



TERMS OF REFERENCE

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A TEN-YEAR REVIEW OF
KZNFILM PERFORMANCE**

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1. BACKGROUND INFORMATION

1.1. Abbreviation, Acronyms and Definitions

TOR Terms of Reference

KZNFC KwaZulu-Natal Film Commission

KZN Province of KwaZulu-Natal

SP Service Provider

SCM Supply Chain Management

CEO Chief Executive Officer

CFO Chief Financial Officer

PFMA Public Finance Management Act, 1999 (Act No 29 of 1999) as amended

B-BBEE Broad-Based Black Economic Empowerment

SLA Service Level Agreement

PPPFA Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000) as amended



1.2. Background

The KwaZulu-Natal Film Commission (KZNFilm) was established in terms of the KwaZulu-Natal Film Commission Act, of 2010. The primary objectives of the KZNFilm are to promote the film industry in the province and to facilitate the development of the film sector in the region.

In 2023-4 the financial year, KwaZulu-Natal Film Commission would be marking ten years since it began its operations. This is a milestone that the entity seeks to measure and reflect on the lessons learnt throughout this journey.

1.3. Purpose of the Terms of Reference

The purpose of the TOR is to call for a suitable service provider to conduct a ten-year review of KZNFilm's performance. A suitable service provider must have expertise in reviewing strategic plans, annual performance plans and operational plans.

2. CONTRACT OBJECTIVES, SCOPE OF WORK AND DELIVERABLES

2.1. Introduction

The KZNFC seeks to appoint a suitable service provider with extensive knowledge and expertise in reviewing the organisation's performances, through the utilization of performance reports, particularly reports that are used in the public sector (e.g. Strategic Plans, Annual Performance Plans, Operational Plans).

The review process will entail assessing and analysing the entity's performance in the last ten years, highlighting achievements and challenges encountered and providing recommendations.

2.2. The overall objectives of the contract

The key objectives of this study are as follows:

- to conduct a performance assessment and evaluation of each programme undertaken in the last ten years, through an analysis based on evaluation principles



such as; efficiency, effectiveness, coherence, stakeholders, sustainability and impact,

- to highlight the achievements and challenges encountered for each programme,
- to highlight the impact that each programme made on the industry at large. This could be an economic or social contribution either to the industry or to the entity.
- to analyse the business models that were adopted during the financial years and evaluate whether there are still relevant to the current needs.
- to analyse the impact of the business models and their contribution/alignment to the national industry or to the global industries.
- to evaluate the partnerships at different levels during this period and identify challenges encountered and success achieved.
- broadly identify challenges faced by the industry at large during this period.
- recommendations or interventions for industry growth taking into account the lessons learnt.

The final report must be suitable for print, with an appropriate layout and design

The Bidder's proposal should effectively and adequately, without ambiguity demonstrate how it is able to provide these services to the KZN Film. The proposal must demonstrate as a minimum the criteria against which the proposal will be assessed as contained in **Annexure B**.

3. THE SERVICE PROVIDER

The service provider must demonstrate that he/she can undertake services of this nature and understands the current legislative environment and policy priorities, within the context of the film industry.

The team must have the relevant experience and preference will be given to a service provider who has an understanding of the film sector. A detailed CV must be provided.

4. TIME FRAMES

The service provider is expected to deliver all the objectives **within 3 months** of the signing of the SLA.



5. REPORTING

The service provider will be directly accountable to **Dr N. Bhebhe**

6. QUOTATION REQUIREMENT

6.1. Standard quotation documentation

All bidders are required to complete the Standard Quotations Documentation attached.

6.2. Project Proposal

Bidders will be required to submit both **technical** and **financial** proposals.

6.3. Technical proposal

The technical proposal should comprise the following elements:

- Understanding of the assignment and scope of work
- Experience in reviewing organisation performance, particularly organisations that use the public sector planning framework.
- Demonstration of how the project will be executed (Approach, Methodology)
- The team must have a member who is an expert in strategy/organisation performance review. The expert must include the contact details of the references.
- A detailed profile and CV are to be provided in the required format (refer to the attachment). The proposed individual must also sign statements of availability (refer to the attachment).
- Relevant qualifications and experience must be outlined for key team members as per the requirement in the grid.



6.4. Financial proposal

The budget breakdown must include:

- Detailed hourly rates for the services to be rendered including the hours for each key deliverable or phase;
- The incidental and disbursement costs (including travel, stationery, etc) (including outsourced or in-sourced costs not covered by the key expert fee days) per output.

7. EVALUATION CRITERIA

Specific Goals will be applicable to this Quotation process.

The bid for the appointment of each service provider will be evaluated on mandatory requirements, functionality, preference point system and specific goals in accordance with the Preferential Procurement Regulation 2022

Mandatory Requirement (disqualifying requirement)

N/A

Evaluation on Functionality

The service provider must score a minimum of 65 % in order to be evaluated further for price and preference points. **Refer to Annexure B** below, for the information that must be provided and supported with documentation in order for the bid proposal to be evaluated and scored on Functionality

Price and Preference

The 80/20 preference points system will be applicable for the evaluation of this process in accordance with the Preferential Procurement Regulations 2022

APPLICATION OF PREFERENCE POINT SYSTEM AND SPECIFIC GOALS:

The 80/20 preference points system will be applicable for the evaluation of this process in accordance with the Preferential Procurement Regulations 2022.



	Specific Goals
Price	80
Ownership Goals	
At least 51% of Blacks Africans, Indians or Coloreds owned companies.	20
Total	100

Kindly Refer to Table 1 of SBD 6.1 of the Preference Claim Form to claim Points.

Verification of Specific Goals:

1. **Ownership verification** will be conducted through the submission of the Sworn Affidavit or BBBEE Certificate with a summary.

Failure on the part of a tenderer to submit proof or documentation required in terms of this Quotation to claim points for specific goals with the tender will be interpreted to mean that preference points for specific goals are not claimed.

The organ of state reserves the right to require a tenderer, either before a Quotation is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

All quotations with all the required documentation are to be forwarded to scmquotes@kznfilm.co.za and enquiries related to SCM are to be forwarded to scm@kznfilm.co.za

8. NON-APPOINTMENT

The KZNFilm reserves its rights either **NOT** to make an appointment and/or appoint the bidder with the lowest price. The KZNFilm also reserves its right to negotiate the final price of those bids which are deemed technically compliant.

For Technical Enquiries Contact: Dr N Bhebhe

email: nggabuthob@kznfilm.co.za



List of annexures:

- Annexure A: Statement of Availability
- Annexure B: Evaluation Grid for Functionality



ANNEXURE A: STATEMENT OF AVAILABILITY

BID REF: _____

I, the undersigned, hereby declare that I agree to participate exclusively with the tender _____ in the above-mentioned service tender procedure. I further declare that I am able and willing to work for the period(s) foreseen for the position for which my CV has been included.

From	To
<start of period 1>	<end of period 1>
<start of period 2>	<end of period 2>
<etc>	

Name	
Signature	
Date	



ANNEXURE B - EVALUATION GRID FOR FUNCTIONALITY

To be completed for each bid by each evaluator

Name of project: FILM SECTOR SUPPORT IN KZN	Score	Weight	Total Score	Initial assessment	Revised assessment (before interviews*)	Revised assessment after interviews*
Section 1 – Approach, Organisation and Methodology						
Understanding of the scope of the study; provide a detailed research design and methodology that would be followed to execute the study	20					
Section 2						
Experience in undertaking strategic reviews of departments/entities. Provide a list of organisations reviewed and reports produced. 5 or more departments/organisations = 15 3-4 departments/ organisation =10	20					
Experience in writing strategic review reports. 5 or more reports produced = 15 3-4 reports produced =10	20					
As part of the team, a member with relevant academic qualifications in public administration. PhD = 20 MA or Equivalent = 15	20					
As part of the team, a member with relevant academic qualifications in statistics, economics or monitoring and evaluation.	20					



Name of project: FILM SECTOR SUPPORT IN KZN	Score	Weight	Total Score	Initial assessment	Revised assessment (before interviews*)	Revised assessment after interviews*
PhD = 20						
MA or Equivalent = 15						
Bachelors =10						
Total Score	100		100			

- Before the appointment the Business Unit might request any reports referred to in the grid for verification

Minimum Required Score = 65%

Evaluator Summary Comments

Strengths	
Weaknesses	

Evaluation performed by:

Name	
Date	
Signature	