



national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

TO: ACCOUNTING OFFICERS OF ALL DEPARTMENTS AND CONSTITUTIONAL INSTITUTIONS

ACCOUNTING AUTHORITIES OF ALL SCHEDULE 2 AND 3 PUBLIC ENTITIES

NATIONAL TREASURY CIRCULAR NO 1 OF 2019/2020

ETENDERS PUBLICATION PORTAL

1. PURPOSE

- 1.1 The purpose of this circular is to provide guidance to accounting officers and accounting authorities of departments, constitutional institutions and public entities listed in Schedule 2 and 3 to the Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999) on the eTenders systems availability.
- 1.2 This circular is also aimed at informing accounting officers and accounting authorities of the status relating to eTenders system availability and issues experienced recently.

2. BACKGROUND

- 2.1 In terms of section 38 (1) (a) (iii) and 51 (1) (iii) of the PFMA, the accounting officer of a department or constitutional institution and the accounting authority of a public entity listed in Schedule 2 and 3 to the PFMA must ensure that their respective institution has and maintains an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive and cost effective.
- 2.2 In improving public sector procurement, National Treasury's Office of the Chief Procurement Officer identified the advertisement of bids and publication of awards as being key in achieving transparency in procurement and implemented the eTenders Publication portal.

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- 2.3 While eTenders Publication Portal is meeting its objectives for the advertisement of bids and publication of bid awards by government institutions,
- 2.4 A number of challenges were encountered by the various end users on the eTenders system, including but not limited to the following:
 - 2.4.1 The system being often offline;
 - 2.4.2 System not accessible to some users even when the system is online;
 - 2.4.3 Tasks started by government officials not being completed due to server connection time-out;
 - 2.4.4 Error messages being generated when users try to upload tender documents; and
 - 2.4.5 Suppliers being unable to download tender documents due to system errors.

3. DISCUSSION

- 3.1 During the period between 05 May 2019 to 20 May 2019, a down time period was experienced where the system was not accessible to both government officials and potential suppliers. Tenders that were already published were not accessible to the prospective suppliers; this meant that important dates such as briefing session dates and time could not be accessed. Tender documents uploaded on eTenders were also not accessible to potential suppliers. There were similar incidents post 20 May 2019 where the system was not available, National Treasury have a record of such dates.
- 3.2 It should be noted that in terms of Treasury Regulation 16A6.3(c), accounting officers or accounting authorities of departments, constitutional institutions and public entities listed in schedules 3A and 3C of the PFMA must ensure that bids are advertised in at least the Government Tender Bulletin at all times whether the eTenders Publication Portal is available or not. The SCM policies of public entities listed in schedules 2, 3B and 3D of the PFMA must prescribe the methods of inviting bids in addition to the eTenders Publication Portal.
- 3.3 In future when system downtime happens, accounting officers and accounting authorities must advertise bids, in line with the Treasury regulations, or their SCM policies in the case of public entities listed in schedules 2, 3B and 3D of the PFMA; and ensure that bid documentation is accessible to prospective bidders which can include the uploading of bid advertisements and the bid documents on the organ of state's website.

APPLICABILITY

This Circular applies to all departments, constitutional institutions and public entities listed in Schedule 2 and 3 to the PFMA.

4. DISSEMINATION OF INFORMATION CONTAINED IN THIS CIRCULAR

- 4.1 Heads of provincial treasuries are requested to bring the contents of this circular to the attention of accounting officers and supply chain management officials of their respective provincial departments;
- 4.2 Accounting officers of national and provincial departments are requested to bring the contents of this circular to the attention of accounting authorities and the supply chain management officials of Schedule 3A and 3C public entities reporting to their respective executive authorities; and
- 4.3 Accounting authorities of Schedule 2, 3B and 3D public entities are requested to bring the contents of this circular to the attention of the supply chain management officials of their public entities.

5. NOTIFICATION TO THE AUDITOR-GENERAL

The Auditor-General has been informed regarding the contents of this circular.

6. INFORMATION

Enquiries related to this Circular may be directed to:

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