	35	30	185	61.67	R 125,927.52
7	50	48	30	45	173	57.7	*Non- responsive

Criterion 2- Functionality

3.7 The BEC recommended to the BAC that Star Sign and Print (Pty)Ltd (Registration number 2014/094578/07) be awarded the bid PROC T474 for the development and production of SSETA's branding and marketing materials at rate based and subject to price clarification and annual escalation on CPI plus 3% on marketing and branding items.

#### 4 **BID ADJUDICATION**

- 4.1 The Bid Adjudication Committee (BAC) considered and evaluated the bid on 5 March 2018.
- 4.2 The BAC reported that the potential successful bidder will be expected to deliver and develop marketing and promotional material for SSETA. In the Request for Bids, SSETA published the list of items that the potential bidders had to submit a quote on.
- 4.3 The only bid to pass the functionality evaluation by the BEC was Star Sign and Print and their total quote for the items on the list was R6 619 592.72. These prices per items were accepted by SSETA. Some of the items later ordered by SSETA did not appear on the list and this aspect will be discussed below.



- 4.4 The BAC confirmed that the bid was advertised in accordance with Treasury Regulations. As pointed out above, this was an incorrect statement by the BAC as the advertisement in the Government Tender Bulletin was only published 11 days before the closing date.
- 4.5 The BAC confirmed the findings and recommendations of the BEC and motivated that Star Sign and Print be awarded Bid No PROC T474.

# 5 <u>LETTER OF AWARD & SERVICE LEVEL AGREEMENT</u>

5.1 A letter of award dated 22 March 2018 was signed by the CEO of SSETA, Mr Andile Nongogo on 26 March 2018 and the acknowledgement of receipt was signed by Ms Sandra Thabile Mkatshane in her capacity as a director of Star Sign and Print on 27 March 2018. See attached the screenshot of the letter of reward.

We highly appreciate your immediate reapon finalised and some will be submitted to you for	as. Once we are in receipt of your scoeptance in writing, the contract will be or consideration.
Please actnowledge receipt of this correspon	Indence to the following Email Instantificerylosestin.cep.te, Tel-number (011)
Pittie Mutadat	100000
Senior Monopr. SCM Date:	Executive Manager: Lagel Services Date: 08 03 0016
Samp >	
Citiel Emocilies Office Date: 26/03/2018 SANDLA Trans	ILE
DIRECTOR and duty a the savard and also tool note of the condition	(full name) holding the position of whorised to sot on behalf Star Sign Print (Phyl.td baraby eccentra

5.2 A Master Service Level Agreement (MSLA) was signed by Mr Nongogo on 7 May 2018 on behalf of SSETA and signed by Ms Mkatshane on 25 May 2018 on behalf of Star Sign and Print. See attached screenshot of the signature page.



	28
SIGNED at AMUCTOWN	this 7 day of MAY 2018
	For Services SETA who hereby warrants that he is duly authorised to sign this Agreement on its
	behalf
~	Full names: Andile Nongogo Designation: CEO
	1
	AS WINESSES:
	2
	2
SIGNED at NEW CENTRE	
SIGNED at NEW CENTRE	
SIGNED at NEW CENTRE	
SIGNED at NEW CENTRE	this <u>25<sup>th</sup></u> day of <u>MfJ</u> 2018 <u>Example 1</u> For Star Sign and Print (Pty) Ltd who hereby warrants that he is duly authorised to sign this Agreement on its
SIGNED at NEW CENTRE	this <u>15</u> <sup>th</sup> day of <u>MfJ</u> 2018 <u>Constant</u> 2018 For Star Sign and Print (Pty) Ltd who hereby warrants that he is duly authorised to sign this Agreement on its behalf Full names: Sandra Thabile
SIGNED at NEW CENTRE	this <u>15</u> <sup>th</sup> day of <u>MfJ</u> 2018 <u>Example 1</u> For Star Sign and Print (Pty) Ltd who hereby warrants that he is duly authorised to sign this Agreement on its behalf Full names: Sandra Thabile Mkatshane
SIGNED at NEW CENTRE	this <u>15<sup>th</sup></u> day of <u>M#J</u> 2018 <u></u> For Star Sign and Print (Pty) Ltd who hereby warrants that he is duly authorised to sign this Agreement on its behalf Full names: Sandra Thabile Mkatshane Designation: Director

- 5.3 The MSLA determined *inter alia* the following:
- 5.3.1 The contract period commenced on 27 March 2018 until 31 March 2020;
- 5.3.2 The deliverables were the items defined and amplified in the attached list (Annexure B) to the MSLA;
- 5.3.3 The responsible Project Manager from SSETA for the duration of the project was Mr Tsheola Matsebe;



- 5.3.4 The responsible person from Star Sign and Print was Ms Sandra Thabile Mkatshane;
- 5.3.5 VAT means value added tax levied on the supply of goods and services rendered by the Receiver in terms of the Value Added Tax Act, 1991 as amended and all monies transferred by SSETA to Star Sign and Print were already inclusive of VAT;
- 5.3.6 The parties have agreed that the service provider will develop and produce the SSETA's branding and marketing materials and other related services/ deliverables timeously and on a price determined and obtained through the tender bid process as approved;
- 5.3.7 Star Sign and Print shall not abandon, transfer, cede, assign any right or obligation arising out of this agreement to any third party without the written approval of SSETA; and,
- 5.3.8 The breakdown of the project value or fees is captured in Annexure E1 attached to the MSLA.

#### 6 BID PROPOSAL - STAR SIGN AND PRINT

- 6.1 The bid proposal submitted by Star Sign and Print was analysed by OUTA.
- 6.2 Although all the bid documents were signed by Ms Sandra Mkatshane on 27 November 2017, some of the attachments were dated later than the date of signature which suggest that she could not have verified the attachments (e.g. tax clearance certificate, CSD report) on the date the bid documents were signed.
- 6.3 The Supplier Declaration Form was also signed by Ms Mkatshane on 27 November 2017 although the Commissioner of Oaths only commissioned it on 10 December 2017. A deponent should sign a document in front of a Commissioner of Oath so that that the two signatures will be made on the



same day and in each other's presence. See attached the screenshot of the signature page.

Name	SANDRA THABILE MARTSHANE	Designation	DIRECTOR
Signature	Shipershane	Date	27-11-2017
Stamp And Sigr	nature Of Commissioner Of Oath		
Name	ME EGAYUE	Date	10/2/20F
Signature	Attin	Telephone No.	0/1 3/5 00
Please return	the completed Supplier Declaration Internation International above to the SSETA, SCM		ogether with the requi

6.4 The Bid Proposal Document required that proof of the supplier's B-BBEE status level be submitted. Ms Mkatshane declared that a certificate of a verification agency accredited by the South African Accreditation System (SANAS) issued the certificate, namely the SAPS. See attached screenshot.

Has a proof of B-BBEE Status Level Contributor been submitted? (SBD 6.1)	Yes or No
If ves, who was the certificate issued by?	
An Accounting Officer as contemplated in the Close Corporation Act (CCA);	
A Verification Agency Accredited by the South African Accreditation System (SAN South African Police Service (SAPS)	AS);
A Registered Auditor	•••••
(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)	ORDER TO

# OUTA

- 6.5 Instead of a certificate, Ms Mkatshane submitted a sworn affidavit deposed to by the co-director of Star Sign and Print, Ms Tsegofatso Boikanyo and commissioned by a South African Police Service officer. Although this is in accordance with the requirements of the Department of Trade and Industry (DTI) codes and in accordance with the Bid Proposal Documents, no proof of the annual turnover was submitted with the affidavit.
- 6.6 When Star Sign and Print's references for previous work done are taken into consideration, it is difficult to believe that the company had a turnover of less that R10 million for the 2017 financial year, especially if the proposed price list is used as a guideline for Star Sign and Print's costs for services. Despite the abovementioned, Ms Mkatshane declared in the bid documents that Star Sign and Print did not have Value Added Tax (VAT) registration number. See attached screenshot of the relevant page.

NAME OF BIDDER	STAR SIGN AND PRINT (PTY) LTD 18 HULBERT ROAD, NEW CENTRE
POSTAL ADDRESS	JOHANNESBURG , 2 COL 18 HULBERT ROAD, NEN CENTRE
STREET ADDRESS	JCHANNES BURS, 2007
TELEPHONE NUMBER	011 493 0180
CELLPHONE NUMBER	062 352 190]
ACSIMILE NUMBER	086 605 3029
E-MAIL ADDRESS	info@starsignandprint.co.zo
VAT REGISTRATION NU	JMBER N-A

6.7 She also declared in the bidding documents that Star Sign and Print had an annual turnover of between R1 million and R5 million for the 2017 financial year. See attached screenshot of the relevant page.



2.2	What is your company's annual turnover (excluding VAT)? *								
<r20k< th=""><th>&gt;R20k <r0.3 m</r0.3 </th><th>&gt;R0.3 m <r1m< th=""><th>&gt;R1m <r5m< th=""><th>&gt;R6m <r10m< th=""><th>&gt;R11 m <r15 m</r15 </th><th>&gt;R16 m <r25 m</r25 </th><th>&gt;R26 m <r30 m</r30 </th><th>&gt;R31 m <r34 m</r34 </th><th>&gt;R35m</th></r10m<></th></r5m<></th></r1m<></th></r20k<>	>R20k <r0.3 m</r0.3 	>R0.3 m <r1m< th=""><th>&gt;R1m <r5m< th=""><th>&gt;R6m <r10m< th=""><th>&gt;R11 m <r15 m</r15 </th><th>&gt;R16 m <r25 m</r25 </th><th>&gt;R26 m <r30 m</r30 </th><th>&gt;R31 m <r34 m</r34 </th><th>&gt;R35m</th></r10m<></th></r5m<></th></r1m<>	>R1m <r5m< th=""><th>&gt;R6m <r10m< th=""><th>&gt;R11 m <r15 m</r15 </th><th>&gt;R16 m <r25 m</r25 </th><th>&gt;R26 m <r30 m</r30 </th><th>&gt;R31 m <r34 m</r34 </th><th>&gt;R35m</th></r10m<></th></r5m<>	>R6m <r10m< th=""><th>&gt;R11 m <r15 m</r15 </th><th>&gt;R16 m <r25 m</r25 </th><th>&gt;R26 m <r30 m</r30 </th><th>&gt;R31 m <r34 m</r34 </th><th>&gt;R35m</th></r10m<>	>R11 m <r15 m</r15 	>R16 m <r25 m</r25 	>R26 m <r30 m</r30 	>R31 m <r34 m</r34 	>R35m
			V						

- 6.8 According to the South African Revenue Services (SARS), a vendor must register for VAT when the value of taxable supplies made in any consecutive 12 month period exceeded or is likely to exceed R1 million; or where in terms of a written contractual obligation, the value of taxable supplies to be made in a 12 month period will exceed R1 million. Star Sign and Print declared a turnover of more that R1 million a year and therefor it should have been registered for VAT.
- 6.9 Should the vendor fail to register, the VAT Act would deem all of the prices charged by the vendor after his liability for registration came into existence, to include VAT at 14% (rate at the time of the services rendered to SSETA). This would be the case irrespective of whether VAT was in fact charged by the vendor. SARS would therefore be entitled to recover 14% from all prices charged by the company from the date the company should have been registered as a vendor. The 14% retrospective recovery of VAT from the prices charged by the vendor may eliminate all of the vendor's profits even before considering the penalties and interest that the vendor could be subject to. These penalties include inter alia:
  - A 10% penalty of the amount of the VAT that was not paid;
  - Interest at the prescribed rate on the amount of VAT that was not paid;
  - The potential imposition of an understatement penalty.



6.10 A VAT Vendor search revealed that Star Sign and Print is currently registered for VAT. The date of registration is however not published by SARS. If Star Sign and Print did not submit VAT returns for the time period of this tender, it should be reported to SARS.

v1.0.5	VAT Vendor Search

Note: You need a valid Vat Number or an Exact VAT Trading Name.  $\underline{\mathsf{Help}}$  for more information. Click on

VAT Number: VAT Trading Name:	Star Sign and Print	Search	
Print Page Nev	v Search		
VAT Trading Name		VAT Registration Number	Office
STAR SIGN AND PRINT		4450283264	PRETORIA

6.11 Star Sign and Print submitted several references of previous assignments and work done. The information was backed up by illustrations and pictures of





products that were delivered to different clients. Some of the products in the pictures could however not have been produced by Star Sign and Print. The printing for EY of a bid proposal was dated 2013, while Star Sign and Print was only registered in 2014.

- 6.12 The same issue was detected for another example of printing that was done for EY, where the document was dated 2012.
- 6.13 The sector skills plan allegedly produced for SASSETA was dated 2013/14 and it is possible that this document was printed before Star Sign and Print was registered and fully in business.



Brief: Design, Print and distribute a sector skills plan For SASSETAWork: Printed collateral, Banners and other supporting event productsClient: SASSETA

6.14 The bid documents confirmed that Sandra Thabile Mkatshane and Tsegofatso Boikanyo are the directors and shareholders of Star Sign and Print. See attached screenshot below. A detailed discussion regarding these two directors, their spouses and business associates will be given below.



3.4	List Details of current partners, proprietors and shareholders by name number, citizenship, status and ownership as relevant: *						y name,	e, identity	
SURNAME & INITIALS	IDENTITY NUMBER	CITI- ZENSHIP	HDI	DIS - ABLE D	GENDE R	DATE OF OWNERSHI P	% OWN ED	% VOTIN G	
Mbatshane S.T	87123103	South	YES	NO	Female	13-05/2014	50%	50%	
BOIKANJO T	87012708 97080	South African	YES	NO	Female	13-05/2014	50%	50%	
		/							

# 7 INVOICES, DELIVERY NOTES AND PROOF OF PAYMENT

- 7.1 Between 17 May 2018 and 12 June 2018, Star Sign and Print submitted delivery notes to the total value of R28 963 429.60 to SSETA. Invoices were prepared and submitted for the same amount. SSETA made payments to Star Sign and Print for the full amount.
- 7.2 The invoices, delivery notes and payment remittances show that the following items were purchased by SSETA:
  - 17 000 T-shirts
  - 15 000 Golf shirts
  - 31 000 Caps
  - 32 000 Lanyards
  - 31 000 USB's
  - 20 000 Note Pads
  - 2 000 Pens
  - 2 000 String Bags
  - 1 000 Key Holders
  - 1 000 Pencil Cases
  - 1 000 Rulers



- 7.3 SSETA ordered items which were not included on the price list in the bid documents. The following items were ordered by SSETA which did not appear on the price list provided by Star Sign and Print and therefore no price indication is available. The prices of certain items will be discussed later in this report.
  - T-shirts
  - Golf Shirts
  - Caps
  - Lanyards
  - USB's
- 7.4 Below is a breakdown of the dates of quotations, delivery notes, invoices and proof of payments.

	QUOTATIONS		DEL	IVERIES		INVOICES		PAYMENTS	
Quote No & items	Date Prepared by SS&P	Date Received by SSETA	Delivery Note No	Goods received by SSETA	Invoice No	Date Prepared by SS&P	Date Received by SSETA	Payment Date	Amount
50053	15-May-18	15-May-18	0101	17-May-18	100055	22-May-18	13-Jun-18	18-Jun-18	1 638 267,20
1000 T-Shirts									
1000 Caps							1		
1000 Pens									
1000 USB									
1000 Key Holders							7		
1000 Lanyards									
1000 String Bags									
50056	17-May-18	17-May-18	0104	24-May-18	100058	24-May-18	24-May-18	18-Jun-18	800 690,00
1000 Pens						a and an and a second			1040 - 104 October
1000 T-Shirts									
1000 Lanyards									
1000 Pencil cases									
1000 Rulers						T			
1000 String Bags									
50065	15-May-18	15-May-18	0032	11-Jun-18	100067	06-Jun-18	12-Jun-18	12-Jun-18	5 419 892,60
30000 Caps			-				22		
50068	15-May-18	15-May-18	0036	12-Jun-18	100070	06-Jun-18	12-Jun-18	12-Jun-18	5 017 762,60
30000 USB					111				
50069	16-May-18		0033	11-Jun-18	100071	11-Jun-18	12-Jun-18	12-Jun-18	2 423 792,60
15000 T-Shirts						-			
50074	16-May-18	16-May-18	0037	01-Jun-18	100076	08-Jun-18	08-Jun-18	12-Jun-18	4 384 292,60
15000 Golf T-Shirts				and the desidence of the second	C R SECTION	CHARLES COMPANY	a approximate of		
50075	15-May-18	15-May-18	0035	11-Jun-18	100077	11-Jun-18	11-Jun-18	12-Jun-18	4 995 082,00
30000 Lanyards	11111128	1000							
50078	15-May-18		0027	11-Jun-18	100080	11-Jun-18	11-Jun-18	12-Jun-18	4 283 650,00
20000 Note Pads									
									28 963 429,60

7.5 Although the contract duration for the tender (PROC T474) was for 2 years, SSETA only submitted orders to Star Sign and Print in May 2018. At no time



thereafter did SSETA make use of the services of Star Sign and Print again. The following questions should be asked – Why was there a need for a 2 year contract? Why didn't SSETA order any more items after May 2018? OUTA started asking questions regarding several bids in 2018.

7.6 The amounts paid by SSETA was the total price which included the purchase of the items, the preparation for printing as well as the printing itself. The table below shows the amounts that were paid per item not included on the list in the bidding document.

Item	Number of items	Price per single item
	ordered	
T-Shirts	15 000	R161.58
Golf Shirts	15 000	R292.28
Caps	30 000	R180.66
Lanyards	30 000	R166.50
USB's	30 000	R167.26

- 7.7 The invoices and payment remittances indicated that the items were purchased by SSETA as promotion material for roadshows.
- 7.8 All quotations, delivery notes and invoices were signed by Ms Duduzile Mwelase on behalf of SSETA. Ms Mwelase was, at the time of signing the documents, the Senior Manager: Brand Management at SSETA, a position she still occupies.
- 7.9 All the payment authorisations were signed by Ms Mwelase and the CEO at the time, Mr Andile Nongogo.
- 7.10 The SSETA Delegation of Authority (DOA) authorised a Senior Manager to authorise transactions up to a maximum amount of R5 million. For transactions exceeding R5 million, the Accounting Authority had to approve it. The orders authorised by Ms Mwelase is above the threshold of her DOA.



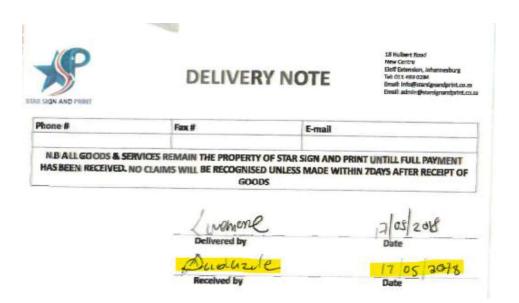
- 7.11 I also analysed the timeline of the events, for example the dates when items were ordered, delivered and paid for as well as the date of signature of the MSLA.
- 7.12 Each transaction will be discussed on its own below.

#### 7.13 <u>Transaction 1</u>

7.13.1 Quote no **50053** was issued on **15 May 2018** for 1000 T-shirts, 1000 caps, 1000 pens, 1000 USB's, 1000 key holders, 1000 lanyards and 1000 string bags.



7.13.2 According to delivery Note no **0101** the items were delivered to SSETA and received by Ms **Duduzile Mwelase** on **17 May 2018**.





7.13.3 On **22 May 2018** Star Sign and Print prepared an invoice **(#100055)** for R1 638 267.20. Ms Duduzile Mwelase received the invoice on **13 June 2018**.

VAT REG NO.: TAX DATE: 2018/0 NVOICE NO: 100		TAX INVOICE	Sitar Sign and Pri 18 Hohert Street Heler Cartier Jahanwenkung, 2001 Tak 002 etst (2004 Broat: antigestangen Ernal: almine@stange	ndjefiniLot.za
Bank Name	FNB		Subtotal	R1,638,267.20
Branch Code	201510		15% VAT TOTAL	/ R0.00
Account Name	STAR SIGN AND PR	RINT (PTY) LTD	Total	R1,638,267.20
Account No	62541370053			1
Phone #	Fax #	E-mail		(a)
N.B ALL GOODS AN	with	Duouzille	SIGN & PRINT-UNITE FULL PAY	MENT HAS BEEN
Tr cont	ect rone	Duouzule Received by (Name)	Date	06 300

7.13.4 A Payment Advice Form was prepared and signed by Ms Mwelase on 4 June 2018. It is difficult to understand how she was able to prepare and sign the Payment Advice Form before she even received an invoice. The form was co-signed by Mr Nongogo and the payment was made on 18 June 2018 in the amount of R1 638 267.20.

	TOTAL AMOUNT: R 1 638 267.20
MANAGER OF DEPARTMENT	AUTHORISATION
Invoice signed and match against purchase order	Manne DUDUZILE MWELASE
Invoice matched against deliverables	
is contract still valid, (if not) (contract extension and deviation/ condonement letter attached).	Signature Dene Hong
Supporting documents must be approved by End User	
POD attached (Proof of delivery note)	Rank SM :OBM
<ul> <li>Deliverable report on services rendered or project</li> </ul>	
Attendance register or other support documents	Date: 04/08/2018
<ul> <li>contract related attach full contract and miles stones of contract.</li> </ul>	
somments:	Activity
	PROJECT ACCOUNTING
ACCOUNTS PAYABLE	EOFFICIAL
Checklist verified	NOCIVED
Invoice posted on Nav	2018 -06- 1 8
Authorised as complete and correct:	NAME SIGNATION
Comments	SIGNATURE DETE STALLP



# 7.14 <u>Transaction 2</u>

7.14.1 Quote no 50056 was issued on 17 May 2018 for 100 pens, 1000 T-shirts,

1000 yards, 1000 pencil cases, 1000 rulers and 1000 string bags.

	P	QUOTE		Star Sign and Print (Pty) Limited 15 Hulbert Street New Centre Johannesburg, 2001 Tel: 011 408 0284 Email: ednin@starsignendprint.co.aa Email: ednin@starsignendprint.co.aa
VAT REG NO				
DATE: 2018				
QUOTE NO:	50056			
BILL TO:	SERVICES SETA		DELIVER TO:	SERVICES SETA
	20 ETON ROAD			20 ETON ROAD
	PARKTOWN			PARKTOWN
	JOHANNESBURG,	2000		JOHANNESBURG, 2000

7.14.2 According to delivery Note no **0104** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **24 May 2018**.

TAR SIGN AND PRINT	DELIVERY NO	18 Hulbert Road New Centre Eloff Extension, Johannesburg Tel: 011 493 0284 Ernalt. Info@stansignandprint.co.za Ernait: admin@stansignandprint.co.za
VAT REG NO		DELIVERY NOTE No
BILL TO: SECTA		Deliver to:
Phone #	Fax #	E-mail
		AR SIGN AND PRINT UNTILL FULL PAYMENT ESS MADE WITHIN 7DAYS AFTER RECEIPT OF
	Levemore	24/05/2018
	Delivered by	24/65/2018 Date
	DUDUZICE Received by	Date Date



7.14.3 On **24 May 2018** Star Sign and Print prepared an invoice **(#100058)** for R800,690.00. Ms Duduzile Mwelase received the invoice on **24 May 2018**.

	Subtotal	R800,690.00
	15% VAT TOTAL	R0.00
AND PRINT (PTY) LTD	Total	R800,690.00
153		
E-mail		
0		15% VAT TOTAL AND PRINT (PTY) LTD Total

7.14.4 A Payment Advice Form was prepared and signed by Ms Mwelase on 18 June
2018. I couldn't determine who co-signed the form, but payment was made on
18 June 2018 in the amount of R800 690.

	TOTAL AMOUNT:	R 800 690.00	
MANAGER OF DEPARTMENT AU	THORISATION		
invoice signed and match against purchase order	Nama Duduzile Mwe	lace	
invoice matched against deliverables			
is contract still valid, (If not) (contract extension and deviation/ condonement letter attached).	Signature Rucy .	F Mandel	01
Supporting documents must be approved by End User:			18
/ POD attached (Proof of delivery note)	Rank SM:OBM		
/ Deliverable report on services rendered or project			
Attendance register or other support documents	Date: 18 06	010	
<ul> <li>contract related attach full contract and miles stones of contract.</li> </ul>			
omments:			
ACCOUNTS PAYABLE O	FIGIAL	ACCOUNTING	1
Checklist verified	Servers.	PAYMENT	
Invoice posted on Nav	RE	CEIVED	
Authorised as complete and correct:	2018 -(	16-18	
Comments	NAME: DA TE	STALA	



# 7.15 <u>Transaction 3</u>

7.15.1 Quote no **50065** was issued on **15 May 2018** for 30 000 caps.

VAT REG NO	P	QUOTE	18 Hulbert New Centy Johanneso Tel: 011 40 Ecnait Info	er burg, 3000
DATE: 2018/ QUOTE NO:	05/15			

7.15.2 According to delivery Note no **0032** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **11 June 2018**.

TAK SIGH AND PRINT	DELIVERY	NOTE	18 Hulbert Road New Centre Boff Edension, Johannesburg Thi (1214 493 (1264 Email: Info@stansignandprint.co.za Email: admin@stansignandprint.co.za
VAT REG NO.: TAX DATE: INVOICE NO: 1000		DE	LIVERY NOTE No
Phone #	Fax #	E-mail	
	RVICES REMAIN THE PROPERTY OF ST NO CLAIMS WILL BE RECOGNISED UNI GOODS		
	Luciore		11/12/2018
	Delivered by		Date



7.15.3 On **6 June 2018** Star Sign and Print prepared an invoice **(#100067)** for R5,419,892.60. Ms Duduzile Mwelase received the invoice on **12 June 2018**.

VAT REG NO.: TAX DATE: 2018 (NVOICE NO: 10)		TAX INVOICE	18 Hollarri Stor Nene Centie Jadorneshny Tak 2013 - 1496 (5 Ethalt: Ucloged	2001
Bank Name	FNB		Subtotal	R 5,419,892.60
Branch Code	201510			R0.00
Account Name	serve in an annual a blow designed from of a new		Total	R 5,419,892.60
Account No	62541370053		PREJECT PREJECT	
			JECT JENT	
Phone #	Fax #	E-mai	DECENTER I	
N.B. ALL GOODS AF RECEIVED	VO SERVICES REMAIN	DUBUZI C	NWELSE	12/06 Jacor

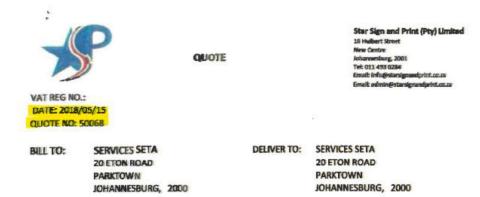
7.15.4 A Payment Advice Form was prepared and signed by Ms Mwelase. Mr Nongogo co-signed the Payment Advice form and payment was made on the same day, **12 June 2018** in the amount of **R5,419,892.60** 

	TOTAL AMOUNT: R 5 419 892.60
MANAGER OF DEPARTMEN	T AUTHORISATION
Invoice signed and match against purchase order	Name Duduzie Mwelase
Invoice matched against deliverables	1
Is contract still valid, (If not) (contract extension and deviation condonement letter attached).	V Signature aleur
Supporting documents must be approved by End Use	
<ul> <li>POD attached (Proof of delivery note)</li> </ul>	Rank SMt OBM
J Deliverable report on services rendered or project	2
Attendance register or other support documents	Date:
<ul> <li>contract related attach full contract and miles stones of contract.</li> </ul>	
ACCOUNTS PAYABL	
Checklist verified	HECEWED
Invoice posted on Nav	2018 -06- 1 2
Authorised as complete and correct:	14 10
Comments	



# 7.16 Transaction 4

7.16.1 Quote no 50068 was issued on 16 May 2018 for 30 000 USB's.



7.16.2 According to delivery Note no **0036** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **12 June 2018**.

SP	DELIVERY NOTE	1.8 Hufbert Road New Centre Edioff Extension, Johannesburg Tal: 021.483 0234 Ernalt: Info Sataightandprint.co.aa Ernalt: admin@stanignandprint.co.aa
SIGN AND PRINT		DELIVERY NOTE No
WAT REG NO.: TAX DATE: INVOICE NO: GILL TO: SEPARE SETA	an 18	Deliver to: Spanch Starth
	1	E-mail
Phone #	Fax #	
N.B ALL GOODS & HAS BEEN RECEIVE	R SERVICES REMAIN THE PROPERTY OF STAR ED, NO CLAIMS WILL BE RECOGNISED UNLES GOODS	SIGN AND PRINT UNTILE FOLL FAILURE S MADE WITHIN 7DAYS AFTER RECEIPT OF
	Lovenue Deliverad by	12 06 2018
	Received by	Date



7.16.3 On **6 June 2018** Star Sign and Print prepared an invoice **(#100070)** for R5,419,892.60. Ms Duduzile Mwelase received the invoice on **12 June 2018**.

VAT REG NO.: TAX DATE: 2018/	06/06			19 Audiout Street New Cantre Antaroethorg, 200 Tai 371 460 1285 Gatali Information Amati adostagotare	randoret on he
INVOICE NO: 100		SIGNATURE:	. <i>M</i>		the
Bank Name	FNB		and the second sec	Subtotal	0
Branch Code	20151	0		15% VAT TOTAL	R 5,017,762
Account Name	STAR S	IGN AND PRI	NT (PTY) LTD	Total	RO.
Account No	625413				R 5,017,762
Phone #	Fax	#	E-mail		1
		DI	DUZIE	IGN & PRINT UNTIL FULL PA	YMENT HAS BEEN
During the state	2	Re	ceived by (Name)	Date	**************************************

7.16.4 A Payment Advice Form was prepared and signed by Ms Mwelase. Mr Nongogo co-signed the Payment Advice form and payment was made on 12 June 2018 in the amount of R5 017 762.60, the same day the items were delivered and the invoice submitted.

	TOTAL AMOUNT:	R 5 017 762.60
MANAGER OF DEPARTMENT A	UTHORISATION	
Invoice signed and match against purchase order	Name Duduzile	weizse /1 NDA
Invoice matched against deliverables		(A) 1-SIG
is contract still valid, (If not) (contract extension and deviation/ condonement letter attached).	Signature Rufet	- Clo
Supporting documents must be approved by End User:		12
POD attached (Proof of delivery note)	Rank SM:	OBM
Ø Deliverable report on services rendered or project		
Attendance register or other support documents	C8%;	
<ul> <li>contract related attach full contract and miles stones of contract.</li> </ul>		
comments;		
ACCOUNTS PAYABLE OF	FFICIAL	
Checklist verified	PROJECT ACCOUNTIN	G
Invoice posted on Nav	PROJECT ACCENTED	
	nEver the	81
Authorised as complete and correct:	10	
Authonised as complete and correct:	2018 -06-1-2 SM	der
	2018 -06- 1.2	dsp



# 7.17 <u>Transaction 5</u>

7.17.1 Quote no **50069** was issued on **16 May 2018** for 15 000 T-shirts.

1	P	QUOTE		Star Sign and Print (Pty) Limited 19 Hulbert Staat New Centre Johanneburg, 2001. Tal: 011.408 0204 Email: Info@starsgrandprint.coss. Final: admin@starsgrandprint.coss
VAT REG NO DATE: 2018/ QUOTE NO:	05/16			
BILL TO:	SERVICES SETA 20 ETON ROAD PARKTOWN JOHANNESBURG,	2000	DELIVER TO:	SERVICES SETA 20 ETON ROAD PARKTOWN JOHANNESBURG, 2000

7.17.2 According to Delivery Note no **0033** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **11 June 2018**.

	DELIVERY	NOTE	18 Hulbert Road New Centre Eoff Extension, Johannesburg Tei: 013 493 0284 Email: Info@starsignandprint.co.xa Email: admin@starsignandprint.co.xa
TAT REG NO		DEI	IVERY NOTE No
Phone #	Fax #	E-mail	
N.B ALL GOODS & SERVICES HAS BEEN RECEIVED, NO CLA	REMAIN THE PROPERTY OF IMS WILL BE RECOGNISED U GOODS		
	Losamice		11/12/2018
	Delivered by		Date



7.17.3 On **11 June 2018** Star Sign and Print prepared an invoice **(#100071)** for R2 423 792.60. Ms Duduzile Mwelase received the invoice on **12 June 2018**.

VAT REG NO.: TAX DATE: 2018/00	5/11	TAX INVOICE	Star Sign and Print ( 18 Hubert strees New Coolae AdvanceSurg, 2001 Tek 023-888 f0284 Email: Info@StarSignandp Email: advis@StarSignandp	fat.co.u
Bank Name	FNB		Subtotal	R 2,423,792.60
Branch Code	201510		15% VAT TOTAL	R0.00
Account Name	STAR SIGN AND PR	RINT (PTY) LTD	Total	R 2,423,792.60
Account No	62541370053			
Phone #	Fax #	E-mail		
N.B ALL GOODS AN		THE PROPERTY OF STAR S	IGN & PRINT UNTIL FULL PA	-[2018

7.17.4 A Payment Advice Form was prepared and signed by Ms Mwelase. Mr Nongogo co-signed the Payment Advice form and payment was made on 12 June 2018 in the amount of R2 423 792.60. The items were delivered at SSETA on 11 June 2018 and payment was affected next day.

		TOTAL AMOUNT	R 2 423 792.6
MANAGER O	F DEPARTMENT AUT	HORISATION	1
Invoice signed and match against purchase	eorder	Name	Duduzile Mwelder
Invoice matched against deliverables			LP
is contract still valid, (If not) (contract extens condonement letter attached).	sion and deviation/	Signatura 0	hurt FRO
Supporting documents must be appre	oved by End User:		- +
<ul> <li>POD attached (Proof of delivery note)</li> </ul>		Rank	SMA DBA
<ul> <li>Deliverable report on services rendered</li> </ul>	ar project		- man los
<ul> <li>Attendance register or other support door</li> </ul>	cuments	Date:	CC-1 A
<ul> <li>contract related attach full contract and i contract.</li> </ul>	miles stones of	PROJE PA	EIVED
comments:	5	· Hu	.05-12
ACCO	UNTS PAYABLE OFF	IL'IAL	11
Checklist verified		1/1-1	///
Invoice posted on Nav		WALKE TURE	
Authorised as complete and correct:		BIGHAT	
Comments			TE STARA



#### 7.18 Transaction 6

7.18.1 Quote no 50074 was issued on 16 May 2018 for 15 000 golf T-shirts.



7.18.2 According to Delivery Note no **0037** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **1 June 2018**.

AR SIGN AND PRINT	DELIVERY	NOTE	18 Hulbert Road New Centre Eloff Extension, Johannesbiarg Té: 011, 493 0284 Ernalt: Info@stansignandprint.co.za Ernalt: admin @stansignandprint.co.za
VAT REG NO .:		DELIV	VERY NOTE No
Phane #	Fax #	E-mail	
N.B. ALL GOODS & SERVICES HAS BEEN RECEIVED. NO CLAI	REMAIN THE PROPERTY OF S MS WILL BE RECOGNISED UN GOODS		
			01/01/2018
	Delivered by	200	Date
	DUDUZILE M	nweinse	01 06 2018
	Received by		Date



7.18.3 On **8 June 2018** Star Sign and Print prepared an invoice **(#100076)** for R4,384,292.60. Ms Duduzile Mwelase received the invoice on **8 June 2018**.

VAT REG NO.: TAX DATE: 2028 INVOICE NO: 10	the second s	TAXINVOICE	125 Hulbert Street Piers Contre Antonneoburg, 21 Tel: 012 408 028 Etnait: Info@stor	82
Bank Name	FNB		Subtotal	R 4,384,292.60
Branch Code	201510		15% VAT TOTAL	R0.00
Account Name	STAR SIGN AND P	RINT (PTY) LTD	Total	R 4,384,292.60
Account No	62541370053			
Phone #	Fax #	E-mail		
RECEIVED		DUQUZLE	SIGN & PRINT UNTIL FULL P	08 06 001
Reve	LET I	Received by (Name)	Dat	ie (

7.18.4 A Payment Advice Form was prepared and signed by Ms Mwelase. Mr
 Nongogo co-signed the Payment Advice form and payment was made on 12
 June 2018 in the amount of R4 384 292.60.

	TOTAL AMOUNT:	R 4 384 292.60
MANAGER OF DEPARTMENT A	UTHORISATION	
Invoice signed and match against purchase order	Name Du	duzile Mwelass
Invoice matched against deliverables		T
is contract still valid, (if not) (contract extension and deviation/ condonsment letter attached).	Signature	GAN
Supporting documents must be approved by End User:		10
POD attached (Proof of delivery note)	Rank	SM: OBM
Deliverable report on services rendered or project		
Attendance register or other support documents	Date	
<ul> <li>contract related attach full contract and miles stones of contract.</li> </ul>		
comments:	PA	ACCOUNTING MENT SEIVED
ACCOUNTS PAYABLE C	EPN N2	
Checklist verified	2018 -08	F12 14
Invoice posted on Nav		3år.
Authorised as complete and correct:	HAME	
Comments	SIGNATURE:	E ST/LAP



#### 7.19 Transaction 7

7.19.1 Quote no **50075** was issued on **15 May 2018** for 30 000 lanyards.



7.19.2 According to Delivery Note no **0035** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **11 June 2018**.

SECON AND PRINT	DELIVERY NOTE	18 Hulbert Road New Centre Einf Estension, Johannesburg Tei: 01.1 485 0254 Email: Info@standgrandprint.co.za Email: admin@standgrandprint.co.za
VAT REG NO.:		ELIVERY NOTE No
INVOICE NO: 1000 TH		Nº 0035
frone #	Fax # E-mail	
N.B ALL GOODS & SERVI	CES REMAIN THE PROPERTY OF STAR SIGN AND PRI	INT UNTILL FULL PAYMENT
N.B ALL GOODS & SERVI		INT UNTILL FULL PAYMENT
N.B ALL GOODS & SERVI	CES REMAIN THE PROPERTY OF STAR SIGN AND PRI CLAIMS WILL BE RECOGNISED UNLESS MADE WITH GOODS	INT UNTILL FULL PAYMENT
N.B ALL GOODS & SERVI	CES REMAIN THE PROPERTY OF STAR SIGN AND PRI CLAIMS WILL BE RECOGNISED UNLESS MADE WITH	INT UNTILL FULL PAYMENT IN 7DAYS AFTER RECEIPT OF
N.B ALL GOODS & SERVI	CES REMAIN THE PROPERTY OF STAR SIGN AND PRI CLAIMS WILL BE RECOGNISED UNLESS MADE WITH GOODS	INT UNTILL FULL PAYMENT IN 7DAYS AFTER RECEIPT OF
Phone # N.B ALL GOODS & SERVI HAS BEEN RECEIVED. NO (	CES REMAIN THE PROPERTY OF STAR SIGN AND PRI CLAIMS WILL BE RECOGNISED UNLESS MADE WITHI GOODS	in 7DAYS AFTER RECEIPT OF



7.19.3 On **11 June 2018** Star Sign and Print prepared an invoice **(#100077)** for R4,995,082.00. Ms Duduzile Mwelase received the invoice on **11 June 2018**.

VATI REGINON: TANIDATE: 2008 INWORE NO: 10		TAXINVOICE	Schar Signs anne Princi (P Samalitarissinar Baselitettar Interesting, 2016 Telefonder (Paral Banali Intelegonacy generator Consil: Schedug Principers mit	540
Bank Warner	FNB		Subtotal	R-4,995,082.00
Bisneth Cadle	200530		15% WAT TOTAL	R0.09
Alexander (Warmer	STAR SIGN/AIND PRINT (PTY) LTD		Total	R 4,995,082.00
Alexander Mah	625413000681		6	1
Mhassae #	Raw H	E-mail		y
RECEINED		E PROPERTY OF STAR	SIGN & PRINT UNTIL FULL PAY	MENT HAS BEEN
Service water	Alter Re	ceived by (Name)		
St. All			X	

7.19.4 A Payment Advice Form was prepared and signed by Ms Mwelase. Mr Nongogo co-signed the Payment Advice form and payment was made on 12 June 2018 in the amount of R4 995 082.00. The 30 000 lanyards were delivered to SSETA on 11 June 2018 and payment was affected the next day.

		TOTAL AMOUNT:	R 4 995 082.00
MANAGER OF DEP	ARTMENT AUT	HORISATION	1.
Invoice signed and match against purchase order	Name	Duduzie Mweige	
Invoice matched against deliverables			
is contract still valid, (if not) (contract extension and condonament letter attached).	d devietion/	Signature	kent to
Supporting documents must be approved by	y End User:		CI
POD attached (Proof of delivery note)		(Ranik	SM: OBM
Ø Deliverable report on services rendered or projection	Long Long		
Attendance register or other support documents	Data		
<ul> <li>contract related attach full contract and miles st contract.</li> </ul>			
commenta;			
ACCOUNTS	WWWWWWWW		1 10
Checklist verified	191	RECEIVED	2
Invoice posted an Nev		2019 06 1 2	
luthaniaad as complete and correct:		2010 -00- 1 2	無地
Commenta		*	TE SHALLE



# 7.20 Transaction 8

7.20.1 Quote no **50078** was issued on **15 May 2018** for 20 000 note pads.



7.20.2 According to Delivery Note no **0027** the items were delivered to SSETA and received by Ms Duduzile Mwelase on **11 June 2018**.

SIGN AND PRINT	DELIVERY NO	18 Hulbert Road New Centre Eloff Extension, Johannesburg Tel: 011 493 0284 Ernall: Info@starsignandprint.co.u Ernall: admin@starsignandprint.co.u
AT REG NO.:		DELIVERY NOTE No
Phone #	Film #	E-mail
N.B. ALL GOODS & SERVICE HAS BEEN RECEIVED. NO CLA	S REMAIN THE PROPERTY OF STAR	R SIGN AND PRINT UNTILL FULL PAYMENT IS MADE WITHIN 7DAYS AFTER RECEIPT OF
	Lowemary	11/0/2018
	Larver with	110100
	Delivered by	Date



7.20.3 On **11 June 2018** Star Sign and Print prepared an invoice **(#100080)** for R4,283,650.00. Ms Duduzile Mwelase received the invoice on **11 June 2018**.





7.20.4 A Payment Advice Form was prepared and signed by Ms Mwelase. Mr Nongogo co-signed the Payment Advice form and payment was made on 12 June 2018 in the amount of R4,283,650.00.00. The 20 000 notepads were delivered to SSETA on 11 June 2018 and payment was affected the next day.

	TOTAL AMOUNT: R 4 283 650.00
MANAGER OF DEPAR	TMENT AUTHORISATION
Invoice signed and match against purchase order	Name Duduzile Mwolace
Invoice matched against deliverables	ht
is contract still valid, (If not) (contract extension and de condonement letter ettached).	viation/
Supporting documents must be approved by Er	d User:
<ul> <li>POD attached (Proof of delivery note)</li> </ul>	Raink SM: OBM
✓ Deliverable report on services rendered or project	
Attendance register or other support documents	Date
<ul> <li>contract related attach full contract and miles stone contract.</li> </ul>	sof
somments:	
ACCOUNTS PA	PAYMENT
Checklist verified	RECEIVED
Invoice posted on Nav	
Authorized as complete and correct:	2018 -06- 1 2
Commenta	DATE STAMP



- 7.21 As pointed out in paragraph 5.2 above, the MSLA was signed by the SSETA CEO on 7 May 2018, but it only became binding on 25 May 2018 when it was signed by the authorised person of Star Sign and Print on 25 May2018. All the quotes were issued to SSETA between 15 and 17 May 2018 before there was a contract signed between the parties.
- 7.22 The items on quotes no 50053 and 50056 were delivered on 17 May 2018 and 25 May 2018 before a binding contract was signed.
- 7.23 The SSETA SCM policy applicable at the time states that before payments for goods is approved, the responsible officer must certify that the goods received is in accordance with the order and the general conditions of the contract.
- 7.24 National Treasury Regulations states that all goods received should be verified for quality and quantity against the ordering documents. It further states that records must be kept when goods or items are issued or distributed.
- 7.25 Invoice 100076 was received by Ms Mwelase on 8 June 2018. Invoices 100077 and 100080 were received by Ms Mwelase on 11 June 2018. Invoices 100067, 100070 and 100071 were received by Ms Mwelase on 12 June 2018. All these invoices were paid on 12 June 2018 in the total amount of R26 524 472.40.
- 7.26 Invoices 100055 and 100058 were received by Ms Mwelase on 13 June 2018 and 24 May 2018 respectively and both were paid on 18 June 2018 in the amount of R2 438 957.20.
- 7.27 It is noted that the last 3 invoices were received and paid on the same date, 12 June 2018.
- 7.28 The items referred to on invoices 100067 (30 000 caps), invoice 100071 (15 000 T-shirts), invoice 100077 (30 000 lanyards) and invoice 100080 (20 000 note pads), were all delivered on 11 June 2018 and received by Ms Mwelase.
- 7.29 The following day the items referred to on invoice 100070 (30 000 USB's) were delivered and received by Ms Mwelase.

# OUTA

- 7.30 It is doubtful that Ms Mwelase could have checked and confirmed that she received all the items referred to in paragraph 7.28 and 7.29 above, that she was satisfied as the accountable person who signed the delivery notes that each of the 125 000 items were delivered, verified for quality and quantity as prescribed by National Treasury and that she felt comfortable to sign off a payment advice the next day (in the case of the USB's she signed off on the same day). It is also to be noted that Mr Nongogo felt comfortable to authorise a payment for millions of rands on the same day that some of the invoices were delivered and goods received.
- 7.31 OUTA could not verify that any big roadshow was undertaken by SSETA after the items were delivered and paid for by SSETA. There were also no proof of when and to whom these promotional items were issued or distributed to. OUTA's sources could also not recall any roadshow of significance where these number of items were distributed.
- 7.32 With this huge number of items that was procured, there must be SSETA officials, other than Ms Mwelase, who should be able to give more information on where the items were stored, who took responsibility for the goods and to whom and when it was issued and distributed.
- 7.33 Although the bid documents states that Mr Matsebe was the project leader on this bid, Ms Mwelase was the official who received all the documents from Star Sign and Print. She signed for the quotes, delivery notes, invoices and cosigned the authorisations for payment.
- 7.34 The orders as discussed above, were the only orders submitted by SSETA to Star Sign and Print under Bid No PROC T474 for the duration of the contract period of 2 years. The orders were made shortly after the bid was awarded to Star Sign and Print (approximately 3 months) and thereafter SSETA didn't purchase any other promotional and/ or branded items during the next 21 months. In July 2018 OUTA exposed the high prices paid by SSETA in a media statement.



7.35 I believe it is necessary for SSETA and the officials who were involved with this tender, to be investigated and to provide explanations on several issues regarding this bid and the distribution of the goods.

#### 8 OUTA INVESTIGATION

- 8.1 It was confirmed in the bid documents that Sandra Thabile Mkatshane and Tsegofatso Boikanyo were the directors of Star Sign and Print and that each held 50% shares in the company. They were also co-directors of a company called Thousand Star Investment (Pty) Ltd and were both appointed in 2018.
- 8.2 In the Declaration of Interest of the bid documents, Ms Mkatshane declared that neither she, her spouse nor any of the company's directors/ trustees/ shareholders/ members or their spouses, conducted business with the state
  - 2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?
  - 2.8.1 If so, furnish particulars:

N-A

.....

in the previous twelve months prior to submission of the bid. See the below screenshot of the relevant page.

8.3 This declaration of Ms Mkatshane was false.

YES / NO



8.4 Ms Tshegofatso Boikanyo (as stated in the bid documents) got married to Mr Thulasizwe Excellent Ntumba on 21 February 2015. Mr Ntumba was a director of Ntumba and Associates Consulting (Pty) Ltd who was part of Ntumba Joint Venture who was awarded a tender (PROC T345) by SSETA on 7 September 2016. The contract expired on 31 March 2018.



## AMENDMENT TO THE MASTER SERVICES LEVEL AGREEMENT

Entered into by and between:

## Services Sector Education and Training Authority

[A Statutory body formed in terms of the Skills Development Act (No 97 of 1998) and herein represented by Mr Andile Nongogo in her capacity as the CEO, and he being duly authorised to do so.]

(Hereafter referred to as "Services SETA")

And

## NTUMBA JOINT VENTURE Registration no: 2003/02340/07

(A Company registered in terms of the Companies Act (Act 71 of 2008))

(Hereafter referred to as "the Service Provider")

## 1. INTERPRETATION AND PRELIMINARY:

In this Addendum, unless inconsistent with or otherwise indicated by the context-

"Main Contract"- shall mean the contract entered into between the Services SETA and Ntumba Joint Venture on 7<sup>th</sup> day of September 2016 expired on the 31<sup>st</sup> day of March 2018.



8.5 Ms Tshegofatso Boikanyo was appointed on 13 May 2014 as a director of Star Sign and Print when she was still unmarried. When she got married, she did not change her particulars on the company documents at CIPC. The company documents submitted with the bid indicate that her surname was still Boikanyo. This was also not declared by Ms Mkatshane.

Certificate issued by th Commission on Wedne Certificate of Confirmat	sday, October			Companies and intellectual Property Commission
Registration number	2014/094578/07	*****		
Enterprise Name	STAR SIGN AND	PRINT (PTY)	LTD	
Name				
Postal Address				
Active Directors / Officers				
Surname and first names	ID number or date of birth	Director type	Appoint- ment date	Addresses
MKATSHANE, SANDRA, THABILE	8712310341088	Director	13/05/2014	Postal: PO KWA-XUMA, ZOLA, SOWETO, GAUTENG, 1868 Residentiat: 88A SIBEKO STREET, ZOLA 3, SOWETO, GAUTENG, 1868
BOIKANYO, TSHEGOFATSO	8701270897080	Director	13/05/2014	Postal: 41 PILGRIMS CRESCENT, ALANGLADES, LONEHILL, GAUTENG, 2192

- 8.6 Ntumba and Associates Consulting were also awarded several other contracts by state entities prior to and after this declaration.
- 8.7 Ms Mkatshane got married to Mr Ngwenya Ntsako Baloyi on 7 September 2018. Mr Baloyi has a very active Facebook account (<u>https://www.facebook.com/ngwenya.baloyi</u>) where he very often posted pictures and videos of his business activities and social events.
- 8.8 On 15 January 2012, he posted a picture of Sandra Mkatshane. This suggests that they at least knew each other from 2012.





- 8.9 There are also multiple pictures and videos of his printing business. According to the pictures and the posts of Mr Baloyi, he was (and still is) the beneficial owner of Star Sign and Print, although he is not listed as a director or shareholder.
- 8.10 On 4 November 2016 he posted a picture on Facebook and stated that "We do all events branding". He also gave a contact number for Star Sign and Print (012 8040315). The number was listed by Infobel as that of Star Sign and Print located in Pretoria.





8.11 The pictures show various items with SSETA branding. This was more than a year before SSETA awarded a tender to Star Sign and Print.



Ngwenya Ntsako Baloyi is with Witbankstarsignand Print and Kagiso Douza Komote. 4 November 2016 · 🔇

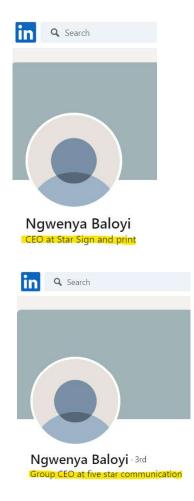
We all do events branding, if you want your event to look like this call us on 0128040315 star sign and print







8.12 There are 2 profiles for Mr Baloyi on LinkedIn. The one describing him as the CEO at Star Sign and Print and the other profile describing him as the Group CEO at Five Star Communication.



8.13 SSETA awarded 2 tenders to Five Star Communication and Projects CC (Five Star) before the award to Star Sign and Print. Bid No PROC T277 was awarded to Five Star on 18 August 2015 for a period of 8 months and Bid No PROC T313 was awarded on 31 May 2016 for a period of 18 months. Both awards were for the design, development and supply of promotional items. These tenders are similar to the Star Sign and Print tender.



Five Star Communications and Projects Unit 2 & 3 Silverpark 186 Voorhamer Street Silverdale Pretoria

info@fivestarcommunications.co.za Tel. 012 770 3749 Cell: 083 296 9785

Dear Ngwenya Boloyi

LETTER OF AWARD IN TERMS OF BID REFERENCE NUMBER PROC 1277: APPOINTMENT OF A SERVICE PROVIDER FOR DESIGN, DEVELOPMENT AND PRODUCTION OF PROMOTIONAL ITEMS ON AN AND AS WHEN REQUIRED BASIS FROM DATE OF APPOINTMENT UNTIL 31 MARCH 2016

Your participation in the above mentioned bid is highly appreciated.

The evaluation of bids received has been completed and the Services SETA is pleased to inform you that your application has been accepted, subject to what is set out below:



SERVICES SECTOR EDUCATION AND TRAINING AUTHORITY (SERVICES SETA)

SUBMISSION OF BID AWARD RECOMMENDATION TO THE EXECUTIVE COMMITTEE

### APPOINTMENT OF A SERVICE PROVIDER DESIGN, DEVELOPMENT AND SUPPLY OF BRANDED PROMOTIONAL ITEMS AS AND WHEN REQUIRED BASIS FROM DATE OF APPOINTMENT UNTIL 31 MARCH 2018

#### 4.4 Tender award

Recommended service provider*	Five Stars Communication and Projects cc
Period of service	18 months
Proposed Project Amount	R 4 872 699.97 rate based, for quotation purposes
Recommended	R 10 000 000.00, To request EXCO/AA to approve any additional variance amount arises on need bases.

- 8.14 Five Star Communications and Projects CC with registration number 2007/023136/23 was registered on 5 February 2007. Mr Ngwenya Ntsako Baloyi was the sole member of the Close Corporation. He resigned on 13 May 2010 and Mr Tuwani Justin Mudau and Ms Khombomuni Anania Baloyi were appointed as members. On 5 June 2019 the name was changed to Five Star Farming CC.
- 8.15 On 23 November 2015 Five Star submitted a delivery note to SSETA for several items. The registration number and business address are clearly visible on the document and corelates with the information as set out above. At the bottom of the document appears Mr Baloyi's contact details. It is evident

18 August 2015



that Mr Baloyi was the manager/ owner of the business, although he resigned in 2010.

Five Star Communications	Physic	No: 2007/023136/2 cal Address: Unit 28 6 Voorhammer Stree Silvertonda Pretor
		RY NOTE
	DELIVERY NOTE#	DATE
	SSETA002	2015/23/1
	CUSTOMER ID	TERMS
	564	1.000
BILL TO	584 Ship to (if Different)	TERMS Net 30 Day
BILL TO Finance Department Services SETA	564	
Finance Department	584 Ship to (if Different) Finance Department	
Finance Department Services SETA 20 Eton Road Parktown	584 Ship to (if Different) Finance Department Services SETA 20 Eton Road Parktown	1.000
Finance Department Services SETA 20 Eton Road	584 Ship to (if Different) Finance Department Services SETA 20 Eton Road	1.000
Finance Department Services SETA 20 Eton Road Parktown (011)2769624	584 Ship to (if Different) Finance Department Services SETA 20 Eton Road Parktown 011)2769624	
Finance Department Services SETA 20 Eton Road Parktown (011)2769624 Ngwe	584 Ship to (if Different) Finance Department Services SETA 20 Eton Road Parktown	

- 8.16 On 13 June 2017 Five Star submitted an invoice to SSETA on a similar letterhead in the amount of R1 060 108.39. The attachment to the invoice shows that Five Star was even more outrages with their prices than Star Sign and Print and that Five Star also did not charge VAT.
- 8.17 Five Star charged SSETA for example R71 580.00 for 100 golf T-shirts with embroidery, R173 858.00 for 200 branded pens (which calculates to R869.29 a pen) and R17 285.98 for two name tags.



BILL TO Finance Department Services SETA

20 Eton Road

Parktown (011)2769624



# INVOICE

INVOICE NO #	DATE
SETA 134	13/06/2017
CUSTOMER ID	TERMS
564	Net 30 Days

Finance Department Services SETA 20 Eton Road Parktown 011)2769624

	Total	1 060 108,39
12	Project Management	41 250,00
11	Power Bank for Chair person	356,00
10	Stamps	7 125,97
9	Car branding	133 620,80
8	APP	331 026,40
7	Pens	173 858,00
6	Folder	143 511,24
5	Black Golf T shirts	71 580,00
4	Business Cards	27 380,00
3	T shirts - hotelica	67 156,00
2	Name tags	17 285,98
1	Posters	45 958,00

Ngwenya Baloyi Contact: 083 296 9785 | 012 770 3749 Email:

## Black Golf T shirts

NO	DESCRIPTION	QTY	UNIT PRICE	AMOUNT
	Purchase of the T shirt	100	278,00	27 800,00
	disk preparation	1	1 650,00	1 650,00
	disk duplication	4	3 850,00	15 400,00
	Embroidary	7800	1,10	8 580,00
	Design and layout	1	18 150,00	18 150,00
				71 580,00
				71 580,00



NO	DESCRIPTION	QTY	UNIT PRICE	AMOUNT
	Branded Pens Purchased	200	678,00	135 600,00
	Design and layout	1	18 150,00	18 150,00
	Disk preparation	1	1 650,00	1 650,00
	Disk duplication	4	3 850,00	15 400,00
	Disk Presentation	1	660,00	660,00
	Raised printing	200	11,99	2 398,00
				173 858,00
				173 858,00

## Name tags

NO	DESCRIPTION	QTY	UNIT PRICE	AMOUNT
	Tag purchased	2	106,00	212,00
	Disk preparation	1	1 650,00	1 650,00
	Disk duplication	4	3 850,00	15 400,00
	raised printing	2	11,99	23,98
				17 285,98
		-		17 285,98

8.18 On Mr Baloyi's Facebook page there are also several pictures posted in 2018 of promotional items for Construction SETA (CETA). Five Star was awarded a tender by CETA to provide promotion material to CETA in May 2018. (Bid No 029-2017/18)

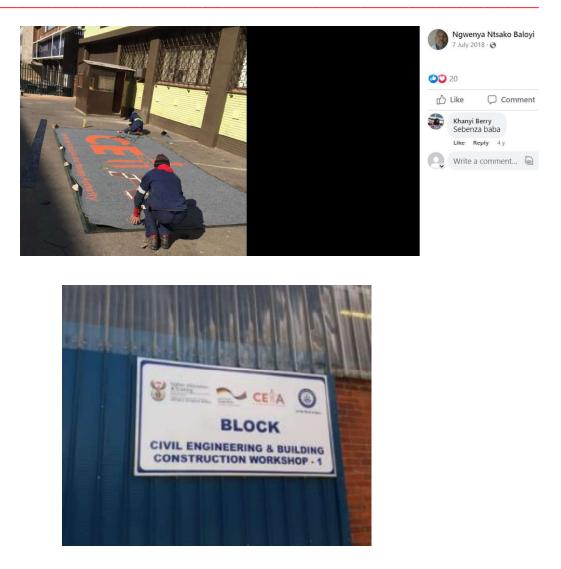


Notification of Bid Awards

BID NO: 029-2017/18 - APPOINTMENT OF AN ENTITY TO PROVIDE PROMOTIONAL MATERIALS FOR THE CETA.

No.	Awarded Bidder	Award Date	Amount incl VAT	BBBEE Level Points	Contract Period
1	Five Star Communications	29 May 2018	As per the pricing schedule	0.00	June 2018 to 31 March 2020





- 8.19 From Mr Baloyi's Facebook account it is clear that from 2016 all production material manufactured and provided to SSETA and CETA was done at the premises of Star Sign and Print with Mr Baloyi being in charge of the business.
- 8.20 On 25 July 2019, Mr Baloyi posted a comment with a location on his Facebook page. The comment is "*Night shift*" and the location is the business address as submitted by Star Sign and Print in their bid documents, Hulbert Road, Johannesburg. Facebook location where Mr Baloyi "checked in" is that of Star Sign and Print Craigavon.



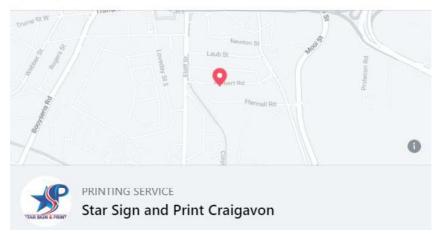


Ngwenya Ntsako Baloyi checked in to Star Sign and Print Craigavon

...

25 July 2019 · Johannesburg · 🔇

Night shift



8.21 As recent as 1 May 2020, Mr Baloyi still advertised products of Star Sign and Print on his Facebook page. All these posts, pictures and comments made by Mr Baloyi is more evidence that he was the beneficial owner of Five Star Communications and Star Sign and Print.





- 8.22 OUTA found that Star Sign and Print and Five Star Communications submitted a bid for the same tender. This practice is prohibited by the Competition Act 89 of 1998. An agreement between or concerted practice by firms, or a decision by an association of firms is prohibited if it is between parties in a horizontal relationship and if the bidders are involved in collusive bidding or bid rigging.
- 8.23 In September 2018 Star Sign and Print and Five Star Communication both submitted their bids to the Tshwane Economic Development Agency for the appointment of a panel of service providers for the provision of marketing and branding services for a period of 24 months.



Tshwane Economic Development Agency

5th Floor | Anker Building | 1279 Mike Crawford Building | Centurion PO Box 11751 | Zwartkop | 0051 | Tel: 012 664 2829/3392

NO:03 BID NO:	SERVICE DESCRIPTION	CONTRACTOR	CONTRACT AMOUNT	BEE LEVEL FOR BIDDERS	RECOMMENDED BIDDER	DATE AWARDED
BID NO: BID: TEDA 01/09/18	APPOINTMENT OF A PAREL OF SERVICE PROVIDERS FOR THE PROVIDERS FOR THE PROVISION OF MARKETING AND BRANDING SERVICES FOR THE TSHWANE ECONOMIC DEVELOPMENT AGENCY (TEDA) AS AND WHEN NECESSARY FOR A PERIOL OF 24 MONTHS	BASADZI PERSONNEL AND MEDIA	N/A	LEVEL 1	RECOMMENDED	10 DECEMBER 2018
		MIGHTY MEDIA		LEVEL 1		· ·
		RED SWITCH MARKETING AND COMMUNUICATIONS		LEVEL 1		
		BLACK MAGIC CONSULTING		LEVEL 1		
		MVELO SANE CONSULTING		LEVEL 1		
		FIVE STAR COMMUNICATIONS		LEVEL 1		
		XIPHEMU		LEVEL 1		
		HAMMET PROJECTS & SUPPLIES		LEVEL 1		
		STAR SIGN AND PRINT		LEVEL 1		
		MUZILITE		LEVEL 1		
		RBJ MARKETING SOLUTIONS		LEVEL 1		
		PHASH COMMUNICATION MEDIA ENTERTAINMENT		LEVEL 1		
		MIDDAY SOLUTIONS		LEVEL 1		

8.24 It is also possible that examples of printing done by Star Sign and Print as they submitted it in their bid documents, (refer to paragraphs 6.11 – 6.13 above) was done by Five Star Communication but used as reference material in Star Sign and Print's bid submission.



- 8.25 Ms Mkatshane (Baloyi) and Mr Baloyi were both directors of a close corporation called Nqhetsolele Consulting CC. Mr Baloyi was appointed in 2007 and resigned in 2010. Ms Mkatshane was appointed in 2011. The couple also shares a residential address in Silver Lakes, Pretoria from 2017.
- 8.26 It is OUTA's submission that Mr Ngwenya Baloyi was at all relevant times the beneficial owner of Star Sign and Print and Five Star Communications and that the two entities were awarded back-to-back tenders by SSETA for providing the same service.
- 8.27 It is further OUTA's submission that Ms Sandra Thabile Mkatshane (Baloyi) made a false declaration to SSETA which led to the award of Bid PROC T474 to Star Sign and Print. If SSETA was aware of the correct facts, the bid should certainly not have been awarded to Star Sign and Print.
- 8.28 If SSETA was aware of the facts and still awarded the tender to Star Sign and Print, the responsible SSETA officials should be held accountable.
- 8.29 OUTA reported this tender (PROC T474) to the Minister of Higher Education, Minister Naledi Pandor at the time. The Minister initiated a forensic investigation into the contract by the National Skills Authority (NSA). The NSA reported back to the Minister on 14 September 2018.
- 8.30 The investigation report was signed by the Acting Executive Officer, Dr Thabo Mashongoane and the purpose was to provide progress and feedback to the Minister on the NSA's investigation into affairs of the SSETA.
- 8.31 The NSA investigation report, to say the least, was of a poor standard and the findings were undoubtedly incorrect.
- 8.32 It was inter alia found by the NSA that SSETA paid Star Sign and Print an amount of R4,283,650.00 for the supply of 20,000 note/ exam pads. The report did not state the number of pages of the exam pads. It is however stated that SSETA paid R140.79 per exam pad each and that the balance of the payment in the amount of R1,467,850.00 was for the printing of the front and back



covers, inner printing, single sided UV vanish and the bounding of each exam pad. This work amounted to R73,39 per exam pad. The total amount including all services related to exam pads, was R214.28 per exam pad.

- 8.33 It was also found by the NSA that SSETA paid R4,995,082.00 for 30,000 lanyards at a price of R165.22 each.
- 8.34 The NSA also found based on the Star Sign and Print invoices that SSETA paid R165.75 for 30,000 USB flash drives. The total amount paid was R5,017,762.60. There is no mention of the size of the flash drive.
- 8.35 The NSA found that the prices charged by Star Sign and Print were reasonable and in line with the market value of the specific items. This finding is with respect not correct.
- 8.36 Desktop research done on 5 July 2022 (4 years after the prices of Star Sign and Print were evaluated by the NSA) the following prices were obtained.

Product	Description and Outlet	Price per item
Exam Pad	Exam Pad 100 sheets punced (EMW Technologies)	R12.00
Exam Pad	Marlin A4 Exam Pad punched 100 pages (Clicks)	R18.99
Exam Pad	Exam Pad 80 sheet faint & margined punced (Treeline)	R30.00
Exam Pad	Croxley Exam Pad (Cartridge Express)	R22.50
Average price	for exam pad	R20.87
Lanyards	Bulk Black Break-Away lanyard with swivel clip (Digital	R8.06
	Technologies)	
Lanyards	Durable Blue Badge Holder (Durable)	R39.67
Lanyards	Bulk Lanyards for ID Badges flat lanyard with badge clip	R11.96
	swivel hook beebel (Reliable online store)	
Lanyards	Simple Lanyard (Branded Supplies.co.za)	R7.99
Average price	for lanyards	R16.92
USB	Verbatim 32GB USB flash drive (RS Components)	R169.50
USB	SanDisc Ultra Dual 32GB Gray and Silver flash drive	R129.00
	(Cameraland)	
USB	SanDisc Cruzer Blade 32GB flash drive (Matrix	R99.00
	Warehouse)	
USB	SanDisk Cruzer Glide 64Gb flash drive	R199.00
Average price	for USB flash drives	R149.13



8.37 Even at current prices it is evident that SSETA was highly overcharged. If the current average prices as indicated above is increased with 25% to include branding on the items, the total amount for all the items is approximately R6 745 625.00.

# 9 SUMMARY OF FINDINGS

- 9.1 Bid No PROC T474 was not advertised for 21 days in the Government Tender Bulletin as required by and in compliance with Treasury Regulation 16A 6.3.
- 9.2 The BAC mislead the Accounting Authority by stating that all SCM policies and procedures were followed.
- 9.3 The scoring during the bid evaluation by Mr Mahlomola Teffo appears suspicious when compared against his scoring of all the bidders and against his co-evaluators.
- 9.4 Ms Mkatshane signed her declaration about two weeks before the Commissioner of Oaths commissioned the documents. It appears that she did not sign the documents in the presence of the Commissioner and did not state under oath that the contents are true and correct.
- 9.5 Star Sign and Print declared an annual income of between R1 million and R5 million for the 2017 financial year but failed to register for VAT.
- 9.6 SSETA ordered items not included in the price list submitted by Star Sign and Print.
- 9.7 Ms Duduzile Mwelase signed that all items ordered were received. It is possible but improbable that Ms Mwelase verified 125 000 items in a day in order to authorise payment the same day.



- 9.8 Mr Andile Nongogo approved payment of all invoices. Some payments were approved on the same day the invoices were received and the items were delivered.
- 9.9 No evidence of roadshows undertaken in 2018 could be found where the items ordered by SSETA were used promotion material.
- 9.10 No evidence could be found where, when and to whom the promotional items were distributed to.
- 9.11 Ms Mkatshane made false declarations regarding her relationship with Mr Baloyi and Ms Boikanyo's marital status and her relationship with persons who conducted business with the state 12 months prior to the submission of Bid PROC T474.
- 9.12 Mr Ngwenya Baloyi was/ is the beneficial owner of Star Sign and Print (Pty) Ltd and Five Star Communications and Projects CC. The two entities were awarded back-to-back tenders by SSETA to the value of approximately R68 million.
- 9.13 Star Sign and Print and Five Star Communication were involved in restrictive practises as described in the Competition Act 89 of 1998.
- 9.14 The prices paid by SSETA for the items supplied by Star Sign and Print and Five Star Communication were exorbitant.
- 9.15 The findings of the investigation done by the NSA regarding Bid PROC T474 were incorrect.

# 10 <u>RECOMMENDATIONS</u>

10.1 Submit this report to SSETA for a reply on the contents and findings.



- 10.2 Request SSETA to do an internal investigation to determine if all actions by SSETA officials were in accordance with the SSETA SCM policy and National Treasury Regulations.
- 10.3 Request SSETA to notify National Treasury of the findings of OUTA's investigations and submit a request that Star Sign and Print, Five Star Communication (Farming) and their directors be put on the restricted suppliers list.
- 10.4 Notify SARS of the VAT status of Star Sign and Print and Five Star Communications.
- 10.5 Notify SARS regarding Mr Baloyi's beneficial ownership of Star Sign and Print and Five Star Communications to enable SARS to investigate his annual returns.
- 10.6 Notify the Competition Commission of restrictive practices by Star Sign and Print and Five Star Communication.
- 10.7 Submit this report together with other investigation reports on SSETA to the Portfolio Committee of Higher Education.
- 10.8 Submit this report to the SIU.
- 10.9 Submit this report to the NSA.
- 10.10 Submit this report to the Auditor General.
- 10.11 Submit this report to the Director General of Higher Education.