



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

Private Bag X901, Pretoria, 0001

Enquiries: K Watson, Tel No: (012) 312 7566, Email: kobusw@dsd.gov.za

Sir/Madam

REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE OVERSIGHT ROLE PLAYED BY THE DEPARTMENT OVER ITS ENTITIES AND PROVIDE A STRATEGY AND IMPLEMENTATION PLAN TO ENSURE ADEQUATE AND EFFECTIVE EXECUTION OF THE FUNCTION

1. Tender No: **SD11/2020**
2. Closing Date: **07 August 2020 at 11:00**
3. The following documents form part of this invitation for a proposal:
 - SBD1: Invitation to bid
 - SBD3.3: Pricing Schedule
 - SBD4: Declaration of Interest
 - SBD6.1: Preference points Claim Form
 - SBD8: Declaration of Bidders past SCM Practices
 - SBD9: Certificate of Independent Bid Determination
4. **All the documents accompanying this invitation must please be completed in detail, where applicable and returned with your Bid.**
5. Please make sure that your bid reaches this office before the closing time and date
6. When submitting your bid the following information must appear on the sealed envelope:
 - i. Name and address of the Bidder
 - ii. Bid number
 - iii. Closing Date
7. This envelope can be placed in the Bid box in the foyer at HSRC Building, 134 Pretorius Street, Pretoria

Kind regards

ACTING DIRECTOR-GENERAL: DEPARTMENT OF SOCIAL DEVELOPMENT

DATE: *2/07/2020*

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NATIONAL DEPARTMENT OF SOCIAL DEVELOPMENT)					
BID NUMBER:	SD11/2020	CLOSING DATE:	07 AUGUST 2020	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER TO REVIEW THE OVERSIGHT ROLE PLAYED BY THE DEPARTMENT OVER ITS ENTITIES AND PROVIDE A STRATEGY AND IMPLEMENTATION PLAN TO ENSURE ADEQUATE AND EFFECTIVE EXECUTION OF THE FUNCTION				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX					
SITUATED AT HSRC Building, 134 Pretorius Street, Pretoria					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/> AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
		<input type="checkbox"/> A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
		<input type="checkbox"/> A REGISTERED AUDITOR NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [(IF YES ENCLOSE PROOF)]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [(IF YES ANSWER PART B:3 BELOW)]	
SIGNATURE OF BIDDER				DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY			CONTACT PERSON		
CONTACT PERSON			TELEPHONE NUMBER		
TELEPHONE NUMBER			FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS		
E-MAIL ADDRESS					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION: 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 2.2 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. 2.3 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. 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER. 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

PRICING SCHEDULE
(Professional Services)

BID NO: SD11/2020	CLOSING TIME 11:00 ON 07 AUGUST 2020
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NAME OF SERVICE PROVIDER:

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VAVULE ADDED TAX</u>
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APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE OVERSIGHT ROLE PLAYED BY THE DEPARTMENT OVER ITS ENTITIES AND PROVIDE A STRATEGY AND IMPLEMENTATION PLAN TO ENSURE ADEQUATE AND EFFECTIVE EXECUTION OF THE FUNCTION

1. The accompanying information must be used for the formulation of proposals.

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.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

.....

R.....

.....

.....

R.....

.....

.....

R.....

.....

.....

R.....

.....

.....

R.....

.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....

R.....

..... days

.....

R.....

..... days

.....

R.....

..... days

.....

R.....

..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED

RATE

QUANTITY

AMOUNT

.....

R.....

R.....

R.....

.....

R.....

R.....

R.....

.....

R.....

R.....

R.....

.....

R.....

R.....

R.....

Bid No.:

Name of Bidder:

TOTAL: R.....

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract? *YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
-
-
-

Any enquiries regarding bidding procedures may be directed to the –

Mr Kobus Watson
Email: KobusW@dsd.gov.za

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
 - 2.2 Identity Number:
 - 2.3 Position occupied in the Company (director, trustee, shareholder²):
 - 2.4 Company Registration Number:
 - 2.5 Tax Reference Number:
 - 2.6 VAT Registration Number:
 - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person connected to the bidder is employed :
Position occupied in the state institution:

Any other particulars:
.....
.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

[illegible]

YES/NO

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

YES/NO

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

[illegible]

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF
PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION
PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

May 2011

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

- (a) Price; and
(b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) "B-BBEE" means broad-based black economic empowerment as defined in section

1 of the Broad-Based Black Economic Empowerment Act;

- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20

2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

- 7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- 7.1.1 If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of
company/firm:.....

8.2 VAT registration
number:.....

8.3 Company registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:
ADDRESS
.....
.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. 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 No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

P.O. Box X 901, Pretoria, 0001, 134 Pretoria Street, HSRC Building, Pretoria

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE OVERSIGHT ROLE PLAYED BY THE DEPARTMENT OVER ITS ENTITIES AND PROVIDE A STRATEGY AND IMPLEMENTATION PLAN TO ENSURE ADEQUATE AND EFFECTIVE EXECUTION OF THE FUNCTION

1. PURPOSE

The Department of Social Development invites suitably qualified and experienced service providers to tender for conducting a review on the oversight role played by the Department of Social Development of Social Development ('the Department') over its entities, and provide a strategy and implementation plan to ensure adequate and effective execution of the function.

2. PROJECT NAME

The project will be referred to as **Entity Oversight Review Contract**.

3. BACKGROUND

The Department derives its core mandate from the Constitution of the Republic of South Africa:

- Section 27(1) c of the Constitution provides for the right of access to appropriate social security, including social assistance to those unable to support themselves and their dependants.

The mission of the Department is to improve the quality of life by building conscious and capable citizens through the provision of comprehensive, integrated and sustainable social development services.

In order to effectively execute its mission, the Department established the following institutions to complement its activities:

- South African Social Security Agency (SASSA),
- National Development Agency (NDA), and
- Central Drug Authority (CDA)

The Department has a responsibility and a legal duty to ensure that the said Agencies discharge their activities in a manner that would eventually ensure that the aforementioned Constitutional directive is realized. These Agencies are important instruments of government machinery to deliver services, and there is therefore a critical need to improve oversight mechanisms and governance protocols. Entities that are well managed and financially stable are key to support the country's economic growth aspirations and strengthen the state's ability to accelerate the implementation of the NDP.

Legislative prescripts that give effect to these entities are the following:

- The Social Assistance Act No 13 of 2004 as amended
- The South African Social Security Agency Act No. 9 of 2004
- The Prevention of and Treatment for Substance Abuse Act No. 70 of 2008
- The National Development Agency Act 108 of 1998 as amended

4. PROBLEM STATEMENT AND CURRENT SITUATION

The need for the review of the role played by the Department over its entities emanates from, amongst others, the apparent governance weaknesses at some of its Agencies and to a very large extent SASSA. Various external stakeholders such as Parliament, Auditor-General, different divisions of High Courts and ultimately the Constitutional Court have also highlighted the said governance weaknesses with extreme concern. Whilst the Department of

Social Development has developed an Entity Oversight Framework and established governance structures to oversee the work of the entities, it still remains challenged in respect of the adequacy and effectiveness of these.

Each entity is also different in terms corporate form and the following is a high level overview of this:

- SASSA is a schedule 3A entity with no board and direct reporting to the Minister of Social Development;
- NDA is a schedule 3A entity with a board and direct reporting to the Minister of Social Development;
- CDA is a statutory body with a board and direct reporting to Minister of Social Development;

Given these differences and complexities in both their corporate form and rand value that is transferred from the Department to these entities, it is necessary for an oversight framework and implementation plan to mirror this.

It is for these reasons that the Department deems it necessary to appoint a service provider with the requisite expertise to support in the development of adequate and effective governance and oversight systems and mechanisms.

5. SCOPE OF WORK

The service provider is expected to do the following:

PART A: DOCUMENT REVIEW AND ANALYSIS

5.1. Provide a review on the current oversight mechanisms including but not limited to the following against best practises and corporate governance requirements.

- Entity oversight frameworks;
- Shareholders compacts,
- Governance structures;

- Performance monitoring system, reporting tools and frameworks,
- Financial oversight and monitoring systems;
- Risk and internal audit processes, structures and systems;
- ICT systems oversight
- Planning processes;
- Policy oversight and monitoring of policy implementation; and

5.2 Review all relevant legislation that gives effect to the establishment of the three entities and that which impacts their functioning to develop a compliance universe and checklist that DSD would use to assess the entities.

5.3 Review all relevant documentation to enable a thorough analysis as required in section 5.1 and 5.2 above including but not limited to strategic and annual reports, AG-SA audit reports, minutes of portfolio committee engagements, media reports, risk assessment and internal audit reports; annual reports which include the financial statements.

PART B: IMPLEMENTATION PLAN

- I. Predicated on the above analysis (5.1) and compliance checklist (5.2), provide a blueprint of an annual implementation plan (what needs to be done) and an execution strategy (how it needs to be done; by whom; when, and so forth) that DSD should make use of to undertake its oversight responsibility over each entity;
- II. Develop oversight tools for each area listed in 5.1 (and any additional areas arising from the gap analysis) to enable functional oversight;
- III. Define key performance indicators in respect of each area listed in 5.1 above and any additional areas arising from the gap analysis;
- IV. Develop a comprehensive entity oversight reporting tool and an executive dashboard;
- V. Provide a comprehensive guideline on how DSD should oversee the Entities' implementation of its policies to ensure uniform application across the country.

- VI. Provide a comprehensive guideline on how DSD should oversee contracts between entities and service providers rendering policy-related functions, particularly in respect of SASSA
- VII. Provide a high level skills and competency framework as well as an organogram of an ideal entity oversight structure;

PART C: COMPLETION OF AUDITS ON SPECIFIC AREAS IN RELATION TO SASSA

Conduct an audit on the following areas and provide a report:

- I. SASSA systems on beneficiary file management in three provinces namely KZN; EC and NW and make recommendations on the improvement of controls;
- II. SASSA management of debtors;
- III. The oversight role that SASSA plays over its implementation agency e.g. South African Post Office (SAPO) and Postbank:
 - o A thorough analysis of the contract and the contract management processes that SASSA has in place with SAPO;
 - o Identify the gaps and weaknesses;
 - o Provide for amendments of the contract to address the gaps in the contract itself and the contract management processes.

7. OUTPUTS

The appointed service provider must provide Oversight Review Report which focuses on the following areas:

Part A:

- 7.1 An analytical report on the current DSD oversight mechanisms, its gaps, weakness and recommendations for improvement;
- 7.2 Entity compliance universe and checklist.

Part B:

- 7.3 Blueprint of an annual implementation plan;
- 7.4 Oversight tools for each area listed in 5.1 (and any additional areas arising from the gap analysis) to enable functional oversight;
- 7.5 Key performance indicators in respect of each area listed 5.1 above and any additional areas arising from the gap analysis;
- 7.6 Comprehensive entity oversight reporting tool and an executive dashboard;
- 7.7 High level skills and competency framework as well as an organogram of an ideal entity oversight structure;
- 7.8 Comprehensive guideline on how DSD should oversee the Entities' implementation of its policies to ensure uniform application across the country.
- 7.9 Comprehensive guideline on how DSD should oversee contracts between entities and service providers rendering policy-related functions, particularly in respect of SASSA

Part C

- 7.8 Audit reports on SASSA in respect of the following:
 - SASSA beneficiary file management
 - Debtors management
 - Oversight role of SASSA over SAPO
 - Recommendations for amendments on the contract and contract management processes between SASSA and SAPO

8. TIME FRAMES

The project must be finished within Six (6) months after commencement.

9. SKILLS, KNOWLEDGE AND EXPERIENCE REQUIRED

- 9.1 The service provider should demonstrate the following skills and qualifications:

- a) Extensive corporate governance knowledge with a multi-disciplinary team that have qualifications in the following disciplines namely Financial (preferably a Chartered Accountant); Compliance; Legal; Audit; Risk; ICT (preferably with a systems development and/or ICT auditing background), banking; Organisational Development, project management and strategic planning.
- b) Extensive experience in corporate governance and entity oversight assessments
- c) Excellent analytical and report writing skills.
- d) Knowledge and experience in social development and social security will be an added advantage

9.2 The curriculum vitae of all personnel of the service provider working on the project must be provided in an addendum to the bid.

9.3 The Department reserves the right, and the consultant/firm gives permission, that the previous employers and/or institutions may be contacted to obtain references regarding the expertise and general standard of work of the service providers.

9.4 The Department is not compelled to accept the personnel provided by the service provider.

10. BRIEFING SESSIONS

There will be no briefing session.

11. BID PROPOSAL

The comprehensive proposal submission should include:

- 11.1 A detailed project methodology for Part A; B and C as per the scope of work reflecting project time frames, costing and outputs. The costing for Part A; Part B and Part C as per the scope of work must be costed separately. The purpose of this is to enable the

Department to decide based on budget availability if it would continue with all three parts or prioritise some of the parts.

11.2 Profile of company including a description of similar work undertaken.

The names of references where this similar work was undertaken to enable the department to conduct a reference check

11.3 Number, names and resumes (abbreviated CVs) of the persons assigned to the project and a summary of the roles, responsibilities and time spent by each Person.

11.4 The cost structure should be inclusive and as detailed as possible.

11.5 The service provider is expected to enter into a contract with the DSD based on the proposal.

11.6 A work plan indicating time frames should be provided with the proposal.

Progress will be monitored monthly based on the work plan and time frames provided by the service provider approved by the Department

11.7 The Department reserves the right not to award the bid altogether or to award either Part A, B or C or a combination thereof.

11.8 The shortlisted bidders may be required to attend an interview and presentation session with the Department.

12. PROPRIETARY RIGHT

12.1 The Department shall become the owner of all information, documents, advice and reports collected and compiled by the service provider to be appointed.

12.2 The copyrights of all documents and reports compiled by the service provider will vest in the Department and may not be reproduced, distributed or made available without the written consent and approval of the Department.

12.3 All information, documents and reports must be regarded as confidential until made public by the Department.

13. EVALUATION CRITERIA

13.1 The evaluation of the bids will be conducted in two stages:

- (a) Firstly, the proposals will be evaluated on functionality. An evaluation panel will allocate points (scale 1-5) in respect of functionality according to the criteria set-up in paragraph 13.6 proposals scoring less than 75% in respect of functionality will be disqualified and not be evaluated further.
- (b) Thereafter, only the qualifying bids will be evaluated in terms of the 80/20 preference points system as contemplated in the Preference Procurement Regulations 2017 issued in terms of Preferential Procurement Policy Framework Act (Act 5 of 2000).

13.2 The 80 points will be used to calculate points for price only and 20 points will be used to calculate points for BBBEE status levels of contribution (SBD 6.1). Prospective service providers are required to complete the SBD 6.1.

13.3 The points in respect of price will be calculated on the ceiling price for the project (inclusive of the professional fees).

13.4 PLEASE NOTE: SBD 6.1 attached for claiming above-mentioned points, if not completed the bidder will automatically score 0 points.

13.5 Technical proposals will be evaluated on a scale of 1-5 in accordance with criteria below.

13.6 The rating will be as follows:

1: Very Poor

2: Average

3: Good

4: Very Good

5: Excellent

Table: 1 Evaluation Matrix

ELEMENTS	Rating					WEIGHTING
	1	2	3	4	5	
Approach and methodology						20
Demonstrable experience in engagement in similar work						40
Demonstrable experience in contract development And management						20
Functionality						80

14. FACILITIES TO BE PROVIDED BY THE DSD

- 14.1 During the project the Department officials will make themselves available for clarity, reporting processes, discussions and meetings. The service provider will also have access to required documents and other records available within the Department that may assist in executing the project.
- 14.2 The Department of Social Development is compliant in relation to all requirements from DOH and DOL with respect to COVID 19 protocols.
- 14.3 The service provider is expected to ensure that all staff who access DSD facilities have the required PPE's and comply with government workplace protocols in relation to COVID 19.

15. REPORTING ARRANGEMENTS

- 15.1 All deliverables should be submitted to the Department. Any deliverable submitted and not accepted must be reworked and resubmitted at no additional cost.
- 15.2 The service provider will provide a single overall project manager.
- 15.3 A comprehensive monthly report will be submitted by the service provider.

16. TARRIFS AND PAYMENT

- 16.1 Payment will be effected within 30 days after receipt of a satisfactory detailed invoice from the successful service provider.
- 16.2 Payment will be made in accordance with the completion of work to the satisfaction of the Department based on the milestone for the project agreed to and signed off as part of the contract.

17. SUBMISSIONS

- 17.1. Prospective bidders must submit their bids proposals in **two envelopes**:
- 17.2. **One envelope** with the **technical proposal** outlining in detail a realistic work-break schedule indicating different milestones to be achieved, and response to the terms of reference and evaluation criteria including other supportive documents, completed bid forms, tax clearance certificate issued by SARS and legal entity registration certificate.
- 17.3. One **other envelope** with the **financial proposal** (pricing schedule (SBD 3.3) with all cost related items, cost breakdown).
- 17.4. The entire proposal should be placed on disc in a PDF format
- 17.5. The following information must be endorsed on each envelope:
- **Bid number:**
 - **Closing date:**
 - **Name of the Bidder:**
 - **Technical Proposal or Financial Proposal**
- 17.6. The closing time for the submission of bid is 11h00 on 07 August 2020.
- 17.7. Failure to comply with these conditions will result in a bid being disqualified.

17.8. The Bids should be:

Deposited in the Tender Box,
Foyer of the HSRC Building
134 Pretorius Street PRETORIA

17.9. Bids received after the closing date and time will be regarded as late and will not be evaluated.

18. CONTACT PERSONS

All enquiries may be directed to Ms P Masilo via electronic mail at pulanem@dsd.gov.za or Mr K Watson at kobusw@dsd.gov.za

The Department will respond to all enquiries within 24 hours. The enquiries and responses will also be published on the Departmental website at www.dsd.gov.za

The due date for the submission of all enquiries must be by the latest 31 July 2020.