

**24 February 2020**

**APPOINTMENT OF A SERVICE PROVIDER FOR PERFORMANCE EVALUATION AND ASSESSMENT OF THE BOARD AND AUDIT & RISK COMMITTEE.**

<b>RFQ</b>	<b>RFQ/MICT/42/2019</b>
<b>RFQ ISSUE DATE</b>	<b>24 FEBRUARY 2020</b>
<b>BRIEFING SESSION</b>	<b>N/A</b>
<b>RFQ DESCRIPTION</b>	<b>APPOINTMENT OF A SERVICE PROVIDER FOR PERFORMANCE EVALUATION AND ASSESSMENT OF THE BOARD AND AUDIT &amp; RISK COMMITTEE.</b>
<b>CLOSING DATE &amp; TIME</b>	<b>02 MARCH 2020 @ 11:00</b>
<b>LOCATION FOR SUBMISSIONS</b>	<b>19 RICHARDS DRIVE, GALLAGHER CONVENTION CENTRE WEST WING, LEVEL 3, MIDRAND</b>
<b>NUMBER OF DOCUMENTS</b>	<b>ONE (1) HARD COPY</b>

Submissions must be **hand delivered and dropped in the MICT SETA tender box:** Block 2, Level 3 West, Gallagher Estate, 19 Richards Drive, Midrand **on or before the closing date of this RFQ.**

**No e-mail submissions will be allowed.** For queries, please contact: [rfqs@mict.org.za](mailto:rfqs@mict.org.za)

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: \_\_\_\_\_

POSTAL ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

E MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

CELL NO: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_

## DETAILED TECHNICAL SPECIFICATION

### **APPOINTMENT OF A SERVICE PROVIDER FOR PERFORMANCE EVALUATION AND ASSESSMENT OF BOARD AND AUDIT & RISK COMMITTEE.**

#### **1. BACKGROUND**

The Media, Information and Communication Technologies Sector Education and Training Authority, the "MICT SETA", was established in terms of the Skills Development Act, 1998 (Act No. 97 of 1998). Is responsible for skills development for its respective sub-sectors. The MICT sector is made up of five sub-sectors that are interconnected but also quite distinct and identifiable. These are Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications.

MICT SETA seeks to appoint a service provider for evaluation and assessment of the Board and Audit & Risk Committee (ARC). MICT SETA currently has thirteen (13) board members and five (5) Audit and Risk Committee members.

#### **2. SCOPE OF WORK**

##### **2.1 Evaluation of the Composition and Constitution, Tors/Charters for both Board and Audit and Risk Committee**

- 2.1.1 Diversity of membership Board and Audit and Risk Committee
- 2.1.2 Competencies of members Board and Audit and Risk Committee
- 2.1.3 Frequency of meetings of Board and Audit and Risk Committee
- 2.1.4 Board and Audit Committee processes
- 2.1.5 Role of the Board in developing Strategy and APP

##### **2.2 Monitoring of Policies, systems and strategy implementation by Board and Audit and Risk Committee**

- 2.2.1 Supporting and advisory roles of Board and Audit and Risk Committee
- 2.2.2 Integrity and robustness of financial information and other controls
- 2.2.3 Role of Board and Audit and Risk Committee on Risk management

##### **2.3 Role of Board and Audit and Risk Committee in overseeing compliance with legislative framework**

- 2.3.1 Compliance with Annual report to Parliament, AGSA, Treasury and Executive Authority
- 2.3.2 Board and Audit and Risk Committee Annual Calendars'
- 2.3.3 Information availability and accessibility

##### **2.4 Interaction and communication among members and between members and the CEO and Senior Management**

- 2.4.1 Board and Audit and Risk Committee Chairperson's roles
- 2.4.2 Quality of Participation in meetings
- 2.4.3 Service provider to provide a minimum of three (3) reference letters of similar work conducted in the past three years.

##### **2.5 Portfolio of evidence**

- 2.5.1 Bidders are required to include portfolio of evidence, including proposed project team with relevant experience to deliver the expected report.

**3. PRE-QUALIFICATION CRITERIA**

- 3.1 Bidder must submit proof of registration on CSD (*Central Supplier Database*)
- 3.2 Bidder must submit proof and must be an EME or QSE *only (level 1 or level 2 BBBEE contributor)* status will be considered (*no generic companies will be considered*)
- 3.3 Bidder must complete, sign and initial the RFQ document by the authorised company representative

**Note: All bidders who do not comply with the items listed above will be disqualified.**

**4. PRICING SCHEDULE**

The quotation must reflect a detailed cost breakdown indicating the following:

**See table below as reference: (Pricing must include a detailed cost breakdown but not limited to)**

Activities as per the deliverables of the project				
NAME	POSITION IN TEAM	HOURLY RATE	HOURS	COST
<b>Activity 1</b>				
<b>Activity 2</b>				
<b>Activity 3</b>				
<b>Activity 4</b>				
<b>Activity 5</b>				

Additional costs				
<b>Total costs (EXCL.) VAT</b>				
<b>VAT</b>				
<b>Total Cost (INCL.) VAT</b>				

- 4.1 Bidder to justify each above mentioned activity.
- 4.2 Delivery timelines - It is required that the evaluation be done as soon as possible, targeting submission to MICT SETA by 20 March 2020.

**5. ADJUDICATION USING A POINT SYSTEM**

- 5.1 The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder
- 5.2 Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- 5.3 In the event that two or more bids have scored equal pints, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 5.4 However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality
- 5.5 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

**6 POINTS AWARDED FOR PRICE**

The **80/20** preference point system

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

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

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

**7. B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:**

<b>B-BBEE Status Level of contributor</b>	<b>Number of points 80/20 system</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 7.1** Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information, constitutes a criminal offence.
- 7.2** Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.
- 7.3** 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.
- 7.4** 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.
- 7.5** 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.
- 7.6** A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend 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 capacity and the ability to execute the sub-contract.
- 7.7** 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 equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

## **8 COMMUNICATION**

Respondents are warned that a response will be disqualified should any attempt be made by a bidder either directly or indirectly to canvass any officer(s) or employees of MICT- SETA in respect of a RFQ, between the closing date and the date of the award of the business.

All enquiries relating to this RFQ should be emailed three days before the closing date.

## **9 CONDITIONS TO BE OBSERVED WHEN RFQING**

The Corporation does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of his RFQ. The Corporation reserves the right to accept a separate RFQ or separate RFQs for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the RFQ at any stage.

No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

Quotation shall remain open for acceptance by the Corporation for a period of **90 days** from the closing date of the RFQ Enquiry.

### **MICT SETA reserves the right to:**

- 9.1** Not evaluate and award RFQs that do not comply strictly with this RFQ document.
- 9.2** Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- 9.3** Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered or permitted.
- 9.4** Award a contract to one or more bidder(s).
- 9.5** Accept any RFQ in part or full at its own discretion.
- 9.6** Cancel this RFQ or any part thereof at any time as prescribed in the PPPFA regulation.
- 9.7** Should bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs.

## **10 COST OF BIDDING**

The bidder shall bear all costs and expenses associated with preparation and submission of its RFQ or RFQ, and the MICT SETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

**END OF RFQ DOCUMENT**

**Annexed to this document for completion and return with the document:**

- Preference Points Claim Form (SBD 6.1), Declaration of Interest (SBD 4),
- Declaration of Bidder's Past Supply Chain Practices (SBD 8),
- Certificate of Independent Bid Determination (SBD 9)
- General Conditions of Contract (GCC)

**DECLARATION OF INTEREST**

1. Any legal or natural person, excluding any permanent employee of MICT- SETA, may make an offer or offers in terms of this RFQ invitation. In view of possible allegations of favouritism, should the resulting RFQ, or part thereof be awarded to-
  - (a) any person employed by the MICT- SETA in the capacity of bidder, consultant or service provider; or
  - (b) any person who acts on behalf of MICT- SETA; or
  - (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of MICT- SETA; or
  - (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The bidder or his/her authorised representative shall declare his/her position *vis-à-vis* MICT- SETA and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the bidder and a person employed by MICT- SETA in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:	.....
POSITION	:	.....
OFFICE WHERE EMPLOYED	:	.....
TELEPHONE NUMBER	:	.....
RELATIONSHIP	:	.....

2. Failure on the part of a bidder to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
3. In the event of a contract being awarded to a bidder with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, MICT- SETA may, in addition to any other remedy it may have:
  - recover from the bidder all costs, losses or damages incurred or sustained by MICT- SETA as a result of the award of the contract; and/or
  - cancel the contract and claim any damages, which MICT- SETA may suffer by having to make less favourable arrangements after such cancellation.

\_\_\_\_\_  
SIGNATURE OF DECLARANT

\_\_\_\_\_  
RFQ NUMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
POSITION OF DECLARANT

\_\_\_\_\_  
NAME OF COMPANY OR RFQER



## CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS

### 1. CONSORTIUMS AND JOINT VENTURES

- 1.1 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.
- 1.2 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 RFQ.

### 2 SUB-CONTRACTING

- 2.1 A bidder will not be awarded points for B-BBEE status if it is indicated in the RFQ 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 the bidder qualifies for, unless the intended sub-contractor is an exempted micro enterprise that has the capacity and ability to execute the sub-contract.
- 2.2 A bidder 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 bidder concerned, unless the contract is sub-contracted to an exempted micro enterprise that has the capability and ability to execute the sub-contract.
- 2.3 A bidder awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

### 3 DECLARATION OF SUB-CONTRACTING

- 3.1 Will any portion of the contract be sub-contracted? YES / NO
- 3.2 If yes, indicate:
  - 3.2.1 The percentage of the contract will be sub-contracted .....%
  - 3.2.2 The name of the sub-contractor .....
  - 3.2.3 The B-BBEE status level of the sub-contractor.....
  - 3.2.4 whether the sub-contractor is an EME YES / NO

\_\_\_\_\_  
SIGNATURE OF DECLARANT

\_\_\_\_\_  
RFQ NUMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
POSITION OF DECLARANT

\_\_\_\_\_  
NAME OF COMPANY OR RFQER