

RFQ Number	NO-46/2023
Issue Date	16 May 2023
Closing Date	1 June 2023, by no later than 23:30pm
Submission Instruction on or before the closing date and time	Please forward your responses either via email or hand delivered on or before the closing date as follows: via email -mmokaila@seda.org.za OR <u>Hand delivered</u> Small Enterprise Development Agency (Seda) The Fields Office Block A 1066 Burnett Street Hatfield 0833 Contact Details Mr M Mokaila at Tel: (012) 441-1000 or (012) 441- 1171
Additional Information to note: 30-May-2023	1. When we say “certified” we mean the service provider must in position of Ethics Officer Certification Programmes (EOCP) from The Ethics Institute. 2. Total number of Staff? = 718 (including execs and board) Total number of Executives? = 7 Total number of board members? = 11 Members

TERMS OF REFERENCE

1. Purpose

The purpose and objective of these Terms of Reference (TOR) are to guide in the sourcing and appointment of a suitable and competent independent and certified service provider to facilitate the Ethics Risk Assessment and develop an Ethics Risk Register.

2. Background

An Ethics Risk Assessment empowers the Board and Management with the necessary information to establish and maintain an ethical culture in the organisation. To improve ethics within the organisation a full-blown ethics risk assessment is critical as it forms part of the basic planning on focus areas and it can also include critical external stakeholders exposed to ethical dilemmas when dealing with SEDA staff.

To enable proactive management, Ethics Risk Assessments should be conducted fairly regularly, especially in highly visible organisations like Seda which are exposed to public scrutiny.

3. Scope of Work

- 3.1 External and independent firm to facilitate the Ethics Risk Assessment;
- 3.2 Interview all relevant stakeholders including All Managers, All Regional Managers, Senior officials including board members and a sample of current and previous clients;
- 3.3 Determine questionnaire distribution to focus groups;
- 3.4 Compile a report with gap analysis and recommendations;
- 3.5 Develop an Ethics Risk Register; and
- 3.6 Work hand-in-hand with the Risk and Compliance staff.

4. Project Deliverables

The appointed service provider should:

- Develop a project plan outlining the activities, resources and deliverables (milestones) for the project;
- Prepare required participation packs and agendas for Ethics Risk Assessments workshops;
- Facilitate the planned Ethics Risk Assessment workshop for Seda National Office (6 Divisions);

- Conduct an Ethics Risk Assessment for Seda Provincial Offices (9 offices) within 2 months;
- Develop a standard questionnaire instrument tailored for Seda;
- Conduct interviews with focus groups and other relevant stakeholders;
- Ensure confidentiality of data is guaranteed and survey responses are anonymous;
- Document and present findings of the ethics risk assessment to the Management and Risk and Compliance Unit (Gap Analysis Report);
- Present an implementation plan for the gap analysis findings;
- Developed Ethics Risk Register; and
- Ensure Knowledge and skills transfer.

5. Seda's Roles and Responsibilities

- Ensure that the service provider has access to all the relevant information, systems and officials required to perform the ERA.
- To report on the progress of the ethics risk assessment and implement any recommendations.
- To ensure that adequate resources are in place for the ethics risk consultant, i.e. connecting to Seda employees via Zoom.
- To provide in-house workspace for the duration of the project.

6. Travel and Accommodation

- All travel, accommodation and disbursement costs should form part of the bid price.

7. Time Frames

- The project is estimated to be completed within two (2) months after the date of signing the Service Level Agreement with Seda.

8. Information required in the Proposal/Quotations

- Project plan with clear reporting timelines;
- Detailed rate per hour cost breakdown;
- Detailed structure and positions of the personnel who will be allocated to the project;
- Submit a detailed curriculum vitae of a lead person who will be allocated to the project in line with the requirement of the Ethics Institute;
- Submit three (3) reference letters, including contact details where similar work has been done; and

- Describe the methodology and approach that will be used in delivering the project successfully.

9. Evaluation of the Proposal

9.1 Phase 1: SCM Document Assessment Criteria

The following pre-qualification criteria will form the basis of the evaluation all price proposals and failure to comply will result in the elimination of the price quotation for further evaluation:

- Submission of completed and signed SBD 4; and
- Submission of completed and signed SBD 6.1 documents.

9.2 Phase 2: Functionality Criteria

The following criteria will be used for evaluating all price quotations that met the pre-qualification criteria on the basis of functionality where price quotations must score a minimum of **(70 points)** for functionality to qualify for further evaluation in terms of the 80/20 preference points system.

#	Functionality Criteria	Points Allocation
1.	Experience/Track Record Potential service providers should have five (5) or more years public sector conducting ethics risk assessment experience, which must be proven through client references spanning the entire period where the client's name and contact details are provided for verification purposes. Potential service providers should have conducted a minimum of three (3) public sector Ethics risk assessments during the period of existence, which must be proven through client references spanning the entire period where the client's name and contact details are provided for verification purposes. Potential service providers are requested to provide complete information for the RFQ/P Document to verify and evaluate this criterion. <i>(Please note that disclosure of this information will be treated with strict confidentiality)</i> • Clients reference (from different companies) where Ethics risk assessment was conducted ➢ Six(6) references with contact details (25) ➢ Four (4) to Five (5) references with contact details (15) ➢ Two(2) to Three(3) references with contact details (10) ➢ Less than two(2) references (0)	50

	• Experience (Duration of the contract should be specified) ➢ Ten(10) or more years of experience (25) ➢ Five to nine (5-9) years of experience (15) ➢ One to four (1-4) year's experience (10) ➢ Less than one (1) year (0)	
2.	Technical Capability • Detailed Curriculum Vitae (CV) of the Manager/ Officer to be assigned to the task highlighting: ➢ Bachelor's degree in law, business administration, finance, or a related discipline ➢ at least (3) years experience in ethics management; ➢ Must be a member of the Ethics Institute (TEI); and ➢ Must have completed Ethics Officer Certification Programme (or similar). ➢ Excellent verbal and written communication skills. ➢ Strong analytical and critical thinking skills. ➢ Ability to comprehend, interpret, and apply the appropriate sections of applicable laws, guidelines, regulations, ordinances, and policies. • Knowledge and Experience (25) - Good = 25 points - Average = 15 points - Poor = 10 points • Minimum of five (5) years or more track record as a Risk, Fraud and Ethics Management (25) 5 years or more = 25 points 2 to 4 years = 15 points 0 < 1 year = 10 points	50
Total Points (A FUNCTIONALITY SCORE OF LESS THAN 70 POINTS WILL ELIMINATE THE PRICE QUOTATION FOR FURTHER EVALUATION)		100

9.3. Phase 3: Preference Points System

Only qualifying price quotations that achieved the minimum points for functionality will be evaluated further on the 80/20 preference points system described in the Preferential Procurement Regulations, as follows:

	Preference Point Criteria	Points Allocation
1.	Price	80
2.	Broad-Based Black Economic Empowerment Status Level of Contribution	20
Total Points		100

10. TERMS AND CONDITIONS

- a. Price quotations submitted must be inclusive of all costs and applicable taxes (VAT) and be valid for a period of at least 30 days.
- b. The hourly rates of consultants must be in accordance with the rates issued and determined by the South African Institute of Chartered Accountants, Department of Public Service and Administration or the body regulating the profession of the consultant (if applicable).
- c. Consultant's travel arrangements must be in line with government's travel cost containment measures [air travel, vehicle hire, accommodation rates, claiming kilometres according to the rates set by the Department of Transport] (if applicable).
- d. No late price quotations will be accepted under any circumstances.
- e. Suppliers/service providers submitting price quotations must be registered on the National Treasury Central Supplier Database (CSD).
- f. Failure to submit a valid Sworn Affidavit (EME) or an original/certified valid B-BBEE Status Level Verification Certificate (other than EME or QSE) will result in no preference points being awarded for B-BBEE.
- g. Suppliers/service providers must complete and return all the required documents, failing which, the supplier/service provider's quotation will be declared invalid.
- h. This RFQ is subject to the National Treasury's General Conditions of Contract (GCC) that can be accessed on the following link:

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract-%20Inclusion%20of%20par%2034%20CIBD.pdf>

Seda wishes to thank you in advance for your price quotation.