

ANNEXURE A: BUSINESS REQUIREMENTS SPECIFICATION DOCUMENT

1. INTRODUCTION

The appointment of an independent service provider to facilitate engagements at the SARS National Bargaining Forum (NBF), National Consultative Forum (NCF) and sub-structures, is governed by the constitution of the NBF, which is a collective agreement entered into between SARS and the recognized trade unions namely, Public Servants Association of South Africa (PSA) and National Health and Allied Workers Union (NEHAWU), in 2012.

The Chairperson plays a critical and pivotal role in managing SARS structured engagements with recognised trade unions (PSA and NEHAWU), facilitating negotiations, consultations, and dispute resolution in accordance with collective agreements.

2. SUMMARY OF SCOPE OF SERVICE

The following are SARS' requirements for the provision National Bargaining Forum Chairperson:

2.1. The powers and functions of the Chairperson

- Presiding over and conducting all meetings of the National Forums according to normal meeting procedures;
- Facilitating the effective functioning of the National Forums and the implementation of procedures set out in the NBF Constitution;
- Facilitating negotiations and discussions at the NBF and promoting consensus between the parties and the conclusion of collective agreements in the NBF;
- Facilitating discussions at the NCF and promoting consensus between the parties;
- Signing the minutes of meetings after approval thereof by the National Forums;
- Drawing up an annual report of activities of the National Forums for submission to the parties by no later than 30 days after the end of the financial year (31 March); and
- Performing such duties as may be requested of him/her by the parties.

NB: An Alternative Chairperson is required for business continuity. If the appointed Chairperson becomes unavailable during the term of the Agreement, the Bidder must ensure seamless continuity of the services by providing an Alternative Chairperson with equivalent qualifications and experience to take over the powers and functions of the Chairperson.

2.2. Administration of the National Forums

The National Forums will be administered by the Secretariat of the NBF, and it will be the responsibility of SARS.

2.3. Projected number of sessions, engagements and meetings

The table below shows the projected number of hours and days of contact sessions, engagements and meetings over the duration of the contract. Bidders must note that the information in Table 1 is based on experience, as services are acquired virtually or on-site “as and when required” and on a “time and material” basis.

Table 1: Indicative number of sessions

Description of Services	FY 2026/27	FY 2027/28	FY 2028/29	Total Days
NBF Sessions (1 day per month) excluding December and January	10	10	10	30 days
NCF Sessions (1 day per month) excluding December and January	10	10	10	30 days
Special NBF/NCF Sessions (1 per quarter)	3	3	3	9 days
Wage Negotiations Sessions (Number of days)	8	8	8	24 days
Bilateral / Special Sessions (1 day per month)	12	12	12	36 days
Relationship By Initiatives (RBI) (2 per year, 2 days per event)	4	4	4	12 days

Notes: The standard working day for SARS shall comprise of eight (8) working hours. Should any Meeting/Session extend beyond this duration, SARS will apply the hourly rate as proposed by the bidder in its pricing schedule.

2.4. Turnaround times

The successful Bidder must comply with the turnaround times, as indicated below:

Table 2: Turnaround times

Description	Frequency	Due
Signing of minutes in line with paragraph 6.1(e) of the NBF Constitution.	As per schedule in Table 1, where applicable.	Three (3) business days from meeting date. NBF minutes are read and adopted at the next NBF meeting.
Drawing up annual reports in line with paragraph 6.1(f) of the NBF Constitution.	As per schedule in Table 1, where applicable.	Thirty (30) calendar days after SARS financial year end (31 March).
Dispute Resolution.	As and when disputes are declared.	In terms of paragraph 9 of the NBF Constitution.
Outcomes or decisions from forums.	As and when required.	As per the NBF Constitution.

3. SARS' REQUIREMENTS FROM BIDDER

The bidders must submit their response to all the requirements in this section. The information contained in the response will be used for technical evaluations.

3.1. Company Profile

The bidders must provide a company profile detailing structure, service offering and infrastructure.

3.2. Key Account Manager

The bidder must submit a comprehensive Curriculum Vitae (CV) for the proposed Key Account Manager who will be assigned to the SARS account. The CV must include the following details:

- Full Name and contact information including a valid email address and telephone number.
- Qualifications: National Diploma (NQF Level 6) or higher qualification relevant to the role.
- Professional Experience: A minimum of three (3) years of experience in key account management or a related field.

N.B.

- **The CV must be duly signed by both the bidder's authorised representative and the nominated individual, confirming the accuracy and completeness of the information provided.**
- **Certified copies of certificates / qualifications must be provided.**

3.2 Resources

The bidders must submit detailed CVs for both the recommended Chairperson and Alternative Chairperson proposed for the SARS assignment. These individuals will be evaluated based on the following criteria:

1. Proven Track Record (10 Years)

Both the Chairperson and Alternative Chairperson must demonstrate a minimum of ten (10) years' experience in chairing structures or forums at various levels, including but not limited to:

- National Bargaining Forums
- Mediation and conciliation processes
- Presiding over disputes between organized labour and employers

2. Qualifications (Documentary Proof Required)

Each CV must detail the following academic qualifications, specifically in one of these areas: Human Resource Management, Labour Relations, Industrial Relations, Employment Relations, Labour Law or Industrial Sociology:

- Bachelor's Degree and/or B Tech and/or Advanced Diploma and/or Law Degree
- Diploma and/or Advanced Certificate
- Certificate of one (1) year or longer duration

N.B.

- **The CV must be duly signed by both the bidder's authorised representative and the nominated individual, confirming the accuracy and completeness of the information provided.**
- **Certified copies of certificates / qualifications must be provided.**
- **SARS reserves the right to validate and verify the accuracy of the information provided.**

3.3 Reports

The bidder must provide a sample of a previously generated annual report by a chairperson for a national bargaining forum. The report must include the following

- Statistics on Cases
- Challenges
- Matters referred to the NBF
- Wage agreements
 - Outstanding matters
 - Conclusion

3.4 Document Management and Record Keeping

A detailed description of how the Bidder:

- Ensures that electronic, as well as paper-based, confidential client information, will be securely stored and maintained in accordance with the Protection of Personal Information Act, 2013 (Act 4 of 2013) (POPIA) or other applicable legislation;
- Administrative process / procedure for audit purposes and managing all records, is efficient and effective; and
- Ensures that records are retained and destroyed in accordance with POPIA or other applicable legislation.

3.5 Reference/Testimonial Letters

The Bidder must provide reference letters from at least three (3) contactable clients, to whom similar services have been provided to in the past five (5) years. The reference letters must be on a company letterhead and it must include: company name, contact person name and designation, phone number, email address, duration of the contract, a brief description of the services rendered and the level of satisfaction with the services rendered.

Note: SARS reserves the right to contact the clients for a reference check. It is therefore important to ensure that the clients are contactable.

3.6 Presentation

The Bidder should refer to the scenarios listed below and prepare a presentation which clearly demonstrates the following:

3.6.1 A negotiation / bargaining strategy and planning to deliver mediation and conciliation on a dispute meeting between the parties (Organised Labour and the Employer). In particular, the Bidder must demonstrate the following:

- The role of the mediator and the conciliator
- Indicate the root cause of the dispute in these scenarios.

- How they will engage the parties and find a solution.
- A solution if the parties reject the approach.

3.6.2 Three (3) key challenges experienced during the process of presiding over the disputes.

3.6.3 Lessons learned during the process of presiding over the disputes.

3.6.4. Resolutions taken in accordance with the provided scenarios.

Scenarios to be considered for purposes of preparing for the presentation

a) Scenario 1

The employer is presenting to the unions that they will not honour the terms, conditions and implementation of a collective wage agreement entered into by them with the two recognised unions within the organisation. Disputes from both the unions are imminent and declared as per the National Bargaining Forum (NBF) Constitution. The appointed chairperson is required to mediate a first dispute meeting between the parties (Organised Labour and the Employer) and chair the National Bargaining Forum.

b) Scenario 2

The parties agree to renegotiate the terms and conditions of the collective agreement. The appointed chairperson is required to facilitate this process and ensure that the matter is purposely steered towards resolution and conclusion.

c) Scenario 3

The parties indicate no willingness to renegotiate the terms and conditions of the collective agreement. The appointed chairperson is required to advise the parties and attempt to take the mediation process forward towards resolution.

END