



Special Conditions of Contract

NT007-2025

APPOINTMENT FOR A PANEL OF SERVICE PROVIDERS FOR A PERIOD OF THREE YEARS TO ASSIST THE MUNICIPAL FINANCIAL RECOVERY SERVICES UNIT WITH THE PREPARATION OF FINANCIAL RECOVERY PLANS AS AND WHEN REQUIRED

CLOSING DATE: 04 JULY 2025 AT 11:00 AM

VALIDITY PERIOD: 90 DAYS

S U P P L Y C H A I N M A N A G E M E N T

A LEGISLATIVE AND REGULATORY FRAMEWORK

This bid and all contracts will be subject to the General Conditions of Contract issued in accordance with of the Treasury Regulations 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999), Preferential Procurement Policy Framework Act (PPPFA), NT SCM policy and any other applicable legislation. The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are against the General Conditions of Contract, the Special Conditions of Contract takes precedence.

B. EVALUATION PROCESS AND CRITERIA

1. EVALUATION PROCESS

- 1.1. All bids will be evaluated in terms of functionality and preference point system which comprises of the following:

1.1.1 Phase 1A: Initial screening process

- a) In terms of National Treasury Instruction No. 4A of 2016/2017 regarding the National Central Supplier Database (CSD), all bidders must register on the CSD to provide the following information to be verified through the CSD:

- Business registration, including details of directorship and membership.
- Bank Account holder information.
- In the service of the State status.
- Tax compliance status.
- Identity number.
- Tender default and restriction status; and
- Any additional and supplementary verification information communicated by National Treasury.

- b) **Administrative compliance**

Duly completed and signed.

- Invitation to bid – SBD 1
- Pricing schedule SBD 3.3
- Declaration of interest–SBD 4
- Preference Point Claim Form – SBD 6.1
- Provide ID copies for all managing Directors.
- CIPC

1.1.2 Phase 1B: Functionality evaluation as per attached Terms of Reference

- Bids will be evaluated strictly according to the bid evaluation criteria stipulated in the terms of reference.
- Bidders must, as part of their bid documents, submit supportive documentation for all technical requirements as indicated hereunder. The panel responsible for scoring the respective bids will evaluate and score all bids based on their submissions and the information provided.
- Bidders will not rate themselves but need to ensure that all information is supplied as required. The Bid Evaluation Committee (BEC) will evaluate and score all responsive bids and will verify all documents submitted by the bidders.
- The panel members will individually evaluate the responses received against the following criteria as set out below:
- Individual value scores will be multiplied with the specified weighting for the criterion to obtain the marks scored for all elements. These marks will be added and expressed as a fraction of the best possible score for all criteria.
- The technical proposal will be scored out of 100 points, with a minimum threshold of 60% required. Bidders that do not meet the minimum functionality threshold of 60% will not be consider for further evaluation. Bidders will be evaluated on the functionality evaluation criteria in a table below:

Table 1: Summary of functional/Technical Evaluation Criteria

No	Evaluation Criteria	Weights	Scoring Criteria
1	Project Manager/Director		
1.1	At least honours degree in financial management and/or public finance and/or business economics.	20	5= PhD (NQF 10) or higher 4= Masters degree (NQF 9) 3= Honours degree or Post Graduate Diploma (NQF 8) 2 = Bachelors' Degree/ Advance Diploma (NQF 7) 1 = National Diploma/(NQF6) or or less
1.2	At least minimum 8 years' management experience in local government or in the local government environment leading projects related to municipal turnaround, municipal recovery planning and financial management.	30	5 = 11 or more years relevant experience 4 = 9 to 10 years relevant experience 3 = 8 years relevant experience 2 = 5 to 7 years relevant experience 1= less than 4 years' experience

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1.3	At least minimum 5 years' experience in managing projects multi-stakeholder projects	20	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
1.4	At least minimum 8 years' experience at management level leading projects related to municipal turnaround, municipal interventions, or municipal recovery processes	30	5 = 11 or more years relevant experience 4 = 9 to 10 years relevant experience 3 = 8 years relevant experience 2 = 5 to 7 years relevant experience 1= less than 4 years' experience
	Total	100	
	Minimum Threshold	60	
2	Municipal Finance/Financial Management Expert		
2.1	Bachelor's degree in financial management and/or public/municipal finance and/or accounting or relevant field	20	5= Masters degree (NQF 9) or higher 4=Honours degree or Post Graduate Diploma (NQF 8) 3 = Bachelors' Degree/ Advance Diploma (NQF 7) 2 = National Diploma/(NQF6) 1= Matric or less
2.2	At least minimum 5 years' management experience at local government or within the local government environment	20	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
2.3	At least minimum 5 years' management experience in municipal financial management, municipal finance operations in particular budgeting, revenue and expenditure management, supply chain management, municipal financial position and performance improvement initiatives.	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
2.4	At least 5 years' management experience in financial recovery	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience

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	strategies / financial turnaround at local government level		3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1 = less than 2 years' experience
	Total	100	
	Minimum Threshold	60	
3	Governance and Legal Services Expert		
3.1	At least a Bachelor's Degree in Law / B Proc or any other Law related degree at bachelor's level	20	5= Masters degree (NQF 9) or higher 4=Honours degree or Post Graduate Diploma (NQF 8) 3 = Bachelors' Degree/ Advance Diploma (NQF 7) 2 = National Diploma/(NQF6) 1= Matric or less
3.2	At least minimum 5 years' management experience at local government or within the local government environment	20	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
3.3	At least minimum 5 years' experience in local municipal governance or legal services including but not limited to Oversight, policy development and / or policy analysis, development of standard operating procedures and policies, contract management, Contract management, Powers and Functions, Legislative compliance, by-laws development and enforcement, dealing with litigation and dispute resolution	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
3.4	At least minimum 5 years' experience in municipal turnaround or recovery strategies	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
	Total	100	
	Minimum Threshold	60	
4	Institutional/organizational design expert		

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4.1	At least minimum a Bachelor's degree in Organisational Development / Human Resources	20	5= Masters degree (NQF 9) or higher 4= Honours degree or Post Graduate Diploma (NQF 8) 3 = Bachelors' Degree/ Advance Diploma (NQF 7) 2 = National Diploma/(NQF6) 1= Matric or less
4.2	At least minimum 5 years' management experience at local government or within the local government environment	20	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
4.3	At least minimum 5 years' experience at municipal level in institutional or organizational restructuring, review and development of organisational structures, development of job descriptions and job grading, evaluating staff establishments, labour relations and human resource related matters.	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
4.4	At least minimum 5 years' experience in municipal turnaround or recovery strategies	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
	Total	100	
	Minimum Threshold	60	
5	Engineering Specialist		
5.1	At least a Bachelors Degree in Civil Engineering, Electrical Engineering, Built-environment, or other relevant qualification	20	5= Masters degree (NQF 9) or higher 4= Honours degree or Post Graduate Diploma (NQF 8) 3 = Bachelors' Degree/ Advance Diploma (NQF 7) 2 = National Diploma/(NQF6) 1= Matric or less
5.2	At least minimum 5 years' management experience	20	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience

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	at local government or within the local government environment		3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
5.3	At least minimum 5 years' experience in municipal infrastructure services, infrastructure projects, infrastructure planning and implementation, infrastructure masterplans, maintenance plans development, municipal service delivery standards development and asset management	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
5.4	At least 5 years' experience in municipal turnaround or recovery strategies	30	5 = 8 or more years relevant experience 4 = 6 to 7 years relevant experience 3 = 5 years relevant experience 2 = 3 to 4 years relevant experience 1= less than 2 years' experience
	Total	100	
	Minimum Threshold	60	

Each company must qualify for all 5 (five) disciplines per individual CV. Failure for a company to meet the set minimum threshold of 60% on any of the disciplines, the bid will be disqualified for further evaluation.

All resources across the 5 disciplines must provide and sign a letter of consent, commitment and availability for the preparation of the financial recovery plan which letters must be submitted together with the bid to be included in the panel. The letter must not be older than one month before submission of the bid.

All proposed resources must have in-depth working experience in South African municipalities.

All resources currently appointed as technical advisors in the Municipal Financial Recovery Service do not qualify to be included in the bid unless they resign from their current contract on awarding of these bids.

Any bid by a company owned (either through a shareholding or directorship) by a resource currently appointed by the Municipal Financial Recovery Service will be disqualified to eliminate conflict of interest. Government officials are also excluded from bidding for this project.

TERMS AND CONDITIONS

- Successful bidder(s) must be able to commence work as soon as the letter of appointment is issued.
- National Treasury reserves the right to screen and vet shortlisted service providers before

appointment.

- National Treasury reserves the right to terminate the contract if there is enough information for the termination of the contract.
- National Treasury reserves the right not to make any appointment(s).
- Work will be allocated to service providers on a rotational basis to promote fair and reasonable distribution. This rotational allocation will take into account the pricing submitted in response to each Request for Quotation (RFQ), the outcomes of any applicable price negotiations, and the service provider's performance.
- National Treasury reserves the right to communicate with the service providers pertaining to information submitted on the closing date and time.

2. EVALUATION CRITERIA

a) In terms of regulation 5 (1) of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 90/10-preference point for Specific goals in terms of which points are awarded to bidders on the basis of:

- The bid price (maximum 90 points)
- Specific goals (maximum 10 points)

b) The following formula will be used to calculate the points for price in respect of bidders with a Rand value above R50 000 000:

$$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration; and

P_{\min} = Price of lowest acceptable tender.

A maximum of 10 points may be awarded to a tenderer for the specific goals specified for the tender. The points scored for the specific goal must be added to the points scored.

for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

c. The State reserves the right to arrange contracts with more than one contractor.

2.1 PREFERENCE POINTS

The Preferential Procurement Regulations 2022 were gazetted on 4 November 2022 (No. 47452) with effect from 16 January 2023. The 90/10 preference points systems will be

applied in accordance with the formula and applicable points provided for in the respective status level contributor tables in the Regulations.

Note to organs of state: 90/10 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

Table 2: Specific Goals Criteria

#	Specific goals	Score	Required proof / documents to be submitted for evaluation purposes
1.	The company owned by Historically Disadvantaged Individuals (HDI) (Black). <ul style="list-style-type: none"> 100% company owned by people who are Black (HDI) = 10 points 75% - 99% company owned by people who are Black (HDI) = 8 points 60% - 74% company owned by people who are Black (HDI) = 6 points 51%- 59% company owned by people who are Black (HDI) = 3 point 0 - 50% company owned by people who are Black (HDI) = 0 point 	5 points	Proof of claim as declared on SBD 6.1 (one or more of the following will be used verifying the tenderer's status: <ul style="list-style-type: none"> Company Registration Certification/document (CIPC) Company Shareholders certificate Certified identification documentation of company director/s CSD report/ CSD registration number (MAAA number) B-BBEE Certificate of the tendering company. Consolidated B-BBEE certificated if the tendering company is a Consortium, Joint Venture, or Trust (Issued by verification agency accredited by the South African Accreditation System). Agreement for a Consortium, Joint Venture, or Trust
2.	The company owned by Women. <ul style="list-style-type: none"> 100% company owned by women = 5 points 75% - 99% company owned by women = 3 points 60% - 74% company owned by women = 2 point 51%- 59% company owned by women = 1 point 	5 points	

#	Specific goals	Score	Required proof / documents to be submitted for evaluation purposes
	<ul style="list-style-type: none"> 0 - 50% company owned by women = 0 point 		

***NB: Points will be allocated based on % ownership to the Company (main tendering entity). Please attach proof/ required documents.**

Failure on the part of a tenderer to submit proof or documentation required in terms of this tender 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 of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

- The points scored by a bidder in respect of points indicated above will be added to the points scored for price.
- Bidders are requested to complete the various specific goals forms in order to claim points.
- Only a bidder who has completed and signed the declaration part of the preference claim form will be considered for specific goals.
- The National Treasury may, before a bid is adjudicated or at any time, require a bidder to substantiate claims made with regard to their specific goals.
- Points scored will be rounded off to the nearest 2 decimals.
- In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for the bid. Should two or more bids be equal in all respects, the award shall be decided by drawing of lots.
- A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

3. MANDATORY REQUIREMENTS

3.1 An administrative evaluation will be carried out on all the bids received and if the under mentioned documentation is not signed and/or attached such a bid will be eliminated from any further evaluation.

- Proof of company registration on Central Supplier Database Registration (CSD).
- In the case of a Joint Venture, Consortium, Trust, or Partnership a Valid Tax Clearance Certificate and/or SARS issued pin code for both companies must be submitted (which will be verified)
- In the case of a Joint Venture, Consortium, Trust, or Partnership, a signed teaming agreement must be submitted.

- d) In the case of a Joint Venture, Consortium, Trust, or Partnership a Consolidated or for both companies Central Supplier Database Registration (CSD) or both companies CSD are required.
- e) CV's (**template provided ANNEXURE A**) must be signed by the proposed resource and not signed on behalf of the proposed resource. **Unsigned CVs and CVs submitted in a different template will not be considered.** It should be noted that no consideration will be made to any bidder, that has provided profiles for their resources, which are also provided by another competitor in this same bid, this is considered collusive tendering.
- f) Each company must qualify for all 5 (five) disciplines per individual CV. Failure for a company to meet the set minimum threshold of 60% on any of the disciplines will lead to disqualification.

FAILURE TO ADHERE TO THE CONDITIONS STATED ABOVE WILL LEAD TO DISQUALIFICATION

NOTE: Required Administrative Documents (Not for elimination)

- a) Proof of valid registration with Compensation for Occupational Injuries and Disaster (COIDA).
- b) Copies of qualifications of personnel should be certified within the last six (6) months and should submit their **highest qualification** only, and in a case of foreign qualifications it is the responsibility of the bidder to ensure **SAQA accreditation is confirmed** and submitted.
- c) Companies should limit the number of CVs to 3 per category, in the case where more than 3 CVs are submitted, only the first three will be evaluated.

4. TAX COMPLIANCE STATUS

Bids received from bidders with a non-compliant tax status may be disqualified with failure to update the Tax Status within 7 days.

5. VALUE ADDED TAX

All bid prices must be inclusive of 15% Value-Added Tax where applicable.

6. CLIENT BASE

- 6.1** National Treasury reserves the right to contact references during the evaluation and adjudication process to obtain information.

7. LEGAL IMPLICATIONS

Successful service providers will enter into a service level agreement with National Treasury

8. COMMUNICATION

National Treasury may communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by letter or electronic mail or any other form of correspondence to any government official, department or representative of a testing institution or a person acting in an advisory capacity for the National Treasury in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

9. SUBMISSION OF BIDS

9.1 ONLINE BID SUBMISSION

- 9.1.1 Bidders must submit their bids online through the e-Tender Publication portal.
- 9.1.2 Manual or hardcopy bids are **NOT** acceptable.
- 9.1.3 The online e-Tender publication portal can be accessed on the following link:
<https://www.etenders.gov.za/>
- 9.1.4 The link for online bid submission tutorial is attached as <https://youtu.be/B7pNseNJYHM>
- 9.1.5 Bidders must ensure that bids are uploaded onto the system by the stipulated date and time.
- 9.1.6 If a bid is late and or loaded incorrectly by the closing date, it will not be accepted and receive further consideration.
- 9.1.7 Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth, or the size of the number of uploads they are submitting. National Treasury will not be held liable for any challenges experienced by bidders as a result of their technical challenges. Please do not wait for the last hour to submit. Queries sent on the closing date will not be considered, queries should be sent at least a day before the closing date to prevent issues of not receiving assistance and National Treasury will not be held liable resulting in non-submission.
- 9.1.8 Bidders to adhere to all the rules for the online bid submission.

10. BRIEFING SESSION

A briefing session will be conducted using Microsoft Teams. To express your interest in joining the session, kindly register on the link provided or alternatively please send an email to NTAdministrativeTenders@treasury.gov.za. The meeting details are as follows:

Date: **20 June 2025**

Time: **10:00-11:00 South African Standard Time (SAST)**

Venue: **MS Teams**

Link: **Kindly refer to link on TOR, eTenders and NT website**

11. LATE BIDS

Bids received after the closing date and time will **NOT** be accepted for consideration.

12. COUNTER CONDITIONS

Bidders' attention is drawn to the fact that amendments to any of the Special Conditions by bidders will result in such bids being disqualified.

13. PROHIBITION OF RESTRICTIVE PRACTICES

- a. In terms of section 4(1) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder(s) is/ are or a contractor(s) was/were involved in:
 - directly or indirectly fixing a purchase or selling price or any other trading condition;
 - dividing markets by allocating customers, suppliers, territories or specific types of goods or services; or
 - collusive bidding.
- b. If a bidder(s) or contractor(s), in the judgment of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

14. FRONTING

The National Treasury supports the spirit of broad-based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Against this background the National Treasury condemns any form of fronting.

The National Treasury, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct, or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such an enquiry/investigation, the onus will be on the bidder /

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contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the National Treasury may have against the bidder/contractor concerned.

15. TIMEFRAMES AND FORMAL CONTRACT

Successful bidder(s) will enter into a formal contract with the National Treasury.

16.1 FUNCTIONALITY/TECHNICAL PROPOSAL

Bid No: **NT007-2025:**

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16.2 PRICE/ FINANCIAL PROPOSAL

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17. CONTACT DETAILS

For General enquiries: NTAdministrativeTenders@Treasury.gov.za