



# STATE OF TRANSPARENCY OF HEALTH PROCUREMENT DATA IN SOUTH AFRICA

MARCH 2021



## Abstract:

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This report presents the findings of a research project conducted to map the state of transparency of health procurement data in South Africa. This policy brief provides an overview of the research findings, discusses the implications and makes recommendations to improve the state of health procurement to support improved utilisation of funds allocated to public health.



# Contents:

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<b>1 Introduction</b>	<b>05</b>
1.1 Background to report	06
1.2 About Open Contracting	06
1.3 Overview of research	07
<b>2 Key findings</b>	<b>08</b>
2.1 Rapid assessment	09
2.2 In-depth reviews	13
2.2.1 <i>eTenders Publication portal</i>	13
2.2.2 <i>North West Department of Health website</i>	18
2.2.3 <i>Gauteng Provincial Government Tender Information portal</i>	21
<b>3 Recommendations</b>	<b>25</b>
3.1 Provincial portals	26
3.2 National portal	27
<b>4 Conclusion</b>	<b>29</b>
<b>Appendix A: Methodology</b>	<b>31</b>



# Tables, figures and abbreviations:

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## Tables

<b>Table 1:</b>	National and provincial health procurement portal rapid assessment	10
<b>Table 2:</b>	National and provincial health procurement portal descriptions	11
<b>Table 3:</b>	eTenders Publication portal	13
<b>Table 4:</b>	eTenders Publication portal – indicators per use case	15
<b>Table 5:</b>	North West Department of Health website – indicators per use case	19
<b>Table 6:</b>	Gauteng Provincial Government Tender Information portal – indicators per use case	22

## Abbreviations

<b>DoH</b>	Department of Health
<b>KZN</b>	KwaZulu-Natal
<b>NT</b>	National Treasury
<b>OCDS</b>	Open Contracting Data Standards
<b>OCL</b>	Open Cities Lab



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# Introduction

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# Introduction

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## 1.1 Background to report

Corruption Watch, in partnership with Transparency International, has embarked on a project called Open Contracting for Health, to advocate for greater transparency in health procurement processes.

Corruption Watch partnered with Open Cities Lab, which conducted research to map the state of transparency of health procurement data. This policy brief provides an overview of the research findings, discusses the implications and makes recommendations to improve the state of health procurement to support improved utilisation of funds allocated to public health. The full study is available on Corruption Watch's [website](#).

Open Cities Lab is a non-profit open and non-partisan organisation that combines the use of action research, co-design, data science, and technology with civic engagement, to enable the development of inclusive cities and urban spaces. Open Cities Lab has a national reach through our projects in South African cities and urban spaces and a global presence in knowledge creation. The Open Contracting for Health project aligns with one of our key impact pillars: Trust and Accountability in Civic Space.

## 1.2 About Open Contracting

Given the significance of corruption relating to the mismanagement of public finances, most notably procurement related fraud across the public sector from national to provincial departments to local government and state owned enterprises, Corruption Watch has dedicated a focus area in its work to the issue of procurement reform and transparency. This work has aligned with the work of Transparency International with a particular focus on the issue of procurement for public health and the principle of open contracting.

Open Contracting for Health is a Transparency International Health Initiative. The project has been operational in Uganda, Zambia, Kenya, Nepal and South Africa since 2018. Led by Transparency International chapters, of which Corruption Watch is affiliated, with the technical support from the Transparency International Health Initiative the project seeks to improve health outcomes in partner countries and increase public trust in health services by overall achieving an overall outcome ensuring public procurement in national health systems is made more transparent by implementing: open contracting in public procurement; ensuring supplier diversity in health sector public procurement; and ensuring civil society is sustainably engaged in public procurement processes.

The initiative aims to improve transparency and accountability in health systems by promoting the use of open contracting principles and practices in public procurement. To date, this has been done through a mixed methods approach of training, capacity building, social accountability, and data analysis and utility. Activities in each country have been tailored and implemented according to the political context, institutional and policy frameworks, and civic operating space.

This research was envisioned against the backdrop of this multi-country initiative.

### 1.3 Overview of research

The research entailed the following:

- Conducting a rapid assessment of national and provincial health procurement portals, assessing the availability of information on the portals (3 national and 9 provincial portals were selected for the rapid assessment).
- Selecting 3 portals for additional in-depth technical review, including:
  - scraping and development of a data catalogue using [Open Contracting Data Standards \(OCDS\)](#)
  - analysis to determine which procurement health indicators are possible using the available fields and data.
  - recommendations based on the above analysis, including what additional fields should be included and what interventions portal owners should prioritise for improved procurement processes.
  - analysis on overlap and peculiarities of data when comparing the portals.
- Three portals were selected for in depth reviews:
  - [eTenders Publication Portal](#)
  - [North West Department of Health Website](#)
  - [Gauteng Provincial Government Tender Information Portal](#)

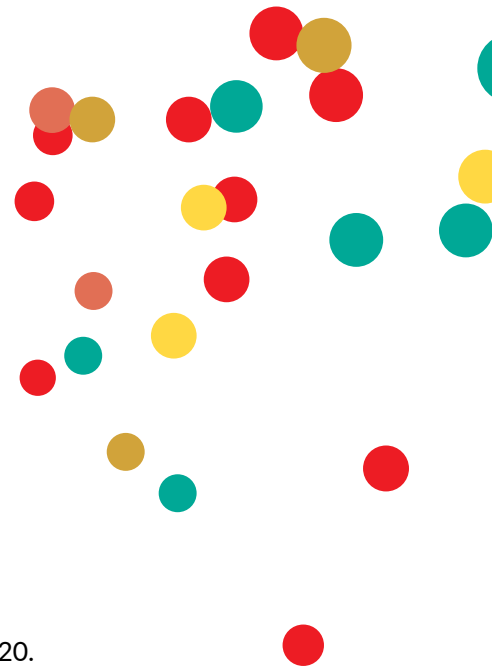
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Key findings

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# Key findings

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## 2.1 Rapid assessment

A Rapid Assessment of 3 national and 9 provincial portals was undertaken in June 2020. All data fields available per portal were mapped against the data catalogue fields, using the catalogue template. The portals were scored using the following criteria:

- Geographic coverage (1=poor; 5=good)
- Procurement stage coverage (planning, tender, award, contract, implementation) (1=poor; 5=good)
- Level of detail provided (1=poor; 5=good)
- Number of fields (not included in the scoring below)
- Amount of data available in HTML (1=poor; 5=good)
- Time period coverage (1=poor; 5=good)
- Accuracy of data (1=poor; 5=good)
- Bugginess of site/portal (1=poor; 5=good)

A summary of the rapid assessment results is outlined below.

Table 1: National and provincial health procurement portal rapid assessment

Portal	Overall score (out of 35)	Link
eTender portal	33	<a href="https://etenders.treasury.gov.za/content/advertised-tenders">https://etenders.treasury.gov.za/content/advertised-tenders</a>
Government tender bulletin	27	<a href="http://www.gpwonline.co.za/Gazettes/Pages/Published-Tender-Bulletin.aspx">http://www.gpwonline.co.za/Gazettes/Pages/Published-Tender-Bulletin.aspx</a>
National Department of Health	23	<a href="http://www.health.gov.za/index.php/2015-05-15-12-36-34">http://www.health.gov.za/index.php/2015-05-15-12-36-34</a>
Gauteng province	29	<a href="http://e-tenders.gauteng.gov.za/Pages/Home.aspx">http://e-tenders.gauteng.gov.za/Pages/Home.aspx</a>
KwaZulu-Natal Department of Health	27	<a href="http://www.kznhealth.gov.za/tender_documents.htm">http://www.kznhealth.gov.za/tender_documents.htm</a>
North West Department of Health	23	<a href="http://health.nwpg.gov.za/index.php/latest-developments/other/tenders/current-tenders.HTML">http://health.nwpg.gov.za/index.php/latest-developments/other/tenders/current-tenders.HTML</a>
Limpopo Department of Health	20	<a href="http://www.doh.limpopo.gov.za/?q=node/48">http://www.doh.limpopo.gov.za/?q=node/48</a>
Eastern Cape Department of Health	20	<a href="http://www.echealth.gov.za/index.php/tenders/tender-s/category/13-tenders">http://www.echealth.gov.za/index.php/tenders/tender-s/category/13-tenders</a>
Mpumalanga Department of Health	16	<a href="http://www.mpuhealth.gov.za/tenders.HTML">http://www.mpuhealth.gov.za/tenders.HTML</a>
Northern Cape Province	16	<a href="http://www.northern-cape.gov.za/index.php/apply/tenders">http://www.northern-cape.gov.za/index.php/apply/tenders</a>
Free State Province	N/a	<a href="http://www.freestateonline.fs.gov.za/index.php/tender-notice/">http://www.freestateonline.fs.gov.za/index.php/tender-notice/</a>
Western Cape Province	N/a	<a href="https://etenders.treasury.gov.za/content/advertised-tenders">https://etenders.treasury.gov.za/content/advertised-tenders</a>

Table 2: National and provincial health procurement portal descriptions

Portal	Description
<b>eTenders portal</b>	<p>The e-tenders portal is the National Treasury (NT) central tender website. It features a detailed table where one can view and scroll through all advertised tenders, and covers all entities, provinces, cities and SOEs. In terms of the different procurement phases, the portal covers adverts, awards, cancelled and closed tenders. The portal shows closed tenders since 2002. It has a link to the Office of Chief Procurement Officer website, which covers deviations, expansions and tender bid opportunities (plans). Deviations, expansions and plans seem only to cover national entities. Contracts are only published for transversal tenders (ie where NT procures on behalf of other departments/ provinces). A major challenge is that it is difficult to follow a project through the stages of the tender process (ie planning–advert–closure–award–implementation and any amendments along the way). In terms of fields available (according to the data catalogue), 60 fields are available, although details for closed and cancelled tenders are scarce.</p> <p>While quite a bit of data is covered in HTML on e-tenders (see fields covered in this template), substantial information is still contained within PDFs, which are completely varied, with no standards applied; this creates a barrier to the ability to scrape information. Furthermore, deviations, expansions and plans are only published in PDF, with no way to tie them to the original tender advert on e-tenders.</p> <p>In general, the site is easy to use, accurate and covers a period of almost 20 years. This is a prime example of a good portal scrape and so it can act as a standard to compare others to.</p>
<b>Government tender bulletin</b>	<p>This site features PDF versions of tender bulletins, released on a weekly basis (since 2012). This portal is meant to be complementary to e-tenders, and nothing should be on this portal that is not on e-tenders (given all the information is in PDF format, it would be a resource intensive process to confirm this). While the standard format is useful, with all releases in one PDF with a reliable release date, all the data being in PDF would make scraping a challenge. In terms of fields available (according to the data catalogue), the portal covers 39 fields. It covers 3 stages of the tender process and covers all entities and provinces, but there is scant detail on cities and municipalities.</p> <p>In terms of being a viable portal for scraping, this portal does not really seem relevant because it comprises only PDF data and all the data already appears on e-tenders.</p>
<b>National Department of Health website</b>	<p>This portal only covers National Department of Health (DoH) procurement, although most procurement is on behalf of provincial departments. Procurement phases covered include advertisements, contracts and addenda to contracts (contracts and addenda for pharmaceutical tenders only). Information is available from 2012. 45 fields are covered, although these mostly relate to contracts (for pharmaceutical tenders), as no awards, closed or cancelled tenders are published. Almost all fields are in PDF (several scanned). In general, the portal is not very user friendly but links etc. on the portal seem to work.</p> <p>The portal's advantage is that contracts are published (although, it is hard to say what percentage of tenders contracts are published for). The key disadvantages are that information is mostly in document attachments (making it time consuming to scrape), and several tender stages are not covered – especially for 'other tenders' (ie non-pharmaceutical).</p>
<b>Gauteng provincial portal</b>	<p>Gauteng does not have a specific health portal, rather all tenders are published on a central provincial procurement portal. The portal covers advertisements, closed, awarded, cancelled, upcoming adjudications and Open Tender Project Progress. Closed tenders are available from 2010 to date. This portal's unique feature is that it is very easy to follow a single tender through the phases because the tender number is always published together with the description and date in HTML, and document attachments build throughout the phases, so even the award publication contains the original advertisement. Furthermore, good detail is published at each phase, including briefing attendance registers, bid opening registers, tender documents, and CSD reports on sub-contractors. Overall, approximately 50 fields are published. However, it would be much more useful if more information was in HTML, rather than PDF.</p>
<b>KwaZulu-Natal (KZN) Department of Health website</b>	<p>This portal covers tenders released by the KZN DoH only. Procurement phases covered include current tenders, closed tenders, tender responses, awarded tenders, tender extensions and bid cancellations. The date range available is from 2015 to date. Approximately 48 fields are covered. Bid forms are used for advertisements and extensions and therefore contain a significant number of relevant fields in standardised format (1-page summary of Part A of SBD documents). The layout of the pages for each of the tender stages is the same as well as being neat and easy to navigate, which makes it easy to follow a single tender through the phases. The major disadvantage of this portal is that all information is contained within PDFs.</p>

North West Department of Health website	This portal covers tenders released by the North West DoH since 2018. Phases covered include current tenders, tender responses, awarded tenders, tender extensions, bid cancellations and tender errata (but it seems extensions and errata are put under amendments). Approximately 52 fields are covered, 20 of which are PDF; only the bid advertisement is in HTML, all other stages and fields are in PDF (some scanned if signature is required). The PDFs are standardised and detailed but quite a bit of information is not in tables and wording differs slightly, which means few fields would be able to be scraped. <sup>1</sup> A landing page for each level only lists the title and date created – these are very often different to the title and date of the next level of information when you click through. A few links lead nowhere. Errata and extensions seem to be addenda. This site is generally very detailed, but the key disadvantage is that for all stages other than the advertisements, landing pages are not completed well, and most of the detail is contained in PDFs.
Limpopo Department of Health website	This portal covers tenders released by the Limpopo DoH only and for the 2019–2020 years only. Procurement phases covered include advertised tenders, awarded tenders, responses received and archived tenders. Approximately 24 fields are covered. Most fields are within the advertised tender phase. Generally, all phases are neatly documented in PDF documents. There is a variety of document types and no naming convention within ‘archived tenders’, which is confusing.
Eastern Cape Department of Health website	This portal covers tenders released by the Eastern Cape DoH only. The portal only offers the option to select ‘tender adverts’ or ‘tenders awarded’, which then presents a long list of tenders all named in different ways. Responses received and amendments are hidden within this long list with no option to filter by tender stages. There is no way to select by year. Information is available from 2016 to date. The site is sluggish with two clicks required to get to the actual PDF document from the landing page. It would be near impossible to derive any useful information via scraping.
Mpumalanga Department of Health website	This portal covers bid opening registers and awards by the Mpumalanga DoH since 2016. While there is a link to ‘Tender bulletins, Supply Chain Management circulars, Procurement Plans, Awarded bids, Database registration forms, Tenders addendum, Tender Offices, eTenderPublication’, it does not work. All information is in PDF format and only bid registers have a standard structure from which fields can be drawn. The key disadvantage of this portal is that the link to where critical information is listed does not work (it is possible that the more detailed information does not exist). It is hard to judge the portal based on the information that exists on the landing page as it is very scarce. There is potential to link tenderers through to awards using the bid number, which is the one positive.
Northern Cape Province website	This portal covers all procurement by the Northern Cape Province. Bid adverts (3 documents), Awards (8 documents) and Bids Received (3 documents) are published. The low number of listings/documents leads one to believe that not all tenders are being captured, but this cannot be proven. Documents are available from 2017 to date. There are only PDF attachments – none of which have standardised fields, making it impossible to include it within the field analysis. Furthermore, while the links work, the naming and filing protocol make it difficult to use the site. This portal has many disadvantages. It covers all Northern Cape procurement and there is no way to categorise out health tenders without downloading the attachments. Very few documents are on the portal so it cannot be scraped. No positive aspects can be drawn from this portal.
Free State	The Free State Province does not have its own tender portal – it links through to e-tenders.
Western Cape	The Western Cape Province does not have its own tender portal – it links through to e-tenders.

<sup>1</sup> Scraping refers to the process of trying to extract data for analysis from various sources such as pdf documents.

## 2.2 In-depth reviews

### 2.2.1 eTenders Publication portal

eTenders comprises tender listings across all sectors, although we separated health-related listings to conduct the assessment. The following health-related entries were available on the portal:

- 78 advertised tenders (from 6 December 2019 to 2 June 2020)<sup>2</sup>
- 128 awarded tenders (no date published)
- 1 270 closed tenders (from 3 April 2015 to 19 May 2020)  
128 of these also occur in awarded tenders
- 195 cancelled tenders (no date published)
- 96 unique suppliers (awards release)
- 39 unique procuring entities, across all levels of government (tender advertisement release only)
- 36 unique categories.

**Table 3: eTenders Publication portal**

Recurring procuring entities	Recurring categories
Eskom (11)	
Free State Department of Health (7)	
National Health Laboratory Service (7)	
South African Medical Research Council (6)	
City of Tshwane (4)	
Denel (3)	
Council for Medical Schemes (2)	
Department of Health (2)	
eThekweni Metro (2)	
Free State Department of Education (2)	
Independent Development Trust (2)	
PetroSA (2)	
Tswelopele Local Municipality (2)	
	Supplies: Medical (1153)
	Human Health Activities (207)
	Human Health and Social Work Activities (106)
	Services: Professional (49)
	Construction (39)
	Services: General (26)
	Supplies: General (16)
	Services: Functional (14)

<sup>2</sup> These are the currently advertised tenders, as opposed to all tenders that have ever been advertised. Once the tender advertisement period is closed, the record moves into the tenders closed section of the portal.

Of the 78 tender advertisements, 13 had the keywords covid and corona in the tender description and special conditions field. Three of the closed tenders were Covid-related, three of the cancelled tenders were Covid-related.

The diagram below (adapted from the OCDS [technical assessment template](#)) summarises the coverage of information published on eTenders.

Planning	Tender	Award	Contract	Implementation
No information published. Bid opportunities for national departments and entities published in PDF quarterly on a separate linked website.	Basic invitation to bid information published in HTML, with details contained in attached PDFs. Basic cancelled and closed tender information published in HTML.	Basic award information published in HTML. No PDF attachments.	No information published. Contract expansions for national departments and entities published in PDF quarterly on a separate linked website.	No information published (contract expansions noted in contract stage).

eTenders contains approximately 54 fields in HTML and 60 in PDF across the planning, tender, awards and contract stages. Approximately 111 fields included in the OCDS schema are not published; in addition, no information on the implementation stage is available. Data within many of the available fields in HTML is inaccurate and incomplete. As a result, of the 69 indicators identified, only 7 can be easily calculated using data obtained from a once-off scrape of the portal. An additional 32 indicators could be calculated with difficulty through both digital and manual scraping of the portal and PDFs over time. No data exists for 30 of the indicators. The table below shows how the indicators that could and could not be calculated are split between the use cases. It is important to note that no value for money indicators can be calculated as this is one of the primary use cases for government stakeholders.



Table 4: eTenders Publication portal – indicators per use case

	Total	Data Catalogue	PDF	Missing
Collusion	9	5	0	4
Efficiency of Procurement Process	11	2	0	9
Fraud	7	5	0	2
Market Opportunity / Competitiveness	9	6	0	3
Process Rigging	18	8	5	5
Public Integrity	4	0	2	2
Reporting & Descriptive Analytics	4	4	0	0
Transparency & Disclosure of Procurement Process	11	5	2	4
Value for Money	6	0	0	6
Total	79	35	9	35

Given the varying quality of the data entered onto eTenders, it is difficult to ascertain to what extent NT regulations on the type of information that must be published and associated timelines are being complied with. However, a preliminary assessment of a sample of tender and award information showed that only the tender description, number and end date are consistently completed at the advertisement stage and only the tender description, number and supplier name are being consistently completed at the award stage (see the example indicators for further detail).

A summary of the challenges with how the data is entered onto the portal, the structure of the portal and the breadth of information is included below:

**All stages:**

- Data on the portal as it currently exists is often incomplete and inaccurate. For example, varying information is published under the 'unsuccessful bidder' section, including the procuring entity name and often this section is left blank. Sometimes telephone numbers are filled in where contract price should be, or contract prices are filled in where the directors' names should be. This could be a result of the how the information is being ingested into the portal (further research on the process by which tender information gets into the portal is required).
- There are duplicate entries across all stages.
- Procuring entity and supplier names are not standardised across tenders.
- Dates of milestones and dates of publishing notices on the milestones are rarely published, for example, the date the award decision was made and the date the award notice was published are not included in the awards release.
- Information on a contracting procedure (single tender) is not available throughout the procurement stages (from planning to implementation). There is no way to link the various stages because, even where information is published, the tender ID is not always published. This results in large gaps in information, for example, essential information, such as the procuring entity, is lost as soon as the tender advertisement is pulled down from the portal.
- Bid opportunities, extensions, deviations, blacklisted suppliers and price lists are unavailable on the eTenders Portal but rather are published in PDF on the Office of the Chief Procurement Officer's website.
- Standard PDFs released with every tender have no standard naming protocol or structure, for example, SBD documents have varying names and are sometimes attached as individual PDFs or as a consolidated set.
- Information on items being procured is difficult to find at the tender advertisement stage and is not published at the award, contract or implementation stages. This is critical information for tracking procurement performance and potential corruption.
- Complaints and their responses are not published.

**Planning stage:**

- Only future bid opportunities from national entities are published in PDF on the Office of the Chief Procurement Officer's website and they have no identifier, therefore, it is impossible to track their implementation. No other planning information is published.

**Tender stage:**

- It is legislated that tenderer information is published within 10 days of the bid opening, but this is not being done. This includes tenderer names, contact details, itemised bid price, SMME status, ownership status (local / foreign) and B-BBEE level.
- Closed and cancelled tenders provide little information, making it difficult to link information among the tender and other stages, which is required to calculate numerous indicators.

**Award stage:**

- The award completion date is required by legislation but is not being published.
- Sole source awards (deviations) are published in PDF on the OCPO's website quarterly instead of on eTenders together with competitive awards.
- Tenderers are published with the awards release separated as 'successful' and 'unsuccessful' bidders; however, 'unsuccessful bidder' information is poorly completed (46% of the sample of awards were missing all information on successful bidders).
- Disqualification of tenderers is not noted.

**Contract stage:**

- Contract information is not published (except for transversal contracts and amendments that are available on the OCPO's website in PDF format).

**Implementation stage:**

- Currently no implementation information is published.

### 2.2.2 North West Department of Health website

The North West DoH website only publishes information on tenders from the North West DoH; all the tender and award IDs are prefaced with NWDOH – even on the eTenders portal, so this is a quick way to identify North West tenders. The data on this portal is well organised and presented – in that the right data is in the right fields and it all makes sense. As at 23 July 2020, the following entries were available in HTML for scraping:

- 47 advertised tenders (from 10 August 2018 to 08 July 2020)
- 11 awarded tenders (March–August 2017 but all were published on the portal on 22 January 2018). There were 6 unique suppliers.
- 27 tenders were categorised under ‘general’. Other recurring categories included ‘electrical equipment’ (6), ‘medical equipment’ (3), ‘accommodation’ (2), ‘maintenance’ (2), and ‘medical’ (1).
- No Covid-related tenders or awards were published on this portal.

The diagram below (adapted from the OCDS [technical assessment template](#)) summarises the coverage of information published on the North West DoH website.

Planning	Tender	Award	Contract	Implementation
No information published at this stage.	Basic invitation to bid information published in HTML, with no supporting documents published. Only 2 outdated cancelled tenders published in PDF and no closed tender information.	11 outdated (2017) awarded tenders published in HTML with supplier name only. No PDF attachments.	No information published on contracts.	No information published on implementation.

The North West Portal contains approximately 26 fields in HTML at the tender stage. Only 11 outdated awarded tenders are published in HTML and so these fields have been recorded as missing for the purpose of this report. The PDF fields published on this portal have also been recorded as missing as they are limited and outdated, so it would be inaccurate to use this information. Approximately 193 fields are not published; in addition, no information on the planning, implementation and contract stages is available. Only 3 indicators can be easily calculated using data obtained from a once-off scrape of the tender listings on the website. The table below shows how the indicators that could and could not be calculated are split between the use cases. The table highlights the dire lack of information on the website.

Table 5: North West Department of Health website – indicators per use case

	Total	Data Catalogue	PDF	Missing
Collusion	9	0	0	9
Efficiency of Procurement Process	11	1	0	10
Fraud	7	0	0	7
Market Opportunity / Competitiveness	9	0	0	9
Process Rigging	18	1	0	17
Public Integrity	4	0	0	4
Reporting & Descriptive Analytics	4	0	0	4
Transparency & Disclosure of Procurement Process	11	1	0	10
Value for Money	6	0	0	6
<b>Total</b>	<b>79</b>	<b>3</b>	<b>0</b>	<b>76</b>

The challenges with the way the data is entered onto the portal, the structure of the portal and the breadth of information are included below:

#### All stages:

- The main challenge, as highlighted above, is that only information at the tender stage is published regularly (it should be noted that all basic information is published for 100% of tender advertisements). Awards stopped being published in 2017 and bidder lists are only published for a few tenders.
- Analysis of the example indicators (see below) shows an inefficient procurement process where no tenders may be submitted electronically, and all tenders are open for more than the recommended 21 days (with a mean of 37 days).

#### Tender stage:

- One error was noticed with the closing date of a tender – the year had been incorrectly entered, verified as the same tender appeared in the eTenders portal.
- There are a few duplicates in the tender IDs because some tenders are readvertised under the same tender ID if there are not enough applicants.
- Only basic information is provided on the tender advertisement in HTML – no PDFs are attached to the advertisement but rather it is advised that the tender details be obtained from eTenders or in person from the Department offices. This is especially problematic considering that few of the tenders published on the North West DoH website are available on eTenders (see comparative analysis below), which means that most documents are only available in person from the offices. This is a barrier to market openness as some bidders may be unable to collect in person.
- NT Instruction Note on Enhancing Compliance Monitoring and Improving Transparency and Accountability in Supply Chain Management 3.2.1 requires departments to publish the names of bidders in an advertised competitive bid – and where practical, the total price and any preference claimed by the bidders. Bidder lists have been published in PDF but not for every tender advertisement, and only the bidder names are published.
- No closed tenders and only two cancelled tenders have been published in PDF and with little information provided.

#### Award stage:

- Only 11 awarded tenders have been published from January to December 2017.
- The information published on these awarded tenders is not extensive, including only the award ID, bid description, supplier name and the bid price.



### 2.2.3 Gauteng Provincial Government Tender Information portal

The Gauteng Portal only publishes information on tenders from the Gauteng Province and all tender and award IDs are prefaced with GT/GDH – even on the eTenders portal, so this is a quick way to identify Gauteng tenders. The data on this portal is presented in both HTML and PDF but not all field names are uniform, which makes some of the data accuracy questionable. On 14 September 2020, the following entries were available in HTML and PDF for scraping:

- 4 advertised tenders (from 06 March 2020 to 11 September 2020)
- 109 awarded tenders (20 December 2009 to 06 September 2019)
- 14 cancelled tenders (2015–2018)
- 24 closed tenders (20 February 2015 to 20 September 2019)
- No Covid-related tenders or awards are published on this portal, but a [Covid-19 Expenditure Disclosure Report](#) is published under the awards tab.

The diagram below (adapted from the OCDS [technical assessment template](#)) summarises the coverage of information published on the Gauteng Portal.

Planning	Tender	Award	Contract	Implementation
No information published at this stage.	Basic invitation to bid information published in HTML, with supporting documents published in PDF, Word and Excel. 14 cancelled and 24 closed tenders published in HTML.	33 awarded tenders published in HTML with PDF attachments and 109 awarded tenders published in PDF.	Contract start and end dates published with PDF awards.	No information published on implementation.

The Gauteng Portal contains approximately 37 fields in HTML at the tender stage.

From 2015 to 2019, 33 awards are published in HTML. Only the bid number and title are included in HTML but each has detailed bid information attached in the form of PDF documents such as bidder lists. Ten award reports in PDF form summarise 109 awards published from 2010 to 2020, including supplier, contract value and dates. However, these award reports do not have attached PDFs with extra bid information. According to the date last modified on inspection of the item on the portal, all PDFs up to 2018 were published on 28 November 2019, while 2019 PDFs were published on 2 January 2020.

OCL scraped both the HTML awards and PDF report awards, but only the PDF report awards were included in the data catalogue as the information is more complete and consistent. The individual PDFs attached to the HTML awards were not scraped, in line with our approach for the other two portals. Of 33 awards published in HTML, 23 are also published in the PDF reports (10 outstanding<sup>3</sup>). It is unknown why all the awards have not been published in HTML and why not all the HTML awards have been included in the summarised award reports. OCL emailed the portal contact to find out but received no response. It is most likely that this is a case of inconsistent data capturing happening on the portal, but it could also disguise corruption as it is difficult to calculate award-related indicators.

Approximately 155 fields are not published; in addition, no information on the planning and implementation stages is available.

Only three indicators can be calculated using data obtained from a once-off scrape of the tender listings on the website, with an additional 9 possible through continuous scraping of the portal. The table below shows how the indicators that could and could not be calculated are split among the use cases. The table highlights the lack of information on the website.

Table 6: Gauteng Provincial Government Tender Information portal – indicators per use case

	Total	Data Catalogue	PDF	Missing
Collusion	9	0	0	9
Efficiency of Procurement Process	11	4	1	6
Fraud	7	0	0	7
Market Opportunity / Competitiveness	9	1	0	8
Process Rigging	18	3	1	14
Public Integrity	4	0	0	4
Reporting & Descriptive Analytics	4	1	0	3
Transparency & Disclosure of Procurement Process	11	3	0	8
Value for Money	6	0	0	6
<b>Total</b>	<b>79</b>	<b>12</b>	<b>2</b>	<b>65</b>

<sup>3</sup> These 10 HTML awards can be viewed [here](#).

The challenges in how the data is entered onto the portal, the structure of the portal and the breadth of information are included below:

#### All stages:

- The Gauteng Portal contains substantial information in document attachments with good continuity from the tender advertisement to the closed and awards releases, however, this is not applied consistently for all contracting procedures.
- Documents released with every tender do not have standard naming protocols and structure and are published in Word, Excel and PDF form. For example, Pricing Schedule documents have varying names such as Tender Document Section 2.
- Complaints and their responses are not published.
- Bid opportunities, extensions, deviations, blacklisted suppliers and price lists are not available on the Gauteng Portal.

#### Planning stage:

- No information on planning is published on the portal.

#### Tender stage:

- Unlike the eTenders Portal and North West DoH Website, basic information is not published in HTML, including submission method and contact points for the tender. Most information is published in document attachments.
- NT Instruction Note on Enhancing Compliance Monitoring and Improving Transparency and Accountability in Supply Chain Management 3.2.1 requires departments to publish the names of bidders in an advertised competitive bid – and where practical, the total price and any preference claimed by the bidders. Bidder lists have been published in PDF but not for every tender advertisement and only the names of bidders are published.

**Award stage:**

- Awards are published in both HTML (33 entries) and PDF (109 entries), although the two are not consistent (10 awards published in HTML are not published in PDF).
- For the awards published in PDF, several entries have multiple suppliers being awarded a single contract but only 1 contract value is stated. In other cases, multiple suppliers were awarded but the same contract value is repeated per supplier. It is unclear how much of the contract value is being awarded per supplier.
- The published award dates seem arbitrary and inaccurate for the following reasons:
  - Differing field names across award PDFs: awards published from 20 December 2009 to 1 August 2010 are published with an “award date” and then awards published from 13 May 2011 have published an “advert date”.
  - Many of the “award dates” and “advert dates” are after the “contract period start date”, which is nonsensical.
  - According to a sample analysis conducted, the “advert date” does not match the actual advertisement date in the closed tenders’ release.
  - The PDFs seem to have been uploaded in two batches on 28 November 2019 and 2 January 2020 – these are the true award dates published and reflect a significant delay in publishing information (although improving).
- Inconsistent data capturing seems to be happening on the portal, however, it could also disguise corruption as it is difficult to calculate award related indicators.
- Disqualification of bidders is not noted.
- Unsuccessful bidder information is not published.

**Contract stage:**

- Only the contract start and end dates have been published in the awards report PDFs.

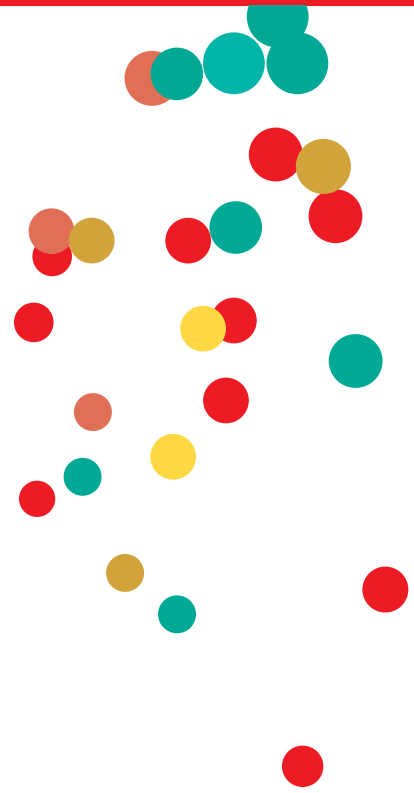
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03

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# Recommendations

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# Recommendations

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The recommendations are divided into two sub-sections: recommendations for provincial portals and recommendations for a national portal.

## 3.1 Provincial portals

It is important to note that provincial portals publish significantly less information than eTenders (particularly in HTML); the data quality and consistency is poor and there seems to be confusion and inconsistency regarding what is published on eTenders and what is published on the provincial portals. This is a breach in legislation that obscures the procurement process. While only two provincial portals were assessed in detail, a rapid assessment of procurement portals for each province (where there were portals), found that the two assessed were the most comprehensive, so it can be assumed that those that were not assessed contain even more challenges. Two scenarios should be explored by provinces:

- Scenario 1: Stop publishing tenders on a provincial portal/website and direct all tenderers to the national portal. Work with the national portal owners to improve the extent and quality of information published (see recommendations for the national portal below).
- Scenario 2: Drastically improve the extent and quality of information published on their portal/website and improve the synergies with the national portal (as required by legislation).



### 3.2 National portal

While eTenders has notable shortcomings, it is still the most comprehensive and effective procurement portal of the portals considered in the rapid assessment in this study. This proves a place for a national portal such as eTenders within the procurement ecosystem. Two scenarios could be considered:

- Scenario 1: Update eTenders to the level required to meet South African legislation and aim for better transparency in future. Specific appropriately phrased portal recommendations for eTenders can be found [here](#).
- Scenario 2: Replace eTenders with a new portal (or complement eTenders with a new health procurement portal) that more easily allows for the implementation of OCDS and more automated processes. To decide if this is necessary, a technical assessment of eTenders and the associated data pipeline against OCDS and within the local context will need to take place.

Below are supporting recommendations aimed at the procurement ecosystem and which could be applied regardless of the scenario selected.

#### **Data quality and efficiency:**

A limitation to this study was that the processes behind the portals were not considered, ie the procurement data pipeline and those responsible. It assumed from the nature of the data quality issues on eTenders that this is still a fairly human-centred, non-automated process. To combat data quality concerns, a data ingestion tool, management system and process should be developed and overseen by the National Treasury, where tender information is handled via digitised processes from the start and stored in a database that is built based on the OCDS schema. The ingestion tool would be designed to fit the data needs. It would also ensure clean data – validation criteria would be set for fields like dates and money amounts. If provincial portals were still deemed necessary, data could be directed to provincial portals via this tool and this would ensure consistency across portals. For full transparency, even the application process should be strictly electronic.

**Data transparency:**

The OCDS is effective for collecting, processing and monitoring procurement procedures. It allows for linking across tender stages and provides a guideline on what to publish and how to monitor across various use cases. We recommend that this system is implemented by the National Treasury. Numerous resources to assist with this are available on the [OCDS website](#). A prioritised list of use cases for tracking procurement based on OCDS with their associated indicators and fields is available in [Annexure 8](#).

**Training and engagement:**

Given the health procurement status quo, we recommend the following training and engagement:

- Training with journalists and civil society on what data exists, where it exists, what the shortcomings are and what indicators could be measured. Engagement with these same groups on what indicators they find most important.
- Engagement with government procurement actors on the shortcomings considered in this study and the opportunities for monitoring provided by implementation of OCDS.

**Reporting and descriptive analytics:**

Currently, a significant volume of information and potential analysis is lost when tender adverts are removed from eTenders. Furthermore, the absence and inaccuracy of date information across stages prevents useful analysis. Constant scraping and development of a data catalogue would ensure that data is archived and date stamped. Users would also benefit from the basic descriptive analysis that can be done given the current published information, perhaps via a dashboard.

**Focus on health procurement:**

Specific OCDS resources are dedicated to health procurement, which can require its own lens. Mapping of health procurement in South Africa would be beneficial. For example: Who is responsible for procuring which supplies and where are these published? What unique procurement practices apply to health procurement and where are these published? This would ensure that any decisions also benefit and suit the unique needs of health procurement.

04

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# Conclusions

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# Conclusions

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The process of trying to extract data from various government portals happens in a context where the transparency of government spending is opaque and falls below the requirements of openness as required by legal standards for procurement as laid out in section 217 of the South African Constitution. The lack of transparency within the system hampers the ability to monitor how organs of state spend on procurement. In this case, the study revealed how challenging it is to determine what national and provincial departments of health, spend on procurement. This makes it impossible to conduct effective oversight of whether public funds are being spent in line with the mandate of the departments and in accordance with the principles of fairness, equitability, competitiveness and cost-effectiveness.

It remains an advocacy focus for South African civil society to push for procurement reform, by promoting proactive disclosure of procurement information and legislative reform that moves the country towards a more transparent regime that can allow for greater monitoring including compliance with regulations to ensure the type of procurement-related corruption we witnessed with the acquisition of PPE in 2020 is not repeated.

For Corruption Watch, the notion of open contracting and the roll out of open data standards by government can also go some way to fighting corruption when it comes to irregular and unlawful spending of health budgets. Publishing comprehensive procurement and contracting information from all phases of the procurement cycle from all organs of state on an online procurement portal such as the eTender portal will support improved financial management.

Transparency alone however will not be sufficient to combat corruption. Transparency measures need to be implemented at the same time as implementing improved IT systems, preventative controls, professionalisation of the public service and ensuring consequence management for misconduct. In this era of the pandemic, the misallocation and looting of resources for our society has the direct consequence of perpetuating sickness or health and life or death. Ensuring a more transparent public procurement system through the publication of data that can be readily monitored by public officials, law enforcement and civil society more broadly is something government must embrace to move the country beyond the era of state capture and kleptocracy.

05

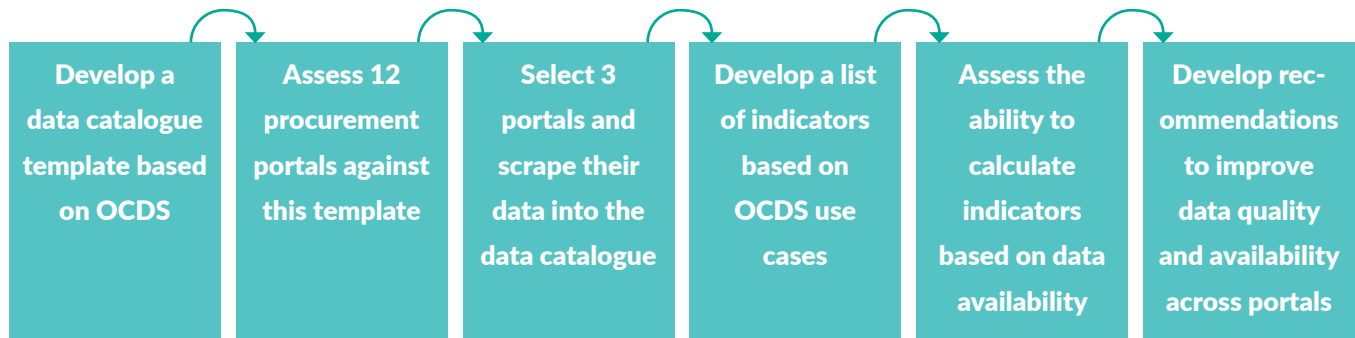
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Appendix A:  
Methodology

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# Appendix A: Methodology

The methodology is summarised below:



## The steps followed involved:

- **Development of a data catalogue template:** The data catalogue is based on [Open Contracting Data Standards \(OCDS\)](#), a growing data standard used in procurement that promotes transparency through publishing information from the procurement planning stage through to the implementation stage in a format that can be easily extracted and analysed. The OCDS was used as a base but was adjusted in the data catalogue to suit the South African context and project needs.
- **Rapid assessment:** Fields available across 12 portals (3 national, 9 provincial) were mapped against the data catalogue fields, using the catalogue template. The portals were scored using various criteria such as geographic and procurement stage coverage.
- **Deep dives (selection and scraping):** Based on the scoring and additional criteria such as ease of scraping, 3 portals were chosen for deep dives. A deep dive includes scraping data within the portal, entering that data into the data catalogue and performing an indicator analysis. The three deep dives were:
  - eTenderPublication: Data was extracted 29 May–2 June 2020
  - Gauteng Province: Data was extracted 14–18 September 2020
  - North West DoH: Data was extracted on 22–23 July 2020



- **Indicator list:** Indicators are the result of a combination of fields and are calculated to provide insight into the procurement process, for example, the potential for corruption. A list of indicators was sourced from the available literature, consolidated and adjusted based on the local context.
- **Deep dives (indicator analysis):** For each portal, the indicators were categorised according to whether they could be calculated using data available in HTML (in the data catalogue) or PDF, or if there was insufficient information. The fields and data quality were both considered when categorising. Three indicators per portal were calculated as a showcase of what can be achieved.
- **Recommendations:** Given the indicator assessment, experience of developing the data catalogue and insights from international research on user requirements, recommendations were developed for each portal. These should be tested with local South African stakeholders on release of this report.



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Corruption Watch (RF) NPC  
8th floor, South Point Corner  
87 De Korte Street  
Braamfontein 2001 Johannesburg  
PO Box 30630 Braamfontein 2017

[info@corruptionwatch.org.za](mailto:info@corruptionwatch.org.za)

T: 011 242 3900 | F: 011 403 2393

[www.corruptionwatch.org.za](http://www.corruptionwatch.org.za)