



Reference number: RCS/C.6

Private Bag X9165
CAPE TOWN
8000

TREASURY CIRCULAR NO. 31/2019

- THE PREMIER
THE MINISTER OF AGRICULTURE
THE MINISTER OF COMMUNITY SAFETY
THE MINISTER OF CULTURAL AFFAIRS AND SPORT
THE MINISTER OF EDUCATION
THE MINISTER OF FINANCE AND ECONOMIC OPPORTUNITIES
THE MINISTER OF HEALTH
THE MINISTER OF HUMAN SETTLEMENTS
THE MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING
THE MINISTER OF SOCIAL DEVELOPMENT
THE MINISTER OF TRANSPORT AND PUBLIC WORKS
THE SPEAKER: PROVINCIAL PARLIAMENT
THE DEPUTY SPEAKER: PROVINCIAL PARLIAMENT
THE EXECUTIVE AUTHORITY: WESTERN CAPE GAMBLING AND RACING BOARD (MINISTER D MAYNIER)
THE EXECUTIVE AUTHORITY: WESTERN CAPE NATURE CONSERVATION BOARD (MINISTER A BREDELL)
THE EXECUTIVE AUTHORITY: WESTERN CAPE INVESTMENTS AND TRADE PROMOTION AGENCY (MINISTER D MAYNIER)
THE EXECUTIVE AUTHORITY: SALDANHA BAY IDZ LICENCING COMPANY (MINISTER D MAYNIER)
THE EXECUTIVE AUTHORITY: WESTERN CAPE CULTURAL COMMISSION (MINISTER A MARAIS)
THE EXECUTIVE AUTHORITY: WESTERN CAPE LANGUAGE COMMITTEE (MINISTER A MARAIS)
THE EXECUTIVE AUTHORITY: WESTERN CAPE HERITAGE (MINISTER A MARAIS)
THE EXECUTIVE AUTHORITY: CASIDRA (MINISTER IH MEYER)
THE EXECUTIVE AUTHORITY: WESTERN CAPE LIQUOR AUTHORITY (MINISTER A FRITZ)
THE ACCOUNTING OFFICER: VOTE 1: PREMIER (MR H MALILA)
THE ACCOUNTING OFFICER: VOTE 2: PROVINCIAL PARLIAMENT (MR R ADAMS)
THE ACCOUNTING OFFICER: VOTE 3: PROVINCIAL TREASURY (MS J GANTANA)
THE ACCOUNTING OFFICER: VOTE 4: COMMUNITY SAFETY (MR G MORRIS)
THE ACCOUNTING OFFICER: VOTE 5: EDUCATION (MR BK SCHREUDER)
THE ACCOUNTING OFFICER: VOTE 6: HEALTH (DR B ENGELBRECHT)
THE ACCOUNTING OFFICER: VOTE 7: SOCIAL DEVELOPMENT (DR R MACDONALD)
THE ACCOUNTING OFFICER: VOTE 8: HUMAN SETTLEMENTS (MR T MGULI)
THE ACCOUNTING OFFICER: VOTE 9: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING (MR P VAN ZYL)
THE ACCOUNTING OFFICER: VOTE 10: TRANSPORT AND PUBLIC WORKS (MS J GOOCH)
THE ACCOUNTING OFFICER: VOTE 11: AGRICULTURE (MS J ISAACS)
THE ACCOUNTING OFFICER: VOTE 12: ECONOMIC DEVELOPMENT AND TOURISM (MR S FOURIE)
THE ACCOUNTING OFFICER: VOTE 13: CULTURAL AFFAIRS AND SPORT (MR B WALTERS)
THE ACCOUNTING OFFICER: VOTE 14: LOCAL GOVERNMENT (MR G PAULSE)
THE CHIEF FINANCIAL OFFICER: VOTE 1: PREMIER (MR D BASSON)
THE CHIEF FINANCIAL OFFICER: VOTE 2: PROVINCIAL PARLIAMENT (MS N PETERSEN)
THE CHIEF FINANCIAL OFFICER: VOTE 3: PROVINCIAL TREASURY (MS A SMIT)
THE CHIEF FINANCIAL OFFICER: VOTE 4: COMMUNITY SAFETY (MR M FRIZLAR)
THE CHIEF FINANCIAL OFFICER: VOTE 5: EDUCATION (MR L ELY)
THE CHIEF FINANCIAL OFFICER: VOTE 6: HEALTH (MR S KAYE)
THE CHIEF FINANCIAL OFFICER: VOTE 7: SOCIAL DEVELOPMENT (MR JO SMITH)
THE CHIEF FINANCIAL OFFICER: VOTE 8: HUMAN SETTLEMENTS (MR F DE WET)
THE CHIEF FINANCIAL OFFICER: VOTE 9: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING (MR T GILDENHUYNS)
THE CHIEF FINANCIAL OFFICER: VOTE 10: TRANSPORT AND PUBLIC WORKS (ADV. C SMITH)
THE CHIEF FINANCIAL OFFICER: VOTE 11: AGRICULTURE (MR F HUYSAMER)
THE CHIEF FINANCIAL OFFICER: VOTE 12: ECONOMIC DEVELOPMENT AND TOURISM (MS M ABRAHAMS)
THE CHIEF FINANCIAL OFFICER: VOTE 13: CULTURAL AFFAIRS AND SPORT (MS BG RUTGERS)
THE CHIEF FINANCIAL OFFICER: VOTE 14: LOCAL GOVERNMENT (MS B SEWLLALL-SINGH)

For information

THE ACCOUNTING AUTHORITY: WESTERN CAPE GAMBLING AND RACING BOARD (MR D LAKAY)
 THE ACCOUNTING AUTHORITY: WESTERN CAPE NATURE CONSERVATION BOARD (PROF. G MANEVELDT)
 THE ACCOUNTING AUTHORITY: WESTERN CAPE INVESTMENTS AND TRADE PROMOTION AGENCY (MR B FIGAJI)
 THE ACCOUNTING AUTHORITY: SALDANHA BAY IDZ LICENCING COMPANY (DR J STEGMANN)
 THE ACCOUNTING AUTHORITY: WESTERN CAPE CULTURAL COMMISSION (MS J MOLELEKI)
 THE ACCOUNTING AUTHORITY: WESTERN CAPE LANGUAGE COMMITTEE (MS J MOLELEKI)
 THE ACCOUNTING AUTHORITY: WESTERN CAPE HERITAGE (MR M DLAMUKA)
 THE ACCOUNTING AUTHORITY: CASIDRA (MR A MOOS)
 THE ACCOUNTING AUTHORITY: WESTERN CAPE LIQUOR AUTHORITY (ADV. T SIDAKI)

THE CHIEF EXECUTIVE OFFICER: WESTERN CAPE GAMBLING AND RACING BOARD (MR P ABRAHAMS)
 THE CHIEF EXECUTIVE OFFICER: WESTERN CAPE NATURE CONSERVATION BOARD (DR R OMAR)
 THE CHIEF EXECUTIVE OFFICER: WESTERN CAPE INVESTMENTS AND TRADE PROMOTION AGENCY (MR T HARRIS)
 THE CHIEF EXECUTIVE OFFICER: SALDANHA BAY IDZ LICENCING COMPANY (MS K BEUKES)
 THE CHIEF EXECUTIVE OFFICER: CASIDRA (MR A SEYMOUR)
 THE CHIEF EXECUTIVE OFFICER: WESTERN CAPE LIQUOR AUTHORITY (DR L MDUNYELWA)

THE CHIEF FINANCIAL OFFICER: WESTERN CAPE GAMBLING AND RACING BOARD (MS Z SIWA)
 THE CHIEF FINANCIAL OFFICER: WESTERN CAPE NATURE CONSERVATION BOARD (MR M BHAYAT)
 THE CHIEF FINANCIAL OFFICER: WESTERN CAPE INVESTMENTS AND TRADE PROMOTION AGENCY (MS K ZAMA)
 THE CHIEF FINANCIAL OFFICER: SALDANHA BAY IDZ LICENCING COMPANY (MR H BONESCHANS)
 THE CHIEF FINANCIAL OFFICER: WESTERN CAPE CULTURAL COMMISSION (MS B RUTGERS)
 THE CHIEF FINANCIAL OFFICER: WESTERN CAPE LANGUAGE COMMITTEE (MS B RUTGERS)
 THE CHIEF FINANCIAL OFFICER: WESTERN CAPE HERITAGE (MS B RUTGERS)
 THE CHIEF FINANCIAL OFFICER: CASIDRA (MR F VAN ZYL)
 THE CHIEF FINANCIAL OFFICER: WESTERN CAPE LIQUOR AUTHORITY (MS M VOS) (ACTING)

THE DIRECTOR: GOVERNMENT MOTOR TRANSPORT (MR R WIGGILL)

THE HEAD OF SCM: VOTE 1: PREMIER (MR R HASSIEM) (ACTING)
 THE HEAD OF SCM: VOTE 3: PROVINCIAL TREASURY (MS T NDLAZI) (ACTING)
 THE HEAD OF SCM: VOTE 4: COMMUNITY SAFETY (MR R LAWRENCE)
 THE HEAD OF SCM: VOTE 5: EDUCATION (MRS R DE BRUYN)
 THE HEAD OF SCM: VOTE 6: HEALTH (MS E ISAACS)
 THE HEAD OF SCM: VOTE 7: SOCIAL DEVELOPMENT (MS P MABHOKWANA)
 THE HEAD OF SCM: VOTE 8: HUMAN SETTLEMENTS (MS L NEL)
 THE HEAD OF SCM: VOTE 9: ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING (MR N RHAPALE) (ACTING)
 THE HEAD OF SCM: VOTE 10: TRANSPORT AND PUBLIC WORKS (MR J VAN RENSBURG)
 THE HEAD OF SCM: VOTE 11: AGRICULTURE (MR C STARLING)
 THE HEAD OF SCM: VOTE 12: ECONOMIC DEVELOPMENT AND TOURISM (MR M HARTMAN)
 THE HEAD OF SCM: VOTE 13: CULTURAL AFFAIRS AND SPORT (MS L SAWALL)
 THE HEAD OF SCM: VOTE 14: LOCAL GOVERNMENT (MR A SEALE)

THE HEAD OFFICIAL: PROVINCIAL TREASURY (MS J GANTANA) (ACTING)
 THE DEPUTY DIRECTOR-GENERAL: FISCAL AND ECONOMIC SERVICES (MS A PICK) (ACTING)
 THE DEPUTY DIRECTOR-GENERAL: GOVERNANCE AND ASSET MANAGEMENT (MR IG SMITH) (ACTING)
 THE CHIEF DIRECTOR: PUBLIC POLICY SERVICES (MS R SLINGER) (ACTING)
 THE CHIEF DIRECTOR: PROVINCIAL GOVERNMENT PUBLIC FINANCE (MR P PIENAAR) (ACTING)
 THE CHIEF DIRECTOR: LOCAL GOVERNMENT PUBLIC FINANCE (MR M SIGABI) (ACTING)
 THE CHIEF DIRECTOR: ASSET MANAGEMENT (MS N EBRAHIM) (ACTING)
 THE CHIEF DIRECTOR: FINANCIAL GOVERNANCE AND ACCOUNTING (MR A HARDIEN)
 THE CHIEF FINANCIAL OFFICER (MS A SMIT)

THE HEAD: OFFICE OF THE FINANCE MINISTRY (MR M WILTER) (ACTING)
 THE DIRECTOR: BUSINESS INFORMATION AND DATA MANAGEMENT (MR I BATCHELOR) (ACTING)
 THE DIRECTOR: FINANCIAL GOVERNANCE (MS M VAN NIEKERK)
 THE DIRECTOR: FISCAL POLICY (DR N NLEYA)
 THE DIRECTOR: INFRASTRUCTURE (MR K LANGENHOVEN)
 THE DIRECTOR: LOCAL GOVERNMENT ACCOUNTING (MR L BRINDERS)
 THE DIRECTOR: LOCAL GOVERNMENT BUDGET OFFICE (MR M BOOYSEN)
 THE DIRECTOR: LOCAL GOVERNMENT REVENUE AND EXPENDITURE (GROUP ONE) (VACANT)
 THE DIRECTOR: LOCAL GOVERNMENT REVENUE AND EXPENDITURE (GROUP TWO) (MR M SIGABI) (PRO TEM)
 THE DIRECTOR: LOCAL GOVERNMENT SUPPLY CHAIN MANAGEMENT (MR R MOOLMAN)
 THE DIRECTOR: PROVINCIAL GOVERNMENT ACCOUNTING (MR A REDDY)
 THE DIRECTOR: PROVINCIAL GOVERNMENT BUDGET OFFICE (MS T VAN DE RHEEDE) (ACTING)
 THE DIRECTOR: PROVINCIAL GOVERNMENT FINANCE (EXPENDITURE MANAGEMENT) (MR S ARNOLD) (ACTING)
 THE DIRECTOR: PROVINCIAL GOVERNMENT SUPPLY CHAIN MANAGEMENT (MS T RAKIEP) (ACTING)
 THE DIRECTOR: STRATEGIC AND OPERATIONAL MANAGEMENT SUPPORT (MS N ISMAIL)
 THE DIRECTOR: SUPPORTING AND INTERLINKED FINANCIAL SYSTEMS (MR A MAZOMBA)

THE PROVINCIAL AUDITOR

MASTER RECORDS OFFICIAL: BUSINESS INFORMATION AND DATA MANAGEMENT

THE DEPUTY DIRECTOR-GENERAL: CORPORATE ASSURANCE, DEPARTMENT OF THE PREMIER (MS H ROBSON)

E-TENDER PUBLICATION PORTAL

1. PURPOSE

- 1.1 The purpose of this communique is to disseminate the National Treasury Circular No. 1 of 2019/2020 (attached hereto marked Annexure "A") which 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 eTender Portal (hereafter referred to as Portal) systems availability.
- 1.2 The circular also aims to inform accounting officers and accounting authorities of the status relating to the Portal availability and issues experienced.
- 1.3 The circular further reiterates the Western Cape Government's stance on National Treasury (NT) Instruction No. 1 of 2015/2016 as issued to departments via Treasury Circular No. 28 of 2015/16.

2. BACKGROUND

- 2.1 On 7 April 2015 the NT introduced a web application in the form of the Portal all bids must be advertised and awards published. This requirement was issued via NT Instruction no. 1 of 2015/16. As per the NT, this application is aimed at ensuring that all potential service providers have easy access to advertised bids and are provided with an opportunity to supply goods and services.
- 2.2 The PT raised various concerns with the NT as alluded to in Treasury Circular No. 28 of 2015 paragraph 2.4. The National Treasury advised the PT that:
 - a) departments may advertise its own bids and publish awards on the Portal (administrator function);
 - b) the GTB remains the primary advertising medium as required by National Treasury Regulation 16A 6.3 (c) and (d);
 - c) bids advertised in terms of the Construction Industry Development Board (CIDB) are exempted from the requirements of the Instruction Note; and
 - d) the Portal is continuously being refined and the CRA system reporting requirements will be incorporated in the next release.

3. TO NOTE

- 3.1 As communicated via the NTs Instruction Note, a number of challenges were encountered by the various end users on the portal, including but not limited to the following:
 - a) the system being often offline;
 - b) system not accessible to some users even when the system is online;
 - c) tasks started by government officials not being completed due to server connection time-out;
 - d) Error messages being generated when users try to upload tender documents; and
 - e) Suppliers being unable to download tender documents due to system errors.

- 3.2 In terms of National Treasury Regulation (NTR) 16A6.3(c), accounting officers or accounting authorities must ensure that bids are advertised in at least the Government Tender Bulletin at all times. Irrespective of whether the Portal is available or not. This is aligned to Treasury Circular No. 28 of 2015 issued by the PT.
- 3.3 In terms of the NT's Instruction Note, an accounting officer and accounting authority must advertise bids in line with the NTRs and ensure that bid documentation is accessible to prospective bidders which may include the uploading of bid advertisements and the bid documents on the organ of state's website.

4. WAY FORWARD

- a) Accounting officers and accounting authorities are to note the content of NT Circular No. 1 of 2019/2020 and continue to implement the requirements as per Treasury Circular No. 28 of 2015.

5. REQUEST

- a) Accounting officer's/accounting authorities are requested to:
- b) ensure that the content of the circular is brought to the attention of all relevant officials within their institution and public entities reporting to their executive authorities;
- c) any enquiries relating to this circular may be directed to:

SCM Helpdesk: SupplyChainManagement.HDPFMA@westerncape.gov.za



MS TASNEEM RAKIEP

ACTING DIRECTOR: PROVINCIAL GOVERNMENT SUPPLY CHAIN MANAGEMENT

DATE: 8 October 2019



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.

**NATIONAL TREASURY CIRCULAR NO X OF 2019/2020
ETENDERS PUBLICATION PORTAL**

- 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:

Nokuthula Khuzwayo

Chief Directorate: SCM ICT

Phone: 012 406 9133

Email: Nokuthula Khuzwayo Nokuthula.Khuzwayo@treasury.gov.za


WILLIE MATHEBULA
ACTING CHIEF PROCUREMENT OFFICE

DATE: 18/8/19