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Education, Training and Development Practices Sector Education and Training Authority

RFQ NO: 14 - 2022/23

REQUEST FOR QUOTATIONS

TERMS OF REFERENCE FOR THE APPOINTMENT OF A BBBEE VERIFICATION AGENCY

1. INTRODUCTION

The Education Training and Development Practices Sector Education and Training Authority (ETDP SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act, No 97 of 1998 to advance skills levels in accordance with the National Skills Development Strategy III. The Mandate of the ETDP SETA is to promote and facilitate the development and improvement of the skills profile of the sector's workforce in order to benefit employers, workers and employees in the ETD sector.

ETDP SETA seeks to appoint a suitably qualified and experienced B-BBEE verification service provider to review, verify, and validate ETDP SETA's compliance in accordance with the provisions of the Broad-Based Black Economic Empowerment Act 53 of 2003 and related legislation.

PERIOD OF AGREEMENT

The service provider is expected to complete the BBBEE verification exercise within a period not longer than **six (6) weeks** from appointment.

ETDP SETA reserves the right not to award the RFQ.

2. PURPOSE & OBJECTIVES

2.1. PURPOSE OF THE PROJECT

ETDP SETA is a schedule 3A Public Entity in terms of the PFMA. ETDP SETA must perform accordance with the Skills Development Act (SDA), the Skills Development Levies Act (SDLA), the Public Finance Management Act (PFMA), the Broad-Based Black Economic Empowerment Act (B-BBEEA), any other relevant legislation and the ETDPSETA Constitution.

2.2. OBJECTIVES

In order to achieve the above, ETDP SETA requires services of an experienced service provider to collect evaluate and assess all the necessary evidence to conduct a BBBEE verification exercise and issue a BBBEE compliance certificate.

The appointed service provider is expected to provide the following deliverables:

- Verification of ETDP SETA's B-BBEE status and recognition level.
- Generation of a scorecard indicating ETDP SETA's measurement on the elements verified
- Generation of verification certificate confirming B-BBEE status and recognition level

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3. PROJECT SCOPE AND REQUIREMENTS

The ETDP SETA is committed in ensuring a conducive and a safe working environment for both its employees as well as its clients by complying with all National Treasury regulations.

The successful bidder shall be required to assist ETDP SETA with the following;

- 3.1. The service provider to have a clear service delivery plan,
- 3.2. To provide a maximum of three (3) evidence of track record in a similar assignment undertaken,
- 3.3. To provide a maximum of three (3) references on the company's letter head who can provide an objective assessment of the project previously undertaken,
- 3.4. The service provider to indicate the experience of the Project Manager by attaching a detailed CV,
- 3.5. The service provider will sign the SLA with the ETDP SETA which will include specific contractual obligations,
- 3.6. The service provider will report directly to the Chief Risk and Governance Officer/ Legal and Compliance coordinator when providing the service,
- 3.7. Conduct a BBBEE verification exercise, after considering a BBBEE compliance report, and
- 3.8. Based on the verification, issue a Compliance certificate.

4. DURATION OF THE AGREEMENT

The work is expected to be completed within the period of six **(6) weeks** after the signing of the Service Level Agreement **(SLA)**.

5. COSTING MODEL

The Bidder must provide a signed costing proposal on the company letterhead. The bidder's proposal costing should clearly indicate the following cost:

Name of Organisation:			
ITEM DESCRIPTION	Hourly Rate Inc VAT	Total Fee per day Inc VAT	Total Cost (Inc VAT)
Conduct a BBBEE verification exercise, <i>(after considering a BBBEE compliance report)</i>			
Issuing of a Compliance certificate			
SUB-TOTAL			
VAT @ 15%			
TOTAL COSTS VAT INCL			

.....
Signature of Bidder

6. EVALUATION CRITERIA

THE ETDP SETA applies the provisions of the PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, ACT NO 5 OF 2000 and Preferential Procurement Regulations, 2017. The evaluation will be guided by ETDP SETA procurement policy.

Folder A (USB) must have documents for Stage 1 and Stage 2.

6.1. STAGE 1 [Folder A (USB)]

Bidders will be evaluated on the submission of the requested mandatory documents. Fully completed and signed forms with witnesses' signature must be submitted and all applicable boxes be ticked. Failure will lead to disqualification and elimination from further evaluation.

6.1.1. MANDATORY DOCUMENTS TO BE SUBMITTED IN ORDER TO BE ELIGIBLE FOR EVALUATION

1. Declaration of Interest – **SBD 4 (New)**

NB: Failure to fully complete and submit any of the above-requested mandatory documents will lead to disqualification.

6.2. STAGE 2 [Folder A (USB)]

In this stage, the evaluation of bid shall include functionality whereby the bids will be evaluated in terms of the evaluation criteria embodied in the bid document.

- (a) The minimum qualifying score for functionality will be **70 points** and bids that fail to achieve the minimum qualifying score will be eliminated.
- (b) Only quotes that achieved the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 (as stated in Evaluation Criteria on page 6 A and B) preference point systems prescribed in Preferential Procurement Regulations 5 and 6.

The evaluation criteria for functionality will be as below:

NO.	QUALIFYING CRITERIA	POINTS
1.	Contactable references and Experience: Proof of conducting similar B-BBEE verification services and contactable references 1.1. Relevant experience in working with SETAs (Submit relevant Reference Letters of the SETA experience): 7.5 3 SETA Reference Letters attached = 3.5 points 2 SETA Reference Letter attached = 2.5 points 1 SETA Reference Letter attached = 1.5 points 1.2. Reference letters signed and in the clients' letterheads: 7.5 I. Five (5) or more references = 3.5 points II. 3 to 4 references = 2.5 points III. 1 to 3 references = 1.5 points 1.3. The cumulative experience (from the above letters): 10 i. 5 years and above = 10 points ii. 3 – 4 years = 9 points iii. 1 - 2 years = 8 points *[Each reference must clearly indicate; - the name of the bidder and the project - objectives of the project (nature of the project) - duration of the project - recommendation and contact details of the referee as well as proof of completed project(s) and - must be signed. NB: If any of this information is omitted/missing will lead to the reference letter(s) not allocated points	25
2.	Project Plan Proposed Approach: 45 Proposed plan detailing the work to be implemented against this TORs, including: - Interaction with internal stakeholders, - Collection of evidence, - Collation and analysis of evidence, and - Time frames for completion of the key milestones and the whole project. - The project plan needs indicating all of the above-mentioned deliverables = 45 points - Below all of the above-mentioned deliverables = 0 points	45

3.	Capacity to deliver: Profile of key staff and CV's to be attached 3.1. Project Manager Experience: 15 a. 5 years and above = 15 points b. 3 - 4 years = 10 points c. 1 - 2 years = 0 points d. Below 1 = 0 3.2. Relevant experience of team members: 15 • 5 years and above = 15 • 3- 4 years = 10 • 1 -2 years = 5 • Below 1 = 0	30
Total		100

Bidders must provide documents to justify awarding the above points, and such proof should include details of contactable references to validate the information submitted.

Points will be awarded on a sliding scale.

Please take note of the value and scoring point system of your bid.

6.3. STAGE 3 [Folder B (USB)]

PRICING SCHEDULE DOCUMENTS

- a. Costing Model (**Price must be final, include VAT and signed**)
- b. Valid Tax Clearance Certificate or "Unique security personal identification number (PIN) issued by SARS and must be on the SARS letter head"
- c. Invitation to Bid - **SBD1**
- d. Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2017 - **SBD 6.1 (If claiming preferential points)**
- e. B-BBEE certificate or sworn affidavit (**If claiming preferential points**)

80/20 preference point system shall be applicable as follows:

- | | |
|--------------------------------------|-----------|
| ✓ Price | 80 |
| ✓ B-BBEE status level of contributor | 20 |

In order to facilitate a transparent selection process that allows equal opportunity to all service providers, the ETDP SETA will adhere to its policy on the appointment of service providers.

7. BID CONDITIONS

The ETDP SETA Supply Chain Management Policy will apply:

1. ETDP SETA does not bind itself to appoint a bidder with the highest points.
2. ETDP SETA reserves the right to negotiate the bidder's price.
3. ETDP SETA reserve the right to cancel the bid and not award the bid to any of the bidders.
4. Bids which are late, incomplete, unsigned or submitted by facsimile will **NOT** be accepted.
5. Bidders with a **turnover above R 10 million** must submit a valid certified B-BBEE Verification Certificate from **SANAS Accredited Verification Agency** in order to be eligible for empowerment points.
6. An Exempted Micro Enterprise (EME) is only required to submit a sworn affidavit, or a Certificate issued by Companies and Intellectual Property Commission (CIPC) confirming their annual turnover of R 10 million or less and level of black ownership to claim points.
7. A Qualifying Small Enterprise (QSE) is required to submit a sworn affidavit confirming their **annual total revenue of between R 10 million and R 50 million and level of black ownership** or a B-BBEE level verification certificate to claim points as prescribed.
8. **B-BBEE Certificates obtained from Accountants/ Auditors after 31 December 2016 will no longer be accepted.**
9. Companies who bid as a joint venture must submit a **consolidated B-BBEE Verification certificate prepared for this bid only**, from **SANAS Accredited Verification Agency** in order to be eligible for empowerment points. Companies who form part of this joint venture **MUST** have an accreditation certificate with relevant authority as stated in Mandatory documents.
10. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor, sworn affidavit or a B-BBEE Certificate, together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
11. Bids submitted are to hold good for a period of 90 days.
12. Deregistered and blacklisted companies including directors/owners/individuals linked to the company will not be considered. Due diligence will be conducted with successful bidders to validate submitted information.
13. All suppliers must be registered on the **Central Supplier Database**. No bid will be awarded to any supplier by ETDP SETA that is not registered on the Central Supplier.
14. Companies that are in the process of **de-registration in the CIPC** will not be considered.
15. Service Provider must provide proof of Public Liability Insurance.
16. The successful research chair **must** sign the penalty and termination clause as part of the agreement with ETDP SETA.
17. The preference point system is applicable to price quotations with a Rand value equal to, or above **R 30 000.00** and up to a Rand value of **R 1 000 000.00 (all applicable taxes included)**.

8. BID DOCUMENTS / PROPOSAL PACKS

Bid documents for participation can be downloaded from the ETDP SETA website: www.etdpseta.org.za, Main Menu > Supply Chain Management > Procurement > Request for Quotations as from 12h00 on **28 June 2022.**

All Bids/Proposals (**completed in [1x Electronic copy (USB)] ONLY**) must be **courier or hand delivered to:**

The ETDP SETA – Head Office
ETDP SETA House
2-6 New Street
Ghandi Square
Johannesburg South - CBD
2091

OR

Sent via email to TienieJ@etdpseta.org.za or etdpsetarfq@etdpseta.org.za

NB: PAPER BASED PROPOSALS and CDs WILL NOT BE ACCEPTED AND WILL LEAD TO DISQUALIFICATION AND ELIMINATION OF YOUR BID FROM EVALUATION!

Submissions can be delivered into the tender box between **08h00 and 16h30 Monday to Friday BEFORE** the closing date and time of **11h00am on 14 July 2022.**

No late submission will be accepted!

9. CLOSING DATE

All Proposals should reach the ETDP SETA Offices on or before **11h00am on 14 July 2022.**

10. CONTACT PERSON

NO telephonic or any other form of communication relating to this bid will be permitted with any other ETDPSETA member of staff either by Bidders (as collective bidding team or individual of the bidding team), representative of Bidders, associates of Bidders, shareholders of Bidders, other than with the named individual stated below. ANY MEANS OF ATTEMPTING TO INFLUENCE THE ADJUDICATION PROCESS OR OUTCOMES OF THE ADJUDICATION PROCESS WILL RESULT IN IMMEDIATE DISQUALIFICATION OF THE ENTIRE BID. All enquiries regarding this bid must be in writing only and be directed to:

Supply Chain Management: Email: TienieJ@etdpseta.org.za or SibusisoK@etdpseta.org.za

Note: Blacklisted companies appearing on the National Treasury database and prohibited from conducting business with public entities, will be disqualified.