

SPECIFICATIONS FOR THE APPOINTMENT OF A TRACING AGENT

1. BACKGROUND

Statistics South Africa legal Services requires the services of a suitably qualified and experienced tracing agent to conduct lawful tracing and verification activities in respect of person whose current contact, residential, employment or other relevant information is unknown. The appointed service provider must conduct all tracing activities professionally, confidentially, ethically and in compliance with all applicable legislation of the Republic of South Africa.

2. PURPOSE OF THE APPOINTMENT

The purpose of this appointment is to obtain reliable and verifiable information necessary to enable the Organisation to:

- locate persons or entities whose whereabouts or contact details are unknown;
- verify current or historical addresses and contact information;
- verify employment or business information where lawfully permissible;
- facilitate lawful communication with traced persons;
- support legal, administrative or operational processes where applicable; and
- obtain sufficient information to enable further lawful action by the Organisation.

The tracing agent shall not be authorised to undertake any activity that falls outside the agreed scope of work or that is prohibited by law.

3. SCOPE OF SERVICES

The appointed service provider may, subject to the specific instruction issued by the Organisation:

3.1 Person tracing

- Trace individual using information lawfully provided by the Organisation.
- Establish current or last known residential address.

- Establish current or alternative contact details where lawfully obtainable.
- Verify identity using appropriate and lawful verification methods.
- Identify possible changes of address or contact information.
- Establish whether the person is deceased, emigrated, relocated or otherwise unavailable, where this can lawfully be verified.

3.2 Employment and business tracing

Where relevant and legally permissible:

- establish current employment if employed;
- verify an employer or business association;
- verify business addresses and contact details; and

3.3 Address verification

The agent must distinguish between:

- information obtained from a reliable source;
- information independently verified by the agent; and
- information that remains unverified or speculative.
- An address shall not be reported as "confirmed" unless the agent has undertaken reasonable verification.

3.4 Contact verification

The agent may verify telephone numbers, email addresses or other contact information only through lawful means.

Where direct contact is made with the traced person or a third party, the agent must identify themselves truthfully and must not misrepresent their identity, authority or purpose.

4. LEGAL AND REGULATORY COMPLIANCE

The service provider must comply with all applicable South African legislation and regulations, including, where applicable:

1. Knowledge of South African Legal and regulatory requirements (Protection of Personal Information Act 4 of 2013 ("POPIA");
2. Promotion of Access to Information Act 2 of 2000 and Common-law and constitutional privacy law)
3. The Private Security Industry Regulation Act 56 of 2001 and applicable regulations;

4. The Promotion of Access to Information Act 2 of 2000;
5. Applicable consumer protection and debt-collection legislation, where relevant to the assignment;
6. Applicable electronic communications and cyber-related legislation;
7. Applicable labour and tax legislation; and
8. any other legislation, regulations, court orders or professional requirements applicable to the particular tracing assignment.

The Organisation shall not require the service provider to obtain or process information unlawfully.

4.1 PSiRA, CIPC and SARS compliance

The service provider must be appropriately registered with the Private Security Industry Regulatory Authority ("PSiRA") and must maintain such registration for the duration of the appointment.

The service provider must provide proof of current PSiRA registration and, where applicable, proof that personnel deployed to the assignment are appropriately registered and trained.

The Service provider must be registered with CIPC and must be Tax compliant.

5. POPIA AND PROTECTION OF PERSONAL INFORMATION

The service provider will potentially process personal information on behalf of the Organisation and must therefore comply with POPIA and the Organisation's applicable information-security and privacy requirements.

The service provider shall:

- process personal information only for the authorised tracing purpose;
- process only information reasonably necessary for that purpose;
- maintain confidentiality of all personal information;
- prevent unauthorised access, disclosure, alteration, loss or destruction of information;
- ensure that information is accurate and appropriately verified;
- maintain appropriate records of processing and tracing activities;
- securely return, delete or destroy information when instructed or when the contractual retention period expires.

6. PROHIBITED ACTIVITIES

The appointed agent shall not:

- impersonate a police officer, court official, government official, attorney or other person;
- obtain information through unlawful deception or fraud;
- unlawfully access databases, computer systems, email accounts, social-media accounts or other electronic systems;
- use threats, intimidation, harassment or coercion;
- undertake any activity outside the authorised scope of the instruction.

7. EVALUATION CRITERIA

The evaluation process will be conducted in three stages as given on the table below:

7.1 Evaluation stages

Stage	Description
Stage 1	Mandatory Requirement
Stage 2	Technical Evaluation
Stage 3	Price and specific goals

Stage 1: MANDATORY REQUIREMENT

Proof of PSiRA registration of Agent	Attached certified copy of PSIRA certificate
Qualification	Attached certified copy of qualification certificates

N.B: Failure to comply with mandatory requirements will result in disqualification and bidder will not be evaluated further.

Stage 2: Technical Requirement

- Three years relevant experience in professional tracing and investigation services. **Service provider to attach Curriculum Vitae of Agent allocated for the services required**
- The service provider must provide three (3) contactable relevant references of client to whom she or he has provided services similar services.

Service provider should submit signed reference letters on client's letter heads.

The letter should clearly indicate in the scope of work the capabilities listed above and duration of the contract, letters should indicate clearly turnaround times.

NB: Service provider who failed to meet all technical requirements will be disqualified and will not be considered for further evaluation stages

8. INFORMATION TO BE SUBMITTED BY SERVICE PROVIDER

Serviced provider must submit:

1. Company profile.
2. CIPC registration documentation.
3. Tax compliance status or other required SARS documentation.
4. Proof of PSiRA registration,
5. Relevant qualifications and training.
6. Evidence of at least [three] relevant tracing assignments completed.
7. The service provider must provide three (3) contactable relevant references of client to whom she or he has provided services similar services service indicating timelines on the project)
8. POPIA/privacy and information-security policies.
9. Description of tracing methodology.
10. Proposed turnaround times.
11. Pricing schedule. (complete pricing schedule)

9. DELIVERABLES

For every completed assignment, the service provider must provide a written tracing report containing, at minimum:

- Organisation reference number;
- date instruction was received;
- date investigation commenced;
- date investigation was completed;
- identity of person/entity investigated;
- information supplied to the agent;
- searches/actions undertaken;
- findings;
- current verified information, where obtained;

- source category and verification status;
- degree of confidence in the finding;
- unresolved discrepancies;
- reasons for an unsuccessful trace, where applicable; and
- recommended next steps, if appropriate.

The report must clearly distinguish between verified information, unverified information and assumptions.

10. TURNAROUND TIMES

Unless otherwise agreed:

- Standard tracing instruction: initial result within [10] business days.
- Urgent tracing instruction: initial result within [5] business days.
- No-result/unsuccessful trace: written status report within [5] business days.

The Organisation may amend these service levels according to operational requirements.

11. CONFIDENTIALITY

All information supplied by the Organisation and all information obtained during the assignment shall be treated as confidential.

The confidentiality obligation shall survive termination or expiry of the appointment. The service provider must ensure that its employees, subcontractors and agents are bound by equivalent confidentiality obligations.

No information concerning an assignment may be disclosed to the media or any third party without prior written authorisation, unless disclosure is legally required.

12. PERFORMANCE MANAGEMENT.

Performance will be assessed against:

- accuracy of tracing results;
- percentage of successfully verified traces;
- turnaround time;
- quality and completeness of reports;
- regulatory compliance;
- confidentiality and information security;
- responsiveness;
- client service.

Persistent failure to meet agreed service levels may result in corrective action or termination in accordance with the contract.

Stage 3: Price and specific goals

Price = 80

Preferential points = 20 as follows:

THE SECOND STAGE OF EVALUATION IS BASED ON PRICE AND SPECIFIC GOALS, WHICH WILL BE EVALUATED USING THE FOLLOWING CRITERIA AND POINTS:

POINTS AWARDED FOR PRICE

Price evaluation (80 points)

Criteria	Points
Price evaluation $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80

The following formula will be used to calculate the points for price:

Where:

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

POINTS AWARDED FOR SPECIFIC GOALS (20 POINTS)

The specific goals allocated points in terms of this bid	Number of points allocated (80/20 system)	Percentage ownership equity (To be completed by Tenderer)	Number of points claimed (80/20 system) (To be completed by Tenderer)
Race (black)	10		
Women	5		
Disabled	2		
Youth (below 35 years)	3		

- a. Stats SA reserves the right to require of the bidder, either before a tender is adjudicated or any time subsequently, to substantiate any claim regarding preferences in any manner required.
- b. The following formula must be applied to calculate the number of points for equity ownership by an Historical Disadvantaged Individuals (HDI):

$$NEP = NOP \times \frac{EP}{100}$$

Where:

NEP = Points awarded for equity ownership by an HDI

NOP = The maximum number of points awarded for equity Ownership by an HDI

EP = The percentage of equity ownership by an HDI Within the enterprise or business

- c. Bidders who wish to claim points in terms of the tables above, need to provide proof for each point claimed as guided below:
 - d. Race: (Black) - attach certified copy of Identity document (Id) and certified company registration document, CSD full detail report to show substantiate ownership equity.
 - e. Women: - attach certified copy of Identity Document (ID) and certified company registration document, CSD full detail report to show substantiate percentage ownership equity.
 - f. Disabled – attach medical certificate from a medical practitioner registered with the Health Professional Council of South Africa (HPCSA) confirming the disability.
 - g. Youth – attach certified copy of Identity Document (ID) and certified company registration document, CSD report to show substantiate percentage ownership equity.

- **CIPC and Identity documents, with a certification stamp older than 6 months, will be considered invalid. Such documents will result in forfeiture of points allocated for specific goals.**

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