



national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

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TO: Accounting Officers of National and Provincial Departments and Constitutional Institutions
Accounting Authorities of Schedule 2 and 3 Public Entities
Heads of Provincial Treasuries

Dear Colleagues

RE: CORRESPONDENCE REGARDING PROCUREMENT DATES DURING THE NATIONAL LOCKDOWN DECLARED IN SOUTH AFRICA

1. On 23 March 2020, the Honourable President Cyril Ramaphosa announced that South Africa will be placed on lockdown for 21 days from midnight, Thursday, 26 March 2020, which was subsequently extended by another two weeks, to 30 April 2020, whereafter, the lockdown category would be revised from level 5 to level 4, or any other level deemed appropriate during the lockdown period.
2. Given the afore-mentioned emergency protocol that has been instituted, it is prudent for organs of state to adjust their procurement timelines to take cognisance of the current set of circumstances in which we find ourselves as a country, to ensure that the procurement processes followed are still fair, equitable, transparent, competitive and cost-effective.
3. The purpose of this correspondence is to provide guidance and advice in ensuring that public procurement continue to comply with section 217 of the constitution.
4. As such, Accounting Officers and Accounting Authorities are hereby informed that:
 - a. The due date for the submission of Procurement Plans has been extended from 31 March 2020 to 31 May 2020.
 - b. Accounting Officers and Accounting Authorities are required to extend the closing dates of bids that are scheduled to close during the lockdown period in which the specific industry is not open for business and 7 days after the industry is back in business to a date at least 21 days after the that industry is open for business, or such further period as may be necessary, depending on the restrictions applicable to the relevant lockdown level.
 - c. Where bids are in the process of being evaluated and the validity period is due to expire, Accounting Officers and Accounting Authorities are required to extend the validity periods to provide the organ of state with sufficient time to finalise the evaluation and award of those bids, unless the organ of state is able to conduct the bid evaluation and adjudication in a compliant manner during the levels below 5 of the lockdown.

5. Accounting Officers and Accounting Authorities are advised to be cognisant of the relevant lockdown level applicable to their institutions as, depending on the geographical area in which the institution is based, different lockdown levels may apply, with different associated lockdown restrictions. As such, when issuing any new bids during the lockdown period, accounting officers and accounting authorities must do so in a manner that ensures that no prospective bidder is deprived of the opportunity to be able to respond to such tender advertisement.
6. Different lockdown levels allow certain industries/ suppliers to open for business, and the decision on whether or not to advertise a bid must take cognisance of this. If an institution decides to advertise a bid, the bid must be related to the industries which are open for business during that specific level of lockdown, and the Accounting Officer/Accounting Authority must ensure that submission of responses is done in a manner that is compliant to SCM prescripts and the Disaster Management Act and Regulations.
7. It is against this backdrop that Accounting Officers and Accounting Authorities decide on whether to advertise a bid or not, especially for non-essential goods and services during the lockdown period.
8. This guideline overrides the “correspondence regarding procurement dates during the national lockdown declared in South Africa”, issued on the 25th of March 2020.
9. Heads of Provincial Treasuries are requested to bring the contents of this communication to the attention of accounting officers and supply chain management officials of their respective provincial departments.
10. Accounting Officers of National and Provincial departments are requested to bring the contents of this communication 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.
11. Accounting Authorities of Schedule 2, 3B and 3D public entities are requested to bring the contents of this communication to the attention of the supply chain management officials of their public entities.

Kind regards

A handwritten signature in black ink, appearing to read 'Estelle Setan', with a date stamp '05/05/2020' written below it.

ESTELLE SETAN
ACTING CHIEF PROCUREMENT OFFICER
DATE: 05 May 2020

Cc: Auditor-General South Africa