



## higher education & training

Department:  
Higher Education and Training  
**REPUBLIC OF SOUTH AFRICA**

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### **REQUEST FOR TENDER**

**TERMS OF REFERENCE FOR THE APPOINTMENT OF A SUITABLE SERVICE PROVIDER TO PROVIDE SPECIALISED SUPPORT SERVICES TO THE HUMAN RESOURCE DEVELOPMENT COUNCIL (HRDC): FINANCIAL MANAGEMENT, SUPPLY CHAIN MANAGEMENT, HUMAN RESOURCE MANAGEMENT AND PROJECT ADMINISTRATION SERVICES FOR A PERIOD OF TWO (2) YEARS**

**RFP NUMBER: BID DHET155**

**Date Issued: 18 August 2023**

**Closing date and time: 15 September 2023 at 11:00**

**Bid Validity Period: 120 days**

### **TENDER BOX ADDRESS:**

Department of Higher Education and Training

117 - 123 Francis Baard Street

Pretoria

0002

## **CONTENT**

### **PART A - INFORMATION ON THE TENDER**

1. Background
2. Purpose of this tender
3. Scope and definition of work
4. Deliverables
5. Appropriate qualifications, experience, skills and knowledge
6. Duration of contract

### **PART B – LEGISLATIVE FRAMEWORK**

1. Tax legislation
2. Procurement legislation
3. Technical legislation and/or standards

### **PART C – THE BIDDING PROCESS**

1. Timeline of the bid process
2. Contact and communication
3. Late bids
4. Counter conditions
5. Fronting
6. Supplier due diligence
7. Mandatory bid documents

### **PART D – SUBMISSIONS**

1. Submission of proposal
2. Content of the technical submission
3. Financial submission
4. Evaluation Criteria

## **PART E – CONDITIONS**

1. General conditions of contract
2. Special conditions of contract
3. Governing law
4. Declaration
5. Conflict of interest, corruption and fraud
6. Misrepresentation
7. Preparation cost
8. Indemnity
9. Precedence
10. Limitation of liability
11. Tax compliance
12. Tender defaulters and restricted suppliers
13. Confidentiality
14. Proprietary information
15. Copyright
16. Responsibility of sub-contractors and bidders personnel
17. Service Level Agreement
18. Pricing
19. Other important matters to note

## **PART F – MONITORING AND REPORTING**

1. Monitoring
2. Reporting
3. Language
4. Submissions/comments timing

## **REQUEST FOR TENDER**

**Terms of Reference for the appointment of a suitable service provider to provide specialised support services to the Human Resource Development Council (HRDC): Financial Management, Supply Chain Management, Human Resource Management and Project Administration Services for a period of two (2) years**

The Department of Higher Education and Training (DHET) is requesting potential service provider to submit proposals for a tender to provide financial management, supply chain management, human resource management and project administration services for HRDC Secretariat for a period of two years.

### **PART A – INFORMATION ON THE TENDER**

#### **1. BACKGROUND**

The HRDC is a multi-stakeholder advisory body that was established by Cabinet in 2010. It is managed by the Ministry of Higher Education, Science and Technology with the following mandate:

- 1.1 Advising government on the need for and implementation of human resource development policies and strategies;
- 1.2 To identify blockages, provide solutions to unlock them and monitor implementation thereof;
- 1.3 Develop and monitor the implementation of the “HRD Strategy towards 2030” and its priorities;
- 1.4 Coordinate the efforts of government departments and social partners in the implementation of the strategy; and
- 1.5 Evaluate the impact of the strategy against agreed indicators.

The following are the sub-structures of HRDC:

- Plenary,
- EXCO,
- Champions,
- Standing Committees, and
- Secretariat

## **2. PURPOSE OF THE TENDER**

The purpose of the tender is to request potential service provider to submit proposals for a tender to provide financial management, human resource management, supply chain management and project administration services for HRDC Secretariat for a period of two years.

## **3. SCOPE AND DEFINITION OF WORK**

- 3.1 The service provider will be expected to apply the existing policies, procedures and related directives and legislation as it pertains to financial management (PFMA & related applicable legislation) human resource management (PSA/reg & related applicable legislation), and funding management.
- 3.2 In the absence of any of the afore, the service provider must develop such governance directives and/or enhance the current in line with ruling legislation and excepted practices by the HRDC.
- 3.3 The scope of the work of the appointed agency will include the following:

### **3.3.1 Financial Management.**

- a) Provide technical expertise and credible secure systems to manage the annual funding allocation to the HRDC by the National Skills Fund only.
- b) Open a dedicated account for managing funds of the HRDC.
- c) Implement a system to manage and account for the funding by the HRDC.
- d) Account for all transactions, including interest accrued, on behalf of the HRDC in paying 3rd parties.
- e) Monitor, verify, and confirm satisfactory service delivery by 3rd parties before payment is processed.
- f) Report on a monthly, quarterly, or as required by the HRDC on the status of the account.
- g) Provide as a minimum requirement, at least these critical services:

- Management arrangements - The efficient, effective, economical and transparent use of resources; delegation of powers to other officials; proper risk management; design and implementation of internal controls, including internal audit, proper systems, processes and procedures; segregation of duties and financial management training.
- Planning and budgeting - Provision of timely, accurate and adequate financial and other operational information for strategic decision-making purposes; preparation of strategic plans, including advice on new strategies for achieving Government's objectives; costing and pricing of the HRDC's products and services; programme performance measurement.
- Revenue and expenditure management - Examine the HRDC's operations to identify sources or potential sources of revenue; regular evaluation of the effectiveness of sources of revenue; timeous collection of revenue; ensure that sound systems and procedures for expenditure management and control are in place; deliver programmes with levels of efficiency, effectiveness and economy that seek to emulate the forces of market competition; effective management of transfer payments and conditional grants in terms of the annual Division of Revenue Act; implementation of processes to track expenditure and commitments against the vote and the identification, recovery and reporting of unauthorised, irregular and fruitless and wasteful expenditure.
- Asset and liability management - Proper planning for the acquisition of assets, including the need to consider alternative strategies for the achievement of Government objectives; design and implement measures to protect and maintain assets, including the establishment of a comprehensive asset register; preparation of monthly age analysis of debtors and creditors reports.
- Accounting and reporting requirements - Design, implement and maintain accounting systems to ensure complete, valid, accurate

and timeous financial/non-financial information; maintenance of appropriate and consistent financial/non-financial reports that satisfy the needs of the users of financial/non-financial information; guidance on regular performance reporting to management.

### **3.3.2 Supply Chain Management**

- a) Procurement of goods and services required by HRDC.
- b) Work with the secretariat to manage and contract third party organizations/ service providers who will be undertaking the work of HRDC.
- c) Manage HRDC projects and events (project management).
- d) Provide travel management arrangements for the HRDC, including its authority members, employees and identified stakeholders. The scope of work for the required service will require the appointed service provider to arrange, book and supply inter alia any of the following services:
  - i) Air travel
  - ii) Hotel accommodation,
  - iii) Car hire and any ground transportation services,
  - iv) Visa services, and foreign exchange and travel insurance services.
  - v) Facilitate group bookings (e.g. for meetings, conferences, events etc)
- e) Manage the appointments of consultants/researchers to work with special projects and standing committees.

### **3.3.3 Human Resource Management**

- a) Enter into employment contract with HRDC Standing Committees staff.
- b) Payroll management.
- c) HRM value chain management services.

### **3.3.4 Project Administration**

- a) Ensure compliance to governance directives (Acts, regulations, policies, procedures, delegations of authority, etc)

- b) Submit financial and performance reports on quarterly basis to HRDC Secretariat and National Skills Fund (NSF).
- c) Make presentation to the Finance and Risk Committee on quarterly basis and Council meetings when required to do so.
- d) Prepare and submit annual financial statements before the end of July each year for preparation of the HRDC annual report.
- e) Attend the HRDC Secretariat quarterly meetings.

The HRDC Secretariat is located in Pretoria and will not be liable for any travel cost, travel and subsistence expenses incurred by the service provider.

#### **4. DELIVERABLES**

- 4.1 The appointed service provider will be required to:
- 4.1.1 Open a dedicated account for the funding to be able to manage the allocation from NSF.
  - 4.1.2 Submit monthly financial reports on the 15<sup>th</sup> of the new month.
  - 4.1.3 Submit quarterly progress reports on the 10<sup>th</sup> of the first month of the new quarter.
  - 4.1.4 At the end of the project, audited financial reports in relation to the account must be submitted by no later than 60 days.
  - 4.1.5 Provide quarterly reports for the meetings (face to face meetings/written reports).
  - 4.1.6 Prepare quarterly reports and make presentations to the HRDC Committees as and when required to do so.
  - 4.1.7 Complete HRDC quarterly reporting template and supporting evidence to the NSF and the HRDC on a quarterly basis.
  - 4.1.8 Source quotations/advertise tenders for all goods and services required by the HRDC Secretariat
  - 4.1.9 Draft Service Level Agreements and sign contracts with third party organisations undertaking work for the HRDC.
  - 4.1.10 Draft and sign contracts with temporary staff undertaking work for the HRDC.
  - 4.1.11 Provide payslips to project staff on a month basis and attend to all employee queries.



- 4.1.12 Project manage and monitor the implementation of the work of third-party organisations, HRDC projects and events.
- 4.1.13 Provide an on-site support personnel to support procurement processes.
- 4.1.14 Produce annual financial statements before the end of July each year for preparation of the HRDC annual report.
- 4.1.15 Produce payroll report and SARS reporting.

## **5. APPROPRIATE EXPERIENCE**

- 5.1 Demonstrated proven previous public service experience of managing and distributing funds on behalf of the entities including systems for contracting and managing third party agencies (Provide contactable references).
- 5.2 Proven public service experience of the company, knowledge in managing and coordinating the Financial Management, Supply Chain Management, Human Resource Management and Project Management.
- 5.3 Proven public service experience and knowledge in appointment of consultants/researchers.

## **6. DURATION OF THE CONTRACT**

- 6.1 The successful bidder will be appointed to render the requisite service portfolio for a period of 24 months.
- 6.2 Work will start upon issuing of an order.

## **PART B – LEGISLATIVE FRAMEWORK**

### **1. TAX LEGISLATION**

- 1.1 Bidders must be vigilant of compliance measures and requirements when submitting a proposal to the Department and remain compliant in terms of all applicable tax legislation for the entire contract period, including but not limited to the application parameters of the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).
- 1.2 It is a pre-condition of this bid document that the tax affairs of the successful bidder will be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) in meeting the bidder's pending tax obligations.
- 1.3 The relevant tax compliance status requirements are also applicable to any foreign bidders / individuals who wish to participate during the bidding process.
- 1.4 It is a requirement that bidders when submitting a bid, provide written confirmation that SARS may on an ongoing basis and for the duration of the tenure of the contract, disclose the bidder's tax compliance status. By the very act of submitting a bid, such a confirmation therefore is also deemed to have been granted by the potential bidder.
- 1.5 Bidders must be registered on the National Treasury Central Supplier Database (CSD) prior to the submission of bidding documentation and National Treasury will accordingly verify the bidder's tax compliance status through screening of the requisite information provided on the Central Supplier Database.
- 1.6 Where consortia / joint ventures and/or sub-contractors are involved in the bidding process, each party must be registered individually on the Central Supplier Database and their tax compliance status will accordingly be verified as well as compulsory compliance verification (e.g. declaration of interest – SBD 4 etc) by National Treasury through the Central Supplier Database.

### **2. PROCUREMENT LEGISLATION**

- 2.1 The Department utilises a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated phased under Section 76 of the *Public Finance Management Act, 1999 (Act, No. 1 of 1999)*, the *Preferential Procurement Policy Framework Act 2000 (Act, No.5 of 2000)*; the *Preferential*

*Procurement Regulations, 2022 and the Broad-Based Black Economic Empowerment Act, 2003 (Act, No. 53 of 2003).*

### **3. TECHNICAL LEGISLATION AND/OR STANDARDS**

- 3.1 Bidder(s) should at all times be cognisant of the relevant legislation and/or standards specifically applicable to the service portfolio to be rendered in terms of this tender.

## PART C – THE BIDDING PROCESS

### 1. TIMELINE OF THE BID PROCESS

- 1.1 The validity period and possible withdrawal of offers, subsequent to the closing date and time of this tender is 120 days. The relevant project time-frames in terms of this bid are indicated as follows:

Activity	Due Date
Advertisement of the bid via the Department e-tender portal / Department's website	<b>18 August 2023</b>
<b>Questions related to the bids received from bidder(s)</b>	<b>Up to 1 September 2023</b>
Collated answers from end user published on website	<b>6 September 2023</b>
<b>The bid closing date</b>	<b>15 September 2023 at 11:00</b>

- 1.2 All dates and times in this bid are determined in accordance with South African standard time.
- 1.3 Any time or date reflected in this bid is subject to change at the Department's discretion. The determination of a time or date in this bid does not presuppose an obligation on the part of the Department in taking action, or creating by any manner rights in terms of which bidders may demand that specific action(s) be undertaken on the date(s) accordingly reflected in this bid. The bidder therefore accepts that, in the event of the Department extending the deadline for bid submissions (the closing date) based on and influenced by whichever circumstance, the conditions and requirements attached to this bid remain unaltered and apply equally with regard to the revised deadline.

### 2. CONTACT AND COMMUNICATION

- 2.1 A nominee on behalf of the bidder may make enquiries in writing, up to and until **1 September 2023**, to the Directorate: Supply Chain Management, via email at [Tenders@dhet.gov.za](mailto:Tenders@dhet.gov.za). The delegated office of the Department is entitled to communicate with Bidders whenever further clarity is sought regarding information provided in bid proposals.

- 2.2 Any communication by Bidders addressed to or with an official or person acting in an advisory capacity on behalf of the Department, in so far as it has relevance to bid proposal, during the period commencing from the bid closing date and that of awarding of the tender is strongly discouraged.
- 2.3 All communication between Bidders and the Department must be provided in writing.
- 2.4 While due care has been taken regarding the finalisation of this bid, the Department duly makes no representations or provides any warranty that the contents thereof, or any part of the information accordingly communicated or provided to Bidders during the bidding process is accurate, current and/or complete. The Department and its employees/advisors therefore will not be liable in relation to any information communicated and proves to be inaccurate, outdated and/or incomplete.
- 2.5 In the event of bidders reasonably believing there to be substantive discrepancy, ambiguity, error or inconsistency contained in this bid or any part of other information provided by the Department (excluding any minor clerical matters), bidders must promptly bring such a discrepancy, ambiguity, error or inconsistency, in writing, to the attention of the Department before the closing date with the aim of affording the Department an opportunity to consider the issue(s) and where required, take the requisite corrective action.
- 2.6 All bidders (including any other relevant persons) obtaining or receiving the bid and/or any other information in relation to the bid or the tender process are obliged to keep the entire contents of the bid and all related information confidential and may not disclose or use the information in any other manner than for the express purpose of developing a proposal in response to this bid.
- 2.7 Any actual discrepancy, ambiguity, error or inconsistency in relation to the bid or part of any other information provided by the Department will, where possible, be corrected and the revised documentation be published.

### **3. LATE BIDS**

- 3.1 Bids received at the address indicated in the bid documents after the specified closing date and time, will not be accepted for consideration and where practical, will be returned unopened to the bidder(s).

#### **4. COUNTER CONDITIONS**

- 4.1 Bidders are advised that subsequent **amendments to any of the Bid Conditions, the proposals of any counter conditions by bidders or qualifications made in respect of the Bid Conditions shall result in the immediate disqualification of such bids.** Bidders should therefore adapt their standard conditions in line with those that are issued by the Department.

#### **5. FRONTING**

- 5.1 The Department supports the spirit of broad - based black economic empowerment and recognises that true empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and garnering opportunities in an honest, fair, equitable, transparent and legally compliant manner. Against this background the Department strongly condemns any form of fronting.
- 5.2 The Department, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations in determining the accuracy of the representations made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be determined during such an enquiry/investigation, the onus rests on the bidder/contractor to prove that the allegation of fronting does in fact not exist. Failure to do so within a period of 14 days and determined from the date of notification may invalidate the bid/contract and also result in the restriction of the Bidder/contractor to conduct business with the public sector for a subsequent period of up to ten years and in addition to any other actions the Department may have at its disposal and accordingly wish to institute against such bidders/contractors.

#### **6. SUPPLIER DUE DILIGENCE**

- 6.1 The Department reserves the right to conduct rolling out due diligence on suppliers prior to final awarding of the contract, or on an occasional basis during the implementation of the mandated contract period. These actions may also include site visits and requests for the provision of additional information.



## 7. SUBMISSION OF PROPOSAL

- 7.1 Bid documents must be placed in the Department's tender box situated in 117/123 Francis Baard Street, Pretoria, 0001 (Opposite Pretoria Magistrate Court) on or before the closing date and time.

**Closing Date: 15 September 2023**

**Closing Time: 11:00**

- 7.2 Bid documents will only be considered if received by the Department before or on the closing date and time, regardless of the method used to send or deliver such documents to the Department.
- 7.3 Bidder(s) are required to submit 2 copies of each file, (one (1) original and (1) copy). Each file must be marked correctly and sealed separately for ease of reference during the evaluation process. Bidders must also submit soft copies in a USB format.
- 7.4 Bidders are requested to initial the bottom right-hand corner of each page of the tender document. On pages where bidders are required to provide full signatures, initialling at the bottom of these pages is not required.

## 8. MANDATORY BID DOCUMENTS

- 8.1 The Department has set minimum standards that bidders need to meet as a precursor to evaluation and selection as the successful bidder.
- 8.2 The minimum standards consist of the following criteria:

Pre-qualification Criteria (Phase 0)	Technical Evaluation Criteria (Phase 1)	Price and Specific Goals Evaluation (Phase 2)
Bidders must submit all documents as outlined in paragraph 8.3.1 below. Only bids that comply with <b>ALL</b> these criteria will proceed to Phase 1.	Bidders are required to achieve a minimum of <b>70 points</b> out of 100 points to proceed to Phase 2 (Price and specific goals).  <b>Note: Only a bidder which achieves 14 points in the company experience will proceed to phase 2 regardless of aggregated points meeting the minimum of 70 points (refer to evaluation criteria 1: company experience).</b>	Bidders will be evaluated on 80/20 points system on (80 points for price and 20 for specific goals points).

### 8.3 Phase 0: Pre-Qualification Criteria:

8.3.1 Without any limitation in respect of the Department's other critical requirements relevant to this Bid, prospective bidders must submit all the documents listed in **the table** below.

**Table 1: Documents to be submitted for pre-qualification must be submitted for bidder [each legal persona of consortium/JV] and each subcontractor:**

Document that must be submitted for bidder, [each legal persona of consortium/JV] and each subcontractor	YES/NO	Non-submission/non-compliance shall result in disqualification
Permission in terms of POPI Act to utilise information contained in documents for procurement purpose		Complete and sign the attached <i>pro-forma</i> document
Invitation to Bid – <b>SBD 1</b>		Complete and sign the attached <i>pro-forma</i> document
Tax Status		i. Written confirmation that SARS may on an ongoing basis during the period of the contract disclose the bidders tax compliance status. ii. In the event where the bidder submits a hard copy of the Tax Clearance Certificate, the CSD verification outcome will take precedence. Pin number may be provided for tax verification status.
Declaration of Interest – <b>SBD 4</b>		<b>NOTE! Care must be taken to list ALL "other related companies" (SBD 4, par. 2.3). Failure to comply may lead to disqualification. Should the bidder have more enterprises to declare, such information can be provided on a separate sheet.</b>
Preferential Points Claim Form <b>SBD 6.1</b>		Complete and sign the attached <i>pro-forma</i> document
Registration on the Central Supplier Database ( <b>CSD report</b> )		i. The bidder must be registered as a service provider on the Central Supplier Database (CSD). If not registered proceed with completing the company registration prior to submission of the proposal. Visit <a href="https://secure.csd.gov.za/">https://secure.csd.gov.za/</a> to obtain a vendor number. ii. Submit proof of registration.
Pricing Schedule (Bidder only)		Submit full details of the pricing proposal in a separate envelope

8.3.2 Each document must be completed and signed by the duly authorised representative on behalf of the prospective bidding company.

8.3.3 During this phase bid responses will be evaluated with emphasis placed on documentary compliance with the listed administrative and mandatory bid requirements.

8.3.4 **Bidders' proposal shall be disqualified as a result of non-submission.**

8.3.5 **Bidders' proposal may be disqualified as a result of non-completion of the listed documents.**



- 8.4 **Phase 1: Technical Evaluation Criteria = 100 points:**
- 8.4.1 All bidding companies are required to fully adhere to the technical evaluation criteria scorecard and compliance checklist.
- 8.4.2 Only Bidding companies that have fully met the Pre-Qualification Criteria in Phase 0 will accordingly be evaluated in Phase 1 for determination of functionality.
- 8.4.3 Bidding companies will be evaluated on an overall score of 100 points.
- 8.4.4 The Department as part of on-site reference checks for allocating points, will at its own discretion choose a site at one of the bidding company's clients for validation of the services rendered. The choice of site will remain Department's sole discretion.
- 8.4.5 Bidders are required to score a minimum of **70 points** to proceed to **Phase 2: Evaluation for Pricing and specific goals**. This will only apply to a bidder which achieves **14 points on company experience (evaluation criteria 1)** regardless of aggregated points meeting the minimum of **70 points**.
- 8.4.6 **Phase 1: Technical Evaluation Criteria:** The bidders' information will be scored according to the points determination system.
- 8.5 **Phase 2: Price and specific goals Evaluation (80 + 20) = 100 points:**
- 8.5.1 Only prospective bidders that have attained the **70-points allocation** threshold in phase 1 will subsequently progress for evaluation in phase 2 in relation to pricing options and specific goals qualification criteria, subject to the bidder meeting **14 points on company experience (evaluation criteria 1)**.
- 8.5.2 The following formula must be used to calculate the points out of 80 for price in respect of a tender with a rand-value equal to or below R50 million, inclusive of all applicable taxes:
- 8.5.3 **Stage 1 - Price Evaluation (80 Points):**

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

Where:

- P<sub>s</sub>** - Points scored for pricing of tender under consideration;  
**P<sub>t</sub>** - Price of tender under consideration; and  
**P<sub>min</sub>** - Price of lowest acceptable tender.

**8.5.4 Stage 2 – specific goals (20 Points):**

8.5.4.1 A maximum of **20 points** may be allocated to a bidder for specific goals specified in the tender.

8.5.4.2 The points scored for specific goals must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.

8.5.4.3 The table below provides the specific goals, its criteria of measurement and the proof to be offered by tenderer for a tenderer to qualify for 20 points:

NO	SPECIFIC GOAL	REFEREN CE	CRITERIA	80/20		PROOF/ EVIDENCE
				POINTS	TOT. POINTS	
1	Person historically disadvantaged on the basis of race	RDP 1.4.4; 3.1.4	100% black owned	6	6	CSD report
			75%-99% black owned	5		
			60%-74% black owned	4		
			51%-59% black owned	3		
			1 - 50% black owned	1		
			None	0		
2	Persons historically disadvantaged on the basis of gender	RDP 1.4.4; 3.1.4; 3.2.7; 7.7	100% women owned	8	8	CSD report
			75%-99% women owned	6		
			60%-74% women owned	4		
			51%-59% women owned	2		
			1-50% women owned	1		
			None	0		
3	Development of Youth	RDP 1.4.6; 7.7	100% youth owned	6	6	CSD report. (Youth is defined as person under the age of 35)
			75%-99% youth owned	5		
			60%-74% youth owned	4		
			51%-59% youth owned	3		
			1-50% youth owned	1		
			None	0		

8.5.4.4 A tenderer must submit proof or evidence for claiming points for specific goals as indicated above. A bidder must also complete a preference form (SBD 6.1) in detail to claim points for specific goals.

8.5.4.5 A tenderer failing to submit proof or evidence may not be disqualified but-

- 8.5.4.5.1.1 May only score points out of 80 for price; and
- 8.5.4.5.1.2 Scores 0 points out of 20 for specific goals.
- 8.5.4.6 The points scored by a tenderer for specific goals must be added to the points scored for price for total points.
- 8.5.4.7 The points scored must be rounded off to the nearest TWO decimal place.

#### **8.5.5 Joint Ventures, Consortiums and Trusts:**

- 8.5.5.1 Points will be allocated based on % ownership to the main tendering entity.
- 8.5.5.2 Bidders must **submit substantive proof of the existence of joint ventures and/or consortium arrangements.** The Department will accept **valid signed agreements as proof for the existence of a joint venture and/or consortia arrangement.**
- 8.5.5.3 **Joint venture and/or consortia agreements must clearly set out the roles and responsibilities of the lead partner, alongside the joint venture and/or consortium. The agreement must also clearly identify the lead partner that is accordingly provided with a power of attorney to bind the other co-parties in all matters pertaining to the joint venture and/or consortia arrangement.**

## **PART D – SUBMISSIONS**

### **1. SUBMISSION OF PROPOSAL**

- 1.1 The two envelope procedures must be followed for tender submissions.
- 1.2 The first envelope must clearly state **TECHNICAL SUBMISSION**, wherein the bidder should address all aspects of the required scope of services.
- 1.3 The second envelope must clearly state **FINANCIAL SUBMISSION**, wherein the bidder should include the proposed fee for the project.
- 1.4 Proposals must be submitted in hard copy format: one original and one copy of each file.
- 1.5 **Bidders must also submit soft copies in a USB format.**

### **2. CONTENT OF THE TECHNICAL SUBMISSION**

The technical submission should include the following:

- 2.1 Cover Page
- 2.2 Mandatory documents
- 2.3 Introduction and Executive Summary
- 2.4 Company and contact information of the bidder, including all parties/team members to the consortium where applicable.
- 2.5 **Exhibit 1:**

You are required to demonstrate appropriate company experience.

The proposal must include the following:

- A table listing clients where similar projects were performed especially related to public sector fund management involving project management, financial management, human resource management and supply chain management.
- Company profile supported by previous client referral letters demonstrating the extent to which the bidder has successfully completed work of similar requirements for at least past ten (10) years.

## **2.6 Exhibit 2:**

2.6.1 Appropriate qualifications, experience, skills and knowledge in Project Management, Supply Chain Management, Human Resource Management and Financial Management relevant to the project requirements. The proposal must include all the following documents:

- A table containing the names of all team members, their envisaged roles and responsibilities and the time they will work on the project.
- A full CV of the Team Leader clearly indicating relevant experience and expertise in working in the public sector.
- A full CV of the person/s that will do the work, clearly indicating relevant expertise and experience.
- Certified copies of the highest education qualification/s of each team member, as certified by a commissioner of oath.

## **2.7 Exhibit 3:**

2.7.1 The proposal must outline a detailed approach and methodology that will be applied in managing the intended fund. This includes, but is not limited to governance, administration, financial management (including financial reporting to the Department), supply chain management, human resource management and project management (including monitoring and reporting).

2.7.2 In specific this part must include:

- A description of the envisaged methodology, processes and procedures that the service provider will deploy to ensure that EACH deliverable is achieved at the required level of quality; and
- A typical process flow cycle diagram from the point of receipt of funds, managing the funds, procuring of goods/services, project management and reporting.

## **2.8 Exhibit 4:**

2.8.1 Demonstrate reporting methods and standards that will be applied to ensure feedback and update of progress during project implementation.

2.8.2 Indicate systems, procedures and technology that will be applied to ensure seamless integration of functions between financial, supply chain and project management.

### 3. FINANCIAL SUBMISSION

- 3.1 The financial submission should include the proposed fee for the project over 24 months period. The proposed fee must be based upon a percentage of the annual funds utilised by HRDC. The Estimated Budget is R35 million for two (2) years.
- 3.2 The proposed fee should include any costs that will be incurred by the bidder, including travel and subsistence expenses. The total price or amount provided will be regarded as the cost of the project, including VAT and applicable taxes.

### 4. EVALUATION CRITERIA

- 4.1 The following table reflects the evaluation criteria that will be used in evaluating the technical submission.

No	Element	Weight
1	<p><b>Company experience</b></p> <p>Company profile supported by previous clients referral letters demonstrating the extent to which the bidder has completed work of similar requirement for at least past ten (10) years, in managing finances, coordinating supply chain management and project management and human resource management in government departments or agencies.</p> <p>Kindly provide a list of relevant clients where similar projects were performed using the heading below:</p> <ul style="list-style-type: none"><li>• Description of the project.</li><li>• Value of the project.</li><li>• Duration of the project.</li><li>• Contact person.</li><li>• Contact numbers and e-mail address.</li></ul> <p><b>1.1 Organizational Track Record</b></p> <ul style="list-style-type: none"><li>• 10 and more years in relevant experience = <b>15 points</b></li><li>• 7-9 years in relevant experience = <b>12 points</b></li><li>• 5-6 years in relevant experience = <b>9 points</b></li><li>• 3-4 years in relevant experience = <b>6 points</b></li><li>• 1-2 years in relevant experience = <b>3 point</b></li></ul> <p>Source: <b>Exhibit 1</b></p>	20



No	Element	Weight
	<p><b>1.2 Capacity to undertake a project of this size and ability to manage it to the end within the prescribed project timelines.</b></p> <ul style="list-style-type: none"> <li>Allocated team to project comprises at least 5 and more members = <b>5 points</b></li> <li>Allocated team to project comprises at least 4 and more members = <b>4 points</b></li> <li>Allocated team to project comprises at least 3 and more members = <b>3 points</b></li> <li>Allocated team to project comprises at least 2 and more members = <b>2 points</b></li> <li>Allocated team to project comprises of at least 1 member = <b>1 points.</b></li> </ul> <p>Source: <b>Exhibit 2</b></p> <p><b>Note: Only a bidder which achieves 14 points in the above category will proceed to phase 2 regardless of aggregated points meeting the minimum of 70 points.</b></p>	
2	<p><b>Appropriate qualifications, experience, skills and knowledge in Project Management, Supply Chain Management and Financial Management relevant to the project requirements (Attach full CV of proposed team, certified ID copies and qualifications must be registered with a recognize professional body).</b></p> <p>Source: <b>Exhibit 2</b></p> <p><b>Points Breakdown</b></p> <p>Overall qualification, skills, knowledge and experience of team</p> <p><b>Team Leader (maximum of 10 points)</b></p> <ul style="list-style-type: none"> <li>Qualifications: NQF Level 7 Financial Management/Accounting Sciences, Project Management = 5 points (0 Points below requirement)</li> <li>Relevant Experience (Financial Management, Project Management, Supply Chain Management and Human Resource Management): 8 Years = 5 points (0 points below requirement)</li> </ul> <p><b>Team members (Minimum of four (4) for each of the functions, namely Financial Management, Project Management, Human Resource Management and Supply Chain Management).</b></p> <ul style="list-style-type: none"> <li><b>Qualifications:</b> A team member assigned to each function must possess a relevant academic qualification, with a minimum of NQF Level 6 or above = 8 point (2 point per relevant qualification by each member).</li> <li><b>Experience:</b> Minimum Relevant Experience per assigned function five (5) or more years = 12 point (3 point per relevant experience by each member).</li> </ul> <p><b>A minimum of 5 team members CVs to be attached.</b></p>	30

No	Element	Weight
3	<p><b>Approach and Methodology</b></p> <p><b>Source: Exhibit 3</b></p> <p><b>Points Breakdown: 5 areas of management (maximum of 20 points)</b></p> <p>The methodology and approach to be employed in aspects of the project.</p> <p><b>Supply Chain Management (maximum of 5 points)</b></p> <ul style="list-style-type: none"> <li>○ Plan approach with milestones and key activities, demonstrating clear understanding of the scope of work and the proposed approach will attain the desired outcomes – <b>5 points.</b></li> <li>○ Plan approach lacking some activities to attain desired outcome – <b>3 points.</b></li> <li>○ Plan approach lacking activities to attain desired outcome – <b>0 points.</b></li> </ul> <p><b>Project Management (maximum of 5 points)</b></p> <ul style="list-style-type: none"> <li>○ Plan approach with milestones and key activities, demonstrating clear understanding of the scope of work and the proposed approach will attain the desired outcomes – <b>5 points.</b></li> <li>○ Plan approach lacking some activities to attain desired outcome – <b>3 points.</b></li> <li>○ Plan approach lacking activities to attain desired outcome – <b>0 points.</b></li> </ul> <p><b>Financial Management (maximum of 5 points)</b></p> <ul style="list-style-type: none"> <li>○ Plan approach with milestones and key activities, demonstrating clear understanding of the scope of work and the proposed approach will attain the desired outcomes – <b>5 points.</b></li> <li>○ Plan approach lacking some activities to attain desired outcome – <b>3 points.</b></li> <li>○ Plan approach lacking activities to attain desired outcome – <b>0 points.</b></li> </ul> <p><b>Human Resource Management (maximum of 5 points)</b></p> <ul style="list-style-type: none"> <li>○ Plan approach with milestones and key activities, demonstrating clear understanding of the scope of work and the proposed approach will attain the desired outcomes – <b>5 points.</b></li> <li>○ Plan approach lacking some activities to attain desired outcome – <b>3 points.</b></li> <li>○ Plan approach lacking activities to attain desired outcome – <b>0 points.</b></li> </ul> <p><b>Points Breakdown: Process flow diagram (maximum of 10 points)</b> Process flow cycle diagram from the point of receipt of funds, managing the funds, procuring of goods/services, project management, human resource management and reporting.</p> <ul style="list-style-type: none"> <li>○ Process flow cycle diagram with milestones and key activities, demonstrating clear understanding of the scope of work and the proposed approach will attain the desired outcomes = <b>10 points</b></li> <li>○ Process flow cycle diagram lacking some activities to attain desired outcome = <b>5 points</b></li> <li>○ Process flow cycle diagram lacking all activities to attain desired outcome = <b>0 points</b></li> </ul>	30



No	Element	Weight
4	<p><b>Project effective and efficient delivery</b></p> <p>Source: <b>Exhibit 4</b></p> <p><b>Points Breakdown: Reporting methods &amp; standards (maximum of 10 points)</b></p> <p>Reporting methods and standards to the HRDC and NSF that will be applied to ensure feedback and update of progress during project implementation.</p> <ul style="list-style-type: none"> <li>○ Reporting methods and standards with milestones and key activities, demonstrating clear understanding of the scope of work and the proposed approach will attain the desired outcomes = <b>10 points</b></li> <li>○ Reporting methods and standards lacking some activities to attain desired outcome = <b>5 Points</b></li> <li>○ Reporting methods and standards lacking all activities to attain desired outcome = <b>0 Points</b></li> </ul> <p><b>Points Breakdown: Systems, procedures and technology (maximum of 10 points)</b></p> <p>Systems, procedures and technology that will be applied to ensure seamless integration of functions between financial, supply chain, human resource and project management.</p> <ul style="list-style-type: none"> <li>○ Systems, procedures and technology capabilities fully support proposed project plan = <b>10 points</b></li> <li>○ Systems, procedures and technology capabilities support proposed project plan = <b>5 points</b></li> <li>○ Systems, procedures and technology capabilities do not support proposed project plan = <b>0 points</b></li> </ul>	20
	<b>Total</b>	<b>100</b>

**Scoring less than 70 points will result in disqualification**

## **PART E – CONDITIONS**

### **1. GENERAL CONDITIONS OF CONTRACT**

- 1.1 Any subsequent award/concession made to a prospective bidder in terms of this TOR is conditional on, (among others):
  - 1.1.1 The bidding party accepting the terms and conditions as contained in the General Conditions of Contract as the minimum terms and conditions on which the Department is prepared to enter into a contract with the successful Bidder.
  - 1.1.2 The bidder submitting the General Conditions of Contract to the Department together with its bid, has ensured that the document has duly been signed by an authorised representative on its behalf.

### **2. SPECIAL CONDITIONS OF CONTRACT**

The Department reserves the right to:

- 2.1 Disqualify a bidder that does not have a 4 or more members per area; and 5 years experience as per evaluation criteria 1 (14 points or more to be scored for criterion 1).
- 2.2 Award this tender to any bidder that did not score the highest (cumulative total) number of points and only in accordance with section 2(1)(f) of the PPPFA (Act 5 of 2000);
- 2.3 Negotiate with one or more preferred bidders identified in the evaluation process, regarding any terms and conditions, including pricing without offering the same opportunity to any other bidder(s) who had not been awarded the status of a preferred bidder;
- 2.4 Accept any part of a tender in lieu of the whole tender;
- 2.5 Carry out at its discretion, site inspections, product evaluations or facilitate explanatory meetings in order to verify the nature and quality of the services offered by the potential bidders, either before, during or subsequent to adjudication of the Bid;
- 2.6 Correct mistakes during any stage of the tender evaluation process which may already have been apparent in the bid documents or subsequently occurred during any stage of the tender evaluation process;

- 2.7 At any stage during the evaluation of bids, cancel and/or terminate the tender process, even subsequent to the tender closing date and/or after presentations by selected bidders have been made, and/or after tenders have been evaluated and/or after the preferred bidders have as such been notified of their status; and
- 2.8 Award the tender to multiple bidders based either on organisational capacity, specialisation and size, as well as geographic considerations.
- 2.9 Request that all information (scan reports, databases) is retained for the duration of the contract and that it must be handed to the Department after the contract has ended.
- 2.10 An SLA needs to be signed between the appointed service provider and HRDC Secretariat within 30 days after signing the contract.
- 2.11 Should the service provider fail to perform according to the Service Level Agreement, their contract will be terminated after following all required normal processes.
- 2.12 An appointed contractor must ensure that a Human Resource presented as part of a bid proposal remain consistent with the commitments of a bid. If circumstances require a change or replacement of Human Resource, the contractor should notify HRDC / Department in writing to obtain a consent. Human Resource replacement should have same qualifications, experience and competencies of a person to be replaced.

### **3. GOVERNING LAW**

- 3.1 South African law will in its full extent govern the Application parameters of this bid and the bid response process.
- 3.2 The bidder agrees to submit to the exclusive jurisdiction of the South African court system in any dispute of any kind that may arise out of- or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

### **4. DECLARATION**

Bidders as part of their respective technical responses, are required to declare the following and confirm that they will:

- 4.1 At all times for the duration of the tender, act honestly, fairly and with due skill, care and diligence in the best interest of the Department;
- 4.2 Manage, effectively utilise and apply the resources, procedures and appropriate technological systems to ensure the proper performance of the services for the duration of the tender;
- 4.3 Act with circumspection and treat the Department fairly in all situations where conflicting interests may become apparent;
- 4.4 Comply with all applicable statutory or common law requirements related to the conduct of its business;
- 4.5 Make adequate disclosures regarding relevant and material information, including the disclosure of actual or potential interests the company may acquire, in relation to its dealings with the Department;
- 4.6 Avoid any form or instance of fraudulent and misleading advertising, canvassing and marketing for the duration of the tender;
- 4.7 Conduct business activities transparently and consistently uphold the interests and needs of the Department as a client, before any other consideration; and
- 4.8 Ensure that for the duration of the tender no information acquired from the Department will be utilised and/or disclosed to any third party/ies unless written consent from the Department has been obtained to do so.

## **5. CONFLICT OF INTEREST, CORRUPTION AND FRAUD**

- 5.1 The Department reserves the right to disqualify any potential bidder who either itself, or through any of its members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of the Department or any other Department organ or entity and whether from the Republic of South Africa or otherwise ("Department"):
  - 5.1.1 Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;

- 5.1.2 Seeks any assistance, other than assistance officially provided by a Department, from any employee, advisor or other representative of a Department in order to obtain any unlawful advantage in relation to the procurement or services provided or to be provided to the Department;
- 5.1.3 Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of the Department's officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Department;
- 5.1.4 Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Department;
- 5.1.5 Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the awarding of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to the Department;
- 5.1.6 Has in the past engaged in any matter referred to above; or
- 5.1.7 Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such a bidder, member or director's name(s) not specifically appearing on the List of Tender Defaulters kept at National Treasury.

## **6. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT**

- 6.1 The bidder should note that the terms of its tender will be incorporated in the proposed contract by reference and that the Department relies upon the bidder's tender as a material representation in making an award to a successful bidder and in concluding an agreement with said bidder.
- 6.2 It follows therefore that misrepresentations in a tender may give rise to service termination and a claim by the Department against the bidder notwithstanding the conclusion of the Service Level Agreement between the Department and the bidder for the provision of the service(s) in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the contents of the Service Level Agreement will prevail.

## **7. PREPARATION COSTS**

- 7.1 The Bidder will bear all its costs in preparing, submitting and presenting any response or tender to this bid and all other costs incurred by it throughout the bidding process.
- 7.2 Furthermore, no statement in this bid will be construed as placing the Department, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their responses to this bid.

## **8. INDEMNITY**

- 8.1 If a bidder breaches the conditions of this bid and as a result of that breach, the Department incurs costs or damages (including, without limitation, the cost(s) of any investigations, procedural impairment, repetition of all- or any part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), the bidder then indemnifies and holds the Department harmless from any and all such costs which the Department may incur and for any damages or losses the Department may suffer.

## **9. PRECEDENCE**

- 9.1 This document will prevail over any information provided during any stage whether oral, electronically or written, unless such written information provided, expressly amends this document by reference.

## **10. LIMITATION OF LIABILITY**

- 10.1 A bidder participates in this bid process entirely at its own risk and cost. The Department shall not be liable to compensate a bidder on any grounds whatsoever, for any costs incurred or any damages suffered as a result of the Bidder's participation in this bidding process.

## **11. TAX COMPLIANCE**

- 11.1 No tender shall be awarded to any bidder which is not tax compliant. The Department reserves the right to withdraw an award made, or cancel a contract

concluded with a successful bidder in the event that it is established that such bidder was in fact not tax compliant at the time of the award, or has submitted a fraudulent Tax Clearance Certificate to the Department, or whose verification against the Central Supplier Database (CSD) proves non-compliant.

- 11.2 The Department further reserves the right to cancel a contract with a successful bidder in the event that such a bidder does not remain tax compliant for the full term of the contract.

## **12. TENDER DEFAULTERS AND RESTRICTED SUPPLIERS**

- 12.1 No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appears on the Register of Tender Defaulters maintained by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers.
- 12.2 The Department reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another organ of state.

## **13. CONFIDENTIALITY**

- 13.1 Except as may be required by the operation of law, by a court or by any regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with the Department's examination and evaluation of a tender.
- 13.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronically, or by way of photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a tender. This bid and any other documents supplied by the Department remain proprietary to the Department and must be promptly returned to the Department upon request, together with all copies, electronic versions, excerpts or summaries thereof or work as a consequence derived there from.
- 13.3 Throughout this bid process and thereafter, bidders must secure the Department's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the

process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

#### **14. PROPRIETARY INFORMATION OF THE DEPARTMENT**

- 14.1 Bidders will declare in their respective bid cover letters that they did not have access to any departmental proprietary information, or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidder(s).

#### **15. COPYRIGHT AND ALL OTHER INTELLECTUAL PROPERTY RIGHTS**

- 15.1 **All copyright and all other intellectual property rights in respect of any documents and materials (works) developed by the service provider during this project, shall vest in the HRDC Secretariat.**
- 15.2 The HRDC Secretariat will have the right to release the works under an appropriate copyright license, including an open license that will allow any individual, official, company, agency or organisation to use or modify the works for any purpose as stated in the open licence.
- 15.3 All background intellectual property forming an inseparable part of the foreground intellectual property developed during this project should also vest with HRDC Secretariat.

#### **16. RESPONSIBILITY FOR SUB-CONTRACTORS AND BIDDER'S PERSONNEL**

- 16.1 A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid.
- 16.2 In the event that the Department allows a bidder to make use of sub-contractors, the actions and activities of such sub-contractors will at all times remain the responsibility of the bidder and the Department will not under any circumstances, be liable for any losses or damages incurred by or caused by such sub-contractors.



## **17. SERVICE LEVEL AGREEMENT**

- 17.1 Subsequent to the Department's decision on awarding the tender the successful bidder **may be required to sign a Service Level Agreement** aimed at regulating the specific terms and conditions applicable to the services required by the Department and as far as possible.
- 17.2 The Department reserves the right to revise and amend any part of the proposed Service Level Indicators during the course of contract with a bidder.
- 17.3 The Department reserves the right to accept or reject additional service proposals, proposed by a successful bidder.

## **18. PRICING**

- 18.1 The price quoted must be a fixed percentage for the duration of the contract and must include all related costs (travel, accommodation, equipment and data communication).
- 18.2 **Price must be VAT inclusive and quoted in South African Rand.**
- 18.3 Costing should be aligned with project activities / project phases.
- 18.4 Details of the **cost/fee breakdown for all the services to be rendered** must be submitted in a sealed envelope with the rest of the documentation.

## **19. OTHER IMPORTANT MATTERS TO NOTE**

- 19.1 The Department reserves the right to conduct background/probity check on key management of the bidder.
- 19.2 The Department reserves the right to conduct due diligence exercises as part of evaluating the implementing capacity of the bidder.
- 19.3 The shortlisted bidders may be called to present to the evaluation committee before a final selection is made.
- 19.4 The Department will not be liable to reimburse any costs incurred by the bidder during this tender process.
- 19.5 Bidders must identify and disclose any conflict or perceived conflict of interest caused by current assignments, relationships or other dealings, and indicate how such conflicts would be addressed.
- 19.6 Only one proposal per bidder can be submitted and must indicate a (period) implementation.

19.7 The Department reserves the right to cancel or withdraw the agreement with the service provider at any juncture should certain obligations not be met.

## **PART F – MONITORING AND REPORTING**

### **1. MONITORING**

- 1.1 All monitoring of the project will be conducted by the HRDC Secretariat.
- 1.2 The office of the Director: HRDC Secretariat will outline the monitoring support to the fund Manager, that will be established to facilitate the smooth implementation of the project and to ensure that the objectives of the project are met.

### **2. REPORTING**

- 2.1 The service provider will report to the Director: HRDC Secretariat and submit work-in progress reports by email to the Office of the Director: HRDC Secretariat on a monthly basis.
- 2.2 For each deliverable, as identified in Part A – Information on the Tender, paragraph 4, the service provider will submit a progress reports to the HRDC Secretariat in line with approved timeframes in the project plan. The reports should be in MS Word and submitted electronically to the Director: HRDC Secretariat.
- 2.3 In addition to the above in conjunction with deliverables submitted, the service provider must avail themselves for a quarterly progress meeting with the HRDC Secretariat.

### **3. LANGUAGE**

- 3.1 All correspondence with the HRDC Secretariat including reports must be written in English.

### **4. SUBMISSIONS/COMMENTS TIMING**

- 4.1 The submission of the project implementation plan, and project charter shall be submitted to the Director: HRDC Secretariat within 10 days after the commencement of the project for approval by the Department.
- 4.2 Other reports shall be submitted as per the agreed project implementation plan.