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## ABBREVIATIONS

<b>B-BBEE</b>	Broad Based-Black Economic Empowerment
<b>bn</b>	Billion
<b>CSD</b>	Central Supplier Database
<b>ePS</b>	Electronic Procurement Solution
<b>FAQs</b>	Frequently Asked Questions
<b>GTB</b>	Government Tender Bulletin
<b>IPS</b>	Integrated Procurement Solution
<b>PCC</b>	Procurement Client Centre
<b>PPPFA</b>	Preferential Procurement Policy Framework Act
<b>PPFR</b>	Preferential Procurement Policy Framework Regulations
<b>PT</b>	Provincial Treasury
<b>PTIs</b>	Provincial Treasury Instructions
<b>RDP</b>	Reconstruction and Development Programme
<b>RFQ</b>	Request for Quotations
<b>WCG</b>	Western cape Government
<b>WCBD</b>	Western Cape Bid Document
<b>WCSEB</b>	Western Cape Supplier Evidence Bank

## EXECUTIVE SUMMARY

Preferential procurement regulations	Procurement Planning	e-PS and WCSEB
<p>Revised Preferential Procurement Regulations, 2022 (PPPFR) were issued via Government Gazette 47452 on 04 November 2022 with an effective date 16 January 2023 for implementation. These Regulations replace the 2017 Regulations, subsequent to the Constitutional Court judgment on 16 February 2022 that declared these regulations to be invalid in their totality.</p> <p>The WCG will maintain the status quo of the current procurement system post 16 January 2023 until the executive policy directives and technical reviews have been concluded, as an interim arrangement and as already applied in the province.</p>	<p>Planned opportunities that will be available to suppliers during the course of the 2022-23 financial year via envisaged departmental procurement processes are as follows:</p> <p>2 440 procurement opportunities are available for the 2022-23 financial year; 480 commodity types will be advertised for bids to the value above R100 000; 958 opportunities will be advertised via the e-Procurement System (ePS) 794 opportunities will be advertised via formal bids on the WCG website.</p>	<p>The WCG has fully implemented an in-house developed e-PS that facilitates the procurement of goods, services, and works up to the value of R1 million, since 01 December 2021.</p> <ul style="list-style-type: none"> <li>• 5948 (60.77 per cent) active registered suppliers on the WCSEB.</li> <li>• 15.01 per cent of the active supplier base have not yet activated their profiles on the e-PS and will not be eligible to receive opportunities via the e-PS.</li> <li>• 47.53 per cent of the suspended suppliers have a profile registered on the e-PS but will not receive opportunities because the suppliers are suspended on the WCSEB.</li> </ul>
Business Opportunities	Expenditure	Transversal Security Framework Agreement
<p>Business opportunities advertised on the e-PS:</p> <ul style="list-style-type: none"> <li>• 22 243 opportunities published via the e-PS across 1206 commodities to date.</li> <li>• Top 3 commodities advertised: <ul style="list-style-type: none"> <li>– Banquet and Catering services (835 RFQs)</li> <li>– Passenger Road Transport (698 RFQs)</li> <li>– Surgical Support Supplies (652 RFQs)</li> </ul> </li> </ul> <p>Formal tenders advertised via the WCG tender mechanism:</p> <ul style="list-style-type: none"> <li>• 181 bids were advertised.</li> <li>• 1 079 awards were published, and</li> <li>• 24 cancellations were published via the WCG website.</li> </ul>	<p>Total procurement spend for the province for quarter 1 and quarter 2 is R8.79 billion of which:</p> <ul style="list-style-type: none"> <li>• R4.96 billion was expenditure to suppliers registered on the WCSEB; and R3.83 billion was expenditure to other suppliers registered on the national central supplier database.</li> <li>• 51.61 per cent of departmental expenditure was spent on companies with a B-BBEE status level, and 48.40 per cent of the expenditure was spent on non-B-BBEE contributor companies.</li> <li>• 57.24 per cent of the expenditure was to suppliers situated in the Western Cape and 48.64 per cent of the expenditure was to suppliers situated within the City of Cape Town.</li> <li>• 43.52 per cent of the expenditure benefitted SMMEs, 59.31 per cent benefitted black owned companies and 32.43 per cent of the expenditure benefitted black owned SMMEs.</li> </ul>	<p>The WCG has now invited a replacement transversal framework agreement on 24 November 2022 that closed on 15 December 2022 that will cater for multiple types of services that are classified into four security solutions to be rendered throughout the Western Cape Province.</p> <p>Security Solution 1: was advertised on 24 November 2022.</p> <p>Award information will be communicated on the PT Website, e-Tender Portal and in subsequent editions of the Disclosure Reporting together with performance information as it becomes available whilst the others will be advertised subsequently.</p>

## 1 INTRODUCTION

This is the second iteration of the procurement disclosure reporting commitment made by the Western Cape Government (WCG) post COVID -19. This report focuses on financial and non-financial procurement performance for 2022-23 financial year (i.e., post July 2022), noting regulatory changes and initiatives focused on to improve procurement processes in the WCG.

## 2 CONTEXT AND INTENT OF PUBLIC PROCUREMENT

Public procurement is the function whereby government organizations acquire goods, services and works from suppliers in the local and international market, subject to the general principles of fairness, equitability, transparency, competitiveness, and cost-effectiveness. These principles are the primary focus of all government procurement as encapsulated in Section 217(1) of the Constitution, and which collectively seek to ensure that government acquires goods, services, and works at the right time, at the right price, at the right place and to the right value to enable service delivery. The secondary focus in terms of section 217(2) and (3) of the Constitution is to enable socio-economic development through preferential procurement, as further guided by the Constitution and subsidiary national legislation.



Price alone is not the only factor considered when awarding bids or request for quotations (RFQs). The terms and conditions of the bid/RFQ must also be considered, which may result in a supplier being disqualified. Bids are required to be responsive to ALL requirements contained in the bid documents or RFQ. Bids that are judged as non-responsive do not move into the next stage of bid evaluation which deals with evaluation criteria including functionality, pricing, or empowerment. Non-responsive bids, irrespective of their merits, are excluded from the bid process. Hence, a supplier may be cheaper in price and still be disqualified from the process if the supplier is non-compliant with other stipulated clauses within the bid/RFQ.

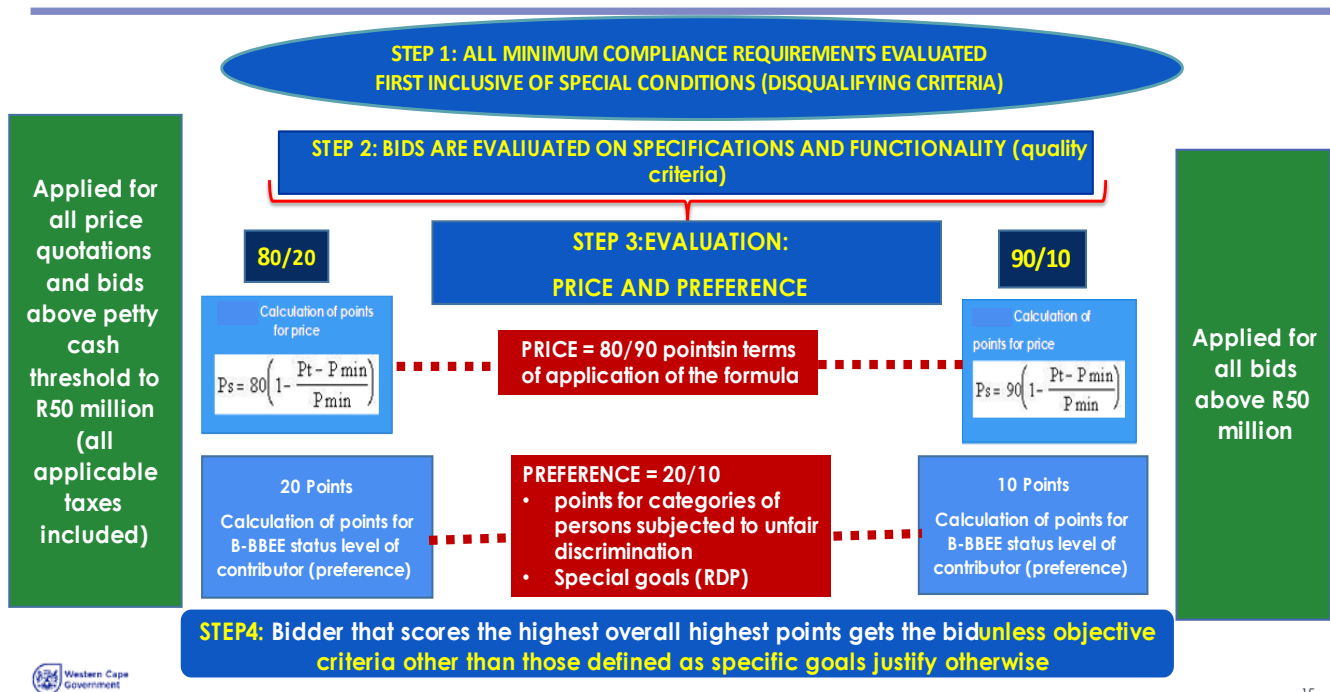
Organs of state are required to draft specifications and evaluation criteria in a manner that allows all potential suppliers who are able to meet the requirements, an opportunity to offer their goods and services. All suppliers interested in the tender must comply with specified bid conditions and criteria when submitting their offer(s). The duty remains on the bidder to familiarize themselves with these bid conditions and criteria before submitting an offer.

When focusing on socio - economic empowerment through preferential procurement, government must in addition allocate preference points to companies or individuals that have been historically unfairly discriminated on, by giving them preference in tender processes. Bids are evaluated in terms of a point scoring system and are awarded to companies who score the highest points jointly for price and preference.

A depiction of the procurement process as envisaged by legislation is diagrammatically represented hereunder in Illustration 1:

## ILLUSTRATION 1

### Procurement Process



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## 3 PREFERENTIAL PROCUREMENT REGULATIONS, 2022

A set of revised Preferential Procurement Regulations, 2022 (PPFR) were issued via Government Gazette 47452 on 04 November 2022 with an effective date for implementation on 16 January 2023. These replace the 2017 Preferential Procurement Regulations, subsequent to a judgement of the Constitutional Court on 16 February 2022 that declared these regulations to be invalid in their totality.

The 2022 PPFRs were developed to comply with:

- Section 217 (3) of the Constitution;
- Section 5 (1) of the Preferential Procurement Policy Framework Act No. 5 of 2000 where the Minister may make regulations regarding any matter that may be necessary or expedient to prescribe in order to achieve the objects of the Preferential Procurement Policy Framework Act, 2000 (PPFA); and
- The Constitutional Court judgment of 16 February 2022, on the 2017 Regulations.

The 2022 Regulations, amongst other matters, requires that an organ of state must, in its tender documents, stipulate (a) applicable preference point system as envisaged in the regulations; and (b) the specific goals in the invitation to submit the tender for which points may be awarded, and proof of the claim of such goals.

Organs of state are required to determine their preferential procurement policies in terms of the framework prescribed in the PPPFA when giving effect to specific goals for preferential procurement. Given that the 2022 Regulations have now in essence streamlined its focus to what is envisaged by the PPPFA, specific goals will need to be dealt with within the boundaries of the 20 and 10 points for preference points within the 80/20- and 90/10-points scoring system as specified in the PPPFA.

Specific goals in terms of Section 2 (1)(d) and (ii) of the PPPFA may include, but are not limited to:

- a) contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination based on race, gender and disability; and
- b) the implementation of the programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994 (RDP).

The Western Cape Government is committed to ensuring that its preferential procurement policy promotes the required value for money and suitable redress. Proper research and analysis need to be done as well as international best practices be explored so that our decisions made are evidence-based. Any new preferential procurement policy will be based on an executive policy directive and approved by Cabinet going forward.

It is therefore intended that the following steps will be taken that:

- The WCG will maintain the *status quo* of the current procurement system post 16 January 2023 until the executive policy directives and technical reviews have been concluded, as an interim arrangement and as already applied in the province, taking into consideration the Constitutional Court judgment;
- The Provincial Treasury will advise and guide provincial departments and public entities on this process;
- A technical review will be undertaken on the current procurement system including the benchmarking of international best practices in defining a legal way forward in the province that focuses on value for money, appropriate redress and reforming the current procurement system over time, informed by an executive policy direction.

## **4 METHODS OF PROCUREMENT**

The following procurement methods as regulated have been utilized in government, and will continue to be, followed in the WCG:

In addition, the following methods of procurement are also available for utilization by procuring institutions:

## 5 PROCUREMENT PLANNING

Procurement plans are an essential part of the WCG's procurement activities for a financial year. This ensures that procurement activities are aligned to service delivery objectives and budgets. Illustration 2 hereunder depicts the thinking.

### ILLUSTRATION 2: PROCUREMENT PLANNING RATIONALE

The WCG has implemented an automated procurement planning toolkit in the 2021/22 financial year. All departments have transitioned to the automated procurement planning toolkit and hence the Provincial Treasury is able to produce a provincial procurement plan as well as view progress on departmental plans when the information becomes available on a quarterly basis.

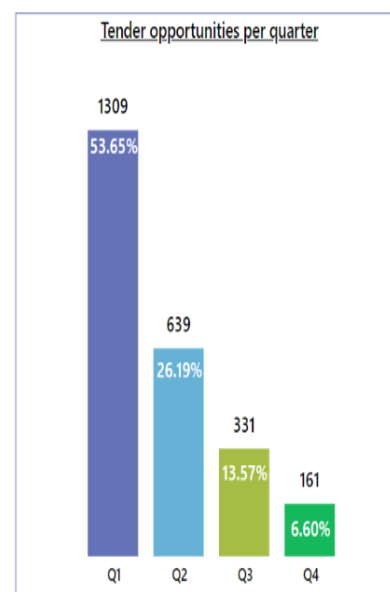
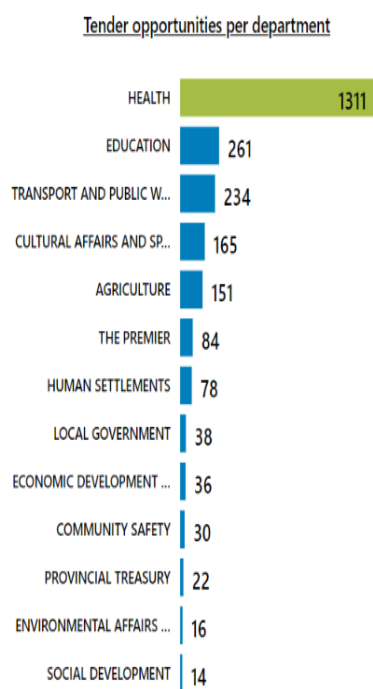
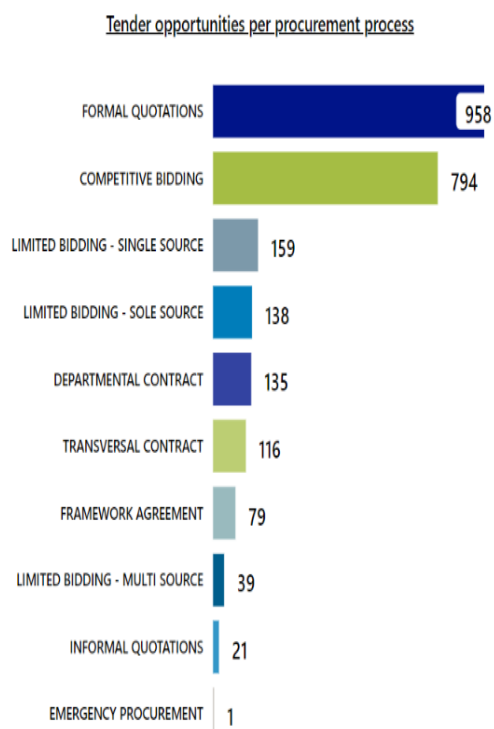
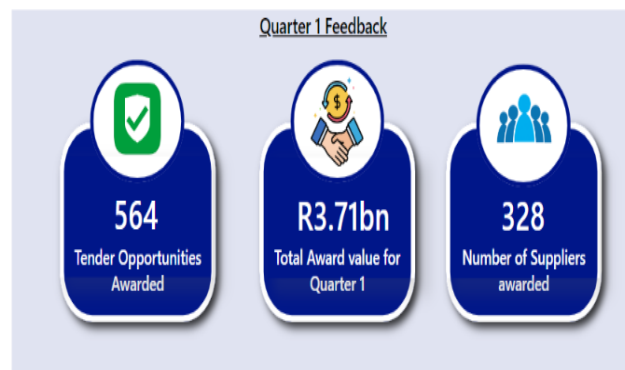
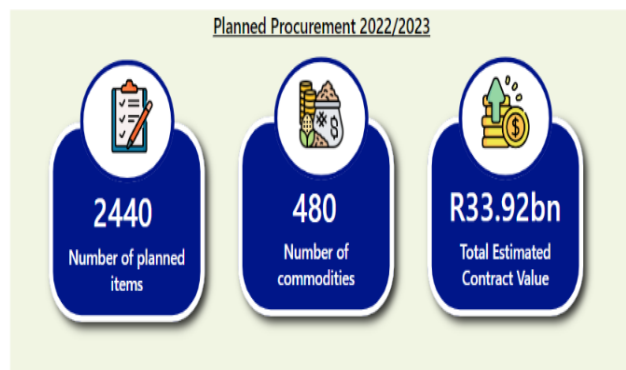
The advertised procurement plans for all 13 of our provincial departments may be viewed via this link here: <https://www.westerncape.gov.za/provincial-treasury/procurement-disclosure-report>.

The Illustration hereunder depicts the potential opportunities available to suppliers via the envisaged departmental procurement processes during the 2022-23 financial year:

### 5.1 PLANNED TENDER OPPORTUNITIES



## 5.2 PROCUREMENT OPPORTUNITIES PER DEPARTMENT FOR 2022-23



To date 565 tender opportunities have been recorded as awarded to the composite value of R3,71 billion. Tender opportunities will decline as the year progresses; hence it is critical for suppliers to ready themselves for these opportunities. Further detail of the procurement plans can be found on the Procurement Dashboard here: <https://www.westerncape.gov.za/provincial-treasury/procurement-disclosure-report>.

*Note: The procurement plans are signed off by the Provincial Departments on 31 March 2022, however these plans are subject to change as the year progresses. This may be due to various factors such as budgetary constraints; strategic indicators; no longer a need for the goods/services or postponement of the need for the planned financial year. Hence this information is purely indicative of the plans signed off on the said date.*

## 6 e-PROCUREMENT SOLUTION AND THE WESTERN CAPE SUPPLIER EVIDENCE BANK

The WCG has since 1999 implemented an electronic platform for bid invitation inclusive of a supplier database. The National Treasury has since 2016 implemented a Central Supplier Database (CSD) which must be utilised by all provinces and suppliers who wish to conduct business with government.

Technology enablement within government, especially within the procurement space, is critical to optimize business efficiencies, reduce red tape in the long term for suppliers, and ensure accountability and transparency within the procurement process. The utilisation of automated systems allows us as government to do this given the scale and enormity of financial implications and transactions required.

### 6.1 THE IN-HOUSE DEVELOPED e-PROCUREMENT SOLUTION (ePS)

The WCG has since 1999 utilised an e-Procurement Solution to facilitate the procurement of goods, services and works up to the value of R500 000. Since 01 December 2021, the WCG has fully implemented an in-house developed ePS that facilitates the procurement of goods, services, and works up to the value of R1 million.

### 6.2 VALUE AND BENEFITS OF AN ELECTRONIC PROCUREMENT SOLUTION (ePS)

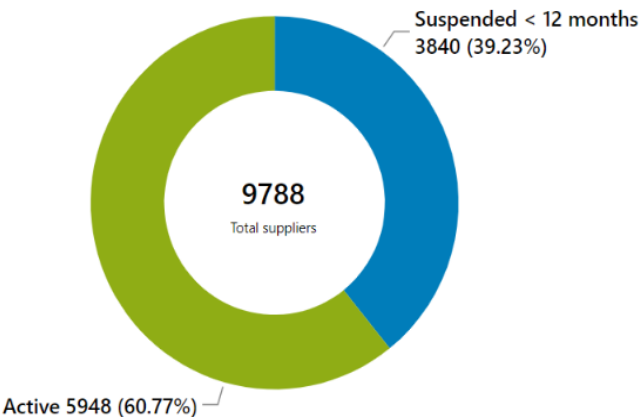
The ePS includes the Western Cape Supplier Evidence Bank (WCSEB) that serves as a central repository of governance documentation for utilisation when procuring via the ePS:

- The WCSEB uses the national Central Supplier Database (CSD) as the master database of information that feeds into the WCSEB; which houses compulsory governance documents and serves as a central document store.
- Registration on the WCSEB for procurement via ePS is a policy decision made by the WCG to ensure that compulsory tender requirements are met and the WCSEB constitutes a single central store of governance documentation i.e.,
  - WCBD 4 Declaration of interest; Bidders Past SCM Practices & Independent Bid Determination); WCBD 6.1 (Preference Points Claim and B-BBEE certification required in the procurement process, by all provincial government departments.

An actively registered supplier is a supplier who has a valid WCBD 4 on the WCSEB. The WCBD 4 is valid for a year. Should this WCBD 4 expire, the supplier will become suspended on the WCSEB and will not be eligible to receive opportunities via the ePS.

### 6.3 WESTERN CAPE SUPPLIER EVIDENCE BANK (WCSEB)

There are 9 788 suppliers registered on the WCSEB of which 60.77 per cent are active and 39.23 per cent are suspended. These suppliers will therefore not be eligible to receive opportunities advertised via the ePS. Suppliers are requested to check their status on the WCSEB and uplift the suspension by submitting a duly completed Western Cape Bidding Document 4 (WCBD 4) to the Procurement Client Centre (PCC) - (detail of which can be found at the end of this report).



#### ILLUSTRATION 3: WCSEB TREND ANALYSIS

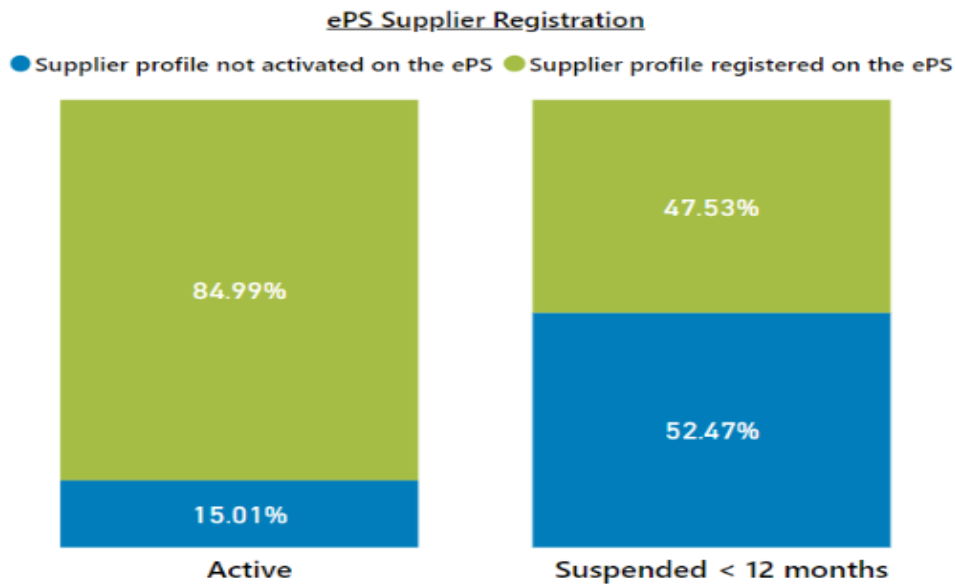


When the province moved to the new system, suppliers registered on the WCSEB were assisted with the activation of their profiles on the ePS. Once these profiles have been activated, the system generates an email with brief instructions and a link to access the ePS. A Video Tutorial can be accessed on the WCG web page: <https://www.westerncape.gov.za/provincial-treasury/tenders/eprocurement-solution>.

15.01 per cent of the active suppliers base have not yet activated their profiles on the ePS and hence these suppliers will not be eligible to receive opportunities via the ePS even though the supplier is actively registered on the WCSEB.

47.53 per cent of the suspended suppliers have a profile registered on the ePS but will not receive opportunities because the suppliers are suspended on the WCSEB (due to an expired WCBD 4). It is important for suppliers to understand and know its status on the ePS to appropriately attend to its profile.

6.4 ePS SUPPLIER REGISTRATION

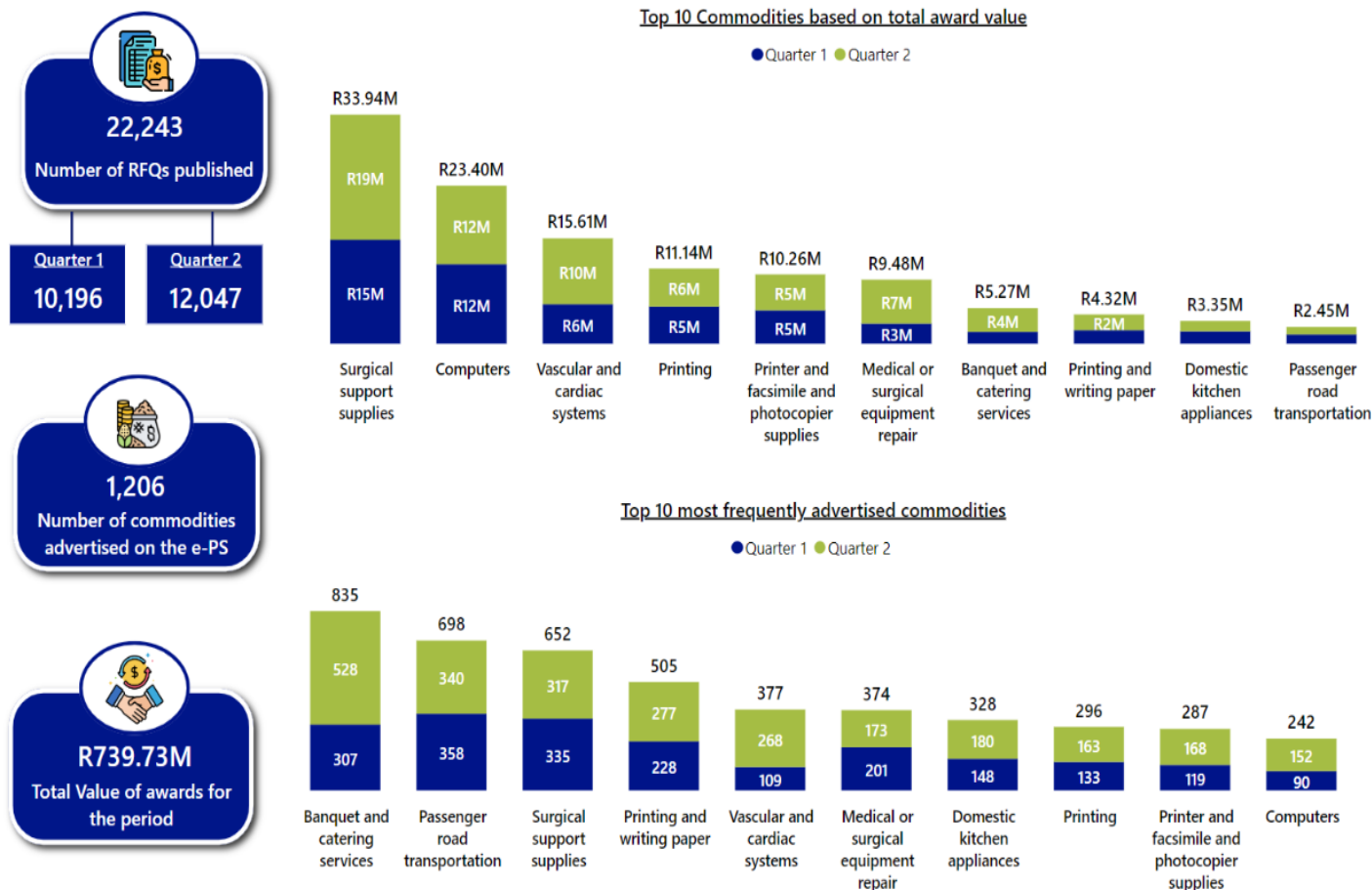


## 7 BUSINESS OPPORTUNITIES

Goods or services between the value of R2 001 and up to R1 million, tax inclusive, must be invited from at least three or more service providers. It must be noted that the ePS is used for procurement from R10 000 up to R1million, whilst utilisation of the system between R2000 to R10 000 is discretionary and will be articulated in the accounting officer's system of each procuring entity. Should the ePS not be utilised for procurement between R2000 to R10 000, a manual quotation system is used by departments.

### 7.1 QUOTATIONS ADVERTISED VIA THE EPS FOR QUARTER 1 AND QUARTER 2

### 7.2 ePS REFLECTIONS



*Opportunities advertised via the ePS for Quarter 1 and Quarter 2 (1 April to 30 September 2022) of the 2022/23 financial year.*

### 7.3 PROCUREMENT METHODS UTILISED VIA THE ePS FOR QUARTER 1 AND QUARTER 2

Procurement Type	Quarter 1	Quarter 2	Total
<b>Competitive Bidding</b>	<b>38.14%</b>	<b>45.72%</b>	<b>83.86%</b>
RFQ from R10 001 to R29 999	12.33%	13.07%	25.39%
RFQ from R2 000 to R10 000	6.01%	7.23%	13.24%
RFQ from R30 000 to R500 000	19.20%	24.57%	43.77%
RFQ from R500 001 to R1 000 000	0.61%	0.85%	1.46%
<b>Limited Bidding</b>	<b>7.54%</b>	<b>8.60%</b>	<b>16.14%</b>
RFQ from R10 001 to R29 999	2.41%	2.42%	4.82%
RFQ from R2 000 to R10 000	1.32%	1.35%	2.67%
RFQ from R30 000 to R500 000	3.64%	4.55%	8.19%
RFQ from R500 001 to R1 000 000	0.18%	0.28%	0.46%
<b>Total</b>	<b>45.68%</b>	<b>54.32%</b>	<b>100.00%</b>

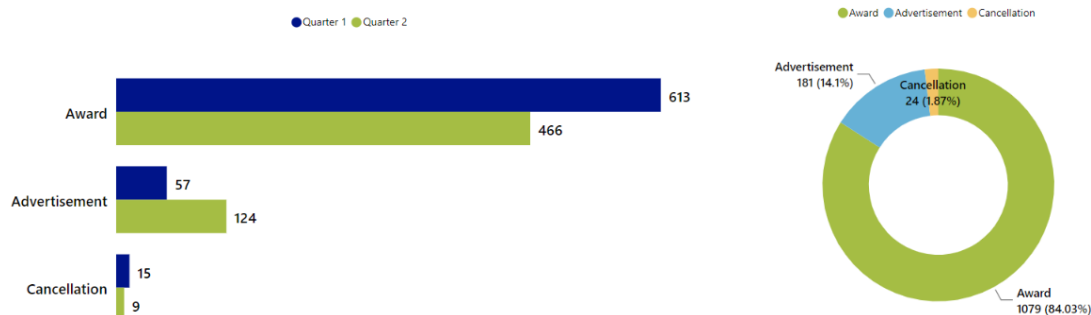
### 7.4 FORMAL TENDERS ADVERTISED VIA WCG TENDER ADVERTISEMENT MECHANISM

On 04 February 2021 and 05 March 2021, the Government Tender Bulletin (GTB) and e-Tender portal were reported to be offline. These mechanisms are in the norm used to advertise and publish tender invitations, awards and cancellations for procurement above R1 million. The National Treasury advised procuring institutions to use other acceptable media during this period to comply with advertisement requirements.

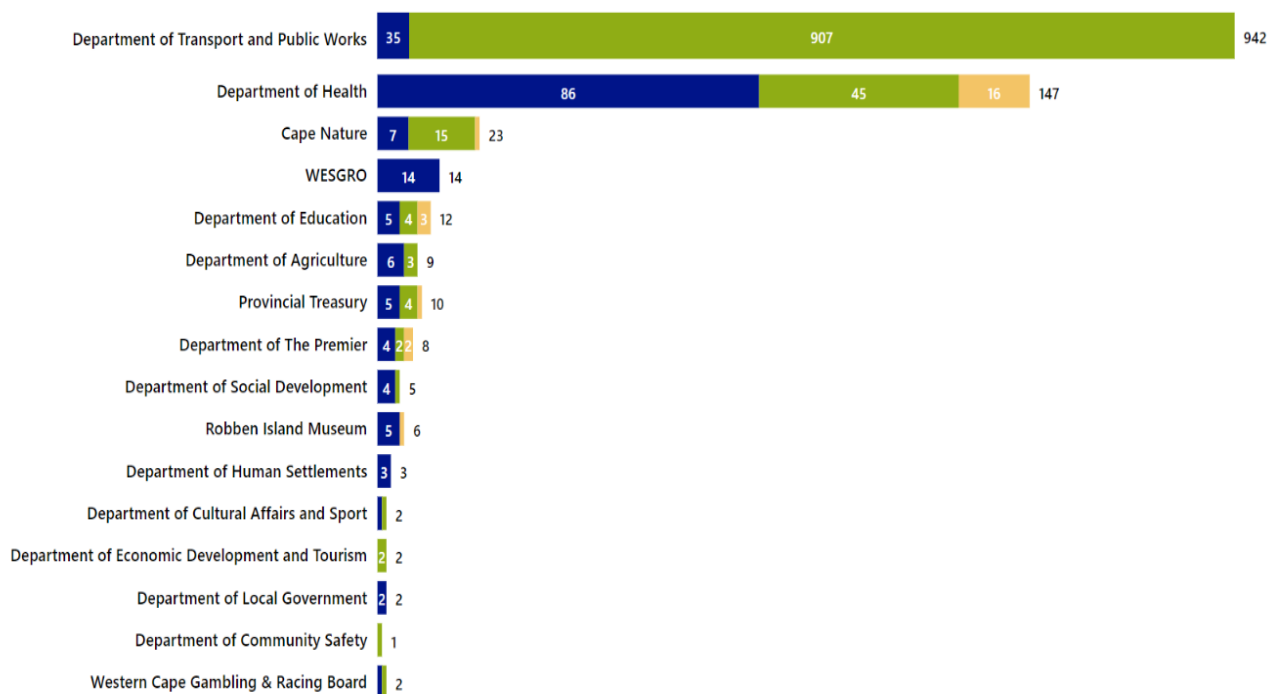
The Provincial Treasury established an interim process, to be utilised by WCG procuring entities, that mirrors the GTB processes. This was centrally coordinated by the Provincial Treasury and advertisements were published on the WCG website for departments and provincial public entities.

The illustration hereunder depicts that 181 bids were advertised; 1 079 awards were published, and 24 cancellations were published via the WCG website. Illustration 9 reflects the departments who published the information.

## 7.5 TENDERS ADVERTISED FOR NEW BID INVITATIONS; AWARDS AND CANCELLATIONS VIA WCG WEBPAGE



## 7.6 PUBLICATION INFORMATION PER DEPARTMENT FOR QUARTER 1 AND QUARTER 2

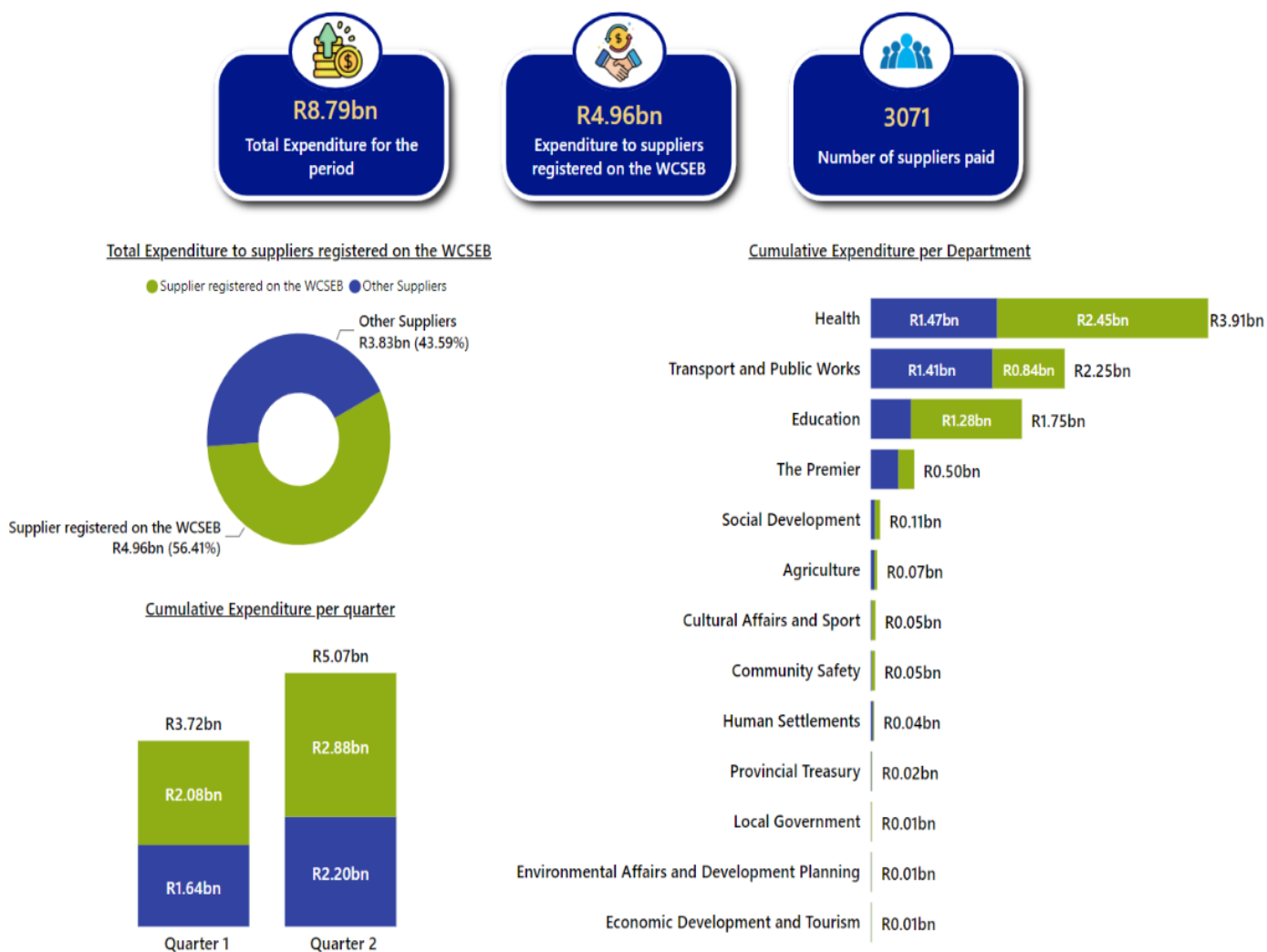


The National Treasury has in the interim made provision for bids to be advertised on the e-Tender Portal as a compulsory requirement. Noting that not all our procuring institutions have gained access to the eTender Portal the WCG procuring institutions will utilise both methods of advertising i.e., on the WCG Website and on the National Treasury eTender Portal.

## 8 EXPENDITURE ANALYSIS 2022/2023

The analysis below provides an overarching view of the Western Cape Government Department's financial and non-financial performance for quarter 1 and quarter 2. The information is unaudited at this stage and must still undergo a full internal and external audit processes. While all efforts have been made to ensure the correctness of the data, some changes to the data will occur in-year as transactions are reconciled and validated..

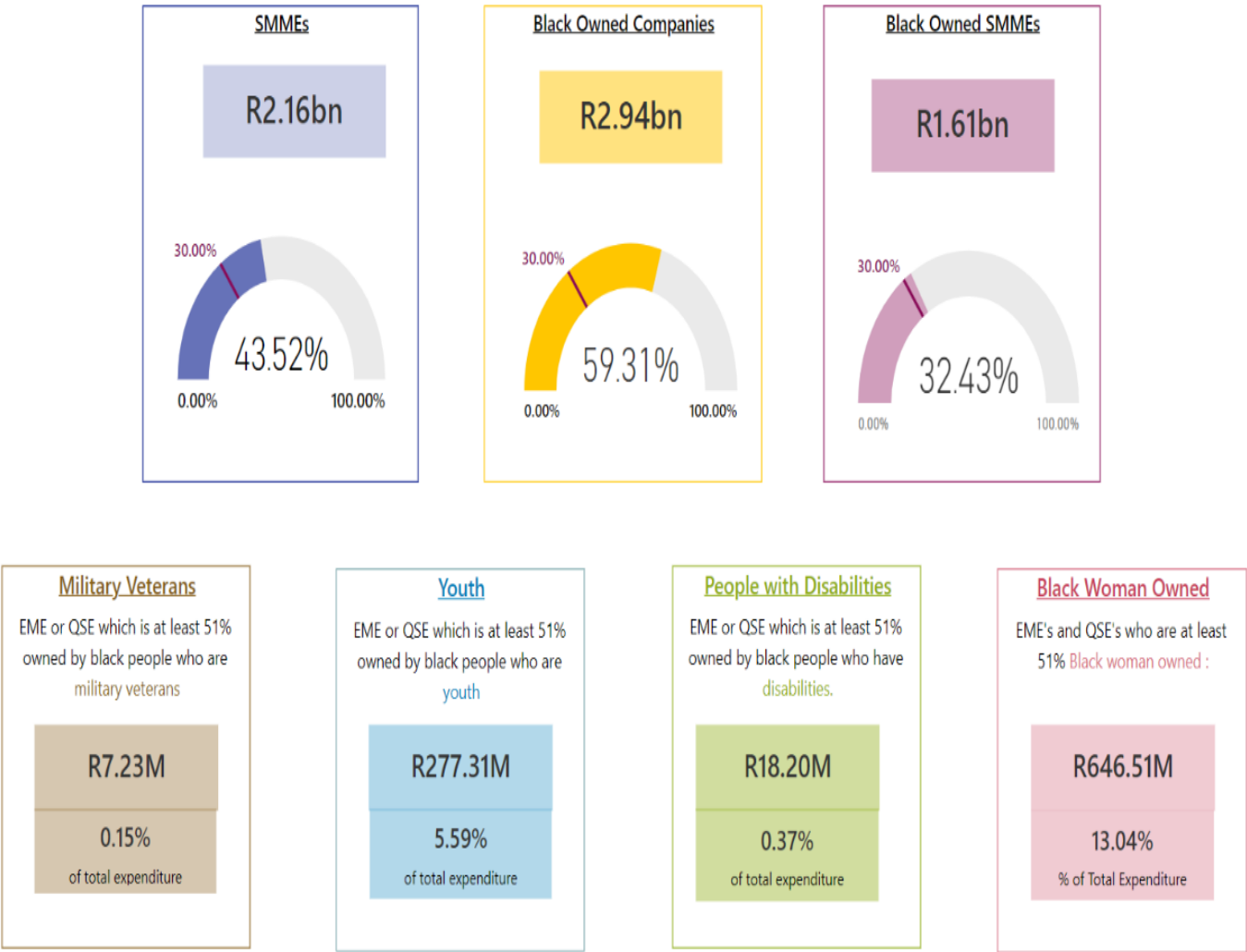
### 8.1 CONSOLIDATED PROCUREMENT SPEND FOR THE PROVINCE





## 8.2 EXPENDITURE TO SMME's

The analysis is based on payments to suppliers registered on the WCSEB per designated categories defined in the PPPFR. It must be noted that while this analysis is relevant to quarter 1 and quarter 2, a set of revised Preferential Procurement Regulations, 2022 (PPPFR) were issued via Government Gazette 47452 on 04 November 2022 with an effective date for implementation on 16 January 2023.

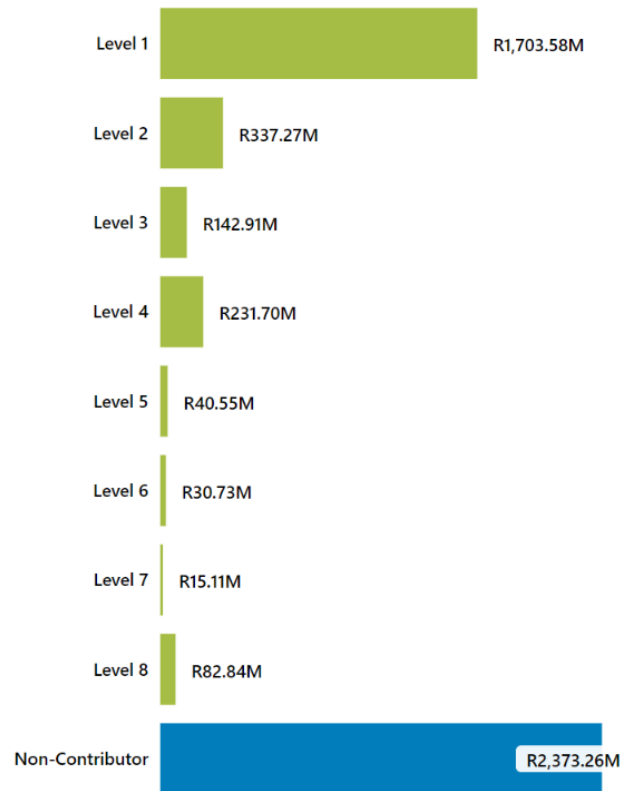


### 8.3 EXPENDITURE ANALYSIS PER B-BBEE LEVEL

B-BBEE expenditure vs Non-Contributors expenditure



Cumulative Expenditure per B-BBEE Level

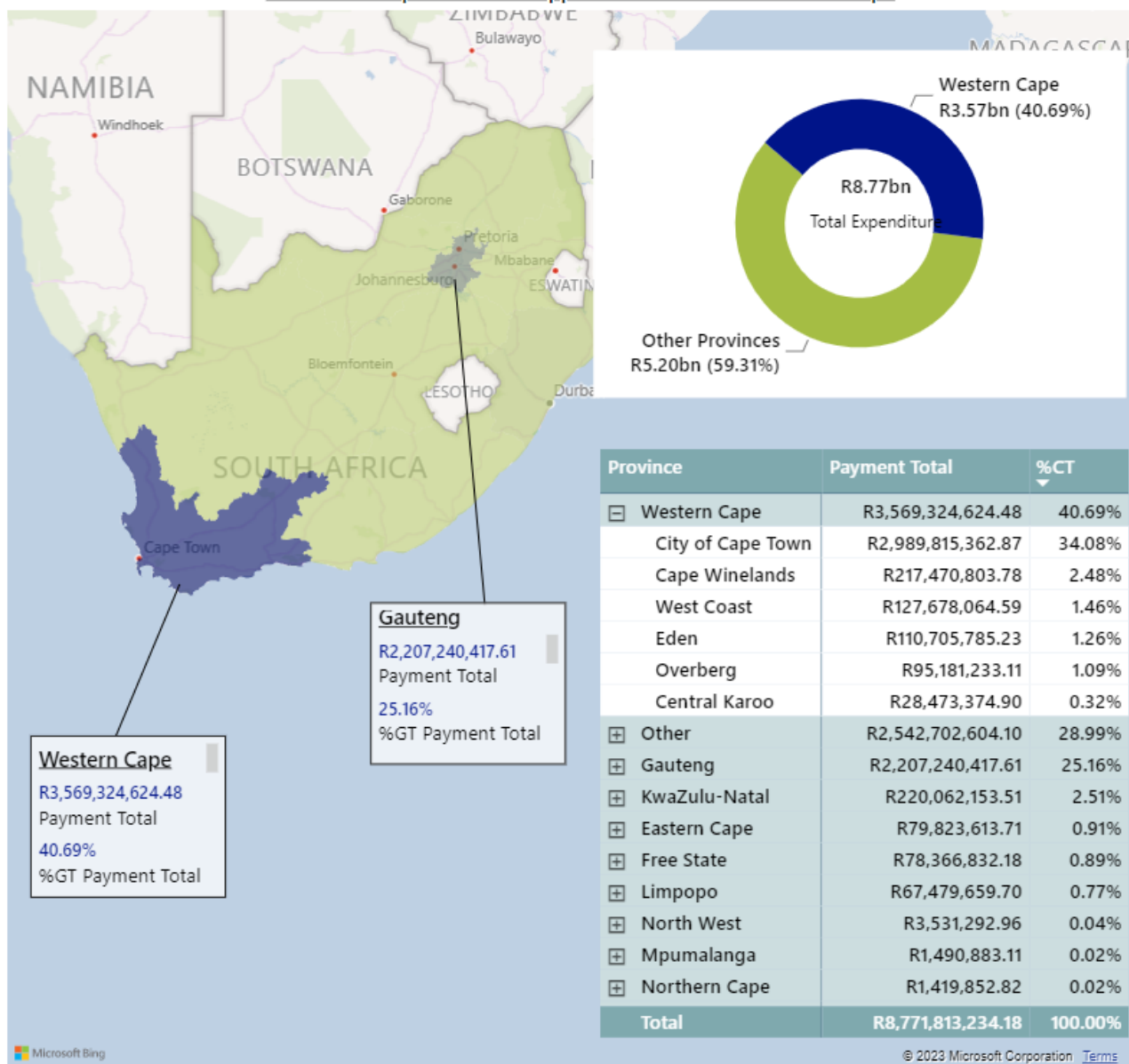


Percentage of Expenditure per B-BBEE Level (%)

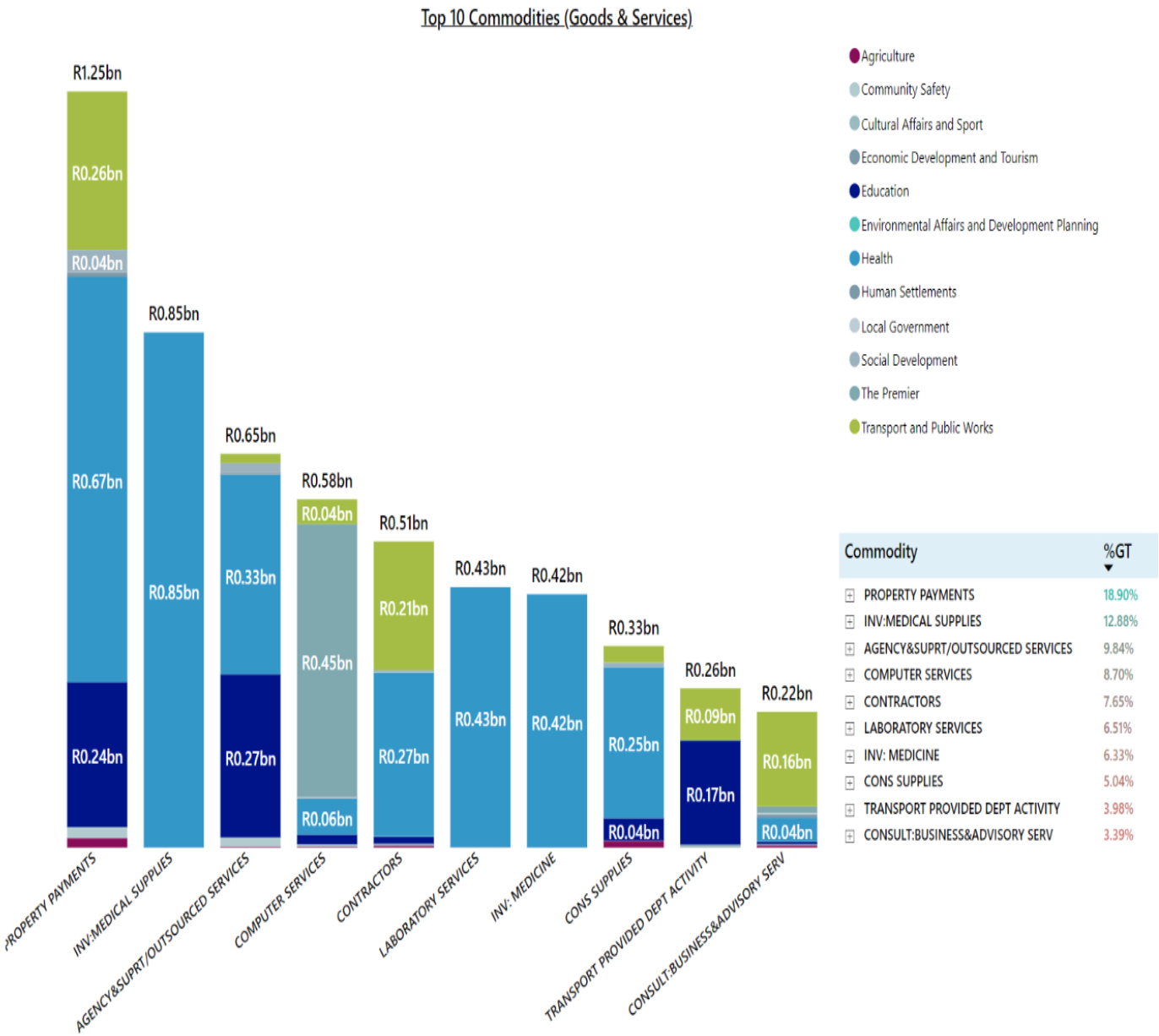
WCSEB Registered BEE Status Level	Other Suppliers		Supplier registered on the WCSEB	
	Payment Total	%CT	Payment Total	%CT
<input checked="" type="checkbox"/> B-BBEE Status			R2,584,701,136.21	52.13%
Level 1			R1,703,575,610.01	34.36%
Level 2			R337,268,853.14	6.80%
Level 3			R142,914,465.29	2.88%
Level 4			R231,700,426.47	4.67%
Level 5			R40,554,095.65	0.82%
Level 6			R30,733,200.04	0.62%
Level 7			R15,111,300.40	0.30%
Level 8			R82,843,185.21	1.67%
<input checked="" type="checkbox"/> Non-Contributor	R3,830,459,607.95	100.00%	R2,373,255,570.19	47.87%
Total	R3,830,459,607.95	100.00%	R4,957,956,706.40	100.00%

## 8.4 CONTRIBUTIONS TOWARDS THE LOCAL ECONOMY

Cumulative expenditure to suppliers situated in the Western Cape



# COMMODITY ANALYSIS



## 9 INITIATIVES THAT FOCUS ON VALUE FOR MONEY & WCG POLICY PRIORITIES

This section of the report will, with each edition showcase a provincial initiative/s that enables either one or more of the WCG policy priorities as it relates to jobs, safety and wellbeing.

From a broader procurement context these initiatives will have a strategic supply chain management focus which includes accelerating the ease of doing business with WCG by reducing red tape and improving access to provincial procurement opportunities and may amongst others include process efficiencies as well as value for money.

In 2012, the security services procurement by the WCG was analysed by the Provincial Treasury, and it was established that the then procurement practices for the purchasing of security services within provincial departments was disaggregated, transactional and limited in value addition. The introduction of strategic sourcing was identified as a mechanism to achieve value for money in procurement through strategic procurement management; realisation of process improvements to ensure service delivery efficiencies; promote better procurement planning and improve decision making. In 2013 Cabinet approved a Safety and Security Strategy for the Province that underpinned the procurement strategy for the province.

### 9.1 TRANSVERSAL SECURITY FRAMEWORK AGREEMENT (WCG TRANSVERSAL BID)

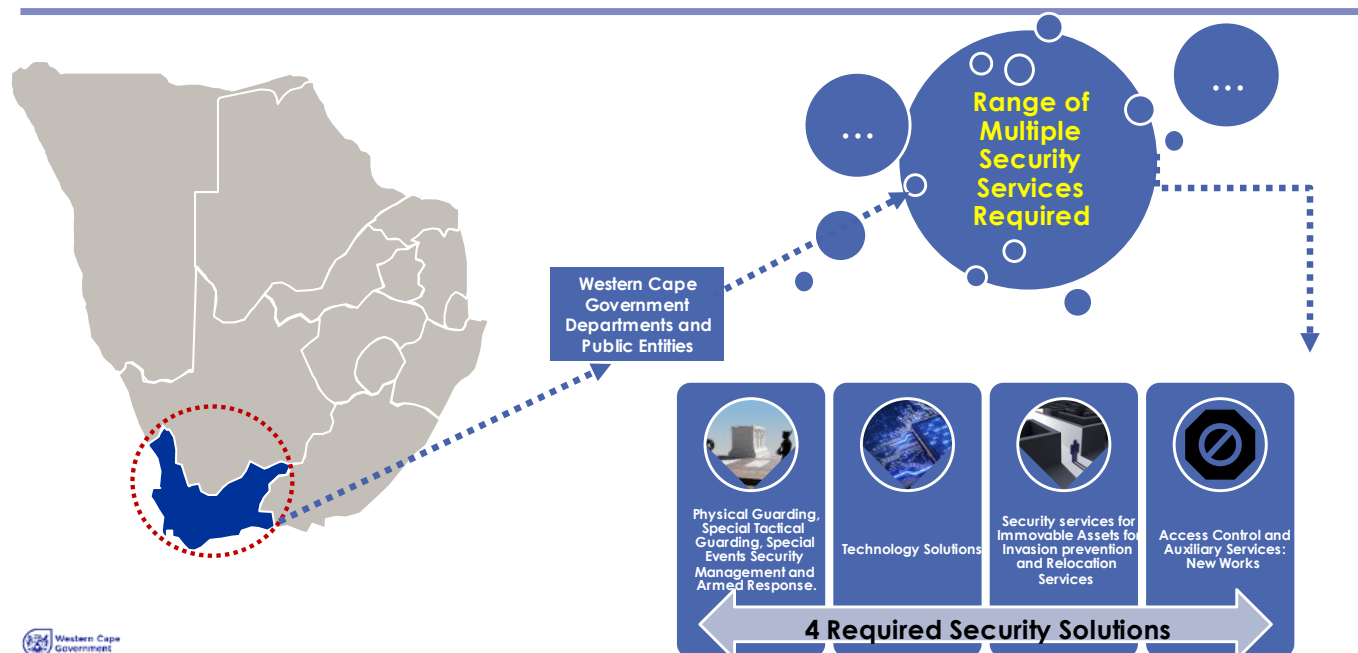
In 2017, under the banner of the WCG Safety and Security Strategy, the first security transversal framework contract was established for the Province in an attempt to standardise processes and tools to support greater coherence in the procurement of security services in the Province.

The framework agreement is in essence a pre-approved list of service providers that meet the requirements of tender and pricing requirements with a broader scope of services to be procured for a certain volume or quantity of services over a specific period and against an agreed sum or rate per item established via a competitive procurement process.

The main objective of the security framework agreement in its current format is to enable the WCG to appoint service providers to execute services over the term of the framework agreement on an "instructed basis", within its defined scope.

In the main the benefits derived from this framework agreement are depicted on the left. The WCG has now invited a replacement transversal framework agreement on 24 November 2022 that closed on 15 December 2022 that will cater for multiple types of services that are classified into four security solutions to be rendered throughout the Western Cape Province as required by Western Cape Provincial Departments and Public Entities. This framework model is depicted hereunder.

## THE NEW SECURITY FRAMEWORK MODEL

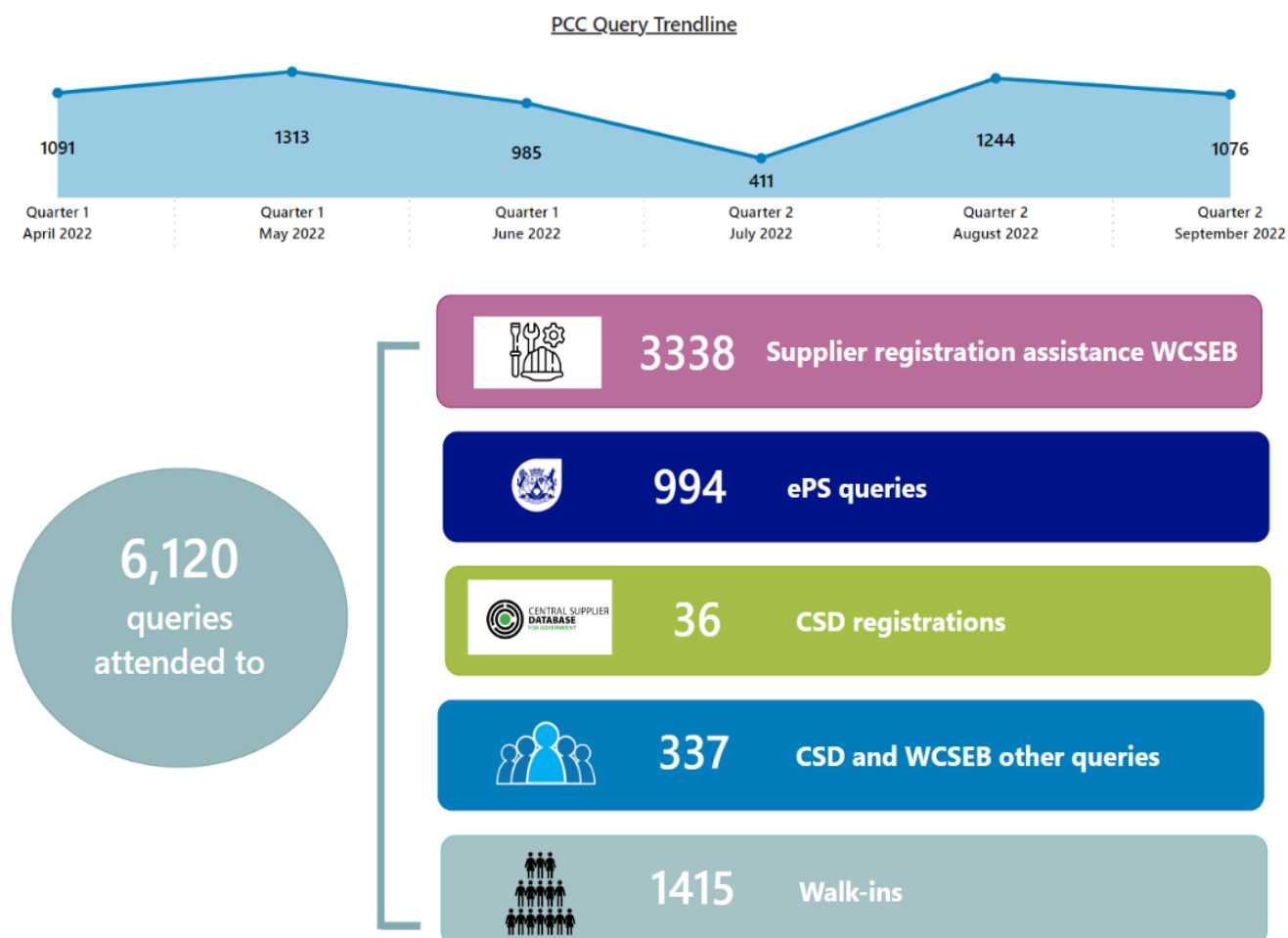


- The duration of this framework is for a period of 3 years;
- WCG Participants include provincial departments of the WCG and public entities;
- Surveys were done with the industry prior to the bid being advertised to test and analyse the market and suppliers;
- Awareness notices and brochures were placed on the webpage, Procurement Client Centre and in social media platforms;
- Awareness videos were made available on PT webpage;
- A virtual bid briefing session was held with all interested bidders on 05 December 2022.

## 10 SUPPLIER SUPPORT

The PCC offers a range of services to improve the ease of doing business with government, including providing procurement support and assistance to provincial departments, entities, municipalities and suppliers through an integrated helpdesk that guides our clients through tender processes, and suppliers to correctly register and maintain its profiles on the National Treasury's Central Supplier Database (CSD) and the Provincial Treasury's Western Cape Supplier Evidence Bank (WCSEB) as well as eProcurement Solution (ePS) support.

## 10.1 PROCUREMENT CLIENT CENTRE PERFORMANCE FOR QUARTER 1 & 2 OF 2022/23:



In addition, "Frequently Asked Questions" (FAQs) related to:

- ✓ the National Treasury's Central Supplier Database (CSD) and the Provincial Treasury's Western Cape Supplier Evidence Bank (WCSEB) can be found on the following link <https://www.westerncape.gov.za/provincial-treasury/tenders/supplier-databases>; and
- ✓ FAQs and video tutorial related to the Provincial Treasury's in-house ePS can be found on the following link <https://www.westerncape.gov.za/provincial-treasury/tenders/eprocurement-solution>

These FAQs are constantly refined and reviewed to ensure suppliers are kept abreast of the most recent developments relating to the databases and ePS.



## 11 CONTACT DETAILS

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