

PART A INVITATION TO BID

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|---|---|---------------|---|--|--|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE GOVERNMENT TECHNICAL ADVISORY CENTRE (GTAC) | | | | | |
| BID NUMBER: | GTAC 016-2023-24 | CLOSING DATE: | 13 OCTOBER 2023 | CLOSING TIME: | 11:00AM |
| DESCRIPTION | APPOINTMENT OF A PROFESSIONAL TEAM TO UNDERTAKE A BUSINESS CASE FOR THE ESTABLISHMENT OF THE PPP CENTRE OF EXCELLENCE | | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |
| GTAC TENDER BOX | | | | | |
| 240 MADIBA STREET (CORNER THABO SEHUME STREET AND MADIBA STREET), PRETORIA | | | | | |
| NATIONAL TREASURY BUILDING: GOVERNMENT TECHNICAL ADVISORY CENTRE (GTAC) | | | | | |
| GROUND FLOOR, RECEPTION AREA, GTAC TENDER BOX | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT PERSON | Lebakang Mogale | | CONTACT PERSON | Lebakang Mogale | |
| TELEPHONE NUMBER | 012 315 5280 | | TELEPHONE NUMBER | 012 315 5280 | |
| FACSIMILE NUMBER | - | | FACSIMILE NUMBER | - | |
| E-MAIL ADDRESS | psp@gtac.gov.za | | E-MAIL ADDRESS | psp@gtac.gov.za | |
| SUPPLIER INFORMATION | | | | | |
| NAME OF BIDDER | | | | | |
| POSTAL ADDRESS | | | | | |
| STREET ADDRESS | | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | | |
| CELLPHONE NUMBER | | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | | |
| E-MAIL ADDRESS | | | | | |
| VAT REGISTRATION NUMBER | | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE No: | MAAA |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? | | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW] |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | | | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW. | | | | | |

PART B

TERMS AND CONDITIONS FOR BIDDING

| |
|--|
| 1. BID SUBMISSION: |
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. |
| 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. |
| 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. |
| 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7). |
| 2. TAX COMPLIANCE REQUIREMENTS |
| 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. |
| 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. |
| 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. |
| 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. |
| 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. |
| 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. |
| 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE." |

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

TERMS OF REFERENCE

“APPOINTMENT OF A PROFESSIONAL TEAM TO UNDERTAKE A BUSINESS CASE FOR THE ESTABLISHMENT OF THE PPP CENTRE OF EXCELLENCE”

BACKGROUND INFORMATION

| | |
|------------------------------|---|
| Contracting authority | Government Technical Advisory Centre (GTAC), |
| Name of project | APPOINTMENT OF A PROFESSIONAL TEAM TO UNDERTAKE A BUSINESS CASE FOR THE ESTABLISHMENT OF THE PPP CENTRE OF EXCELLENCE |
| Budget Manager | Tumisang Moleke Head : PPP Unit Government Technical Advisory Centre (GTAC) |
| Purpose | To undertake a business case for the establishment of the PPP Centre of Excellence |

| | |
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1. INTRODUCTION

The South African Government through the National Treasury has recently collaborated with the World Bank on a Review of PPP's in South Africa. This review included desktop analysis and a detailed stakeholder engagement on PPP's in South Africa. The aim was to establish challenges in the Macro, regulatory, capacity and institutional issues that affected the decline of PPP investment in the recent period. A detailed report with findings and recommendations across several areas was concluded and submitted for approval by Government with National Treasury in leadership. This report will be made available to the appointed team.

One of the key recommendations of the review was the establishment of a Centre of Excellence (CoE) as a stand-alone entity to drive PPP's and to support infrastructure finance in South Africa. In addition, the National treasury and Minister of Finance have agreed to house the Infrastructure Fund in the CoE. The recommendation of the Review together with the decision on the Infrastructure Fund must proceed to feasibility and testing for implementation. The core grouping of the CoE will be the infrastructure teams within GTAC and the Infrastructure Fund.

The GTAC components comprise the PPP and Transaction Advisory team whose focus and mandate is to provide Technical Assistance and support to government entities undertaking PPP Transactions as well as Specialist Procurement Support to large infrastructure projects. The second component is the Capital Appraisal Unit whose task is to provide support to National Treasury and Government in evaluating large Infrastructure projects for economic viability and readiness. This unit also serve as the Secretariat for the Budget Facility for Infrastructure (BFI). The IF was established on 17 August 2020 in terms of a Memorandum of Agreement (IF-MoA) concluded amongst the Development Bank of Southern Africa (DBSA), National Treasury (NT), Department of Public Works and Infrastructure (DPWI) and Infrastructure South Africa (ISA).

In accordance with the Public Finance Management Act (PFMA) and the Department of Public Services and Administration (DPSA) prescripts a business case must be undertaken before any entity can be established.

2. PURPOSE

The purpose of these Terms of Reference is to seek a professional team to undertake a Business Case in compliance with PFMA and Public Service Acts for the establishment of a

CoE. The Government Technical Advisory Centre a Component of the National Treasury is tasked with managing this project and the appointed service provider will report to a Project Steering Committee comprising GTAC, National Treasury and the Infrastructure Fund.

3. SCOPE OF WORK

3.1. Approach

- a) The Service Provider will undertake an extensive independent investigation of realistic, economical and “no-regrets” options in relation to the permanent institutionalisation of the CoE. Options presented must consider predictability of legal form, expediency of process, retention of an arm’s length commercial model and retention of a ring-fenced cost recovery mechanism.
- b) In addition, the Service Provider must consider whether a public entity option is the only feasibility option for the institutionalisation of CoE and should also investigate other private or non-governmental options with reference to international best practice examples.
- c) The service Provider will be required to consult all relevant and applicable national development plans, policies and legislation (including as relevant to corporate law and governance as applicable to the public sector and companies in general) as well as available documentation prepared in consideration of institutionalisation options, since 2010. In addition, the service provider will be required to consult with the DPSA, NT, DBSA and the PPP Unit in GTAC. The Project Steering Committee will facilitate introductions and consultations as required.
- d) The service provider will consult with the Department of Public Service Administration (DPSA) and National Treasury, on the feasibility of public sector options, in line with the Public Financial Management Act (PFMA) and National Treasury/DPSA Guidance on Establishment of Public Entities, 2002.

3.2. Deliverables and Timelines

The assignment will be undertaken in three phases, the details of each phase are set out as per guidelines of both NT and DPSA as follows:

3.2.1. Phase 1: Options Mapping

The Service Provider will undertake an extensive mapping exercise and prepare a report of no longer than 30 pages outlining the rationale and recommended options for the permanent institutionalisation of the IPP Office, with referend to:

- a) Long-term mandate, within the energy sector or broader economic infrastructure sectors

- b) Legal form, including public, private or non-governmental option
- c) Financial sustainability and
- d) Governance and accountability of the CoE.

NB: The service provider will present the options Mapping Report and recommendations to the PSC, within 2 (two) months after the signing of the agreement and will only proceed to Phase 2 after instruction from the Project Steering Committee (PSC) to proceed.

3.2.2. Phase 2: Preparation of Detailed Business Case of Preferred Option

Following the instruction from the PSC, the service provider will draft and present a detailed business case in relation to the preferred option following, prescripts of applicable law and best practice. The business case shall include, but not necessarily be limited to:

- a) A strategic assessment of proposed services, functions and objects of the entity, and comparison with other institutionalisation options considered
- b) A feasibility assessment of the SOC option, considering financial viability, value for money, affordability and revenue
- c) A specification of minimum performance indicators
- d) An indication of Human Resource Management, work organisation, remuneration (in particular at CEO and Board member levels), and
- e) Recommendations on the appropriate delivery business model.

The service provider will present the business case to the PSC, within 4 (four) months after signing of the agreement.

3.2.3 Phase 3: Preparation of Founding Documents and Implementation Plan

Upon the approval of the Business Case of the preferred option, the Service Provider will prepare all founding documents (Memorandum of Incorporation, shareholders agreement and draft legislation – if applicable), as well as an implementation plan, as may be required.

NB: The service provider will present the draft Foundation Documents and an Implementation Plan to the PSC, within six (6) months after the signing of the agreement.

4. NECESSARY SERVICE PROVIDER SKILLS AND EXPERIENCE

The professional team will have both the skill and experience necessary to undertake the range of tasks set out in this term of reference. Every professional on the team must be personally available to do the work as and when required. The experts on the team will each be held accountable, in terms of the Service Provider contract, for ensuring project deliverables and for the professional conduct and integrity of the work.

The makeup of the Professional Team (all with the requisite skills and experience) is foreseen as including at least:

- a. Project Leader Expert (private sector investment in economic infrastructure);
- b. Human Resources Expert (sound knowledge of institutional and organisational development in the public and private sector);
- c. Finance Expert (financial analysis and business case development in the public and private sector)
- d. Legal Expert (corporate law skills in public entities and private companies)

In each case the Bidder must include a summary of the individuals who will be working in each skills category with CVs of such individuals and company profiles where relevant.

5. BID SUBMISSION REQUIREMENTS

Bidders should ensure that the following submission requirements are included in their bids:

5.1 Administration Compliance:

Bidders must submit all Standard Bidding Documents (SBD), as outlined below. SBD must be completed in full and duly signed where required.

- a) Duly completed and signed Standard Bidding Documents (SBD 1,3.3, 4, and 6.1).
- b) Central Supplier Database (CSD) number/report for verification of tax compliance status.

| Document to be submitted | Requirement | Non-submission may result in disqualification? |
|--|--|--|
| Hard copy proposal delivered to GTAC tender box before closing date and time | Delivery of a hard copy proposal before the closing date and time. | YES |

| Document to be submitted | Requirement | Non-submission may result in disqualification? |
|--|--|--|
| Invitation to bid – SBD 1 | Complete and sign the supplied pro forma document. | NO |
| Central Supplier Database (CSD) Registration Report or CSD Registration number or SARS Pin | Bidders must be registered the Central Database System and submit the Report as confirmation of registration at the closing date of the bid. | NO |
| Pricing Schedule-SBD 3.3 | Complete and sign the supplied pro forma document. | YES |
| Bidders Disclosure – SBD 4 | Complete and sign the supplied pro forma document. | YES |
| Preference Point Claim Form – SBD 6.1 | Complete and sign the supplied pro forma document. | NO |
| Two Envelope System | Technical and Price Proposal to be submitted separately | YES |

5.2 Mandatory Requirements

a) Bidders must be registered on Central Supplier Database (CSD) on closing date of the tender.

b) Submission of a technical proposal required Annexure (A, B &C);

c) Submission of a price proposal required Annexure D;

d) Submission of Specific Goal required Annexure E;

e) CVs of any one individual may only be submitted as part of one bid, GTAC reserve the right to confirm with the individual. Failure to adhere to this requirement will result in disqualification.

f) The bidder must provide expertise in all areas listed in the TOR (i.e. Project Leader, Legal, HR and Finance). Bidders are allowed to form a Partnership, Consortium or Joint Venture to make up the required team composition. Failure to adhere will result in disqualification.

g) Bidder representative (Director/Shareholder/Proposed Resource) must not be employed by the State.

h. Bidder's must submit the attached SBD 4 document. A bid will be disqualified if this disclosure is found not to be true and complete in every respect. The following definitions should be considered when completing the form:

- "Person" means a bidder or supplier or shareholder, director, trustee, partner, member of a bidder or supplier having the controlling interest in the bidder or supplier.

- “State” means a national or provincial department, national or provincial public entity or constitutional institution, a municipality or municipal entity, a provincial legislature or parliament.

5.3 Technical Compliance:

The technical proposal must include the following documents:

- a) Certified copies (not older than 6 months) of all tertiary qualifications or equivalent from a recognized tertiary institution.
- b) All international qualifications must be accompanied by certified (not older than 6 months) South African Qualifications Authority (SAQA) accreditation. GTAC reserves the right to verify SAQA accreditation. A score of zero will be given in instances where proof is not provided.
- c) Only 1 CV per area of expertise will be evaluated, CVs of key support project team members may be submitted however, they will not be scored. The CVs of the key support members will assist in evaluating the capacity of the bidder. All CVs must be submitted as per Annexure B - Pro forma CV template.
- d) Information in the CV should include relevant experience in the chosen area of expertise demonstrating the required competency.
- e) The specific role played by the individual in the listed projects/assignments undertaken.
- f) Practical experience, demonstrated through the projects listed, of working in projects/assignments within one of the three spheres of government, namely Local, Provincial or National levels, state entities and private sector.
- g) Consulting Firms/ Organisations will be evaluated for the institutional experience. Experience through work conducted by the firm should therefore be clearly indicated. Provide a list of projects undertaken, highlighting services provided by the firm; including role, project value, duration of the project and any other relevant information to demonstrate the required experience. Bidders are required to complete the required information as per the provided template - Annexure C.
- h) The bidder must provide expertise in all areas listed in the TOR (i.e. Project Leader, Legal, HR and Finance). Bidders are allowed to form a Partnership, Consortium or Joint Venture to make up the required team composition. Failure to adhere will result in disqualification.
- i) Bidders must ensure that CVs are signed by the respective individuals confirming that he/she is not included in bids from other service providers.
- j) Bidders and their employees are required to comply with and observe South African laws, including but not limited to Employment Services Act No. 4 of 2014; and Immigration Act

No.13 of 2002. Service providers will also be required to prove that:

- i. They have exhausted all avenues to acquire the required skill amongst South Africans; and in such cases obtain the required approvals from the Department of Labour and Employment;
- ii. The personnel have valid work permits

N.B The Technical Envelope must not include any Financial proposals

5.4. The Financial Proposal must include the following:

In submitting your price proposal, you are required to adhere to SBD 3.3 - Pricing Schedule attached as Annexure D.

- a) Remuneration of the Transaction Advisor will be payable in Rands, on a fixed price corresponding to the feasibility study and procurement stages of the project cycle.
- b) Out-of-pocket expenses/disbursements will be paid by the Client at cost within an agreed ceiling. Bidders are required to propose a ceiling for such disbursements; which will not be evaluated as part of the pricing proposal. All claims for travel and other legitimate disbursement expenditure must be pre-approved by the Project Officer before they are incurred. An email system for these approvals will be set up when the Transaction Advisor contract is signed. Other legitimate project costs will be reimbursed at cost. Payment will be made within 30 days of the client receiving approved and substantiated invoices.

6. BID EVALUATION METHODOLOGY.

6.1. Bids will be evaluated as per the evaluation methodology below:

| Evaluation Stage | Description |
|------------------|---|
| Stage 1 | Administrative Compliance |
| Stage 2 | <p>Technical Evaluation</p> <p>Bidders must submit information as per Bid Submission Requirements. The submitted technical proposal must respond to the Technical Evaluation criteria cited in the Terms of Reference.</p> <p>The Technical proposal will be evaluated out of 100 points with a Threshold of 70 points.</p> <p>Only bidders that meet the threshold will be considered for the Specific Goals evaluation.</p> |

| | |
|---------|---|
| | <i>Bidders must note that submission of Annexures A (Areas of Expertise), Annexure B (CV Template), Annexure C (Information for Firms) the prescribed formats is mandatory.</i> |
| Stage 3 | <p>Price and Specific Goals</p> <p>Preference points in the 80/20 formula will be awarded to bidders for attaining a score for specific goals as indicated in Table 6. Bidders must provide the required information for evaluation purposes.</p> <p><i>Bidders must note that submission of Annexures D (Price Template), Annexure E (Specific Goals) in the prescribed formats is mandatory.</i></p> |

6.2. The technical proposal will be evaluated as per the criteria in the Table below. Bidders must ensure that all required information is included in their bid as per Submission Requirements. GTAC may require clarification meetings as part of the evaluation of the submitted bids.

6.3. A score of 0 (zero) will be assigned to qualifications where the submitted CV is not accompanied by proof that the indicated qualifications exists.

6.4. A score of 0 (zero) will be assigned where qualifications obtained from foreign institutions that are not accompanied by proof of a certified SAQA accreditation certificate (non-compliance with the requirements).

6.5. Bidders must comply with all South African laws; including the Immigration Act 13 of 2002 (as amended) and Employment Services Act.

6.6. Prior to appointment, the recommended bidder may be required to submit additional supporting documentation for individuals forming part of the project team for verification purposes.

6.7. No Transaction Advisory team will be allocated more than one cluster even if they can bid using different team composition.

7. TECHNICAL EVALUATION CRITERIA

The evaluation criteria ensures that bidders adhere to the following:

- a) For purposes of comparison and in order to ensure a meaningful evaluation, bidders are requested to furnish detailed information in substantiation of compliance to the evaluation criteria;

- b) A service provider that scores less than seventy (70%) percent in respect of the Technical Evaluation criteria as required in the criteria below will be viewed as non-responsive and will not be evaluated further for Price and Specific Goals.

| | EVALUATION CRITERIA | RATING | WEIGHT |
|-----------|--|---|--------|
| | NOMINATED INDIVIDUALS (EACH PERSON and WORKSTREAM WILL BE EVALUATED ACCORDING TO THE FOLLOWING CRITERIA) | | |
| 1. | PROJECT LEADER | | |
| | a) Qualifications A qualification in Engineering, Finance, Legal or any qualification in Project Management | 5 - Masters (NQF 9) 4 – Honours (NQF 8) 3 - Degree (NQF 7) 2 - B. Tech, National Diploma (NQF 6) 1 - National Certificate (NQF 5) 0 = Irrelevant Qualifications or non-submission of certified copy of Qualifications and/or SAQA certificate | 5 |
| | b) Skills and Experience Experience in the development of a business case and/ or organisational development in the public and private sector. The expert must demonstrate the skills and experience in a combination of at least 2 of the following areas: <ul style="list-style-type: none"> Team management (i.e managing the team, assigning tasks, and ensuring that team members are working effectively together). Developing a comprehensive plan and scope for the team. Ensuring quality assurance in meeting standards and deliverables of the project by the team. Preparing reports on project progress, resource utilization, and ultimately the final business case/ project. List of all relevant projects and role played must be included in the CV. | 5 = more than 10 years' experience plus advisory in 7 or more projects 4 = 9-12 years' experience plus advisory in 5-7 projects 3 = 6-8 years' experience plus advisory in 3-4 projects 2 = 4-6 years' experience plus advisory in 1-2 projects 1 = less than 4 years' experience and no demonstrable record of advisory in projects 0 = No relevant or related experience | 10 |

| | EVALUATION CRITERIA | RATING | WEIGHT |
|----|--|---|--------|
| 2. | HUMAN RESOURCES EXPERT / OD expert | | |
| | a) Qualifications A qualification in Human Resources Management, Labour Relations, Organizational Development, Business or any qualification in Management Sciences. | 5 - Masters (NQF 9) 4 – Honours (NQF 8) 3 - Degree (NQF 7) 2 - B. Tech, National Diploma (NQF 6) 1 - National Certificate (NQF 5) 0 = Irrelevant Qualifications or non-submission of certified copy of Qualifications and/or SAQA certificate | 5 |
| | b) Skills and Experience Experience in the development of a business case and/ or organisational development in the public and private sector. The expert must demonstrate the skills and experience in a combination of at least 3 of the following areas: <ul style="list-style-type: none"> • Creating overall compensation strategy for all employees based on market research. • Designing employee retention programs • Developing training materials and performance management programs • Maintenance of HR system and processes. • Investigating employee issues and developing conflict resolution strategies • Conducting performance and implement salary reviews strategies. List of all relevant projects and role played must be included in the CV. | 5 = more than 10 years' experience plus advisory in 7 or more projects 4 = 9-12 years' experience plus advisory in 5-7 projects 3 = 6-8 years' experience plus advisory in 3-4 projects 2 = 4-6 years' experience plus advisory in 1-2 projects 1 = less than 4 years' experience and no demonstrable record of advisory in projects 0 = No relevant or related experience | 10 |
| 3. | FINANCE EXPERT | | |
| | a) Qualifications | 5 - Masters (NQF 9) 4 – Honours (NQF 8) 3 - Degree (NQF 7) 2 - B. Tech, National Diploma (NQF 6) 1 - National Certificate | 5 |

| | EVALUATION CRITERIA | RATING | WEIGHT |
|-----------|--|---|--------|
| | A qualification in Accountancy, Finance, Economics, Mathematics and Financial management. | (NQF 5) 0 = Irrelevant Qualifications or non-submission of certified copy of Qualifications and/or SAQA certificate | |
| | b) Skills and Experience Experience in the development of a business case and/ or organisational development in the public and private sector. The expert must demonstrate the skills and experience in a combination of at least 3 of the following areas: <ul style="list-style-type: none"> • Preparing financial plans and developing financial models. • Conducting cost and benchmarking analyses • Designing budget report preparation strategies • Evaluating cost structures and revenue streams. • Researching and analyzing business trends • Preparing financial forecasts. List of all relevant projects and role played must be included in the CV. | 5 = more than 10 years' experience plus advisory in 7 or more projects 4 = 9-12 years' experience plus advisory in 5-7 projects 3 = 6-8 years' experience plus advisory in 3-4 projects 2 = 4-6 years' experience plus advisory in 1-2 projects 1 = less than 4 years' experience and no demonstrable record of advisory in projects 0 = No relevant or related experience | 10 |
| 4. | LEGAL EXPERT | | |
| | a) Qualifications A Legal qualification | 5 - Masters (NQF 9) 4 – Honours (NQF 8) 3 - Degree (NQF 7) 2 - B. Tech, National Diploma (NQF 6) 1 - National Certificate (NQF 5) 0 = Irrelevant Qualifications or non-submission of certified copy of Qualifications and/or SAQA certificate | 5 |
| | b) Skills and Experience The expert must demonstrate skills and experience in the following areas: | 5 = more than 10 years' experience plus advisory in 7 or more projects 4 = 9-12 years' experience plus | 10 |

| | EVALUATION CRITERIA | RATING | WEIGHT |
|---|---|---|--------|
| | <ul style="list-style-type: none"> Develop, draft and advise on legal frameworks, policies and procedures required in institutional development. Develop strategies for drafting contractual documentation and other legal documents, standardisation, review and interpreted. <p>List of all relevant projects and role played must be included in the CV.</p> | <p>advisory in 5-7 projects 3 = 6-8 years' experience plus advisory in 3-4 projects 2 = 4-6 years' experience plus advisory in 1-2 projects 1 = less than 4 years' experience and no demonstrable record of advisory in projects 0 = No relevant or related experience</p> | |
| SERVICE PROVIDER/CONSULTING FIRM | | | |
| 5. | <p>Firm Experience:</p> <p>Years of operation of the professional service provider in providing professional consulting service in the development of a business case and/ or organisational development in the public and private sector.</p> <p>Provide list of projects undertaken by the firm to confirm services provided.</p> | <p>5 = more than 10 years' experience plus advisory in 7 or more projects 4 = 9-12 years' experience plus advisory in 5-7 projects 3 = 6-8 years' experience plus advisory in 3-4 projects 2 = 4-6 years' experience plus advisory in 1-2 projects 1 = less than 4 years' experience and no demonstrable record of advisory in projects 0 = No relevant or related experience</p> | 20 |
| 6. | <p>Approach Methodology:</p> <p>Service providers are required to submit a technical proposal of no longer than 25 pages demonstrating their understanding of the scope as stated in the Terms of Reference.</p> | <p>Adequately detailed plans with complete timelines and chart= 5 points Adequately detailed plan with incomplete timelines and chart= 4 points Inadequate detailed plan with incomplete timelines and chart =3 points Inadequate detailed plan with no activity or timelines= 2 No proposal, only timelines, charts submitted=1 point</p> | 20 |

| | EVALUATION CRITERIA | RATING | WEIGHT |
|--|--------------------------------|-------------------------------------|------------|
| | | No proposal submitted. =0 points | |
| | MAXIMUM TECHNICAL SCORE | | 100 |
| | THRESHOLD | | 70 |

NB: Technical evaluation will be based on technical proposals only. Presentations will not form part of the evaluation process. The Bid Evaluation Committee may, however, request shortlisted companies to clarify further bid proposal queries in writing, if required.

8. POINTS AWARDED FOR PRICE

A maximum of 80 points is allocated for price on the following basis:

$$P_s = 80 \left[\frac{1 - \frac{P_t - P_{min}}{P_{min}}}{P_{min}} \right]$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

9. PREFERENTIAL PROCUREMENT EVALUATION BASED ON 80/20 PRINCIPLE

- 9.1.** A maximum of 20 points may be awarded to a tenderer for the specified goals envisaged in section 2(1)(d) and (e) of the Act. The points scored must be rounded off to the nearest two decimal places. Subject to regulation 9, the contract must be awarded to the tenderer scoring the highest points. Below is the terminology used for specific goals:

| Terminology | Definition |
|--------------|--|
| Black People | As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation before 27 April 1994; or II. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to |

| | |
|---|---|
| | that date. |
| "Specific goals" | means specific goals as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in <i>Government Gazette</i> No. 16085 dated 23 November 1994; |
| Historically Disadvantaged Individual (HDI) | <p>means a South African citizen:</p> <ol style="list-style-type: none"> 1. who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) ("the interim Constitution"); and/or 2. who is a female; and/or 3. who has a disability. <p>provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be an HDI;</p> |

9.2. The remaining twenty (20) points are allocated for the specific goals as indicated in the table below:

| Maximum Scoring Weighting Points evaluation for specific goals. | Maximum score | Scoring criteria |
|--|---------------|-------------------------------|
| 1. The percentage of Black People as the nominated experts | 5 | <25%=0 25%-34%=2 >35%=5 |
| 2. The percentage of Black Women as nominated experts | 5 | <25%=0 25%-34%=2 >35%=5 |
| 3. The percentage of project cash flow to Black professionals | 5 | <25%=0 25%-34%=2 >35%=5 |
| 4. The percentage of skills transfer to the benefit of young Black professionals | 5 | <25%=0 25%-34%=2 >35%=5 |
| Total | 20 | |

Specific goal points may be allocated to bidders on submission of the following documentation or evidence:

- a) A duly completed and signed Preference Point Claim Form: Standard Bidding Document (SBD 6.1.); and
- b) Annexure E; technical proposal will be used as evidence.

10. INFORMATION TO BIDDERS

10.1. CONTENT OF THE BIDDER PACK

| Tender Pack Doc. | Title | Purpose |
|-------------------------|---|--------------------------------------|
| 1 | Invitation to Bidders | For Information. |
| 2 | Terms of reference (ToR) | Specific Requirements. |
| 3 | SBD 1 – Invitation to bid | To be fully completed and submitted. |
| 4 | SBD 4 – Bidder's Disclosure | To be fully completed and submitted. |
| 5 | SBD 6.1 – Preference Points Claim Form in terms of the Preferential Procurement Regulations (PPR) 2022 | To be fully completed and submitted. |
| 7 | Annexure A (Areas of Expertise), Annexure B (CV Template), Annexure C (Company Profile Proforma Template). | To be fully completed and submitted. |
| 8 | SBD 3.3 - Pricing Schedule: Annexure D must be submitted before the closing date of the bid in a sealed separate envelope marked pricing schedule/price proposal. | To be fully completed and submitted. |
| 9 | Annexure E (Specific Goals Template) | To be fully completed and submitted. |

11. GOVERNANCE ARRANGEMENTS WITH REGARD TO THE ASSIGNMENT

- a) Representatives nominated by the PSC will evaluate proposals and agree the recommended service provider.

- b) The service provider will report directly to the GTAC, and all documents and correspondence will be routed as such. GTAC through the PSC will facilitate introductions and consultations with key stakeholders.
- c) The service provider's team leader will act as the central contact point with the PSC and coordinate, manage and quality control inputs from the team.
- d) The service provider will submit all reports and accompanying documentation to the secretariat for distribution to the PSC.
- e) The PSC will consider proposed options prepared during phase 1 and provide feedback and instruction to the service provider on the preferred option, following the necessary consultations within governance structures, where required.
- f) The service provider may only proceed to phase 2 and 3 on instruction from the PSC.

12. TAX COMPLIANCE STATUS

The Tax compliance status verification is conducted via the Central Supplier Database (CSD) number certifying that the taxes of the bidder are in order must be submitted at the closing date and time.

Bidder's tax matters must be compliant at the time of award. In case where a bidder's tax matters are non-compliant a bidder will be given a minimum of seven (7) days to remedy the tax matters. Failure to remedy this will invalidate the bid.

13. COMMUNICATION

Professional Services Procurement (PSP) within GTAC will communicate with bidders where bid clarity is sought to obtain information or to extend the bid validity period. Any communication either by letter or electronic mail or any other form of correspondence to any government official, Department or a person acting in the capacity of GTAC in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

14. CONTACT

No briefing session will be held for this Request for Bid. Bidders are urged to submit all requests for clarification in writing via e-mail to psp@gtac.gov.za. Requests for clarification will be accepted by GTAC until 17h00 on Wednesday the 4th of October 2023. The submission reference **(GTAC 016-2023-24)** must be included in the subject line of the e-mail.

The clarifications and the Frequently Asked Questions will be made available to all potential Bidders by way of notification on the GTAC website:

15. VALIDITY PERIOD

Offer to be valid for ninety (90) days from the closing date of bid.

16. INSTRUCTIONS FOR COMPLETION AND SUBMISSION OF BID PROPOSALS

16.1 Content and packaging of the Bid Proposal

Bidders must submit one original hard copy bid proposal and three copies of the original bid proposal. The original file and duplicate files must be packaged in a file as follows and clearly marked as “Original” or “Copy/Duplicate”:

| | Part 1: Standard Bidding Documents and Administrative Compliance |
|---|--|
| 1 | SBD 1 – Invitation to bid |
| 2 | SBD 4 – Declaration of interest |
| 3 | SBD 6.1 – Preference Points Claim Form |
| 4 | Central Supplier Database (CSD) Registration Report or CSD Registration number |
| | Part 2a: Technical |
| 5 | Bidder's technical proposal cover page |
| 6 | Technical proposal <ul style="list-style-type: none">• Annexure (A) – Areas of Expertise• Annexure (B)- CV Template• Annexure (C) – Template for the Firm/Organisation |
| | Part 2b: Price Proposal |
| 7 | <ul style="list-style-type: none">• Annexure (D) – Price Proposal |
| | Part 2c: Specific Goal |
| 8 | <ul style="list-style-type: none">• Annexure E-Specific Goals |

16.2. Labelling of Bid

The bidder must place the hardcopy bid proposal into a sealed envelope or package which must be clearly marked with the RFP description “**APPOINTMENT OF A PROFESSIONAL TEAM TO UNDERTAKE A BUSINESS CASE FOR THE ESTABLISHMENT OF THE PPP CENTRE OF EXCELLENCE**”

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

2.2 Do you, or any person connected with the bidder, have a relationship

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, _____ the _____ undersigned,
 (name)..... in
 submitting the accompanying bid, do hereby make the following
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

| | |
|-----------|----------------|
| | |
| Signature | Date |
| | |
| Position | Name of bidder |

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

| | POINTS |
|--|------------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 100 |

1.5 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.

- 1.6 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.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 is allocated for price on the following basis:

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: 80/20 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.)

Failure to complete this table and submission of proof as per Annexure E will result in a score of zero for specific goals.

| The specific goals allocated points in terms of this tender | Scoring Criteria | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|-------------------------------|---|---|
| 1. The percentage of Black People as the nominated experts | <25%=0 25%-34%=2 >35%=5 | 5 | |
| 2.The percentage of Black Women as nominated experts | <25%=0 25%-34%=2 >35%=5 | 5 | |
| 3.The percentage of project cash flow to Black professionals | <25%=0 25%-34%=2 >35%=5 | 5 | |
| 4.The percentage of skills transfer to the benefit of young Black professionals | <25%=0 25%-34%=2 >35%=5 | 5 | |
| TOTAL POINTS | | 20 | |

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole propriety
 - ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited
 - ☐ Non-Profit Company
 - ☐ State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....