

Terms of Reference – Proposal No. RFP/NCEDA/2501

Development of a Compendium of Regulatory Policy Frameworks and Standard Operating Procedures Northern Cape Economic Development Trade and Investment Promotion Agency (NCEDA)

1. Introduction

The Northern Cape Economic Development Trade and Investment Promotion Agency (NCEDA) is a Schedule 3C public entity established to support and drive economic development in the Northern Cape. As a public entity, NCEDA is mandated to facilitate investment promotion, trade expansion, and regional economic growth while ensuring compliance with the relevant legislative, regulatory, and governance frameworks.

With the recent expansion of NCEDA's functions to incorporate the roles and responsibilities of the Northern Cape Tourism Authority, Vehicle Fleet Management Service, Kalahari Kid Corporation, and Mme Re Ka Thusa Trust, the Agency is required to streamline and strengthen its governance and operational frameworks. This includes the integration of a comprehensive set of regulatory policy frameworks, standard operating procedures (SOPs), and compliance mechanisms that align with prevailing legislation, including the King IV Report on Corporate Governance, and South African public sector prescripts.

This Terms of Reference (TOR) seeks to engage a professional service provider to develop a compendium of policy frameworks and SOPs that will ensure robust governance, effective risk management, and operational excellence across all functional areas of NCEDA.

2. Background and Context

NCEDA has recently expanded its scope and operational focus to include the following functions:

- **Northern Cape Tourism Authority (NCTA):** Tourism promotion and the development of a sustainable tourism sector in the Northern Cape.
- **Vehicle Fleet Management Service:** Efficient management of the provincial vehicle fleet to support government operations.
- **Kalahari Kid Corporation:** Empowerment initiatives, including promoting skills development, innovation, and supporting the youth.
- **Mme Re Ka Thusa Trust:** Focused on enterprise development and advancing support to Small, Medium, and Micro Enterprises (SMMEs) to facilitate their integration into mainstream industries.

This expansion has necessitated a restructuring of governance and operational procedures to ensure alignment with the relevant legal requirements, regulations, and public sector principles. The service provider will need to develop a comprehensive set of policy frameworks, procedures, and tools to support the implementation of these expanded functions.

3. Objectives

The primary objective of this engagement is to provide NCEDA with a detailed, comprehensive set of regulatory policy frameworks and standard operating procedures (SOPs) that will:

- Ensure compliance with applicable legislation, including the Public Finance Management Act (PFMA), the King IV Report on Corporate Governance, and the relevant prescripts for Schedule 3C public entities.
- Promote good governance, accountability, and transparency in all operations of NCEDA.
- Provide clear guidance on operational processes, risk management, and performance monitoring.
- Ensure the integration of NCEDA's expanded functions, including those related to the Northern Cape Tourism Authority, Vehicle Fleet Management Service, Kalahari Kid Corporation, and Mme Re Ka Thusa Trust, into a unified governance and operational framework.
- Foster a culture of compliance and operational excellence across the agency.

4. Scope of Work

The service provider will be required to deliver the following:

1. **Regulatory Framework Analysis and Compliance Review:**

- Conduct an analysis of the current legislative and regulatory environment governing NCEDA, including relevant South African public sector laws and regulations (e.g., PFMA, Municipal Finance Management Act, Public Service Regulations, etc.).
- Review the King IV principles on governance and corporate responsibility as applicable to public entities, ensuring that NCEDA's activities align with these standards.
- Assess the legal and governance implications of integrating the new functions (Tourism Authority, Fleet Management, Kalahari Kid Corporation, Mme Re Ka Thusa Trust) into NCEDA.

2. **Development of Regulatory Policy Frameworks:**

- Develop and draft a comprehensive set of policies to address key areas of governance, including but not limited to:
 - **Corporate Governance:** Including board composition, roles, and responsibilities, delegation of authority, and conflict of interest management.
 - **Financial Management and Accountability:** Including budgeting, financial reporting, procurement, and auditing practices.
 - **Risk Management and Compliance:** Establishing frameworks for identifying, assessing, and mitigating risks.
 - **Human Resources Management:** Addressing recruitment, performance management, capacity building, and employee relations.
 - **Procurement and Asset Management:** Policies to govern procurement processes, asset management, and vehicle fleet management.
 - **Enterprise Development and SMME Support:** Establishing clear procedures and frameworks for advancing SMMEs, ensuring equitable access to economic opportunities, and fostering sustainable enterprise growth.

3. **Development of Standard Operating Procedures (SOPs):**

- Create detailed SOPs for each of the key functional areas, including but not limited to:

- Operations of the Northern Cape Tourism Authority, vehicle fleet management, and other NCEDA programs.
- Procedures for managing grants, funding, and investments in SMMEs and enterprise development initiatives.
- Protocols for monitoring and reporting on program effectiveness and outcomes.
- Guidelines for internal and external communications, including stakeholder engagement and public relations.
- Internal controls, audits, and performance monitoring mechanisms.

4. **Integration of Governance and Operational Frameworks:**

- Develop a plan for integrating the newly added functions into NCEDA's existing governance and operational frameworks. This plan should consider the interaction between the various units within NCEDA and ensure cohesive, transparent, and accountable operations.

5. **Training and Capacity Building:**

- Design and deliver training materials and capacity-building programs for NCEDA staff and stakeholders to ensure effective implementation of the new frameworks and procedures.

5. Deliverables

The service provider will be expected to deliver the following outputs:

- A detailed **Regulatory Policy Framework** document covering all key areas of governance, financial management, risk management, human resources, procurement, and SMME development.
- A comprehensive set of **Standard Operating Procedures (SOPs)** for all operational and functional areas, aligned with regulatory policy frameworks.
- A report on the **Integration Plan** for the new functions into NCEDA's governance and operational framework.
- **Training Materials and Workshops** designed to ensure NCEDA staff can effectively implement the frameworks and SOPs.

6. Project Timeline

The project is expected to be completed within **4 to 6 months** from the commencement date. A detailed timeline with milestones and deadlines will be developed during the inception phase of the project.

7. Required Qualifications and Experience

The appointed service provider must meet the following minimum criteria:

- Proven experience in governance, regulatory compliance, and policy development within the public sector or relevant industry.
- Familiarity with the legislative and regulatory frameworks governing South African public entities, including PFMA, King IV, and related regulations.
- Demonstrated expertise in designing and implementing governance frameworks and standard operating procedures.
- Experience in providing strategic advisory services to public entities, including the integration of new functional areas into established governance structures.
- Strong track record in the field of economic development, enterprise support, and tourism management, particularly within the public sector.

8. Submission Requirements

Interested service providers must submit the following:

- A detailed proposal outlining the approach, methodology, and timeline for delivering the requested deliverables.
- A portfolio of relevant previous work demonstrating experience in policy development, governance, and operational procedures within the public sector.
- CVs of the proposed team members, highlighting relevant qualifications and experience.
- A cost breakdown for the entire project, including a detailed budget and payment schedule.

9. Evaluation Criteria

Proposals will be evaluated based on the following criteria:

- **Relevant experience** and expertise in developing regulatory frameworks and SOPs for public entities.
- **Understanding of the legislative and regulatory environment** governing public entities in South Africa, including King IV and PFMA compliance.
- **Methodology** and approach to the development of the compendium of frameworks and SOPs.
- **Cost-effectiveness** and value for money.

SUPPLY CHAIN MANAGEMENT COMPLIANCE AND RETURNABLE DOCUMENTS

COMPLIANCE – RETURNABLE DOCUMENTS

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| <ul style="list-style-type: none">• SBD 4• SBD 6.1• Certified BBBEE Affidavit• Valid CSD report |
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80 – 20 PREFERENCE POINT SYSTEM

SPECIFIC GOALS	PREFERENCE POINTS
Women	6
People with disabilities	5
Locality	5
Youth	4
TOTAL	20

Service providers claiming points for the above specific goals MUST provide proof by submitting a valid CSD report and relevant documentation.

10. Contractual Terms and Conditions

The selected service provider will be required to sign a formal contract with NCEDA outlining the terms and conditions of the engagement, including project deliverables, timelines, and payment terms. All work must be completed to the satisfaction of NCEDA, with regular progress updates provided throughout the project lifecycle.

This Terms of Reference serves as the foundational document for the procurement process and should guide the submission of proposals by professional service providers interested in undertaking this critical project for NCEDA.

All project enquires can be directly forwarded to

- Mr Denzil Kruger
- Email: dkruger@nceda.co.za
- Telephone: 053 110 0289

For Supply Chain Related enquiries contact

- Mrs. Boitshupo Buang
- Email: bmatsime@nceda.co.za
- Telephone: 053 110 0289

SUBMISSION REQUIREMENTS

Closing date: 11 February 2025

Time: 16h00

Proposals must be emailed to bmatsime@nceda.co.za

Or hand delivered to

NCEDA Office (Quinn House)
22 Villiers Street
Kimberley Central
8301