

A GUIDE TO

Finding information about municipal contracted services in your community





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Introduction

Municipalities are responsible for providing basic services such as water, sanitation, refuse removal and electricity to the people living in the municipal area. However, municipalities often appoint private service providers to provide one or more of these services on a temporary basis to people living in informal settlements. These service providers are sometimes referred to as contractors.



Do you live in a community where a private service provider has been awarded a contract to provide a temporary basic service? This could be chemical toilets that are delivered to your community and serviced by a contractor, it could be a truck that comes to de-sludge your VIP toilet, or a tanker that delivers water. This guide will help you to find information about that service, that you can use to engage with the municipality to improve the delivery of the service.

Municipalities appoint private service providers through the public procurement process. Public procurement is the process through which municipalities buy goods or services from service providers or contractors. When the service costs more than R200 000 – which is almost always the case when basic services are provided by a private service provider – a municipality must follow a special public procurement process called competitive bidding. The diagram opposite shows the phases of this process and what is supposed to happen in each of the phases.



When the municipality follows the public procurement process to appoint the service provider, they produce a number of documents. Some of these documents should explain exactly what the service provider is supposed to deliver. For example, if the service provider has to provide chemical toilets to a community, the documents should provide information on how many chemical toilets should to be delivered to the community and how often these toilets should be emptied and cleaned.

This guide is designed to help you find these documents. The information can help you to monitor if the service is being delivered according to the contract between the municipality and the service provider. Having all the relevant information will also make it easier for you to engage with the municipality if your community experiences a problem with the delivery of the service.

Overview of the phases in the public procurement process

PHASE 1

PROCUREMENT PLANNING

The municipality determines all the goods and services it will need to fulfill its functions for the coming year, and when and how they are going to purchase these.

PHASE 2

BID SPECIFICATION

The line department decides exactly what they want the service provider to deliver (including what, when and how the tenders are going to be evaluated). They also compile the bid documents.

PHASE 3

INVITATION TO BID

The bid is advertised, the tender documents are made available, and bid briefing sessions take place.

PHASE 4

SUBMISSION AND OPENING OF BIDS

All bids submitted on the bid closing date are opened in public.

PHASE 5

BID EVALUATION AND ADJUDICATION

The Bid Evaluation Committee evaluates the bids according to price, broad-based black economic empowerment status and the other criteria in the bid specifications, and writes a report with the recommendation of who should win the contract. The Bid Adjudication Committee decides if the contract should be awarded to the service provider recommended by the Bid Evaluation Committee.

PHASE 6

CLEARING BIDDER AND AWARDING CONTRACT

The municipality makes sure that the winning contractor can do the work and that its tax and other affairs are in order, and awards the contract. If applicable, service delivery schedules and agreements are drawn up.

PHASE 7

CONTRACT IMPLEMENTATION

The service provider delivers the service and the municipality monitors if this is done according to the contract.

During this public procurement process, useful information is released during the various phases that could help you later to monitor if the service is being delivered according to the contract between the municipality and the service provider. Having all the relevant information will also make it easier for you to engage with the municipality if your community experiences a problem with the delivery of the service.

While this guide has been written to help you find information about temporary basic services provided by private service providers, the municipality follows the same type of procurement process to appoint service providers to provide permanent goods and services (such as building a pedestrian bridge or a community centre). You can use the information and tips in this guide to help you find contract information for the provision of both permanent and temporary services.



PART 1 of this guide will help you find information about the service that is being delivered. Specifically, it will help you to find:

- The name of the contract
- What should be delivered and when
- The name of the service provider
- Other useful information such as service delivery schedules, information about the monitoring of the contract, and information about deviations and extensions

For each piece of information, the guide will tell you:

- The name of the municipal document you should look for and what information is usually in this document
- How the information in the document can help you
- How to find the document
- Examples of what the document looks like

PART 2 of the guide will tell you which events you can attend and what information you can look for if you would like to monitor how the municipality decides who to award the contract to through the public procurement process. The guide will tell you:

- More about the document or event
- What information you can find in the document or at the event
- How to find a certain document
- Examples of what certain documents look like

 Throughout the guide, this open book symbol indicates where a term (written in **bold blue type**) is explained in more detail.



BOX 1: Before you start looking for documents

Before you start to look for documents, see what you can find out about the service you are interested in:

- Ask other community members, your community leaders and/or your ward councilor what they know about the service, for example:
 - What is the name of the service provider and what should be delivered?
 - Which municipal department is responsible for the delivery of the service?
 - What are the names of officials that work in that department?
 - And if you are unsure, ask if they know the name of your municipality.
- Try and speak to the service providers that are delivering the service to your community, for example the driver of the truck bringing water or the workers de-sludging the toilets. They should be able to tell you what they have been told to deliver or do.
- Observe the delivery of the service, specifically what the service providers or workers are doing and see if there are any company names or information on their uniforms or vehicles.

Any piece of information you find in this way might help you find the municipal documents you need.



Part 1



What is the name of the contract?



MUNICIPAL DOCUMENT TO LOOK FOR:

TENDER NOTICE

(can also be called the Invitation to Bid)

INFORMATION CONTAINED IN THIS DOCUMENT:

- **Tender** number
- Description of the goods and services being requested
- Name of the responsible **department**
- Time and date that the tender closes
- If a **briefing session** with service providers is taking place and when and where the briefing session will be held
- Contact details for enquiries
- Where bid documents can be obtained
- Where service provider bids should be delivered



HOW THIS INFORMATION CAN HELP YOU:


- The **description of the goods and services** tells you what the name of the tender is. This will also be the name of the contract after it has been awarded.
- The **tender number** will make it easier to ask **municipal officials** for the specific information you are looking for. There may be several tenders or contracts with similar names and having the correct tender number will help you to ask for the correct information.


- The tender notice tells you if you can get the **bid documents** on the municipality's website or if they must be collected at a physical address. Section 2 of this guide gives more information on how to get the bid documents.
- The tender notice gives **names and contact details** for people responsible for the tender. It might be a project manager or a technical person, but it will generally be someone who knows a lot about the tender.





HOW TO FIND THE DOCUMENT:

- The **internet** is a good place to start. Almost all municipalities put the tender notices on their websites, usually in a section called **Tenders**. Some municipalities keep these notices on their websites even after the closing date of the tenders, but most do not.
- If you cannot find it on the municipality's website, try the National Treasury's **eTender portal** (<http://www.etenders.gov.za/>).
- Tender notices are often put on **notice boards** at the offices of the municipality. But remember, if the contract has already been awarded, it is unlikely that the tender notice will still be on the notice board.
- Your final option is to **contact an official** in the relevant municipal service department (e.g. the Ekurhuleni Water and Sanitation department) or in the Supply Chain Management Department which is responsible for procurement processes. But before you do this, read Section 2 of the guide because when you ask for the tender notice you might want to ask for other tender documents at the same time.

 A **tender** is the offer by a service provider to provide the goods or service that the municipality is looking for at a certain cost. A **bid** is the same thing and the two words can be used interchangeably.

 Municipalities are divided into different structures which are each responsible for a specific function. These go by different names depending on the municipality but are usually called **departments, directorates, or units**. For example, in the City of Ekurhuleni the Department of Water and Sanitation is responsible for the delivery of water and sanitation to people living in that municipality.

 Sometimes a **briefing session** is held before the closing date of a tender. The purpose of a briefing is to provide interested bidders with the opportunity to meet with officials from the department responsible for the delivery of the service, to ask questions and get any further information they might need to prepare their bid.

 In this guide we use the term **municipal officials** to refer to the people working in the municipality. For example, this can be a manager working in the Department of Water and Sanitation. Officials are the people who are involved in the procurement process, including deciding who should win the contract. Municipal councilors are politicians who should not be involved in any part of the procurement process.

WHAT DOES IT LOOK LIKE?

Example of a tender notice from City of Johannesburg

CITY OF JOHANNESBURG Bids/Proposals are invited for:

| PROPOSAL | DESCRIPTION | COMPULSORY BRIEFING SESSION DATE & TIME | COMPULSORY BRIEFING SESSION VENUE | TECHNICAL ENQUIRIES | DOCUMENT PRICE | CLOSING DATE & TIME | EVALUATION CRITERIA |
|----------|--|---|--|---|--|-------------------------|-----------------------|
| 554/18 | Supply, Delivery and Off-Loading of Daily and Weekend Newspapers | 29 June 2018 10:30 am | Reception Room, Ground Floor, CCW, Metropolitan Centre, 158 Civic Boulevard, Braamfontein, Johannesburg. | Rehab Moloanta Email: RahabMo@joburg.org.za | R100 when collecting from CoJ alternatively can be downloaded for free from www.etenders.gov.za | 26 July 2018 10:30am | 80/20 Point System |

Bids/Proposals are invited for: • Bids will be evaluated in terms of the above stipulated preference point system in line with Preferential Procurement Regulations 2017. • Bidders are required to, together with their Bids/Proposals submit original and valid BBB-EE Status Level Verification Certificates or certified copies thereof to substantiate their BBB-EE rating claims. Bidders who do not submit their BBB-EE Status Level Verification Certificates will not be disqualified from the bidding process however they will score zero (0) out of maximum points allocated respectively for BBB-EE. • **Hard copies** of the abovementioned Bids/Proposals will be available from **22 June 2018** at a non-refundable amount as stated above per document and are obtainable at Supply Chain Management Unit: Help desk, 15th floor Metropolitan Centre, 158 Civic Boulevard Street, Braamfontein. Amounts are payable at the Cashiers at the 8th floor and at Metro Link and (between 08.00 and 15.00) Phone numbers 407-6297/ 407-6342 between 08.00 and 15.00. • Copies of the abovementioned Bids/Proposal can also be downloaded on the National Treasury website at www.etenders.gov.za. • **BID-PROPOSAL SUBMISSIONS MUST BE IN THE ORIGINAL, AND MUST INCLUDE ALL INFORMATION AS REQUESTED IN THE BID/PROPOSAL DOCUMENT** • Sealed Bids/Proposals marked with the Bid/Proposal number and addressed to the Municipal Manager, City of Johannesburg must be deposited in to tender box at the main entrance, ground floor, Main Administration Building, Metropolitan Centre, 158 Civic Boulevard, Braamfontein **not later than 10:30am on the closing date stated above**. • **ANY BID/PROPOSAL RECEIVED AFTER 10:30 AM WILL NOT BE ACCEPTED**. • The prescribed reading of Bidders names will commence in public in the vestibule (Main Entrance) Ground Floor Main Admin Building, Metropolitan Centre. • **NO TELEGRAPHIC, TELEPHONIC, E-MAIL AND FACSIMILE BIDS/PROPOSALS WILL BE ACCEPTED**.

NB: It is the prospective bidders' responsibility to obtain documents in time so as to ensure responses reach the City of Johannesburg timely. • The City of Johannesburg reserves the right to cancel or withdraw any item published on this day.

CITY MANAGER



www.joburg.org.za
@CityofJoburgZA
CityofJohannesburg
CityofJoburg

Example of a tender notice from City of Ekurhuleni

6/6/2018

a-fm-05-2018 | tenders | business

Open Tenders (Over R200 000)

A-FM 05-2018

Created: 04 June 2018 | Last Updated: 04 June 2018

| | |
|--|--|
| Bid Number: | A-FM 05-2018 |
| Description: | Appointment of service providers for the supply, delivery and offloading of lubricants, on an as and when required basis, from the date of award until 30 June 2021. |
| Bid closing date: | 03 JULY 2018 at 10:00 |
| information session: | An information session will be held at 10:00 on WEDNESDAY, 13 JUNE 2018. Prospective bidders are requested to meet on the said date and time at: 01 BUS ROAD, PRIMROSE, GERMISTON.e-mail address |
| Contact Person (Project manager): | Ms. Mamare Makgaba |

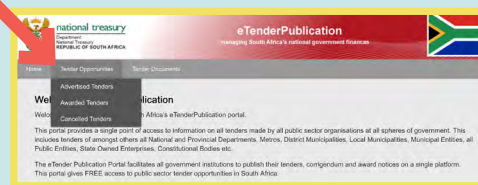
BOX 2: Using the eTender portal

www.etenders.gov.za

The eTender portal (which you'll find at www.etenders.gov.za) is a national portal that provides access to tender information for national, provincial and local government and for other government organisations. Not all municipalities put their tender information on this portal, but it is a good place to look if you were not able to find tender information on the municipality's website. It is also a good idea to keep checking the portal, even if you can't find the information you need the first time, as more municipalities are starting to put their information on the eTender portal.

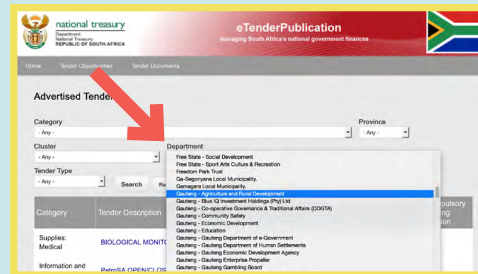
How to navigate the eTender portal:

Click on the section at the top called **Tender Opportunities** and a dropdown menu will appear.



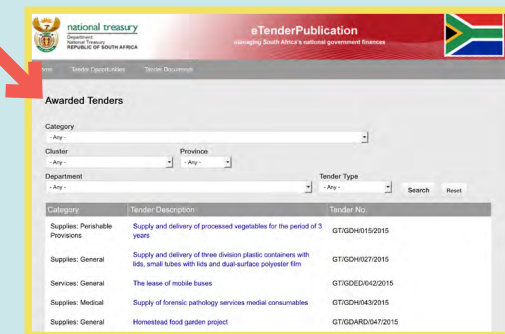
To find Tender Notices and/or Bid Documents, select **Advertised Tenders**.

Then choose your municipality from the drop-down menu called Department.

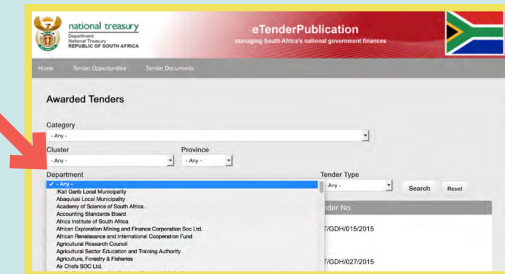


Press the Search button and you will see all the current open tenders for the municipality.

To find information on **Awarded Tenders**, select **Awarded Tenders**.




Then choose your municipality from the Department drop-down menu.



Press the Search button and you will see all the recently awarded tenders for the municipality.



 The **Municipal Finance Management Act, No 56 of 2003** or **MFMA** for short, regulates financial management in municipalities in South Africa. It tells municipalities how they should manage their finances, including how they should go about purchasing goods and services. The **MFMA Circulars** are released to explain to municipalities how they should interpret the law and implement it in practice, including how they should implement their public procurement processes.

Using the eTender portal: *What does the law say?*

MFMA Circular No 83¹ requires municipalities to advertise all bids on the eTender portal, including the bid documents. In addition, municipalities are also required to publish the awards of all competitive bids within seven days of the award, as well as information on cancelled bids. Notices of awards through deviations from the process and extensions of existing contracts, must also be published within seven days after the award was made.

¹<http://mfma.treasury.gov.za/Circulars/Documents/MFMA%20Circular%2083%20-%20eTender%20Portal%20-%202018%20July%202016.pdf>



2. Which services should be delivered and when?



MUNICIPAL DOCUMENT TO LOOK FOR:

BID DOCUMENTS *(also called Tender Documents)*

INFORMATION CONTAINED IN THIS DOCUMENT:

The set of **bid documents** includes many separate documents. One of the most important documents in this set is the **bid or technical specifications**. The bid specifications describe the exact nature of the goods or services that the municipality wants to buy or wants a private service provider to provide. In the case of a service, this means that the specifications should describe exactly what the service provider is expected to deliver. The bid specifications should also include the criteria that the municipality will use to decide which service provider should get the contract.



HOW THIS INFORMATION CAN HELP YOU:

The bid documents, particularly the bid specifications, include important information on the **scope** of the service. The level of detail differs across contracts, but the specifications will generally tell you:

- Exactly **what** should be delivered, to which specific **areas** in a municipality, and **when** (or how often) you can expect the service to be delivered. The bid specifications might also tell you how the service will be **monitored**, and what **mechanisms** have been put in place that you can use to report any problems with the service.



The **bid documents** are a set of documents that include all the forms a bidder must complete, as well as the bid specifications. Bid documents are also called **tender documents**.



HOW TO FIND THE DOCUMENT:

- When a tender is advertised and service providers can submit bids, the bid documents are made publicly available for potential **bidders** to access. Sometimes the municipality requires that you collect the documents **in person** and pay for them, but often they can be downloaded for free from the municipality's **website**.
- If you cannot find it on the municipality's website, try the **eTender portal** (<http://www.etenders.gov.za/>).
- If the service is already being delivered to your community, it means that the contract has already been awarded. We have found that once the tender has been awarded, the municipality usually removes the bid documents from the website and they are also no longer available for collection in person. You can still try to find these documents online, using the tender number and name of the contract – see Box 6 on page 33 about how to use **Google or another search engine** to look for tender notices and documents.
- If you cannot find the documents online, you will have to **contact an official** in the department responsible for the delivery of the service. The best place to start is to contact the person whose name and contact number is listed for enquiries on the tender notice for the contract.
- Box 3 (overleaf) provides some **tips** for when you contact an official in the municipality to ask for the bid documents.



The **bidders** are the service providers who submit bids to provide goods or services to the municipality. Bidders are also sometimes called **tenderers**.

WHAT DOES IT LOOK LIKE?

Example of the front page of a set of bid documents for a Johannesburg Water tender

| | | |
|---|---|--|
|  |  | 17 Harrison Street, Marshalltown, Johannesburg PO Box 61542 Marshalltown 2107 |
| | | Tel: 011 – 688 6581 |
| | | Eng: Clarence Nkoana |
| | | email: clarence.nkoana@jwater.co.za |

SUPPLY CHAIN MANAGEMENT UNIT REQUEST FOR TENDER

NOTE: TENDER DOCUMENTS ARE AVAILABLE AT A COST OF R200.00 PER SET

| IMPORTANT NOTICE N.B. NO TENDER DOCUMENTS TRANSMITTED PER FAX WILL BE ADMISSIBLE | |
|---|--|
| Collection of tenders : | Documents may be collected during working hours from the Supply Chain Management Unit, Johannesburg Water, 17 Harrison Street, Marshalltown, Johannesburg. |
| Closing of tenders : | No tenders will be accepted after closing time of 10:30 on the closing date. Please ensure that tender documents are submitted in a sealed envelope, clearly marked with the reference number JW OPS 004/16 RT and addressed to the Supply Chain Management Unit (SCMU), Johannesburg Water. Tenders are to be deposited in the Tender Box situated at the entrance to No. 17 Harrison Street, Marshalltown, Johannesburg, on or before the closing time and date, being 10:30 on 02 March 2018 Under no circumstances must documents be handed to an employee of Johannesburg Water or handed in at the SCMU. Tender documents via courier services must also be deposited in the Tender Box and not handed to an employee of Johannesburg Water. NB: Tender documents which are not in sealed envelopes or which are not placed in the Tender Box will be rejected. Johannesburg Water will not accept responsibility for tender documents which are not deposited in the Tender Box. |
| Point scoring system | The 90/10 point scoring system will be applicable to this tender, i.e. 90 points for Price and 10 points for Preferential procurement (BBBEE). |
| Late tenders : | Tender documents received after the closing time and date will be late and will not be accepted under any circumstances. |
| Tender Briefing : | A compulsory briefing session will be held on the 07 February 2018 at 11:00 in the Auditorium on the Ground Floor at Johannesburg Water's Head Office, No. 17 Harrison Street, Marshalltown. Enquiries must be directed to Sthembele Dladla on 011 688 1595 or email: sthembele.dladla@jwater.co.za. |
| Opening of Tenders : | Tenders will be opened in public in the Auditorium of the same building soon after closing time and recording of received documents but not later than 11:00. Tenderers names (and total prices where practical) will be read out. |
| Selection Process : | The selection process will be subject to the Supply Chain Management Policy of Johannesburg Water. Johannesburg Water will not necessarily accept the lowest or any proposal and reserves the right to withdraw a tender without furnishing reasons or award a tender in whole or in part and to more than one tenderer. |

JOHANNESBURG WATER (SOC) LTD SUPPORTS BBBEE

TENDER NO. JW OPS 004/16 RT

HIRE OF VACUUM TANKERS FOR DESLUDGING OF PITS AND VIP TOILETS

TENDER CLOSING DATE: 02 MARCH 2018 AT 10:30

| | |
|-------------------|-----------------------------------|
| Name of Tenderer. | Tel No. |
| Contact person. | Fax No. |
| Cellphone No. | CSD No. |
| E-mail: | SARS Tax Compliance Pin (Tenders) |

NB: ONLY THOSE TENDER DOCUMENTS WHICH HAVE BEEN LEGALLY OBTAINED AND PAID FOR WILL BE ACCEPTED

Example of the contents page of the bid documents for a Johannesburg Water tender

JW 2

INDEX TO TENDER DOCUMENTS

| Form no. | DESCRIPTION |
|----------|---|
| JW1 | COVERING LETTER |
| JW2 | INDEX TO TENDER DOCUMENTS |
| JW3 | ACKNOWLEDGEMENT OF CONDITIONS |
| JW3.1 | EVALUATION CRITERIA |
| JW3.3 | CERTIFICATE OF AUTHORITY |
| JW6 | SPECIAL CONDITIONS |
| JW7 | TECHNICAL SPECIFICATIONS |
| JW 4 | TENDER FORM AND PRICE SCHEDULE (BOQ) |
| JW 4.1 | NON-FIRM PRICES |
| JW13 | GENERAL CONDITIONS |
| JW10 | PREFERENCE POINTS CLAIM FORM (MBD 6.1) |
| JW14 | NON-COLLUSION FORM |
| JW14.1 | DECLARATION OF ANY POTENTIAL CONFLICT OF INTEREST |
| JW14.2 | DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES |
| JW14.3 | DECLARATION OF PROCUREMENT ABOVE R10 MILLION (VAT INCLUDED) |
| JW MBD9 | CERTIFICATE OF INDEPENDENT BID DETERMINATION |
| | BANKING DETAILS FORM |

Note to tenderers

Whilst every care will be exercised in compiling and handing over a complete tender document, it may occur that a portion/s may be omitted. It is therefore the responsibility of the tenderer to ensure that he is in possession of the complete tender document immediately after receipt and report any discrepancies to the SCM Unit for rectification.

Under no circumstances will JW be held liable for any incomplete document due to late detection by the tenderer.

Tenderers are advised to take note of the submission requirements indicated in the covering page of this tender.

BOX 3: Tips for asking for bid documents

- 1.** First phone or send an e-mail to the people listed on the tender notice. If that does not work, go to the department's offices in person and try to speak to the people listed on the notice or another relevant official. The address of these offices is often on the tender notice or can be found on the website of the municipality.
- 2.** When you are speaking to officials in the municipality, be as detailed and specific with your requests as possible. Try and use the tender number and name if you have been able to get that.
- 3.** If you are asking an official for these documents, it is important to mention that you want the full set of documents, including the specifications/scope of work. Otherwise they may just give you the general conditions of contract and not the specific information you really need.
- 4.** Emphasise that you only need the blank bid documents that were originally made available to interested bidders (online or for collection at the municipality) – not documents filled in by potential service providers.
- 5.** At first, simply ask for the documents you need. If they refuse you can explain why you need them. If they still resist, you will need to build a compelling argument for why they should give the documents to you. See Box 7 on page 35 for some guidelines on how to do this.
- 6.** We have found that Promotion of Access to Information Act (PAIA, Act 2 of 2000) requests are not very effective and the process can be long and drawn out. Only use this route if nothing else works.





BOX 4: *Looking for information on contracted basic services on your municipality's website*

Many municipalities have a specific section on their websites with information related to contracts or tenders. Different municipalities have different names for this section. Below are a few of the most commonly used names:

- Tenders
- Procurement
- Supply Chain Management
- Doing Business With
- Business

If you are lucky, some of the documents you are looking for will be available in this section. Sometimes the section is divided into sub-sections and this will make it easier to find what you are looking for. For example, there might be separate sections for:

- Tender notices
- Bid specifications
- Awarded tenders

But in some cases the tender notices are the only information on the website. This will sometimes be in a section called “Open Tenders”.

If you struggle to find the information you are looking for you can try the search function – which you can usually find on the home page of the municipality's website.

Even better, try our Google search trick in Box 6 on page 33.

3. Who should deliver the service?



MUNICIPAL DOCUMENT TO LOOK FOR:

TENDERS AWARDED

(can also be called Bids Awarded or Tender Awards)

INFORMATION CONTAINED IN THIS DOCUMENT:

- The tender number
- Municipal department/directorate
- Description of goods/services/project
- Names of the successful bidder and their B-BBEE status
- The **contract price(s)**
- Contract start date
- Contract end date
- Brand names (if applicable)



The **contract price** is the amount the bidder is planning to charge the municipality to provide the goods or the service. This is also called the **contract value**, the **tender price**, or the **value of the project**.



HOW THIS INFORMATION CAN HELP YOU:

- This will tell you which **service provider** has received the contract to provide the service. If there is more than one service provider, you may find that it doesn't tell you which one is responsible for your specific community. To get this information you will need to contact the municipality and ask.
- This document will tell you when the contract will **start** and **end** (i.e. the duration of the contract). This is valuable information, especially the end date of the contract. The municipality will generally start a new bid process to renew the contract, six to 12 months before the end of the current contract. This will be an important moment to raise your concerns with the current contract.



HOW TO FIND THE DOCUMENT:

- Municipalities are required to publish this information and are generally quite good at putting it on their **websites**. It is usually published in a section called Tenders Awarded or Awarded Tenders
- If you cannot find it on the municipality's website, try the **eTender portal** (<http://www.etenders.gov.za/>).
- If you cannot find it on the municipality's website or on the eTender portal, then follow the tactics for **contacting** a municipal official in Section 2 and Box 7 on page 35.

WHAT DOES IT LOOK LIKE?

Not all municipalities publish all the information required by the law, and municipalities publish the information on tender awards in different formats. Below are examples of tender award documents from two different municipalities.

Example of the Tender Awards document from Buffalo City Metropolitan Municipality

| BUFFALO CITY METROPOLITAN MUNICIPALITY | | | | | | | | | | | | |
|---|--|-----------------|-------------|------------|--------------|--------------------------------|----------------|--------------------|--------------|----------|------------|----------------------|
| FORMAL TENDERS AWARDED IN DECEMBER 2017 | | | | | | | | | | | | |
| CONTRACT NUMBER | DESCRIPTION | DATE ADVERTISED | DATE CLOSED | BAC NUMBER | DATE AWARDED | AWARDED TO | TENDER PRICE | TOTAL POINTS SCORE | BBBEE POINTS | LOCALITY | BRAND NAME | REASON FOR AWARD |
| 3149 | Supply, delivery, installation and commissioning of vehicle test station equipment | 20.06.2017 | 28.06.2017 | BAC 181/17 | 04.12.2017 | Workshop Electronics (Pty) Ltd | R 802 218,00 | 98,00 | 18,00 | NO | N/A | Highest Point scorer |
| 3113 | Supply and Delivery of two 4x4 Double Cab Bush Tender (Factory Red) | 18.07.2017 | 15.08.2017 | BAC 197/17 | 04.12.2017 | Unitrans Automotive (Pty) Ltd | R 1 695 970,20 | 82,00 | 2,00 | YES | N/A | Highest Point scorer |

Example of the Tender Awards document from City of Johannesburg

ANNEXURE A

Awarded January 2018 to March 2018

| APPROVAL DATE | DEPARTMENT | CONTACT NO. | DESCRIPTION | PERIOD | CONTRACTED SERVICE PROVIDER | BBBEE | VALUE OF THE PROJECT (VAT Inc.) |
|---------------|-------------------------------------|-------------|---|-----------------|---|---------|---------------------------------|
| 20-Feb-2018 | Group Corporate and shared services | 533/17 | Provision for management services, purchase, maintenance, repairs and fleet support services for specialised. | Three (3) years | Zeda Car Leasing (Pty) Ltd t/a Avis Fleet | Level 1 | R 763 790 159.00 |

4. Service delivery schedules

The information on the previous pages should tell you enough to know what is supposed to be delivered to your community, when it should be delivered and by whom. Using this information to monitor the delivery of services in your community should help you to engage with the municipality about addressing any issues with the service.

Depending on how you want to use the information, you may find that you need some more details. In what follows is some additional information that you might want to look for, but this information is often more difficult to find.



INFORMATION TO LOOK FOR:

In many cases, the bid specifications for temporary basic services say that the service will be delivered to all informal settlements in a municipality, or will be delivered on an "as and when needed" basis. Some specifications also provide for a service agreement to be negotiated after the award of the contract. In addition, many contracts are awarded to more than one service provider.

To get specific information about what should be delivered to which areas and by whom, you can request the **service delivery schedule** or **service agreement** that should provide you with this information.



HOW THIS INFORMATION CAN HELP YOU:

These documents will give you more detailed information about the service that should be delivered, including:

- **Who** is going to be delivering this service to your community, in other words the name of the service provider
- **When** and **how often** the service will be delivered to your community, for example on which days of the week
- Any **other** information about how the service should be delivered that was not included in the bid specifications, for example whether a community leader must sign the schedule to confirm that the service has been delivered

🔍 HOW TO FIND THIS DOCUMENT:

- It is unlikely that this information will be available on the municipality's website, so you will most likely have to speak to an **official**. Often there are different schedules for different areas. The bid documents sometimes specify who is responsible for formulating this schedule with the contractors in a particular area, for example a chief area engineer or a regional manager. Look for this information in the bid documents and then try and find out who this person is for your area or region and contact them.
- If the bid documents do not specify that a chief area engineer or regional manager is responsible for drawing up such a schedule, you can contact the person whose name and contact details were shown on the tender notice and/or the bid specifications and ask them.



5. Information about monitoring



INFORMATION TO LOOK FOR:

In relation to monitoring the contract, you could ask for:

- All monitoring reports listed in the relevant bid specifications, for example time sheets and job cards
- Invoices submitted by the contractors
- Any document signed by the municipal officials to authorise payments

Sometimes the bid specifications will name the reports that a service provider should submit to the municipality before the payment can be made and you can use this information to ask for the specific documents by name.



HOW THIS INFORMATION CAN HELP YOU:

- It tells you what information the municipality has considered before making payments to service providers.
- It also tells you what the municipality thinks has been delivered, which gives you more information that you can use to engage with the municipality. For example, if the delivery of the service you are monitoring in your community doesn't match the specifications, and also doesn't match the monitoring reports or invoices, then the contractor may be misrepresenting what is being delivered. However, if what you are observing in your community doesn't match the specifications, but does match the invoice, it might show that the municipality has altered their agreement with the contractor after the award of the contract.



HOW TO FIND IT:

- Similar to the service delivery schedules, you will most likely need to contact officials in the department responsible for the delivery of the service to access this information.
- The bid documents sometimes specify who is responsible for ensuring that work is completed satisfactorily – these are the officials who sign off on invoices from service providers. Try to contact this person directly.
- If the officials in the department responsible for the delivery of the service cannot give you this information, you can try to find out who in the municipality's finance department is responsible for processing payments to service providers. This official might be able to provide you with the correct information.

WHAT DOES IT LOOK LIKE?

Example of a service delivery schedule for the de-sludging of VIP toilets from Johannesburg Water

ON SITE SANITATION-ENNERDALE DEPOT
 DESLUDGING OF PITS,VIPs',UNIMPROVED PITS &SEPTIC TANKS ON CONTRACT
 MONTH: NOVEMBER 2017

| Day | S | M | T | W | T | F | S | S | M | T | W | T | F | S | S | M | T | W | T | F | S | S | M | T | W | T | F | S | S | Total | | | | |
|--------------------------|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|----|----|----|--|
| Date | | | | 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | |
| Area/Township | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Driezieks' | | | | 2 | 2 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Finetown N | | | | 3 | 2 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hopefield | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Hospital Hill | | | | | 3 | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Kapok Camp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lawley Estate | | | | 3 | 2 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lawley station | | | | 3 | 4 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lenz17/Precast | | | | 0 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mazibuko Park | | | | 3 | 1 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Meriting | | | | 2 | 7 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mountain view | | | | 3 | 3 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Narrensfarm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Orange Farms' | | | | 0 | 5 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Palm Drive Camp O/F 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patsing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Poortjie | | | | 2 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Slovo Park | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Stimela Camp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Stretfords' | | | | 0 | 6 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thembehle | | | | 7 | 0 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Univille Plots | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Information about deviations and extensions

A **deviation** of the tender process takes place when a contract is awarded without the municipality having to go through the complete procurement process. A contract can also be **extended** or changed without the municipality having to go through the complete procurement process. Deviations and extensions are permitted to make sure that the delivery of a service continues in the case of an emergency or unforeseen circumstance. For example, when a contract for the delivery of a service comes to an end, but a new tender has not been awarded yet, the municipality can award the contract for a few months through a deviation. Or the municipality can extend the contract to the current service provider.



INFORMATION TO LOOK FOR:

For both deviations from usual procurement processes and extensions to contracts, you can try and find the following information:

- Tender number
- Department/directorate
- Description of goods/services/project
- (Original) contract value
- Value of contract extension (if applicable)
- Reason for deviation/extension/variation
- Date of award/recommendation
- Contract start date
- Contract end date



HOW THIS INFORMATION CAN HELP YOU:

In many cases the contracts for delivery of temporary services are extended beyond the contract's initial end date. This information will tell you if that has happened, to which service providers, and for how long. Please note that a contract can be extended through either a deviation or an extension, so look out for both.



HOW TO FIND IT:

- Unfortunately, most municipalities do not publish deviations and extensions of contracts in a clearly marked separate document. This information is usually found in the same place as the information about the award of tenders. In the same way that a municipality will list information about tenders awarded, they will list information for deviations and extensions (see the Johannesburg Water example opposite). See Section 3 on how to find information on award of tenders.
- Municipalities are supposed to publish this on the eTender portal.

WHAT DOES IT LOOK LIKE?

Example of this information for Johannesburg Water

TENDER AWARDS FOR 2017/18 FINANCIAL YEAR

JULY 2017

| Tender No. | Tender Description | Contractor Name | Contract Value | BBBEE Level | Contract Term |
|---------------|--|----------------------|----------------|-------------|---------------|
| JW OPS 002/13 | Deviation: Hire and servicing of chemical toilets –June and July 2017 | Supreme Sanitation | 4 399 000 | 4 | 2 months |
| | | Sunshine Toilet Hire | 212 000 | 0 | |
| | | Moreki Distributors | 689 000 | 4 | |
| JW OPS 002/13 | Deviation: Hire and servicing of chemical toilets for August 2017 | Supreme Sanitation | 2 822 000 | 4 | 1 month |
| | | Sunshine Toilet Hire | 136 000 | 0 | |
| | | Moreki Distributors | 442 000 | 4 | |
| - | Deviation: support and maintenance of the Meter Reading Quality Control (MRQC) application | Agilebridge | R1 667 822 | 4 | 24 months |



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Part 2



Ask for the procurement plan

The sections in the first part of this guide explain how to find out more about a service that is supposed to be delivered to your community, including what should be delivered, when it should be delivered and by whom. With this information, you can monitor the delivery of a service and engage with the municipality and service providers to resolve any problems.

You can also use some of this information to monitor how the municipality decides – through its public procurement process – which service provider should get the contract in the first place. The sections below will tell you what you can do or what additional information you can look for to help you do this.

? WHAT IS IT?

Each department in a municipality is supposed to put together a plan of all the goods and services that they are going to purchase during the coming **financial year**. All departments have to submit such a plan to the Supply Chain Management Unit in the municipality. The Supply Chain Management Unit uses the information from all departments to formulate the **procurement plan** (sometimes referred to as the **bid opportunities**) for the municipality as a whole. The National Treasury has released a template¹ that municipalities should use for this plan. The template asks for the following information to be included:

- Description of goods or services and estimated value of the tender
- When the municipality plans to advertise the tender
- When the municipality thinks the tender's closing date will be
- When the municipality thinks it will award the contract
- Name of the responsible department/office

i WHAT DOES IT TELL YOU?


If you know that the contract to provide a service to your community is coming to an end in the coming financial year (that date should have been published in the Tenders Awarded document) the procurement plan will tell you:

- If the municipality is planning to advertise a tender for that service and when
- How much they are estimating the new contract will cost
- A number of important dates for different phases of the tender process (for example, the estimated date of advertisement of a tender will tell you when you should start to look out for the Tender Notice)

¹<http://mfma.treasury.gov.za/Circulars/Documents/Circular%2062%20-%20SCM%20Enhancing%20compliance%20and%20accountability%20-%2020%20Aug%202012/Annexure%20B.doc>

WHAT DOES IT LOOK LIKE?

Example from the Umzimvubu Local Municipality



UMZIMVUBU LOCAL MUNICIPALITY PROCUREMENT PLAN 2017-18

| NO | PROJECT MANAGER | DESCRIPTION OF GOODS, WORKS AND SERVICES | PROCUREMENT STRATEGY | | | | | | | ENVISAGED DATES OF | | |
|-----------------------------------|------------------------------|--|----------------------|----------------------------|-------------------|-------------------|-------------------------------|---------------------------------|-------------------|--|--|--|
| | | | SUBMISSION DATE | BO SPECIFICATION COMMITTEE | ADVERT DATES | CLOSING DATES | BO EVALUATION COMMITTEE DATES | BO ADJUDICATION COMMITTEE DATES | AWARD DATES | OBJECTIONS AND COMPLAINTS (14 DAYS PERIOD) | | |
| BUDGET AND TREASURY OFFICE | | | | | | | | | | | | |
| 1 | Budget and Reporting Manager | Printing of budget and policies 200 00 | 15 August 2017 | 31 August 2017 | 07 September 2017 | 28 September 2017 | 13 October 2017 | 18 October 2017 | 11 October 2017 | | | |
| 2 | Budget and Reporting Manager | Asset Verification 200 000 | 15 August 2017 | 31 August 2017 | 07 September 2017 | 28 September 2017 | 13 October 2017 | 18 October 2017 | 11 October 2017 | | | |
| 3 | Revenue Manager | Training of Co-operatives dealing with free basic services | 23 August 2017 | 01 September 2017 | 07 September 2017 | 19 September 2017 | 21 September 2017 | 27 September 2017 | 29 September 2017 | | | |
| 4 | Revenue Manager | Training of Staff on Revenue and Debt Collection | 23 August 2017 | 01 September 2017 | 07 September 2017 | 19 September 2017 | 21 September 2017 | 27 September 2017 | 29 September 2017 | | | |
| 5 | SCM Manager | Training for SMME's | 23 August 2017 | 01 September 2017 | 07 September 2017 | 19 September 2017 | 21 September 2017 | 27 September 2017 | 29 September 2017 | | | |
| 7 | SCM Manager | Completion of Fixed Asset register | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 9 | SCM Manager | Supply and delivery of Stationery | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 10 | SCM Manager | SCM Training | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 12 | Expenditure Manager | Financial Management Reforms | 22 November 2017 | 30 November 2017 | 06 December 2017 | 21 December 2017 | 09 January 2018 | 12 January 2018 | 18 January 2018 | | | |
| 13 | Revenue Manager | Capacity Building - Co-ops (200/100012) | 16 August 2017 | 31 August 2017 | 07 September 2017 | 28 September 2017 | 13 October 2017 | 18 October 2017 | 11 October 2017 | | | |
| 14 | Revenue Manager | Training external (200/800361) | 16 August 2017 | 31 August 2017 | 07 September 2017 | 28 September 2017 | 13 October 2017 | 18 October 2017 | 11 October 2017 | | | |
| 15 | Revenue Manager | Ratespayers Incentive - Catering ETO (200/800287) | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 16 | Revenue Manager | Ratespayers Incentive - sound system (200/800287) | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 17 | Revenue Manager | Ratespayers Incentive - program co-ordinator (200/800287) | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 18 | Revenue Manager | Ratespayers Incentive - transportation (200/800287) | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 19 | Revenue Manager | Ratespayers Incentive - achievement awards (200/800287) | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 20 | Revenue Manager | Financial Systems (200/300123) | 17 May 2017 | 15 August 2017 | 07 September 2017 | 28 September 2017 | 13 October 2017 | 18 October 2017 | 11 October 2017 | | | |
| 21 | Revenue Manager | Ratespayers Incentives - accommodation (200/800287) | 16 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 22 | Revenue Manager | Ratespayers Incentive - Rights (200/800287) | 16 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 23 | Revenue Manager | Debt collection casual employees (200/300073) | 17 May 2017 | 31 May 2017 | 07 June 2017 | 30 June 2017 | 05 July 2017 | 12 July 2017 | 19 July 2017 | | | |
| 24 | Revenue Manager | Indigent support (200/500050) | 22 November 2017 | 30 November 2017 | 06 December 2017 | 21 December 2017 | 09 January 2018 | 12 January 2018 | 18 January 2018 | | | |
| LOCAL ECONOMIC DEVELOPMENT | | | | | | | | | | | | |
| 1 | Assistant Manager LED | Printing & stationery (205/800275) | 05 July 2017 | | | | | | 12 July 2017 | | | |
| 2 | Assistant Manager LED | Material & Stores (205/800207) | 05 July 2017 | | | | | | 12 July 2017 | | | |

HOW TO FIND IT:

Municipalities generally do not make these plans available to the public, but on the right is one example from a local municipality of a procurement plan that was made available on its website. The best option is to ask an official from the Supply Chain Management Unit for a copy of the plan.


Template to be used by municipalities for their Procurement Plans

ANNEXURE B

**SCHEDULE OF PROCUREMENT PLAN IN RESPECT OF ADVERTISED COMPETITIVE BIDS
(GOODS, INFRASTRUCTURE PROJECTS OR SERVICES IN EXCESS OF R200 000 INCLUDING ALL APPLICABLE TAXES)
FOR THE FINANCIAL YEAR**

| | |
|---|--|
| Name of Municipality or Municipal Entity | |
| Name of Accounting Officer / Delegated Official | |
| Signature of Accounting Officer / Delegated Official | |
| Telephone Number and e-mail address | |

| Description of goods / services / Infrastructure project | Estimated value (including all applicable taxes) | Envisaged date of advertisement in the website, newspapers or other media | Envisaged closing date of bid | Envisaged date of award | Responsible office |
|--|--|---|-------------------------------|-------------------------|--------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

 **A financial year** is the 12 months on which government budgets are based. The financial year for municipalities runs from 1 July to 30 June of the following year.

8. Go to the briefing session

? WHAT IS THIS?

For some tenders, the municipality will hold a **briefing session** for potential bidders before the closing date of the tender. The purpose of such a session is to provide interested bidders with the opportunity to meet with officials from the department responsible for the delivery of the service, ask questions and get any further information they might need to prepare their bids. Briefing sessions are generally open to all members of the public. The time, date, and location are indicated on the tender notice.

WHAT DOES IT TELL YOU?

You will know if the municipality has given any additional information on the delivery of the service to potential bidders. And if you attend the briefing, you will also get this information for your own use. For example, in the case of portable toilets, this might include more information on what these toilets should look like and how they should function.

HOW TO FIND IT:

- You can find the time, date and location of the briefing session on the tender notice. Sometimes it is also called an **information session**.
- If the briefing session has not yet taken place, you could attend the session and receive any additional information in person.
- If the briefing session has already taken place, some municipalities might add any additional information supplied at the briefing session to the set of tender documents (including minutes from the briefing). If this was not done, you can ask the municipality for this information.

○○ WHAT DOES IT LOOK LIKE?

Example of a tender notice from City of Ekurhuleni

6/6/2018

a-fm-05-2018 | tenders | business

Open Tenders (Over R200 000)

A-FM 05-2018

Created: 04 June 2018 | Last Updated: 04 June 2018

| | |
|---|--|
| Bid Number: | A-FM 05-2018 |
| Description: | Appointment of service providers for the supply, delivery and offloading of lubricants, on an as and when required basis, from the date of award until 30 June 2021. |
| Bid closing date: | 02 JULY 2018 at 10:00 |
| Information session: | An information session will be held at 10:00 on WEDNESDAY, 13 JUNE 2018. Prospective bidders are requested to meet on the said date and time at: 01 BUS ROAD, PRIMROSE, GERMISTON. e-mail address |
| Contact Person (Project manager): | Ms. Mamare Makgaba |
| Telephone number: | N/A |
| Official Cell number: | N/A |
| E-mail address: | Mamare.Makgaba@ekurhuleni.gov.za |
| Bid validity period: | 120 days |
| Physical address where bid documents can be collected: | Finance building, Tender Office, Ground floor, 68 Woburn Avenue, Benoni. For contractual information: Tel No: +27(0)11-999-6540/6567 |
| Submit bids to: | Bids must be hand delivered to the bid box situated at the address: Ground floor, 68 Woburn Avenue, Benoni. It must be contained in a sealed envelope and clearly stating the bid number and description on the cover. |
| Non-refundable Document fee: | R250-00 or free to download below |

Bidders' attention is specifically drawn to the provisions of the bid rules which are included in the bid documents.

The lowest or any bid will not necessarily be accepted and the Council reserves the right not to consider any bid not suitably endorsed or comprehensively completed, as well as the right to accept a bid in whole or part.

Bids completed in pencil will be regarded as invalid bids. **Submission of electronic and fax bids are not acceptable.**

Attachments:

 FINAL BID DOCUMENT - A-FM 05-2018 (LUBRICANTS).pdf [] 551 kB



BOX 5: Supply Chain Management Department or Unit

Every municipality has a **Supply Chain Management Department or Unit**, which is responsible for making sure that the municipality's procurement processes are implemented according to the law. Often, this is also the department responsible for making sure that the tender information is online and an official in this department might be able to provide you with the documents or information you are looking for.

This department is also responsible for drawing up the municipality's **Supply Chain Management Policy**, which guides how the municipality implements its public procurement process. While this policy has to include all the legal requirements that apply to all municipalities, municipalities are free to include any other information or provisions (as long as these are not against the law). This policy is usually available on the website of the municipality. Find a copy and see if there is any specific information that might help you to find either the information that you are looking for or that you can use to convince an official to give you the information you are looking for.

Below are links to the Supply Chain Management Policies for some of the metropolitan municipalities:

City of Cape Town:

<http://resource.capetown.gov.za/documentcentre/Documents/Bylaws%20and%20policies/Supply%20Chain%20Management%20Policy.pdf>

City of Ekurhuleni:

<https://www.ekurhuleni.gov.za/3050-annexure-d23-supply-chain-management-policy/file>

eThekweni Municipality:

http://www.durban.gov.za/City_Government/Administration/Administrative%20Clusters/treasury/supply_chain_management/Strategy_Policy_Regulations/Documents/Annexure%20SCM%20Policy%202017.pdf

9. Find the bid register

? WHAT IS IT?

Once the bid is closed (you will know this date from the tender notice and bid documents), the municipality should publish the following information on their website in a **bid register**, within 10 working days of the closing date:

- Names of all bidders and their B-BBEE status
- Total price (where practical) of each bid
- The tender number
- Description of goods/services/project

WHAT DOES IT TELL YOU?

The bid register will tell you which contractors have submitted bids to provide the service. While not all the bidders will be awarded the contract, it can be helpful to know who is being considered.

HOW TO FIND IT:

Municipalities usually publish their bid registers on the same part of their website where they publish the tender notices and the information on the award of tenders. But be aware that not all municipalities call the document a bid register. It can also be called **bid opening results, tenders received, or tender responses**.

WHAT DOES IT LOOK LIKE?

Example of a bid register from eThekweni Municipality

DATE: 03 July 2018, Friday

Contract no: 1R-39163

Description: Construction of complete street pilot -sidewalks on Kolling street in ward 27

| No. | Tenderer | Prices On Form of Offer |
|-----|---|-------------------------|
| 1 | Me and U | R 1,659,166.53 |
| 2 | Abjoy Development Services | R 1,715,529.75 |
| 3 | Crystal Dawn Trading 31cc t/a Ashcon Civils | R 1,796,041.25 |
| 4 | Sholo Trading Enterprise CC | R 1,909,034.50 |
| 5 | Muzokhona Construction CC | R 1,935,329.25 |

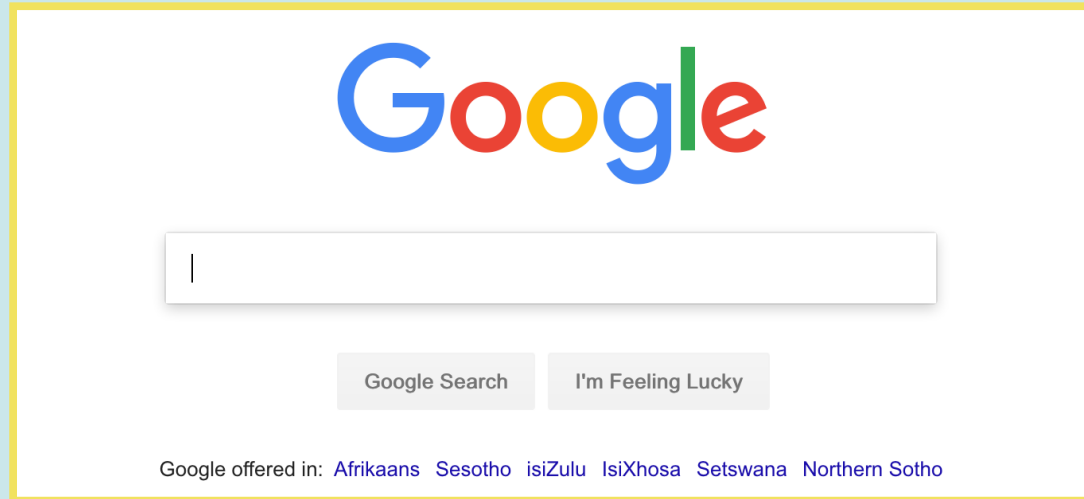
Example of a bid register from Johannesburg Water

RESPONSES TO TENDERS: 2017/18

NB: TENDER PRICES ARE ONLY INDICATED WHERE IT IS PRACTICAL TO DO SO

| JULY 2017 | | | | |
|----------------|--|------------|---|--------------------------|
| JW CYD 006/16 | Calibration of laboratory equipment at various laboratories of Johannesburg Water | 06/07/2017 | 1. Lasec SA (Pty) Ltd | Not practical to publish |
| JW CHR 018/16R | Provision of HIV Counseling and testing (HCT) Plus HIV Prevalence, Knowledge, Attitudes, Practice and Behavior (KAPB) Survey | 06/07/2017 | 1. Re-Action Consulting 2. Centre for Occupational & Wellness 3. Health System Trust 4. Dash Trading Enterprise 5. Careways Wellness 6. Classic Oriental Consulting 7. Medicross Healthcare | Not practical to publish |

BOX 6: Using Google or another search engine to find contract information



If you cannot find the documents you are looking for on either the municipality's website or the eTender portal, you can use Google or any other search engine to look for information. Use information you have managed to find on the service (see Box 1 on page 7 for tips on how to do this) as keywords.

For example: Use "chemical toilets", "tender" and "City of Ekurhuleni" to look for information on the tender for chemical toilets issued by the City of Ekurhuleni. Keep the inverted commas "" in your search because it improves its accuracy.

Sometimes tender notices and bid documents are posted on private websites which help private contractors to look for government tenders. Your search might lead you to relevant information on one of these sites.

Some municipal websites are difficult to navigate and their own search facility might not work well. You can also use Google to search for information on a specific municipality's website, by restricting the search to that website. To do this you need to find the correct web address for the municipality and type "site:" and the municipality's web address along with the relevant key words.

For example: Type "site: www.ekurhuleni.gov.za chemical toilets tender" to find information on the tender for chemical toilets on the City of Ekurhuleni's website.

Ask for the bid evaluation and bid adjudication reports

? WHAT IS IT?

During the bid evaluation process, the Bid Evaluation Committee evaluates the bids to determine whether they fulfill all the criteria, and they make recommendations to the Bid Adjudication Committee about who the contract should be awarded to. The Bid Adjudication Committee reviews the report and makes a final recommendation on which service provider should be awarded the contract. Minutes are taken at this meeting to provide proof of the committee's decisions.

You could try and ask for the reports from the relevant Bid Evaluation Committees, as well as the minutes and resolutions of the relevant Bid Adjudication Committee meetings.

☰ WHAT DOES IT TELL YOU?

This information will tell you:

- How the committees came to the decision to award the contract to a specific service provider, and who that service provider is.
- Whether the Bid Adjudication Committee accepted the decision of the Bid Evaluation Committee, and if not, why they did not.

🔍 HOW TO FIND IT:

Municipalities generally do not make these reports or minutes publicly available. You will have to contact the relevant official in the municipality to find out if you can get copies of these documents. Some of the tips in Box 7 (opposite) might be useful here, specifically if the municipality has an open tender initiative. In many cases this means that the Bid Adjudication Committee meeting has been opened to the public. Again, tell the official that you are aware of this initiative and that you think he/she should give you the information you are asking for in line with the spirit of this open tender initiative.



BOX 7: What to do if the municipality does not give you the information you are asking for

Sometimes you will not be able to find the information you need on the internet. And when you ask an official for the information, they might not give it to you or they might tell you to make a PAIA request.

Ideally you do not want to make a PAIA request for these documents. It is a time-consuming process with a low success rate, and it should not be necessary for documents that have been (and therefore should remain) freely accessible to the public. Below are some other things you can try if you are struggling to get the documents:

- Try contacting as many relevant people in the municipality as you can. As you build up different contacts, explain to the official you are speaking to who else you have contacted. Ask officials to refer you to other officials who might be able to help you and then mention who referred you, for example: “Mr X from Supply Chain Management said that you would be able to help me find documents I am looking for”.
- When speaking to officials, use relevant examples of good practice from other municipalities or other parts of government. An official may simply be unsure of whether they can release the documents to you. You can use some of the information below to explain to them why they should give you the documents you are asking for:
 - Refer to the National Treasury’s eTender portal. Explain that you know that the National Treasury is trying to encourage transparency of municipal procurement processes, and that they requested in MFMA Circular No 83 that all municipalities put the full set of tender documents on the portal to make these documents publicly available free of charge.
 - Indicate that many municipalities are making their bid documents available to be downloaded free of charge on the eTender portal as well as on their own websites, for example the City of Ekurhuleni.
 - Often you will be asking for tender documents after the contract has been awarded and it is common for municipalities to remove bid documents from their websites once the tender has closed. If an official tells you that the bid documents are no longer available, you might say that you realise that the tender has closed and the contract has been awarded, but the bid documents were publicly available when the tender was advertised and there is no reason you should not be given a copy. If the official says they do not have any printed copies left, or that you will have to pay for printing, indicate that you are happy to receive an electronic copy via e-mail.
 - Some municipalities have launched open tender initiatives. For example, some municipalities including the City of Johannesburg, the City of Ekurhuleni and Nelson Mandela Bay Municipality now allow the public to attend the bid adjudication meetings where they decide who should get contracts and they also publish the names of the tenders to be discussed before these meetings. Find out if your municipality has an open tender initiative and if they do, you could tell the official that you think he/she should give you the information in line with the spirit of this open tender initiative.

When and what information you can find during the public procurement process

PHASE 1

PROCUREMENT PLANNING

The municipality determines all the goods and services it will need to fulfill its functions for the coming year, and when and how they are going to purchase these.



- **PROCUREMENT PLAN**

PHASE 2

BID SPECIFICATION

The line department decides exactly what they want the service provider to deliver (including what, when and how the tenders are going to be evaluated). They also compile the bid documents.

PHASE 3

INVITATION TO BID

The bid is advertised, the tender documents are made available, and bid briefing sessions take place.



- **BRIEFING SESSION**
- **What is the name of the Contract? TENDER NOTICE**
- **What should be delivered and when? BID DOCUMENTS**

PHASE 4

SUBMISSION AND OPENING OF BIDS

All bids submitted on the bid closing date are opened in public.



- **BID REGISTER**

PHASE 5

BID EVALUATION AND ADJUDICATION

The Bid Evaluation Committee evaluates the bids according to price, broad-based black economic empowerment status and the other criteria in the bid specifications, and writes a report with the recommendation of who should win the contract. The Bid Adjudication Committee decides if the contract should be awarded to the service provider recommended by the Bid Evaluation Committee.



- **BID EVALUATION AND BID ADJUDICATION REPORTS**

PHASE 6

CLEARING BIDDER AND AWARDED CONTRACT

The municipality makes sure that the winning contractor can do the work and that its tax and other affairs are in order, and awards the contract. If applicable, service delivery schedules and agreements are drawn up.



- **Who should deliver the service? TENDERS AWARDED**
- **SERVICE DELIVERY SCHEDULES**

PHASE 7

CONTRACT IMPLEMENTATION

The service provider delivers the service and the municipality monitors if this is done according to the contract.



- **Information about monitoring**
- **Information about deviations and extensions**



The documents and information written here in **BLUE** will help you monitor the **appointment of the service provider**.

The documents and information written in **GREEN** will tell you more about the **service that should be delivered**.

Social Audit Network

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