

## TERMS OF REFERENCE FOR THE RECRUITMENT AGENCY TO SUBMIT C.Vs FOR THE CHIEF FINANCIAL OFFICER (CFO) FOR POSITION.

BID PROCESS	BID REQUIREMENTS
Tender number	RFCVs 24921
Bid Advertisement Date	14 October 2022
<b>Closing date and time</b>	<b>25 October 2022 @ 11:00</b> <i>(South African Standard Time)</i>
Tender validity period	
Compulsory Briefing meeting	No compulsory briefing session
Tenders are to be delivered to the following address on the stipulated closing date and time:	<p>All submissions must be addressed to Senior Manager: Human Capital Management, National Lotteries Commission.</p> <p>Submission of bids: USB/CD can be delivered or couriered at the below address: 333 Grosvenor Street, Block D Hatfield Gardens Hatfield, Pretoria, 0183</p> <p>The original bid document must be submitted via a CD or memory stick, or email: <a href="mailto:lucky@nlcsa.org.za">lucky@nlcsa.org.za</a></p> <p><b>Only electronic bid submissions will be accepted.</b></p>
Additional Requirements	Applicants are requested to complete and sign the NLC disclosure form

## 1. BACKGROUND

The National Lotteries Commission (NLC) invites suitably qualified and experienced service providers to submit Curriculum Vitae for suitable qualified candidates to occupy one (1) positions of Chief Audit Executive in the National Lotteries Commission Head Office.

## 2. OBJECTIVE OF ASSIGNMENT

The National Lotteries Commission (NLC) invites suitably qualified and experienced service providers to submit curriculum vitae(s) for suitably qualified and interested individuals for the appointment of **NLC Chief Financial Officer for a 5-year fixed term contract**.

## 3. SCOPE OF WORK

- The NLC Head Office is looking to appoint a candidate on a 5-year Fixed Term Contract - NLC CFO.
- Placement fee will be at 18%.
- Employee will be on the NLC payroll.

## POSITION DETAILS:

### **CHIEF FINANCIAL OFFICER – (5-YEAR CONTRACT APPOINTMENT)**

**Overview:** The National Lotteries Commission (NLC), a Scheduled 3A entity in terms of the Public Finance Management Act (PFMA), is a statutory body established in terms of the Lotteries Act (Act 57 of 1997), as amended with the purpose of regulating South African Lotteries and administering the National Lottery Distribution Trust Fund (NLDTF). Suitably qualified prospective candidates who are South Africans citizens are invited to submit their applications to fill the position listed below. The National Lotteries Commission is committed to the achievement and maintenance of diversity and equity in employment, especially in respect of race, gender, and disability.

**Main purpose of the job:** To provide strategic direction, management, oversight, and monitoring of the financial division of the NLC and NLDTF to ensure implementation of financial policies and systems and the financial sustainability of the organisation. To ensure compliance with the PFMA Treasury Regulations and other applicable legislation.

## **SALARY SCALE:**

Commensurate with qualifications and experience

## **REQUIRED QUALIFICATIONS**

- Post-graduate degree in Accounting / Finance / Business or relevant degree
- Chartered Accountant (CA) SA will be an added advantage
- Member of SAICA

## **REQUIRED WORK EXPERIENCE**

- Minimum of 10 years' experience within the financial management role and the public entity environment of which five (5) years must have been spent in a strategic financial role.
- Knowledge and experience of accounting systems and standards in line with the GRAP, PFMA Treasury and related regulation / acts.

## **KEY PERFORMANCE AREAS**

- Formulating and directing the Organisational financial strategy and ensure that it is aligned with and supports the NLC Strategy
- Ensure the development of the NLC Business Sustainability strategy and Investment Portfolio.
- Effective reporting and effective cash management in line with GRAP, PFMA, Treasury and related regulation / acts
- Ensure compliance with statutory budgetary reporting requirements, prepare, co-ordinate and analyze financial statements and reports of the NLC and NLDTF
- Review and develop financial systems and policies to ensure sound governance and internal control.
- Review cost structures and management practices and identify areas for change and improvement
- Develop, monitor, and oversee the management of the operational and capital expenditure.
- Develop and implement supply chain strategies, policies, and processes to ensure compliance with all procurement legislation, and BBBEE requirements
- Responsible for the management of NLC facilities and ensuring that the infrastructure and services are kept at an optimal level.
- Manage administrative control procedures with respect to asset management

## **COMPETENCIES AND SKILLS**

- Good comprehension of financial accounting frameworks and ability to analyze business needs.
- Ability to exercise sound judgement and make decisions based on accurate analysis.
- Excellent work ethic, deadline driven and attention to detail.
- Inspires a sense of vision, purpose, and direction.

- Builds Organisational capability to deliver greater results.
- Knowledge of the Lotteries Act and related NLDTF regulations
- Corporate Governance policies and procedures

## **DISCLAIMER- POPIA**

By applying for NLC's vacancy, you expressly give NLC consent to process your personal information stored in our history of all who have applied will be processed in accordance with the Protection of Personal Information Act 4 of 2013 ("POPIA"), the NLC Human Capital Policy/Procedures, the NLC's POPIA Policy and the NLC's Privacy Policy. These documents set out why the NLC needs the personal information, what NLC will do with it, and with whom the NLC will share it. Note that we will not further process the personal information stored automatically in this portal.

## **4. OUTPUTS**

Information must be presented in a clear and neat format.

## **5. MONITORING AND PROGRESS CONTROLS, INCLUDING REPORTING.**

The recruitment agency shall work closely with the Human Capital Division.

## **6. CONFIDENTIALITY**

All details of this assignment should be kept confidential. The agency is expected to understand the sensitive nature of the assignment and act accordingly.

## **7. DURATION OF THE ASSIGNMENT**

The term of office is five (5) year Fixed Term Contract.

## **8. EVALUATION CRITERIA**

The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2017 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). Three (3) phase evaluation criteria will be considered in evaluating the proposals, being

### **Phase 1: Pre - Qualification Criteria (Mandatory Requirements)**

Bidders must submit all the mentioned below requirements. The following mandatory requirements must be met to qualify for this bid:

Evaluation Criteria	Supporting Document
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person	Bid Proposal; Standard Bidding Document (SBD) Forms
2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form
3. Registered with the central supplier database (CSD). Please submit the recent summarised CSD Report which reflecting tax compliant status	CSD Report

## Phase 2: Functional/technical Evaluation

Only bidders that have met the pre-qualification criteria will be evaluated for functional evaluation. In this phase the evaluation will be based on the bidders' responses in respect of the bid proposal (evaluated on the minimum functional specifications). Prospective bidders who score a minimum of 75 points or more will be considered for the next phase 3 (Price and B-BBEE status level contributor).

Phase 3: The 80/20 Principle Point System based on Price and B-BBEE status level contributor.

*Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:*

B-BBEE Status Level of Contributor	Number of Points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

## 9. GENERAL GUIDELINES

### 9.1 Take note of the following:

1. No costs have been prescribed for the Bidding Document.
2. All proposals **must** be costed in South African Rand, inclusive of VAT.
3. If the bid does not include all the information required, or is incomplete, this will mean non-compliance and therefore invalidate the bid.
4. Any submission received after the deadline will not be considered; and
5. The costing must remain valid and open for evaluation for a period of at least three (3) months from the time of submission.

### 9.2 Late bids

Bids received late shall not be considered. A bid will be considered late if it arrived one second after 11:00 am or any time thereafter. The tender (bid) box shall be locked at exactly 11:00 am and bids arriving late will not be considered under any circumstances. Bidders are therefore strongly advised to ensure that bids are dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

The official Telkom time (Dial 1026) will be used to verify the exact closing time.

### 9.3 Costs to be borne by bidders

All costs and expenses incurred by the bidders in any way associated with the development, preparation and submission of responses and providing any additional information required by the NLC, will be borne entirely and exclusively by the bidders.

### 9.4 No legal relationship

No binding legal relationship will exist between any of the bidders and the NLC until the execution of a signed contractual Service Level Agreement ("SLA"). The Terms of Reference ("TOR") document will not form part of any such contract or arrangement.

### 9.5 Evaluation of offers

Each bidder acknowledges and accepts that the NLC may, at its absolute discretion, apply selection criteria specified in this document for the evaluation of proposals for short listing/ selecting the eligible bidder(s).

## **10. STANDARD REQUIREMENT OF THE BID**

### **10.1 Disclosures**

The bidder must disclose:

- a) If they are or have been the subject of any proceedings or other arrangements relating to bankruptcy/ insolvency.
- b) If they have been convicted of, or are the subject of any proceedings, relating to:
  - A criminal offence or other offence, involving the activities of a criminal nature in its organisation or found by any regulator or professional body to have committed professional misconduct;
  - Corruption, including the offer or receipt of any inducement of any kind in relation to obtaining any contract with any contracting authority; and
  - Failure to fulfil any obligation in any jurisdiction relating to the payment of taxes and other legal obligations.
- c) If a bidder or related bidder or any individual discloses details of any previous misconduct or complaint, the NLC will seek an explanation and background details from them. At the sole discretion of the NLC, an assessment as to whether the bidder will be allowed to continue to the next phase of the evaluation phase will then be made.
- d) Disclosure extends to any bidder in the same group of the bidder, including but not limited to parent, subsidiary and sister companies, companies with common shareholders (whether direct or indirect) and parties with whom the bidder is associated in respect of this tender.

### **10.2 Disclaimer**

- 10.2.1 The NLC reserves the right not to appoint a bidder.
- 10.2.2 The NLC may appoint more than one bidder.
- 10.2.3 The NLC also reserves the right to:

- a) Award the contract or any part thereof to one or more bidders;
- b) Reject all bids;
- c) Decline to consider any bids that do not conform to any aspect of the bidding requirements;
- d) Request further information from any bidder after the closing date for clarity purposes;
- e) Cancel this tender or any part thereof at any time; and
- f) Should any of the above occur, it will be communicated in writing to the bidders.

### **10.3 Confidentiality**

- a) Bids submitted will not be revealed to any other bidders and will be treated as contractually binding;
- b) All information pertaining to the NLC obtained by the bidder as a result of participation in this RFP is confidential and must not be disclosed without written authorisation from the NLC;

### **10.4 Disqualification**

- a) Any form of canvassing/lobbying/influence regarding the short listing will result in disqualification;
- b) Any non-disclosure of any other information pertaining to this bid will result in disqualification;
- c) Non-compliance with the bid requirements will invalidate the bid; and
- d) Non-compliance with all the applicable Acts, Regulations and by-laws will result in the disqualification of the bid.

### **10.5 Prices**

- a) All services' pricing should be inclusive of all taxes etc. and payment shall be made in South African Rand.

### **10.6 Prices adjustments**

Prices submitted for this bid will be regarded as non-firm subject to the following price adjustments:

- a) Annual price adjustment; and
- b) Application for price adjustments must be accompanied by documentary evidence in support of any adjustment on annual basis.

## **10.7 Payment terms**

- a) The NLC undertakes to pay valid tax invoices in full within thirty (30) days from statement date for services rendered;
- b) All supporting documents for services rendered should be submitted together with the tax invoices by the twentieth (20th) of every month;
- c) Valid Tax Invoices for all services rendered are to be submitted to the Chief Financial Officer (CFO) at the NLC's Finance Division at the address on page 2 above or may be sent through an email to the following email address:

Email address: [accounts@nlcsa.org.za](mailto:accounts@nlcsa.org.za).

## **10.8 Validity**

- a) A proposal shall remain valid for Sixty (60) days after the closing date of the submission for proposals. A proposal which is valid for a shorter period may be rejected by the NLC for non-responsiveness.
- b) In exceptional circumstances, the NLC may solicit the bidder's consent to an extension of the period of the validity of the bid. The request and responses thereto

## **11. SPECIAL TERMS AND CONDITIONS**

- a) The NLC reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring any liability to the affected bidders;
- b) This bid and the contract will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the PFMA. The special terms and conditions of contract are supplementary to that of the general conditions of the contract;
- c) Where, however, the special conditions of contract are in conflict with the general conditions of contract, the general conditions of contract will prevail.

- d) The NLC is the sole adjudicator of the suitability of the venue for the purpose for which it is required. Therefore, the NLC's decision in this regard will be final.

## **12. CLARIFICATIONS / ENQUIRIES**

Telephonic request for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter, facsimile or e-mail) from the below contact persons. The bid reference number should be mentioned in all correspondence.

### **13.1 Bid Enquiries**

Name and Surname: Lucky Lesufi

E-mail: lucky@nlcsa.org.za

Fax: 086 568 7857

Enquiries received will be responded to within two (2) working days of receiving the enquiry.

**THE NLC IS NOT OBLIGED TO ACCEPT THE LOWEST OR ANY BID AND RESERVES THE RIGHT TO ACCEPT ANY BID IN WHOLE OR PART.**