



REQUEST FOR QUOTATION (RFQ)

RFQ/HUM/24/25/090			
CLOSING DATE	15 August 2024	CLOSING TIME	12:00

SUPPLY CHAIN CONTACTS AND ENQUIRIES	
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Reviewed: Senior Manager: Supply Chain and Contract Management		Controlled: Chief Executive Officer	

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1. Introduction to Request for Quotation (RFQ)

- 1.1 The Manufacturing, Engineering and Related Services Sector Education and Training Authority (merSETA) is a Schedule 3A public entity established in terms of the Skills Development Act (Act No. 97 of 1998), Registration Number 17/merSETA/01/04/20, to facilitate skills development for the Metal and Engineering, Motor Retail and Components Manufacturing, Automobile Manufacturing, Plastics Manufacturing and New Tyre Manufacturing Sectors Automotive Components Manufacturing Chamber.
- 1.2 The merSETA is inviting quotations from potential service providers for the services described in the below:

Description of goods or services
The objective of this project is to procure the services of an independent party to assist the merSETA with disciplinary enquires in respect of fulfilling the role of an initiator into the alleged misconduct of its employees. The hearing is to take place in Bloemfontein(Free State).The contract period for this project will be from date of award up until completion. The merSETA has concluded preliminary investigations into alleged misconduct committed by an employee. The said employee was placed on precautionary suspension up until the conclusion of the investigation. <i>Prima facie</i> investigations revealed that misconduct had been committed but will have to be independently verified. The merSETA seeks to appoint an independent party (initiator) to : 1) Initiate the matter after conclusion of its own verification of the facts. The independent parties must be capacitated and experienced in handling disciplinary enquiries from start to finish. SCOPE OF WORK -The independent party (initiator) to be appointed to lead the evidence at the disciplinary enquiry, guide and represent merSETA in this matter and to act in the best interest of the merSETA at all times and will include: - Acting in accordance with the mandate provided by the merSETA - Ensure that the merSETA's rights and interests are protected.

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- Provide guidance and advice in respect of the risks and legal processes that are available to the merSETA.
- Advise on alternate procedures available to the merSETA.
- Act on behalf of the merSETA in the event that it is needed after the conclusion of the disciplinary enquiry.
- Facilitate the appointment of an independent chairperson (not from the same successful bidder), of the disciplinary enquiry who is to ensure that the hearings are dealt with expeditiously and cost-effectively.

The independent chairperson appointed to deal with this matter must have a minimum of ten (10) years' experience in disciplinary enquiries, in particular experience in chairing and presiding at disciplinary enquiries as well as a minimum of ten (10) years' experience in dealing with public sector entities. The independent chairperson must be a legal professional specialising in labour law and labour litigation and have an understanding of the SETA environment and its legislative obligations. Curriculum Vitae must be included into the submission. The chairperson appointed must be responsible for administrative processes involved in chairing a hearing.

2. OUTCOMES AND DELIVERABLES

2.1 The successful bidder must attend a briefing/discussion session on the scope of work.

2.2 Peruse the evidence and documentation provided and advise on the procedures available to merSETA and assist with facilitating those processes. This will be in addition to defending the merSETA against any action.

2.3 The merSETA does not hold the view that Senior Counsel should be used but should the appointed independent party (initiator) believe that Senior Counsel would need to be appointed, a detailed rationale should be provided to the merSETA before approval can be granted.

2.4 Provide the merSETA with a performance plan which must include the following:

2.4.1 Communication turnaround times between the merSETA and the independent party.

2.4.2 Milestones and the *dies* pertaining to each milestone. The milestones will enable the merSETA and the independent party to establish the parameters on how the disciplinary enquiry ought to be handled by independent party as well as enable a realistic view of the duration of this matter.

2.4.3 A plan to ensure that there will be no delay in the disciplinary proceedings should the employees opt to appoint external representatives or are incapacitated for any reason. The merSETA views this matter as urgent and cannot afford the matter to be delayed.

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3. QUALIFYING CRITERIA

3.1 The independent party appointed by the merSETA to deal with this matter must have a minimum of ten (10) years' experience in disciplinary enquiries , in particular experience in dealing with initiating disciplinary enquiries as well as a minimum of ten (10) years' experience in advising and acting on behalf of public sector entities, legal professional specialising in labour law and labour litigation and have an understanding of the SETA environment and its legislative obligations. Curriculum Vitae must be included into the submission.

3.2 The independent party must indicate whether they will be allocating one (1) person to this matter or whether a team will be allocated to this matter. Should one (1) person be appointed and the independent party is incapacitated for any reason, the independent party must indicate in their submission, how same will be mitigated so as to not prejudice the merSETA. Where a team will be used, the independent party must include their teams CVs which must indicate their experience, their professional background, their rate per hour. The CVs must clearly indicate the independent party's capacity to undertake this matter.

3.3 The independent party must provide three (3) written reference letters from contactable references where the same service has been rendered from a period covering 2020 to date.

1.3 This RFQ is subject to the Preferential Procurement Policy Framework Act (Act No. 5 of 2000) and the Preferential Procurement Regulations (2022 Regulations), the General Conditions of Contract (GCC), and, if applicable, any other special conditions of contract. Where, however, the special conditions of the contract conflict with the general conditions of the contract, the special conditions of the contract prevail.

4. RFQ Submission

2.1 Bid documents must be emailed to quotations@merseta.org.za on or before the closing date and time.

2.2 The merSETA will only consider bid documents received on or before the closing date and time, regardless of the method used to provide them.

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5. Late submissions of the RFQ

Submission of quotation(s) received late (after the closing date and time) will not be considered.

6. Request for Quotation (RFQ) Rules

6.1 The following rules will apply for this Request for Quotation:

4.1.1 The price(s) quoted shall be valid for a minimum period of 60 days from the closing date and time of this RFQ.

4.1.2 The price(s) quoted must be firm and inclusive of value-added tax (VAT) where applicable.

4.1.3 The price(s) must include all related expenses, i.e., transport, accommodation, etc. (where applicable).

4.1.4 A potential supplier or service provider must be validly registered on the Central Supplier Database (CSD), as hosted by the National Treasury.

4.1.5 Only an official purchase order or appointment letter issued by the merSETA will bind the merSETA.

7. Technical Specification

5.1 It is expected that the service provider, upon submission of the quotation, will fully address the technical requirements of the below specification:

8. Bid Evaluation

6.1 The RFQ will be evaluated in terms of PPPFA 05 of 2000 and Preferential Procurement Regulation 2022 (80/20).

6.1.1 Evaluation Stage 1: Compliance

6.1.1.1 All bidders must comply with the administrative requirements outlined in the Standard Bidding Documents and the mandatory requirements listed below. All bidders failing to provide the required information and documentation in this evaluation stage may face disqualification from further evaluation. Failure to comply with the requirements assessed in Stage 1 (compliance) may lead to the disqualification of bids.

Criteria Description	Supporting Documents
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In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	Signed JV Agreement SBD forms must be completed for each legal entity Consolidated B-BBEE certificate
Bidders must submit a fully complete Bidder's Disclosure form (failure to declare honestly will lead to bidder being disqualified)	Standard Bidding Document (SBD) 4 and SBD 6.1

6.1.2 Evaluation Stage 2: Technical Evaluation

6.1.2.1 Bidders must meet the minimum technical specification requirements in this evaluation stage to advance to the next evaluation stage. Failure to meet the prescribed technical specification will automatically disqualify the bid offer from proceeding to the next evaluation stage.

Technical Specification			
No	Criteria	Description	Points
1.	The bidder must demonstrate experience in disciplinary enquiries , in particular experience in dealing with initiating disciplinary enquiries as well as a minimum of ten (10) years' experience in advising and acting on behalf of public sector entities, legal professional specialising in labour law and labour litigation and have an understanding of the SETA environment and its legislative obligations.	Ten (10) years or more of experience	30
		Less than eight (8) years up to seven (7) years of experience	20
		Less than five (5) years up to three (3) years of experience	10
		Less than three (3) years experience	0
2.	The bidder must provide written contactable letters of reference from contactable references from a period covering 2020 to date	3 or more relevant reference letters attached	15
		2 relevant reference letters attached	10

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	where similar service was rendered.	1 relevant reference letter attached	5
	merSETA reserves the right to contact the referee. Appointment letters will not be regarded as reference letter.	No or unsatisfactory reference letter(s) attached	0
3.	Detailed proposed Competency Assessment Methodology	Fully complies - The bidder has provided a detailed explanation of the methodology implementation approach which details how the services will be carried out as outlined in the scope and deliverables.	30
		Poor or unsatisfactory proposed methodology with no detailed project plan and timeframes.	0
4.	The bidder must prove capacity to undertake a project of this nature and capacity to carry out such mandates by providing the merSETA with copies of the designated teams' CV's. CVs which must indicate their 1 team member and their outlining the required relevant qualification. NQF 7 or NQF 8 in Industrial Psychology (Attach the qualifications).	The CVs must demonstrate experience and minimum qualifications. • NQF 8 or 7 = 25	25
TOTAL			100
MINIMUM WEIGHTING SCORE			65
Any bid that fails to meet the overall minimum threshold of 65% will be disqualified for further evaluation on stage 3 (price and specific goals).			

6.1.3 Evaluation Stage 3: Preference Point System

6.1.3.1 The 80/20 preference point system shall be applicable to this phase, where 80 points represent the maximum obtainable points for the lowest acceptable price and 20

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points represent the specific goals. The bid documentation's table below will award points to a bidder for achieving the specific goals.

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)
Tenderer who has 51% to 100% black people ownership	6	
Tenderer who has 30% to 100% black women ownership	4	
Tenderer who has 30% to 100% black youth ownership	4	
Tenderer who has 30% to 100% White women ownership	2	
Tenderer who has 20% or more owners with disability	4	
Total Points allocated to Specific Goals	20	

9. merSETA's RIGHTS

- 9.1 The merSETA is entitled to amend any bid condition, bid validity period, RFQ specification, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFQ documents have been issued and where the merSETA has records of such bidders, may be advised in writing of such amendments in good time, and any such changes will also be posted on the merSETA's website under the relevant tender information. Therefore, before submitting their bid response, prospective bidders should regularly check the website to stay informed about any amendments related to this matter.
- 9.2 The merSETA reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of

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handling the contract and whose bid is functionally acceptable and/or financially advantageous to the merSETA.

- 9.3 The merSETA reserves the right to award this bid as a whole or in part.
- 9.4 The merSETA reserves the right to conduct site visits at bidder's corporate offices and or at client sites if so required.
- 9.5 The merSETA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in National Treasury Instruction 02 of 2016/2017: Cost Containment Measures, where relevant.
- 9.6 The merSETA reserves the right to request all relevant information, agreements, and other documents to verify the information supplied in the bid response. The bidder hereby gives consent to the merSETA to conduct background checks, including FICA verification, on the bidding entity and any of its directors, trustees, shareholders or members.
- 9.7 The merSETA reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers, if applicable (i.e., where a panel is considered).
- 9.8 The merSETA reserves the right to make a final decision on the interpretation of its tender requirements and responses thereto.
- 9.9 The merSETA reserves the right to consider the professional conduct and experiences it had with any bidder that rendered similar services to the merSETA in the past 5 years over and above the references put forward by the bidder in its response.

10. UNDERTAKINGS BY THE BIDDER

- 8.1 By submitting a bid in response to the RFQ, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the merSETA on the terms and conditions and in accordance with the specifications stipulated in this RFQ document.
- 8.2. The bidder shall prepare for a possible presentation should merSETA require such, and the bidder will be required to make such a presentation within five (5) days from the date the bidder is notified of the presentation. Such a presentation may include a practical demonstration of products or services as called for in this RFP.

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- 8.3. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the merSETA during the bid validity period indicated in this RFQ, and its acceptance shall be subject to the terms and conditions contained in this RFQ document read with the bid.
- 8.4. The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFQ; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 8.5. The successful bidder accepts full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with merSETA, as the principal(s) liable for the due fulfillment of such a contract.
- 8.6. The bidder accepts that all costs incurred in the preparation, presentation, and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with the bid will become merSETA property unless otherwise stated by the bidder(s) at the time of submission.



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ANNEXURE A

Specific Goal Guide – Preferential points (80/20)

This specific goal guide will be used to assist providers in submitting relevant documents to confirm specific goals.

“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 Reconstruction and Development programme as published in government gazette No. 16085 dated 23 November 1994.

Please note that :

- Financial account, management account or auditors letter should be submitted confirming turnover of the company determining BBBEE status on Affidavit and B-BBEE CIPC certificate in order for the specific goals can be awarded.

Preferential points for tenders without local content requirements.

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Specific goal	80/20 Preference Point system	Example of Submission	Tick if relevant document submitted	Indicate which document have been submitted
Black People Ownership – 51% or more	6	Valid B-BBEE certificate/Affidavit or B-BBEE CIPC		
Black Women Ownership – 30% or More	4	Valid B-BBEE certificate/Affidavit or B-BBEE CIPC		
Black Youth Ownership – 30% or More	4	Valid BBBEE certificate/Affidavit or B-BBEE CIPC		
White Women Ownership – 30% or More	2	Valid B-BBEE certificate/Affidavit or B-BBEE CIPC		
People with Disability (PwD) Ownership	4	Medical certificate		
Total Points allocated to Specific Goals	20			

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AUTHORISATION SIGNATORIES TO CONFIRM RFQ			
The employee signing below hereby affirms the accuracy of the information requested for the quotation.			
Supply Chain Management Representative			
Full Names	Asisipho Matomane	Date	08 August 2024
Signature			
Technical Representative			
Full Names	Marlin Rhode	Date	08 August 2024
Signature			



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