
TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE SOCIO-ECONOMIC IMPACT SYSTEM (SEIAS) REPORT CONDUCTED AS PART OF THE REQUIREMENT FOR DEVELOPMENT OF THE MINERAL RESOURCES DEVELOPMENT BILL (MRDB) 2025.

1 BACKGROUND

The Mining, Minerals and Petroleum Policy Development branch of the Department of Mineral and Petroleum Resources (DMPR) is responsible for developing new or reviewing existing legislative instruments within the Mining, Minerals and Petroleum sectors. The process of formulating, reviewing, and amending policies, legislation and -regulations is a complex and detail-oriented process which involves extensive consultations with various industry stakeholders. This is an elaborate process that requires processing, examination and consolidation of voluminous documents and complex information to formulate implementable and acceptable policy review or legislative proposals.

In line with the Policy Development Framework issued by the Department of Planning Monitoring and Evaluation (DPME) in 2020, all government Departments are required to embed the Socio-Economic Impact Assessment System (SEIAS) in the policymaking process. These framework aims to regulate policy management processes in South Africa and codifies policy-making practices through entrenchment of evidence-based policymaking. Further it seeks to guide officials, on policy analysis, policy development, policy authorisation, policy implementation and policy reviews. In doing so, policymaking standards and guiding principles forms part of the entire policy-making cycle. The framework further clarifies approaches to intra/inter departmental consultation (policy coordination) and external stakeholder consultations during policy management process.

The framework introduces mechanisms for policy monitoring and evaluation (alignment with the Government Wide-Monitoring and Evaluation System and National Evaluation Policy Framework). Ultimately, it aims to promote, facilitate and institutionalise ex-post impact evaluations to improve policy performance and reduction in regulatory burden.

The Department had developed an initial SEIAS report for DPME consideration and wishes to appoint a service provider to review and comprehensively conduct an assessment of the report submitted to DMPE.

2. CONTRACT PERIOD

- 2.1 The duration of the project two (2) months upon commencing after the signing of the contract.

3. OBJECTIVE

- 3.1 The objective of this project is to review content of SEIAS developed by the DMPR for the purpose submission to DPME to obtain approval and certification.

4. SCOPE OF WORK

- 4.1 The successful service provider will be responsible for:
Reviewing the MRDB 2025 SEIAS Report submitted to DPME and conducting an analysis as follows:
- a) Ensure that department has fully analyzed the risks and costs associated with the Draft Bill and proposals to mitigate them are provided in line with the SEIAS;
 - b) Assess whether the proposed amendments will contribute to improving the law in line with the SEIAS.
 - c) Assess whether the SEIAS report addresses the lack of consistent implementation of the MPRDA to date and point to ways to improve the effectiveness and efficiency of implementation;
 - d) Check if each section of the SEIAS report has been fully addressed and make further research and provide recommendations; and
 - e) Where necessary, conduct desktop research to make improvements on the SEIAS report.

5. DELIVERABLES OR PROJECT OUTPUT AND/OR OUTCOME

- 5.1 In order to achieve the above, service provider will be required to present:
- Reviewed draft MRDB SEIAS report with recommendations on the identified gaps.
 - Proofread and edited the SEIAS report for grammar, spelling, punctuation, comprehensibility, structuring adhering to the DPME requirements.
 - Report on engagement with the Department regarding reviewed content input.

6. EVALUATION CRITERIA

This bid will be evaluated in four stages, i.e. functionality, mandatory requirements, administrative compliance and point scoring system.

6.1 Gate 01 - Functionality

Bidders will be scored in terms of the functional requirements indicated in the table below. The corresponding points and weightings will be used to calculate the overall score a bidder has achieved. The minimum threshold for this bid is **70%**. Bidders who score less than **70%** will be disqualified. Only bidders that score **70%** and more will be considered further.

Note: The points allocation stated here are for illustration purposes. The weights per criteria should be determined per tender.

No.	Evaluation criteria	Points	Weight
1.	<p>Company Experience</p> <p>Bidders should have experience of having undertaken research projects in the past five (5) years, in respect of relevant experience in performing similar projects in the mining and mineral sector.</p> <ul style="list-style-type: none"> Service provider is required to provide proof that they have successfully performed similar projects and that the projects have been successfully executed. This must be in a form of recent testimonial(s) or reference letter(s) on company letterheads, a minimum of 3 (three), proving that such projects were executed, or that they have been providing similar services. Testimonial/s or Reference Letter/s on company letterheads should include contact details for verification purposes. 	<p>5 or more projects = 5 points</p> <p>4 projects = 4 points</p> <p>3 projects = 3 points</p> <p>2 or less projects = 1 point</p> <p>No proof = 0 points</p>	20
	<p>Experience of Team Leader and Team Members</p> <p>Experience:</p> <p>Team Leader</p> <p>(i) Team Leader must have at least five (5) years practical experience working within the field of research in the mining and mineral sector.</p> <p>(Attach detailed CV highlighting relevant projects, with contactable references)</p> <p>Team members</p> <p>Individual team member must have at least three (3) years practical experience within field of research in the mining and mineral sector</p>	<p>5 or more projects = 5 points</p> <p>4 projects = 4 points</p> <p>3 projects = 3 points</p> <p>2 or less projects = 1 point</p> <p>No indication = 0 points</p>	<p>20</p> <p>10</p> <p>10</p>

No.	Evaluation criteria	Points	Weight
	(Attach detailed CV highlighting relevant projects, with contactable references)	4 or more projects = 5 points 3 projects = 4 points 2 projects = 3 points 1 or less projects = 1 point No indication = 0 points	
	<p>Qualifications of Team Leader and Team Members</p> <p>Qualifications:</p> <p>Team Leader qualifications</p> <p>(i) Team leader Team member(s) must possess Social Science or Developmental Studies or Policy Studies and relevant post graduate qualification recognised by SAQA (Attach certified copies of relevant qualification/s)</p> <p>Team member qualifications</p> <p>(i) Team member(s) must possess Social Science or Developmental Studies or Policy Studies qualification recognised by SAQA (Attach certified copies of relevant qualification/s)</p>	<p>NQF level 9 or higher = 5 points NQF level 8 = 4 points NQF level 7 = 3 points NQF level 6 = 2 points NQF level 5 or below = 1 point No qualification = 0 points</p> <p>NQF level 8 or higher = 5 points NQF level 7 = 4 points NQF level 6 = 3 points NQF level 5 = 2 points NQF level 4 = 1 point</p>	<p>30</p> <p>15</p> <p>15</p>

No.	Evaluation criteria	Points	Weight
	Project Plan		30
	(i) Detailed project plan with <ul style="list-style-type: none"> ➤ Project deliverables ➤ Key milestones ➤ Scope ➤ Schedule ➤ Contingencies (Attach project plan)	Detailed Project plan = 5 points No project plan = 0 points	15
	(ii) Propose methodology outlining. <ul style="list-style-type: none"> ➤ Management of the project. ➤ Outline of how the project will be undertaken (Attach methodology proposal)	Methodology proposal = 5 No methodology proposal = 0 points	15

Formula; $\frac{A}{B} \times 100 = C\%$

Where: A = Total score for the bid under consideration

B = Maximum possible score

C = Percentage score for the bid under consideration

6.2 Gate 02 – Mandatory requirements

The following requirements are mandatory. Bidders who do not comply with the mandatory requirements will be disqualified.

(i) N/A

(ii) N/A

6.3 Gate 03 - Administrative compliance

(i) Compliance to the specification / Terms of Reference.

(ii) Fully completed SBDs (Duly signed and dated) listed hereunder

➤ SBD 1

- SBD 4
- SBD 6.1
- (iii) The following will be regarded as noncompliance.
 - Price amendments / other amendments without signature/initials.
 - Use of correctional fluid
 - Completion of the bid document in coloured ink other than black ink

6.4 Gate 04 – Point Scoring System

Bids will be evaluated on the 80/20 preference point system as outlined in the Preferential Procurement Regulation of 2022.

- Price points = 80
- Preferential points = 20

- 6.4.1 The bidder that scores the highest points in this phase will be awarded the tender.
- 6.4.2 Should more than one bidder score the same number of points, the award will be made to the bidder who scores more points on specific goals.
- 6.4.3 Should there be more than one bidder who score the same number of points overall and same points on specific goals, the award will be made to the bidder who scored the highest points on functionality.
- 6.4.4 Should there be more than one bidder who score the same number of points in all aspects, the bid will be determined by the drawing of the lot.
- 6.4.5 The preferential points will be allocated in terms of the Departmental objectives on specific goals. Points allocation on specific goals are tabulated hereunder.
- 6.4.6 Bidders who do not submit proof (means of verification) of specific goals claimed will not qualify for preference points for specific goals.

Specific Goal	Number of points (80/20 Preference System)	Means of Verification
Enterprise owned by Black people	4	Identity documents and CIPC document
Enterprise owned by Women	4	Identity documents and CIPC document
Enterprise owned by Youth	4	Identity documents and CIPC document
Enterprise owned by disabled persons	4	Medical certification

Enterprise owned by SMMEs (QSE or EME)	4	B-BBEE certificate issued by a SANAS accredited Agency or DTIC, or Sworn affidavit
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NB: “Ownership = 51% of the company share. Designated group/person that are part of the entity directorship but have less than 51% share = points will be calculated on a pro-rata basis in relations to the share/s held by the designated group/persons.

Eg. Number of women directors = 01
 Shares owned by women = 20%
 Specific goal for women = 4 points
 Points claimable for women ownership = $\frac{20}{100} \times 4 = 0.8 \text{ points}$

7. REPORTING REQUIREMENTS

7.1 Management

The successful applicant will work closely with the Mining, Mineral and Energy Policy Development Branch led by the relevant Director within the Mining, Minerals and Energy Policy Development Branch depending on the nature of project.

7.2 Reporting Arrangements

The successful service provider will report directly to the relevant Director within Mining, Minerals and Energy Policy Development Branch depending on the nature of the project.

8. WORK PLAN AND METHODOLOGY

8.1 The service provider must provide:

- 8.1.1 A project proposal that demonstrates comprehension and competence to deliver on what is required in line with the scope of work under section 4.
- 8.1.2 A preliminary project plan outlining key activities, milestones, timeframes, and resources to be committed to the project.

9. ROLE AND RESPONSIBILITY

- 9.1 Service Level Agreement will be entered into with the successful service provider which will include, inter alia, obligations of the DMRE and the successful service provider.
- 9.2 The DMRE reserves the right to appoint more than one service provider for the project.
- 9.3 The successful service provider must develop detailed project schedule/ plan.

10. CONFIDENTIALITY OF INFORMATION

- 10.1 The names of all the members of the service provider team must be disclosed for the prior approval of DMRE. Any changes, replacements and additions should be submitted for prior approval of DMRE.
- 10.2 All members will have to sign a Non-Disclosure Agreement before project commencement and may be required to undergo security screening and tests as the DMRE deems necessary.

11. PAYMENT

- 11.1 The Department will not make an upfront payment to a successful service provider. Payment will only be made in accordance with the delivery of service that will be agreed upon by both parties and upon receipt of an original invoice.
- 11.2 The payment will be made at the completion of the project.

12. TAX CLEARANCE CERTIFICATE

- 12.1 Bidders must ensure compliance with their tax obligations.
- 12.2 Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to view the taxpayer's profile and tax status.
- 12.3 Application for tax compliance status (TCS) or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- 12.4 A bidder may also submit a printed TCS together with the proposal.
- 12.5 In proposals where consortia / joint ventures / sub-contractors are involved, each party must submit a separate proof of TCS / pin / CSD number.
- 12.6 Where no TCS is available but the bidders is registered on the central supplier database (CSD), a CSD number must be provided

13. DOCUMENTATION

- 13.1 One original copy and 3 Copies of proposals.

14. COST / PRICING

- 14.1 The bidders are requested to provide a quoted proposal regarding the work to be undertaken.
- 14.2 Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. The total cost must be VAT inclusive and should be quoted in South African Rands (i.e. ZAR).
- 14.3 Bidders should provide hourly rates as prescribed by Department of Public Service and Administration (DPSA), Auditor- General (AG) or the body regulating the profession of the consultant.
- 14.4 Bidders should provide (Subsistence & Travel (S&T)) rates that are in aligned to the National Treasury instruction note as follows:
- i) Hotel Accommodation – R1550 per night per person, including breakfast, dinner and parking.
 - ii) Air travel must be restricted to economy class.
 - iii) Claims for kilometres may not exceed the rates approved by the Automobile Association of South Africa.

15. CONDITIONS OF THE CONTRACT

- 15.1 The General Conditions of Contract must be accepted as these are issued by National Treasury and are non-negotiable.
- 15.2 The successful service provider will sign a confidentiality agreement regarding the protection of DMRE information that is not in the public domain.
- 15.3 The successful service provider shall ensure that the contract is executed in line with the scope of work.
- 15.4 The successful service provider may be subjected to security screening by the State Security Agency.
- 15.5 The DMRE reserves the right to verify the authenticity of the information submitted, any falsified information may result in the disqualification or cancellation of the contract.

16. FORMAT OF SUBMISSION OF PROPOSAL

- 16.1 Bidders are requested to submit two (2) copies of technical proposals plus the original.
- 16.2 Bidders are requested to index their proposals for easy reference.

17. PRE-BID MEETING / BRIEFING SESSION DETAILS

- 17.1 A non-compulsory briefing session will be held on **07 October 2025 at 11h00** on Microsoft teams.

Meeting ID: 361 812 661 777 0

Passcode: WL6DG6LE

18. CLOSING DATE

- 18.1 Proposals must be submitted on or before **16 October 2025 at 11h00** at Department of Mineral and Petroleum Resource and Energy. Trevenna Campus, C/o Meintjies and Francis Baard Street, Sunnyside, 0007. **No late bids will be accepted.**

19. ENQUIRIES

- 19.1 **All general enquiries relating to bid documents should be directed to:**

Ms Nonhlanhla Zingwevu

Tel No: (012) 444 3055

E-mail: Nonhlanhla.zingwevu@dmpr.gov.za

- 19.2 **Technical enquiries can be directed to:**

Dr N O Masekoa

Tel: 012 444 3733

E- mail: olga.masekoa@dmrpr.gov.za