



TERMS OF REFERENCE TO PROCURE SERVICES OF A SERVICE PROVIDER TO REVIEW DISABILITY ASSESSMENT GUIDELINES FOR SOCIAL ASSISTANCE PURPOSES

1. INTRODUCTION

- 1.1** The South African Social Security Agency ("SASSA") was established under the South African Social Security Agency Act, 2004 (Act No. 9 of 2004). The Agency is responsible for the management, administration, and payment of social assistance. As a public entity, SASSA is bound by the Public Finance Management Act, 1999 (PFMA), the Treasury Regulations, and the Preferential Procurement Policy Framework Act, 2000 (PPPFA).

2. PURPOSE

- 2.1** The purpose of this terms of reference is to procure services of a service provider who will be responsible for the review of disability assessment guidelines and assessment forms used in the assessment of disability in clients seeking to apply for disability related social grants.

3. BACKGROUND

- 3.1.** The May 2022 Social Assistance Regulations updated the definition of assessments, aligning it with the Act in terms of functionality inclusion and allowing all Health Practitioners registered with the HPCSA to conduct them. This includes not only medical doctors but Clinical Associates, Occupational Therapists, Physiotherapists, Optometrists, Psychologists, Audiologists and Speech Therapists.

3.2 The clinical guidelines utilized for assisting health practitioners in assessments have remained unchanged since the 2006/2007 financial year. These guidelines were originally developed under the assumption that assessments would be conducted exclusively by medical doctors, thus maintaining a strong focus on medical criteria. They do not include measures of functionality against care thresholds, general requirements for employment in an open labour market, or the necessity for regular supervision or attendance by another individual.

3.3 Health practitioners who are not medical doctors and interest groups have consistently registered a concern on the lack of disability assessment guidelines that optimally support the implementation of legislation when it comes to disability related grants.

4. SCOPE OF WORK / DELIVERABLES

4.1 SCOPE OF THE WORK

The successful service provider will be expected to:

- a) Conduct a review of the outdated social assistance disability assessment guidelines that will be used by all health practitioners who are permitted to undertake social assistance assessments.
- b) Validate and update assessment forms for disability related grants to ensure that they are aligned to the revised assessment guidelines.

4.1.1 The revised guidelines should include the following:

- Highlight problem statement for the existent disability assessment guidelines (Challenges & Gaps)
- An overview (prevalence) and situational analysis of children and adults with disabilities in the country according to Stats SA.
- Legislative mandates both international and regional giving effect to the provision of Care Dependency Grant, Disability Grant and Grant in Aid to children and adults with disabilities.
- Identify clinical and functional capacity evaluation principles that should guide the implementation of the revised social assistance disability assessment guidelines in determining recommendations for the eligibility towards disability related grants.
- Outline and make recommendations on key legislative, administrative processes, costs, human resources, communication, monitoring and evaluation interventions required to ensure successful implementation of the revised updated disability assessment guidelines and validated assessment forms.

- Identify any contingent risks and mitigation thereof for DSD & SASSA.

4.2. DELIVERABLES

The service provider will be expected to provide:

- 4.2.1 A project plan and an inception report.
- 4.2.2 A draft report (in a hard copy and a soft copy format), and to brief the project team on the draft report.
- 4.2.3 Progress reports on the status of the project indicating the milestones bi-weekly or upon a request from the project team or manager.
- 4.2.4 A draft and final revised disability assessment guidelines with the assessment forms to the project team and subsequently to the broader SASSA team.
- 4.2.5 A comprehensive report and a summary report (in a hard copy and soft copy) and to present the findings to SASSA in the form of a meeting or workshop.
- 4.2.6 Copies and records of all reference material relied upon to execute the work.

5. MONITORING, EVALUATION AND REPORTING

Reporting will be scheduled as follows:

- Inception report.
- Progress reports submitted to the project team.
- Meetings with the project team to assess progress and provide feedback on the content and methodology as and when required. Documents for discussion must be submitted at least 2 days prior to arranged meetings.
- Submission and presentation of a draft report.
- Submission and presentation of the final report.
- All documentation compiled by the successful service provider shall be subject to quality control by the project team prior to it being accepted by SASSA.
- The successful service provider will report to the Manager: Disability Management (SASSA). The Manager for Disability Management will escalate relevant information to the Executive Manager: Grants Administration through the office of the General Manager: Operations or facilitate engagements with the principals where required.

6. COMPETENCIES REQUIRED

The service provider should demonstrate the following skills and experience:

- Knowledge and clear understanding of the Department of Social Development policies and social protection policies geared towards children and adults with disabilities.
- Demonstrate knowledge of SASSA's Disability Management Programme and a highlight of any previous or current involvement within its processes.
- Demonstrable track record (expertise & experience) in the academic, clinical and social security environments that deal with benefits for persons with disabilities.
- Demonstrable research skills including cost benefit analysis.
- Demonstrable experience in project management.
- Demonstrable experience of conducting research for government.
- Experience in formal report writing.

7. PRICING

7.1 Service providers responding to this TOR must submit:

7.1.1 A detailed quotation which must be structured as follows:

Task / Service	Price excl VAT	VAT	Price incl VAT
Review of disability assessment guidelines			
Validation and alignment of three (3) assessment forms for disability related grants			
Workshop on the draft revised assessment guidelines			
Workshop on the final assessment guidelines			
Total Price (incl. VAT)			R

8 EVALUATION CRITERIA

The bid proposals shall be evaluated in accordance with the 80/20 principle. The evaluation shall be conducted as follows:

i. First Stage: Phase 1: Special conditions

- a) The service provider must submit comprehensive curriculum vitae (CV's) of the Project Lead and at least two other professionals that will be assigned to this project and the project execution. The CV's must reflect track record (expertise & experience) in either academic, clinical or social security environments that deal with measurement of functionality utilizing various legislative prescripts such as but not limited to Social Assistance Act, National Health Act, Road Accident Fund Act, COIDA etc.
- b) Submit two (2) reference letters in client's letterhead with contactable contact details. The submitted reference letters must be in the name of the service provider or Project Lead. **NB:** SASSA reserves the right to contact or visit any persons on the reference letter to obtain information regarding the quality of services provided by the service provider.

NB: FAILURE TO SUBMIT THE ABOVE WILL RESULT IN DISQUALIFICATION OF THE BIDDER.

ii. First Stage: Phase 2: Administrative Compliance

<u>Phase 2– Administrative Compliance</u>
<u>Bidders are requested to submit the following:</u> a. Fully completed and signed SBD forms b. Proof of registration with CSD c. A valid tax status compliance pin d. A detailed proposal, outlining the processes and methodology to be followed. <u>NOTE: Failure to submit the above may invalidate your bid.</u>

iii. Second Stage: Phase 1: Price and Specific goals

Points awarded for price and specific goals:

Price and Specific Goals	100
Price	80
Specific Goals	20

Price

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

Specific Goals Points

Specific Goals	Number of points (80/20 system)
B-BBEE Status Level 1-2 contributor with at least 51% black women ownership	20
B-BBEE Status Level 3-4 contributor with at least 51% women ownership	18
B-BBEE Status Level 1-2 contributor with at least 51% black youth or disabled ownership	16
B-BBEE Status Level 1-2 contributor	14
B-BBEE Status Level 3-8 contributor with at least 51% youth or disabled ownership	12
B-BBEE Status Level 3-4 contributor	8
B-BBEE Status Level 5-8 contributor	4
Others	0

- a) Bidders should submit a B-BBEE verification certificate from a verification agency accredited by the South African National Accreditation System (SANAS) and/or CSD MAAA number and/or a sworn affidavit indicating the percentage of all shareholders and signed by the commissioner of oaths, all the company shareholders and/or owners.
- b) Failure to submit shall be interpreted to mean that Specific Goals points are not claimed.

9 DURATION OF THE PROJECT

- This project is estimated not to exceed five (5) months.

10 RFQ CONDITIONS

- SASSA reserves the right not to accept the lowest quotation or to make no appointment.
- Travelling will only be limited to SASSA officials where necessary. In a case where travelling is required by the successful service provider, approval must be granted by SASSA prior to travelling and re-imburement will be done in line with SASSA's travelling policy.
- SASSA reserves the right to negotiate price with the successful bidder.
- Late quotations will not be accepted.

STANDARD BIDDING DOCUMENT (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 interest¹ 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.

¹ 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.

STANDARD BIDDING DOCUMENT (SBD) 4

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**

2.2.1 If so, furnish particulars:

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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:

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3. DECLARATION

I, the undersigned, (name) 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;

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- 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 consortium² 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

² 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.

STANDARD BIDDING DOCUMENT (SBD) 4

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.

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.

.....

Signature

Date

.....

Position

Name of bidder

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:

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

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) 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:

- (a) Price; and
- (b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

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

- (a) **“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;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“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
- (e) **“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
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$		

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = 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:
- 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—
- (a) 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
 - (b) 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.

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 Status Level 1 - 2 contributor with at least 51% black women ownership	10	20		
B-BBEE Status Level 3 - 4 contributor with at least 51% women ownership	9	18		
B-BBEE Status Level 1 - 2 contributor with at least 51% black youth or disabled ownership	8	16		
B-BBEE Status Level 1 - 2 contributor	7	14		
B-BBEE Status Level 3 - 8 contributor with at least 51% youth or disabled ownership	5	12		
B-BBEE Status Level 3 - 4 contributor	3	8		
B-BBEE Status Level 5 - 8 contributor	2	4		
OTHERS	0	0		
Note: In the event of a bidder claiming more than one specific goal category, the Agency will allocate points based on specific goal with the highest points. The highest points will be confirmed with the BBBEE Certificate/Sworn Affidavit submitted by bidder/CIPC etc.				

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

- ☐ One-person business/sole propriety
 - ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited
 - ☐ Non-Profit Company
 - ☐ State Owned Company
- [TICK APPLICABLE BOX]

4.6. 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:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) 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;
- iv) 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 –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) 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;
 - (d) 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
 - (e) forward the matter for criminal prosecution, if deemed necessary.

..... SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME: DATE: ADDRESS: