





## **Bid Specification Committee Charter**

## APPROVAL PAGE

### BID SPECIFICATION COMMITTEE CHARTER

GAUTENG GAMBLING BOARD			
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The signatories hereof, confirm their acceptance of the contents and authorize the adoption thereof.			
			
<b>Signature Chief Financial Officer</b>		<b>Date</b>	
			
<b>Signature Chief Executive Officer</b>		<b>Date</b>	

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## **DEFINITIONS**

**“Board”** means the Board of Directors of the Gauteng Gambling Board

**“CEO”** means the Chief Executive Officer of the Gauteng Gambling Board

**“CFO”** means the Chief Finance Officer of the Gauteng Gambling Board as appointed from time to time

**“Constitution”** means the constitution of the Republic of South Africa

**“Small, Medium and Micro Enterprises/SMMs”** means a legal entity operated for profit that employs less than 50 people and/or has a turnover less than R50 million

**“Supply Chain Management Practitioner”** means an individual employed in the office of the Chief Finance Officer of GGB who is dedicated to be in charge of the implementation of the supply chain management policies

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**“Official”** means staff members or consultants appointed by the company

**“Specialist”** means an individual with particular expertise, who serves as a technical advisor to the committee.

## **1. INTRODUCTION**

The purpose of this Charter is to provide guidelines on the mandate, role, function, composition, duties, meeting procedures and conduct of Gauteng Gambling Board's Bid Specification Committee.

## **2. MANDATE, ROLES AND FUNCTION OF BID SPECIFICATION COMMITTEE**

**2.1** A delegation or instruction to an official:

**2.1.1** is subject to any limitation and condition the Board may impose,

**2.1.2** May either be to a specific individual or to a holder of a specific post in GGB.

**2.2** The Bid Specification Committee is responsible for compiling of bid specifications. The specifications committee must also consider whether all the required quality assurance standards have been met with regards to the type of goods that is requested. The specifications should be compiled in an unbiased manner to allow all potential bidders to offer their goods and/or services without favour or prejudice.

**2.3** In order to meet their obligations, committee members must be familiar with and adhere to all relevant SCM legislation, policy guidelines, practice notes and circulars.

**2.4** Each member as well as all officials rendering administrative support to the Bid Specification Committee must sign a declaration form at each Bid Specification Committee. Members are to declare that they will:

**2.4.1** Accept the confidentiality of the meeting;

**2.4.2** Not make known anything regarding the proceedings of the meeting and the matters under discussion, unless authorized by the CEO to do so; and

**2.4.3** Not purposefully describe goods that favours any vendor or supplier.

### **3. COMPOSITION OF BID SPECIFICATION COMMITTEE AND THE APPOINTMENT OF MEMBERS**

**3.1** Bid Specification Committee members are appointed in writing by the CEO.

**3.2** The Committee will be constituted as follows:

- Appropriately skilled officials of a Department(i.e. the end user requiring the goods and services as well as supply chain management official
- One or more suitably qualified specialist official
- Or any other official under the direction of the component concerned.

It is recommended that specifications should be approved by the Chief Executive Officer or his /her delegate prior to invitation /advertisement. This is done to make sure that the requested goods and services are in harmony with the strategic objectives of the organization.

#### **3.2.1 Chairman**

The Chairman of the Bid Specification Committee should be a Supply Chain Practitioner or delegated official.

#### **3.2.2 Secretariat**

An official from the SCM directorate must be available to act as secretary.

#### **4. DUTIES AND POWERS OF THE VARIOUS COMMITTEE MEMBERS**

##### **4.1 The Chairman**

###### **4.1.1 The Chairman:**

**4.1.1.1 Retains all his/her rights as a member,**

**4.1.1.2 May adjourn the meeting,**

**4.1.1.3 May rule on points of order. Such rulings shall be final and binding on the committee,**

**4.1.1.4 May withdraw proposals or other matters under discussion before it is put to the vote; and**

**4.1.1.5 May only meet to consider bids and evaluate them.**

###### **4.1.2 The Chairman shall:**

**4.1.2.1 Maintain order during a meeting and ensure that the committee's business is conducted in an orderly manner;**

**4.1.2.2. Before opening a meeting, ensure that it is properly constituted;**

**4.1.2.3 Protect the rights of every member;**

**4.1.2.4 Regulate the participation of members in deliberations of the committee;**

**4.1.2.5 Ensure that members know exactly what they are required to vote on;**

**4.1.2.6 Ensure that only one member holds the floor at any one time while also encouraging open discussions and debate on agenda items;**

**4.1.2.7 Provide guidance by directing the meeting, but shall avoid dominating proceedings in meetings;**

**4.1.2.8 Conduct meetings of the committee in a formal manner;**

**4.1.2.9 Formulate clearly the decisions to be minuted and sign and approve the minutes and resolutions after they have been verified for correctness.**

#### **4.2. Vice-chairman**

The vice-chairman has the same powers and duties as those of members and in addition, where necessary, shall –

- 4.2.1. in the absence of the chairman, preside as chairman; and
- 4.2.2. take the seat of and act as chairman, should the chairman have a conflict of interest in any matter being considered.

In the event that both the chairman and vice-chairman are absent from a meeting, the members present may elect one of their members to preside at such meeting.

#### **4.3 Secretary**

The Secretary shall:

- 4.3.1. In conjunction with the Chairman compile an agenda and determine the dates of committee meetings,
- 4.3.2. Give note of proposed meetings to committee members;
- 4.3.3. Process and distribute all documentation together with the agenda to committee members at least 5 five working days before the actual meeting takes place;
- 4.3.4. Minute all decisions taken at meetings;
- 4.3.5. Ensure that the proceeding at meetings are recorded mechanically;
- 4.3.6. Give written feedback of all decision taken by the committee; and
- 4.3.7. Be responsible for all the administrative tasks of the committee.



#### **4.4 Members**

##### **4.4.1 Members of the Committee shall:**

**4.4.1.1** Be fully conversant with the powers and limitations of the Committee as well as all directives pertaining to SCM, including relevant sections of the Constitution, PFMA, Preferential Procurement Policy Framework Act, Broad Based Black Economic Empowerment Act and accompanying regulations, as well as the delegated powers issued by the Board and at all times act in accordance with the above-mentioned legislation, regulations and procedures;

**4.4.1.2** Apply their minds to matters at hand in order to take meaningful and accountable decisions and in the event of doubt or uncertainty, to propose that matters be referred back to their sources for more information and clarity;

**4.4.1.3** In advance, furnish a written apology should he/she not be able to attend a meeting;

##### **4.4.2 Members have the right to:**

**4.4.2.1** Have advance knowledge of the agenda;

**4.4.2.2** participate in proceedings;

**4.4.2.3** Vote; and

**4.4.2.4** Have a dissenting voice and the reasons thereof recorded.

#### **4.5 Observers**

**4.5.1** The Chairman may, on request, allow officials and specialist to attend as observers. Observers are not allowed to participate in the committee's proceedings, except to advise members of the committee if permitted to do so by the Chairman. Observers should be required to sign confidentiality agreements to maintain the confidentiality of the committee's discussions.

## **5. MEETING PROCEDURES**

### **5.1 Note of meetings**

5.1.1 The agenda of a meeting serves as a program of the meeting and unless the Committee decides otherwise, the items and sequence may not be changed during the meeting.

5.1.2 In order to afford members the opportunity to prepare for the meeting, the agenda shall be made available to members at least 5 five working days before the actual meeting. Where required an urgent meeting may be convened whenever a need arise.

### **5.2 Minutes**

5.2.1 The minutes will be the written record reflecting in a brief, clear and impartial manner, the recommendations of the committee. The signed minutes will serve as proof of the decisions of the committee.

5.2.2 Should a members wish to have a specific matter other than a decision recorded, it must be specifically requested. A member's reason for a dissenting voice must also be recorded.

5.2.3 Proceedings are also recorded mechanically to enable the secretary to prepare verbatim reports when required by a court of law.

### **5.3 Register**

- 5.3.1** Members shall sign a register at each meeting, serving as attendance register as well as an undertaking to confidentiality of that meeting.
- 5.3.2** The register will serve as proof that all interests of members, where applicable, have been declared.
- 5.3.3** Members must declare all gifts and invitations accepted to social events received from suppliers or potential suppliers, irrespective of the value of such a gift. Such declarations must be captured in the minutes of the meeting and must be reported to the Chairman of the Adjudication Committee.
- 4.4** This is a prescribed form to be completed and submitted indicating that there are no conflicts of interest. In addition, any conflicts of interest must be declared at any meetings where the particular matter is being discussed.
- 5.3.4** The obligation is to declare all relevant personal conflicts of interest and the details of any spouse, partner, close family member or close friend that does business with GGB. It is recommended that all significant personal interests be declared, whether a conflict exists or not.
- 5.3.5** Any conflict of interest must be declared as soon as it arises or at least within 30 days of such conflict arising (which requires an amendment to the annual declaration submitted, within the aforesaid 30 days period).
- 5.3.6** Permission to be involved in private work must be obtained from the CEO in writing, in case where conflict of interest may arise.
- 5.3.7** An employee or Board Member shall not disclose or use confidential information of the specification or any information of third parties obtained through the carrying out of his/her duties for purposes other than to fulfill his/her Specification Committee duties. Such information shall not be used to further any personal interests.
- 5.3.8** Legal must keep a courtesy register for both giving and receiving of gifts. All courtesies and gifts must be recorded to safeguard the employees and the company. Please note that the recording of a courtesy does not imply its acceptability. The CEO may at any stage stipulate that courtesies from a

particular supplier or service provider can no longer be accepted. If an employee is uncertain whether it would be ethical to accept a courtesy, approval must be sought from the CEO.

## **6. CONDUCT OF COMMITTEE MEMBERS**

- 6.1 A person as a member of the committee obtains certain rights such as a share in the control of the matter for which the meeting is constituted and the member may exercise this right by making proposals, voting, etc.
- 6.2 A member's conduct at the meeting must not infringe on the rights of other members. The rules of conduct are based on mutual respect for the purpose of ensuring that the meeting is conducted in an orderly manner.
- 6.3 Members must accept that:
  - 6.3.1 Decisions are taken by general consensus or by a show of hands when a matter is decided upon by voting;
  - 6.3.2 Once a decision has been taken it is final and not open for discussion unless additional information which was not available at the time of decision making can be procured.
  - 6.3.3 Information and documentation presented to the committee is confidential;
  - 6.3.4 A member (including the Chairman) shall beforehand declare his/her interest regarding any matter serving before the committee and the member will then recuse him/herself during the discussion of that matter. No representations by the interested member may be allowed prior to discussions on the matter to which the member has a declared interest.
  - 6.3.5 Outvoted members must abide by the decision of the Committee; and
  - 6.3.6 No communication should be made with a bidder by any member prior to or after any meeting.

## ATTACHMENT 1: DECLARATION OF CONFIDENTIALITY AND IMPARTIALITY FORM

## BID SPECIFICATION COMMITTEE

### DECLARATION OF CONFIDENTIALITY AND IMPARTIALITY

**MEETING NUMBER:**

DATE:

I, the undersigned, accept that all information, documentation and decisions regarding any matter serving before the Committee are confidential. I, therefore, undertake not to make known anything in this regard.

**I also declare that I will not purposefully favour or prejudice anybody.**

[illegible]

