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REQUEST FOR QUOTATION (RFQ)

APPOINTMENT OF SERVICE PROVIDER TO ASSIST THE PRSA WITH CONDUCTING INDEPENDENT BOARD EVALUATIONS FOR THE 2022/23 FINANCIAL YEAR

RFQ	RFQ 2023/24/29
RFQ ISSUE DATE	26 June 2023
BRIEFING SESSION	N/A
RFQ DESCRIPTION	<u>APPOINTMENT OF SERVICE PROVIDER TO ASSIST THE PRSA WITH CONDUCTING INDEPENDENT BOARD EVALUATIONS FOR THE 2022/23 FINANCIAL YEAR</u>
CLOSING DATE & TIME	30 June 2023 at 12:00 Noon
LOCATION FOR SUBMISSIONS	<u>quotations@portsregulator.org</u>

Service providers must submit their responses via e-mail at: quotations@portsregulator.org before or on the stipulated date and time. For any queries or questions, please use above mentioned email address.

Ports Regulator of South Africa requests your quotation on the services listed above. Please furnish us with all the information as requested and return your RFQ on or before the date and time stipulated above.

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

MAAA NUMBER (CSD NO): _____

TELEPHONE NO: _____

FAX NO: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF SERVICE PROVIDER: _____

DETAILED RFQ

APPOINTMENT OF SERVICE PROVIDER TO ASSIST THE PRSA WITH CONDUCTING INDEPENDENT BOARD EVALUATIONS FOR THE 2022/23 FINANCIAL YEAR

1. BACKGROUND

- 1.1** Ports Regulator of South Africa ("the Ports Regulator") is a Schedule 3A public entity in terms of the Public Finance Management Act, Act No.1 of 1999, as amended (PFMA). The Port Regulator must fully comply with all the requirements of the PFMA and all other relevant and applicable legislation.
- 1.2** The Ports Regulator is an independent ports regulatory body, governed by the National Ports Act, Act No. 12 of 2005, ("the Act").

In terms of section 30 (1) and (2) of the National Ports Act, the main functions of the Regulator are to:

- Exercise economic regulation for the ports system in line with government's strategic objectives.
- Promote equity of access of ports and facilities and service provider by ports.
- Monitor the activities of the National Ports Authority to ensure that it performs its functions in accordance with the Act; and
- Hear appeals and complaints contemplated in terms of Sections 46 and 47 of the Act, respectively.

- 1.3** The Regulator Board has seven (7) Non-Executive Regulator (Board) Members (including the Non-Executive Acting Chairperson of the Regulator (Board)). The Regulator (Board) also comprises of a Departmental Representative, from the Department of Transport. The Accounting Officer of the PRSA is an ex-officio member of the Regulator (Board).
- 1.4** The Regulator (Board) has constituted three (3) Committees, the Regulatory Committee (RegCom), Human Capital, Remuneration, Social and Ethics (HRSE) Committee and the Audit and Risk Committee (ARC).
- 1.5** RegCom is constituted by seven (7) members, six (6) Non-Executive Members and one (1) ex-officio member.
- 1.6** The HRSE Committee is constituted by five (5) members, four (4) Non-Executive Members and one (1) ex-officio member.
- 1.7** The ARC is constituted by eight (8) members, three (3) independent members, four (4) Non-Executive Members and one (1) ex-officio member.

2. PURPOSE

The purpose of this Request for Quotation (RFQ) is to request suitably qualified and experienced service providers to submit their proposals to assist the PRSA with conducting independent Board evaluations for the 2022/23 financial year.

3. SCOPE OF WORK

3.1 The following shall be required from the Service Provider in accordance with Principle 9 of the King IV Report on Corporate Governance, *inter alia*:

- An evaluation on the performance of the Regulator (Board);
- An evaluation on the performance of each Regulator member;
- A 360° Evaluation/Assessment;
- An evaluation on the performance of the following Committees based on the approved Committee Charters for the 2022/23 Financial Year:
 - Regulatory Committee (RegCom);
 - Human Capital, Remuneration, Social and Ethics Committee (HRSE);
 - Audit and Risk Committee (ARC) - Insofar as it concerns the responsibilities of the ARC for risk management, paragraph 7 of the Public Sector Risk Management Framework with guidelines for the Audit Committee states that the Regulator (Board) should evaluate the performance of the Committee through the following and other relevant indicators:
 - ✓ The Auditor- General's report on the effectiveness of the Audit Committee;
 - ✓ The results of the Audit Committee's own 360° Evaluation/Assessment;
 - ✓ The Committee's co-ordination of the work of Internal Audit, External Audit and other assurance providers in respect of risk management;
 - ✓ The quality and timeliness of the Audit Committee's counsel and recommendations on matters concerning the system of risk management; and
 - ✓ The Accounting Officer and/or Authority
- An evaluation on the performance of each Committee Chairperson;
- An evaluation on the performance of the chairperson of the Regulator (Board);
- Evaluation Report; and
- Training programme for the following financial year for the Regulator members based on the outcome of the evaluation report.

4. Term of engagement

The evaluations process will be for a period of three (3) months.

5. Proposal content

- a. Project plan with clear timelines of when each activity is to be conducted as follows;
 - July 2023 – planning (alignment of evaluation process to the PRSA Committee Charters and Board Charter and review of AGSA Report);
 - August 2023 – conduct evaluations/assessments (interviews/questionnaires);
 - September 2023 – consolidate and submit final evaluation report;
- b. Service providers are required to detail their rates / itemized pricing schedule; and
- c. Service Providers should send five (5) recent letters of reference, which must include the date of the similar service rendered and a contactable reference.

6. EVALUATION CRITERIA

6.1 SCM Administrative (Phase 1)

- 6.1.1 The SBD4 must be completed and signed by the authorised company representative.
- 6.1.2 The bidder must submit proof of registration on CSD (Central Supplier Database).

6.2 Mandatory Requirements (Phase 2)

- 6.2.1 Service provider must submit five(5) recent letters of reference
- 6.2.2 The bidder must submit a project plan with clear timelines of when each activity is to be conducted.

Failure to provide the above mandatory information will lead to bidder's proposal not being considered further on price.

6.3 Pricing Considerations (Phase 3)

- 6.3.1 Bidders' price quotations must be inclusive of all applicable taxes **(including VAT)**
- 6.3.2 Service providers are required to detail their rates / itemized pricing schedule.

NB: Tax status for the recommended bidder will be verified on Central Supplier Database (CSD) or SARS E-Filing prior to awarding. If the bidders' tax matters are non-compliant the Regulator will apply clause 4.2 of the National Treasury Instruction No. 09 of 2017/2018, if the bidder is still not compliant then the Regulator will exercise clause 4.3 of the said instruction note.

6. CONDITIONS TO BE OBSERVED

No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of award / order form is prepared and executed. Quotation shall remain open for acceptance by the Ports Regulator for a period of ninety **(90) days** from the closing date of the RFQ Enquiry.

7. COMMUNICATION

All enquiries relating to this RFQ should be sent via email: quotations@portsregulator.org

8. COST OF PROVIDING WITH RFQ

The service provider shall bear all costs and expenses associated with preparation and submission of its RFQ, and the Ports Regulator of South Africa shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

END OF RFQ DOCUMENT

Annexed to this document for completion and return with the document:

- Quotation on a letterhead
- Declaration of Interest (SBD 4)
- Five (5) Reference Letters
- Project plan with clear timelines of when each activity is to be conducted.
- Copy of CSD Report or MAAA Number (National Treasury)
- B-BBEE Certificate