



public enterprises

Department:
Public Enterprises
REPUBLIC OF SOUTH AFRICA

**REQUEST FOR QUOTATIONS (RFP)
RFQ SCM 79/2022-2023**

**REQUEST FOR PROPOSAL FOR THE APPOINTMENT OF A SERVICE PROVIDER TO
FACILITATE AND MANAGE A TWO-DAY GOVERNANCE SEMINAR AND TO REVIEW THE
GOVERNANCE HANDBOOK**

CLOSING DATE: 17 AUGUST 2022

TIME: 11:00

QUOTATION TO BE VALID FOR 90 DAYS.

BACKGROUND

The Department of Public Enterprises is the shareholder representative for Government with oversight responsibility over seven State Owned Companies (SOC) that operate in core sectors of the economy such as mining, defence, energy, logistics, aviation, and forestry.

The SOC's in the DPE portfolio are namely: Eskom, Transnet, Denel, South African Airways (SAA), South African Forestry Company Limited (SAFCOL), Alexkor and SA Express.

These SOC's play a key role in enabling economic growth, creating jobs, and promoting the industrialisation and the transformation of the economy. The Department is the primary interface between Government and the SOC's concerned and, in addition to oversight, provides input to the formulation of policy, legislation and regulation.

OUR VISION

To create an enabling environment in which SOC's add real economic value by focusing on operational excellence, commercial viability, and fiscal prudence. This will drive developmental objectives, industrialisation, job creation and skills development.

OUR MISSION

To provide clear strategic direction and oversight to the Department's SOC's, seeking to ensure that:

- They are financially sustainable, adequately funded and operationally robust.
- Their operating models keep pace with global development and innovation.
- They provide reliable, high-quality, and cost-effective services and infrastructure to industry and our citizens.
- They secure investment and funding for strategic industrial development; and
- They align with national developmental objectives.

1. TERMS OF REFERENCE / SCOPE OF WORK

The governance of entities has a range of issues from, ethical leadership, the guidance over the relationship between an entity and the shareholder, the role of strategic equity partnerships, delivering on economic and social mandates and balancing the need for efficiency, profitability, and accountability. The Department of Public Enterprises is hereby requesting experienced and

reputable bidders to submit proposals for facilitation and the management of a two days governance seminar.

1.1. Services required from the service providers:

- a) To develop a structured programme, supporting documents and references where relevant, with reputable panel of speakers for the governance seminar
- b) To provide and facilitate governance seminar in corporate governance.
- c) To contract a reputable and qualified facilitator or facilitators for the governance seminar.
- d) To provide proactive event management for the corporate governance seminar.
- e) To advertise and register interested attendees for the governance seminar.
- f) To produce a report back on the seminar.
- g) Review and make input to the draft Governance Handbook.

1.2. The specific core activities of the Seminar should include the following:

- a) Best practice and case studies on: -
 - Ethical leadership,
 - corporate governance,
 - financial management,
 - risk and compliance.
- b) Competitive edge of embracing good corporate governance principles
- c) Role of government as a shareholder
- d) Role and responsibilities of directors within context of Public Sector
- e) Relevance and importance of corporate structures
- f) Directorship versus Management (strategy vs operations)
- g) Importance of strategic Stakeholder Engagement in public sector
- h) Performance Management and Consequence Management.
- i) State Capture and best practice mechanisms to curb fraud, corruption and mismanagement

1.3. Deliverables

A. Corporate Governance Seminar

- 1.3.1.** Practical knowledge of corporate governance by the facilitator, preferably in the public sector.

The Facilitator must examine current best practice in all aspects of corporate governance in a seminar fashion including the following topics:

Topic 1: Corporate Governance

Topic 2: Risk Management

Topic 3: Compliance

Topic 4: Ethics

Topic 5: Procurement Matters and Corporate Financial Management

Topic 6: Anti-corruption and Ethical business conduct

Topic 7: Environment, Social and Economic issues in context of
Stakeholder Management

Topic 8: Best practice in obtaining an unqualified audit outcome

After approval of the agenda, panel discussions will comprise of experts from academia, labour, civil society, business and the public sector.

The seminar will be a robust discussion on the challenges of implementing best-practice corporate governance in emerging markets and must include specific case studies from, but not limited to State Capture as highlighted in the Zondo Commission Reports.

1.3.2. Event Management (Corporate Governance seminar)

- 1.3.2.1 Face- to- face services will be offered by the service provider as agreed with the Department of Public Enterprises.
- 1.3.2.2 Service Provider must plan, create, and manage the governance seminar. Service Provider must demonstrate the ability and practical experience in following areas; the management function, communication, strong project management skills, accounting skills and how to bring all the different aspects of an event together.
- 1.3.2.3 The key aspect of event management and project management of large-scale seminar and/or event must be demonstrated including financial management, registration of attendees.
- 1.3.2.4 The service provider will be expected to provide advertisement and other related services including but not limited to:
 - a. Registration of attendees.
 - b. Book facilities that can accommodated approximately 100 attendees in Pretoria/ Midrand.
 - c. Recording of seminar discussion.

B. The Governance Handbook

1.3.3. Review of the DPE Governance Handbook

1.3.3.1. The review of the Department's Governance Handbook pre- and post the governance seminar taking into consideration inputs received

1.3.3.1.1. through the Department's consultations processes; and

1.3.3.1.2. insights of the governance seminar

2. PROJECT DURATION

2.3. Preparation for the governance seminar will begin immediately on appointment.

2.4. The seminar will be for the duration of two days, preferably, in November 2022 and the Department reserves the right to assess and review performance as it deems fit and to terminate it subject to contractual performance.

3. EVALUATION CRITERIA

3.1. In order to facilitate a transparent selection process that allows equal opportunity to all bidders, DPE has a Supply Chain Management policy that will be adhered to. Proposals will be evaluated in terms of the prevailing Supply Chain Management Request for Quotations policy applicable to DPE and it should be noted that proposals will be evaluated in two (2) phases namely, Mandatory evaluation, Presentation Evaluation and Price and B-BBEE using the 80/20 formula (preference points system) as per the PPPFA 2017 Regulations.

3.1.1. Phase I: Mandatory Evaluation

a) Bidders who comply with **all the mandatory requirements** will qualify to Presentation Evaluation

Table 1- Mandatory Evaluation

CRITERIA	SUB CRITERIA	NOT COMPLY	COMPLY	COMMENTS
<p>Organisational experience and capability.</p>	<p>5 years' experience, and ability to facilitate Governance, Risk and Compliance Seminar.</p> <p>The Professional Service Provider must demonstrate relevant experience in public / private sector facilitation and event management or in an outsourced basis for governance, risk and compliance seminar in the last five years, whether online or face to face.</p> <p>The service provider must attach copies of three (3) signed Reference letters/Appointment Letters/ Testimonials/ Purchase Orders/ Contracts for similar work done with contactable reference in the past three (3) years.</p> <p>Please note: Department of Public Enterprise will not accept a list of references.</p>			
<p>Approach and methodology of providing Governance, Risk and Compliance facilitation</p>	<p>Demonstrate detailed approach, methodology and process.</p> <p>Demonstrate detailed project plan, agenda, facilitator, timelines and outcomes</p>			
<p>Capacity and experience of a key personnel and the Project Lead (Facilitator).</p>	<p>The Service Provider must demonstrate that the Project leader (Facilitator) and Key Personnel responsible for the</p>			

CRITERIA	SUB CRITERIA	NOT COMPLY	COMPLY	COMMENTS
	project has a minimum of five (5) years relevant experience. Attach concise CV.			
Service providers must demonstrate that the Key Personnel (Facilitator) and team leader responsible for GRC has the relevant qualifications.	Facilitator must have master's degree and 5 years governance risk and compliance training/ facilitation experience and related areas. (Certified copy of qualifications to be submitted not older than three months)			
The team consisting of event management and/or project management for seminar event	Three reference letters of past similar seminar events organised successfully to be submitted.			

3.1.2. Presentation Evaluation

Bidders who have qualified on the presentation evaluation will be evaluated further on Price and B-BBEE Level contributor

CRITERIA	SUB CRITERIA	NOT COMPLY	COMPLY	COMMENTS
Presentation of services offered	Presentation of services offered in training and facilitation specifically on governance, risk and compliance			

3.2. Phase II: Price and B-BBEE Level Evaluation

- a) Bidder must provide a **separate pricing schedule**.
- b) The average rate price for each services costed will be utilized to determine the bid price.
- c) The evaluation for Price and B-BBEE shall be based on the 80/20 PPPFA Principle and the points for evaluation criteria are as follows:

Table 2- Price and B-BBEE

CRITERIA	SUB-CRITERIA	WEIGHTING/ POINTS
Price	Detailed budget breakdown	80
B-BBEE (Status Level Verification Certificate)	B-BBEE Level Contributor	20
TOTAL		100

4. INSTRUCTIONS TO BIDDERS

4.1. Terms and Conditions

- a) DPE reserves, under exceptional circumstances, the rights to extend the closing date. All proposals and all subsequent information received from bidders will not be returned.

- b) The adjudication process does not represent a commitment on the part of the DPE to proceed further with that proposal or of any other bidder.

4.2. Changes to this RFQ document

- a) DPE reserves the right to make changes on this RFQ Document. All changes will be communicated to those bidders that have responded to the RFQ/ RFP. No reliance shall be placed on other information or comment from any other person.

4.3. Confidentiality

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence.

4.4. Other matters

- a) DPE reserves the right not to enter any relationship and no correspondence pertaining to submissions will be entered into.
- b) If DPE does not accept any proposal, it will declare this RFQ/ RFP call process closed and may then elect to:
 - Proceed on a completely different basis; and
 - Not to appoint any respondent in the event it deems proposals not appropriate.

- c) DPE will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.
- d) DPE reserves the right to engage in processes to validate all claims made in the proposal.
- e) DPE reserves the right to cancel the award if it is determined that the supplier/service provider recommended for award, has engaged in corrupt or fraudulent activities in competing for the contract in question. For the purposes of this RFQ/ RFP, "fraudulent practice" means a misrepresentation of facts in order to influence a selection process or the execution of a contract to the detriment of the accounting officer/authority and includes collusive practices among bidders/contractors (prior to or after submission of proposals) designed to establish prices at artificial, non-competitive levels and to deprive the accounting officer/authority of the benefits of free and open competition.

5. PAYMENT STRUCTURE

- 5.1 DPE undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- 5.2 Payments will only be made on the basis of the work completed (milestones/ deliverables) as per the project implementation plan to be agreed at the inception of the project.

6. GENERAL

Below are compulsory requirements for this service:

- 6.1 It is important to note that the successful bidder will work under the supervision of a DPE representative, abide by DPE's Code of Conduct, and other organizational guidelines.
- 6.2 Kindly submit the following document:
 - a) Valid B-BBEE Level of contribution or Sworn Affidavit Certificate issued by the following agencies SANAS, IRBA or CCA (Failure to attach certificate will lead to non- allocation of points)

- b) Proof that tax matters with SARS are in order (SARS Pin Number/ Tax Clearance Certificate)
- c) National Treasury Central Supplier Database (CSD) Report
- d) Completed and signed SBD forms

7 CONTACT DETAILS FOR INFORMATION

7.1 Further information regarding technical matters can be sent via email Orcilla.ruthnam@dpe.gov.za or Tel: 012 431 1144

7.2 Further information regarding supply chain matters can be send via email to: quotations@dpe.gov.za or at Tel: 012 431 1001.

8 SUBMISSIONS OF PROPOSALS

8.1 Proposals should be submitted on or before **17 August 2022** by no later than **11h00** to the following email address:
quotations@dpe.gov.za

8.2 The selection of the qualifying bid/quotations will be at Department of Public Enterprises' sole discretion. Department of Public Enterprises does not bind itself to accept any bid/quotations and reserves the right not to appoint the bidder.

ANNEXURE A

PRICING SCHEDULE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO FACILITATE AND MANAGE A TWO DAY'S GOVERNANCE SEMINAR AND TO REVIEW THE GOVERNANCE HANDBOOK

Note:

- 1 Bidder must complete the pricing as per the table below **and submit quotation on a company letterhead.**
- 2 All pricing will be according to the Scope of work
- 3 Line Prices are all **VAT EXCLUDING**, and **TOTAL PRICE** is **VAT INCLUSIVE**

The following pricing schedule needs to be completed in line with the required deliverables (where applicable) and return a part of the tender submission.

Service line	Service / Item Description	Estimated Number of Hours	Hourly Rate	Total cost
1	Facilitator			
2.	Events Management			
3.	Review of the Governance Handbook: a) Pre - Seminar b) Post - Seminar			
	TOTAL EXCLUDING VAT			
	VAT			
	TOTAL INCLUSIVE VAT			

Please quote exactly as per the specification. Failure will lead to the disqualification of your quotation.

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 interest¹ 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

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.

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:

.....
.....

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

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.

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