



Tender Ref #:	COGTA (T) 13/2022	Tender Description:	Appointment of Implementing Agents to support the implementation of the Community Work Programme (CWP) for a period of 24 months.
----------------------	-------------------	----------------------------	---

PART A – BID DETAILS

- The Department of Cooperative Governance (hereunder referred to as the Department or DCOG) invites qualifying bidders for appointment as Implementing Agents (IAs) of the Community Work Programme (CWP) for a period of twenty four (24) months from 1 April 2023 to 31 March 2025.
- Closing Date:** The bid closing date and time are indicated in the tender advertisement and bid documents. **Bids received after the closing date and time will not be accepted.**
- Briefing Session:** The briefing session date and time are indicated in the tender advertisement and bid documents. The briefing session is not compulsory. The Department cannot physically accommodate the expected number of bidders and the briefing will therefore be conducted online. Interested bidders must contact the SCM officials indicated below for the MS Teams link.
- Contact information:** Prospective bidders **may not under any circumstances** make contact with or engage any DCOG officials other than the officials indicated below on any matter related to this tender. Enquiries must be directed to all the officials below. Enquiries sent to the DCOG officials below will be routed to the relevant employees and responses will be coordinated and provided by the officials indicated below.

ENQUIRIES		
Name:	Ms. Nomvula Ntuli	Mr. Mogoma Sekgothe
e-mail:	t13.2022@cogta.gov.za	

The Department reserves the right to disqualify any bidder that makes contact with or directly engages any other DCOG employee on matters / enquiries / questions related to this tender.

- Project duration:** Successful bidders will be appointed for a period of 24 months. The Department reserves the right, at its sole discretion, to reduce the contract period for one or more provinces by giving the appointed Implementing Agent at least three (3) calendar months’ notice.
- Bid / Proposal format**

Package 1: The following must be submitted **once, regardless of the number of provinces bidding for:**

- Check List signed by the bidder.
- **Bidder Experience (Annexure A).** Must complete attached summary sheet and provide reference letters with contact details of referees.
- SDBs 1, 3.3, 4 and all other required SCM documents.
- National Treasury Central Suppliers Database (CSD) report, not older than 30 days (www.csd.gov.za).
- Valid B-BBEE certificate issued by a SANAS accredited verification agency or sworn affidavit. Consortia or joint ventures must take note of the relevant sections of SBD 6.1 regarding requirements for B-BBEE certificates.
- Proof of registration with UIF (This requirement will not be enforced if the required documents are no longer issued by the Department of Employment and Labour).
- Letter of good standing with COIDA from the Department of Employment and Labour.
- Audited financial statements for the two immediate prior financial years and a confirmation letter from a registered audit firm.
- Approved assets management policy.
- Approved procurement policy.

- **Proposed project team (Annexure B).** Must complete attached summary sheet and provide detailed CVs that clearly indicate experience and qualifications.
- **Pricing information (Annexure C).** Price proposals must include 15% VAT and must be fully inclusive to deliver all services and outputs indicated in the terms of reference (**must use attached Excel template**).
- A detailed **proposal and project execution** plan covering all provinces bidding for. The proposal and project execution plan must contain all the information required to evaluate the bid against the requirements stipulated in these terms of reference.

PART B – DETAILED REQUIREMENTS

The current CWP Implementation Policy effective from 1 October 2021 as well as the Draft CWP Implementation Policy to be implemented from 1 April 2023 are distributed as part of the bid documents and contain the detailed deliverables required of CWP Implementing Agents. Prospective bidders are required to carefully study the CWP Implementation Policy and submit proposals that address all deliverables in the Policy. Successful bidders will be required to fully comply with all legislation, regulations, policies and prescripts and must be able to perform all the functions indicated in the CWP Implementation Policy.

The Department reserves the right to amend the CWP Implementation Policy at any time. Where such amendments have a material impact on bid or contract conditions, the Department will, at its sole discretion, amend contracts or advertise a new tender to appoint IAs.

Bidders must note Part E – Contract management and special conditions, in particular par 2.6 related to consortia / joint ventures. **Bidders that submit more than one bid, either individually or as part of a consortium / joint venture for a particular province will be eliminated.**

PART C – MANDATORY ADMINISTRATIVE AND FUNCTIONAL REQUIREMENTS

1. MANDATORY ADMINISTRATIVE REQUIREMENTS

SCM ADMINISTRATIVE COMPLIANCE CHECKLIST		
#	Criteria	Yes / No
1.1	Checklist	
1.2	Supplier is registered on the National Treasury Central Suppliers Database (CSD) on or before bid closing date.	
1.3	Supplier is Tax Compliant (as indicated on CSD) ¹ or verified through SARS ¹	
1.4	Supplier has a valid B-BBEE certificate issued by a SANAS accredited verification agency or a sworn affidavit.	
1.5	Supplier completed all SBD Forms (SBD 1, 3.3, 4, 6.1).	
1.6a	Proof of registration with UIF (This requirement will not be enforced if the required documents are no longer issued by the Department of Employment and Labour).	
1.6b	Letter of good standing with COIDA from the Department of Employment and Labour.	
1.7	A valid bank account (as indicated on CSD) with a South African registered bank.	
1.8	Audited financial statements for the two immediate prior financial years and a confirmation letter from a registered audit firm or firms that the financial statements were audited.	
1.9	Approved (signed) assets management policy submitted.	
1.10	Approved (signed) procurement policy submitted.	
1.11	Summary of supplier experience submitted (Annexure A).	
1.12	Summary of project team submitted (Annexure B).	
1.13	Price proposal submitted (Annexure C – must use Excel template) ²	
1.14	Proposal and project execution plan submitted	

Note 1: Bidders that are not tax compliant on the closing date for bids or at any time subsequent to the closing date, must rectify their tax compliance status within 7 working days of being requested to do so. Bidders that remain tax non-compliant after 7 working days of being requested to rectify their tax status, will be disqualified.

Note 2: Bidders must use Excel spread sheet attached. Costing sheets completed by hand (in writing) or where formulas in the costing sheet were tampered with will not be accepted and such bids will be regarded as administratively non-compliant.

No bids will be considered from:

1. Individuals in the service of the State.
2. Organisations with directors (whether remunerated or not) in the service of the State.

Where exceptions are allowed in terms of the applicable legislation, the bidder must attach an approved and valid Remunerative Work Outside of the Public Service (RWOPS). This clause does not apply to bidders that are government departments/entities.

The Department reserves the right to use the information provided by bidders to engage banks, credit rating agencies and the relevant government institutions to obtain information on credit records, criminal records, pending court cases, etc. Suppliers that show a history of poor financial/credit management and/or criminal behaviour will not be considered. The same will apply to the key team members (Executive Manager / Team Leader, Senior Project manager, Finance Manager / CFO) as well as all directors / owners.

The Department reserves the right to apply the following criteria only to shortlisted / recommended bidders. Bidders must meet all four criteria below:

SCM ADMINISTRATIVE COMPLIANCE CHECKLIST		
#	Criteria	Yes / No
2.1	Team members, Director(s)/Owner(s) have not been convicted on charges related to fraud, corruption or violent/abusive behaviour.	
2.2	Bidder and team members, Director(s)/Owner(s) do not have a history of poor financial / credit management.	
2.3	No team members, Director(s)/Owner(s) in the service of the state, or approved RWOPS attached where in the service of the state. This clause does not apply to bidders that are government departments/entities.	
2.4	SBD forms or subsequent enquiries did not reveal any information or past practices that prohibits the supplier from conducting business with the state.	

2. FUNCTIONAL CRITERIA

2.1. Definition of similar project:

Given the scope and size of the Community Work Programme (CWP) it is essential for prospective bidders to provide evidence of having managed at least one project of a similar scope and size in the past. The scope and size of the CWP per province can be measured against the breakdown of the provisional 2022/23 annual budget per province provided in 2.5.2 below. A “similar” project in the context of the CWP refers to a project that required or involved the following:

- Engaging and working with local communities and/or community-based organisations.
- Managing large groups of stakeholders and/or beneficiaries (10,000 or more).
- A total project budget of at least R20,000,000.00 (total budget irrespective of the duration of the project).
- Managing of people, assets and inventory.

2.2. Bidder experience

- 2.2.1. For the purposes of evaluation, the term “Bidder” shall refer to the Bidder as well as consortium of partners (if any). The terms “Bidder”, “Supplier” and “Service Provider” are used interchangeably and has the same meaning for the purposes of this bid.
- 2.2.2. Bidders must have proven ability and experience of managing / implementing at least one similar project (as defined under 2.1 above). The attached Bidder experience summary sheet (**Annexure A**) must be completed. Bidders are required to attach reference letters with contactable references for all projects listed in the summary sheet. The project proposal must contain detailed information related to previous projects to enable the Bid Evaluation Committee (BEC) to evaluate bids against the criteria indicated in

these Terms of Reference. DCOG reserves the right to verify experience and to contact references provided, as well as any other third party that could verify the experience and performance of bidders.

- 2.2.3. The past performance of bidders in executing similar projects will be evaluated using the references supplied by bidders as well as any other information available to the Department. Below satisfactory performance on a particular project may only be considered if such performance was communicated to the bidder by the contracting party and the bidder was given a reasonable opportunity to correct any deficiencies highlighted by the contracting party. The Department reserves the right to reject a bid if the bidder failed to perform satisfactorily on similar projects or of inaccurate information is provided in relation to previous projects.
- 2.2.4. Local footprint: Bidders must show evidence of their ability to service the chosen areas of operation (Provinces bidding for). Details of established offices in the province and/or a proposal/implementation model that would enable the bidder to successfully engage communities, local and provincial government across the province. This requirement will not be considered during the bid evaluation process but will be considered during the contracting process with successful bidders.
- 2.2.5. Bidders must propose team members and must have policies and systems in place to ensure that assets and procurement processes are managed in manner that is compliant with the relevant legislation, regulations, instructions and policies. The following criteria will be considered:
 - Approved procurement policy (policy signed by the board or similar governing structure / authority). The policy must demonstrate the bidder's ability to conduct procurement in full compliance with the Public Finance Management Act, Treasury Regulations, Preferential Procurement Policy Framework Act and Regulations, relevant National Treasury Instructions and DCOG policies.
 - Approved assets management policy (policy signed by the board or similar governing structure / authority) demonstrating the bidder's ability to manage and safeguard departmental assets. The policy must demonstrate the bidder's ability to manage assets in full compliance with the Public Finance Management Act, Treasury Regulations, Preferential Procurement Policy Framework Act and Regulations, relevant National Treasury Instructions and DCOG policies.
- 2.2.6. Audited financial statements submitted by the bidder will be used to determine the bidder's record in financial, assets and procurement management. Bidders that are unable to demonstrate a history of sound cash-flow, financial, assets and procurement management will not be considered.

2.3. Team composition

- 2.3.1. The attached summary sheet (**Annexure B**) must be completed for key members of the team responsible for overall implementation and management of the project (regardless of the number of provinces bidding for). Key team members indicated in the proposal must be available for the duration of the project and must play a meaningful role in the project. Replacement of team members may only be done in consultation with DCOG and replacement team members must have the same qualifications / experience as those they are replacing.
- 2.3.2. The following must be submitted for each of the proposed key team members:
 - Written confirmation of availability (signed by the proposed team member) for the expected duration of the project.
 - Detailed CV indicating qualifications, previous experience as well as letters of reference (references must be contactable).
 - Copies of qualifications.
- 2.3.3. DCOG reserves the right to verify all qualifications through the South African Qualifications Authority and to verify experience indicated on CVs with third parties.
- 2.3.4. Team members must demonstrate adequate experience through the number, types and geographical spread of projects/assignments undertaken. Detailed CVs that clearly indicate experience and qualifications of all team members must be included in the proposal.

Roles	Qualifications	Experience
Executive Manager / Team Leader	Minimum: Any 3-year tertiary qualification.	Minimum: Has worked as part of a team on at least two similar projects and was the lead on at least one such project.
Finance Manager / CFO	Minimum: 3-year Tertiary qualification in accounting or with accounting as a subject at third year level.	Minimum: At least 5 years work experience as a Finance Manager / CFO or similar position. Must demonstrate experience in working with or at PFMA compliant institutions.
Procurement Manager	Minimum: 3-year relevant tertiary qualification.	Minimum: At least 5 years work experience in procurement in a PFMA compliant institution.
Assets Manager	Minimum: 3-year relevant tertiary qualification.	Minimum: At least 5 years work experience in assets management in a PFMA compliant institution.
Other team members	None	Minimum: At least three (3) team members with experience in implementing similar projects.

One person may perform up to two functions indicated under 2.3.4. No team member may perform more than two of the functions indicated under 2.3.4 above.

2.4. Project proposal / execution plan

2.4.1. The bid proposal submitted by the bidder must include a detailed project execution plan. The bid proposal and project execution plan must address all the deliverables and requirements indicated in the CWP Implementation Policy. The following key indicators will be evaluated:

- Overall alignment of the proposal and project execution plan to the objectives and requirements of the Department
- Compiling and implementation of relevant site plans
- Engaging local communities, provincial and local authorities, and reference committees
- Registration of participants
- Supervision of participants
- Financial Management
- Assets management

2.4.2. The proposal and project execution plan should further outline how the bidder will utilise the CWP to address social challenges and support economic upliftment relevant to the particular province, including but not limited to:

- Creating meaningful work and training opportunities – opportunities which will promote self-reliance amongst participants and a developmental agenda within communities.
- Aligning useful work to municipal developmental plans / DDM 1-Plans.
- Focus on prioritised unemployed youth, women and people with disabilities.
- Focused and relevant training.
- Adopting exit strategies that introduce business models for CWP participants.
- Enhance and adopt technology.

2.5. Costing Methodology

2.5.1. The total budget allocated to the CWP programme per financial year (1 April to 31 March) will be determined by the Department in consultation with National Treasury. The budget information provided in the tables below is provided to guide bidders in determining the size and scope of the project. **The actual total budget and budget per province will differ:**

2.5.2. The approximate breakdown of the provisional 2022/23 annual budget per province is as follows (Excluding Agrarian programme):

Province	Number of Participants	Number of sites	Participant wages (Excl. COID/UIF)	Goods / Services / Equipment	TOTAL
Eastern Cape	47 000	33	577 004 100	110 450 000	687 454 100
Free State	24 800	19	304 493 800	58 280 000	362 773 800
Gauteng	22 600	15	277 435 500	53 110 000	330 545 500
Kwa-Zulu Natal	45 000	44	552 701 300	105 750 000	658 451 300
Limpopo	29 000	22	356 056 900	68 150 000	424 206 900
Mpumalanga	26 900	18	330 224 850	63 215 000	393 439 850
North West	21 200	19	260 348 800	49 820 000	310 168 800
Northern Cape	21 000	26	258 037 700	49 350 000	307 387 700
Western Cape	17 500	27	215 139 150	41 125 000	256 264 150
TOTAL	255 000	223	3 131 442 100	599 250 000	3 730 692 100

2.5.3. Bidders should note that:

- **The Department may consider appointing experienced government departments or entities in specific provinces. The Department reserves the right not to award this bid for such provinces.**
- **The indicative budget above excludes the Agrarian Revolution programme**

2.5.4. Project management fees shall be utilised by the IA/IP for all overheads and operational expenses related to the implementation of the CWP as specified in the CWP Implementation Policy. The project management fee must be **sufficient to cover all overheads and all operational expenses, including site managers and site management**, to be incurred by the service provider in the provision of the services as stipulated in the CWP Implementation Policy. No additional costs / disbursements will be considered by the Department.

2.5.5. Bidders are required to submit a detailed costing methodology to enable the Department to assess the Bidder's ability to successfully manage the project.

2.5.6. If a service provider is at any stage unable to meet its operating / running cost from the Project Management Fee, the Department reserves the right to cancel the contract and to allocate the affected site(s) to another service provider.

2.5.7. The project management fee is based on a fixed rand amount per participant (variable component) and a fixed rand amount per site (fixed component). **The total variable cost component must constitute at least 20% of the total PM Fee.**

2.5.8. The project management fees (PM Fees) due by the Department to the IA/IP will be calculated as follows:

- **Variable Component (VC):** Actual number of eligible participants paid (regardless of number of days worked) during the particular month (number of unique and valid identity numbers that worked at least one day during the month) multiplied by the variable cost amount indicated in the SLA. Ineligible participants are excluded from this calculation.
- **Fixed Component (FC):** Total number of sites allocated for a particular month multiplied by the fixed cost amount indicated in the SLA.
- **PM Fee Due (PMD) = VC + FC** for the financial year.
- **PM Fee Payable (PMP) = PM Fee due (PMD) less 5% retention fee.**

2.5.9. The monthly amount to be paid to IAs/IPs will be calculated as follows: PM Fee Payable (PMP) for the entire contracting period less PM Fees already paid during the contracting period.

2.5.10. The bid amount to be used for the purposes of the PPPFA Evaluation will be the total PM Fee cost per province for one year, based on the provisional annual provincial budget, number of sites and number of participants as indicated in Annexure C (Excel). This provisional budget is provided for the purposes of equitable bid price comparison only – The actual budget allocated per site / province will be determined by the Department during the contracting process.

2.5.11. All prices must be inclusive of 15% VAT (if VAT registered) and must include all costs to fully execute all deliverables indicated in this ToR and the CWP Implementation Policy. No variation in contract price will be permitted.

PART D – BID EVALUATION PROCESS

General principle: In cases where bidders submitted insufficient evidence or where evidence is ambiguous, bidders may be requested to provide additional evidence and may be re-scored based on this information. Additional information submitted may only be used as evidence to substantiate what is already contained in the proposal. **The costing and content of proposals may not be amended under any circumstances.**

1. ADMINISTRATIVE EVALUATION

Only bids that comply with all mandatory administrative requirements (See Part C-1) and that submitted all required bid documents (**acceptable bids**) will be considered during the functional evaluation phase. Only acceptable bids will therefore be scored by the Bid Evaluation Committee against the functional criteria indicated below.

2. FUNCTIONAL EVALUATION

2.1. Functional Evaluation Stage 1: Bidder experience, policies and financial statements

The Bid Evaluation Committee (BEC) will evaluate all acceptable bids based on the proposals (including supporting documents) and bid documents submitted. Only Bidders that meet all five (5) criteria 1.1 to 1.5 below (deemed to meet each criterion by at least 50% of BEC members) will proceed to functional evaluation stage 2. Bidders that did not meet these requirements will be eliminated.

Functional Evaluation Criteria Stage 1		Yes / No
1.1	The bidder has experience in implementing at least one similar project (See 2.1 and 2.2.2). The bidder provided evidence of meeting at least two (2) of the following three (3) sub-criteria (a to c): a) Engaging and working with local communities and/or community-based organisations and/or local government. b) Managing large groups of stakeholders and/or beneficiaries (10,000 or more). c) Managing of people, assets and inventory.	
1.2	The bidder has experience in implementing at least one similar project (See 2.1 and 2.2.2). The bidder provided evidence of having managed as similar project with a total project budget of at least R20,000,000.00 (total budget irrespective of the duration of the project).	
1.3	The bidder has an approved assets management policy (policy signed by the board or similar governing structure / authority) demonstrating the bidder's ability to manage and safeguard departmental assets in full compliance with applicable legislation, regulations, and policies. (See par 2.2.5).	
1.4	The bidder has an approved procurement policy (policy signed by the board or similar governing structure / authority) demonstrating the bidder's ability to conduct procurement in full compliance with the Public Finance Management Act, Treasury Regulations, Preferential Procurement Policy Framework Act and Regulations, relevant National Treasury Instructions and the DCOG procurement policy. (See par 2.2.5).	
1.5	The audited financial statements submitted do not indicate any material deficiencies related to financial or assets management. (See par 2.2.6).	

2.2. Functional Evaluation Stage 2: Team composition

The BEC will evaluate acceptable bids that met the minimum requirements during functional evaluation stage 1 based on the proposals and bid documents submitted. The overall score will be expressed as a percentage (Total score divided by the maximum possible score, then multiplied by 100). The overall score obtained by a bidder will be the average of overall scores awarded by BEC Members. Only Bidders that received **an overall score of at least 70%** will proceed to functional evaluation stage 3.

All criteria carry equal weight. The following scoring system will be applied to the evaluation of all functional criteria:

Scoring system
1 – Does not comply with the requirements
2 – Partial compliance with requirements
3 – Full compliance with requirements
4 – Exceeds requirements (where applicable)

Functional Evaluation Criteria Stage 2		Max Score
2.1	<p>Executive Manager / Team Leader provided evidence of (See par 2.3.4):</p> <p>1= The Executive Manager/team leader meets neither the qualification nor the experience requirements.</p> <p>2= The Executive Manager/team leader has a 3-year tertiary qualification but does not meet the experience requirement.</p> <p>3= The Executive Manager/team leader has 3-year tertiary qualification and was the lead on one similar project.</p> <p>4= The Executive Manager/team leader has 3-year tertiary qualification and was the lead on more than one similar project.</p>	4
2.2	<p>The Finance Manager / CFO provided evidence of (See par 2.3.4):</p> <ul style="list-style-type: none"> • a 3-year Tertiary qualification in accounting or with accounting as a subject at third year level. • at least 5 years work experience as a Finance Manager / CFO or similar position. • experience in working with or at PFMA compliant institutions. <p>1= The Finance Manager / CFO meets none or one (1) of the requirements above</p> <p>2= The Finance Manager / CFO meets two (2) of the requirements above.</p> <p>3= The Finance Manager / CFO meets all three (3) of the requirements above.</p> <p>4= The Finance Manager / CFO meets all three (3) of the requirements above and has worked on a similar project.</p>	4
2.3	<p>The Assets Manager provided evidence of (See par 2.3.4):</p> <ul style="list-style-type: none"> • a relevant 3-year tertiary qualification. • at least 5 years work experience in assets management in a PFMA compliant institution. <p>1= The Assets Manager meets none of the requirements above.</p> <p>2= The Assets Manager meets one (1) of the requirements above</p> <p>3= The Assets Manager meets both of the requirements above.</p> <p>4= The Assets Manager meets both of the requirements above and has worked on a similar project.</p>	4
2.4	<p>The Procurement Manager provided evidence of (See par 2.3.4):</p> <ul style="list-style-type: none"> • a relevant 3-year tertiary qualification. • at least 5 years work experience in procurement in a PFMA compliant institution. <p>1= The Procurement Manager meets none of the requirements above.</p> <p>2= The Procurement Manager meets one (1) of the requirements above.</p> <p>3= The Procurement Manager meets both of the requirements above.</p> <p>4= The Procurement Manager meets both of the requirements above and has worked on a similar project.</p>	4

Functional Evaluation Criteria Stage 2		Max Score
2.5	Other team members (See par 2.3.4): 1= No other team members with experience in implementing similar projects. 2= One or two other team members with experience in implementing similar projects. 3= Three other team members with experience in implementing similar projects. 4= Four or more other team members with experience in implementing similar projects.	4
Maximum possible score		20

One person may perform up to two functions indicated under 2.1 to 2.4. No team member may perform more than two of the functions indicated under 2.1. to 2.4 above.

2.3. **Functional Evaluation Stage 3: Proposal, project plan and costing methodology**

The BEC will evaluate acceptable bids that met the minimum requirements during functional evaluation stage 1 and 2 based on the proposals and bid documents submitted. The overall score will be expressed as a percentage (Total score divided by the maximum possible score, then multiplied by 100). The overall score obtained by a bidder will be the average of total scores awarded by BEC Members. Only Bidders that received **an overall score of at least 70%** will proceed to the Price Evaluation Stage.

All criteria carry equal weight. The following scoring system will be applied to the evaluation of all functional criteria:

Scoring system
1 – Does not comply with the requirements
2 – Partial compliance with requirements
3 – Full compliance with requirements
4 – Exceeds requirements (where applicable)

Functional Evaluation Criteria Stage 3		Max Score
3.1	The proposal and project execution plan should outline how the service provider will utilise the CWP to address social challenges and support economic upliftment relevant to the particular province, including but not limited to: <ul style="list-style-type: none"> • Creating meaningful work and training opportunities – opportunities which will promote self-reliance amongst participants and a developmental agenda within communities. • Aligning useful work to municipal developmental plans / DDM 1-Plans. • Focus on prioritised unemployed youth, women and people with disabilities. • Focused and relevant training. • Adopting exit strategies that introduce business models for CWP participants. • Enhance and adopt technology. The Proposal/Project execution plan: 1= Adequately addresses three (3) or fewer of the elements listed above 2= Adequately addresses four (4) of the elements listed above 3= Adequately addresses five (5) or six (6) of the elements listed above 4= Adequately addresses all six (6) elements listed above. In addition, the proposal contains innovative ideas that will significantly enhance the impact of the programme.	4

Functional Evaluation Criteria Stage 3		Max Score
3.2	<p>The proposal and project execution plan should indicate how the service provider will engage multiple stakeholders in the implementation of the CWP. Stakeholders include but is not limited to:</p> <ul style="list-style-type: none"> • Local Reference committees (LRC) or similar structures • Provincial CoGTAs • Local and district Municipalities / Metros • Local Communities and CBOs • Sector government departments <p>The Proposal/Project execution plan:</p> <p>1= Adequately addresses none or one (1) of the elements listed above 2= Adequately addresses two (2) or three (3) of the elements listed above 3= Adequately addresses four (4) or five (5) of the elements listed above 4= Adequately addresses all five elements listed above. In addition, the proposal contains innovative ideas that will significantly enhance the impact of the programme.</p>	4
Maximum possible score		8

3. PRICE EVALUATION

Only bids that met all administrative requirements and the minimum functional requirements for all three functional evaluation stages will be evaluated in terms of the provisions of the Preferential Procurement Framework Act and related regulations – see attached bid documents. The price and BBBEE evaluation (see SBD 6.1) **will be conducted separately for each province.**

4. AWARD

4.1. The bidder with the highest score (price points and B-BBEE contribution level points) for a province will be the recommended bidder for the particular province.

4.2. In the event of one bidder being the recommended bidder for more than one province, the Department reserves the right to appoint bidders that obtained the second or third highest PPPFA scores and to consider total scores for functional criteria in the final decision-making process.

4.3. The Department reserves the right to negotiate bid prices prior to awarding the bid.

4.4. Bidders should note that the Department may consider appointing experienced government departments or entities in specific provinces. The Department reserves the right not to award this bid for such provinces.

PART E – CONTRACT MANAGEMENT AND SPECIAL CONDITIONS

1. CONTRACT MANAGEMENT

1.1. The successful bidder will be required to enter into a service level agreement (SLA) with the Department of Cooperative governance. The National Treasury General Conditions of Contract (GCC) will form part of the SLA to be concluded between DCOG and the successful bidder.

1.2. If the parties (the Department and the appointed service provider) are unable to reach agreement on the special conditions of contract (SLA) after a period of 14 calendar days of the date on which the bid award is communicated to the service provider, then the Department reserves the right to cancel the award to the service provider and to appoint another service provider.

1.3. Bidders should note that:

- All information related to this bid, or information provided to the service provider subsequent to the award of this bid, must be treated as confidential and may not be disclosed in any way to third parties without the explicit written consent of DCOG.

- All right, title and ownership of any Intellectual Property developed by or for the Service Provider or DCOG independently and outside of execution/production of the Deliverables related to this bid and provided during the course of this project (“Background IP”) shall remain the sole property of the party providing the Background IP.
- To the extent that the Service Provider utilises any of its Background IP in connection with the Deliverables, such Background IP shall remain the property of the Service Provider and DCOG shall acquire no right or interest therein. Service Provider shall grant DCOG a non-exclusive, royalty-free, non-transferable licence to use such Background IP strictly for purposes of making beneficial use of the Deliverables into which such Background IP has been incorporated.
- All Intellectual Property rights in Bespoke Deliverables are or will be vested in and owned by DCOG unless specifically agreed otherwise in writing. The Service Provider agrees that it shall not, under any circumstances, question or dispute the rights and ownership of DCOG in and to the Bespoke Deliverables. DCOG shall grant the Service Provider a non-exclusive, royalty free, non-transferable licence to use the Bespoke Deliverables for the purpose of performing its obligations under this project.
- The Service Provider may not publish or sell, in whole or in part, any Bespoke Deliverables emanating from this project without the explicit written consent of DCOG.
- The Copyright of any Bespoke Deliverables shall vest in DCOG.

1.4. No amendments to the SLA or any variation, waiver, relaxation or suspension of any of the provisions thereof shall have any force or effect, unless reduced to writing and signed by both parties.

2. SPECIAL CONDITIONS APPLICABLE TO THIS BID

2.1. The Department may, at its sole discretion, cancel this bid.

2.2. The Department intends to award the bid per province (one service provider per province). The Department however reserves the right to appoint more than one service provider per province and to appoint the same service provider to more than one province.

2.3. The period of thirty days (30 days) referred to in the General Conditions of Contract paragraph 27.2 applies. If the service provider is found to have engaged in fraudulent activities or caused the Department to incur irregular expenditure, the Department reserves the right to cancel the agreement with immediate effect. Repercussions for the conduct of the Service Provider referred to above may include blacklisting of the Service Provider thus preventing them from doing business with government for a period of 10 years.

2.4. In order to improve the efficiency and effectiveness of the Programme, the Department is continuously reviewing the CWP model and may therefore from time to time require the implementation of additional or revised operational procedures and policies.

2.5. The Department may, at its own discretion, require that each employee of appointed services providers as well as each contractor or other participant or beneficiary of the CWP, sign a code of conduct to promote ethical behaviour. The Department may, at its sole discretion, prohibit any person found to be in breach of such code of conduct from further participation or involvement in the Programme.

2.6. Additional conditions for an applicant who would like to apply as a Consortium / Joint Venture. It is recognized that applicants may wish to form consortia or joint ventures to respond to this bid. The following guidelines apply:

- A bidder may not submit more than one bid for a particular province. A bidder is therefore prohibited from being part of more than one consortium / joint venture and to submit an individual bid and a bid as part of a consortium / joint venture for a particular province.
- One of the members shall be nominated by the others as authorised to be the lead applicant and this authorisation shall be included in the agreement entered between the consortium members.
- The lead applicant in the Consortium or Joint Venture must satisfy all the administrative requirements contained in the ToR and submit all the relevant documents necessary to meet the minimum requirements of the applications.
- Other members of a consortium or a joint venture must comply with the requirements in line with Service Provider Funding Policy prescripts for the respective Service Provider categories.

- The consortium/joint venture submission must be signed-off by each institution/organisation to be legally binding on all consortium members.
- The lead applicant shall be the only authorised party to make legal statements, communicate with the department, and receive instructions for and on behalf of all the members of the consortium.
- The lead applicant shall be held responsible for the delivery of services and for meeting conditions outlined in this bid.
- A copy of the agreement entered and signed by all members of the consortium or joint venture shall be submitted with the consortium proposal indicating the respective responsibilities of each party.
- Indicate how the joint venture/ consortium will be managed in the event of a dispute arising during the implementation period of the programme (Provide a contingency plan of managing any possible conflicts).

CHECK LIST: To be submitted once (regardless of number of provinces bidding for)

Supplier Name	
Document	Check
National Treasury Central Suppliers Database (CSD) report not older than 30 days	
Tax Compliant (as indicated on CSD) or verified through SARS	
Valid B-BBEE certificate issued by a SANAS accredited verification agency or sworn affidavit	
Invitation to bid (SBD 1) completed and signed	
Pricing Schedule (Amended SBD 3.3) completed. Bid prices in SBD 3.3 aligned to Annexure C	
Declaration of interest (SBD 4) completed and signed (2022 version)	
Preference Points Claim (SBD 6.1) completed and signed	
Proof of registration with UIF and COID attached.	
Letter of good standing from the Department of Labour.	
Proof of banking details (banking details indicated as verified on CSD)	
Audited financial statements for the two immediate prior financial years <u>and</u> a confirmation letter from a registered audit firm.	
Approved (signed) assets management policy attached	
Approved (signed) procurement policy attached	
Summary of bidder experience submitted (Annexure A).	
Reference letters with contact details of referees submitted for projects listed in Annexure A	
Summary of project team submitted (Annexure B)	
CVs / qualifications submitted for all project team members	
Signed confirmation of availability submitted for all project team members	
Proposal and project execution plan submitted	
Approved and valid Remunerative Work Outside of the Public Service (RWOPS) attached for all persons/owners/directors in the service of the state. (Where applicable)	
Price proposal submitted (Annexure C – must use Excel template)	

<p>Declaration</p> <ul style="list-style-type: none"> I have read and agree to the General Conditions of Contract related to Government procurement (Available on DCOG tenders web page or from National Treasury). I have studied, accurately completed and submitted all the documents indicated in the above checklist. I have read and agree with the conditions applicable to all bids as contained in this document. I am the authorised signatory of the applicant. I have noted that the Department may publish the names of bidders, total bid prices indicated in SBD 1 and B-BBEE points claimed, after the closing date of the bid. For the purposes of section 256 of the Tax Administration Act of 2011 I authorise the South African Revenue Service to disclose “taxpayer information” as contemplated under the provisions of Chapter 6 of the Act in relation to the compliance status of tax registration, tax debt and filing requirements to DCOG. 			
Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

ANNEXURE A: BIDDER EXPERIENCE SUMMARY

Contracting party (Company/entity name)	Project title and description	Start date	End date	Budget

Bidders must ensure that their proposals contain details of how the projects listed above are relevant to the objectives of the CWP.
Bidders must attach reference letters and/or contactable references for projects listed above.

ANNEXURE B: PROJECT TEAM SUMMARY

Role	Surname, Name	RSA ID Number	Age	Nationality	Race	Gender
Executive Manager / Team Leader						
Finance Manager / CFO						
Procurement Manager						
Assets Manager						
Team member 1						
Team member 2						
Team member 3						
Team member 4						

Attach detailed CV as well as confirmation of availability for each person listed above.

Attach copies of qualifications for Executive Manager / Team Leader, Senior Project manager, Finance Manager / CFO.

Information obtained from the CSD report will be used to verify the criminal records and credit status of directors/owners of the supplier, where applicable.



End of Terms of Reference