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Education, Training and Development Practices Sector Education and Training Authority

RFQ NO: 55 – 2022/23

REQUEST FOR QUOTATIONS

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE TRAINING FOR THE ETDP SETA OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEMBERS

1. INTRODUCTION

The Education Training and Development Practices Sector Education and Training Authority (ETDP SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act, No. 97 of 1998 to advance skills levels in accordance with the National Skills Development Plan 2030 (**NSDP**). The Mandate of the ETDP SETA is to promote and facilitate the development and improvement of the skills profile of the sector's workforce in order to benefit employers and employees in the ETD sector.

The ETDP SETA reserves the right not to award the RFQ.

2. PURPOSE

2.1. Overview and Background

The purpose of the project is to ensure that ETDP SETA comply with Occupational Health and Safety (OHS) Act 85 of 1993 by appointing a training service provider to train twenty (**20**) OHS representatives to be well equipped to execute their duties of maintaining a conducive working environment.

3. PROFILE OF THE SERVICE PROVIDER AND REQUIREMENTS

3.1. TRACK RECORD OF TRAINING IN THE OHS Act 85 of 1993

The Training Provider must display training experience on the topic of OHS Act 85 of 1993.

3.2. FUNCTIONAL RESOURCES

The Training Provider should provide:

- 3.2.1. Resource packs in both hard and soft copy to be provided to the 20 ETDP SETA OHS committee members on the day of training
- 3.2.2. The training must be offered for the face-to-face delivery methodology and should include practical activities
- 3.2.3. Qualified Facilitator
- 3.2.4. Certificates to be issued to all attendees to enable ETDP SETA to use the trainees as OHS representatives.

3.3. Your proposal should contain:

- 3.3.1. List of organisations where training on OHS Act 85 of 1993 had been conducted in the past five (5) years,
- 3.3.2. Reference Letters from the organisations
- 3.3.3. CV of key individuals, tailored to the assignment (facilitator)
- 3.3.4. Outline of the roles and responsibilities of the facilitator
- 3.3.5. A short description of your understanding of the role of the Training Provider and the approach to be used as outlined in these Terms of Reference

3.4. Requirements

- 3.4.1. At least 5 years' experience and expertise in training on the topics of OHS Act 85 of 1993.
- 3.4.2. Strong interpersonal skills; results-oriented and -focused; ability to interact with OHS representatives in topics of OHS Act.
- 3.4.3. Ability to communicate well in written and oral form in English.

4. SCOPE OF WORK AND DELIVERABLES

4.1. The service provider will provide Training to the ETDP SETA OHS committee on the following area:

- Occupational health and safety Act 85 of 1993

4.2. Training/projects requirements

- The training duration must be a minimum of one (1) day and a maximum of (2) days.
- Service provider must certify ETDP SETA OHS representatives or attendees after completion.
- Service provider must issue an attendance certificate to the ETDP SETA officials attending the training no later than 30 days after the completion.
- Certificates issued must include duration of their validation.
- The Service provider must provide catering for the trainees for the duration of the training (breakfast and lunch).
- The trainings to be held at ETDP SETA Head Office in Johannesburg.

4.3. Occupational health and safety training

The training must include but not limited to the following contents:

- Explaining and understanding of Occupational Health and Safety Act 85 of 1993
- General duties of employer (section 8).
- General duties of employees (section 14).
- Health and Safety representatives (section 17).

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- Function of health and safety representatives (section 18).
- Health and safety committee (section 20).

4.4. Objective:

- The objective of the training is to ensure that ETDP SETA OHS committee members are well informed of their duties as OHS representative.

4.4.1. Outcomes:

- To comply with OHS Act 85 of 1993.
- To officially appoint OHS representatives as stated by the Act 85 of 1993.
- Enable committee members to execute their OHS Act duties as stated in the Act 85 of 1993.

4.4.2. Deliverables:

- Attendance Certificates for OHS Act training.

5. COSTING MODEL (PRICE SCHEDULE)

COST COMPARISON FOR THE EVALUATION OF THE ETDP SETA TRAINING OF OHS COMMITTEE.

THIS COSTING MODEL MUST NOT BE MODIFIED AT ALL AND IF RETYPED ALL LINE ITEMS IN ORDER AS STATED BELOW TO BE INCLUDED.

Name of Organisation:				
ITEM DESCRIPTION	Hourly VAT	Rate Inc	Total Fee per day Inc VAT	Total Cost (Inc VAT)
Training Material; <ul style="list-style-type: none"> Manuals soft copy and hard copy if necessary Provider to use their own learning material that is interactive and not just PowerPoint presentations 				
Facilitation of course				
Certificates				
OHS Training act training				
Catering <i>(Breakfast & Lunch)</i>				
SUB-TOTAL				
VAT @ 15% (If applicable)				
TOTAL COSTS VAT INCL				
			<div style="border-top: 1px solid black; height: 40px; margin-top: 20px;"></div> <div style="text-align: right; margin-top: 5px;"> <i>Signature of Bidder</i> </div>	

All pricing shall be in South African Rand (ZAR). All project milestones with costing should be listed on the pricing schedule.

6. DURATION OF THE AGREEMENT

- The total duration the training project must be a minimum of **one (1) day** and a maximum of **two (2) days**.
- The dates/days to conduct the training will be agreed upon once appointment have been successfully made.

7. EVALUATION CRITERIA

THE ETDP SETA applies the provisions of the **PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, ACT NO 5 OF 2000** and **Preferential Procurement Regulations, 2017**. The evaluation will be guided by ETDP SETA procurement policy.

Folder A (USB) must have documents for Stage 1 and Stage 2.

7.1. STAGE 1 [Folder A (USB)]

Bidders will be evaluated on the submission of the requested mandatory documents. Fully completed and signed forms with witnesses' signature must be submitted and all applicable boxes be ticked.

7.1.1. MANDATORY DOCUMENTS TO BE SUBMITTED IN ORDER TO BE ELIGIBLE FOR EVALUATION

1. Profile of the Organisation
2. Declaration of Interest – **SBD 4 (New)**
3. The course/training must have at least 5 CPD points credit
4. **Valid registration with the following OHS professional bodies**
 - South African Institute of Occupational Safety and Health (SAIOSH)
 - The Institution of Occupational Safety and Health (IOSH)

NB: Failure to complete fully and submit any of the above-requested mandatory documents will lead to disqualification.

7.2. STAGE 2 [Folder A (USB)]

The evaluation of this bid shall include functionality whereby the bids will be evaluated in terms of the evaluation criteria embodied in the bid documents.

- 7.2.1.1. The minimum qualifying score for functionality will be **70 points** and bids that fail to achieve the minimum qualifying score will be disqualified.

7.2.1.2. Only bids that achieved the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 (as stated in Evaluation Criteria on page 6 A and B) preference point systems prescribed in Preferential Procurement Regulations 5 and 6.

The evaluation criteria for functionality will be as below:

NO	QUALIFYING CRITERIA FOR SHORT LISTING	POINTS
1.	<p>Relevant, demonstrated experience and capacity of firm; bidders should provide at least three references. (Reference letters in relation to training facilitation experience in OHS Act related trainings)</p> <p>1.1. Reference letters signed and in the clients' letterheads: 10</p> <ul style="list-style-type: none"> three (3) or more references = 10 points two (2) references = 8 points One (1) reference = 3 points <p>1.2. Experience of the company: 10</p> <ul style="list-style-type: none"> 5 years and above = 10 3- 4 years = 8 1 -2 years = 3 Below 1 = 0 <p>*[Each reference must clearly indicate;</p> <ul style="list-style-type: none"> the name of the bidder and the project objectives of the project (nature of the project) duration of the project recommendation and contact details of the referee as well as proof of completed project(s) and must be signed. <p>NB: If any of the above information is omitted/missing, will lead to the reference letter(s) not allocated points</p>	20
2.	<p>Facilitator (s) experience: demonstrated expertise of key individuals to be involved in this project (Attached CVs)</p> <p>2.1. Relevant experience of the Facilitator in training on similar topic related to OHS Act 85 of 1993 training (15)</p> <ul style="list-style-type: none"> 5 Years Plus = 40 3- 4 Years = 30 1- 2 Years = 15 Below 1 = 0 	40
3.	<p>Facilitator (s)' qualifications:</p> <p>3.1. detailed CV and copies of qualifications in OHS to be provided. Facilitators should be qualified in any of the following:</p> <ul style="list-style-type: none"> Safety Management NQF 5 or higher Environmental management NQF 5 or higher Construction management NQF 5 or higher Occupational health practice NQF 5 or higher <p>3.2 any of the above-mentioned qualification met = 40</p> <p>3.3 none of the above-mentioned qualification met = 0</p>	40
TOTAL		100

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Bidders must provide documents to justify awarding the above points, and such proof should include details of contactable references to validate the information submitted.

Points will be awarded on a sliding scale only where indicated.

Please take note of the value and scoring point system of your bid

7.3. STAGE 3 [Folder B (USB)]

PRICING SCHEDULE DOCUMENTS

- a. Costing Model (**Price must be final, include VAT and signed**)
- b. Submit a "Unique security personal identification number (PIN) issued by SARS" which the SETA will use to verify the bidder's tax matters prior to the award
- c. Invitation to Bid - **SBD1**
- d. Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2017 - **SBD 6.1 (If claiming preferential points)**
- e. B-BBEE certificate or sworn affidavit (**If claiming preferential points**) *Should the bidder submit both the certificate and sworn affidavit with different B-BBEE levels, the bidder will not be awarded points*

80/20 preference point system shall be applicable as follows:

- | | |
|--------------------------------------|-----------|
| ✓ Price | 80 |
| ✓ B-BBEE status level of contributor | 20 |

In order to facilitate a transparent selection process that allows equal opportunity to all service providers, the ETDP SETA will adhere to its policy on the appointment of service providers.

8. BID CONDITIONS

The ETDP SETA Supply Chain Management Policy will apply:

1. ETDP SETA does not bind itself to appoint a bidder with the highest points.
2. ETDP SETA reserves the right to negotiate the bidder's price.
3. ETDP SETA reserve the right to cancel the bid and not award the bid to any of the bidders.
4. Bids which are late, incomplete, unsigned or submitted by facsimile will **NOT** be accepted.
5. Bidders with a **turnover above R 10 million** must submit a valid certified B-BBEE Verification Certificate from **SANAS Accredited Verification Agency** in order to be eligible for empowerment points.
6. An Exempted Micro Enterprise (EME) is only required to submit a sworn affidavit, or a Certificate issued by Companies and Intellectual Property Commission (CIPC) confirming their annual turnover of R 10 million or less and level of black ownership to claim points.
7. A Qualifying Small Enterprise (QSE) is required to submit a sworn affidavit confirming their **annual total revenue of between R 10 million and R 50 million and level of black ownership** or a B-BBEE level verification certificate to claim points as prescribed.
8. **B-BBEE Certificates obtained from Accountants/ Auditors after 31 December 2016 will no longer be accepted.**
9. Companies who bid as a joint venture must submit a **consolidated B-BBEE Verification certificate prepared for this bid only**, from **SANAS Accredited Verification Agency** in order to be eligible for empowerment points. Companies who form part of this joint venture **MUST** have an accreditation certificate with relevant authority as stated in Mandatory documents.
10. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor, sworn affidavit or a B-BBEE Certificate, together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
11. Bids submitted are to hold good for a period of 90 days.
12. Deregistered and blacklisted companies including directors/owners/individuals linked to the company will not be considered. Due diligence will be conducted with successful bidders to validate submitted information.
13. All suppliers must be registered on the **Central Supplier Database**. No bid will be awarded to any supplier by ETDP SETA that is not registered on the Central Supplier.
14. Companies that are in the process of **de-registration in the CIPC** will not be considered.
15. Service Provider must provide proof of Public Liability Insurance.
16. The successful research chair **must** sign the penalty and termination clause as part of the agreement with ETDP SETA.
17. The preference point system is applicable to price quotations with a Rand value equal to, or above **R 30 000.00** and up to a Rand value of **R 1 000 000.00 (all applicable taxes included)**

9. BID DOCUMENTS / PROPOSAL PACKS

Bid documents for participation can be downloaded from the ETDP SETA website: www.etdpseta.org.za , Main Menu > Supply Chain Management > Procurement > Request for Quotations as from 12h00 on **10 January 2023.**

All Bids/Proposals (**completed in [1x Electronic copy (USB)] ONLY**) must be **courier or hand delivered to:**

The ETDP SETA – Head Office
ETDP SETA House
2-6 New Street
Ghandi Square
Johannesburg South - CBD
2091

OR

Sent via email to TienieJ@etdpseta.org.za or etdpsetarfq@etdpseta.org.za

Submissions can be delivered into the tender box between **08h00 and 16h30 Monday to Friday BEFORE** the closing date and time of **11h00am on 23 January 2023.**

No late submission will be accepted!

10. CLOSING DATE

All Proposals should reach the ETDP SETA Offices on or before **11h00 on 23 January 2023.**

11. CONTACT PERSON

NO telephonic or any other form of communication relating to this bid will be permitted with any other ETDPSETA member of staff either by Bidders (as collective bidding team or individual of the bidding team), representative of Bidders, associates of Bidders, shareholders of Bidders, other than with the named individual stated below. ANY MEANS OF ATTEMPTING TO INFLUENCE THE ADJUDICATION PROCESS OR OUTCOMES OF THE ADJUDICATION PROCESS WILL RESULT IN IMMEDIATE DISQUALIFICATION OF THE ENTIRE BID. All enquiries regarding this bid must be in writing only and be directed to:

Supply Chain Management HoD: Email: TienieJ@etdpseta.org.za or SibusisoK@etdpseta.org.za

Note: Blacklisted companies appearing on the National Treasury database and prohibited from conducting business with public entities, will be disqualified.