

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE]

Terms of Reference



REQUEST FOR PROPOSAL

BID NUMBER: ECIC01P-2023/24

OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

CLOSING DATE: 9 MAY 2023

CLOSING TIME: 11H00 (SAST, OBTAINABLE BY DIALLING TELKOM ON 1026)

CONTRACT NUMBER: [SLA040-22/23](#)

YOUR EXPORT RISK PARTNER

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

CONTENTS

A. INTRODUCTION TO THE REQUEST FOR PROPOSAL (RFP)	3
1. Introduction	3
2. Background	3
B. TERMS OF REFERENCE	4
3. Scope of services	4
4. Bid/contract conditions	5
5. Due diligence/site inspection	6
6. Bid evaluation	6
7. Evaluation Phase Two: Functional	7
8. Evaluation Phase Three: Proof of concept (Demonstration)	14
9. Evaluation Phase Four: Preference point system	16
10. Document(s) required to substantiate claims for Specific Goal	17
11. Phase Five: Objective criteria	17
12. Standard bidding documents	18
13. Instructions to respondents	18
14. Timeline of the bid process	19
15. Bid rules	20
ANNEXES	26
Annexure A: Protection of personal information	26
Annexure B: Format for fee proposal (Pricing Example)	28
Annexure C: Relevant Standard Bidding Documents	29
SBD 1	29
SBD 4	32
SBD 6.1	36
Annexure D: Checklist	41

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

A. INTRODUCTION TO THE REQUEST FOR PROPOSAL (RFP)

1. Introduction

- 1.1. The Export Credit Insurance Corporation of South Africa (SOC) Limited (ECIC or Corporation)¹ is a self-sustained state-owned entity listed under Schedule 3B of the Public Finance Management Act 1 of 1999 (as amended) and established in terms of the Export Credit and Foreign Investments Insurance Act 78 of 1957 (as amended).
- 1.2. The mandate of ECIC is to facilitate and encourage South African export trade, by underwriting export credit loans and investments outside the country, to enable South African contractors to win capital goods and services contracts in countries outside South Africa. ECIC is a registered Financial Service Provider and is regulated by the Financial Sector Conduct Authority and Prudential Authority (FSP No: 30656). Currently exempted in terms of FAIS Notice 78 of 2019.
- 1.3. ECIC operates from offices at Block C7 Eco Origins Office Park, 349 Witch Hazel Avenue, Highveld Ext 79, Centurion, 0157, South Africa.
- 1.4. Bids are hereby invited for the appointment of a service provider to provide outsourced services on the management of the Socio-Economic Development Programme for a period of five (5) years.
- 1.5. This bid is subject to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations, 2022, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.

2. Background

- 2.1. The SED Programme (including CFE), as part of the ECIC Corporate Social Responsibility, contributes to the upliftment and empowerment of the identified disadvantaged communities throughout the country by supporting sustainable socio-economic development initiatives. The initiatives are implemented together with the partners that have fostered mutually beneficial relationships with ECIC over the years.
- 2.2. ECIC currently outsources the management and administration services of the SED Programme (including CFE) which comprises of SED and Consumer Financial Education (CFE) initiatives. ECIC intends re-tendering these services.

¹ Further information on the ECIC can be found at www.ecic.co.za

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

B. TERMS OF REFERENCE

3. Scope of services

3.1. The appointed bidder will be required to:

3.1.1. Provide end to end management of the SED Programme (including CFE) (including CFE) of the ECIC for a period of five (5) years. The management will include amongst others the following:

3.1.1.1. Identification of beneficiaries.

3.1.1.2. Disbursements of funds to implementing partners.

3.1.1.3. Reporting on the SED Programme (including CFE).

3.1.1.4. Monitor and evaluate the SED Programme (including CFE).

3.1.1.5. Attend to ECIC meetings related to the SED Programme (including CFE) (including presenting to Management Committees).

3.1.1.6. Fund management.

3.1.1.7. Conduct monitoring and evaluation on the SED Projects and provide the consolidated assessment report annually.

3.1.1.8. Guide and advice ECIC on SED matters and applicable legislation, Policy and Strategy Review.

3.1.2. Review and/or update ECIC SED Strategy and Policy. The ECIC Strategy was last reviewed during 2016. ECIC SED Policy is reviewed on an annual basis.

3.1.3. Identify strategic programmes/projects in line with ECIC's transformation strategy and provide proposals annually to ECIC Committees (two management committees) for consideration.

3.1.4. Provide a fund management system, manage and administer ECIC SED Disbursements.

3.1.5. Where applicable, take over the management and reporting of existing SED Projects.

3.1.6. Provide monitoring and evaluation services on the SED Programme (including CFE).

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

- 3.1.7. Report on the SED Programme (including CFE) to ECIC. The reporting shall be done on a monthly, quarterly and annual basis. It is expected that there will be four meetings annually. For academic projects, the appointed bidder will also be required to report on semester basis.
 - 3.1.8. Monitor and evaluate the SED Projects (including CFE) throughout the implementation of the ECIC SED Programme (including CFE). Provide monitoring and evaluation reports on a quarterly basis.
 - 3.1.9. In the past three years, ECIC had on average five (5) SED Projects per year.
 - 3.1.10. Provide critical project performance review and stakeholder engagement.
 - 3.1.11. Identify opportunities in integrating the Socio-economic Development and Enterprise and Supplier Development (ESD) programmes to achieve the broader socio-economic impact.
 - 3.1.12. Manage expectations by the internal and external stakeholders (at various levels) e.g., communication, reporting and consultation. The stakeholders, includes amongst others, ECIC Committees and relevant employees, beneficiaries and implementing partners.
 - 3.1.13. Provide advisory support service to ECIC on applicable legislative compliance in relation to SED Programme (including CFE).
- 4. Bid/contract conditions**
- 4.1. ECIC will enter into an agreement with successful bidder which will detail the terms of engagement. The contract will be monitored quarterly including mandatory monthly, quarterly and annual progress reporting on SED Projects.
 - 4.2. The appointed bidder must ensure that they uphold all legislative and industry norms/regulatory requirements associated with all the functions of implementing the SED Programme (including CFE). This includes being conversant with current and future changes in B-BBEE legislation (codes of goods practice) and relevant interpretations by key stakeholders.
 - 4.3. The agreement may be terminated by the ECIC if it has reasonable grounds to do so, with not less than 30 days' prior written notice. A termination clause will form part of the agreement and may include events such as unsatisfactory performance, defining events, departure of key personnel, governance and ownership issues and reputational risks.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

5. Due diligence/site inspection

- 5.1. At the ECIC's discretion, a due diligence and/or site inspection may be conducted on the identified bidder. ECIC will visit the identified bidders' premises or bidder's client (with permission from the bidder) with the objective of verifying information as contained in their respective bid documents.
- 5.2. Where applicable, the ECIC will issue criteria for the due diligence review or site inspection beforehand to the applicable bidder(s). Should it be discovered during a due diligence visit or site inspection that the information submitted by the identified bidder is inconsistent with what is on their current premises of business, ECIC reserves the right to disqualify such bidder.
- 5.3. ECIC may identify another bidder using the next highest points obtained in the evaluation phase as stipulated in paragraph 6.1.4, taking into consideration the process followed under paragraphs 5.1 and 5.2.

6. Bid evaluation

- 6.1. The proposals will be evaluated in phases as highlighted below and detailed in paragraphs 6.1.1 and 7 to 12 of this document:

6.1.1. Phase One: Compliance

Compliance with administrative requirements stated in the Standard Bidding Documents requirements as listed in paragraph 12.

6.1.2. Phase Two: Functional evaluation (Desktop evaluation)

In this evaluation phase, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation phase.

6.1.3. Phase Three: Proof of concept evaluation (Demonstration)

In this evaluation phase, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation phase.

6.1.4. Phase Four: Preference point system

The 80/20 preference point system shall be applicable to this phase, where 80 points represent maximum obtainable points for the lowest acceptable price and 20 points represents maximum obtainable points for Specific Goals. Points will be awarded to a bidder for attaining the Specific Goals in accordance with the table as listed in the bid documentation (refer to paragraph 9, read together with the table in **page 38 (paragraph 4.1)**).

6.1.5. Phase Five: Objective criteria

ECIC will apply objective criteria as detailed in paragraph 11.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

7. Evaluation Phase Two: Functional

- 7.1. The proposal submitted by the bidder will be evaluated by the ECIC based on the following criteria and be rated as the factor score over 5 multiplied by the applicable points:
- 7.2. Factor scores: 0=Poor, 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 1

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS	
			FACTOR	POINTS		
1. Capacity of the bidder	1.1. Bidder's profile/Corporate information.					40
	1.1.1. Bidder must provide a profile/corporate information which details, amongst others, list of outsourced SED Programme (including CFE) including CFE Programmes managed in (including dates and periods, funds managed per project), achievements in outsourced SED Programme (including CFE), including industry accolades (If any). The bidder must have managed outsourced SED Programme (including CFE) including CFE Programmes in South Africa for a minimum of four years from the closing date of this bid.	1.1.1.1. No profile submitted and/or the bidder has less than four years' experience in providing SED Programs including CFE Programmes in South Africa.	0	10		
		1.1.1.2. Bidder provided a profile/corporate information that is not comprehensive (meets less than 80% of ECICs requirements) and the bidder has at least four years' experience in providing SED Programs including CFE Programmes in South Africa.	1-2			
		1.1.1.3. Bidder provided a profile/corporate information that is comprehensive (meets at least 80% of ECICs requirements) and the bidder has at least four years' experience in management of outsourced SED Programme (including CFE) including CFE Programmes in South Africa.	3-5			
	1.1.2. Brief description of the bidder and an outline of recent experience on assignments of a	1.1.2.1. No information provided or the information provided is not similar to the services required for this bid.	0	10		

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	similar nature required by ECIC. For each assignment, the bidder must indicate the profile of the staff on the assignment, duration of the assignment, contract amount and bidder's involvement (at least three assignments must have been managed in South Africa together with accompanying reference letters from each of the three clients).	1.1.2.2. Bidder provided part of the information required or the information provided is for two or less clients.	1-3		
		1.1.2.3. Bidder provided all the required information, and the information covers at least three clients (with supporting documents). All information is similar and relevant to the requirements of this bid.	4-5		
	1.2. Experience of the bidder.				
	1.2.1. Bidder must demonstrate track record and experience by providing list of SED Programme (including CFE) including CFE Programme managed in the past four (4) years. The list must indicate the type of the SED Programme (including CFE) including CFE Programme (including dates or periods, funds managed per project), number of beneficiaries per programme and the contact details (contact person and contact details) of the client.	1.2.1.1. Bidder provided a list with less than five clients and the list is for either SED Programme (including CFE) or CFE Programme or the bidder did not provide the required information.	0-3	10	
1.2.1.2. Bidder provided a list with at least five clients and the list is for both SED Programme (including CFE) and CFE Programme.		4-5			

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	During evaluation of this criteria, ECIC will also verify the provided information with the clients of the bidders.				
	1.3. Human resource capacity. The bidder must have at least one lead consultant with at least three years' experience in management of SED Programme (including CFE) including CFE Programmes. (Attach latest CV of the proposed professional staff). The bidder must also provide a support consultant with at least two years' experience in SED Programs including CFE Programmes (Attach latest CV of the proposed professional staff).	1.3.1. Bidder did not provide any information, or the information provided does not meet all the minimum requirements of ECIC.	0-2	10	
		1.3.2. Bidder provided all the information required and the information meets the requirements of ECIC.	3-5		
2. Portfolio/fund management	2.1. Bidder's fund size and types of funds the company currently or has previously managed. The bidder must provide details of Fund managed, including total fund value managed per fund indicated. During evaluation of this criteria, ECIC will also verify the provided information (fund size, type, etc) with the clients of the bidders.	2.1.1. Bidder has managed a fund size of less than R500 000.00 (total funds managed) without 3 year financials or the bidder did not provide any of the information required.	0	10	10
		2.1.2. Bidder has managed a fund size of less than R500 000.00 (total funds managed) with audited or reviewed financial statements for the last three years.	1		
		Bidder has managed a fund size of between than R2 million and R3 million	2		

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	The bidder must submit copies of their last three (3) years audited or reviewed financial statements.	(total fund managed) with audited or reviewed financial statements for the last three years.			
		2.1.3. Bidder has managed a fund size of more than R5 million (total funds managed) with audited or reviewed financial statements for the last three years.	4-5		
3. Process flow or methodology	3.1. The bidder must provide copy of a process flow or methodology that indicates how they will be identifying and sourcing potential beneficiaries and implementing partners.	3.1.1. Bidder did not provide copy of a process flow or methodology as required. The information provided does not show the sourcing process flow or methodology.	0	5	10
		3.1.2. The bidder provided copy of process flow or methodology that partially demonstrates the sourcing, screening and implementation process. The provided information partially covers all the requirements of this evaluation criteria.	1-2		
		3.1.3. The bidder provided copy of process flow or methodology that comprehensively demonstrates the sourcing, screening and implementation process. The provided information covers all the requirements of this evaluation criteria.	4-5		

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	3.2. The bidder must provide an example of an annual SED Programme (including CFE) implementation framework that includes a non-exhaustive list of key elements, for example, timeliness, disbursements, reporting, meetings and monitoring, etc.	3.2.1. Bidder fails to provide an example of annual SED Programme (including CFE) implementation framework.	0	5	
		3.2.2. The bidder provided an example of an annual SED Programme (including CFE) implementation framework with a partial list of the key elements.	1-2		
		3.2.3. The bidder provided an example of an annual SED Programme (including CFE) implementation framework with a complete list of the key elements.	4-5		
4. Programme governance	4.1. Outline programme governance framework, systems and processes to ensure strategic control and risk management of the programme activities and assure independence on the services and advice provided to clients. Bidders are required to detail how they will manage the risks, including amongst others fund management, systems and processes in place.	4.1.1. Bidder failed to provide relevant information on governance, systems and controls as required.	0	10	10
		4.1.2. Bidder provided insufficient but relevant information on governance, systems and controls as required.	1-2		
		4.1.3. The bidder provided sufficient and relevant information on governance, systems and controls. The information provided comprehensively outline programme's multi stakeholder governance framework, systems and processes to ensure strategic control, risk management of the programme with risk mitigation elements.	3-5		

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
5. Methodology/approach	<p>5.1. The bidder must provide the methodology/approach that will be followed in providing the outsourced services on the management of SED Programme (including CFE).</p> <p>The methodology/approach must address proposed project plan with estimated milestones.</p>	5.1.1. Bidder failed to demonstrate the relevant methodology or approach as required.	0	10	10
		5.1.2. Bidder provided insufficient relevant methodology or approach as required.	1-2		
		<p>5.1.3. Bidder provided sufficient relevant methodology or approach as required.</p> <p>The methodology/approach address proposed project plan with estimated milestones.</p>	3-5		
6. Monitoring, evaluation and reporting	<p>6.1. Bidders are required to outline the monitoring, evaluation and reporting processes in management of SED Programme (including CFE).</p> <p>This must include monthly, quarterly, semester and annual reports including stakeholder meetings or updates.</p>	6.1.1. Bidder failed to outline the monitoring, evaluation and reporting processes as requested.	0	10	10
		6.1.2. The bidder insufficiently outlined the monitoring, evaluation and reporting processes as requested.	1-2		
		6.1.3. The bidder sufficiently outlined the monitoring, evaluation and reporting processes as requested.	3-5		
7. Impact assessment and exit plan.	<p>7.1. Bidders must demonstrate how the impact assessment on the SED Programme (including CFE) will be carried out.</p> <p>The bidder must outline the proposed exit plan and handing over strategy at the end of the SED contract.</p>	7.1.1. The bidder failed to provide/demonstrate how the impact assessment and exit plan will be carried out as required.	0	10	10
		7.1.2. Bidder partially provided/demonstrated how the impact assessment and exit plan will be carried out as required.	1-2		

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	<p>Bidders are required to provide an example of impact assessment framework and an example of exit plan.</p> <p>The plan is not limited to the above, but it must include the safekeeping and transfer of information for the continuity of the SED Programme (including CFE).</p>	7.1.3. Bidder fully provided/demonstrated how the impact assessment and exit plan will be carried out as required.	3-5		
Total					100

- 7.3. Total points achieved under this evaluation criteria will be rounded to the nearest two decimal places.
- 7.4. Bidders who achieve minimum points of 80 out of 100 will be invited for presentation of their proposed solution to ECIC. The presentation will be on **23 May 2023 (and/or 24 May 2023, should there be a need)** for bidders that have passed the functional evaluation. Dates and times will be communicated to the bidders who have passed functionality during the week ending **19 May 2023**.
- 7.5. It is anticipated that, the Proof of Concept will be conducted online using Microsoft Teams.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

8. Evaluation Phase Three: Proof of concept (Demonstration)

8.1. The proof of concept presented by the bidder will be evaluated by ECIC based on the following criteria and be rated as follows:

8.2. Factor score: 0=Poor 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 2

EVALUATION CRITERIA	FURTHER DETAIL		FACTOR	POINTS
1. Understanding of the SED Scorecard and relevant legislation within the public entities.	1.1. The bidder will be required to respond to question in relation to SED Programme (including CFE). The questions will be based on the following prescripts:	1.1.1. Bidder failed to demonstrate their understanding of the requirements or understood one part only.	0-2	30
	a. Broad Based Black Economic Empowerment Act and its Regulations. b. Financial Services Charter.	1.1.2. Bidder fully demonstrated understanding of the requirements.	3-5	
2. Sufficient capacity to deliver	2.1. Demonstrate that the bidder has sufficient capacity to carry out the SED services. The questions will be based on: a. Team composition/organisational structure. b. Experience and expertise.	2.1.1. Bidder failed to demonstrate the capacity to deliver on SED services.	0	30
		2.1.2. Bidder demonstrated the capacity to deliver on SED services.	1-5	

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

EVALUATION CRITERIA	FURTHER DETAIL		FACTOR	POINTS
3. Presentation	3.1. The bidder will be required to respond to questions in relation to the overall quality of the presentation based on the following prescripts: a. Preparedness. b. Presentation layout and professionalism. c. Satisfactory response to questions.	3.1.1. Bidder failed to respond to presentation questions as required.	0	20
		3.1.2. Bidder was prepared for the presentation, the presentation was of the acceptable quality and responded satisfactorily to questions.	1-5	
4. Understanding of SED Programme	4.1. The bidder will be required to respond to questions in relation to their understanding of the SED Programme (including CFE Programme) based on the following prescripts: a. Purpose of the SED according to the legislation. b. Description and initiatives of the SED according to legislation.	4.1.1. Bidder failed to demonstrate their understanding of an SED Programme (including CFE Programme).	0	20
		4.1.2. Bidder partially demonstrated their understanding of an SED Programme (including CFE Programme).	1-2	
		4.1.3. Bidder fully demonstrated their understanding of an SED Programme (including CFE Programme).	3-5	
TOTAL				100

8.3. Total points achieved under this evaluation criteria will be rounded to the nearest two decimal places.

8.4. Bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation phase.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

9. Evaluation Phase Four: Preference point system

- 9.1. The formula below will be used to calculate the preference procurement points for price:

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid or offer under consideration

Pmin = Comparative price of lowest acceptable bid

- 9.2. Depending on the bidder's level of Specific Goals, a maximum of 20 points may be allocated to a bidder. The points scored by a bidder for Specific Goals will be added to the points allocated for price.
- 9.3. The table below reflects the number of points to be allocated to a bidder for Specific Goals:

Table 3

Specific Goals	Number of points (80/20 system)
B-BBEE Procurement Recognition Level of 135%	20
B-BBEE Procurement Recognition Level of 125%	10
B-BBEE Procurement Recognition Level of 110%	5
Any other B-BBEE Procurement Recognition Level	0

[BIDDERS ARE REQUIRED TO INDICATE, IN ONE BLOCK, THE NUMBER OF POINTS THEY ARE CLAIMING FOR SPECIFIC GOALS IN THE TABLE IN PAGE 38 (PARAGRAPH 4.1). IN THE EVENT WHERE A BIDDER MAKES A MARK (ONE MARK), ECIC WILL CONSIDER THE CORRESPONDING POINTS TO BE THE ONE WHICH THE BIDDER IS CLAIMING FOR. WHERE A BIDDER MAKES MULTIPLE MARKS OR DOES NOT MAKE ANY MARK OR INDICATION AT ALL IN THE TABLE, THE BIDDER WILL BE ALLOCATED ZERO (0) POINTS FOR SPECIFIC GOALS, NOTWITHSTANDING EVIDENCE PROVIDED.]

- 9.4. The total points achieved under this evaluation criteria will be rounded to the nearest two decimal places.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

10. Document(s) required to substantiate claims for Specific Goal

- 10.1. For this bid, bidders are requested to provide the following documents in substantiation for their claim of Specific Goals in line with the 2022 Preferential Procurement Regulations:

Table 4

Specific Goals		Document required to substantiate the Specific Goals claim
B-BBEE Procurement Recognition Level		Copy of a valid B-BBEE Certificate or Copy of valid Sworn Affidavit

- 10.2. Any bid received from a bidder who did not provide the document requested in this paragraph 10 shall be awarded zero points for Specific Goals.
- 10.3. Points for Specific Goals will be allocated as indicated in paragraph 9 of this RFQ and in the SBD 6.1 Form. Bidders are required to indicate how they claim points for each preference points on the SBD6.1 Form, **in the table on page 38 (paragraph 4.1)**. In the event that a bidder does not indicate the preference points they are claiming, the bidder will be awarded zero (0) points for Specific Goals.
- 10.4. The B-BBEE points will be awarded as per the rating certificate, the points for joint ventures (JV) or consortiums will be awarded based on the certificate of the JV or the consortium.

11. Phase Five: Objective criteria

- 11.1. In this evaluation stage, ECIC will check if the bidder has a person who meet the following criteria in awarding the bid:
- 11.1.1. The bidder has a significant shareholder or owner (or equivalent) (directly or indirectly) who is classified or can be classified as a Prominent Influential Person (PIP) in accordance with Financial Intelligence Centre Act, 38 of 2001 (FICA).
 - 11.1.2. The bidder has a shareholder or member or owner or director (or equivalent) who has questionable integrity status.
 - 11.1.3. The bidder has a director or equivalent who is classified or can be classified as a PIP in accordance with FICA.
- 11.2. Should it be found during this evaluation stage, that the bidder who has attained the highest points under Evaluation Stage Four (Preference Point System) has persons listed in paragraphs 11.1.1 to 11.1.3, ECIC reserves the right to conduct further due diligence on the person(s). Should the outcome of a further due diligence not be satisfactory to ECIC or such a person(s) poses an unacceptable high risk reputation and/or integrity of the person(s) be questionable, ECIC reserves the right not to

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

award the bid to that bidder. This process may be repeated to the next bidder if so required.

12. Standard bidding documents

- 12.1. Bidders are required to complete and attach the following Standard Bidding Documents:

Table 5	
DETAILS	REFERENCE NUMBER
Invitation to bid	SBD 1
Declaration of Interest	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2022 Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for Specific Goals.	SBD 6.1

- 12.2. ECIC will not award a bid to a bidder who has not submitted complete and signed Standard Bidding Documents and the Standard Bidding Documents forms part of the condition of award.

13. Instructions to respondents

13.1. Correspondence

- 13.1.1. No telephonic or any other form of communication with any other ECIC member of staff other than the named individual below, relating to this RFP will be permitted. All enquiries must be in writing only.
- 13.1.2. All questions relating to the contents of the tender (conditions, rules, terms of reference etc.) must be forwarded in writing via email to procurement@ecic.co.za by not later than 21 April 2023. Questions received after this date will not be entertained.
- 13.1.3. All questions must reference specific paragraph numbers, where applicable.
- 13.1.4. All enquiries (received on or before the closing date for enquiries) will be consolidated and ECIC will publish one response document on the ECIC website (www.ecic.co.za) within two working days after the date in indicated in paragraph 13.1.2, on or before 25 April 2023.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

- 13.1.5. No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

13.2. Submission of the proposals

- 13.2.1. Bid documents must be clearly marked for ease of reference and be submitted in PDF format on/or before the closing date and time to the following email address:

procurement@ecic.co.za

- 13.2.2. The following email submission procedures or protocols must be adhered to ensure safe and secure submission of the tender documents and supporting documents:

- 13.2.2.1. The tender document, including the supporting or returnable documents should be submitted via email on PDF format.

- 13.2.2.2. If the PDF tender document, including the supporting or returnable documents is less than 20 Megabytes (MB), it should be submitted as one document. If the electronic bid document is more than 20MB, the electronic tender document should be split in order to adhere to the 20MB email capacity.

- 13.2.2.3. Bidders are also encouraged to submit a USB detailing their tender proposals.

- 13.2.3. Only if bidders are experiencing challenges with emailing documents, tenders can be delivered at the ECIC Offices on/or before the closing date and time at Block C7 Eco Origins Office Park, 349 Witch Hazel Avenue, Highveld Ext 79, Centurion, 0157, South Africa.

- 13.2.4. **Any proposal received after the closing date and time will not be accepted.**

- 13.2.5. All proposals and all subsequent information received from respondents will not be returned. The proposals should be addressed to the Head of Procurement of ECIC.

14. Timeline of the bid process

- 14.1. The period of validity of the tender and the withdrawal of offers, after the closing date and time are 120 days, expiring on 6 September 2023. The project timeframes of this bid are set out below:

Table 6

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
1.	Advertisement of bid on Government e-tender portal /ECIC Website	11 April 2023
2.	Questions relating to bid from bidder(s)	21 April 2023
3.	Bid closing	9 May 2023
4.	Compliance Evaluation	12 May 2023
5.	Functional Evaluation	12 May 2023
6.	Proof of concept (demonstration)	26 May 2023
7.	Preference Points	26 May 2023
8.	Bid Adjudication	2 June 2023

14.2. All dates and times in this bid are in South African Standard Time.

14.3. Any time or date in this bid is subject to change at the discretion of ECIC. The establishment of a time or date in this bid does not create an obligation on the part of ECIC to take any action or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if ECIC extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

14.4. ECIC will notify all bidders of the outcome of the bid within 10 days from the date of acceptance of bid by the identified bidder.

15. Bid rules

15.1. Awarding a bid

15.1.1. ECIC will not award a bid to a bidder:

15.1.1.1. Who is or the bidder's director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder are restricted to conduct business with the State.

15.1.1.2. Who is in the employ of the State or has a director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder who is in the employ of the State as contemplated in the Public Administration Management Act, 11 of 2014 and is prohibited from conducting business with the State in terms of section of PAMA.

15.1.1.3. Who is in the service of the State or has a director(s), trustee(s), shareholder(s), member(s), partners(s) or any

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

person(s) having controlling interest in the bidder and has not declared their business interest as required in the applicable SBD4 form.

15.1.1.4. Has been found to have transgressed Prevention and Combating of Corrupt Activities Act, 12 of 2004 (as amended).

15.1.1.5. Has been found to have transgressed or is transgressing the Competition Act, 89 of 1998 (as amended).

15.1.2. ECIC shall not award a bid or contract or order to a bidder whose tax affairs are not compliant, except to foreign bidders with no tax obligations in South Africa.

15.1.3. For a bidder or the bidder's director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder who have declared their business interest as required in the applicable SBD4 form, ECIC will not award a bid to a bidder who has declared their interest and:

15.1.3.1. Is prohibited from conducting business with the State; or

15.1.3.2. Does not have permission to conduct remunerative work outside their employment.

15.1.4. ECIC will verify with the relevant Organ of State to determine if paragraphs 15.1.3.1 and 15.1.3.2 are not applicable.

15.1.5. ECIC will assume that, the person contemplated in paragraph 15.1.3 is prohibited from conducting business with the State or the person does not have permission to conduct remunerative work outside their employment if it does not receive any response within 21 days from such verification request to an Organ of State.

15.1.6. ECIC will then recommend to award the bid to the bidder who achieved the second highest preference points, and should it be established that, the bidder who achieved the second highest preference points have a person contemplated in paragraph 15.1.3, ECIC will conduct verification as contemplated in paragraphs 15.1.4 and 15.1.5. This step can be performed to up to the bidder who achieved the third highest preference points.

15.2. Documents/information required as a condition of award

15.2.1. Proof of registration valid registration on the National Treasury Central Supplier Database (CSD).

15.2.2. Completed and signed Standard Bidding Forms as follows:

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

Table 7

Invitation to bid (all bidders must ensure that this Form is duly completed and signed)	SBD 1
Declaration of Interest	SBD 4
Preference Points Claim Form	SBD 6.1

15.3. B-BBEE Joint Ventures or Consortiums

- 15.3.1. Bidders who would wish to respond to this bid as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their bid submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party.
- 15.3.2. If such a JV or consortium agreement is unavailable, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by ECIC through this bid process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to ECIC.
- 15.3.3. Bidders are to note the requirements for B-BBEE compliance of JVs or consortiums as stipulated in the bidding form in and submit it together with proof of their B-BBEE Status.

15.4. Sub-contracting

- 15.4.1. ECIC fully endorses the South African Government's transformation and empowerment objectives and in awarding the tender or contract, preference may be given to bidders (Generics) who are willing to subcontract not less than 30% of the contract to a company which is Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, an EMEs and QSE. EME's and QSE's are allowed to bid without subcontracting.
- 15.4.2. If contemplating subcontracting, please note that a bidder will not be awarded points for Specific Goals if it is indicated in its Proposal that such bidder intends subcontracting more than 30% (thirty percent) of the value of the contract to an entity/entity that do not qualify for at least the same points that the bidder qualifies for, unless the intended subcontractor is a company which is Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, an EME and QSE , with the capability to execute the subcontract.
- 15.4.3. A person awarded a contract may not subcontract more than 25% (twenty five) of the value of the contract to any other enterprise that does not have

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

an equal or higher Specific Goals than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

15.5. ECIC's rights

15.5.1. ECIC reserves the right to:

- 15.5.1.1. Amend any bid conditions, bid validity period, bid specifications, or extend the bid closing date, all before the bid closing date. Such amendments will be posted on the ECIC's website under the relevant tender information. All prospective bidders must therefore ensure that they visit the website of ECIC (www.ecic.co.za) regularly before they submit their bid response to ensure that they are kept updated on any amendments in this regard.
- 15.5.1.2. Cancel or withdraw this bid at any time, as a whole or in part without reasons and without attracting any liability.
- 15.5.1.3. Award this bid to more than one bidder.
- 15.5.1.4. Award this bid in total or part.
- 15.5.1.5. Negotiate with all or some of the shortlisted bidders.
- 15.5.1.6. Not accept the lowest priced bid or award the bid to a bidder other than the highest scoring bidder.
- 15.5.1.7. Conduct site visits at bidder's offices and / or at client sites if so required.
- 15.5.1.8. Request any relevant information and/ or documents to verify or clarify information supplied in the bid response in relation, but not limited, to the structure of the bidding entity, bidder's capacity, proposed solution, proposed timelines etc.

15.6. Contract fees

- 15.6.1. Where a bidder indicates that its prices are subject to confirmation, or are in any way conditional, such pricing will not be considered.

15.7. Confidentiality

- 15.7.1. Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence. In submitting a response, a Service provider agrees that it shall not be entitled to any information disclosed by another respondent to ECIC, which ECIC has determined to

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

be of a confidential nature. The content and details of the evaluation of submissions will remain confidential to ECIC.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

15.8. Other matters

- 15.8.1. If the ECIC does not accept any proposal, it will declare this bid process closed and may then elect to:
 - 15.8.1.1. Proceed on a completely different basis; and/or
 - 15.8.1.2. Not to appoint any respondent (in the event it deems all or any of the proposals not appropriate).
- 15.8.2. The ECIC reserves the right to engage in any processes required to validate all claims made in the proposal.
- 15.8.3. The ECIC has the right to enter into negotiation with a prospective Service provider regarding any terms and conditions, including fees, of a proposed contract.
- 15.8.4. Bidders are allowed to submit joint proposals to allow different companies/entities to undertake different components of the work under one single proposal. In such event however, each bidder is required to provide a B-BBEE certificate.

15.9. Disclaimer

- 15.9.1. The ECIC has produced this bid in good faith. However, the ECIC, its agents and its employees and associates, do not warrant its accuracy or completeness. The ECIC will not be liable for any claim whatsoever and howsoever arising (including, without limitation, any claim in contract, negligence or otherwise) for any incorrect or misleading information contained in this bid due to any misinterpretation of this bid.
- 15.9.2. This bid is a request for proposals only and not an offer document; answers to it must not be construed as acceptance of an offer or imply the existence of a contract between the ECIC and the bidder.

15.10. Terms of engagement

- 15.10.1. The ECIC's engagement of the service provider will be documented in a contract between the ECIC and the appointed bidder.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

ANNEXES

Annexure A: Protection of personal information

1. ECIC recognises that when the Bidder submit its proposal in response to this Request for Quotations, it will provide personal information, which ECIC will process for the sole purpose of evaluating the Bidder's proposal. By submitting its proposal in responding to this Request for Quotations, the Bidder hereby provide its consent to the processing of its Personal Information by ECIC.
2. The following terms shall have the meaning ascribed to them:
 - 2.1. **"Personal Information"** shall bear the same meaning as ascribed to it under POPI;
 - 2.2. **"POPI"** means Protection of Personal Information Act, No. 4 of 2013;
 - 2.3. **"Responsible Party"** shall bear the same meaning as ascribed to it under POPI; and
 - 2.4. **"bid"** means this Request for Quotations.
3. ECIC as the Responsible Party undertakes to:
 - 3.1. comply with the provisions of POPI as well as all applicable legislation as amended or substituted from time to time;
 - 3.2. treat all Personal Information strictly as defined within the parameters of POPI;
 - 3.3. process Personal Information only in accordance with the consent it was obtained for, for the purpose agreed, as permitted by law;
 - 3.4. secure the integrity and confidentiality of any Personal Information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss, damage, unauthorised destruction, access, use, disclosure or any other unlawful processing of Personal Information;
 - 3.5. not transfer any Personal Information to any third party in a foreign country unless such transfer complies with the relevant provisions of POPI regarding transborder information flows; and
 - 3.6. not retain any Personal Information for longer than is necessary for achieving the purpose in terms of bid or in fulfilment of any other lawful requirement.
4. ECIC will ensure that all reasonable measures are taken to:
 - 4.1. identify reasonably foreseeable internal and external risks to the Personal Information in its possession or under its control;

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

- 4.2. establish and maintain appropriate security safeguards against the identified risks;
- 4.3. regularly verify that the security safeguards are effectively implemented;
- 4.4. ensure that the security safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards;
- 4.5. provide immediate notification to the Bidder if a breach in information security or any other applicable security safeguard occurs; provide immediate notification to the Bidder where there are reasonable grounds to believe that the Personal Information has been accessed or acquired by any unauthorised person;
- 4.6. remedy any breach of a security safeguard in the shortest reasonable time and provide the Bidder with the details of the breach and, if applicable, the reasonable measures implemented to address the security safeguard breach;
- 4.7. provide immediate notification to the Bidder where the Bidder has, or reasonably suspects that, Personal Information has been processed outside of the purpose agreed to or consented to;
- 4.8. provide the Bidder, upon request, with all information of any nature whatsoever relating to the processing of the Personal Information for the purpose of the bid and any applicable law; and
- 4.9. notify the Bidder, if lawful, of receipt of any request for access to Personal Information, in its possession and relating to the Bidder.

The Bidder has the right to inspect the Personal Information processing operations, as well as the technical and organisational information security measures employed by the ECIC to ensure compliance with the provisions of this Annexure.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

Annexure B: Format for fee proposal (Pricing Example)

This page has been left blank intentionally, refer to the Attached document titled Annexure B (Format for fee proposal (Pricing Example)).

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

Annexure C: Relevant Standard Bidding Documents

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EXPORT CREDIT INSURANCE CORPORATION OF SOUTH AFRICA (SOC) LIMITED					
BID NUMBER:	ECIC01P-2023/24	CLOSING DATE:	9 MAY 2023	CLOSING TIME:	11H00
DESCRIPTION	OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]				
BID RESPONSE DOCUMENTS MUST BE SENT TO THE FOLLOWING EMAIL ADDRESS:					
procurement@ecic.co.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ayanda Mdunge		CONTACT PERSON	Ayanda Mdunge	
E-MAIL ADDRESS	procurement@ecic.co.za		E-MAIL ADDRESS	procurement@ecic.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELL PHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.		

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

- 1.1. Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.
- 1.2. Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. BIDDER'S DECLARATION

2.1.	Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest ² in the enterprise, employed by the state?	YES/NO
------	--	---------------

- 2.1.1. If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2.	Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?	YES/NO
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² the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

2.2.1. If so, furnish particulars:

Full Name (Name of person employed by Export Credit Corporation of South Africa (SOC) Ltd, the procuring institution)	Relationship

2.3.	Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?	YES/NO
------	---	--------

2.3.1. If so, furnish particulars:

Name of Related Enterprise	Registration (ID) Number

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

3. DECLARATION

I, the undersigned, in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1. I have read and I understand the contents of this disclosure;
- 3.2. I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 3.4. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6. There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

Name of declarer			
Position/Title of declarer			
Name of bidder			
Signature of declarer		Date of signature	

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1 GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 1.1.1 the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.1.2 the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**
(delete whichever is not applicable for this tender).

- 1.2.1 ~~The applicable preference point system for this tender is the 90/10 preference point system.~~
- 1.2.2 The applicable preference point system for this tender is the 80/20 preference point system.
- 1.2.3 ~~Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.~~

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- 1.3.1 Price; and
- 1.3.2 Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80.00
SPECIFIC GOALS	20.00
TOTAL POINTS FOR PRICE AND SPECIFIC GOALS	100.00

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

claim points for Specific Goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2 DEFINITIONS

- 2.1 “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- 2.2 “price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- 2.3 “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- 2.4 “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- 2.5 “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where
Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

3.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1 POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4 POINTS AWARDED FOR SPECIFIC GOALS

- 4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for Specific Goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

Table 1: Specific goals for the tender and points claimed are indicated per the table below.
(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE Procurement Recognition Level of 135%	N/A	20	N/A	
B-BBEE Procurement Recognition Level of 125%	N/A	10	N/A	
B-BBEE Procurement Recognition Level of 110%	N/A	5	N/A	
Any other B-BBEE Procurement Recognition Level	N/A	0	N/A	

[BIDDERS ARE REQUIRED TO INDICATE, IN ONE BLOCK, THE NUMBER OF POINTS THEY ARE CLAIMING FOR SPECIFIC GOALS IN THE TABLE ABOVE. IN THE EVENT WHERE A BIDDER MAKES A MARK (ONE MARK), ECIC WILL CONSIDER THE CORRESPONDING POINTS TO BE THE ONE WHICH THE BIDDER IS CLAIMING FOR. WHERE A BIDDER MAKES MULTIPLE MARKS OR DOES NOT MAKE ANY MARK OR INDICATION AT ALL IN THE TABLE, THE BIDDER WILL BE ALLOCATED ZERO (0) POINTS FOR SPECIFIC GOALS NOTWITHSTANDING EVIDENCE PROVIDED.]

- 4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- 4.2.1 an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

4.2.2 any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

DECLARATION WITH REGARD TO COMPANY/FIRM

NAME OF COMPANY/FIRM			
COMPANY REGISTRATION NUMBER (ID NUMBER)			
TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX] [INDICATE ONE]			
Partnership/Joint Venture / Consortium		Personal Liability Company	
One-person business/sole propriety		(Pty) Limited	
Close corporation		Non-Profit Company	
Public Company		State Owned Company	

4.3 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

4.4 The information furnished is true and correct;

4.4.1 The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

4.4.2 In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

4.4.3 If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

4.4.3.1 disqualify the person from the tendering process;

4.4.3.2 recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

4.4.3.3 cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

- 4.4.3.4 recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- 4.4.3.5 forward the matter for criminal prosecution, if deemed necessary.

NAME OF TENDERER(S)	
NAME AND SURNAME (AUTHORISED SIGNATORY)	
SIGNATURE	
ADDRESS	
DATE OF SIGNATURE	

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

Annexure D: Checklist

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/ NO
1.	SBD 1	Invitation to bid	Is the form duly completed and signed?	
2.	Bidder's profile/Corporate information		Has the bidder attached their profile/corporate information as requested?	
3.	List of SED Programme (including CFE) including CFE Programme managed in the past four (4) years		Has the bidder attached the list of SED Programme (including CFE) including CFE Programme managed in the past four (4) years?	
4.	Copies of audited or reviewed financial statements (for the past three years from the closing date of this bid)			
5.	Company profile			
6.	Curriculum vitae(s)		Has the bidder attached curriculum vitae of at least one lead consultant with at least three years' experience in management of SED Programme (including CFE)?	
			Has the bidder attached the curriculum vitae of support consultant with at least two years' experience in SED Programs including CFE Programmes ?	
7.	Bidder's fund size and types of funds the company currently or has previously managed.		Has the bidder attached details of Funds managed, including total fund value managed per fund indicated?	
8.	Audited financial statements		Has the bidder attached copies of their last three (3) years audited or reviewed financial statements.	
9.	SBD 4	Declaration of Interest	Is the form duly completed and signed?	
10.	SBD 6.1	Preference Points Claim Form for Preferential Procurement Regulations 2022	Is the form duly completed, Specific Goals points claimed, and form signed? Refer to the table in page 38 (paragraph 4.1).	
11.	B-BBEE status level verification certificate or Sworn Affidavit		Is proof of B-BBEE Status level of contributor attached? Bidder must attach copy of B-BBEE Certificate or copy of Sworn Affidavit, whichever is applicable.	
12.	CSD Report or MAAA Number			

REQUEST FOR PROPOSAL: OUTSOURCING OF SED FUNCTION FOR A PERIOD OF FIVE YEARS [RE-ISSUE 2]

Terms of Reference

ITEM	DOCUMENT REFERENCE	ACTION TO BE TAKEN	YES/ NO
13.	Tender submission (if the bidder is submitting physical information/ documents)	Two (2) printed copies (one original and one copy) submitted? (if submitting physical copies)	
		One (1) electronic copy submitted?	

I, the undersigned (name) certify that the information furnished on this checklist is true and correct.

Position/Title of declarer			
Name of bidder			
Signature of declarer		Date of signature	