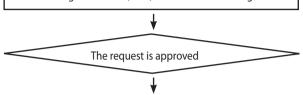
The processes outlined below is an example of the PAJA mainstreaming process

The "as-is" business process map

A need for procuring goods or services in excess of R1 million is identified by a departmental unit.

The manager submits a written request for approval to initiate a competitive bidding process to the Director-General and Chief Financial Officer.

Request for tender motivation is submitted to the Supply Chain Management unit (SCM) who verifies the budget.



SCM then becomes responsible for the administration of the process.

The motivation is referred to the Bid Specification Committee (BSC) which assumes responsibility for developing the bid specifications.

The BSC co-opt the unit manager onto the committee to advise on the content of the specifications.

Finalised bid specifications are forwarded to SCM

An invitation to bid is placed in the tender bulletin, local newspapers and on the provincial government

Bid documentation is made available for a fee of R200.

A compulsory bid clarification meeting is held which potential bidders are required to attend.

Bidders submit their sealed bids in the designated tender box.

After the closing time for bidding has expired, two officials remove the bids from the tender box and open the bids in public. The bids that are received are recorded in a register.

The bid documents are reviewed by SCM for formal compliance with the bid specifications.

Bids not complying with the bid specification are eliminated

Compliant bids are recorded and forwarded to the Director-General with a request that an Evaluation Panel be convened.

The Evaluation Panel considers and scores the bids. The top three scoring bids are forwarded to the Bid Evaluation Committee.

The Bid Evaluation Committee considers the outcome of the Bid Evaluation Panel and makes a recommendation to the Bid Adjudication Committee (BAC).

The BAC either approves the award of the bid or the matter is referred to the Director-General for final decision-making

All those who submitted a bid are informed of the decision of the Bid Adjudication Committee.

Analysis for alignment to the PAJA requirements

ARE AFFECTED PERSONS INFORMED OF THE PROPOSED **DECISION?**

Yes, the advertisement provides information about the planned decision and why it is being considered.

ARE STAKEHOLDERS INVITED TO PARTICIPATE?

Yes, an invitation to bid is advertised in newspapers, the tender bulletin and on the provincial government website.

ARE FACTORS IDENTIFIED AND CHECKED?

Yes.

- Compliance with the formal requirements of the bid specifications are checked by SCM;
- Alignment with the technical requirements of the bid specification are assessed by the Evaluation Panel, which usually includes representation by the unit manager; and
- Price and empowerment criteria are checked by the

ARE RELEVANT FACTORS IDENTIFIED AND CONSIDERD WHEN ALTERNATIVES ARE EVALUATED?

Yes. However bids are eliminated from the process if they do not comply with the formal requirements of the bid specification. This approach is applied very strictly and officials do not use their discretion to allow the bidder to rectify the deficiency even where there are clearly inadvertent omissions or reasons for noncompliance. Where there is a clear justification for applying discretion and affording the bidder an opportunity to rectify an omission or inaccuracy, the failure to do so may be considered to be reviewable on the grounds of reasonableness in terms of the PAJA.

ARE AFFECTED PERSONS INFORMED OF THE DECISION?

Yes. Successful bidders receive a notification of award. Unsuccessful bidders receive a generic letter

ARE AFFECTED PERSONS GIVEN REASONS OR INFORMED OF THEIR RIGHT TO REQUEST REASONS?

Reasons are very generic or not given at all.

ARE AFFECTED PERSONS ARE INFORMED OF THEIR RIGHT TO REVIEW OR APPEAL THE ADMINISTRATIVE **DECISION?**

No they are not advised of their right to request a review.

There is a gap in the process in that unsuccessful bidders are not informed of the rights to:

- Request a review or appeal.

Recommendation to address the gap in the process is a template to guide all future letters that addresses these gaps, see example below.

If this is considered to be burdensome due to the number of bids then alternatives can be developed. For example bid documentation should include when a decision is anticipated, where the outcome of the decisions can be found and the right of unsuccessful bidders to request reasons and the right to have the matter reviewed.

Business process map aligned to the PAJA requirements

A need for procuring goods or services in excess of R1 million is identified by a departmental unit.

The manager submits a written request for approval to initiate a competitive bidding process to the Director-General and Chief Financial Officer.

Request for tender motivation is submitted to the Supply Chain Management unit (SCM) who verifies the budget.

The request is approved

SCM then becomes responsible for the administration of the process

The motivation is referred to the Bid Specification Committee (BSC) which assumes responsibility for developing the bid specifications.

The BSC co-opt the unit manager onto the committee to advise on the content of the specifications.

Finalised bid specifications are forwarded to SCM

An invitation to bid is placed in the tender bulletin, local newspapers and on the provincial government

Bid documentation is made available for a fee of R200.

A compulsory bid clarification meeting is held which potential bidders are required to attend.

Bidders submit their sealed bids in the designated tender box.

After the closing time for bidding has expired, two officials remove the bids from the tender box and open the bids in public. The bids that are received are recorded in a register.

The bid documents are reviewed by SCM for formal compliance with the bid specifications.

> Bids not complying with the bid specification are assessed. Where there are clear omissions or errors on formal aspect. Bidders are provided an opportunity to rectify.

Compliant bids are recorded and forwarded to the Director-General with a request that an Evaluation Panel be convened

The SCM briefly presents the findings of the first screening in which the deficiencies are noted.

Request for tender motivation is submitted to the Supply Chain Management unit (SCM) who verifies the budget.

The Bid Evaluation Committee considers the outcome of the Bid Evaluation Panel and makes a recommendation to the Bid

Adjudication Committee (BAC).

The BAC either approves the award of the bid or the matter is referred to the Director-General for final decision-making

All those who submitted a bid are informed of the decision of the Bid Adjudication Committee, using the standardised letter template.