



Office of the Commissioner: Border Management Authority
1035 Francis Baard Street, Tshedimosetso House
012 432 6629

TERMS OF REFERENCE

The successful service providers will provide the following services:

The scope of the assignment is to compile the quarter Three and Annual BMA FY 2023/2024 financial statements.

Key deliverables for the project are outlined as follows:

- CaseWare compiled Annual Financial Statements (AFS) that can be fully tied back to the final 31 March 2024 Trial Balances of the BMA.
- Access to the CaseWare files by the BMA Finance team.
- Disclosure in accordance with, and in compliance with, Generally Recognised Accounting Practices ("GRAP") National Treasury reporting Framework and the Public Finance Management Act, 1999 (Act 1 of 1999) as amended by Act 29 of 1999.
- Ensure adherence to the requirements of the Public Finance Management Act (PFMA), 1999, as amended, with specific reference to relevant disclosures as well as deadlines legislated for submission of the Annual Financial Statements.
- Ensure that the AFS are free from material errors or omissions in terms of GRAP and PFMA-required disclosures.
- Ensure disclosure of National Treasury Instruction notes are appropriately incorporated, including, but not limited to:
 - ✓ National Treasury issued Instruction No. 4: PFMA Compliance and Reporting Framework of 2022-23 in terms of sections 76(1)(b), (e) and (f), 2(e) and (4)(a) and (c) of the PFMA, which came into effect on 3 January 2023. The PFMA Compliance and Reporting Framework also addresses the disclosure of unauthorized expenditure, irregular expenditure, and fruitless and wasteful expenditure.
- Review of the financial records/transactions, preparation of reconciliation not in place, and assistance with adjustment journals to ensure accuracy/correctness of Trial Balance figures.
- Review of the asset register to ensure accuracy and completeness. Service providers will have an obligation to advise the BMA on any gaps/discrepancies identified in the Asset Register that can lead to a qualification.

- Maintain proper documentation of accounting policies, procedures, and rationale for accounting treatments for all items disclosed in the AFS.
- Assist with complex calculations to ensure transactions are accounted for and disclosed accurately and in accordance with GRAP requirements. This may include but is not limited to the accounting for transfer of assets between transferring Departments and BMA.
- Detailed skills transfer program for the purpose of skills transfer to BMA officials who will be seconded to this project.
- Communicate effectively and promptly with BMA throughout the compilation process and have weekly progress meetings to discuss any issues as they arise.
- The quarter Three Financial Statements must be ready by 31 March 2024 for review by the Internal auditors and the Audit and Risk Committee (ARC). The quarterly Financial Statements must be free from any material misstatements.
- The Annual Financial Statements must be ready by May 2024 for review by ARC and approval by the Commissioner before submission to the AGSA towards the end of May 2024. The final approved AFS must be submitted by early July 2024 for approval by the Commissioner before final submission which is the end of July 2024. The exact dates will be agreed upon during contracting. The first draft of AFS must be free from any material misstatements that may negatively impact the audit opinion.
- The project is estimated to start in February 2024 and to be concluded at the end August 2024.

KEY DELIVERABLES AND TIME FRAMES

The following deliverables and milestones are not negotiable. This assumes that the service provider would have been appointed by 15 February 2024.

	Output	Timeline
Deliverable 1	Quarter Three Financial Statements	31 March 2024
Deliverable 2	Annual Financial Statements	15 May 2024

The Border Management Authority reserves the right to conduct a security check or clearance on any or all prospective service providers.

LOGISTICS REQUIREMENTS

- Travelling and accommodation costs for the service providers and/or staff (if necessary) during the project will be the expense of the service provider.

CONFIDENTIALITY OF INFORMATION

All information shared during this bidding process and implementation of this project should the service provider be appointed, remains the property of BMA, and should be kept with the highest confidentiality and cannot be used or shared for any other purpose.

REMUNERATION

- The service provider will be remunerated in South African Rands, on a fixed price (Inclusive of VAT) for the service rendered.
- Payment will be made within 30 days of receipt of the approved invoice according to an agreed payment schedule.
- Payment will be against the key deliverables as set out in section 4 above, provided professional-level quality standards have been met. Disputes as to what constitutes a reasonable standard will be referred to an agreed provider of arbitration services.
- Disbursements must not exceed 10% of the total amount paid to the service provider and will be paid only if original receipts are provided against a list of expenses that are agreed in advance of the costs being incurred.

THE BORDER MANAGEMENT AUTHORITY'S MANAGEMENT OF THE SERVICE PROVIDER

The successful service provider will be reporting to BMA management through the office of the Chief Financial Officer (CFO), Ms Zamachonco Nqobile Chonco.

The service provider will be required to sign a Non-Disclosure Agreement; which agreement will remain in force after the termination of the Service Level Agreement.

The service provider will further be required to sign a confidentiality agreement.

RULES OF BIDDING, RFP SUBMISSION REQUIREMENTS AND EVALUATION

RULES OF BIDDING

The Border Management Authority reserves to itself the right to only appoint and enter into a contractual agreement with one entity or multiple entities for the services required, which entity or entities could be an independent contractor or independent contractors or a company or companies. The appointed entity or entities will be held fully accountable for the delivery against the full terms of the contractual agreement with the BMA.

The Border Management Authority reserves the right to terminate this appointment or temporarily defer the work, or any part thereof, should it deem necessary. Should the contract between the BMA and the service provider be terminated by either party due to reasons not attributable to the service provider, the service provider will be remunerated for the appropriate portion of work completed up to a maximum amount of not more than the total fee quoted by the service provider for the appropriate phase of the project during which the appointment was terminated.

The person or persons proposed for professional work shall remain on the team unless permission is granted by the Border Management Authority to change the individual or individuals. Such permission will only be granted in exceptional circumstances.

No data derived from the provision of the services under the contract may be used for any purposes except where authorised in writing to do so.

The costs of preparing proposals and negotiating the contract shall be borne by the service provider and such costs are not reimbursable. The Border Management Authority is not bound to accept any of the proposals submitted and reserves the right to negotiate price(s) with the preferred service provider. The service provider may request clarification on these Terms of Reference only during the advertised period. The Border Management Authority will not accept any late submissions.

All proposals must be submitted through e-submission via e-tender portal before 11h00. Late proposals will not be accepted.

THE EVALUATION WILL BE EVALUATED AS FOLLOWS:

Administrative Compliance

Suppliers must ensure that the following documents are attached, signed, and completed:

- (i) Technical and Price Proposal;
- (ii) SBD 1: Invitation to quote/bid
- (iii) SBD 4 form: Bidders Disclosure
- (iv) SBD 6.1 form: Preference Points claim form in terms of the Preferential Procurement Regulation 2022; (Note to tenderers: the tenderer must indicate how they claim for each preference point system).
- (v) Ownership Certificates issued by the Companies and Intellectual Property Commission (CIPC).
- (vi) Tax compliance status pin issued by SARS.
- (vii) Prospective bidders are required to attach the proof that they are registered on the central supplier database (CSD), starting with MAAA.... Number.

MINIMUM MANDATORY REQUIREMENT.

- The team leader of the project must be a Chartered Accountant (CA) registered with the South African Institute of Chartered Accountants (SAICA) and have 10 years' experience in the preparation of Financial Statements. **Attach qualification certificates, comprehensive contactable CV and proof of registration.**
- Three (3) team members must be registered with applicable professional bodies and have the minimum Honours Degree or postgraduate qualification in Commerce majoring in:
 - ✓ Accounting, Auditing/finance or equivalent, coupled with a minimum of five (5) practical experience in preparing Annual Financial Statements. **Attach qualification certificates, comprehensive contactable CV and proof of registration.**
- The bidder must have experience and knowledge of preparing and reviewing GRAP-compliant AFS in the public sector for a minimum of five (5) projects. **Attach five (5) appointment letters and five (5) Reference letters indicating the project was successfully completed from the client.**
- Bidder must provide a copy of previous GRAP-compliant AFS completed in the previous similar project.

- Bidders must attach certified copies of qualifications (certified copies must not be older than three (3) months, and a clear date stamp is required). Uncertified qualification certificates will not be accepted.
- Bidder must provide proof of valid and active CaseWare license.
- Bidder must submit detailed AFS project plan that meets the standard PMBOK process inclusive of Gantt chart.

N.B. The BMA may request the last three (3) years' audited financial statements assessing the financial health of the bidder.