

**REQUEST FOR TENDERS**

The National Development Agency invites tenders for the following:

BID NO.	BID DESCRIPTION	EVALUATION CRITERIA	CLOSING DATE
NDA17/CB12/16	APPOINTMENT OF SERVICE PROVIDER FOR CAPACITY BUILDING IN THE FORM OF TRAINING, DEVELOPMENT AND SUPPORT TO NPOs IN THE NORTHERN CAPE FOR TWELVE MONTH (12)	90/10	30 September 2016 at 11:00

**REQUIRED BY:**

National Development Agency

**BID DOCUMENTS ARE AVAILABLE AT:**

The National Development Agency NDA website ([www.nda.org.za](http://www.nda.org.za))

**BRIEFING SESSION:**

A compulsory briefing session will be held at: Department of Social Development, 256 Barkly Road, Homestead, Mimosa Complex, Kimberley on the **12 September 2016 at 10:00**

**BID SUBMISSION:**

All bids must be deposited in the bid box located at the foyer at: **26 Wellington Road, Parktown, Johannesburg, 2193**. (The tender box is accessible 24/7).

**Closing date and time: 30 September at 11:00**

**Contact person: Ms Nomakhaya Nelani - 011 0185607/ 0810756904 between 08h30 and 17h00 weekdays.**

**PLEASE NOTE:**

A valid, original tax certificate must be submitted at closing date and time

The bid will be evaluated and adjudicated in terms of the 90/10 point system as prescribed by the PPPFA,05 of 2000

In order to qualify for a preference points out of 10, a valid, originally certified copy of the bidders B-BBEE status level verification certificate must be submitted with the bid documents at closing date and time.

The bid will be evaluated in two phases, first functionality and then price



SBD 4

### DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, 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, shareholder<sup>2</sup>):

.....

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.

<sup>1</sup>"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.

<sup>2</sup>"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**

2.9.1 If so, furnish particulars.  
 .....  
 .....  
 .....

2.10 Are you, or any person connected with the bidder, **YES/NO**  
 aware of any relationship (family, friend, other) between  
 any other bidder and any person employed by the state  
 who may be involved with the evaluation and or adjudication  
 of this bid?

2.10.1 If so, furnish particulars.  
 .....  
 .....  
 .....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**  
 of the company have any interest in any other related companies  
 whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:  
 .....  
 .....  
 .....

**3 Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Reference Number	Tax	State Number / Number	Employee / Persal Number

**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



**SBD 6.1**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011**

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, 2011.**

**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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
<b>1.3.1.1 PRICE</b>	...90.....
<b>1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	...10.....
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 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**

2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;**
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### **3. ADJUDICATION USING A POINT SYSTEM**

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

### **4. POINTS AWARDED FOR PRICE**

#### 4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

#### 5. Points awarded for B-BBEE Status Level of Contribution

5.1 In terms of Regulation 5 (2) and 6 (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	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

#### 6. BID DECLARATION



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

**7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1**

7.1 B-BBEE Status Level of Contribution: ..... = .....(maximum of 10 or 20 points) (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

**8 SUB-CONTRACTING**

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted? .....%
- (ii) the name of the sub-contractor? .....
- (iii) the B-BBEE status level of the sub-contractor? .....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

**9 DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm :

9.2 VAT registration number :

9.3 Company registration number :.....

**9.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
  - One person business/sole propriety
  - Close corporation
  - Company
  - (Pty) Limited
- [TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

.....

.....

.....

**9.6 COMPANY CLASSIFICATION**

- Manufacturer
  - Supplier
  - Professional service provider
  - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business? .....

9.8 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 contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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 BIDDER(S)**

**DATE** : .....

**ADDRESS** : .....

: .....

: .....



SBD 8

**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	<p>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?</p> <p>(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).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury’s website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	<p>If so, furnish particulars:</p>		

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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	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:		

### 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



## SBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

**<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.**

**<sup>2</sup> 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 consortium<sup>3</sup> 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.

**<sup>3</sup> 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



**PRICING SCHEDULE**  
**(Professional Services)**

NAME OF BIDDER: .....	BID NO.: NDA17/CB12/16
CLOSING TIME 11:00	CLOSING DATE: 30 September 2016.

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
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.....
		TOTAL: R.....	

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.



Name of Bidder: .....

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

**\*[DELETE IF NOT APPLICABLE]**

Any enquiries regarding bidding procedures may be directed to the –

NATIONAL DEVELOPMENT AGENCY  
26 WELLINGTON ROAD  
PARKTOWN  
2194

ATTENTION: Nomakhaya Nelani

Tel: 011 018 5607 or 0810756904

Or for technical information –

Sylvia Maponyane

Tel: 011 018 5501



**TERMS OF REFERENCE**

**FOR**

**APPOINTMENT OF SERVICE PROVIDERS FOR CAPACITY BUILDING IN THE FORM OF TRAINING, DEVELOPMENT AND SUPPORT TO NPOs IN THE NORTHERN CAPE FOR TWELVE (12) MONTHS**

**CLOSING DATE: 30 September 2016**

**Closing Time: 11:00**

**SUBMISSION OF PROPOSALS**

All proposals must be delivered or couriered to 26 Wellington Road, Parktown, 2193, NDA Head Office, on or before the closing date and time. If using a courier services please ask the courier company to deposit it in the bid box which is at the entrance of the building.

Submissions must be marked for the attention of Ms Nomakhaya Nelani.

The supplier's envelope MUST clearly have the description of the RFQ " **APPOINTMENT OF SERVICE PROVIDERS FOR CAPACITY BUILDING IN THE FORM OF TRAINING, DEVELOPMENT AND SUPPORT TO NPOs IN THE NORTHERN CAPE FOR TWELVE (12) MONTHS**

**NB: All documents should be neatly binded**

**BRIEFING SESSION**

A compulsory briefing session has been scheduled as follows:

**Date : 12 September 2016**

**Time : 10:00**

**Venue : Department of Social Development, 256 Barkly Road, Homestead, Mimosa Complex, Kimberley**

**Service Providers who do not attend the briefing session will be disqualified**

**Clarification questions:** All clarification questions must be sent to [nomakhayan@nda.org.za](mailto:nomakhayan@nda.org.za) in writing **on or before 17 September 2016**. Responses to the questions asked will be shared with all participating service providers, in writing, to ensure transparency and to avoid ambiguity.

**The Supply Chain Management office (Ms Nomakhaya Nelani) can also be contacted on;**

**011 018-5607 or [nomakhayan@nda.org.za](mailto:nomakhayan@nda.org.za) between 08h30 to 17h00 on weekdays.**

## **1. LEGISLATIVE MANDATE OF THE NDA**

The NDA mandate is derived from the National Development Agency Act, 1988 (Act No. 108 of 1998). In terms of the Act, the primary objective of the NDA is to contribute towards the eradication of poverty and its causes by granting funds to CSOs for the purposes of:

- (a) carrying out projects or programmes aimed at meeting the development needs of poor communities; and
- (b) strengthening the institutional capacity of other CSOs involved in direct service provision to poor communities.

The secondary objects of the NDA in terms of the Act are-

- (a) to promote-
  - (i) consultation, dialogue and sharing of development experience between CSOs and relevant organs of State; and
  - (ii) debate on development policy; and
- (b) to undertake research and publication aimed at providing the basis for development policy.

Further, the agency is required to implement programmes that respond to the following areas of responsibilities:

- Act as a key conduit for funding from the Government of the Republic, foreign governments and other national and international donors for development work to be carried out by CSOs.
- Contribute towards building the capacity of CSOs to enable them to carry out development work effectively.

## **VISION**

A society free from poverty

## **MISSION**

Facilitate sustainable development by strengthening CSOs involved in poverty eradication through enhanced grant-funding and research

## **Our values**

As a development agency, we subscribe to the following values, which are embedded in our performance management system:

- Integrity;
- Dignity;
- Empowerment;
- Accountability & Responsibility;
- Transparency;
- Excellence; and

## **2. BACKGROUND**

The Department of Social Development take cognizance the progressive contribution and positive input made by the Non-Profit Organizations in strengthening the much needed service delivery to the poor, the needy and the vulnerable. As a result the Department commits to remain in partnership with NPO's that render services ranging from but not limited to Early Childhood Development, Poverty Alleviation Initiatives, Drop In Centres, Welfare Services Organizations offering services to the people with disabilities, the elderly, crime prevention programs, prevention of substance abuse, home community based organizations, soup kitchens and youth organizations.

The Non-profit Organisations Act, 1997 requires the National Department of Social Development to encourage and support non-profit organisations in their contribution to meeting the diverse needs of the population of the Republic by:

- i. creating an environment in which non-profit organisations can flourish;
- ii. establishing an administrative and regulatory framework within which non-profit organisations can conduct their affairs;
- iii. encouraging non-profit organisations to maintain adequate standards of governance, transparency and accountability and to improve those standards;
- iv. creating an environment within which the public may have access to information concerning registered non-profit organisations; and
- v. promoting a spirit of co-operation and shared responsibility within government, donors and amongst other interested persons in their dealings with non-profit organisations.

The NDA mandate's requires the Agency to build and enhance capacities of civil society organizations through well-designed and effectively executed capacity building interventions that address organizational strengthening, operational excellence and sustainability to better deliver services to poor communities.

### **2.1. CHALLENGES IN THE NPO SECTOR**

Capacity challenges in the NPO sector ranges from and not limited to

- Governance and management issues
- Lack of accountability for the funds utilised
- Financial management
- Lack of skills related to report writing
- Lack of organisational and information management
- Challenges in relation to compliance matters

- Poor conflict management

It is against this background that the NDA through its Civil Society Organisations Institutional Capacity Building programme seeks to capacitate and strengthen NPOs' compliance to the NPO Act and funding requirements for NPOs funding by the Northern Cape Department of Social Department by training unemployed graduates to support NPOs to comply with these requirements.

### 3. REQUEST FOR BID

Given the above background, the NDA request credible, accredited and experienced service provider to submit a comprehensive bid to train, mentor and support 12 unemployed graduates from across the Northern Cape Province on managing NPO financial management, compliance and report writing. The 12 trained graduates will provide mentorship and coaching to the 10 allocated NPOs, to comply with the NPO Act and funders expectations.

#### 3.1 SPECIFIC OBJECTIVES

To train the unemployed graduates in an accredited training on the Unit Standards below

SAQA Unit Standard Title	SAQA US ID No.	NQF Level	Credits
Record income and receipts	12988	5	10
Make and record payments (including the preparation of cheque requisitions for approval of expenditure)	12989	5	8
Prepare ledger balances and an initial trial balance	12990	5	10
Record business financial transactions (including bank reconciliation)	114736	4	5
Perform VAT calculations and complete returns	114735	4	5
Complete and PAYE documents (and salary registers)	114735	4	7
Finalise and interpret accounts (financial statements)	114741	4	4
Demonstrate an understanding of professional values and ethics	8648	5	4
Maintain financial records and prepare general ledger accounts	12995	L5	12

- ✓ The Unit Standards above are worth 65 credits as indicated above to 12 unemployed graduates from across the breadth and length of the Northern Cape Province.
- ✓ Train learners on mentorship programme and offer on-site continuous in-service training to learners per district
- ✓ Train learners on report writing and presentation skills
- ✓ Assign learners mentors for the duration of the contract

The learners will be selected from different districts as follows:

✓	Frances Baard District:	✓	5 learners
✓	Namaqua District	✓	3 learners
✓	Pixley kaSeme	✓	2 learners
✓	Z.F. Mgcawu District	✓	2 learners

The mentors for learners must be allocated per district as follows:

✓	Frances Baard District:	✓	5 learners	✓	2 mentors
✓	Namaqua District	✓	3 learners	✓	1 mentor
✓	Pixley kaSeme	✓	2 learners	✓	1 mentor
✓	Z.F. Mgcawu District:	✓	2 learners	✓	1 mentor

#### 4. QUALIFYING CRITERIA

Interested Service Provider must:

- Be an accredited training provider in the unit standard with the FASSET
- Have accredited and qualified personnel to facilitate, assess and moderate the above unit standard. Have a minimum of two facilitators and assessors and one moderator accredited for the identified unit standard
- Letter of agreement between the service provider and the accredited institution
- Have SETA approved learning programmes for Unit Standards above Have a **minimum of 2 years** experience in providing training, assessment and moderation on the identified unit standard.
- Have mentors (a minimum of 5) to assign to learners for the duration of the contract.
- Have knowledge and understanding of the NPO sector.
- must be fluent in the language which the NPOs' utilize to prevent communication barrier

#### 5. INFORMATION TO BE SUBMITTED

The bidders must submit the following information

- Detailed project plan/schedule for the duration of the contract with delivery timeframes
- Company profile
- Details of previous experience in the Unit Standards (not less than 2 years)
- Three (3) signed reference letters not older than 2 years on a referee letterhead on finance related training.

The reference letter must indicate the following:-

- name of client,
- his/her position,
- contact telephone numbers,
- nature of work performed
- the value of the contract
- duration of the programme
- Details of the team that will be tasked with this assignment must include the following:
  - Concise CV's and qualifications of the team that would be involved in the programme and previous work experience; including the mentors
    - Facilitators (experience in training or facilitation);
    - Assessors (must be accredited); and
    - Moderators (must be accredited)
    - Mentors (must have studied Accounting in Matric)

## 6. EVALUATION CRITERIA

Bids will be evaluated in accordance with the new Preferential Procurement Regulations, 2011, using the 90/10 preference points system as prescribed in the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000). The lowest acceptable bid will score 90 points for price and maximum of 10 points will be awarded for attaining the Broad-Based Economic Empowerment (B-BBEE) status level of contribution. The bid proposals received will be evaluated in two (2) phases. On the first phase bids will be evaluated on functionality and on the second phase in accordance with 90/10 preference points system.

Profiles and Proposals will be assessed and scored according to the following criteria and weighting:

Category	Description	Weights	Split of weight
Technical	Alignment with terms of Reference	100%	60%
	Delivery Experience in the Learning Programme		10%
	Delivery Capacity (Human resources)		30%
<b>TOTAL</b>		<b>100%</b>	<b>100%</b>

Bid proposal must score a minimum of seventy (75) points or more out of hundred (100) points on functionality in order to qualify for advancement to the next phase of evaluation. Second phase, a

bid proposal scoring less than 75 out of 100 will not be considered for further evaluation and will be disqualified.

**Phase two:** During this phase, bid proposals that passed the first phase will be further evaluated based on the 90/10 preference points system in accordance with the PPPFA Act, where 90 points will be attained in respect of price (the lowest acceptable bid will score 90 points and bidders that quoted higher prices will score lower points for price on a pro-rata basis) and 10 points will be awarded for attaining the Broad-Based Economic Empowerment (B-BBEE) status level of contribution in accordance with the table below:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>
1	10
2	9
3	8
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

In order to claim the B-BBEE Status Level of Contributor, bidders must submit original and valid B-BBEE Status Level Verification Certificate or certified copies thereof, issued by accredited Verification Agencies by SANAS or Registered Auditor approved by Independent Regulatory Board of Auditor (IRBA), together with their bids, to substantiate their B-BBEE claims. The Exempted Micro Enterprise must submit a letter from the Accounting Officer who is appointed in terms of Close Corporation Act.

Bidders who do not submit B-BBEE Status Level Verification Certificate or are non compliant contributors to be B-BBEE do not qualify for preference points for B-BBEE but will not be disqualified from the bidding process. They will score points out of 90 for price only and zero (0) points out of 10 for B-BBEE. Bidders are requested to complete the preference claim form in order to claim preference points. The highest ranked bidder will be awarded the bid. It should be noted also that the NDA reserves the right not to appoint any service provider. The NDA reserves the right to subject all bidders who reach the 70 points benchmark to further evaluation by way of a presentation which will be assessed and allocated points as described under Phase 1 and based on the same criteria as under phase 1 above or add additional criteria that will be communicated to all bidders.



## **7. CONTRACT DURATION**

The successful service provider will be appointed for the duration of the course, which is twelve (12) months.

## **8. COMMERCIAL TERMS**

### **8.1. Pricing**

- All prices must be fixed and firm, no price adjustments after the contract/order award will be accepted.
- Service Providers must ensure that the quotes submitted have no arithmetic errors as NDA will not rectify any errors and no adjustments to quotations received will be permitted after the closing date. The quotes should include all activities/services that will be required for the required services as no variations will be accepted unless mutually agreed by NDA and the service provider prior to contract acceptance.
- Service providers will carry the responsibility of ensuring that the proposals submitted have been signed by a dully authorised person. Should it be established after the submission of proposals that the signatory authorising the proposal is not legally appointed by the service provider, the offer/proposal will be disqualified from the evaluation process.
- All prices submitted should be typed in black ink or written in pen. No proposals written in pencil will be accepted or evaluated.

## **9. NDA Payment Terms**

Invoices will be paid 30-days from the date of submission, as per the agreed upon deliverables

## **10. Evaluation Criteria (Commercial)**

- Bidders participating as joint ventures must submit BEE certificates reflecting the BEE rating of the joint venture. Individual BEE certificate for JVs will score a zero (0) for the BEE portion of the evaluation.
- Supplier's lead times will be considered when evaluating; i.e.
- Favourable lead times may be given preference.

## **11. Acceptance of bids**

- The NDA reserves the right to accept or not accept any of the proposals and participating service providers will not be reimbursed for expenses incurred for participating in the bid process.
- Successful bidders will be notified in writing by the NDA.

- Should you not hear from NDA 90-days from the proposal submission date, it should be noted that your proposal was unsuccessful.
- Favourable lead times may be given preference.

## 12. Mandatory Documents

- Original valid SARS issued Tax clearance certificate.
- Bank letter or cancelled cheque.
- Attach the central supplier database printout.
- Company registration documents (CIPC).
- SETA accreditation certificate
- BEE verification certificate (Issued by SANAS or approved verification agency)
- Submit and sign SBD 4, SBD 8, SBD 9 and SBD 6.1, SBD 3.2
- Proposals.
- Company profile (with references from supplier's clients, detailing the nature of work done, duration of contract, related achievements). The references should be on the client's official letter head with full details and designation of the person signing the reference.  
budget breakdown of the project plan (must be aligned to SBD 3.2)

All participating Service Providers must complete, sign and return **ALL** the attached Failure to complete and submit any of the attached documents will result in immediate disqualification.

## 13. DISCLAIMER

- If a bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by the NDA (other than minor clerical matters), the bidder must promptly notify NDA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the NDA an opportunity to consider what corrective action is necessary (if any).
- Any actual discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by the NDA will, if possible, be corrected and provided to all bidders without attribution to the bidder who provided the written notice.
- No representations made by or on behalf of NDA in relation to this bid will be binding on the NDA unless that representation is expressly incorporated into the contract ultimately entered into between NDA and the successful bidder.

## 14. ADDITIONS AND AMENDMENTS TO THE BID

- The NDA reserves the right to change any information in, or to issue any addendum to this bid before the closing date and time. The NDA and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.
- If the NDA exercises its right to change information in terms of the above clause all amendments will be posted on the NDA website and participating bidders will have the responsibility to regularly monitor the NDA website to ensure access to such changes.
- The NDA will immediately disqualify a bidder from the bidding process if the bidder fails to notify the NDA of the conflict as required.

## 15. CONTRACT AWARD

NDA's legal department will draw up a contract with the successful service provider for the purpose of contracting and outlining deliverables. This will be a once off, short-term contract.

### **ANY ENQUIRIES REGARDING THE BIDDING ADMINISTRATION PROCEDURE MAY BE DIRECTED TO:**

Organisation: National Development Agency  
Contact Person: Ms Nomakhaya Nelani  
Tel: 011 018 5607/ 081 075 6904

E-mail address: [nomakhaya.nelani@nda.org.za](mailto:nomakhaya.nelani@nda.org.za)

### **ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

Organisation: National Development Agency  
Contact Person: Ms. Sylvia Maponyane  
Tel: 011 018 5500/5501  
Email: sylviam1@nda.org.za

Organisation: Department of Social Development  
Contact Person: Ms. Lungiswa Sokatsha  
Tel: 053 831 4041  
Email: sokatshal@ncpg.gov.za

