



RFQ00000179281

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT AN
ORGANISATIONAL REVIEW FOR THE CCMA**

Non-Compulsory Briefing Session:

Date & Time 04 February 2022 at 11H00 Am Via **Microsoft Teams (Virtual)**

Bid Closing Date, time and venue:

18 February 2022 at 11H00 Am

to RFQ@CCMA.org.za

DUE TO COVID-19 REGULATIONS, IT IS COMPULSORY FOR THE BIDDERS TO SEND AN EMAIL TO:

KhathutsheloM@ccma.org.za

ON OR BEFORE 04 of February 2022; 09H00 IN ORDER TO BE ALLOCATED IN THE NON-COMPULSORY BRIEFING SESSION LINK.

SECTION 1: GENERAL CONDITIONS OF RFP

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1. Proprietary Information

CCMA considers this Request for Proposal (RFP) and all related information, either written or verbal, which is provided to the respondent, to be proprietary to CCMA. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this RFP or related information to any third party without the prior written consent of CCMA.

2. Enquiries

- 2.1 All communication and attempts to solicit information of any kind relative to this RFP should be channelled **in writing** to:

Name:	Mr. Khathutshelo Mukwevho
Telephone Number:	+27 11 377 6998
Email address:	KhathutsheloM@CCMA.org.za

- 2.2 Closing date for enquiries in relation to this RFP will be **11 February 2022 at 16:00pm**.
- 2.3 All the submitted and received enquiries will be consolidated and CCMA will issue one response and such response will be posted, within two days after the last day of enquiries, onto the CCMA website (www.ccma.org.za) under tenders i.e. next to the same RFP document.
- 2.4 The CCMA may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the CCMA on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

3. Bid Validity Period

Responses to this RFP received from bidders will be valid for a period of **90** days counted from the bid closing date.

4. Instructions on submission of Bids

Bids should be submitted in central email at RFQ@CCMA.org.za by no later than **11:00 AM [Telkom time]** on the **18 February 2022**.

- 4.1 The CCMA will not be held responsible for any delays where proposal documents are to be emailed at RFQ@CCMA.org.za.

5. Preparation of Bid Response

- 5.1 All the documentation submitted in response to this RFP must be in English.
- 5.2 The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the RFP document.
- 5.3 A valid Tax Clearance Certificate with the tax compliance status PIN must be included in the bid response to verify bidders' tax compliance status.
- 5.4 All bidders must be registered on the Central Supplier Database (CSD) prior to submitting bids and include in their bid a copy of their Master Registration Number (Supplier Number) in order for CCMA to verify the bidder's tax status on CSD and other Governing compliances.

6. Supplier Performance Management

Supplier Performance Management is viewed by the CCMA as a critical component in ensuring value for money acquisition and good supplier / or service provider relations between the CCMA and all its suppliers.

The successful bidder shall, upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the CCMA, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to CCMA's business.

7. CCMA's Rights

- 7.1 The CCMA is entitled to amend any bid conditions, bid validity period, RFP specifications, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the CCMA has record of such bidders, may be advised in writing of such amendments in good time and any such changes will be posted on the CCMA's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 7.2 The CCMA reserves the right not to accept the lowest priced bid or any bid in part or in whole. The CCMA normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the CCMA.
- 7.3 The CCMA reserves the right to award this bid as a whole or in part.
- 7.4 The CCMA reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.
- 7.5 The CCMA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the **National Treasury Instruction 03 of 2017/2018: Cost Containment Measures**, where relevant.
- 7.6 The CCMA reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the CCMA to conduct background checks on the bidding entity and any of its directors / trustees / shareholders / members.

8. Undertakings by the Bidder

- 8.1 By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the CCMA on the terms and conditions and in accordance with the specifications stipulated in this RFP document.
- 8.2 The bidder may be required to attend an interview should CCMA require such and the bidder shall be notified thereof in good time before the actual presentation date. Such interview may include a practical demonstration of understanding products or services as called for in this RFP.
- 8.3 The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the CCMA during the bid validity period indicated in the RFP and calculated from the bid closing hour and date such offer and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.
- 8.4 The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

- 8.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with CCMA, as the principal(s) liable for the due fulfilment of such contract.
- 8.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become CCMA property unless otherwise stated by the bidder/s at the time of submission.

9. Reasons for disqualification

- 9.1 The CCMA reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be notified in writing of such disqualification:
- 10.1.1 Bidders who fail to comply with the National Treasury Directives with regard to Tax Compliance Matters;
- 10.1.2 Bidders who submit incomplete information and documentation according to the requirements of this RFP document;
- 10.1.3 Bidders who submit information that is fraudulent, factually untrue or inaccurate;
- 10.1.4 bidders who receive information not available to other potential bidders through fraudulent means;

10. Response Format (Returnable Schedules)

Bidders shall submit their bid responses in accordance with the response format specified below (each schedule must be clearly marked):

- 10.1 **Cover Page:** (the cover page must clearly indicate the RFP reference number, RFP description and the bidder's name)
- 10.2 **Schedule 1:**
- 11.2.1 RFP document (duly completed and signed)
- 11.2.2 All other supporting documents
- 10.3 **Schedule 2**
- 11.3.1 Valid tax clearance certificate(s), A tax compliance status PIN must be included in the bid response to verify bidders' tax compliance status;

- 11.3.2 Annexure 3: SBD 4 (duly completed and signed);
- 11.3.3 Annexure 4: SBD 6.1 (duly completed and signed);
- 11.3.4 Annexure 6: SBD 8 (duly completed and signed);
- 11.3.5 Annexure 7: SBD 9 (duly completed and signed);
- 11.3.6 Annexure 8: Sworn Affidavits / BBBEE Certificate issues by CIPC or accredited SANAS Verification Agency;

10.4 **Non- Compulsory Briefing Session:**

Date & Time: **04 February 2022 at 11H00 am** Via Teams. **IT IS COMPULSORY FOR THE BIDDERS TO SEND AN EMAIL TO: KhathutsheloM@ccma.org.za ON OR BEFORE 04 of February 2022; 09H00 IN ORDER TO BE ALLOCATED IN THE NON-COMPULSORY BRIEFING SESSION LINK.**

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SECTION 2: FUNCTIONAL REQUIREMENTS SPECIFICATION

SPECIFICATION/TERMS OF REFERENCE FOR A REVIEW OF THE ORGANISATIONAL DESIGN FOR A PERIOD OF FOUR (4) MONTHS

1. INTRODUCTION

1.1 The objective of this Request for Quote (RFQ) is to appoint a suitable service provider/s that can conduct an organisational review and propose a set of OD recommendations for The Commission for Conciliation, Mediation and Arbitration (CCMA).

2. CCMA MANDATE

2.1 The Commission for Conciliation, Mediation and Arbitration (CCMA) is an independent and autonomous organization that was established by the Labour Relations Act of 1995 (LRA) to deliver dispute prevention and resolution services to the people of South Africa. The core mandate of the CCMA, as one of the organizations charged with implementing the LRA, is derived from the purpose of the LRA which, amongst others, is to advance economic development, social justice, labour peace and the democratization of the workplace.

2.2 The CCMA is governed by a Board referred to as the Governing Body (GB) in terms of section 116 of the LRA. The Governing Body consists of an independent Chairperson and nine other representatives, representing Government, Organised Labour and Organised Business. The members of the GB are appointed through a process managed by NEDLAC and the Minister of Labour.

3. BACKGROUND INFORMATION

3.1 The South African political environment is often clouded by corruption, mismanagement of public funds, political intolerance, popular protests, and violence. This impacts labour peace and ultimately affects job creation and increases in job losses. Furthermore, slow economic growth together with policy related challenges, the CCMA may find itself with an influx of referrals as unemployment (which was already high prior to the COVID19 outbreak) continues to accelerate.

3.2 The CCMA has also had its budget reduced by R90.2 million in the 2020/21 financial year. An increased caseload will heighten pressure on an already strained organization. Compounded

by the impact of the COVID-19 pandemic, it is anticipated the current case load will spike by 25%. In the unlikely event that the increased volume is not managed adequately, there may be disruptions in the service provision resulting in the failure to ensure that social justice is delivered for the most vulnerable workers in the South African labour market.

- 3.3 Technological advancements (accelerated by the Covid-19 pandemic) have given rise to changes in how services are delivered to users as well as how employees experience the workplace.
- 3.4 The CCMA must respond to these challenges outlined in order to continue to make a meaningful contribution in the labour market and in alignment with "The Imvuselelo Strategy".
- 3.5 An increasing workload, funding constraints, social and political pressures require an appropriately designed operating model together with an appropriate organisation design is critical for the organisation to ensure efficiency in dealing with an increased caseload.
- 3.6 In summary, the CCMA's mandate is to provide a simple procedure for resolving labour disputes through statutory conciliation, mediation and arbitration. The review and potential restructuring of both the operating and funding model of the organization (back and front office) will enable better user responsiveness, use of technology and efficiency gains for delivering these services.

4. PURPOSE

- 4.1 During 2020/21 the CCMA government grant was reduced by R90.1 million.
- 4.2 This reduction came against the backdrop of an organisation that already had a budget deficit and could not adequately meet the funding of all its operational needs.
- 4.3 As the probability of the risks associated with the financial sustainability of the CCMA increases, it is prudent that the CCMA reviews its operating model and the associated organisation structure, both macro and micro designs.
- 4.4 The intention of the review is to identify weaknesses in the current delivery capabilities and identify significant opportunities for the CCMA to adopt an operating model that is capable of being effective in an increasing complex social and economic environment and is future fit and ready to embrace the challenges of the Fourth Industrial Revolution.
- 4.5 The review will provide an overview of effective methods of operation and ways of achieving greater efficiency in delivering services to the user.
- 4.6 This review will explore dimensions of strategy and vision, value delivery, financial model, and organisational enablers.

4.7 The review will also seek to ensure the integration of people with core business processes, technology, and systems in attaining the CCMA goals in the most cost-effective manner.

5. APPROACH TO THE ASSIGNMENT

5.1 The Operating model and Organisation Design review, as well as the development of proposed solutions will be recommended by the bidding service providers and will subsequently be approved by the CCMA, who will also be the key contact person for this project. The methodology proposed must include the following:

5.2 It is anticipated that the project will span over a period of four (4) months and will broadly follow the approach outlined below:

5.2.1 Planning and Launch

5.2.2 Diagnostics and Data collection

5.2.3 Findings

5.2.4 Proposed designs for Operating Model, Funding Model, ICT Model, and Organisation Designs

5.2.5 Recommendations

5.2.6 Final presentation

5.3 Finally, findings and recommendations from the operating model and organisation design review will be presented, identifying key activities that the CCMA must implement to deliver its mandate to the users.

6. SCOPE OF WORK

6.1 General Requirements

6.1.1 The nature of the review and design of the Operating Model and Organisation requires high-level skills and expertise, including but not limited to the following.

6.1.2 Advanced understanding of the South African labour market, public sector delivery imperatives, government priorities, and Dispute resolution.

6.1.3 Advanced knowledge of organisation strategies that support improve service delivery and user experiences that are future fit and meet the challenges of the South African socio, political and economic environment.

6.1.4 Extensive knowledge and experience in the preparation of organisation design alternatives, the testing of these against design criteria, and assessing the impact of design solutions.

- 6.1.5 Experience in the field of stakeholder engagement and group facilitation for such review initiatives in the public sector.
- 6.1.6 Advanced expertise and experience in funding models for public sector entities and the solutioning of “out-of-the box” alternative funding sources.
- 6.1.7 Advanced expertise and experience in analysing an organisation’s IT systems and infrastructure, diagnosing IT system problems, proposing a technology solution to meet business needs, analysing, and determining security threats and providing advice on technology best practice.

6.2 The appointed service provider/s will undertake the following:

6.2.1 Operating Model Review and Recommendations

- 6.2.1.1 Review the current CCMA Operating Model.
- 6.2.1.2 Design a proposed Operating Model for the CCMA (organising principles, enabling functions and high level business processes)
- 6.2.1.3 Develop an engagement model of how Departments, Provinces and Regions interact within the broader mandate of the CCMA.

6.2.2 Organisation Design Review and Recommendations

- 6.2.2.1 Review the overall organizational “architecture” (Head Office and Regional Offices).
- 6.2.2.2 Review the design of the Dispute Resolution function.
- 6.2.2.3 Review the design of the support services function (including HR, Legal, IT, Finance, Governance).
- 6.2.2.4 Conduct a maturity assessment of all back office functions.
- 6.2.2.5 Develop a set of functional design principles.
- 6.2.2.6 Propose a design for a macro Organisational Structure for the CCMA.
- 6.2.2.7 Propose a design for a resourcing model and roles in support of the organisational structure.
- 6.2.2.8 Identify the proposed headcount necessary to carry out the functions specified.
- 6.2.2.9 Identify possible functions that can be outsourced, benefits of outsourcing and how they would be managed.
- 6.2.2.10 Propose which functions can be performed remotely, support infrastructure for such functions in line with 4IR and new ways of work.
- 6.2.2.11 Provide recommended workflows and automation.

- 6.2.2.12 Propose a plan for how to manage redundancies / excess personnel, development of skills and placement of personnel into the proposed organisation structure.

6.2.3 Funding Model Review and Recommendations

- 6.2.3.1 Review current funding model.
- 6.2.3.2 Propose a funding model to meet the challenges the CCMA is facing (funding opportunities, additional income streams).
- 6.2.3.3 Consider discretionary functions and potential funding mechanisms.

6.2.4 ICT Review and Recommendations

- 6.2.4.1 The proposed ICT Landscape deliverables need to be very comprehensively guided by the following guidelines:

Desktop & Server: Hardware Infrastructure

- ✓ What level of maturity is the CCMA ICT Hardware in relation to the local and international ICT Technology trends?
- ✓ What ICT Hardware models can the CCMA adopt going forward which are in line with the cutting-edge technology in the market.
- ✓ Going forward what ICT Hardware investments does CCMA need to take heed off so that it will be able to optimize its operations.
- ✓ How best can the CCMA make use of the current Hardware Infrastructure as a bench mark for future Technology offering.
- ✓ Accessibility of the hardware infrastructure locally, internally and remotely

Desktop & Server: Software Infrastructure

- ✓ How best can the current CCMA ICT Desktop & Server Software footprint be engineered to be in line with future technological advancement.
- ✓ What level of maturity is the current CCMA ICT Desktop & Server Software in relation to the ICT Technology trends.
- ✓ What ICT Desktop & Server Software solutions can the CCMA adopt going forward.
- ✓ How best can the CCMA make use of the current Desktop & Server Software.
- ✓ Accessibility of the software infrastructure locally, internally and remotely

Business Applications Software

- ✓ Check the CCMA Case Management System, Sage300, HR Premier, as per strategic and operational requirement
- ✓ Accessibility, capability and scalability of the business applications software; locally, internally and remotely/externally.
- ✓ Check usability of the business software as per strategic and operations
- ✓ Check all applications infrastructure security; locally, internally and remotely/externally.

Communications Infrastructure

- ✓ What level of maturity is the current Communication Infrastructure in relation to the local and international ICT Technology trends.
- ✓ Accessibility, capability and scalability of the Communications Infrastructure; locally, internally and remotely/externally.
- ✓ Check usability of the Communications Infrastructure as per strategic and operations

ICT Security

- ✓ What level of maturity is the current CCMA ICT Security measures in relation to the local and international ICT Technology trends?
- ✓ Capability and scalability of the Security Infrastructure; locally, internally and remotely/externally.
- ✓ Check usability ICT Security Infrastructure as per strategic and operations

6.2.4.2 Key Deliverables

The key deliverables which the CCMA expects from the service provider, upon successful completion of the assignment, is: a diagnostic report containing a critical analysis and recommendations, with the following as a minimum:

- ✓ Critical Assessment of the current ICT environment.
- ✓ Appropriate proposals which pinpoint the way forward for the Commission towards a more successful ICT environment:
 - Reflect best-practice and/or best-in-standards
 - Produce a SWOT analysis for key recommendations.
- ✓ Identifying the level of ICT investment and related resourcing for change that the CCMA should be considering in the next 3-5 years

6.2.5 Present all findings and recommendations

- 6.2.5.1 Develop final report and implementable recommendations for further consideration by the CCMA which may or may not be implemented at a future.
- 6.2.5.2 All recommendations and proposed design options must be done in collaboration with CCMA stakeholders to ensure the utmost diligence and participation in the process.

7. Evaluation Criteria

The proposals will be evaluated in terms of the 80/20 evaluation system in line with PPPFA Regulations of 2017.

7.1 Functional Evaluation Criteria

The following criteria shall be applicable, and the maximum points of each criterion are indicated in the table below:

7.1.1 Track record (References)	Weighting
<p>Bidders are required to furnish contactable references, by providing reference letters, where similar Organisational Design (OD) services have successfully been conducted within the past five (5) years.</p> <p>The reference letters from the clients must include:</p> <ul style="list-style-type: none"> • company name • company letter head • contact person • contact telephone numbers, and <p>Projects successfully completed within the past 5 years, relevant to the scope of work. These references should be exclusively South African clients and within the Public Sector. International references will not be considered.</p>	40
Track record (References): Scoring Matrix	
Number Of References	Score
No reference letter provided	0 point

1 reference	5 points	
2 references	10 points	
3 references	20 points	
4 references	30 points	
5 references or more	40 points	

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7.1.2. Relevant Experience and Qualifications of the OD Practitioner/Team		Weighting
7.1.2.1 The bidders are required to provide CV's of proposed project team member(s) as required below. In addition, the CV's to be summarised in table format supplied by the CCMA (Annexure "A").		40
Relevant Experience	Max 30	
No relevant experience	0 point	
Less than 12 months	5 points	
1 year but less than 3 years	10 points	
3 years but less than 5 years	15 points	
5 years but up to 6 years	20 points	
More than 6 years	30 points	
Should a team comprise of more than one member the number of years of experience will be averaged		
7.1.2.2 Relevant Qualifications of the OD Team		
Relevant Qualifications	Max 10	
<ul style="list-style-type: none"> • Qualifications (Provide evidence of qualification for the OD project team member(s)) <p>Related Tertiary (degree) Organisational Qualification will be awarded four (4) points):</p> <ul style="list-style-type: none"> ○ Degree ○ Honors ○ Masters ○ Doctorate <p>And for each additional qualification over and above the minimum, two points will be awarded to an overall maximum of 10 points.</p>	10	

7.1.3 Technical / Functional Criteria					Weighting
<p>Project plan - The prospective bidders to supply a detailed project plan.</p> <p>Scoring Matrix – If yes is ticked (must be validated through the project plan) – maximum points per requirement will be awarded. If no, 0 points will be awarded.</p>					20
Scoring Matrix					
Requirement	Reference to section in the transition plan	Yes	No	Score	
<ul style="list-style-type: none"> • Detailed Project Approach and Methodology (This must address the following): <ul style="list-style-type: none"> ○ Clearly identified phases in the review process together with the outputs / deliverables per phase ○ Sub steps per phase ○ Engagement plan for Leadership and other stakeholders 				10	
<ul style="list-style-type: none"> • Detailed Project Plan (The project plan should address the following): <ul style="list-style-type: none"> ○ Timing per phase ○ Milestone per process <p style="margin-left: 20px;">Responsibility Matrix</p> <p>No points will be allocated if the project plan does not fully address the above.</p>				10	
If there is no project plan provided				0	

<i>Technical / Functional Criteria</i>	<i>Weightings</i>
Total technical/functional	100
Minimum threshold	65
Price	
Points allocated for price	80
B-BBEE Status Points	
Points allocated for B-BBEE	20
TOTAL FOR PRICE and B-BBEE PREFERENCE POINTS	100

Bidders who score a minimum threshold of **65 out of 100 points** on the evaluation criteria will be considered for further evaluation on Price and B-BBEE. Bidders who fail to attain the required minimum threshold will not be evaluated further.

8. BRIEFING SESSION

Non- Compulsory Briefing Session:

Date & Time 04 February 2022 at 11H00am, Via Microsoft Teams (Virtual)

DUE TO COVID-19 REGULATIONS, IT IS COMPULSORY FOR THE BIDDERS TO SEND AN EMAIL TO: KhathutsheloM@ccma.org.za ON OR BEFORE 04 of FEBRUARY 2022; 09H00 IN ORDER TO BE ALLOCATED IN THE NON-COMPULSORY BRIEFING SESSION LINK

9. CONDITIONS

9.1 The proposal should include, amongst other, the following:

- 9.1.1 An approach demonstrating a clear understanding of how this will link to the scope of work.
- 9.1.2 A proposed plan of action guided by the duration of the project.
- 9.1.3 A list of project resources together with related CVs.
- 9.1.4 A list of references.

10. SPECIAL CONDITIONS

10.1 Only bidders who score at least **65 points** for the functionality evaluation will be considered for Price and B-BBEE evaluation.

10.2 The CCMA reserves the right to invite short listed suppliers/companies to present their bid proposals for final decision.

10.3 Bidders must be prepared to work at rates not exceeding those prescribed by the office of the National Treasury Cost Containment Instruction Note(s) or Auditor-General or the Department of Public Service and Administration (DPSA).

11. PRICE AND B-BBEE EVALUATION

A minimum **point of 65** must be achieved to proceed to the next stage of evaluation (Pricing and B-BBEE).

Bidders with a total functionality score of less than **65 points** for functionality will be disqualified.

The bidder will be required to complete the table below illustrating the unit price for each product, all costs to be included.

Description	Product	Unit Price (Vat Inclusive)	Quantity	Total (Vat Inclusive)	Comments

TOTAL					

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SECTION 3: ANNEXURES

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ANNEXURE 1:

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person connected to the bidder is employed :

Position occupied in the state institution:

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

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, 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 **YES/NO**

of this bid?

2.10.1 If so, furnish particulars.

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

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

2.11.1 If so, furnish particulars:

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

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

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

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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

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ANNEXURE 2:

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

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

1.2 Points for this bid shall be awarded for:

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

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

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

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

- 1.5 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

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

- 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 or QSE

(Tick applicable box)

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

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES	
1.
2.	

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

RFQ000000

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

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) _____ has been requested to submit a bid in response to this bid invitation;

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

SBD 9

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

RFQ000000179281

ANNEXURE 5

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name	
Trading Name	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:
 - The enterprise is _____% black owned;
 - The enterprise is _____% black woman owned;
 - Based on the management accounts and other information available on the _____ financial year, the income did not exceed R10,000,000.00 (ten million rands);
 - Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of **the dti** Codes of Good Practice.
5. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
6. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp

RFQ000000179281

SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <p>i. before 27 April 1994; or</p> <p>ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>

Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <ul style="list-style-type: none"> (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”
--	---

3. I hereby declare under Oath that:

- The Enterprise is _____% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = _____%
 - Black Disabled % = _____%
 - Black Unemployed % = _____%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp

RFQ000000179281

COMMISSION FOR CONCILIATION,
MEDIATION & ARBITRATION

ANNEXURE 6



TO THE CCMA

PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013

By signing this referral form;

- a) I/we hereby grant my/our voluntary consent that my/our personal information may be processed, collected, used and disclosed in compliance with the Protection of Personal Information Act, 4 of 2013.
- b) I/we furthermore agree that my/our personal information may be used for the lawful and reasonable purposes in as far as the CCMA (responsible party) must use my/our information in the performance of its public legal duty.
- c) I/we understand that my/our personal information may be disclosed to a third party in as far as the CCMA must fulfil its public legal duty.
- d) I/we furthermore understand that there are instances in terms of abovementioned Act where my express consent is not necessary to permit the processing of personal information, which may be related to litigation or when the information is publicly available. Further details are available on the CCMA website.

SIGNED AT _____ ON THIS _____ DAY OF _____ 2022

COMPANY NAME: _____

INITIAL AND SURNAME OF REPRESENTATIVE OF THE COMPANY: _____

SIGNATURE OF REPRESENTATIVE OF THE COMPANY: _____

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT AN ORGANISATIONAL REVIEW FOR THE CCMA
(RQN00000179281) (Summary of Project Team CV's)**

Operating Model Review of Candidates Project Team

			Qualifications (highest to lowest)						Relevant Experience	
Name/s and Surname	Title	I.D. /Passport Numnber	Qualification 1	NQF Level	Qualification 2	NQF Level	Qualification 3	NQF Level	Years	Months

Orqanisation Design Review of Candidates Project Team

			Qualifications (highest to lowest)						Relevant Experience	
Name/s and Surname	Title	I.D. /Passport Numnber	Qualification 1	NQF Level	Qualification 2	NQF Level	Qualification 3	NQF Level	Years	Months

Funding Model Review of Candidates Project Team

			Qualifications (highest to lowest)						Relevant Experience	
Name/s and Surname	Title	I.D. /Passport Numnber	Qualification 1	NQF Level	Qualification 2	NQF Level	Qualification 3	NQF Level	Years	Months

ICT Review of Candidates Project Team

			Qualifications (highest to lowest)						Relevant Experience	
Name/s and Surname	Title	I.D. /Passport Numnber	Qualification 1	NQF Level	Qualification 2	NQF Level	Qualification 3	NQF Level	Years	Months