

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO QUALITY ASSURE THE PROPOSED DEPARTMENT OF MINERAL RESOURCES AND ENERGY (DMRE) ORGANIZATIONAL STRUCTURE FOR A PERIOD OF 8 (EIGHT) WEEKS

1. BACKGROUND

- 1.1 The Department of Mineral Resources and Energy has been mandated with the responsibility of ensuring the regulation, transformation and promotion of the mineral and energy sectors, by providing sustainable and affordable energy for growth and development and ensuring that all South Africans derive sustainable benefit from the country's mineral wealth. As the regulator of the minerals and energy sector, the Department plays a pivotal role in the development and promotion of this sector of the economy.
- 1.2 To create and maintain a balance between minerals and energy, supply and demand forms the basis of the DMRE's short, medium- and long-term intervention plans. This will require the development of strategic partnerships between government, private sector, and communities. These partnerships will result in improved coordination within the sector and ensure reliable delivery and logistics.
- 1.3 Therefore, there is a need for a fit-for-purpose organizational structure that is responsive and supports the mandate and strategy of the department. To achieve the above mandate, the DMRE organizational structure should embed a proactive approach to changes in the global mineral, energy, and economic environment, which impacts on the nature of the supply and demand of minerals and energy which is forever changing.
- 1.4 The Department is currently reviewing the organizational structure to ensure alignment with its mandate and strategy, and it wants to make sure that the process is conducted impartially. As a result, the department has decided to source the services from an independent service provider to conduct a quality assurance exercise on the proposed organizational structure that would have been concluded by the internal organizational development and change management unit. The service provider's exercise will concentrate on macro and micro-organizational structure, including post-establishment and should be conducted prior to the Minister's approval, as well as consultation with the Minister of Public Service Administration and the Department of National Treasury.

2. CONTRACT PERIOD

The duration of the contract will be for a period of 8 (eight) weeks

3. OBJECTIVE

To obtain an independent quality assurance/opinion on the proposed organizational structure to eliminate subjectivity and ensure objectivity in determining a fit-for-purpose organizational structure for the DMRE.

4. SCOPE OF WORK

- 4.1 Analyses and determine the alignment of the proposed organizational structure with the National Development Plan (NDP), Key priorities of the government, strategic plan, relevant DMRE National Plans, and mandate of the department.
- 4.2 Analyse and determine the alignment of the proposed organizational structure with Organisational Design principles relevant to the public sector, DPSA directives, and guiding documents.
- 4.3 Compile a detailed report on the outcome of the analysis of the proposed organizational structure.
- 4.4 Provide recommendations on the proposed organizational structure based on the outcome of the analysis with a detailed rationale for each recommendation linking it with the above-mentioned plans in paragraph 4.1 service delivery model of the department and also highlight the impact of the recommendation on the mandate and strategic objectives of the department.
- 4.5 Configure the organizational structure as per the above recommendations by the service provider in terms of the functional organizational structure that reflect the purpose and functions of the groupings at all levels; and
- 4.6 Present the outcome of the analysis and recommended organizational structure to key stakeholders in the department and incorporate the inputs from the stakeholders on the proposed organizational structure.

5. DELIVERABLES OR PROJECT OUTPUT AND OR OUTCOME

- 5.1 Analysis report on the alignment of the proposed organizational structure with the NDP, key priorities of the government, strategic plan, relevant DMRE National Plans, and mandate of the department.
- 5.2 Analysis report on the alignment of the proposed organizational structure with the Organisational Design principles relevant to the public sector, DPSA directives, and guiding documents;
- 5.3 Proposed organizational structure configured together with a detailed rationale on each recommendation; and
- 5.4 Report on the outcomes of the analysis and proposed organizational structure presented to key stakeholders.

6. COMPANY EXPERIENCE

- 6.1 Service providers should at least have ten (10) years of experience in organizational design/restructuring for medium-sized organizational structures within the public service (1500 and above employees).
- 6.2 Failure to submit the above correspondence, bidders will forfeit points in this category.

7. QUALIFICATION AND EXPERIENCE OF TEAM LEADER AND TEAM MEMBER

- 7.1 The Team leader must have a bachelor's Degree/ BTech (NQF level 7) in the field of Organisational Design/ industrial Engineering/ Management Services or Organisation & Work Study and Team Members must have NQF 6 in the same field as the Team Leader. Team Leader must have at least ten (10) years of experience in organizational design/restructuring for medium-sized organizational structures within the public service (1500 and above employees) of which Five (5) years of experience should be in a managerial position and Team members at least five (5) years practical experience in the same field.
- 7.2 The service provider must ensure that people with relevant skills are part of the project. A team profile containing names, qualifications, and experience of persons who will be directly involved in the project must be submitted.
- 7.3 The service provider must attach 3 reference letters from contactable corporate or government clients where the service provider has provided similar services within the past five years. The reference letters must be on the service provider's client's letterhead and must be duly signed and the letters must not be older than six months.
- 7.4 Certified copies of Qualification must be attached to the proposal as proof, failure to do so will result in the proposal forfeiting functionality points.

8. REPORTING REQUIREMENTS

- 8.1 The successful service provider in terms of project management will be expected to adhere to the following expectations:
 - 8.1.1 Compile a detailed project plan (detailing activities per consultation and cost) and report as and when required.
 - 8.1.2 Hold regular meetings with the Project Manager (Deputy Director-General: Corporate Services representing the Department of Mineral Resources and Energy to discuss the project status on the implementation of the Project Plan.
 - 8.1.3 Report to the Project Manager regularly to enable the Department to monitor progress effectively (the frequency of the meetings will be determined by both parties);
 - 8.1.4 Submit a progress report on the status of the project every second week by no later than 12h00 on Friday.
 - 8.1.5 Assign suitable, experienced, and qualified personnel to assist with the facilitation and drafting of the recording of the proceedings.
 - 8.1.6 Manage and monitor the overall project in consultation with the Project Manager; and
 - 8.1.7 Invoices be accompanied by the required reports for processing of payments.

9 WORK PLAN AND METHODOLOGY

- 9.1 The service providers will be requested to give a quote regarding the work to be undertaken for each session under this project. The total cost must be VAT inclusive and should be quoted using the South African currency (i.e., Rand).
- 9.2 Quotes must be inclusive of all the services to be rendered.

10 ROLES AND RESPONSIBILITIES

- 10.1 The Preferred Service Provider (PSP) must provide services in accordance with the Terms of Reference, and with all reasonable care, diligence, skill, efficiency, and economy, in accordance with generally accepted professional techniques and standards and shall observe sound management practices.
- 10.2 Regular management and other reports as stipulated in the Terms of Reference and/or required by the Department will be maintained by the PSP.
- 10.3 The Department shall nominate a representative for the purposes of, among others, holding regular meetings with the PSP; and
- 10.4 The Department shall designate, in writing, a person or persons to act with complete authority in giving instructions and receiving communications on behalf of the Department and interpreting and defining the Department's policies and requirements regarding the Services.

11 CONFIDENTIALITY OF INFORMATION

Information/ data to be provided to the service provider will remain the property of DMRE and the service the provider should treat all the data with the required confidentiality and return all the data to the DMRE after the completion of the project.

12 PAYMENT

The Department will not make an upfront payment to a successful service provider. Payments will only be made in accordance with the delivery of service that will be agreed upon by both parties and receipt of an original invoice.

13 TAX CLEARANCE CERTIFICATE

- 13.1 The potential service provider/s must ensure compliance with their tax obligations.
- 13.2 The potential service provider/s is/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;
- 13.3 Application for tax compliance status (TCS) or pin may also be made via e-filing. To use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za; and
- 13.4 The potential service provider may also submit a printed TCS together with the proposal.
- 13.5 In proposals where consortia / joint ventures / sub-contractors are involved; each party must submit a separate proof of TCS / pin / CSD number; and
- 13.6 Where no TCS is available, but the potential service provider/s is registered on the central supplier database (CSD), a CSD number must be provided.

14. EVALUATION METHODOLOGY

14.1 Phase 1: Compliance and Technical Review:

- 14.1.1 Each submission is checked for compliance. The following documents are compulsory:

A valid Tax Clearance Certificate	
A valid B-BBEE Certificate	
Signed SBD forms	
Proof of CSD registration	
CIPC Company Registration Certificate	
Copy of ID documents of Directors (for vetting purposes) and those of Project Team	

- 14.1.2 Service providers will be evaluated based on functionality. The minimum threshold for functionality is 70 out of 100 points. Service providers who fail to meet the minimum threshold will be disqualified and will not be evaluated further for price and preference points for **Specific Goals**.

NO	CRITERIA	SCORING	WEIGHTS
1	Company Experience: (i) Service providers should at least have ten (10) years of experience in organizational design/restructuring for medium-sized	16 years or more = 5 points 11 to 15 years = 4 points 10 years = 3 points	15 10

	<p>organizational structures within the public service (1500 and above employees)</p> <p>(ii) Proof from 3 contactable referees indicating that a similar project was executed should be attached.</p>	<p>6 to 9 years = 2 points</p> <p>5 years or less = 1 point</p> <p>5 letters or more = 5 points</p> <p>4 letters = 4 points</p> <p>3 letters = 3 points</p> <p>2 letters = 2 points</p> <p>1 letter = 1 point</p>	5
2	<p>Team leader Accreditation and team members</p> <p>(i) Team Leader must have at least ten (10) years' experience in organizational design/restructuring for medium-sized organizational structures within the public service (1500 and above employees)</p> <p>(ii) Five (5) years experience in a managerial position in relation to the above. CVs must be attached as proof.</p> <p>(iii) Individual team members must have at least five (5) years of practical experience in the organization restructuring field. CVs must be attached as proof.</p>	<p>15 years or more = 5 points</p> <p>11-14 years = 4 points</p> <p>10 years = 3 points</p> <p>6-9 years = 2 points</p> <p>5 years or less = 1 point</p> <p>8 or more years or more = 5 points</p> <p>6 - 7 years = 4 points</p> <p>5 years = 3 points</p> <p>3-4 years = 2 points</p> <p>2 years or less = 1 point</p> <p>8 years or more = 5 points</p> <p>6 – 7 years = 4 points</p> <p>5 years = 3 points</p> <p>3-4 years = 2 points</p> <p>1-2 years or less = 1 point</p>	<p>35</p> <p>15</p> <p>10</p> <p>10</p>
3.	<p>Qualifications:</p> <p>(i) Team leader must possess a minimum of a bachelor's degree/ BTech (NQF level 7) in the field of Organisational Design/ industrial Engineering/ Management Services or Organisation & Work Study</p>	<p>Masters and above = 5 points</p> <p>Honours Degree = 4 points</p> <p>Bachelors = 3 points</p> <p>National Diploma = 2 points</p> <p>Certificate = 1 point</p>	<p>35</p> <p>10</p>

	(ii) Team members must possess a minimum of a recognized National Diploma (NQF level 6) in the field of Organisational Design/ industrial Engineering/ Management Services or organization & Work Study	Master and above = 5 points Bachelor's Degree = 4 points National Diploma = 3 points Certificate = 2 points Matric = 1 point	10
	(iii) Proof of certified certificates must be attached for both Team Leader and Team Members.	Copies of certified certificates attached = 5 points	5
	(iv) NB: Copies of certified certificates must be attached to the proposal as proof	Copies of certificates attached but not certified = 1 point	
4	Project Plan: The project/ Execution Plan and Management should be attached. Detailed Proposed Methodology must be attached	Detailed Project with activities, milestones, timeframes, and extra resources = 5 points Detailed project with activities, timeframes, and milestones = 3 points Project plan not detailed = 2 points No project plan attached = 1 point Detailed methodology with extras = 5 points Detailed methodology = 3 points Methodology, not detailed services = 2 points No methodology = 1 point	25 10 15
Total			100

For purpose of evaluating functionality, the following values will be applicable:

1=	Very poor	Does not understand the requirements
2=	Poor	Will not be able to fulfil the requirements
3=	Average	Will partially fulfil the requirements
4=	Good	Will be able to fulfil the requirements
5=	Excellent	Will fully fulfil the requirements

15 PHASE 2: PRICING AND SPECIFIC GOALS

- 15.1 Bids will be evaluated on the 80/20 preference point system as outlined in the Procurement Preferential Regulation of 2022. The bidder that scores the highest points in this phase will be awarded the tender.

CRITERIA	WEIGHT
Price	80
Specific Goals Contributor	20

15.2 COST / PRICING

- 15.2.1 The service provider will be requested to provide a quoted proposal regarding the work to be undertaken.
- 15.2.2 The total cost must be VAT inclusive and should be quoted in South African Rands (i.e., ZAR).
- 15.2.3 The service provider should provide hourly rates as prescribed by the Department of Public Service and Administration (DPSA), Auditor-General (AG), or the body regulating the profession of the consultant.
- 15.2.4 The Service Provider should provide (Subsistence & Travel (S&T)) rates that are in aligned to the National Treasury instruction note as follows:
- i) Hotel Accommodation – R1550 per night per person, including breakfast, dinner, and parking
 - ii) Air travel must be restricted to economy class.
 - iii) Claims for kilometers may not exceed the rates approved by the Automobile Association of South Africa.

15.3 SPECIFIC GOALS

- 15.3.1 Provisions of the Preferential Procurement Policy Framework Act (PPPFA) of 2022 and its regulation will apply in terms of awarding points.
- 15.3.2 Bidders are required to submit original and valid SPECIFIC GOALS Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their SPECIFIC GOALS rating claims.
- 15.3.3 Bidders who do not submit their specific goals status level verification certificates or are non-compliant contributors to specific goals will not qualify for preference points
- 15.3.4 Accounting Officers must ensure that the specific goals Status Level Verification Certificates submitted are issued by the following agency:
- Verification agencies accredited by SANAS.
- 15.3.5 Bidders who qualify as EMEs and QSEs must submit:
- Sworn affidavit signed by the EME or QSE representative and attested by a commissioner of oath.

15.4 POINTS AWARDED FOR SPECIFIC GOALS

- 15.4.1 In terms of Regulation 3 (1) an organ of state must, in the tender documents, stipulate the specific goal in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goal.

SPECIFIC GOAL	NUMBER OF POINTS FOR (80/20 PREFERENCE SYSTEM)	NUMBER OF POINTS (90/10 PREFERENCE SYSTEM)
1.Enterprise owned by Black people	4	2
2.Enterprise owned by Women	4	2
3. Enterprise owned by Youth	4	2
4.Enterprise owned by Disabled persons	4	2
5. Enterprise owned by SMME'S – QSE and EME	4	2

16. CONDITIONS OF THE CONTRACT

- 16.1 The appointed service providers will enter into a Service Level Agreement prior to commencement of the project.
- 16.2 The Department reserves the right to terminate the appointment of any part thereof, at any stage of completion should the Department decide not to proceed with the project.
- 16.3 Should the contract between the Department and the service provider be terminated by either party due to reasons not attributed to the service providers, the service providers will be remunerated for the appropriate portion of work completed.

17. FORMAT OF SUBMISSION OF PROPOSAL

- 17.1. Service providers are requested to submit four (4) copies of technical proposals plus the original.
- 17.2. Service providers are requested to index their proposals for easy reference.

18 PRE-BID MEETING / BRIEFING SESSION DETAILS-

18.1 No briefing session is required.

19 CLOSING DATE

19.1 Proposals must be submitted on or before **10 May 2023 at 11h00** at Department of Minerals Resource and Energy, at 192 Matimba Building, Corner Visagie and Paul Kruger Streets, Pretoria in the bid box marked Department of Minerals Resource and Energy. **No late bids will be accepted.**

20 ENQUIRIES

20.1 All general inquiries relating to bid documents should be directed to:

Ms. Rachel Moerane/ Mr Samuel Msiza

Tel. No: (012) 406 7747/7910

E-mail: Rachel.Moerane@dmre.gov.za/Samuel.Msiza@dmre.gov.za

21 Technical enquiries can be directed to:

Mr Chris Ramoshaba

Tel No: 079 525 4965

Email: Chris.Ramoshaba@dmre.gov.za

Or

Ms Nomakhuwa Mabe

Tel No: 0636839517

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