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		Decument Owner:	Director: Demand and Acquisition
v,	STANDARD OPERATING PROCEDURE: DEMAND AND ACQUISITION BIRDING PROCESS AROUS STANDARD		
Approval Date	4 November 2019		
Commencement Date	4 November 2019		
Review Date	4 November 2020		
Periodical Review	Annual		
Resources	Staff, ICT Equipment and budget		
Intent of SOP	To document the standard operating processole responsibility of conducting all activities framework published by National Treasury.	ng procedure for the process of Acquisitic activities relating to acquisition of all goreasury.	To document the standard operating procedure for the process of Acquisition Management. Acquisition Management is charged with the sole responsibility of conducting all activities relating to acquisition of all goods and services to be utilized by the Department within the framework published by National Treasury.
Scope	This SOP applies to the management.	ent of acquisition of all goods and in the	This SOP applies to the management of acquisition of all goods and in the Department of Social Development within the Eastern Cape Government.
Objective(s)	The purpose of the process is to m above. The process is triggered by	The purpose of the process is to manage the procurement of goods and services and capital was above. The process is triggered by the budgeting process which informs the procurement plan	The purpose of the process is to manage the procurement of goods and services and capital within the threshold of R500 000 and above. The process is triggered by the budgeting process which informs the procurement plan
Definitions	BSC – Bid Specification Committee BEC – Bid Evaluation Committee		
	BAC -Bid Adjudication Committee		
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requirements attached thereto must be appropriate, necessary and in reasonable proportion to the product/service being procured.	
 Proportionality: The product/service requirements stipulated in the specification/terms of reference and the qualification 	
reported.	
Ethics: All suppliers shall be treated equally whilst promoting certain empowerment objectives, all stakeholders shall conduct	
be imposed on bidders/contractors and commercial confidentiality shall be protected.	
• Fairness: All bidders and contractors shall be dealt with, fairly and without unfair discrimination. Unnecessary constraints shall not	
contrary.	
 Competitiveness: The Department shall satisfy its requirements through competition unless there are justifiable reasons to the 	
build relationships with providers, shall ensure good working practices and shall encourage innovative solutions for providers	
effectiveness and shall carry out its SCM processes as cost-effectively and efficiently as possible. The Department shall strive to	
 Efficiency: The Department shall strive to standardise and simplify procedures where appropriate to enhance SCM system 	
appropriate to the procurement requirement.	
effectively as possible while meeting the commercial, regulatory and socio-economic goals of government in a balanced manner	
Effectiveness: The Department shall strive for SCM system effectiveness and shall carry out its procurement processes as cost-	
access to the same information.	
Equal treatment: All bidders and providers shall be treated equally throughout the whole supply chain process and shall be given	
the same and accurate information.	
 Transparency: The procurement process shall be open and predictable and shall afford each prospective bidder timely access to 	Principles
Percentage of procurement budget spend targeting Local suppliers in terms of LED framework	Rey Performance Indicator
SANAS – South African National Accreditation System BBBEE – Broad Based Black Economic Empowerment	

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	Task Name	procurement request	Recommendations and re-submit specification	Arrange bid specification committee meeting	Analyze Draft Specification and make	recommendations
		• • •	• •	• •	• •	• •
PROCUREMENT PROCESS (ABOVE R500 000)	Task Procedure	Submit a memo signed by the Responsibility Manager requesting procurement to the SM(Director): Demand and Acquisition Management. Ensure that the memo is clearly indicating the details of the goods or services required. Attach a copy of the budget report to the request.	Revise the specification to include the BSC recommendations Re-submit the specification with effected recommendations to Demand.	Prepare the specification for the BSC and ensure that the standard requirements are correct. Organise the meeting date and send invitations to the members and the end user.	Present the specification to the Committee. Check specification and interrogates the Enduser.	Make recommendation. Sign the minutes.
OVE R500 000)	Responsibility	End User		SCM Practitioner	End User	Committee
	ဋ		• •	• •	• •	• •
	Supporting Documentation	Procurement request Draft Specification Budget confirmation Business Case / Concept document Proof of submission	Draft specification Amended Draft specification	Draft specification Invitation	Draft specification Draft Specification with	recommendations Minutes of the meeting Attendance Register
	Service Standard	1 day		1 day	1 to 2 days depending	availability of

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documents	Allocate bid Number and record in the Open Bid Register. Compile bid	and sign specification	Submit final Specification
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Treasury to the specification as follows: ECBD 1 – Invitation to Bid ECBD 2 – Tax Clearance Requirement ECBD 3.1 – Pricing schedule-Firm Prices ECBD 3.2 – Pricing schedule-Non-Firm Price ECBD 4 - Declaration of interest ECBD 5 – National Industrial Participation Program	 Allocate bid number to the approved specification. Ensure that the Bid number is relevant to the financial year as follows: Bid number must start with 'SCMU4', followed by the current financial year and lastly add four digits starting from 0001 e.g (SCMU4-19/20-0001) Attach standard Bid documents from National 	Approve recommended memo and sign specification If memo not approved and specification not signed Send back to the End-user	Prepare memo, attach the draft specification and circulate for signatures of chairperson, End-user, GM - SCM, CFO and HOD.
	SCM Practitioner	HOD SCM Practitioner	SCM Practitioner
•	• •	• •	• •
Bid documents with bid Number	Approved specification Updated Bid Register	Recommended memo and specification Approved memo and signed specification	Approved memo / Not approved memo Signed Specification / not signed Specification
	1 day	l day	1 to 5 days depending to the availability of signatories

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Advertise bid notice	Create and sign bid notice for procurement request		
 Submit the Bid notice for inclusion in Tender Bulletin before 12 on Wednesday and specify the required publication date. The adverts are published every Friday. Advertise bid notice on the Tender Bulletin, eTender Bulletin, Departmental website and Print Media where necessary. 	 SCM Practitioner create Bid Notice. Sign the bid notice. 	procurement of goods designated for local content by DTI) ECBD 8 – Declaration of Bidders past SCM Practices ECBD 9 – Certificate of Independent of Bid Determination Government Procurement July 2010: General Conditions of Contract Signed Specification	ECBD 6.1- PPP Regulations 2017 ECBD 6.2- Local Production and Content (only in
SCM Practitioner	SCM Practitioner Director :SCM		
 Signed bid notice Published bid advert 	 Bid documents with bid Number Signed bid Notice 		
21 Days or any approved shorter period	1 day		

			If not in agreement with BEC report;		
Recommended/ not recommended report	•		 Send the recommendation report to Head of Department for the Approval. 	using the evaluation report	
declaration of interest and confidentiality	4	SCM Practitioner	Committee and agree with BEC	bidder with the	
Evaluation report	•	Bid Adjudication Committee	 Validate the eliminated companies and short 	Verify recommended	<u></u>
			Evaluation report.		
		Secretariat	Supplier and BBBEE Status level.		
			employees, the bidder is not a Restricted		
			compliant, the owners are not government		
		SCM Practitioner	 Check whether the shortlisted bidder is Tax 		
			the score bidder for each bidder.		
- CPC: C			 Conclude the shortlisted bidders and calculate 		
CSD Report	•		 Sign on the check list after verification. 		
and confidentiality			 Verify each Bid document using check list. 		
Declaration of interest			starts.		
Signed register with	•	Committee members	confidentiality register before the meeting	documents	
Bid documents	•	Bid Evaluation	 Sign the declaration of interest and 	Evaluate bid	17
			 Distribute invitation for Bid Evaluation Meeting and package 3 days before the meeting. 		i
BEC Invitations	• •		list for the members.	meeting	
report	1		 Prepare report for the committee and check 	invitations for BEC	
Signed pre-evaluation	•		Evaluation Committee meeting.	Report and send	
Checklist	•		criteria and sign the check list before the Bid	pre-evaluation	
Bid documents	•	SCM Practitioner	 Prepare pre-evaluation report according to the 	Infine alla allalino	ā

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management unit	and Contract	Notify the End-user	-		Issue award letter		report	approve BAC	recommend and	Receive,					report	Approve the BAC				
		•	•		•	• •		•		•	•		•	IF Di	•	•		•		•
preparation of the Order and Contract	Bidder's documents to the End-user in	Submit approved award report and awarded	Collect and sign for receipt of award letter from Director: Demand and Acquisition.	collect the award letter from Director. Demand and Acquisition.	Informed the awarded Bidder to come and	Approve the recommended report. Sign award letter.	negative or positive.	Make recommendations to the HOD for	BAC whether it is positive or negative.	Receive the IBAC report and submit to the	Submit at least 3 days before the scheduled date for the IBAC Meeting.	recommendation through a letter signed by the Head of Department.	Send the memo to Interim Bid Advisory Committee (IBAC) at Provincial Treasury for	If bid is above R5 000 000	Approve the BAC Report If it does not exceed R 5 000 000.	Receive the BAC recommended report.	Evaluation report.	Capture the minutes and prepare the	re-consideration.	send the recommendation report to BEC for
		SCM Practitioner	Bidders		Director: Demand and		HOC		BAC	HOD	SCM Practitioner		Bid Adjudication Committee			HOD			Secretariat	
•		•		•	•		•	•	•	•				• •	• (•				
ocuments Signed outgoing register	Bid	Copy of approved award	Š	Copy of signed award letter	Signed award letter	G	recommendation report Signed award letter	Approved	report	IBAC recommend				Signed award letter Proof of submission	Approved recommended report	Recommendation record				
	,	1 day		-	1 day				•	5 days					day	1 day				

25	24	23	
Compile monthly report and send to National and Provincial Treasury	Advertise award results	Notify unsuccessful suppliers	
	• •	•	
Compile the report that includes all Bids completed for the month. Compile CRA report of bids above R30 000 on monthly basis. Compile LED report on monthly basis. Compile a status report that includes Bids that are cancelled and re-advertised is compiled on monthly basis.	Advertise Award results in tender bulletin, Departmental website and print media where the Bid was advertised. Submit the Bid notice for inclusion in Tender Bulletin before 12 o'clock every Wednesday and specify the required publication date. The adverts are published every Friday.	Ensure that all the signed regret letters are posted through the Departmental Records Management to the bidders.	Management Unit in preparation of the Service Level Agreement.
SCM Practitioner	SCM Practitioner	SCM Practitioner	
• • •	•	•	
Capturing Registration Application (CRA) Report for National Treasury and Provincial Report LED report Bid status report	Published award results	Regret letters	
Monthly	1 day	1 day	

LEGISLATION, POLICIES, PROCEDURES, LEGISLATION & OTHER DOCUMENTATION (I.e. SOPs)

attached thereto. the disposal and letting of state Accounting Officer will develop propetitive and cost-effective.		
tached thereto.	The Act stipulates that in contracting for goods and services, and the disposal and letting of state assets, including the disposal of goods no longer required, the Accounting Officer will develop and implement a system, which is fair, equitable, transparent, competitive and cost-effective.	
ives effect to and reiterates the 1999 is primary in the regulation of the procurement and	The PFMA, Act No 1 of 1999, as amended by Act 29 of 1999, gives effect to and reiterates the Constitutional requirements of Section 217 quoted above and is primary in the regulation of Financial Management. It sets out broadly the requirements for the procurement and provisioning system to be in place and allocates responsibilities attached thereto.	The Public Finance Management Act (PFMA)
which the policy referred to in	 (3) National legislation must prescribe a framework within which the policy referred to in subsection (2) must be implemented." 	
f persons, disadvantaged by	 The protection or advancement of persons, or categories of persons, disadvantaged by unfair discrimination. 	
	 Categories of preference in the allocation of contracts; and 	
stitutions referred to in that	(2) Subsection (1) does not prevent the Organs of State or institutions referred to in that subsection from implementing a procurement policy providing for—	
local sphere of Government, for goods or services, it must parent, competitive and cost-	"217 (1) When an Organ of 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 costeffective.	
	The Constitution of the Republic of South Africa, Act No 108 of 1996, as amended, regulates procurement through Section 217 and determines that:	The Constitution
Effective Date (if applicable)		Document or Process Name

o Logistics Management.	
o Acquisition Management.	
o Demand Management.	
The SCM system to be implemented must be fair, equitable, transparent, competitive and cost effective; be consistent with the PPPFA and BBBEE Act and must provide at least for the following:	
The Accounting Officer must ensure that Treasury Regulation 16A is complied with when dealing with Supply Chain Management to ensure the establishment and implementation of an effective and efficient Supply Chain Management Unit within the office of the CFO, as an integral part of their financial system.	
Supply Chain Management	
The Accounting Officer must ensure that Treasury Regulation 16 is complied with when goods or services are procured through public private partnerships or as part of a public private partnership.	
Public Private Partnerships	
In the Department shall apply the Treasury Regulations issued in terms of the PFMA as it pertains to supply chain management. It serves as a formal requirement for departments, to ensure the establishment and implementation of an effective and efficient SCM system.	terms of the PFMA
	Document or Process Name

Document or Process Name		Effective Date (if applicable)
	o Risk Management.	
	o Regular assessment of supply chain performance.	
Policy to guide uniformity in procurement reform processes in government	The Policy to Guide Uniformity in Procurement Reform Processes in Government was approved by Cabinet 10 September 2003 and promulgated on 05 December 2003.	
	The policy strategy has as a goal the uniform implementation of Government's procurement reform initiatives and compliance with minimum norms and standards in such a manner that the principles of cooperative governance are observed.	
	In terms of this policy strategy, Accounting Officers are required to establish and implement a Supply Chain Management function that promotes sound financial management and uniformity in all spheres of Government.	
	Regarding insurance, organs of State should either insure for procurement related physical risks, establish risk management programmes or make advance provision for losses associated with such risks, within the scope of the provisions of the Treasury Regulations. Suitable arrangements should also be made to ensure that insurance related excesses do not cause the failure of SMME's.	
National Treasury Practice Notes	All documents relevant to SCM are available electronically on National Treasury's web page http://www.treasury.gov.za /organisation/ specialist functions/ supply chain management: norms and standards.	
	The SCM regulations in terms of the PFMA empower National Treasury to issue practice notes to ensure minimum norms and standards within Government.	
	Currently 10 practice notes have already been issued covering a variety of topics. All practice	

Document or Process Name		Effective Date (if applicable)
1	notes issued from time to time must be taken into account and adhered to.	
The Preferential Procurement Policy Framework Act	The Preferential Procurement Policy Framework Act (PPPFA), Act No 5 of 2000, was promulgated to give effect to Section 217(3) of the Constitution by providing a framework for the implementation of the procurement policy contemplated in Section 217(2) of the Constitution.	
	The Act provides for the implementation of a preference system in the allocation of contracts for categories of service providers and the promotion of goals, including socio-economic goals, to advance the interest of persons disadvantaged by unfair discrimination on the basis of race, gender or disability and implementing the programmes of the Reconstruction and Development Programme (RDP).	
	The Act also regulates that the evaluation processes are conducted in a fair, justifiable and transparent manner.	
	There is currently a process underway to ensure that the PPPFA and the BBBEE Act is aligned.	
The Preferential Procurement Policy Framework Act Regulations	This is the enabling mechanism of the PPPFA mentioned above. It sets out the formulas for the points system and stipulates the rules and procedures governing the preferences that might be claimed in terms of this Act.	
Broad Based Black Economic Empowerment Act	The Broad Based Black Economic Empowerment Act (BBBEE Act), Act No 53 of 2003, provides the framework for the promotion of black economic empowerment, the establishment of a balanced scorecard and the publication of transformation charters. A supporting strategy has also been published. Draft codes of good practice have also been issued for comment. These codes could include qualification criteria for preferential procurement and other economic activities.	
	The Department will adhere to the directives contained in the Broad Based Black Economic	

Document or Process Name		Effective Date (if applicable)
	Empowerment Act as it affects the procurement process.	
	Economic transformation will be promoted through preferential procurement in order to promote meaningful participation of black people including women, workers, youth and people with disabilities and people living in rural areas, in the economy.	
	Transformation will achieve a change in the racial composition of ownership and management structures of existing and new enterprises.	
The prevention and combating of corrupt activities act	The Department will adhere to the directives contained in the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004 as it affects the supply chain process.	
	The Act regulates offences in respect of corrupt activities relating to contracts, activities pertaining to acceptance or offering of any gratification and the improper influence of another person as well as offences in respect of corrupt activities relating to procuring and withdrawal of tenders and auctions.	
	The Act provides for miscellaneous offences relating to possible conflict of interest and other unacceptable conduct such as acquisition of private interest in contract, agreement or investment of a public body.	
	National Treasury must establish a register for tender defaulters.	
The King Report on Corporate Governance for South Africa, 2002	The Department will subscribe to the Code of Corporate Practices Conduct in all material respects as it affects procurement.	2002
	The Report concludes that successful governance requires companies to adopt an inclusive approach and there must be greater emphasis on the sustainable or non-financial aspects of its performance.	
	The tests of fairness, accountability, responsibility and transparency to all acts or omissions,	

Document or Process Name		Effective Date
		(if applicable)
	and be accountable to the Department, but also responsive and responsible towards the Department's stakeholders must be applied.	
	The Report describes the principles of risk management, ethical conduct, black economic empowerment and social investment prioritization and spending.	
Provincial Growth and Development Plan	The Province developed the Provincial Growth and Development Plan (PGDP), which set out all the objectives to be achieved by Departments by the year 2014.	
	The PGDP provides for a number of quantified targets for growth and development in the Eastern Cape for the period 2004 until 2014.	
	These targets must be incorporated into each department's strategic goals and objectives.	
State Information Technology Agency Act	The State Information Technology Agency (SITA) Act, Act No 88 of 1998, as amended by Act 38 of 2002, requires that SITA must act as the procurement agency for the Department's information technology requirements.	
The National Small Business Act	The National Small Business Act, Act No 102 of 1996, as amended, establishes the National Small Business Council (NSBC) and also the Ntsika Enterprise Promotion Agency (Ntsika).	1996
	The main functions of Ntsika are inter alia: to consult with any organ of government, the NSBC or a service provider in order to inter alia:	
	Facilitate national market access for products and services of small business.	
	Generally strengthen the capacity of service providers to support small business and small business to compete successfully in the economy.	
	To enable small businesses to compete successfully in the economy, the procurement policies and practices influence the economic behaviour of small businesses, and therefore during the	

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National Treasury Practice Note No.6 Of 2008-07 National Treasury Practice Note No.9 Of 2008-07 National Treasury Practice Note No.9 Of 2008-07 National Treasury Practice Note Number SCM 1 Of 2006- Tax Clearance Certificates National Treasury Practice Note Number SCM 3 Of 2006- Tax Clearance Certificates National Treasury Practice Note Number SCM 3 Of 2006- Tax Clearance Certificates for Price Quotations and Competitive Bids National Treasury Practice Note Number SCM 4 Of 2006 - Standard Bidding Document Declaration Of Bidder's Past Supply National Treasury Practice Note Number SCM 3 Of 2004- Tax Clearance Certificates National Treasury Practice Note Number SCM 1 Of 2004 - Tax Clearance Certificates National Treasury O1a Annexure A of 2011 National Treasury Annexure A of 2011 National Treasury Annexure A+B Of 2008 Procedure For The Treatment Of Irregular
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National Treasury Practice Note No.6 Of 2008-07 National Treasury Practice Note No.9 Of 2008-07 National Treasury Practice Note No.9 Of 2008-07 National Treasury Practice Note Number SCM 1 Of 2006- Tax Clearance Certificates National Treasury Practice Note Number SCM 5 Of 2006 - Restriction Of Suppliers National Treasury Practice Note Number SCM 3 Of 2006- Tax Clearance Certificates for Price
National Treasury Practice Note No.6 Of 2008-07 National Treasury Practice Note No.9 Of 2008-07 National Treasury Practice Note No.9 Of 2008-07 National Treasury Practice Note Number SCM 1 Of 2006- Tax Clearance Certificates National Treasury Practice Note Number SCM 5 Of 2006 - Restriction Of Suppliers
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National Treasury Annexure A+B. Procedure For The Treatment Of Imaginiar Expandition
Entities, Constitutional Institutions And Public
National Treasury Annexure C. Disclosure Of Imegular Expenditure For Departments, Trading
Departments
National Treasury Annexure D. Accounting Transactions For Irregular Expenditure
Entities
Document or Process Name

1998		The Competition Act, No 89 of 1998.
		 Protected Disclosure Act, No 26 of 2000.
2000		Promotion of Access to Information Act, No 2 of 2000.
		 Promotion of Administrative Justice Act, No 3 of 2000.
2000		Public Service Act, No 23 of 1994.
1994		OTHER RELEVANT ACTS
	for Price Quotations and Competitive Bids	
	National Treasury Practice Note Number SCM 2 Of 2003 - Threshold values for the invitation	
	National Treasury Practice Note Number SCM 1 Of 2005- Standard Bidding Document	
	National Treasury Practice Note Number SCM 2 Of 2005	
	Departments	
	National Treasury Annexure D Of 2008 Accounting Transactions For Irregular Expenditure	
	Trading Entities, Constitutional Institutions	
	National Treasury Annexure C Of 2008 Disclosure Of Irregular Expenditure For Departments,	
Effective Date (if applicable)		Document or Process Name

SOP - Demand and Acquisition Bidding Process (Above R500 000)

Manual	Supervisors to allow committee member to attend the meetings.	Ξ	王	Delay of Bid completion lead to underspending and also compromise quality of service for example security services procured on month to month basis	Delay for Bid completion
Manuai	Filling of vacant posts.	Ŧ	I	Insufficient personnel leads to lack of segregation of duties and therefore no proper internal controls	Insufficient personnel
System / Manual	Control Description	fmpact (H / M / L)	Probability (H/M/L)	Risk Description	Risk Name

PROCESS RISKS

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AUTHORIZATION

Distribution and Use of SOP	Approved by HOD	Acting Deputy Director General	Recommended by Acting CFO	Director: Demand and Acquisition	Acting Chief Information Officer	Quality Checked By Director: Management Information Services	Authorization:
District Managers, Corporate Service Managers, Service Managers	N.Baart	Z. Ganca	N.Ngcinwana	M.Dlova	M.Gazi	N. A. Mazizi	Name:
orporate Service N			B	6		Metghas	Signature:
Managers, Service Managers, Area Managers, Assistant	Swo-Libra. Some tor Out					The process must be universed annually to avain relevance.	Comment:
Assistant	Own Company	29/12/19	25/10/209	25/10/19	20/00/00	भाजीव	Date: