



TERMS OF REFERENCE FOR

THE APPOINTMENT OF A SERVICE PROVIDER TO UNDERTAKE PHASE 1 OF AN IMPACT EVALUATION STUDY ON INFRASTRUCTURE AND TECHNICAL SKILLS CAPACITY SUPPORT PROVIDED TO MUNICIPALITIES BY THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT.

1. Introduction

The objective of this project is to undertake an impact evaluation study on the infrastructure and technical capacity building support MISA has rendered to municipalities across our country over the last ten years.

Phase 1 of the project will be to undertake an evaluability assessment, which is a systematic process that helps to identify whether a programme/project is in a condition to be evaluated, and whether an evaluation is justified, feasible and likely to produce useful information. The purpose of the evaluability assessment is not only to conclude if the evaluation is to be undertaken or not, but also to prepare the different programmes/projects to generate all the necessary conditions to be evaluated. This appointment is undertaken in accordance with the Public Finance Management Act, 1999 (Act No. 1 of 1999), Treasury Regulations, the Preferential Procurement Policy Framework Act (PPPFA), 2000 and its 2022 Regulations, applicable National Treasury SCM Instruction Notes, and MISA's approved Supply Chain Management Policy.

2. Background

The Municipal Infrastructure Support Agent (MISA) is a national government component constituted in terms of Section 7(2) Schedule 3 of the Public Service Act of 1994 (as amended), accountable to the Minister for Cooperative Governance and Traditional Affairs. Established in May 2012, MISA's operational notice provides that the objective of MISA is to render technical advice and support to municipalities so that they optimise municipal infrastructure provisioning. This technical advice and support to municipalities are undertaken through the following functions as outlines in MISA operational notice:

- To support municipalities to conduct effective infrastructure planning to achieve sustainable service delivery;
- To support and assist municipalities with the implementation of infrastructure projects as determined by the municipal Integrated Development Plans (IDPs);
- To support and assist municipalities with the operation and maintenance of municipal infrastructure;
- To build the capacity of municipalities to undertake effective planning, delivery, operations and maintenance of municipal infrastructure; and
- Any functions that may be deemed ancillary to those listed above and restricted to the mandate of MISA.

With MISA being in existence for over a decade, the Executive Management of MISA (EXCO), felt it prudent that the organisation should conduct a detailed and comprehensive impact evaluation study on the infrastructure and technical capacity building support it has rendered to municipalities across our country. The purpose of undertaking this evaluation is to determine whether MISA's support and

rendering of technical capacity building to municipalities over the last ten years has rendered positive outcomes to the supported municipalities. The extensive evaluation study will be covering all MISA programme/project and technical capacity building support over the last 10 years.

MISA requires the services of suitably qualified service provider to undertake an evaluability assessment to determine if the proposed impact evaluation study on the infrastructure and technical capacity building support it has rendered to municipalities across our country is to be undertaken or not, and to assist in preparing programmes to generate all the necessary conditions to be evaluated. The service provider should possess the following skills and knowledge, amongst others:

- Knowledge of the South African National Evaluation System (NES), South African government wide monitoring and evaluation (GWM&E) systems and the National Evaluation Policy Framework (2025).
- Experience in evaluating any government grand funded projects through DORA.
- Strong expertise in quantitative, qualitative, and mixed-method evaluation approaches, including non-experimental and quasi-experimental designs.
- Competence in data collection, analysis, interpretation, and reporting.
- Understanding of the local government sphere in South Africa and public policy environment.
- Experience in stakeholder engagement, social facilitation, and consultation processes, particularly within government and non-profit sector interventions.
- Strong analytical, research, policy analysis, and report-writing skills.

3. Scope of Work

The service provider will be expected to perform the following tasks:

- Engage the intended users of the evaluation information.
- Clarify the intended programme(s) from the perspectives of policymakers, programme managers, and other stakeholders.
- Explore the programme(s) reality, including the plausibility and measurability of programme(s) goals.
- Exploring alternative evaluation designs.
- Agreeing on the evaluation priorities and intended uses of information of programme(s) performance.

4. Deliverables

- Prepare an inception report, with the following areas covered:
 - The overall methodological framework to be used/undertaken.
 - Any literature and document review to be expected.
 - Expected data collection and analysis methods and plans.
 - How participatory the evaluation is expected to be.
 - Sample size determination and geographical focus/spread.
 - Other relevant data sources to be considered.
 - Level of rigour expected and realistic with the available resources.
 - Stakeholder meetings or consultations expected with particular groups.
- Desktop research report to be developed.
- Development of a Theory of Change and logical framework for the programme(s), together with key stakeholders.



5. Condition(s)

All deliverables shall be subject to formal written acceptance and sign off by the MISA project manager or a delegated official.

6. Specifications

Please provide a quotation based on the below stated detailed specifications:

- An inception report, with the following areas covered:
 - The overall methodological framework to be used/undertaken.
 - Any literature and document review to be expected.
 - Expected data collection and analysis methods and plans.
 - How participatory the evaluation is expected to be.
 - Sample size determination and geographical focus/spread.
 - Other relevant data sources to be considered.
 - Level of rigour expected and realistic with the available resources.
 - Stakeholder meetings or consultations expected with particular groups.
 - desktop research report to be developed/completed.
- Desktop research report to be developed.
- Development of a Theory of Change and logical framework for the programme(s), together with key stakeholders.

7. Additional Information

The service provider, in addition to the bid documents, should:

Mandatory requirements/Eligibility Criteria

The Service Provider should:

- Provide a brief company profile with a minimum of five (5) years' experience in conducting impact evaluations related to publicly funded government initiatives.
- Provide at least three samples of previous inception reports for a public sector and/or public sector financial entity produced by the supplier as evidence of the supplier's experience as per MISA's specifications.
- Three reference letters on the client's letterheads confirming that the bidders had previously completed similar assignments successfully.

Failure to comply with the above-mentioned requirements will result into a disqualification.



8. Evaluation criteria

The project will be evaluated on Price and specific goals as per table below:

The specific goals allocated points in terms of this bid	Means of verification	Number of points claimed (80/20 system) (To be completed by the bidder)
Ownership women (51% or more)	Identity document	6
Who is a youth	Identity document	6
Location of Project	Lease agreement /letter for the authority	3
B-BBEE status level contributors from Level 1 to 2 which are QSE or EME	BBBEE Certificate	5
Total		20

9. Pricing Structure

- Bidders must submit a lumpsum, VAT-inclusive price.
- The price must include all deliverables as captured under paragraph 4.
- No additional costs will be payable unless approved in writing by MISA.

10. Intellectual Property

- All intellectual property, copyrights and source files produced under this contract shall vest in MISA upon full payment.

11. Confidentiality

- The service provider shall treat all information received as confidential and shall not disclose it without prior written consent from MISA.

12. Termination and Penalties

- MISA reserves the right to terminate the contract for non-performance or breach of contract, subject to applicable legislation and SCM policies.



1. PURPOSE OF THE FORM

- 1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.
- 1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

- 2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**
- 2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	Identity Number	Name of organ of state

- 2.3 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

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.



SBD4

2.3.1 If so, furnish particulars:

.....
.....
.....

2.4 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

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	Status (active/inactive/deleted)

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL DECLARATION

I,, the undersigned, 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 to be false.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.
- 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.
- 3.5 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.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring 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.

SBD4

- 3.7 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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....
Signature

.....
Date

.....
Designation

.....
Name of bidder

SBD 6.1

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

Inconvenience

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**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.



- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 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 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ \\ Ps = 80 \left(1 + \frac{Pt - Pmin}{Pmin} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - Pmin}{Pmin} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ \\ Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = 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: Where either the 90/10 or 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.)

The specific goals allocated points in terms of this tender	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)
Who are women (51% or more)	5	
Who is a youth (18 to 35 years) (51% or more owned)	5	
Locality	5	
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	5	
Total scored points	20	

Means of Verification (Specific Goals)

Procurement Requirement	Required Proof Documents
Who are women	Identity document
Who is a youth	Identity document
Locality	Municipality bill, lease agreement, letter from local authority
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	Valid certificate/ affidavit Consolidated BEE certificate in cases of Joint Venture Full CSD Report

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

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 | ☐ |
| Corporati | ☐ |
| on | |
| 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:	
	
	
	