

THE PUBLIC SERVICE SECTOR EDUCATION TRAINING AUTHORITY

Terms of Reference

APPOINTMENT OF ACCREDITED VERIFICATION AGENCIES FOR PROVISION OF ANNUAL B-BBEE VERIFICATION AUDIT SERVICES

CLOSING DATE:

CLOSING DATE: 11:00

No late applications will be accepted

Board members: Mr T Tshefuta (Chairperson) | Ms C Brink | Mr L Nzimande
Mr NN Maesela | Mr PB Makhafane | Mr MI Napo
Ms T Molefe-Sefanyetso | Mr PB Moopelwa | Ms L Dladla | Ms N Nzimande
Ms N Silinyana | Mr M Ramakgale

CEO: Ms B Lerumo

Table of Contents

1.	INTRODUCTION	3
2.	BACKGROUND & CONTEXT	3
3.	METHODOLOGY AND APPROACH.....	4
4.	COMPETENCY AND EXPERTISE REQUIREMENT	5
5.	TIMELINES OF THE PROJECT	5
6.	QUALITY AND REPORTING REQUIREMENTS.....	5
7.	PRICING	6
8.	EVALUATION PROCESS	6
9.	FORMAT OF THE BID SUBMISSION	11

1. INTRODUCTION

The Public Service Sector Education and Training Authority (PSETA) is a Sector Education and Training Authority (SETA) established in terms of section 9(1) of the Skills Development Act 97 of 1998 as amended and is classified as a National Public Entity under schedule 3A of the Public Finance Management Act, 1 of 1999.

2. BACKGROUND & CONTEXT

The Broad Based Black Economic Empowerment Commission is an entity established by the Broad Based Black Economic Empowerment Act 53 of 2003 as amended, to oversee the implementation of the Act which includes provision of explanatory notices outlining procedures of the B-BBEE Commission to guide the public.

The explanatory notice issued in terms of Section 13F(1) of the Act requires the B-BBEE Commission to receive and analyse reports prescribed in Section 13G, concerning broad-based black economic empowerment compliance by organs of state, public entities and private sector enterprises.

In terms of Section 13G(3), read with regulation 12 (6-8) of the B-BBEE Regulations:

- a. All Sector Education and Training Authorities contemplated in the Skills Development Act, 1998 (Act No. 97 of 1998), must report on skills development spending programmes to the B-BBEE Commission within 30 days post approval of their annual reports and financial statements of the Sectoral Education Training Authorities in a prescribed B-BBEE 2 Form.

- b. The SETA must submit a B-BBEE Skills Development Report to the B-BBEE Commission in a prescribed format obtainable as per Gazette No. 40053 of the 6th June 2016, the B-BBEE Regulations from the B-BBEE Commission website www.bbbee.commission.co.za
- c. The B-BBEE Commission requires the following information in a prescribed form as outlined in the matrix :

Skills Development Element

- i. Number of black persons trained by member entities per race classification, gender, age, location, disability indication and value thereof,
 - ii. Indicator type of training provided to black people in paragraph 3.3.1 above,
 - iii. Provide list of skills development services offered by the PSETA to member entities,
 - iv. Indicate implementation of the skills development scorecard by member entities as per the applicable codes,
 - v. Identify list of critical and priority skills for the sector(s) and implementation by member entities, and
 - vi. Provide number of member entities who submitted and implemented the approved workplace skills plan
- d. Reflect how each of the elements in 3.3 above contribute to increasing access to skills development opportunities for black people.

3. METHODOLOGY AND APPROACH

- 3.1. PSETA intends to appoint a SANAS approved B-BBEE verification agency to assess the Organisation's B-BBEE compliance and issue a compliance report and certificate in accordance with the B-BBEE Commission requirements.

- 3.2. Bidders are required to submit a proposed a clear verification execution plan indicating the full scope of the project with project timelines (Verification process, Reporting and issuing of B-BBEE compliance certificate).

4. COMPETENCY AND EXPERTISE REQUIREMENT

The Service Provider should meet the following requirements:

- 4.1. Provide and Complete Broad –Based Black Economic Empowerment Commission Compliance Reports and Forms
- 4.2. Coordinate and Conduct the B-BBEE Audit process and Verification as per the complete B-BBEE Audit instrument in compliance with the B-BBEE Audit Criteria.
- 4.3. Engage with PSETA Divisions to ensure that adequate, accurate and complete evidence is submitted and is compliant with the B-BBEE Audit Criteria
- 4.4. Issue B-BBEE Certificate
- 4.5. Be accredited with the relevant professional body of conducting such audits.
- 4.6. Have a proven track record in B-BBEE compliance Audits
- 4.7. Have competent personnel to implement the project

5. TIMELINES OF THE PROJECT

The duration of the contract will be for a period of 36 months. However, the report must be submitted to B-BBEE Commission by the 30th September, annually.

6. QUALITY AND REPORTING REQUIREMENTS

The Service Provider will report directly to the Senior Specialist: Policy, Compliance and Risk or to the delegated representative, as and when required. Qualitative management of the service and performance must be overseen by the Service provider.

7. PRICING

The proposed total pricing must be inclusive of vat indicating the breakdown of the cost. The PSETA may require a breakdown of rates on any of the services/items priced and service providers are required to provide same. The PSETA reserves the right to negotiate the selection/prioritization of deliverables in line with the contract price.

The prospective bidder must complete the following pricing schedule:

	MILESTONES / LINE ITEMS	<i>Estimated delivery period (where applicable)</i>	<i>UNIT PRICE (where applicable)</i>	<i>QUANTITY (where applicable)</i>	COSTING
1.	B-BBEE Verification process (Service provider to indicate the break-down of their envisaged costs)				
TOTAL					
VAT					
TOTAL [VAT INCLUDED]					

8. EVALUATION PROCESS

The bids will be evaluated on the 80/20 principle with 80 points being allocated for price and 20 points allocated for B-BBEE, once the minimum functionality criteria are met.

PHASE 1: FUNCTIONALITY EVALUATION

Bids must meet the minimum eligibility criteria in respect of functionality of 75 points out of 100 points that will be awarded for functionality before they are considered further. Any bid that does not meet the minimum eligibility threshold will be automatically disqualified.

PHASE 2

The bids will be evaluated on the 80/20 principle with 80 points being allocated for price and 20 points allocated for specific goal once the minimum functionality criteria are met.

The evaluation will be based on:

Phase 1 : Functionality Evaluation		
Phase 2 : Preferential Point System	Points allocated for specific goals	Points
Price		80
Special goals		20
Black owned company	8	
Women	4	
Youth	5	
Disability	3	
Total		100

The functionality criteria together with the maximum points to be awarded are set out below:

Phase 1

NO	EVALUATION CRITERIA	GUIDELINES FOR CRITERIA APPLICATION	SCORE GUIDE	WEIGHT
1.	History of successful implementation of the same project in the past three (3) years	The service provider must provide proof from at least five (5) contactable referees indicating that similar project was executed in the past 3 years (B-BBEE verification experience)	1= 0 references in the past 3 years 2= one (1) to two (2) relevant reference in the past 3 years 3= three (3) references in the past 3 years 4= four (4) references in the past 3 years 5= five (5) references and above in the past 3 years	10
2.	Submission of a project management plan	Project management plan with relevant experience in similar projects with at least 3 Section 3(a) entities, National or Provincial Government. A project plan showing work breakdown and estimated timelines:	1= No project management plan 2= Project management plan with 1 similar project in Section 3(a) entities, National or Provincial Government. 3= project management plan with 2 similar project in Section 3(a)	30

NO	EVALUATION CRITERIA	GUIDELINES FOR CRITERIA APPLICATION	SCORE GUIDE	WEIGHT
		- Implementation methodology - Progress reports and close-out report within the required timelines. - Number of Personnel (<i>CVs and certified qualifications must be attached</i>)	entities, National or Provincial Government. 4= project management plan with 3 similar project in Section 3(a) entities, National or Provincial Government. 5= project management plan with more than 3 similar project in Section 3(a) entities, National or Provincial Government.	
3.	Team Leader Experience	The team leader must have a recognized Honors degree (NQF level 8) in accounting / Finance/Law with at least seven (7) years' relevant Technical Signatory experience and must have completed the B-BBEE Management Programme (MDP).	1= No experience indicated 2=3-5 years' experience without B-BBEE MDP	40

NO	EVALUATION CRITERIA	GUIDELINES FOR CRITERIA APPLICATION	SCORE GUIDE	WEIGHT
		<i>NB: CVs and certified qualifications must be attached.</i>	3=5-7 years' experience without B-BBEE MDP 4= 7 or more years' experience without B-BBEE MDP 5= 7 or more years' experience with B-BBEE MDP	
4.	Document management and project tracking system	The service provider must provide details of access to tool used to manage data collection and track project status/progress of the B-BBEE verification process.	1= No detail provided 3= Details of manual document management and project tracking system 5= Clear proof of proprietary have been provided about their access to a document Management system	20
	Total			100

9. FORMAT OF THE BID SUBMISSION

- 9.1. Letter of Application and Company Resolution Letter (proof of authority).
- 9.2. Company Profile
- 9.3. Track record and experience
- 9.4. Reference letters
- 9.5. Proposals must be submitted in 3 copies, 1 original and 2 copies.
- 9.6. A valid Tax compliance status (TCS) PIN or proof of exemption from SARS.
- 9.7. Certified copy of BB-BEE certificate or affidavit
- 9.8. Copy of the registration document of the organisation (CIPC)
- 9.9. All Standard Bidding Documents (SBD) must be completed and signed.
 - SBD 1
 - SBD 4
 - SBD 6.1
 - Proof of SANAS accreditation certificate
 - Proof of registration on the Central Supplier Database.
 - General Condition of Contract (each page signed).

NB: Failure to submit documents requested in **section 9.9** will disqualify the proposal.

Bid proposals must be submitted to:

Ms Ursula Mathonsi

Manager: Supply Chain Management

The PSETA

Ground Floor, Woodpecker Building, Hillcrest Office Park, Lynwood, Pretoria

No late applications will be accepted.

No electronic bid applications will be accepted.

The Validity periods of the bids is 90 days from the closing date. Please direct all queries to Ms. Ursula Mathonsi via email on ursulam@pseta.org.za or telephonically on 012-423-5700

Board members: Mr T Tshefuta (Chairperson) | Ms C Brink | Mr L Nzimande
Mr NN Maesela | Mr PB Makhafane | Mr MI Napo
Ms T Molefe-Sefanyetso | Mr PB Moopelwa | Ms L Dlodla | Ms N Nzimande
Ms N Silinyana | Mr M Ramakgale

CEO: Ms B Lerumo