

TERMS OF REFERENCE

TENDER COMMITTEE

1 Purpose of the committee

The committee is mandated by Council to evaluate and approve tenders for contracts between R10 million and R30 million provided they are within the budget. For contracts exceeding R30 million the committee will evaluate the tenders received and make a recommendation to the Council via the Finance Committee.

2 Responsibilities of the committee

- 2.2.1 To approve tender procedures and recommend tender Policies to Council as prepared by management;
- 2.2.2 To ensure that the tender procedures in terms of the Broad-Based Black Economic Empowerment Act 2003 (Act No. 53 of 2003) are adhered to;
- 2.2.3 To confirm that tender policies are being implemented; and
- 2.2.4 To evaluate and approve tenders received, for specific contracts within their mandates.

3 Authority

To approve tenders for contracts between R10 million and R30 million provided within budget, and make recommendations to Council.

4 Membership

4.1 Composition

4.1.1 Standing members:

	Members	Term
(1)	Chairperson: A senior/ retired partner / member of external auditors firm	3 years
(2)	External member of Council	In accordance with Council term
(3)	External member of Council	In accordance with Council term
(4)	Vice-Chancellor	-
(5)	Institutional Registrar Ex Officio	-

4.1.1 Members in attendance

	Representing members	
(6)	Executive Director: Finance and Facilities	-
(7)	Secretariat	-

4.2 Appointment of members

All members are appointed by Council.

4.3 Appointment of Chairperson and acting Chairperson

The Chairperson is appointed by Council.

4.4 Co-opted members, observers and visitors

Not applicable

4.5 Voting rights of members

All the standing members have voting rights. Co-opted members, observers and visitors will not have voting rights.

4.6 Secretariat

Secretariat services are provided by Corporate and information governance Services.

5 Meeting arrangements

The following meeting arrangements apply:

Frequency	As and when necessary
Quorum	The quorum of the meeting will be half (50%) plus one of all the members, excluding vacant positions.
Notice of the meeting	<p>At least 30 days before the meeting date, the Secretariat electronically notifies of the time and place where the meeting is to be held.</p> <p>The minutes of the previous meeting will be enclosed and members are requested to provide the Secretariat with input by the closing date for the agenda. Should no response be received by this time it will be assumed that the members agree with the record.</p>
Agenda	<p>At least 7 days prior to the meeting, the Secretariat provides the complete agenda pack electronically to all members.</p> <p>Members who prefer a hard copy must inform the secretariat accordingly.</p>
Attendance register	An attendance register will be circulated by the Secretariat at the beginning of each meeting. Every member present must sign the attendance register. The attendance register is proof of attendance for purposes of minuting and payment of honorariums.
Confirmation of Minutes	<p>An ordinary meeting, after being constituted and opened, commences with reading and confirming (by means of the chairperson signing) of the minutes of the previous meeting(s).</p> <p>Any objection to the minutes is raised and disposed of before the minutes are confirmed. The minutes may be regarded as read if a copy of the draft minutes was provided to members prior to the meeting.</p> <p>Minutes will be a true reflection of the previous meeting, and will contain all views expressed under the heading "noted". Decisions made by the committee will reflect under the heading "resolved".</p>
Decision-making process	<p>Matters are decided by means of general consensus. The Chairperson might however decide when a decision should be taken by means of a voting procedure.</p> <p>The Chairperson may decide that voting must be by secret ballot, provided that voting for persons must always be by secret ballot. The Chairperson has an ordinary vote, but must in addition exercise a casting vote in the event of an equality of votes on any matter.</p> <p>The number of votes in favour of or against any proposal is not recorded in the minutes, unless the Chairperson so decides.</p>
Conflict of Interest	<p>A member may not take part in the discussion of or vote on any matter in which the member has a direct financial or other interest, unless the members first discloses the nature and extent of the interest and obtains the leave of the meeting to take part in the discussion or to vote.</p> <p>All committee members must indicate any conflict of interest at the agenda point allocated therefor and must also indicate a conflict of interest on the attendance register by indicating the agenda item where the conflict arises in writing next to his/her name.</p>

Point of Order	<p>A point or order, clarification or information may be raised against any member, in which instance the ruling of the Chairperson is binding. The ruling of the Chairperson is binding and cannot be challenged.</p> <p>Should the above point of order, clarification or information be immediately challenged by a member, the ruling is put to the meeting for determination – without it being discussed, and the decision of the meeting is final.</p>
Disrespectful / Disorderly conduct	<p>Anyone attending a meeting who, after having been requested to refrain from disrespectful or disorderly conduct, continues to disobey a ruling from the Chairperson, must be requested to leave the meeting.</p> <p>If that person does not leave the meeting immediately, such a person could be removed from the meeting with the assistance of Protection Services.</p>
Apology	<p>An apology will be noted when a member electronically submits it to the Secretariat and/or the Chairperson, at least one day prior to the meeting.</p> <p>Members absent from the meeting without above mentioned apology are noted as “without apology”.</p> <p>The views of a member who is unable to attend a meeting may be submitted in writing but may not count as a vote of such member.</p>
Recording of meeting	<p>At the opening of the meeting, the Chairperson indicates that a recording will be made for minute purposes.</p> <p>The audio file is deleted after signed confirmation of the minutes at the next meeting.</p>
Round Robin Process	<p>The Chairperson may electronically submit urgent matters in between scheduled meetings. The Secretariat will assist in this process.</p> <p>At least two thirds of the members have to electronically confirm their involvement in the process by giving feedback, approval or non-approval. When a majority of members reaches agreement it is taken as a resolution. Such resolution is equivalent to a resolution of the committee and must be recorded in the minutes of the next meeting.</p>
Resources and Budget	<p>A centralised budget regarding the matters of this committee managed within Corporate and Information Governance Services.</p> <p>The travel and accommodation costs of EXCO members will be paid according to the approved "Guidelines for Travel and Accommodation of Council members.</p>
Records management	<p>All records of the committee (terms of reference, membership list, agendas, minutes, attendance register, correspondence, etc.) will be kept electronically (on <i>Share</i>) and hard copy and the hard copy sent to the Archives and Museum for permanent preservation.</p> <p>Committee members have automatic access to all records of the committee. All other interested parties must complete a request form in terms of the Promotion of Access to Information Act, which will be assessed in terms of the prescriptions contained in the Act.</p>

6 Reporting

This committee reports to the finance committee twice a year at its scheduled meetings.

7 Approval and review

The following documents guide the operations of this committee:

Document	Status	Authority	Date

8 Review

The terms of reference for Council and council Committees will be reviewed on a three year cycle.