

**PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL
DEPARTMENT OF PUBLIC WORKS**

**CHAPTER 7 : URGENT AND EMERGENCY CASES
CONTENTS**

	PAGE
7.1 Flow Chart for Quotation Processes	2
7.2 Definition for Urgent and Emergency Cases	3
7.3 SCM Delegation 5.1	3
7.4 Procurement Conditions Applicable to Services at all levels	4
7.5 Acceptance of a Contract Award	5
7.6 Contract Administration	5

7.1 URGENT AND EMERGENCY CASES

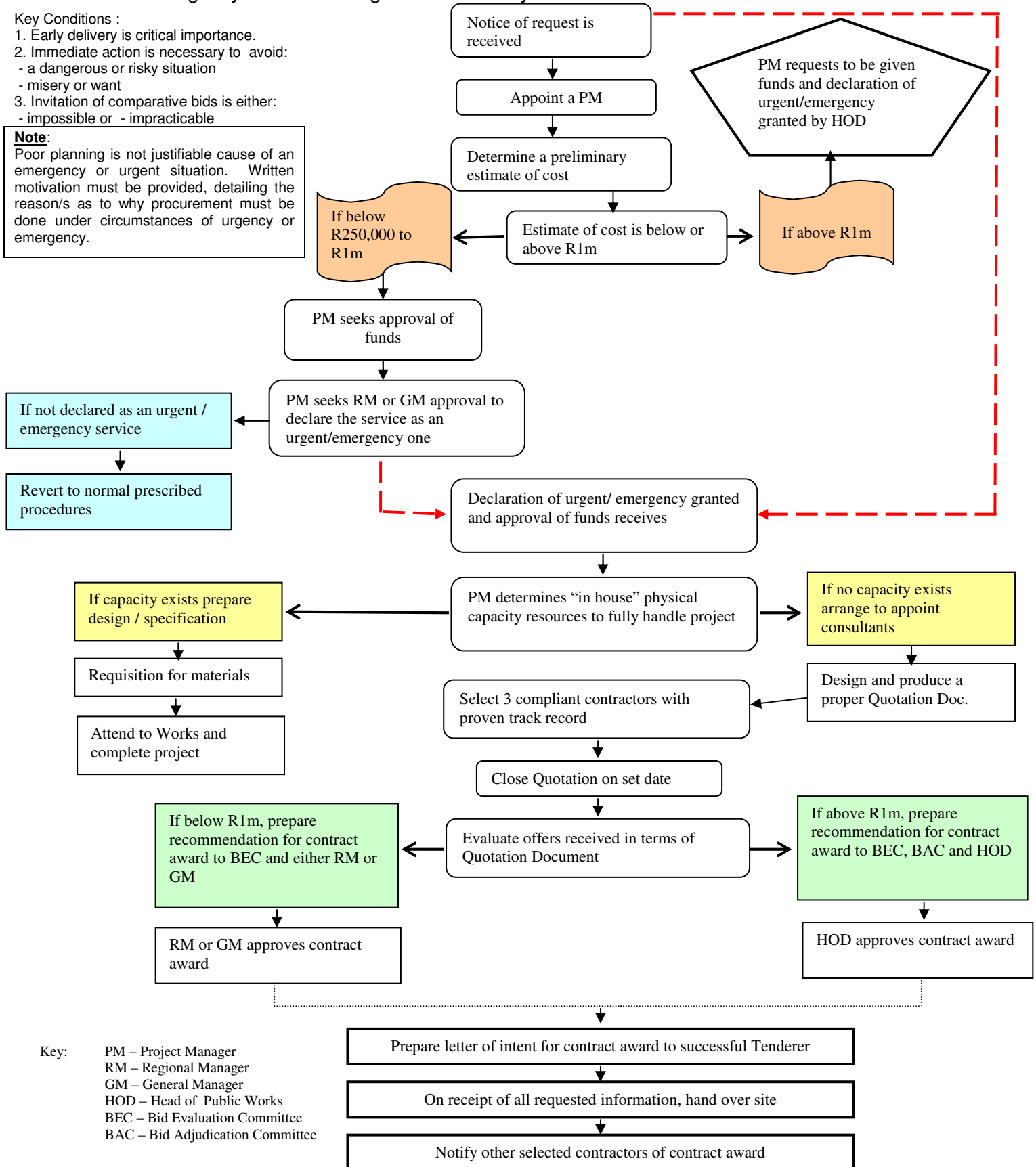
The flow chart below depicts the processes to procure supplies applying the Urgent and Emergency 5.1 SCM Delegation of Authority.

Key Conditions :

1. Early delivery is critical importance.
2. Immediate action is necessary to avoid:
 - a dangerous or risky situation
 - misery or want
3. Invitation of comparative bids is either:
 - impossible or - impracticable

Note:

Poor planning is not justifiable cause of an emergency or urgent situation. Written motivation must be provided, detailing the reason/s as to why procurement must be done under circumstances of urgency or emergency.



7.2 DEFINITION FOR URGENT AND EMERGENCY CASES

Cases are defined as urgent or emergency cases when the following criteria have been met:

URGENT the duration of invitation of bids would have a material impact on service delivery/community/public i.e. early delivery is of critical importance;
OR
resulted from natural disaster, i.e. early delivery is of critical importance;

EMERGENCY immediate action is required to avoid a dangerous or life threatening situation, misery or want;
and the invitation of comparative quotations is either impossible or impracticable

Poor planning is not justifiable cause of an emergency or urgent situation. Written motivation must be provided, detailing the reason/s for deviating from inviting competitive bids in the normal manner and be approved by the Accounting Officer or his/her delegate.

Accounting Officers are required to report within ten (10) days to the KZN Treasury and the Auditor-General all cases where goods and services above the value of R1 million (VAT inclusive) were procured in terms of Treasury Regulation 16A6.4. The report must include the description of the goods or services, the name/s of the supplier/s, the amounts/s involved and the reasons for dispensing with the prescribed competitive bidding process.

7.3 SCM DELEGATION 5.1

This Delegation provides for the following:

Level 13 (Manager) up to R250 000 (inclusive of VAT).

Beforehand approval in principle (declaration of urgent/emergency) must be obtained from *either* the designated client official *or* the Departmental Regional Manager. As a special dispensation the Regional Manager may declare work for clients as an urgent/emergency case.

The Regional Manager may approve of the award of a Contract which must be noted by the BAC.

NB. Please be circumspect in applying this Delegation for services up to R10,000. Up to this level it can be as quick to apply the normal SCM Delegations 1.1 or 2 with less approval restrictions

Level 14 (General Manager) up to R1m (inclusive of VAT).

Beforehand approval in principle (declaration of urgent/emergency) must be obtained from the client department (if not a Department of Public Works project).

The Departmental General Manager may approve the award of a Contract which must be noted by the BAC.

HOD above R1m (inclusive of VAT)

Beforehand approval in principle (declaration of urgent/emergency) must be obtained from the client department (if not a Department of Public Works project).

The Head : Public Works may approve the award of a Contract which must be noted by the BAC.

7.4 PROCUREMENT CONDITIONS APPLICABLE TO SERVICES AT ALL LEVELS

- (i) The declaration of an Urgent of Emergency Service has been described in paragraph 7.3 above. In the event of a service being for a client department verify that the official reporting the matter has the delegated power to declare the service as an urgent or emergency case. The reason for the urgency must be stated or the consequence(s) that will follow if action is not taken speedily.
- (ii) **A proper** Quotation Document must be **swiftly** compiled as indicated below:
 - (a) DOW052A(2 000 –10 000) OR DOW052B(10 000-30 000) – Estimated value of Service does not exceed R30 000 and no Preferencing Schedule is included in the document
 - (b) DOW052C(30 000-500 000) – Estimated value of Service is more than R30 000 but does not exceed R200 000. However this document can be used for a Service that is estimated to cost up to R250 000.
 - (c) A website GCC or JBCC Tender document – where Services are estimated R250 000 in value, a GCC or JBCC Tender document is selected to suit the nature of the particular Service. Although reference to the word “Tender” is made throughout these two documents, they are regarded in this instance as Quotation Documents.
- (iii) Select **at least three (3) contractors** who have a proven track record and the relevant capacity for the particular Service. **Make telephonic contact** with the contractors to ensure that they are **free to attend to the work immediately**.
- (iv) Ensure that in the category of work **no contractor is repeatedly utilised**. A **rotation of contractors** must be applied.
- (v) Contractors **must be** registered on the Provincial Suppliers Database.
- (vi) Contractors **must be** registered with the CIDB and have the appropriate Grading Designation for the category of work.
- (vii) **A formal closing date for each Service Quotation must occur**. The Quotations must either close at the District Office (Services up to the value of R200 000) or the Regional Office (Services valued at more than R200 000)
- (vii) If the service is **not of a complex nature, the period advertised can be shortened within reasonable bounds to avoid Contractors furnishing inflated Quotation prices**.

- (viii) Determine if a Compulsory Official Briefing Session (Site Inspection) is required because of the particular site conditions and if so, the selected Contractors must be informed of the date and time of the meeting. These details must appear in the Quotation Documents.

N.B. An Urgent or Emergency Service must be arranged in the shortest time and therefore the normal advertising of Tenders or Quotations are dispensed with but the principles of obtaining comparative Quotations (prices) still apply as set out in the KwaZulu-Natal Supply Chain Management Framework and other associated legislation.

7.5 ACCEPTANCE OF A CONTRACT AWARD

- (i) The adjudication procedures have been extensively covered in Chapter 4 of this Document and must be strictly followed.
- (ii) After the adjudication procedures have been completed, prepare a submission by selecting one of the Specimens indicated below:

- (a) Level 13 (Regional Manager) up to R250 000 (inclusive of VAT)

Specimen 3C (up to R30 000) or Specimen 3D (from R30 000 up to R250 000), for the delegated official to accept a Quotation.

All awards made by the delegated official on the salary level 13 must be submitted to the Bid Adjudication Committee (BAC) for noting.

- (b) Level 14 (General Manager up to R1 m (inclusive of VAT)

Specimen 3E (from R250 000 up to R1m) for the delegated official to accept a Quotation

All awards made by the delegated official on the salary level 14 must be submitted to the Bid Adjudication Committee (BAC) for noting.

- (c) HOD above R1 m (inclusive of VAT)

Specimen 3F (above R1m) for the HOD to accept a Quotation

All awards made by the HOD must be submitted to the Bid Adjudication Committee (BAC) for noting.

7.6 CONTRACT ADMINISTRATION

As a proper Quotation Document is used in each instance that contain one of the following Conditions of Contract, the Contract Administration Procedures as dealt with elsewhere in this document must be strictly applied.