

## REQUEST FOR QUOTATION (RFQ)

### APPOINTMENT OF A FACILITATOR FOR MANAGEMENT AND BOARD STRATEGIC PLANNING SESSIONS AND TO DEVELOP THE STRATEGY AND ANNUAL PERFORMANCE PLAN

**RFQ NO.:** IRBA/RFQ/Executive/Facilitator/12/2023

**CLOSING DATE & TIME:** **12 January 2024 @ 12h00 PM**

**RFQ VALIDITY PERIOD:** 60 working days (from the RFQ closing date)

**RFQ DESCRIPTION:** Appointment of a facilitator to facilitate the Independent Regulatory Board for Auditors' (IRBA) Management and Board strategic planning sessions for the development of its five-year Strategic Plan and Annual Performance Plan.

1. Bidders/facilitators are invited to submit their quotations for the supply of the abovementioned services, according to the Terms of Reference and conditions, as outlined in this document.
2. This quotation is subject to the General Conditions of Contract and, where applicable, any other special conditions of contract.
3. Kindly note that the quotations should be submitted as follows:
  - a) Via an electronic submission and be emailed to [pmualusi@irba.co.za](mailto:pmualusi@irba.co.za) before or on the closing date and time of this RFQ. Email sizes have been restricted to 15MB per email.
  - b) Responses must be submitted in an electronic format only and be emailed to the dedicated email address, as provided herein. Those sent to any other email address, other than the one specified herein, will be disqualified and not considered for an evaluation. So, it is the bidder's responsibility to ensure that the proposal is sent to the correct and dedicated RFQ email address and received by the IRBA before the closing date and time.
  - c) All questions must be emailed to [pmualusi@irba.co.za](mailto:pmualusi@irba.co.za) on or before 13 December 2023.
4. Service providers must not have any links to an audit firm (or network firm) nor any individual registered with the IRBA.
5. Late quotations will not be accepted.

## TERMS OF REFERENCE

### APPOINTMENT OF A FACILITATOR TO FACILITATE THE IRBA'S MANAGEMENT AND BOARD STRATEGIC PLANNING SESSIONS FOR THE DEVELOPMENT OF ITS FIVE-YEAR STRATEGIC PLAN AND THE ANNUAL PERFORMANCE PLAN

The IRBA invites suitably qualified service providers to submit proposals with quotations for the provision of facilitation services for sessions that will be convened to develop its Strategic Plan for 2025-2030, which will be effective from 1 April 2025 to 31 March 2030, and the Annual Performance Plan. The pricing should be in accordance with the minimum required specifications set out below.

#### 1. BACKGROUND OF THE IRBA

1.1. The IRBA is a Schedule 3A public entity in terms of the Public Finance Management Act No. 1 of 1999 (PFMA). Governed by a Board that gets appointed by the Minister of Finance, the IRBA was established in terms of Section 3 of the Auditing Profession Act 26 of 2005, as amended (APA), which had an effective date of 1 April 2006. The objectives of the Act, as set out in Section 2, are as follows:

- a) To protect the public in the Republic by regulating audits performed by registered auditors.
- b) To provide for the establishment of an Independent Regulatory Board for Auditors.
- c) To improve the development and maintenance of internationally comparable ethical standards and auditing standards for auditors that promote investment and as a consequence employment in the Republic.
- d) To set out measures to advance the implementation of appropriate standards of competence and good ethics in the auditing profession.
- e) To provide for procedures for disciplinary action in respect of improper conduct.

1.2. The statutory requirements for developing the IRBA's five-year Strategic Plan are set out in the PFMA and the APA, and denote the following:

- a) As a Schedule 3A public entity, the organisation supports the state's policy outcomes; and its Strategic Plan demonstrates how it contributes to selected outcomes. The Strategic Plan is also aligned to the National Development Plan and other government priorities, as the IRBA has an important role to play in attaining government's desired objectives.
- b) In accordance with PFMA Treasury Regulation 30.1, the Accounting Authority for a Schedule 3A public entity must submit, annually, a proposed Strategic Plan for approval by the relevant Executive Authority. Such plan must be submitted at least six months before the start of the financial year, or as agreed between the Executive Authority and the public

entity. The IRBA is required to submit its latest Strategic Plan and Annual Performance Plan to National Treasury by the end of January 2025, and then to Parliament.

## 2. SCOPE OF WORK

The IRBA seeks to appoint a qualified professional service provider to offer facilitation services for its Management and Board strategic planning sessions and the development of its **Strategic Plan for 2025-2030**, which will focus on “**adaptability and innovation in a dynamic and volatile environment**”.

The bidder is required to provide a proposal in compliance with the scope of work detailed below.

- a) Conduct briefing meetings in preparation for the strategic planning sessions with the IRBA Executives and Management Committee (MANCO).
- b) Peruse documentation that is relevant to the assignment as groundwork for the sessions.
- c) Study the achievements, constraints and challenges the IRBA faced in the past few years, as well as facilitate the identification and prioritisation of its future strategic imperatives.
- d) Benchmark the organisation against other similar institutions and identify best practices.
- e) Prepare presentations for the facilitation of the Management Forum Strategic Planning Session and the MANCO and Board Strategic Planning Session; and when those sessions convene:
  - Apply tried and tested strategies, to solicit constructive discussions from all participants and ensure that the objectives are met.
  - Create an energetic, fun, safe and interactive environment that will enable inspired thinking, where every participant’s input matters.
- f) Write a preliminary report on the Management Forum Strategic Planning Session for a discussion with and inputs from MANCO.
- g) In consultation with MANCO, draft, develop and submit a professionally written Strategic Plan and Annual Performance Plan for the Board’s final approval and submission to National Treasury and Parliament. These should cover all relevant areas of an effective strategy, per the relevant framework, and include the environmental context, risks, roadmap, goals, strategies, vision and mission, among others, as enablers to help the organisation predict and respond appropriately to future scenarios, in pursuit of the desired objectives.
- h) Prepare a final report on the MANCO and Board Strategic Planning Session, as a reflection on the proceedings, including an action plan and recommendations.

### **3. DELIVERABLES AND PROJECT TIMELINES**

The bidder/facilitator must provide a methodology that fully complies to the scope of work and project plan by, firstly, taking into consideration the timelines that are linked to the activities that are noted below (subject to confirmation upon appointment by the IRBA).

- a) Separate two-hour virtual or face-to-face briefing sessions with MANCO, the Chief Executive Officer (CEO) and managers from each department (seven in total) at least a week before the strategic planning sessions.
- b) Management Forum strategy session in person (29 February 2024-1 March 2024).
- c) MANCO and Board strategy session (July 2024, date to be communicated).
- d) Draft, develop and submit the first versions of the Strategic Plan and the Annual Performance Plan to the IRBA, and make provision for a minimum of five drafts before the finalisation and approval (dates of submission to the relevant governance structures will be communicated).
- e) Present preliminary and final reports on the strategic planning sessions and the draft Strategic Plan and Annual Performance Plan for discussion with MANCO and the Board (between June 2024 and August 2024, with the actual dates to be communicated).
- f) Provision for professional writing, editing and proofreading services before the final submission of the documents to the IRBA.
- g) Preparation of a consolidated close-out report.
- h) Availability for ad-hoc consultations, where needed, throughout the appointment period.

### **4. REQUIRED SKILLS AND COMPETENCIES**

- 4.1. The bidder/facilitator must demonstrate an extensive knowledge of the Department of Planning, Monitoring and Evaluation Framework for Strategic Plans and Annual Performance Plans, the auditing profession, financial management, the PFMA and other legislative and regulatory frameworks that governs the IRBA.
- 4.2. This service provider must demonstrate an extensive knowledge and experience in the facilitation of strategic planning sessions, the development of strategic plans and the implementation mechanisms within the finance industry, similar professional organisations or regulatory space.
- 4.3. The bidder/facilitator must demonstrate the following key competencies:
  - a) Proficiency in formulating an organisational strategy, with a key focus in facilitating strategic sessions.

- b) Expertise in problem-solving, while analysing multiple areas of the organisation.
- c) Competence in market and trend research, critical thinking and analysis, to recommend viable strategies and solutions.
- d) The ability to identify the organisation's tactical risks from the noted strategic key performances.
- e) High-quality oral and written communication skills.
- f) Active listening, insightfulness and tactfulness in engaging the various levels of management and the Board, to create a participatory and innovative environment during the sessions.

4.4. The bidder/facilitator must provide the following:

- a) A proven record of experience through three or more letters (with contactable referees) from their corporate business or government customers, where the bidder/facilitator, in the past five years, has successfully completed facilitation services for strategic planning sessions and the development of strategic plans. The reference letters must be on the clients' letterheads and signed.
- b) Technical capacity of the lead facilitator, in terms of their qualifications and competencies for the assignment. Please attach a detailed curriculum vitae (CV), proof of qualifications and proof of membership of a relevant professional body.

## **5. SERVICE PROVIDER MINIMUM REQUIREMENTS**

### **5.1. Evaluation Stages**

#### ***First Stage: Eligibility Criteria/Mandatory Requirements***

This will be to assess compliance with the submission of the mandatory documents/information. Only proposals that are 100%-compliant at this stage will be evaluated further.

#### ***Second Stage: Functionality***

Bid responses will be evaluated in accordance with the functional criteria listed below and the associated points indicated. Bidders have to achieve a minimum score of 80 points out of the 100 and a minimum qualifying score per criteria, as set out in the evaluation criteria, to progress to the next stage. Failure to achieve any of the minimum scores will result in a disqualification for further consideration, even if the overall minimum total score has been achieved.

### **Third Stage: Pricing and Specific Goals**

Proposals that are compliant with the first and second stage evaluations will be assessed further in terms of the 80/20 preference point system. This is in line with the IRBA's commitment to achieve government's transformation targets.

A maximum of 80 points is allocated for price on the following basis:

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

Where:

$P_s$  = Points scored for the comparative price of the bid under consideration

$P_t$  = Comparative price of the bid under consideration

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

### **5.2. Pricing Schedule Requirements**

Service providers must ensure that the price quotations are inclusive of all applicable taxes, including value-added tax (VAT). The costing must include all the relevant services proposed in the bid submission. Bidders are required to submit financial proposals as per the Pricing Schedule (Table B) under point 6 below on a company letterhead.

The Pricing Schedule is compulsory, and bidders must ensure that it is completed without changing the structure. Failure to complete it in the prescribed manner and with unauthenticated alterations may result in the disqualification of the bid during the financial evaluation process.

### **5.3. Points Awarded for Special Goals Requirements**

In terms of Section 3(1) of the Preferential Procurement Policy Framework Act 5 of 2000 Preferential Procurement Regulations 2022, the following applies:

*An organ of state must, in the tender documents, stipulate -*

- (a) the applicable preference point system as envisaged in regulations 4, 5, 6 or 7; and*
- (b) the specific goal in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goals in accordance with the table below.*

<b>Specified Goals for the Preferential Point System</b>	<b>Points Allocation Specified Goals</b>
Enterprise with ownership of 51% or more by person/s who are Black	10
Enterprise with ownership of 51% or more by person/s who are women	5
Enterprise with ownership of 51% or more by person/s who are youth	3
Enterprise with ownership of 51% or more by person/s with a disability	2

Specified Goals for the Preferential Point System	Points Allocation Specified Goals
Total Points	20

To qualify for preference points, the bidder must submit the following proof documents together with the proposal for the 80/20 evaluation criteria. Failure to submit the supporting documents will not disqualify the bidder, but will result in the allocation of zero points.

Procurement Requirement	Proof Documents
Black People/Ownership	Central Supplier Database (CSD) Report/Black Economic Empowerment (BEE) Certificates/Affidavit
Women	CSD Report/BEE Certificates
Disabled (living with a disability)	CSD Report Medical Certificate/Report
Youth	CSD Report
Joint Venture	Joint Venture Agreement CSD Reports
<i>The CSD Report will be used for the verification of the ownership percentage.</i>	

#### 5.4. Evaluation Criteria

##### **Stage 1: Eligibility Criteria/Mandatory Requirements**

Service providers must comply with the minimum conditions indicated below, if they would like their proposals to be considered.

- a) **National Treasury – Central Supplier Database:** Service providers must submit confirmation of their company or individual registration on the CSD. The IRBA will not award any bid to a service provider that is not registered as a prospective supplier on the CSD, as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury Supply Chain Management Instruction Note 4 of 2016/2017. The CSD registration requirement applies to all companies/individuals.
- b) Bidders must submit price quotations that are **inclusive of VAT** (if applicable) with their proposals. The Pricing Schedule is compulsory, and bidders must ensure that it is completed without changing the structure. Failure to complete it in the prescribed manner and with unauthenticated alterations will lead to the disqualification of the bid.
- c) Service providers must be fully compliant with the IRBA specifications, as failure to do so will result in the disqualification of the bid.
- d) The IRBA maintains independence from the registered auditors it regulates. As such, no bids will be considered from any entity or person that it regulates, including network firms, as defined in the IRBA Code of Professional Conduct for Registered Auditors. In view of

this, bidders must be free from any relationship that could result in some undue influence from auditors and audit firms regulated by the IRBA. Consequently, bidders are required to submit an affidavit confirming that they are independent of the auditing profession in that:

- i. They are not employed by an audit firm and/or a network firm; and
  - ii. They do not share, directly or indirectly, in any profits or interests of a registered auditor, an audit firm and/or any person related to a registered auditor and/or an audit firm.
- e) The following completed Standard Bidding Documents (SBDs) must be submitted:
- i. SBD 4: Declaration of Interest Form; and
  - ii. SBD 6.1: Preference Point Claim Form in terms of the Preferential Procurement Regulations, 2022.

**Stage 2: Functionality**

The submitted tenders will be evaluated based on the criteria defined below and in the specific sequence. A proposal that fails to meet any one criterion will not be considered in the next evaluation stage (Pricing and Specific Goals).

The functional evaluation will be based on a threshold of 80 points, where bidders that fail to achieve these minimum points will not be considered further. Also, it should be noted that a minimum qualifying score per criteria must be met, as set out in the evaluation criteria. Failure to achieve any of the minimum scores will result in a disqualification for further consideration, even if the overall minimum total score has been achieved.

**Table A: Functionality Criteria**

No.	Functionality Criteria	Minimum Points Attainable	Maximum Points Attainable
(i)	<p><b>Bidder’s related work experience in the facilitation of management and board strategic planning sessions and the development of strategic plans in the finance industry, similar professional organisations or regulatory space.</b></p> <p>The bidder to provide at least three reference letters from their corporate business or government clients, on the clients’ official letterheads, with contactable referees. The reference letters must relate to the facilitation of management and board strategic planning sessions as well as the development of strategic and annual performance plans within the past five years, for public sector/corporate business organisations. Further, the reference letters must contain the contact persons and their details (phone</p>	30	40

No.	Functionality Criteria	Minimum Points Attainable	Maximum Points Attainable
	<p>numbers/email addresses). The IRBA reserves the right to verify the information provided.</p> <ul style="list-style-type: none"> <li>• 0 = No reference letter</li> <li>• 30 = 3 signed reference letters, with contactable referees</li> <li>• 40 = 5 or more signed reference letters, with contactable referees</li> </ul>		
(ii)	<p><b>Experience and qualifications of the lead strategic sessions facilitator.</b></p> <p>The bidder must submit a profile or CV of the lead facilitator, indicating a minimum of five years' experience in the facilitation of management and board strategy workshops and strategy development for public sector and/or corporate business organisations supported by the minimum qualifications and professional registration.</p> <p><b><i>Experience of the lead strategic sessions facilitator</i></b></p> <p>The Profile/CV of the lead facilitator must demonstrate five years' experience in the facilitation of board strategy workshops and the strategy development for public sector/corporate business organisations.</p> <ul style="list-style-type: none"> <li>• 0 = CV of the lead facilitator demonstrates less than the required experience/irrelevant experience/CVs not attached.</li> <li>• 15 = CV of the lead facilitator demonstrates five years' experience in the facilitation of board strategy workshops and the strategy development for public sector/corporate business organisations.</li> <li>• 20 = CV of the lead facilitator demonstrates more than five years' experience in the facilitation of board strategy workshops and the strategy development for public sector/corporate business organisations.</li> </ul> <p><b><i>Qualifications of the lead strategic sessions facilitator</i></b></p> <p>A minimum of a degree/NQF7 qualification in management/commerce/business management/risk management or equivalent <b>and</b> membership of a relevant professional body (SAICA CIMA/ACCA/CIA/Certified Risk Practitioner/ Certified Risk Professional/ IRMSA or similar). Valid certificates must be provided, and failure to do so will lead to no score.</p>	30	40

No.	Functionality Criteria	Minimum Points Attainable	Maximum Points Attainable
	<ul style="list-style-type: none"> <li>• <b>0</b> = Certificates not provided or less than the required qualification and no membership.</li> <li>• <b>15</b> = Has relevant degree/NQF 7 qualification and relevant membership.</li> <li>• <b>20</b> = Has an honours degree or higher and the relevant membership.</li> </ul>		
<b>(iii)</b>	<p><b>Project Plan and Methodology</b></p> <p>The bidder/facilitator must provide a project implementation plan allocation of tasks that demonstrates the team's ability to deliver quality work timeously. Milestones and timelines must be indicated in the proposal.</p> <p><b>Implementation Plan = 10 Points</b></p> <p>Provide a project implementation plan detailing the key activities and milestones for each stage, as per the scope of work.</p> <ul style="list-style-type: none"> <li>• <b>0</b> = Programme is not aligned to the scope of work or not within the required timeframe.</li> <li>• <b>10</b> = Project plan detailing all activities in the scope of works all within the required timeframe.</li> </ul> <p><b>Methodology = 10 Points</b></p> <p>Bidder/facilitator shall present their detailed methodology and describe in detail how they propose to undertake the services, including but not limited to:</p> <ol style="list-style-type: none"> <li>a) Solutions to meet the IRBA requirements relating to the development of the Strategic Plan and the Annual Performance Plan.</li> <li>b) A description of the proposed services, addressing each service requirement listed in the scope of work.</li> </ol> <p>The scoring shall be as follows:</p> <ul style="list-style-type: none"> <li>• <b>0</b> = Methodology does not adequately deal with the objectives and/or is too generic.</li> <li>• <b>10</b> = Detailed methodology submitted and is specific and tailored to suit the objectives and scope of work.</li> </ul>	<b>20</b>	<b>20</b>
	<b>Total Points Awarded</b>	<b>80</b>	<b>100</b>

## **6. PRICING SCHEDULE**

Bidders that comply with the requirements of this bid will be evaluated according to the preference point scoring system, as determined in the Preferential Procurement Regulations, 2022, pertaining to the Preferential Procurement Policy Framework Act. Points for this RFQ shall be awarded for Pricing and Specific Goals (refer to SBD6.1, Preference Points Claim Form).

Bidders must ensure that the price quotations are inclusive of all applicable taxes (including VAT). The costing must comprise all of the relevant services proposed in the bid submission. Bidders are required to submit financial proposals, as per Table B, on a company letterhead.

The Pricing Schedule is compulsory, and bidders must ensure that it is completed without changing the structure. Failure to complete it in the prescribed manner and with unauthenticated alterations may result in the disqualification of the bid during the financial evaluation process.

**Table B: Pricing Schedule**

<b>Activities, Per the Deliverables and Scope of Work as Detailed in this RFQ Document</b>					
<b>No.</b>	<b>Activity</b>	<b>Duration in Hours</b>	<b>Rate per Hour</b>	<b>Total Cost (R) (Excl. VAT)</b>	<b>Deliverables</b>
1.	Briefing session with MANCO, the CEO and managers from each department (seven in total). Bidder/facilitator to set aside about two hours per session (virtual or face-to-face).				
2.	Planning and preparation for the Management Forum Strategic Planning Session and the MANCO and Board Strategic Planning Session.				Presentation for the facilitation of the strategy sessions
3.	Facilitation of the Management Forum Strategic Planning Session set for 29 February 2024-01 March 2024). Bidder to set aside one day for this face-to-face session.				
4.	Facilitation of the MANCO and Board Strategic Planning Session planned for July 2024. Bidder to set aside one day for this face-to-face session.				
5.	Draft, develop and submit the Strategic Plan and the Annual Performance Plan to the IRBA, and make provision for a minimum of five drafts prior to finalisation and approval.				Minimum of five drafts of the Strategic Plan and the Annual Performance Plan
6.	Present the preliminary and final reports on the strategic planning sessions, and the draft Strategic Plan and Annual Performance Plan for discussion with MANCO and the Board.				<ul style="list-style-type: none"> <li>• Preliminary report</li> <li>• Final report</li> <li>• Final Strategic Plan and Annual Performance Plan</li> </ul>
7.	Provision for professional writing, editing and proofreading services before the final submission to the IRBA.				
8.	Prepare a consolidated close-out report on the strategic planning sessions, as a reflection on the proceedings, including an action plan and recommendations.				Close-out report
9.	Availability for ad-hoc consultations, where needed, throughout the appointment period.	Per hour			
<b>TOTAL AMOUNT (EXCL. VAT) (R)</b>					
<b>VAT (15%) (R)</b>					

Activities, Per the Deliverables and Scope of Work as Detailed in this RFQ Document					
No.	Activity	Duration in Hours	Rate per Hour	Total Cost (R) (Excl. VAT)	Deliverables
<b>TOTAL AMOUNT (INCL. VAT) (R)</b>					

## 7. DURATION OF THE CONTRACT

The contract shall not exceed a period of one year, on an “as and when” required basis. A Service Level Agreement (SLA) will be entered into between the successful service provider and the IRBA, to manage and track the quality of the services to be rendered.

## 8. CANCELLATION OF THE CONTRACT

8.1. Notwithstanding anything to the contrary, the IRBA shall be entitled to summarily terminate the service provider’s appointment in the event of a material breach of their obligations under the SLA or any terms of appointment contained in an appointment letter, including but not limited to:

- a) Failure to deliver services to the IRBA’s satisfaction.
- b) Failure to render services and/or regular updates timeously to the IRBA.
- c) Any involvement in a corrupt activity, including but not limited to offering a gift or remuneration to any officer or employee of the IRBA in connection with securing an appointment or executing a contract.
- d) Acting in bad faith or otherwise fraudulently in securing appointment or in the execution of the contract.
- e) Wrongfully and/or unlawfully influencing or attempting to influence the awarding of the IRBA’s RFQ process.
- f) Engaging in any anti-competitive behaviour, including entering into any agreement or arrangement with any other person to refrain from quoting for this contract, or relating to the RFQ price to be submitted by either party.
- g) Disclosing to any other person any information relating to this RFQ, except where disclosure in confidence was necessary to obtain quotations required for the preparation of the RFQ.

8.2. Any obligations imposed by the terms of the service provider’s appointment, including the SLA, shall be applicable to any person with whom the service provider is associated in rendering the services to the IRBA.

8.3. The IRBA reserves the right to unilaterally terminate the contract with the successful service provider on a month’s notice, in the event of circumstances beyond its control and that render

continuation with the contract undesirable or unnecessary, without compensation to the service provider.

## **9. CONTRACTUAL ASPECTS**

- 9.1. The contents of this document shall be deemed to constitute the Special Conditions of Contract applicable to this bid and shall be read together with the General Conditions of Contract issued in accordance with Chapter 16A of the Treasury Regulations.
- 9.2. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract shall prevail.
- 9.3. The bid document, together with the specifications contained in this document, shall constitute part of the contract.
- 9.4. Bidders shall not perform any work or render any services in terms of the contract, unless they are in receipt of a written instruction to that effect from the IRBA.
- 9.5. The successful bidder may not assign their own obligations.
- 9.6. The successful bidder must advise the IRBA immediately when it seems like unforeseeable circumstances will adversely affect the execution of the contract. Full particulars of such circumstances as well as the period of delay must be furnished to the IRBA, including project team changes that may affect the quality of the service.

## **10. DISCLAIMER**

- 10.1. Service providers must make and rely on their own investigations and satisfy themselves as to the correctness of any and all aspects of the quotation. The IRBA will not be liable for any incorrect or potentially misleading information in relation to any part of this document and any accompanying quotation documents.
- 10.2. The IRBA reserves the right to not appoint any particular service provider that does not comply with the conditions of these Terms of Reference, or if information that could put the IRBA at risk is obtained about a service provider.
- 10.3. The IRBA reserves the right to cancel the Terms of Reference, should the budget to cover the full quote not be available at the time of awarding the quotation, or if the need does not exist anymore or the specifications have changed.

## **11. ABSENCE OF OBLIGATION**

No legal or other obligation shall arise between the service provider and the IRBA, unless and until the formal appointment documentation has been signed. The IRBA is not obliged to proceed with any service provider's proposal. Additionally, the IRBA reserves the right to request changes to any proposed consortia.

## 12. QUOTATION SUBMISSION REQUIREMENTS

- 12.1. The IRBA requires only **one submission** of the complete quotation documentation supporting the criteria stated above to be emailed to [pmualusi@irba.co.za](mailto:pmualusi@irba.co.za).
- 12.2. All documentation submitted in response to this RFQ must be in English.
- 12.3. The RFQ validity period is 60 working days from the closing date.
- 12.4. The service provider is responsible for all costs that they shall incur related to the preparation and submission of the quotation documentation.
- 12.5. The service provider should check the numbering of the pages of their quotation, to satisfy themselves that none is missing or duplicated. The IRBA will accept no liability in regard to anything arising from the fact that pages of a quotation are missing or duplicated.
- 12.6. The IRBA will not award any bid to a service provider that is not registered as a prospective supplier on the CSD, as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury SCM Instruction Note 4 of 2016/2017. The CSD registration requirement applies to all companies/individuals, including joint ventures and subcontracted companies.
- 12.7. The IRBA may elect to engage in detailed discussions with any service provider, with a view to maximise the benefits of this RFQ, as measured against the evaluation criteria, and fully understand a service provider's offer.
- 12.8. In its absolute discretion, the IRBA may invite some or all service providers to give presentations in relation to their submissions, and that may include a demonstration of software, programs or unique methodologies proposed, if applicable.
- 12.9. Besides presentations and discussions, the IRBA may request some or all service providers to:
  - a) Conduct a site visit, if applicable;
  - b) Provide additional information; and/or
  - c) Make themselves available for panel interviews.

## 13. OTHER

Any supply chain management enquiries may be directed to:

Phyllis Mualusi

Tel: +27 10 496 0614

Email address: [pmualusi@irba.co.za](mailto:pmualusi@irba.co.za)

## COMPLIANCE WITH PERSONAL INFORMATION PROCESSING LAWS

The Protection of Personal Information Act 4 of 2013 (POPIA) restricts the processing of personal information to circumstances that are lawful, legitimate, responsible and comply with its provisions.

The IRBA will have to process certain personal information, which is owned or held by bidders. Thus, to comply with the POPIA, the IRBA must provide bidders, whose personal information is processed, with a number of details pertaining to such processing, prior to the information being processed, which details are housed under the IRBA Procurement Processing Notice found on the IRBA website (<https://www.irba.co.za/library/pop-i-act>). You are requested to download and read the Notice. Please note that most of your personal information, which we will be processing, is required for lawful purposes and, as a result, your consent to process will not be required. However, where we do require your consent, which is indicated in the Notice, the handing over of such personal information to the IRBA will be viewed as consent to the IRBA's processing of such personal information.

Where the IRBA's personal information is provided for processing, the IRBA consents to the processing thereof, provided that you or any other recipient who processes it undertakes to process all and any such personal information strictly in compliance with the POPIA; and subject further that where the IRBA's personal information is not processed in accordance with the POPIA, then the person handing such information indemnifies and holds the IRBA and/or any third parties who may be or will be affected by such non-compliance harmless against all and any liabilities, loss or damages, including pecuniary, non-pecuniary and/or aggravated damages, which the IRBA or any data subject or other person may incur in consequence of such non-compliance, such person (who is processing the personal information) agreeing to pay to the IRBA and/or any affected data subject/s or third party/ies all and any such damages which they may have incurred as a result of such non-compliance on demand, and **no limitation of liability clauses** housed under this document or elsewhere **will under any circumstances limit the abovementioned damages.**

Where the IRBA provides personal information to you in terms of this document and you are tasked with processing it on behalf of the IRBA in your capacity as an "Operator", as defined under the POPIA, then in such case the provisions set out under the IRBA standard "**Operator Agreement/Addendum**" found on the IRBA website will apply to such processing, which terms will be incorporated into and read together with this document.