



T03/01/24

**BUSINESS CASE ADVISORY SERVICES FOR THE
NORTHERN CAPE SCHOOLS PROGRAMME**

**VIRTUAL COMPULSORY BRIEFING SESSION WILL BE HELD
AS FOLLOWS:**

DATE: 17 JANUARY 2024

TIME: 14H00 PM

VENUE: MICROSOFT TEAMS

Bidders are requested to send a confirmation of attendance email to luyandad@idc.co.za for the Microsoft Teams link to the briefing session. Email to be sent by no later than 16 January 2024 at 17:00pm.

BID CLOSING DATE:

02 FEBRUARY 2024 AT 11:00 AM

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SECTION 1: GENERAL CONDITIONS OF BID

1. Proprietary Information

Industrial Development Corporation of SA Ltd (IDC) considers this Request for Proposal (RFP) and all related information, either written or verbal, which is provided to the respondent, to be proprietary to IDC. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this RFP or related information to any third party without the prior written consent of IDC.

2. Enquiries

2.1 All communication and attempts to solicit information of any kind relative to this RFP should be channelled **in writing** to:

Name:	Mr Luyanda Dlamini
Telephone Number:	+27 11 269 3767
Email address:	luyandad@idc.co.za

2.2 Enquiries in relation to this RFP will not be entertained after **16h00 on 24 January 2024**.

2.3 The enquiries will be consolidated, and IDC will issue one response and such response will be posted, within two days after the last day of enquiries, onto the IDC website (www.idc.co.za) under tenders i.e., next to the same RFP document.

2.4 The IDC may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the IDC on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

3. Bid Validity Period

Responses to this RFP received from bidders will be valid for a period of **120** days counted from the bid closing date.

4. Instructions on submission of Bids

4.1 Bid responses must be submitted in electronic format only and must be e-mailed to the dedicated e-mail address as provided herein.

4.2 Bid responses should be in generally acceptable / standard electronic file format/s (i.e., Microsoft suite of products or pdf) to enable access thereto by the IDC for purposes of evaluating responses received. Where documents are presented in a format which cannot be accessed by the IDC through generally acceptable formats, such bid response will be disqualified.

4.3 The closing date for the submission of bids is **02 February 2024** not later than **11:00 AM (before midday)**. No late bids will be considered. Bids must **only** be sent to tenders@idc.co.za. Bids sent to any other email address other than the one specified herein will be disqualified and will not be considered for evaluation. It is the bidder's responsibility to ensure that the bid is sent to the correct email address and that this is **received** by the IDC before the closing date and time in IDC's dedicated tender e-mail inbox / address (tenders@idc.co.za).

4.4 Bidders are advised to submit / send its bid responses at least 30 minutes before the 11:00AM deadline to avoid any Information Technology (IT) network congestions or technical challenges in this regard which may result in bid responses being received late. IDC's e-mail servers are configured to receive e-mails with sizes up to 50MB.

4.5 The IDC will not be held responsible for any of the following:

- 4.5.1 bid responses sent to the incorrect email address;
- 4.5.2 bid responses being inaccessible due to non-standard electronic file formats being utilised to submit responses by bidders;
- 4.5.3 any security breaches and unlawful interception of tender / bid responses by third parties outside the IDC's IT network domain;
- 4.5.4 bid responses received late due to any IT network related congestions and/or technical challenges; and
- 4.5.5 bid responses with file size limits greater than IDC's e-mail receipt capacity of 50MB.

4.6 Only responses received via the specified email address will be considered.

4.7 Where a complete bid response (Inclusive of all relevant Schedules) is **not received** by the IDC in its electronic email tender box (tenders@idc.co.za) by the closing date and time, such a bid response will be regarded as incomplete and late. Such late and / or incomplete bid will be disqualified. **It is the IDC's policy not to consider late bids for tender evaluation.**

4.8 Amended bids may be sent to the electronic tender box (tenders@idc.co.za) **marked** "Amendment to bid" and should be received by the IDC **before** the closing date and time of the bid.

5. Preparation of Bid Response

- 5.1 All the documentation submitted in response to this RFP must be in English.
- 5.2 The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the bid document.
- 5.3 Bids submitted by bidders which are or are comprised of companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.
- 5.4 The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by IDC in regard to anything arising from the fact that pages of a bid are missing or duplicated.
- 5.5 Bidder's tax affairs with SARS must be in order (tax compliant status) and bidders must provide written confirmation to this effect as part of their tender response.

6. Supplier Performance Management

Supplier Performance Management is viewed by the IDC as a critical component in ensuring value for money acquisition and good supplier relations between the IDC and all its suppliers.

The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the IDC, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor, and assess the supplier performance and ensure effective delivery of service, quality and value-add to IDC's business.

Successful bidders will be required to comply with the above condition, and also provide a scorecard on how their product / service offering is being measured to achieve the objectives of this condition.

7. Enterprise and Supplier Development

The IDC promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/ or Youth-Owned businesses. The implications of such arrangement will be subject to negotiations between the IDC and the successful bidder.

8. IDC's Rights

- 8.1 The IDC is entitled to amend any bid condition, bid validity period, RFP specification, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the IDC have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the IDC's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.
- 8.2 The IDC reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the IDC.
- 8.3 The IDC reserves the right to award this bid as a whole or in part.
- 8.4 The IDC reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.
- 8.5 The IDC reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the **National Treasury Instruction 02 of 2016/2017: Cost Containment Measures**, where relevant.
- 8.6 The IDC reserves the right to request all relevant information, agreements, and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the IDC to conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members.
- 8.7 The IDC reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers, if applicable (i.e., where a panel is considered).
- 8.8 The IDC reserves the right of final decision on the interpretation of its tender requirements and responses thereto.
- 8.9 The IDC reserves the right to consider professional conduct and experiences it had with any bidder which rendered similar services to the IDC in the past 5 years over and above the references put forward by the bidder in its response.

9. Undertakings by the Bidder

- 9.1 By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the IDC on the terms and conditions and in accordance with the specifications stipulated in this RFP document.
- 9.2 The bidder shall prepare for a possible presentation should IDC require such and the bidder will be required to make such presentation within five (5) days from the date the bidder is notified of the presentation. Such presentation may include a practical demonstration of products or services as called for in this RFP.
- 9.3 The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the IDC during the bid validity period indicated in this RFP and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.

9.4 The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

9.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with IDC, as the principal(s) liable for the due fulfilment of such contract.

9.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become IDC property unless otherwise stated by the bidder/s at the time of submission.

10. Reasons for disqualification

10.1 The IDC reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be notified in writing of such disqualification:

- 10.1.1 bidders whose Tax Status is non-compliant on the Central Supplier Database (CSD), after they have been notified accordingly and still remain non-compliant;
- 10.1.2 bidders who submit incomplete information and documentation according to the requirements of this RFP document;
- 10.1.3 bidders who submit information that is fraudulent, factually untrue, or inaccurate information;
- 10.1.4 bidders who receive information not available to other potential bidders through fraudulent means;
- 10.1.5 bidders who do not comply with any of the **mandatory requirements** as stipulated in the RFP document;
- 10.1.6 bidders who fail to comply with POPIA requirements as listed herein.

11. Returnable Schedules

Bidders shall submit their bid responses in accordance with the returnable schedules specified below (each schedule must be clearly marked):

11.1 **Cover Page:** (the cover page must clearly indicate the RFP reference number, bid description and the bidder's name)

11.2 **Schedule 1:**

- 11.2.1 Executive Summary (explaining how you understand the requirements of this RFP and the summary of your proposed solution)
- 11.2.2 Annexure 1 of this RFP document (duly completed and signed)

11.3 **Schedule 2**

- 11.3.1 Copy of Board Resolution, duly certified;
- 11.3.2 Originally certified copy of ID document for the Company Representative
- 11.3.3 Annexure 2 of this RFP document (duly completed and signed);
- 11.3.4 Annexure 3 of this RFP document (duly completed and signed);
- 11.3.5 Annexure 4 of this RFP document (duly completed and signed);
- 11.3.6 Response to Annexure 6: BEE Commitment Plan

11.3.7 Bidders must submit a B-BBEE verification certificate. For Exempted Micro Enterprises (EME) with an annual revenue of less than R10 million and Qualifying Small Enterprises (QSE) with an annual revenue of between R10 million and R50 million per annum, a sworn affidavit confirming the annual total revenue and level of black ownership may be submitted. Any misrepresentation in terms of the declaration constitutes a criminal offence as set out in the B-BBEE Act as amended.

Note: If a bidder is a Consortium, Joint Venture or Prime Contractor with Subcontractor(s), the documents listed above must be submitted for each Consortium/ JV member or Prime Contractor and Subcontractor(s).

11.3.8 Annexure 7 of this RFP document (duly responded to)

11.3.9 Annexure 8 of this RFP document (duly completed and signed, if applicable);

11.3.10 Annexure 9 of this RFP document (duly completed and signed);

11.3.11 Statement of Financial Position of the Bidder: Latest Audited Financial Statements (where applicable in terms of the Company's Act) and/or independently reviewed financial statements and/or Cashflow Budget for new entities with no financial records.

11.3.12 Copy of Joint Venture/ Consortium/ Subcontracting Agreement duly signed by all parties (if applicable)

11.4 Schedule 3:

11.4.1 Response to Section 2 of this document, in line with the format indicated in this RFP document.

11.4.2 Annexure 5 of this RFP document duly completed and signed.

11.5 Schedule 4: Price Proposal (response to Section 3 of this RFP document) (*Must be submitted as a separate file/document marked Schedule 4: Price Proposal*)

12. Evaluation Criteria and Weightings

Bids shall be evaluated in terms of the following process:

12.1 Phase 1: Initial Screening Process: During this phase, bid responses will be reviewed for purposes of assessing compliance with RFP requirements including the general bid conditions and also the Specific Conditions of Bid, which requirements include the following:

- Verification of Central Supplier Database (CSD) registration, Company Registration status, tax compliance status and any other relevant checks conducted on CSD.
- Submission of ID copy for the Company Representative as referenced in 12.3.4 above.
- BEE Status Certification as referenced in 12.3.11 above.
- Completion of all Standard Bidding Documents and other requirements, as reflected in this RFP, which covers the following:
 - Section 2: Statement of compliance with the Functional Evaluation Criteria for this RFP
 - Section 3: Cost Proposal and Price Declaration Form
 - Annexure 1: Acceptance of Bid Conditions
 - Annexure 2: Tax Compliance Requirements
 - Annexure 3: Bidder's Disclosure
 - Annexure 4: Shareholders' Information/ Group Structure
 - Annexure 5: Bidders Experience & Project Team
 - Annexure 6: BEE Commitment Plan
 - Annexure 7: Disclosure Statement
 - Annexure 8: Privacy & Protection of Personal Information Act 4 of 2013 Requirements

Failure to comply with the requirements assessed in Phase 1 (compliance), may lead to disqualification of bids.

12.2 Phase 2: Technical/ Functionality Evaluation

Bid responses will be evaluated in accordance with the Functional criteria as follows:

12.2.1 Mandatory Functional/ Technical Requirements

All bid responses that do not meet the Mandatory Functional Requirements will be disqualified and will not be considered for further evaluation on the Other Functional Requirements. The Mandatory Functional Requirements are stated in section 2 of this RFP document.

Failure to comply with the Mandatory Functional Requirements assessed in this phase will lead to disqualification of bids.

12.2.2 Other Functional/ Technical Requirements

With regards to the other Functional Requirements, the following criteria (set out in more detail in section 2 of this RFP document) and the associated weightings will be applicable:

ELEMENT	WEIGHT
BIDDERS RELEVANT EXPERIENCE	30
BIDDER'S PROPOSED METHODOLOGY AND PROJECT PLAN	35
BIDDER'S PROPOSED PROJECT PLAN	10
QUALIFICATIONS AND SKILLS OF KEY PERSONNEL	25
TOTAL	100

Note: The minimum qualifying score for functionality is 70%. All bidders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation on Price and Specific Goals.

12.3 Phase 3: Preference Point System

All bids that achieve the minimum qualifying score for Functionality (acceptable bids) will be evaluated further in terms of the preference point system, as follows:

CRITERIA	POINTS
Price	80
Specific Goals ¹	20
TOTAL	100 points

¹Specific Goals for this tender and points that may be claimed are indicated per table below:

SPECIFIC GOALS	POINTS
	(80/20 system)
Black ownership ²	10
30% Black women ownership	5
Any % of ownership by Black Designated Groups ³	2
Reconstruction Development Programme Objective: Promotion of SMMEs (Entities that are EME or QSE)	3
TOTAL POINTS	20

²Black ownership: 100% black owned entities will score the full 10 points, and between 51% - 99.99% black owned entities will score 4 points.

³ Black Designated Groups has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Act as amended.

12.4 Phase 4: Objective Criteria

To ensure that a contract is awarded fairly and to the best bidder, the IDC will apply the objective criteria. Therefore, the IDC reserves the right to withhold the award of a contract to the highest scoring bidder if the award poses a risk to the IDC.

Objective Criteria are:

- The bidder that poses reputational risk to the IDC. This will be assessed in line with the bidder's disclosure (Refer to Annexure 7: Disclosure statement of this document).
- The bidder's financial capability in relation to the execution of the contract.
- The bidder's past performance in IDC contracts.

13. Promotion of Emerging Black owned Service Providers

It is the IDC's objective to promote transformation across all industries and/ or sectors of the South African economy and as such, bidders are encouraged to partner with a black owned entity (being 50%+1 black owned and controlled). Such partnership may include the formation of a Joint Venture and/ or subcontracting agreement etc., where a portion of the work under this tender would be undertaken by black owned entities. To give effect to this requirement, bidders are required to submit a partnership / subcontracting proposal detailing the portion of work to be outsourced, level of involvement of the black owned partner and where relevant, submit either a consolidated B-BBEE scorecard or each bidder of the partnership in their individual capacity to submit a BEE certificate or Sworn Affidavit in case of an EME or QSE which will be considered as part of the Specific Goals scoring listed in 13.3.

SECTION 2: FUNCTIONAL REQUIREMENTS SPECIFICATION

SECTION 2: FUNCTIONAL REQUIREMENTS SPECIFICATION

1. Special instructions to bidders

- 1.1 Should a bidder have reason to believe that the Functional Requirements are not open/fair and/or are written for a particular service provider; the bidder must notify IDC Procurement within five (5) days after publication of the RFP.
- 1.2 Bidders shall provide full and accurate answers to the questions posed in this RFP document, and, where required explicitly state “Comply/Not Comply” regarding compliance with the requirements. Bidders **must** substantiate their response to all questions, including full details on how their proposal/solution will address specific functional/ technical requirements; failure to substantiate may lead to the bidder being disqualified. All documents as indicated must be supplied as part of the bid response.
- 1.3 Failure to comply with Mandatory Requirements may lead to the bidder being disqualified.

2. Background Information

The Infrastructure South Africa (ISA) has partnered with Northern Cape Department of Basic Education for the accelerated implementation of the Northern Cape Schools Programme. Amongst other objectives, the programme varies from replacement of schools built from inappropriate materials to new schools to accommodate population growth and the construction of Early Childhood Development (ECD) Centres. All the planned infrastructure is designed to comply with the approved minimum uniform norms and standards.

The business case for the programme was completed in June 2023 and comprises of thirteen (13) replacement schools, mainly constructed from Asbestos and wood and eleven (11) New Schools to address overcrowding in existing schools in the vicinity in three (3) phases. All Northern Cape District Municipalities are affected; however, most projects are in Frances Baard, Pixley Ka Seme and ZF Mgcawu districts. The Northern Cape Department of Education identified the New and Replacement School Programme for the Budget Facility for Infrastructure (BFI) process as a Strategic Infrastructure Programme for the 2023 Medium Term Expenditure Framework (MTEF). The proposal includes the projects as summarized in the table below per district. This table includes the number of schools, the number of learners affected, the number of ordinary and Early Childhood Development Classrooms and the estimated cost.

Table 1: BFI Programme Summary

PROGRAMME	NUMBER OF PROJECTS	NUMBER OF CLASSROOMS TO BE CONSTRUCTED	NUMBER OF ECD CLASSROOMS TO BE CONSTRUCTED	TOTAL OF 2023 ENROLLED LEARNERS	CAPACITY OF NEW SCHOOL	TOTAL BFI BUDGET REQUIREMENT
NEW SCHOOL	11	263	19	0	11090	R 1 496 094 564
FRANCES BAARD	5	127	8	0	5320	R 708 541 629
JOHN TAOLO GAETSEWE	3	84	6	0	3540	R 410 058 788
PIXLEY KA SEME	1	12	1	0	510	R 105 525 071
ZF MGCAWU	2	40	4	0	1720	R 271 969 076
REPLACEMENT SCHOOL	13	349	35	10775	15070	R 1 987 817 343
FRANCES BAARD	3	93	10	2855	4020	R 482 668 534
NAMAKWA	1	21	3	596	930	R 125 917 524
PIXLEY KA SEME	6	144	15	4977	6210	R 827 792 611
ZF MGCAWU	3	91	9	2347	3910	R 551 438 674
Grand Total	24	612	56	10775	26160	R 3 483 911 907

This programme is intended to address the First-Line Priority according to the Norms and Standards for Public School Infrastructure, which includes all inappropriate structures (asbestos, wood, metal) and schools with no access to water, sanitation, and electricity. The implementation of this programme will ensure that safe education spaces are accessible for optimal teaching and learning to take place.

Initiation (Stage 1) and Concept (Stage 2) Reports were developed in detail for the proposed New and Replacement School Programme, which includes replacing thirteen (13) inappropriate schools and the construction of eleven (11) New Schools in line with the Framework and the Norms and Standards for Public School Infrastructure. The Cost-Effectiveness Analysis (CEA) approach assists with comparing the incremental cost-effectiveness ratio (ICER) of the various school projects to prioritize the most cost-effective projects for development, noting their strategic importance. This CEA prioritization, however, did not consider the current condition of the facilities. The proposed phased implementation took these CEA priorities and the current condition and utilization of these facilities to consideration. Standard Drawings were developed for all individual buildings, and a Design Manual was developed for more general implementation.

Although the business case did comply with the high-level requirements of the application, there are some elements of the submission that need to be enhanced. It is for this reason that the IDC seeks to appoint a duly qualified service provider to develop a more detailed refined business case for the initiative, as well as provide a plan for project development, execution, and operations throughout the various phases of the project.

3. Scope of work/Terms of reference

3.1 Overview

3.1.1 The service provider will be required to provide the following services:

- Review and assess the business case undertaken by the Northern Cape Department of Education;
- Align the programme within the context of Department's other infrastructure programmes;
- Refine the objectives of the programme to define the infrastructure intervention more clearly;
- Refine the provincial context to clearly outline the province specific challenges and how the proposed intervention seeks to address these in an effective and efficient manner;
- Explore and develop alternative implementation and funding options for the programme;
- Assess the legal and regulatory environment to determine whether the options proposed are complying;
- Provide high-level risk assessments for each of the identified options;
- Develop a risk assessment for the recommended option to ensure potential material risk is identified and managed;
- Recommend the appropriate implementation option to pursue;
- Develop a comprehensive Cost Efficiency Analysis for the programme;
- Develop a comprehensive Socio-economic Analysis for the programme, which includes amongst others, a sensitivity analysis considering major risk variables;

- Refine the identified procurement plan into a programme specific procurement plan; and
- Review and further develop the project execution plan for the project, including making recommendations regarding the establishment of a project management office and the appropriate resources thereof.

3.2 Programme Options & Business Case

3.2.1 The service provider shall:

- Support the project sponsor in defining the objective of the project and to demonstrate that the projects has satisfied the criteria of readiness for implementation as required in stages one (1) to three (3) of the Infrastructure Delivery and Management System (IDMS);
- Assist the project sponsor in clearly defining the nature of the infrastructure (new/replacement, refurbishment, rehabilitation) to be delivered, inclusive of the rationale for the selected projects;
- Assist the project sponsor in ensuring that the planned projects are aligned with the Sponsor's long term infrastructure development plans such as the Strategic Integrated Projects (SIP), National Infrastructure Plan (NIP) and Provincial Development Plans (PDP's). These plans should be supported by an operation and maintenance strategy or plan;
- Assess the current structure of the Northern Cape Department of Education, Northern Cape Department of Roads, and Public Works for the refinement of a procurement strategy;
- Develop alternative implementation options (minimum of three) with sufficient consideration given to the entire value chain, key programme enablers and other value adding elements; and
- Develop alternative funding options (minimum of three) for the programme.

3.2.1.1 As a minimum, the following must be considered along the entire value chain for each of the options:

- Implementation mechanism currently in place;
- Costing of standardised designs as used by the department;
- Needs analysis conducted by the department;
- The context of the province;
- Capacity of the Department of Education;
- Capacity of contractors and professional firms in the Northern Cape;
- Existing appointments of contractors and principal agents; and
- Proven track record of contractors and firms.

3.2.1.2 As a minimum, the following must be considered with respect to the proposed funding options:

- Funding modality utilised at present;
- The Budget Facility for Infrastructure submissions previously made to National Treasury; and
- National Treasury Practice note for pledging and Provincial conditional grant.

3.2.1.3 The business case to be prepared should accommodate the following elements from the National Treasury Practice Note:

- **Objective:** Pledging is designed to accelerate delivery of infrastructure projects that demonstrate readiness for implementation, having fulfilled requirements of stage one (1) to stage three (3) of the IDMS (pre-feasibility - design development) prior to submission of pledging application and await financial resources that would otherwise be received in the following year or two;
- **Nature of infrastructure projects earmarked for pledging:** The projects selected for pledging should be capital in nature and must fall within the defined nature of investment categories in the Standard Chart of Accounts (SCOA);
- **Alignment of selected projects for pledging with long-term infrastructure plans:** Planning reforms have been institutionalised in provincial government in the past ten (10) years with various infrastructure planning prescripts and guidelines developed to support long-term planning;
- **Conditional grant objectives and conditions:** Conditional grant objectives and requirements remain enforceable even in the pledging process and cannot be changed or amended outside the parameters of the budget process;
- **Conditional grant allocation criteria:** The existing conditional allocation criteria will be applied to determine allocations to individual provinces without any adjustment to make provision for conditional grant pledging;
- **Capital repayments and interests:** The conditional grant amount approved for pledging should be earmarked for capital loan repayments excluding interest, which will be borne by the province from own revenue unless indicated otherwise by the LCC or Minister of Finance when approving the application;
- **Reduction to indicative allocations:** The Appropriation Act and the Division of Revenue Act allocate funding for one (1) financial year. Any reduction to an indicative allocation over the Medium-Term Expenditure Framework (MTEF) of any conditional grant linked to pledging will need to be appropriately accounted for by the province concerned, which could include the reprioritisation within the existing baselines by moving funds around projects funded within the conditional grant;
- **Term of pledging:** The pledging period of conditional grants should be cognisant of possible changes to priorities for subsequent administrations. Caution and fairness should be exercised in binding future administration to a debt; and
- **Financial value of projects selected for pledging:** When determining the quantum of the conditional grant to be pledged, consideration should be made on the current value of existing commitments in the project portfolio of the relevant conditional grant identified for pledging.

3.3 Regulatory and Legal Requirements

3.3.1 The service provider will provide an assessment of the regulatory and legal requirements for each of the options which will include the following as a minimum:

- Review and summarise the proposed legal ownership and structures, including the way the assets are held; and
- List all agreements required for each option and provide high-level principles for these agreements.

3.4 Financial, Structuring, and Modelling Requirements

3.4.1 The service provider will provide an assessment of the financial, structuring, and modelling requirements for each of the options which will include the following as a minimum:

- Review and assess the accuracy and quality of financial information, accounting policies, and control environment;
- Assessment of historical financial performance to assess the quality of earnings, net assets, cash flows, extraordinary items, intergroup, and related party transactions;
- Anticipating future capital expenditure and financing requirements;
- Financial assessment of the ability of the Department to invest in the programme or in particular, components thereof;
- The possible use of different types of financing and funding arrangements;
- Compliance with the stipulations of the conditional grants, as prescribed in the Division of Revenue Act (DORA) and applicable National Treasury Regulations and Practice Notes;
- Calculation of the loan repayment amounts to service the capital portion of loan, from the conditional grant. Furthermore, service provider will assist the project sponsor calculate the interest that is due, which will be budgeted for by the project sponsor from their Equitable Share (ES) or other own revenue source;
- Financial modelling to establish the actual amount of conditional grants available to pledge within the framework and stipulations of the provincial grant allocations from National Treasury;
- Calculation, forecasting, and reviewing of the indicative conditional grant allocations over the MTEF required to service the capital portion of loan, whilst allowing for the remainder of the grant to service other mandated services;
- Ensuring that the term of the pledging period is financially viable, affordable, and favourable to the project sponsor, taking into account the long-term need for committing future grants. The period involved must not prejudice or disadvantage the state;
- Financial modelling to determine value for money demonstration of pledging the conditional grants. The modelling must take into consideration the quantum of the conditional grant to be pledged, consideration should be made on current value of existing commitments in the project portfolio of the relevant conditional grant identified for pledging;
- Development of a financial model(s) that can be utilised for each of the proposed options. The model will be a fully integrated financial model across the programme issued in native editable format for each of the options, with all the formulas and

- assumptions clearly outlined, using international standards of transparency and auditability, and FAST financial modelling principles; and
- A budget statement for the proposal, which thus includes the financial and funding model, cash flow projections, a statement of capital, maintenance, and operating costs as well as other budget requirements for the intervention over its full lifecycle.

3.5 Programme Execution Plan

3.5.1 The service provider shall:

- Review the existing programme execution plan included in the existing business case. It should be noted that the programme execution plan focuses largely on the implementation part of the programme; and
- Develop a fully integrated execution plan for the programme that will include recommended optimal project execution and governance organisational/institutional structures, budgets, schedule, organisational charts, and typical personnel profiles required, resource requirements, roles and responsibilities, meeting schedules, phased procurement and contracting strategies, risk matrix, and other identified requirements.

3.5.2 The ISA's intent is to use the programme execution plan as a basis and guideline for setting up the Project Management Office (PMO) and allocating resources for the Business Case execution.

3.5.3 Workflow Process

The following are key steps in the workflow for the execution of the services:

- The service provider will develop a minimum of three (3) implementation options for consideration by the ISA and the Department.
- Joint review of the options will be held, after which the service provider will update the options as discussed;
- After the update of the options, the service provider will carry out a detailed assessment of the regulatory, financial, technical, and other risks associated with each of the options. A fully integrated financial model across the entire programme will also be developed for each of the options, showing the economics for each part of the programme. The results, including a recommended structure and business case will be included in a draft report (MS Word format and summary MS PowerPoint presentation) to be issued to the ISA. The recommended structure could also be a combination of the original options;
- A further review will be held in which the service provider will present the preliminary findings; and
- The service provider will provide a final detailed narrative report and presentation based on its findings and the input received from the ISA and EC DOE.

3.6 General

3.6.1 Progress meetings shall be held with ISA on a two-weekly basis; and

3.6.2 The service provider shall inform IDC/ISA prior to contacting any third parties to obtain information or discuss the project details.

4. Project timelines

The appointed service provider(s) will be required to start immediately after the award and complete the assignment within a period of five (5) month, subject to review of service provider's performance.

5. Technical evaluation criteria

5.1 Technical Requirements

The service provider must indicate their compliance/non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced.

5.1.1 BIDDERS RELEVANT EXPERIENCE	Comply	Partially Comply	Not Comply
<p>The bidder is required to have relevant experience in business case development for infrastructure projects.</p> <p>To substantiate, the bidder must provide a minimum of three (3) current or past references for similar work done in the past five (5) years. The contactable references must include the name, designation, email, and telephone. Where the requested information <u>is not given</u>, the references shall be deemed to be invalid.</p> <p>Refer to Table (a) Annexure 5 of this document for the response format provided.</p>			
Substantiate / Comments			

5.1.2 BIDDER'S PROPOSED METHODOLOGY	Comply	Partially Comply	Not Comply
<p>The bidder must demonstrate their thorough understanding of the objectives and deliverables of this project.</p> <p>To substantiate, the bidder must provide a detailed (step-by-step) proposal of the methodology/approach to be used to carry out the scope of work outlined above and clearly demonstrate how the project objectives and deliverables will be achieved.</p>			
Substantiate / Comments			

5.1.3 BIDDER'S PROPOSED PROJECT PLAN	Comply	Partially Comply	Not Comply
<p>The bidder must submit a detailed project plan, which will compliment and align with the proposed methodology with a final report to be submitted within five (5) months from the date of engagement. The project plan is to be in a form of a High-Level Work Breakdown Structure (WBS) and timeframes in a Gantt Chart.</p>			
Substantiate / Comments			

5.1.4 QUALIFICATIONS AND SKILLS OF KEY PERSONNEL	Comply	Partially Comply	Not Comply
<p>The bidder's personnel for the proposed team must have relevant qualifications, skills, and experience in providing financial, commercial, technical, and business case advisory services in similar social infrastructure projects.</p> <p>The key technical team members should have at least ten (10) years' experience in executing such/similar assignments. The team qualifications are to include Project Management, Business Case Development, Economics, Financial Modelling, or any qualification relevant to the request.</p> <p>The team must include the following as a minimum:</p> <ul style="list-style-type: none"> • Project Team Lead: Infrastructure Finance Specialist with ten (10) years' experience in business case development and project management in Public Sector Infrastructure Finance; • Technical Lead: Civil Engineer, Quantity Surveyor or Town Planner with professional registration and ten (10) years' relevant experience; • Development Economist: With ten (10) years' relevant experience (including cost-benefit analysis and socio-economic analysis experience); and • Financial Analyst: With ten (10) years' relevant experience including financial modelling. <p>The bidders must submit, as part of its proposal, the following:</p> <ul style="list-style-type: none"> • The structure and composition of the proposed team and team leader, clearly outlining the main disciplines/specialties of this project and the key personnel responsible for each specialty. • CVs of all key personnel and the CVs must clearly highlight qualifications, areas of experience/competence relevant to the tasks and objectives of this project as outlined above. <p>Please refer to Table (b) Annexure 5 of this document for the format in which the required information must be provided.</p>			
<p>Substantiate / Comments</p>			

SECTION 3: PRICE PROPOSAL

SECTION 3: Cost Proposal

1. **NOTE: All prices must be VAT inclusive (where applicable) and must be quoted in South African Rand (ZAR).**

2. Are the rates quoted firm for the full period of the contract?

YES	NO
-----	----

Important: If not firm for the full period, provide details of the basis on which price adjustments shall be applied e.g., CPI etc.

3. All additional costs associated the bidder's offer must be clearly specified and included in the Total Bid Price.

4. Is the proposed bid price linked to the exchange rate?	Yes	No
<i>If yes, the bidder must indicate CLEARLY which portion of the bid price is linked to the exchange rate:</i>		

5. Payments will be linked to specified deliverables after such deliverables have been approved by the IDC. Payments will be made within 30 days from date of invoice.	Comply	Not Comply

6. The IDC reserves the right to consider the guidelines on consultancy rates as set out in the National Treasury Instruction 02 of 2016/2017: Cost Containment Measures which took effect from 01 January 2014, where relevant. The bidder must indicate if their proposed rates are in line with the provisions of the referenced National Treasury Instruction: Cost Containment Measures.	Comply	Not Comply
Substantiate / Comments		

7. COSTING MODEL

Activity/ Deliverable	Resource(s)	Rate/Hour per resource	Number of hours	Total Cost (VAT Excl.)
REVIEW AND ASSESS THE BUSINESS CASE, PROGRAMME STRUCTURING AND STANDARD DESIGN COSTING UNDERTAKEN BY NCDOE				
UNDERTAKE AN ASSESSMENT AND PROVIDE A SUMMARY OF CURRENT LEGASLATIVE AND REGULATORY ENVIRONMENT GOVERNING THE IMPLEMENTATION				
DEVELOP ALTERNATIVE IMPLEMENTATION OPTIONS FOR THE PROGRAMME EXECUTION AND OPERATION				
COST EFFICIENCY ANALYSIS AND SOCIO-ECONOMIC ANALYSIS				
PROVIDE HIGH-LEVEL RISK ASSESSMENTS ON FOR EACH OPTION AS WELL AS RISK STATEMENT FOR PREFERRED OPTION				
RECOMMEND THE PREFERRED OPTION TO PURSUE				
DEVELOP A BANKABLE CASE, PROCUREMENT STRATEGY AND FINANCIAL MODEL(S) FOR THE RECOMMENDED OPTION				
DRAFT REVISED BUSINESS CASE ALONG WITH RELATED ANNEXURES				
REVIEW AND FURTHER DEVELOP THE PROGRAMME EXECUTION PLAN FOR THE PROJECT, INCLUDING MAKING RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF A PROJECT MANAGEMENT OFFICE AND THE APPROPRIATE RESOURCE THEREOF				
DISBURSEMENTS				
TOTAL BID PRICE (VAT EXCL.)				
VAT (15%) if applicable				
TOTAL BID PRICE (VAT INCL.)				

The bidder must provide a detailed breakdown of the Disbursements as follows:

Cost Element	Cost (VAT Excl.)
Total Disbursements	

Note on pricing:

Disbursements (incidental expenses other than professional fees e.g., travel and accommodation, printing costs, etc.) must be clearly defined, outlining all assumptions. It is of utmost importance to submit clear and comprehensive cost proposals to allow the IDC to fairly compare bid price / cost proposals. If there is no additional fee envisaged for Disbursements, then the bidder must clearly indicate "No Charge / Free of Charge". Failure to clearly indicate this, would result in IDC penalising your bid response by taking the cost of the highest bidder and adding 50% thereto and apply this rate for purposes of price comparisons. Bidders are therefore requested to respond clearly and comprehensively on this aspect of their bid response.

8. SUMMARY OF THE PROPOSAL

DESCRIPTION	BIDDER'S PROPOSAL
Number of resources (personnel)	
Project duration (in hours)	
Project duration (in months)	

Price Declaration Form

Dear Sir,

Having read through and examined the Request for Proposal (RFP) Document, RFP no. **T03/01/24**, the General Conditions, and all other Annexures to the RFP Document, we offer to provide business case advisory services for the Northern Cape Schools Programme to the IDC as specified in this RFP document.

R..... **(Including VAT)**

In words

R..... **(Including VAT)**

We confirm that this price covers all activities associated with the service, as called for in the RFP document. We confirm that IDC will incur no additional costs whatsoever over and above this amount in connection with the provision of this service.

We undertake to hold this offer open for acceptance for a period of 120 days from the date of submission of offers. We further undertake that upon final acceptance of our offer, we will commence with the provision of the required service when required to do so by the IDC.

We understand that you are not bound to accept the lowest or any offer, and that we must bear all costs which we have incurred in connection with preparing and submitting this bid.

We hereby undertake for the period during which this bid remains open for acceptance, not to divulge to any persons, other than the persons to whom the bid is submitted, any information relating to the submission of this bid or the details therein except where such is necessary for the submission of this bid.

SIGNED

DATE

(Print name of signatory)

Designation

**FOR AND ON BEHALF
OF:**

COMPANY
NAME

Tel No

Fax No

Cell No

SECTION 4: ANNEXURES

Annexure 1: Acceptance of Bid Conditions and Bidder's Details

Request for Proposal No: _____

Name of Bidder: _____

Authorised signatory: _____

Name of Authorised Signatory _____

Position of Authorised Signatory _____

By signing above the bidder hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this RFP.

[Note to the Bidder: The Bidder must complete all relevant information set out below.]

CENTRAL SUPPLIER DATABASE (CSD) INFORMATION

Bidders are required to be registered on the Central Supplier Database (CSD) of National Treasury. Failure to submit the requested information may lead to disqualification. Bidders are therefore required to submit as part of this proposal both their CSD supplier number and CSD unique registration reference numbers below:

Supplier Number	
Unique registration reference number	

BIDDING STRUCTURE

Indicate the type of Bidding Structure by marking with an 'X':

Individual Bidder	
Joint Venture/ Consortium	
Prime Contractor with Sub Contractors	
Other	

REQUIRED INFORMATION

If Individual Bidder:	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	

If Joint Venture or Consortium, indicate the following for each partner:	
Partner 1	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	
Partner 2	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	

If bidder is a Prime Contractor using Sub-contractors, indicate the following:	
Prime Contractor	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	

Sub contractors	
Name of Company	
Company Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Subcontracted work as a % of the total value of the contract	

Annexure 2: Tax Compliance Requirements

1. TAX COMPLIANCE REQUIREMENTS		
1.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
1.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
1.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
1.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
1.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.	
1.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		
2.1	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2.2	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2.3	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2.4	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 ABOVE.		
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	

Annexure 3: Bidder's Disclosure

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest ¹ in the enterprise,

employed by the state?

YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read, and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

Annexure 4: Shareholders and Directors Information

[Note to the bidder: the bidder must complete the information set out below. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with Returnable Schedule 2.]

4.1 Shareholders/ Members

Note: The bidder must also attach the detailed Company/ Group Structure where relevant.

4.2 Black Shareholders/ Members as per the B-BBEE Certificate

4.3 Directors

Name of the shareholder	ID Number	Race	Gender

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

Annexure 5: Response Format for Section 2

Bidder's Experience and the proposed Project Team

Request for Proposal No:

Name of Bidder:

Authorised signatory:

[Note to the Bidder: The bidder must complete the information set out below in response to the requirements stated in Section 2 of this bid document. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with this Returnable Schedule 3.]

The bidder must provide the following information:

Table (a) Details of the bidder's current and experience in business case development for infrastructure projects (please refer to par 5.1.1 of Section 2 of this RFP document):

Table (b) Details of the key personnel of the bidders' proposed team (please refer to par 5.1.4 of Section 2 of this RFP document):

Annexure 6: BEE Commitment Plan

The IDC encourages existing vendors and prospective bidders to support the objectives of B-BBEE and as far as possible strive to improve their B-BBEE contribution status. For bid evaluation purposes, bidders are allocated points in terms of a preference point system based on the Specific Goals which requires the bidder to have a valid B-BBEE certificate or a sworn affidavit in case of a EME or QSE.

Bidders are therefore required to submit a B-BBEE improvement plan in view of the new B-BBEE Codes of Good Practice. Bidders must indicate the extent to which their ownership, management control, employment equity, preferential procurement and enterprise development will be maintained or improved over the contract period in the event that they are successful in this bid process.

Annexure 7: Disclosure Statement

In terms of the tender condition 8.6, which allows the IDC to conduct background checks on bidders and its shareholders and directors, the IDC hereby requires bidders to provide the following additional information:

- 7.1 The IDC considers the integrity of its appointed service providers to be of critical importance. The IDC reserves the right to disqualify from further consideration, any bidder whose integrity, based on past conduct (during the 5 years immediately preceding the bid submission date), it considers questionable.
- 7.2 To this end, the IDC requires each bidder to include in its bid, a disclosure statement which details the following (with sufficient information and supporting documentation for the IDC to make its own assessment as to the materiality or seriousness of allegations regarding the bidder's integrity or conduct):
 - 7.2.1 any criminal charges made against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct;
 - 7.2.2 any civil proceedings initiated against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct; and
 - 7.2.3 any other enquiry or similar proceedings initiated or threatened against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct.
- 7.3 Where the bidder is a consortium, the disclosure statement referred to in paragraph 7.2 above must be made separately in respect of each consortium partner.
- 7.4 In the event that the bidder's circumstances change, after submission of its bid, regarding any matter referred to in paragraph 7.2 above or in regard to any matter referred to in its disclosure statement, the bidder must submit a written notification to IDC indicating the nature and extent of such changed circumstances.
- 7.5 The IDC reserves the right to seek such additional information from any bidder, in respect of the disclosure statement referred to in paragraph 7.2 above, as it may, in its sole discretion, determine, whether such information has been requested under this RFP or otherwise, and may require the bidder to make oral presentations for clarification purposes or to present supplementary information, in respect of the disclosure statement if so required by the IDC.
- 7.6 Based on its own assessment of the contents of the bidder's disclosure statement and any publicly available information which is relevant to the contents of such disclosure statement, the IDC will decide whether the bidder's conduct or any allegations relating thereto pose a risk, reputational or otherwise, to the IDC; and if it reaches an adverse conclusion the IDC will in its sole discretion have the right to disqualify a bidder from further participation in the tender process. Disqualification on this ground may be done at any stage in the bid evaluation process prior to contract award.

Annexure 8: Privacy & Protection of Personal Information Act 4 of 2013 Requirements

Request for Proposal No:	
Name of Bidder:	
Authorised signatory:	

Protecting personal information is important to the Industrial Development Corporation (IDC). To do so, IDC follows general principles in accordance with applicable privacy laws and the Protection of Personal Information Act 4 of 2013 (POPIA).

IDC's role as a responsible party, is amongst others to process personal information for the intended purpose for which it was obtained and in line with legal agreements with its respective/ prospective clients, third parties, suppliers, and operators.

Who is an Operator? A person or body/ entity which processes personal information for the IDC in terms of a contract or mandate.

Who is a Supplier? a natural or juristic person that provides a product or renders a service to the IDC. A supplier could also be considered as an operator, an independent responsible party or (together with IDC) a joint responsible party.

If the supplier or business partner provides IDC with its related persons' personal information, the supplier or business partner warrants that the related persons are aware of and have consented to the sharing and processing of their personal information with/by IDC. IDC will process the personal information of related persons as stated under a contractual agreement or as required by any related legislation.

Examples of the personal information of the supplier or business partner where relevant may include (but are not limited to): financial information, including bank statements provided to the IDC; · invoices issued by the supplier or business partner; the contract/ legal agreement between the IDC and the supplier or business partner; other identifying information, which includes company registration numbers, VAT numbers, tax numbers and contact details; marital status and matrimonial property regime (e.g. married in community of property); nationality; age; language; date of birth; education; financial history; identifying numbers (e.g. an account number, identity numbers or passport numbers); email address; physical address (e.g. residential address, work address or physical location); information about the location (e.g. geolocation or GPS location); telephone numbers; online and other unique identifiers; social media profile/s; biometric information (like fingerprints, facial recognition signature; race; gender; sex; criminal history).

Example of Special personal information is personal information about the following: · criminal behaviour, or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings; religious and philosophical beliefs; trade union membership; political beliefs; health, including physical or mental health, disability, and medical history; or biometric information (e.g., to verify identity).

RESPONSIBILITIES OF SUPPLIERS AND BUSINESS PARTNERS WHO ARE OPERATORS UNDER POPIA

Where a supplier or business partner, in terms of a contract or mandate, processes personal information for the IDC and is considered an operator of the IDC, the supplier or the business partner will be required to adhere to the obligations set out in the IDC data privacy or POPIA policy. This policy sets out the rules of engagement in relation to how personal information is processed by suppliers and business partners on behalf of the IDC as well as the minimum legal requirements that IDC requires the suppliers and business partners to adhere to, including compliance with POPIA as summarised in the below table.

Item	GUIDING CONDITIONS FOR PROCESSING PERSONAL INFORMATION	Yes	No
8.1	Accountability The respective clients, third parties, suppliers and operators and its members will ensure that the provisions of POPIA, the guiding principles outlined in the policy and all the measures that give effect to such provisions are complied with at the time of the determination of the purpose and means of the processing and during the processing itself. In the event that an employee of the IDC or any person acting on behalf of the corporation who through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined, proper corrective measures will be applied.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.2	Processing Limitation The respective clients, third parties, suppliers and operators and its members will ensure that information is only processed for the justifiable reason and processing is compatible with the purpose of the collection.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.3	Purpose Specification All respective clients, third parties, suppliers and operators and its members will process personal information only for specific, explicitly defined, and legitimate reasons. The respective clients, third parties, suppliers and operators will inform IDC of reasons prior to collecting or recording their PI.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.4	Further Processing Limitation Personal information will not be processed for a secondary purpose unless that processing is compatible with the original purpose. Thus, where the respective clients, third parties, suppliers and operators seek to process personal information it holds for a purpose for which it was originally collected, and where this secondary purpose is not compatible with the original purpose, respective clients, third parties, suppliers and operators will first obtain additional consent from the IDC.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.5	Information Quality The respective clients, third parties, suppliers and operators will take reasonable steps to ensure that all personal information collected is complete, accurate and not misleading. Where PI is collected or received from third parties, the respective clients, third parties, suppliers and operators will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the data subject or by way of independent sources.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.6	Open Communication Reasonable steps will be taken by the respective clients, third parties, suppliers and operators to ensure that the IDC is notified of the purpose for which the information is being collected, used, and processed.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Item	GUIDING CONDITIONS FOR PROCESSING PERSONAL INFORMATION	Yes	No
8.7	Security Safeguards It is a requirement of POPIA for responsible parties, business partners and operators to adequately protect personal information. IDC will need to review suppliers or business partner security controls and processes to ensure that personal information is compliant with the conditions of the lawful processing of personal information as set out in the POPIA. This would be a continuous monitoring and review that will be conducted by the IDC at its discretion.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.8	Data Subject Participation A data subject whose PI has been collected, stored, and processed by the respective clients, third parties, suppliers and operators must have communication channels to attend to may request for the correction or deletion of such information.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

I, _____ (print name) hereby certify that the information, facts and representations are correct and that I am duly authorized to sign on behalf of the company.

Name of Company/ Entity: _____

Company/ Entity Registration Number: _____

Company/ Entity VAT Registration Number: _____

Signature (Company/ Entity Representative)

Date