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ESPPRA Eswatini Public Procurement Regulatory Agency

RHUS Office Park, Karl Grant Street
P. O. Box 9665
Mbabane, Eswatini

ESPPRA CIRCULAR NO.: 1/2025

ADDRESSED TO:	**ALL CONTROLLING OFFICERS AND CHIEF EXECUTIVE OFFICERS OF PROCURING AND REQUESTING ENTITIES**
SUBJECT:	**SUBMISSION OF REPORTS TO THE AGENCY IN TERMS SECTION 11 OF THE ACT AND REGULATION 29 OF THE REGULATIONS**
EFFECTIVE DATE:	**16 APRIL 2025**
STATUTORY REFERENCE:	**SECTION 66 AS READ WITH SECTION 11 OF THE PROCUREMENT ACT, 2011 AND REGULATION 29 OF PUBLIC PROCUREMNT REGULATIONS**

1. This Circular has been issued in terms of Section 66 as read with Section 11 of the Public Procurement Act, 2011 and in terms of Regulation 29 of the Public Procurement Regulations, 2020, which requires procuring and requesting entities to submit procurement plans, reports, data, and information pertaining to all procurement activities carried out by that entity.

2. In order to enable the Agency to carry out its monitoring and evaluation functions and to report on the performance and functioning of the public procurement system, procuring and requesting entities are hereby required to submit to the Agency:

   a) Copies of decisions concerning complaints or disputes in procurement proceedings, not later than fourteen days after the issue of such decisions;

b) Not later than fourteen (14) days after issuing the instruction to amend, alter or vary any procurement contract, submit a report to the Agency of any amendment, alteration or variation of a procurement contract giving details on the reasons, cost implication and approvals;

c) Annual procurement plans not later than thirty (30) days after their approval by the appropriate budget approving authority; and

d) Monthly and quarterly procurement implementation reports within thirty (30) days after the end of the respective month or quarter containing details of procurements undertaken during such reporting period. Such monthly and quarterly reports must be accompanied by a comparison of actual versus planned procurement. Any deviation from the procurement plan must be accompanied by a full explanation of the reasons for such deviation.

3. The attached templates should be populated fully, for the submission of all annual procurement plans, procurement reports and contract implementation reports to the Agency.

4. SPPRA Circular No. 2 of 2015 is hereby withdrawn and shall from today henceforth cease to operate.

5. All procuring and requesting entities are required to adhere to the above to facilitate the monitoring and compliance mandate of the Agency.

V. Matsebula

CHIEF EXECUTIVE OFFICER

ESWATINNI PUBLIC PROCUREMENT REGULATORY AGENCY

ESWATINI PUBLIC PROCUREMENT REGULATORY AGENCY
CEO'S OFFICE
15 APR 2025

ESPPRA
Eswatini Public Procurement Regulatory Agency

INSTRUCTIONS FOR USING THE ESWATINI PUBLIC PROCUREMENT DATA COLLECTION TOOL

There are instructions on navigating within the workbook and the dates by which returns are due on the 'Entity details and instructions' tab in the data collection tool. This document describes the data you need to enter on the Annual Procurement Plans, the Quarterly Returns for Procurement and Contracts, the Summary Report and the Single Sourcing Report.

Annual Procurement Plans

1. On each sheet, enter the description of the planned procurement in Column B. A reference will appear automatically in Column A. Remember to include enough information in the description to make the Annual Procurement Plan useful to potential bidders, for instance including a time period or estimated quantity for the contract.
2. For the APP for Goods, Works & Other Servs, if you are buying multiple items of the same type, enter the units and the quantity in columns C and D. – e.g. for 20 laptops, enter 'Laptop' in Unit (Column C) and 20 in Quantity (Column D).
3. Use the drop down menu to select the procurement method you plan to use - Column E on the APP Goods, Works & Other Servs sheet or Column C on the APP Consultancy sheet
4. Use the drop down menu to select the planned source of funds - Column F on the APP Goods, Works & Other Servs sheet or Column D on the APP Consultancy sheet
5. Enter the estimated cost of each planned procurement in Column G on the APP Goods, Works & Other Servs sheet or Column E on the APP Consultancy sheet.
6. You should enter the amount in Emalangeni as a number with no currency symbol.
7. Once the Annual Procurement Plans are complete, they should be submitted to the ESPPRA by emailing the Excel workbook to compliance@esppra.co.sz. The Annual Procurement Plans may also have to be revised during the year. The whole Excel workbook should be submitted to the ESPPRA each quarter so that revised plans as well as procurement and contracts returns can be held centrally.

Note on the Procurement and Contracts Quarterly Returns

Although you are only required to submit the data to the ESPPRA after the end of the quarter, it is very strongly recommended that you update the data collection tool regularly – perhaps every week or at the conclusion of each procurement/award of contract. If the information is completed regularly, the Procurement Dashboard sheet will give you an up-to-date view of activity so far during the financial year. It will also be much easier to have all of the necessary information available.

If your organisation holds all or most of the data required already on an electronic system, it may be more efficient to export the data then structure and format it in Excel instead of completing a manual return. The data collection tool should be a good guide to the structure and format of data required. Any procuring body planning to take this approach should contact compliance@esppra.co.sz.

Procurement Quarterly Return

1. Start by selecting the category of the procurement from the drop-down menu in column A. A drop down menu will be available in column B to enable selection of the matching entry in the Annual Procurement Plan. The category selected will tell Excel whether to look at the APP for Goods, Works and Non-Consultancy Services or the APP for Consultancy. If the procurement

was not included in the Annual Procurement Plan, you are required to update it at this stage, so return to the relevant APP sheet before proceeding further.

2. A Procurement ID will be assigned automatically in column C, and entries in columns D to G will fill automatically with the information from the Annual Procurement Plan.

3. Select the person or Board which approved the procurement from the drop-down menu in column H.

4. In column I, you should enter the date on which the procurement was advertised, or for procurements which were not advertised, the date on which the specification or Terms of Reference were issued. Please note that the Excel workbook will reject a date if it is more than 3 months before the start of the financial year or more than 12 months after the end of the financial year.

5. Columns J to N need to be completed for competitive procurement procedures. For non-competitive procedures, you can leave these columns blank.

6. In column J, enter the place where the procurement was advertised or shared – for instance, your organisation's website or by email to invited bidders.

7. In column K, enter the closing date for bidders to submit their proposals. Please note that the Excel workbook will reject a date if it is earlier than the date of initiation or advert in column J.

8. In column L, select from the drop down menu the best description of the basis of the award.

9. In column M, enter the number of bids received. Include all bids, even if they were later disqualified e.g. where they did not meet the qualification criteria or the price was abnormally low.

10. In column N, enter the number of bids that were disqualified. Column O will then automatically calculate the number of valid bids.

11. In column P, enter the value of the lowest valid bid in Emalangeni – as a number, with no currency symbol, and in column Q, enter the value of the highest valid bid. If there was only one valid bid, enter the same value in both columns.

12. Choose the procurement status from the drop-down menu in column R. Remember that if you choose 'Active', meaning the procurement is underway, you should amend it later to 'Completed', 'Unsuccessful' or 'Withdrawn' to reflect the outcome of the procurement.

13. Once the procurement is completed, enter the award date in column S and the total award value in column T. The total award value should be the total value of all contracts awarded under this procurement. If the procurement has put a new Framework Agreement in place, you can enter an estimate of the expected value of contracts to be awarded during the life of the framework.

14. Note that you can only enter values in columns S and T if the Status of Procurement in column R is 'Completed'. If you set the Status of Procurement as 'Completed' and entered an award date and total award value, then change the Status of Procurement, you may see an error message on the sheet.

Contracts quarterly return

1. Start by using the drop down menu in column A to select the procurement ID for the procurement which resulted in this contract. If you are awarding this contract under a

framework agreement put in place by another public body or in a previous year, select 'Framework agreement'. If you are awarding the contract under a framework agreement put in place by your organisation in the current financial year, you should select the procurement ID.

2. A contract ID will be assigned in column B, and the description, category, procurement method, source of funds, date of initiation and award date will also appear in columns C to H. If you have selected 'Framework agreement', these columns will be blank or zero.
3. If you have awarded more than one contract from a procurement, choose the same procurement ID in column A for each contract, and a different contract ID will be allocated.
4. Enter the name of the supplier for the contract in column I.
5. Enter the contract value in column J, in Emalangeni as a number with no currency symbol. Note that if there are multiple contracts from the same procurement, the sum of the contract values should be the same as the 'Total award value' for those procurements on the Procurement quarterly return – unless the procurement put in place a framework agreement which will be used more widely or over a longer period.
6. Columns K to M collect details about the chosen supplier. In column K, use the drop-down menu to indicate whether the supplier is local, foreign or a joint venture. In column L, choose yes if the chosen supplier is from Eswatini and more than 50% owned by a woman or women. In column M, choose yes if the chosen supplier is from Eswatini and more than 50% owned by a person or people who are aged between 15 and 35. Choose no in column L and column M if the supplier does not meet these criteria.
7. Enter the date the contract was signed in column N. Note that the Excel workbook will reject a date that is earlier than the 'Award Date' in column J, or more than 12 months later than the Award date.
8. Enter the date that the contract started in column O. Note that the Excel workbook will reject a date that is earlier than the 'Date contract signed in column N, or more than 12 months later than the date the contract was signed.
9. Enter the planned end date for the contract in column P. Note that the Excel workbook will reject a date that is earlier than the 'Contract start date' in column O.
10. Choose the contract status from the drop-down menu in column Q. Remember that you may have to update it later.
11. Columns R to U relate to contract revisions. If there are no revisions to the contract, select 0 in the drop-down menu for column R. Columns S to U will have grey backgrounds and it should not be possible to enter any data in these at this stage.
12. If there is a contract revision, select 1 from the drop-down menu in column R, and enter the date of the revision in column S, the revised contract value in column T and the revised contract end date in column U, **even if the contract value and end date have not changed.** If there are further revisions to the contract, change the value in column R to the number of revisions so far to date, and update column S with the date of the latest contract revision. Also update the revised contract value in column T and the revised contract end date in column U as necessary.

13. Once the contract is completed, or terminated before completion, you should select the new status from the drop-down menu in column Q, and enter the total amount of all payments made under the contract in column V.

14. **ESPPRA will want to continue to collect data in future financial years on contracts which are not yet complete. They will advise how this is to be done.**

Summary Report

1. Enter the date on which you are completing the report in cell D5.

2. Select the reporting quarter from the drop down menu in cell D6.

3. The table should be filled in automatically using data from the Contracts quarterly return sheet, using the date of contract signature to determine which quarter a contract falls into. If you do not agree with any of the values, check the entries for the quarter on the Contracts quarterly return sheet carefully.

4. If you find, after checking, that you still do not agree with the values appearing in the table, contact the ESPPRA at the email address compliance@esppra.co.sz.

5. If you are content with the values in the table, you should print this sheet and have it signed as indicated. Scan the signed copy and email it to compliance@esppra.co.sz.

Single Sourcing Report

1. Enter the date on which you are completing the report in cell C5.

2. Select the reporting quarter from the drop down menu in cell C6.

3. The Procurement IDs, descriptions, supplier names and contract amounts of any contracts signed during the quarter after a procurement from a single source should appear in columns B to E. If you do not recognise any of these details, or if you think any single source procurement is missing, you should check the details on the Contracts quarterly return sheet carefully.

4. If you find, after checking, that you still do not agree with the values appearing in the table, contact the ESPPRA at the email address compliance@esppra.co.sz.

5. If you are content with the values in the table, you should complete the justification and section of the regulation in column F as required, and then the date of approval and the approvals authority in columns G and H.

6. Once the report is complete, print this sheet and have it signed as indicated. Scan the signed copy and email it to compliance@esppra.co.sz.

If you have any suggestions for improvements to the data collection tool, including these instructions or additional elements for the procurement dashboard, please email these to the ESPPRA compliance@esppra.co.sz.