



Tender Ref #:	DPME 03-2017/18
---------------	-----------------

Request for proposals for:	Implementation Evaluation of the Environmental Impact Assessment (EIA)	
Closing date and time:	26 May 2017, 12:00 at 330 Grosvenor Street, Hatfield Pretoria with provision of one electronic copy and Six hard copies of the proposal.	
Compulsory briefing session:	Date: 9 May 2017	Time: 09:00am
	Venue: Boardroom 160, Union Building, East Wing, Pretoria NB :(RSA ID) is required for entrance to the union buildings	

Planned date of award of bid:	Expected project start date:	Expected project end date:
15 June 2017	3 July 2017	31 July 2018

1. BID INFORMATION

Information on the format and delivery of bids is contained in the attached bid documents. Please take note of the closing date and date of compulsory briefing session (if any).

2. PROPOSAL FORMAT

A detailed proposal in response to this ToR must be submitted. The proposal should contain all the information required to evaluate the bid against the requirements stipulated in this terms of reference. The following should be attached to the proposal as annexures

- **Annexure A:** Summary of past experience (Use attached template)
- **Annexure B:** Summary details of proposed team (Use attached template)
- **Annexure C:** Pricing information. Price proposals should include VAT and should be fully inclusive to deliver the outputs indicated in the terms of reference and must be submitted in a separate envelope.
- **Annexure D:** The published terms of reference (this document).
- **Annexure E:** All other forms / certificates required (see bid documents).

3. CONDITIONS OF BID

Detailed conditions applicable to all bids are contained in the bid documents accompanying this Terms of Reference. Only suppliers that meet all the requirements stipulated in the terms of reference and bid documents will be considered.

No late bids will be accepted. Only bids from service providers that attended the compulsory briefing session (if specified above) will be considered. Bids must be valid for a minimum period of 120 days after the closing date.

SCM Contact person	Name: Ms Ziyanda Mtwu-Modupe Tel: 012 312 0416 e-mail: Ziyanda@dpme.gov.za
--------------------	--

1. BACKGROUND TO THE ENVIRONMENTAL IMPACT ASSESSMENT EVALUATION (EIA)

The National Environment Management Act, 1998 (Act No. 107 of 1998) (the NEMA) introduced the environmental impact management regime, in particular the Environmental Impact Assessment (EIA) process. The EIA process is a tool which requires the integration of social, economic and environmental factors in the planning, implementation and evaluation of decisions to ensure that development serves the present and future generations. The EIA is South Africa's key regulatory instrument to mitigate and/or manage the impacts of new developments and activities that are considered to potentially impact on the right to an environment that is not harmful to health and well-being. It is considered to be one of the processes that actively promotes or ensures sustainable development. The EIA process is outlined in the Environmental Impact Assessment Regulations and Listing Notices aimed at implementing chapter 5 of the NEMA.

The Regulations provides for listing of activities which may not commence without an environmental authorisation and also identifies a process and reports to be submitted to the Competent Authority for decision making purposes. The process provides the proponent with an opportunity to assess the potential environmental impacts of the proposed development as well as provide for identification of mitigation measures to be in place to ensure that environmental impacts are avoided, minimised or mitigated. Key to this process is the public participation element, which is also legislated. It forms the integral part of the EIA process and comments and inputs from the interested and/or affected parties are taken into consideration by the competent authority when making decisions on applications.

The EIA is sometimes cited as a key barrier to development due to its requirements for rigorous participatory processes and scientific investigation which may often be viewed as time-consuming and expensive.

There is also a concern about the one-size-fits-all application of the EIA process to all developments. However, this weakness in the overall environmental impact management regime has been acknowledged and new, more appropriate and effective impact management tools are being used or developed. Despite this, the EIA continues to play a key role in South Africa's environmental impact management regime.

The desired outcome of implementing the EIA process is mainly to ensure that section 24 of the Constitution is upheld, in order for everyone to enjoy a right to an environment that is not harmful to their health or wellbeing and that the environment is protected for the benefit of present and future generations. The EIA process has not been designed to be a stand-alone process, but needs to be informed by the strategic (broader spatial and non-spatial) context within which it is situated. This strategic context is essential in facilitating the identification of impacts and the significance thereof¹. One of the key criteria to understand /determine the extent to which an EIA process results in sustainable outcomes, is to determine the extent to which the EIA was informed by the strategic context within which it operates. In essence, an EIA predicts impacts and it is only through the ongoing monitoring of development proposals after it has been authorised and implemented that it can be evaluated to see if the impacts predicted during the EIA process were accurate and if the mitigation measures were appropriate/adequate (and if they were implemented).

¹ EIAs as stand-alone tools are ill-equipped to deal with controversial or complex developments in communities with weak identities (poorly developed networks of interaction and weak boundaries). As complex entities, communities need time to allow the network of relationships and interactions to come to terms with the diversity of needs and desires within such communities, and to allow these interactions to develop a sense identity within certain boundaries (i.e. limits of acceptable change). In general, the (statutory) timeframes of an EIA process are inadequate to allow these interactions to take place. If not during the EIA process, where and how should communities develop cohesive identities? This is where the forward planning plays a crucial role, more particularly the planning done at a municipal level. The needs and future vision of communities should therefore be determined through ongoing community participation and contribution to the formulation of a vision and objectives at the local planning level. At this level, the integration of scientific/technical information and normative/value-based input is much more achievable within the planning processes of Integrated Development Plans (IDPs) and Spatial Development Frameworks (SDFs), as well as Environmental Management Frameworks (EMFs) compared to the normal EIA process, the more prolonged interactions associated with these planning processes are better suited to allow cooperation to emerge from the tensions created by the diversity of ethical positions in communities. Within this context, EIAs can then play a valuable role in evaluating the sustainability of development applications against the vision and objectives and of an IDP, SDF and EMF applicable to a specific community. This strategic context will therefore provide the flow of information into the community, creating "operating conditions" that shapes its identity. It can also inform development proposals, especially if the proponent has the interest of the community at heart.

The key players in the process are the 11 competent authorities which are the Department of Environmental Affairs, Department of Mineral Resources, and 9 provincial Departments responsible for environmental management. Additional to this are the Environmental Assessment Practitioners, the public, interested and affected parties and proponents. Government and the various stakeholders make investments into the EIA process with the understanding that it will lead to sustainable development. Therefore, it is imperative that we have a full insight into the value of the process.

2. PURPOSE OF THE EVALUATION

The evaluation aims to assess whether or not the EIA process contributes to sustainable development and to provide recommendations on how the implementation of the process can be strengthened. This will also involve the development of indicators for reporting on the economic impact of the environmental impact assessments process on identified sectors that have been authorised.

3. FOCUS AND SCOPE OF PROJECT

3.1. Evaluation Questions

The key evaluation questions to be answered in this evaluation are:

- 1) To what extent has the EIA process been efficiently implemented?
- 2) To what extent has the EIA process been effective in achieving its objectives, towards sustainable development?
- 3) What key insights, lessons, and recommendations are offered, for improvement of the EIA process?

In order to address and answer each of the key evaluation questions detailed above, **the following guide questions are recommended**. These questions will be confirmed during the inception phase of the evaluation between the steering committee and the service provider, and are to be used as a framework for the evaluation.

1. To what extent has the EIA process been efficiently implemented?

- 1.1. What is the general level of quality of EIA reports submitted to the competent authorities and are the reports in line with legislative requirements?
- 1.2. Is there sufficient technical capacity within the competent authorities to assess applications for environmental authorisation?
- 1.3. Is there sufficient technical capacity amongst environmental assessment practitioners to manage applications for environmental authorisation?
- 1.4. Are there any operational constraints in implementing EIAs and if so, how can they be mitigated?
- 1.5. Are any undue time delays experienced during the EIA process, and if so, were such delays caused by the authorities or non-state entities?
- 1.6. Has the EIA process been cost-effective in terms of the amount spent and the outputs achieved? (that is, value for money?)

2. To what extent has the EIA process been effective in achieving its objectives towards sustainable development?

- 2.1. To what extent did the design of individual EIA processes set sustainable development objectives/goals (i.e. what was the sustainable development outcome that the EIA aimed to achieve) against which the outcome of the process could be measured?
- 2.2. The extent to which the EIA process (for a development proposal) was informed by (and is consistent with) the strategic context (i.e. Integrated Development Plans, Spatial Development Frameworks, Environmental Management Frameworks, Strategic Environmental Assessments etc.) within which it is situated.
- 2.3. Is the information (technical and value-based information) generated during the EIA process substantively adequate to address all impacts?

- 2.4. The extent to which decisions were informed by and is consistent with the substantive information provided during the EIA process.
- 2.5. To what extent did the EIA process result in changes to the development proposal that added value to the project?
- 2.6. The extent to which the impact predictions were accurate in identifying all impacts and their significance (inclusive of mitigation measures).
- 2.7. The extent to which decisions (and its conditions) were implemented.
- 2.8. Is there evidence of the contribution of EIAs towards sustainable development?

3. What key insights, lessons, and recommendations are offered, for improvement of the EIA process?

- 3.1. Are there any examples of good practice emerging from the practical implementation of the EIA process?
- 3.2. Are there any existing positive characteristics within the EIA regulatory process that can be enhanced?
- 3.3. Based on 3.1 and 3.2 how can the following be improved to support sustainable development?
 - 3.3.1. Implementation of the EIA process?
 - 3.3.2. Institutional arrangements around the EIA process?
 - 3.3.3. Systems and tools used by the competent authorities to manage EIA applications?
- 3.4. Are there any recommendations from the 2008 Study and the EIAMS that have not been implemented/could be implemented to support the EIA process' contribution to the achievement of sustainable development outcomes?
- 3.5. What are the overall recommendations emanating from this evaluation?

3.2. Intended users and stakeholders of the evaluation

Table 1: Users and their use of the evaluation results

Potential Users of the Evaluation	How they will use it?
Department of Environmental Affairs	<ul style="list-style-type: none"> ● Possible reviewing of regulations e.g. the National Environment Management Act (NEMA) ● Implementation of the EIA and management strategy ● Reviewing guidelines ● Capacity building ● Improving co- ordination between stakeholders ● Enforcing environmental provisions ● Informing departmental M&E of the environmental function, enhancing the reporting system for EIAs and Sustainable Development; ability to report and provide an economic value of EIA process in different sectors
Provincial and other national sector departments responsible for environmental management (competent authorities)	<ul style="list-style-type: none"> ● Possible reviewing of regulations e.g. the National Environment Management Act (NEMA) ● Reviewing guidelines ● Capacity building ● Improving co- ordination between stakeholders ● Enforcing environmental provisions ● Informing departmental M&E of the environmental function ● Reporting on the relevant outcomes ● Improving internal systems
Environmental Assessment Practitioners (EAPs)	<ul style="list-style-type: none"> ● Improve the implementation of regulations ● Improve the quality and usefulness of EIAs
Department of Planning, Monitoring and Evaluation	<ul style="list-style-type: none"> ● Documenting, sharing and learning

Department of Cooperative Governance and Traditional Affairs	<ul style="list-style-type: none"> • Documenting, sharing and learning • Planning purposes • Statistical information and research purposes • Policy review
HSRC	<ul style="list-style-type: none"> • Documenting, sharing and learning • Statistical information and research purposes
Department of Planning, Monitoring and Evaluation	<ul style="list-style-type: none"> • Documenting, sharing and learning
Cabinet	<ul style="list-style-type: none"> • Policy making and review
Parliament/ Portfolio committees	<ul style="list-style-type: none"> • Oversight purposes

3.3. Scope of the evaluation

3.3.1. Time period

The evaluation will focus on the implementation of the tool over the period of the last eleven years, from January 2005 to January 2016.

3.3.2. Geographic coverage

The evaluation will cover all nine provinces.

3.3.3. Components of the evaluation

Outline of in scope activities:

- Implementation of the EIA process
- Integrated environmental authorisations
- Contribution of the EIA process towards sustainable development
- Waste management licenses, atmospheric emission licenses

4. PROPOSED METHODOLOGY / APPROACH

4.1. Overview

The evaluation design details the service provider's systematic plan including an analytical framework to undertake the evaluation, the type of evaluation (in this case implementation), the methodological approach and specific methodology to be employed, data collection methods and a data analysis plan. The methodology should include qualitative and quantitative data.

The final methodology will be a result of a discussion between the evaluation steering committee and the appointed service provider during the inception phase. The evaluation will involve the development of indicators which will be used to determine and report on the economic impact of EIA; test the developed indicators; training; and hand over all work and material generated from this project to the Department of Environmental Affairs (DEA) for future use.

4.2. Methodology/evaluation approach

The evaluator is expected to propose an appropriate methodology to respond to evaluation questions outlined above. Competent authorities will provide all relevant document and information relating to applications. The evaluator is expected to use both qualitative and quantitative methods to respond to the evaluation questions. Amongst others, the approach should include the following:

4.2.1. Document review

A review of all documents associated with the EIA process, and sustainable development which will include

- key policy documents and financial reports
- Environmental management monitoring reports
- Quarterly monitoring reports
- Other documents including review of legislation, and peer reviewed papers

4.2.2. Literature review (should include benchmarking)

A comparative literature review of the implementation of the environmental impact assessments generally, as well as a comparison between South Africa and two other similar middle income countries implementing a similar programme. This should result in a suggested analytical framework to be used in the evaluation, guiding the report outline, and development of research instruments.

4.2.3. Case studies

It is anticipated that this evaluation will make use of case studies across nine provinces to answer some of the evaluation questions. The evaluator will be expected to make suggestions on the number of the case studies that will be required to answer the various evaluation questions. These case studies will be a mix of rural and urban areas. The number of case studies will be further discussed between the service provider and the steering committee at inception phase.

4.2.4. Data collection and analysis

Identify indicators; develop data and information gathering tools (both qualitative and quantitative); collect data through a survey of key role players; undertake interviews and or, group discussions; prepare an analysis plan; and undertake analysis.

4.2.5. Workshops and development of the theory of change for the EIA system to test during the evaluation

- Participation in an inception workshop with the steering committee to develop a focused and detailed methodology to address key sub-questions, which will guide the final inception report.
- Facilitation of a workshop with the steering committee on the theory of change and the development of a logical framework for the intervention as currently conceptualised, in order to inter alia, lay the basis for the identification of key indicators.
- Test the theory of change in the evaluation to assess whether it is working as intended.
- Towards the end of the evaluation revise the initial theory of change and logical framework and recommend how the EIA process should be revised /strengthened. In developing the log frame, the evaluator will also be expected to produce an indicator framework to be used for reporting purposes.
- Presentation of initial findings, analysis and recommendations to a stakeholder workshop. The service provider will utilise the feedback from the workshop to finalise the report and its recommendations.
- The service provider will be tasked to develop economic impact indicators; carry out an evaluation of economic impact of the EIA process; and test the developed indicators for future reporting by the department.

4.2.6. Interviews

This will include interviews with officials responsible for the implementing the EIA process, compliance and enforcement officials; and sustainable development champions in the relevant departments, NGOs, CBOs, EAPs and other interest groups.

5. DELIVERABLES AND TIME FRAMES

5.1. Products/ deliverables expected from the evaluation

The deliverables include the following:

- **Inception Report** by the service provider as a follow-up revised proposal with a revised evaluation plan, overall evaluation design and detailed methodology, including an analytical framework, and content structure for the final report. This forms the basis for judging the effective implementation of the intervention
- **Document review** (collect information and data based on environmental management monitoring reports, quarterly monitoring reports, relevant legislation, etc.)
- **Literature review** (including comparison with other developing countries, and review of policies and legislation)
- **Evaluation design report** reflecting the analytical framework, final data collection instruments and other tools
- **Theory of change** for the intervention as it is currently operating and outline log frame –based on existing programme documents and on a workshop with relevant stakeholders; which will include an indicator framework to be used for reporting
- **A logframe** which should reflect the three elements of sustainable development (economic, ecological and social indicators)
- Field work report and case studies
- **1st Draft full evaluation report** for review with findings, recommendations and proposed revised theory of change and log frame, using the DPME template
- A workshop with stakeholders to discuss the draft report and refine recommendations
- A presentation to DEA senior management (EXCO)
- **The 2nd draft final evaluation report**, both full and summary 1/5/25 format –in Word format, using the DPME template
- The **final evaluation report**, both full and in 1/5/25 format – in Word and PDF format
- A final **economic indicator framework**
- Provision of all **datasets**, metadata and survey documentation (including summaries of interviews) when data is collected, which has been anonymised for confidentiality
- A **PowerPoint** or audio-visual presentation of the results and the service provider will have to present the final report to the evaluation steering committee as well as senior management of DEA
- **Photographs** from the field visits indicating the activities of the intervention

The full report may be up to 100 pages in length excluding appendices. The 1/5/25 report includes a 1 page policy summary of implications for policy, a 5 page executive summary of the whole report and a 25-page main report. The 1/5/25 is what will be distributed widely, but both reports will also be posted on the website. There is a standard template which should be used for the reports. All deliverables will be subject to a peer review and a post-evaluation quality assessment process.

5.2. Time-frame for the evaluation

The service provider should produce the implementation plan indicating the milestone against the deliverables. The evaluation will have to be conducted for a period of 12 months. The service provider should produce the implementation plan indicating the milestones against the deliverables in Table 2 below.

Table 2: Outline implementation plan and payment schedule

Description	Expected date	% of project (Payment)
1. Inception meeting with the selected service provider	Month 1	
2. Inception report submitted (including capacity development plan)		
3. Approval of inception report and service provider contract signed	Month 2	10%
4. Submission of the literature review and document review including international comparative study and analytical framework	Month 3	
5. Approved literature review and document review including international comparative study and analytical framework	Month 4	10%
6. Draft theory of change submitted for the intervention as currently operating	Month 5	10%
7. Submission of the evaluation design report, analysis plan, detailed methodology including final data collection instruments, and other tools	Month 6	
8. Approved evaluation design report, analysis plan, detailed methodology including final data collection instruments, and other tools	Month 7	20%
9. Submission of fieldwork and case study reports	Month 8	10%
10. Submission of the 1 st draft full evaluation report and draft economic indicators framework	Month 9	10%
11. Stakeholder workshop to discuss 1 st draft full evaluation report	Month 9	
12. Service provider presentation to DEA EXCO	Month 10	
13. Submission of the 2 nd draft full evaluation report and summary report 1/5/25 format, including proposed revised theory of change and logframe	Month 10	
14. Submission of the final full evaluation report, summary report 1/5/25 and final economic indicator framework	Month 11	
15. Approval of the final full evaluation report, summary report 1/5/25 format including proposed revised theory of change and log frame	Month 12	20%
16. Project close out meeting and handover of all datasets, metadata and survey documentation, PowerPoint presentation, photographs, etc.	Month 12	10%

6. EXPERIENCE / SKILLS / TEAM COMPOSITION REQUIRED

The attached templates must be used to summarise qualifications, skills and past experience.

6.1. Experience required

Bidders will demonstrate adequate experience through the number, types and geographical spread of projects/assignments undertaken. The attached template must be used to summarise experience. The proposal should contain letters of reference, CVs of proposed team members or other means of verifying past experience.

The team leader must possess relevant qualifications, including at least a Postgraduate Degree. The team leader must have at least 15 years' experience including working with government at a high level, and of leading politically sensitive and complex evaluations. He/she may well be an expert in public sector reform, planning or M&E. The evaluation team must meet the requirements as indicated in Table 4: *Functional evaluation criteria*. There must be sufficient capacity in the consultation team to undertake the work in the specified period. Service providers are required to sub-contract in specialized skills where these are specified for execution of the evaluation. The service provider will also need to specify how it will ensure skills transfer and reflect the PDI component in its team. The service provider will specify the number of team members, their identities, their areas of expertise and their respective responsibilities and billable time allocations within the team project plan.

6.2. Competencies / Skills required

The specific assignment and field of work requires the following skills set:

Table 3: Competencies and skills-set required

Domain/descriptor	Demonstrated ability to
1 Overarching considerations	
1.1 Contextual knowledge and understanding	<p>The project team must at least consist of an Environmental Assessment Practitioner including an Environmental Resource Economist and experienced researchers in social sciences.</p> <p>The proposal should include, amongst others, the following:</p> <ul style="list-style-type: none"> • A proposed plan of action, which must include methodology • A list of references • CVs of project team to be attached <p>Have knowledge of the environmental management sector and government systems in relation to the implementation of NEMA and EIA regulations.</p> <p>Extensive knowledge on the EIA processes and environmental Management and related experience.</p>
1.2 Ethical conduct	Understand ethical issues relating to evaluation, including potential or actual conflict of interest, protecting confidentiality/anonymity, and obtaining informed consent from evaluation participants.
1.3 Interpersonal skills	Lead an evaluation and its processes using facilitation and learning approaches to promote commitment and ownership of stakeholders.
2 Evaluation leadership	
2.1 Project management	Lead and manage an evaluation team effectively and efficiently, and manage the project effectively to completion in a way which delivers high quality evaluations and builds trust of stakeholders. Must ensure the availability of senior staff and continuity of key members of the project team throughout the project.
2.2 Composition of the team	Strong project manager, evaluation specialist, and sector specialist (not necessarily three people) as well as other relevant team members for the specific assignment.
2.3 Involvement of PDIs	At least 40% of team are Previously Disadvantaged Individuals (PDIs) ² and they must play a meaningful role in the evaluation (Shown in the activity table).
2.4 Capacity development	Meaningful capacity development to departmental staff and or any other institution as agreed.
3 Evaluation craft	
3.1 Evaluative discipline and practice	Use knowledge base of evaluation (theories, models including logic and theory based models, types, methods and tools), critical thinking, analytical and synthesis skills relevant to the evaluation, and use evidence appropriately to inform findings and recommendations.
3.2 Research practice	<p>Design specific research methods and tools that address the evaluation's research needs. This may include qualitative, quantitative or mixed methods.</p> <p>Systematically gather, analyse, and synthesise relevant evidence, data and information from a range of sources, identifying relevant material, assessing its quality, spotting gaps, and drawing</p>

² By PDIs we mean people of Black, Indian, and Coloured ethnicity. For example, if a team consists of 10 members, 3 of them should be PDIs.

Domain/descriptor	Demonstrated ability to
	appropriate findings and recommendations.
4 Implementation of evaluation	
4.1 Evaluation planning	
Theory of change	Develop clear theory of change with quality programme log frames with good programme logic and indicators.
Design	Design and cost an appropriate and feasible evaluation with appropriate questions and methods, based on the evaluation's purpose and objectives.
4.2 Managing evaluation	Manage evaluation resources to deliver high quality evaluations and related objectives on time and to appropriate standards.
4.3 Report writing and communication	Write clear, concise and focused reports that are credible, useful and actionable, address the key evaluation questions, and show the evidence, analysis, synthesis, recommendations and evaluative interpretation and how these build from each other.

Furthermore, it is important that service providers nominated exhibit the following skills and attributes:

- Are team players and analytical and lateral thinkers
- Have excellent communication skills with the ability to listen and learn. Good interpersonal skills are important
- Have good facilitation skills for strategic thinking, problem solving, and stakeholder management in complex situations
- Have the ability to work under consistent and continuous pressure from varied sources, yet be able to maintain a supportive approach
- Have excellent computing skills including detailed knowledge and use of: Word, Excel, Power Point, Microsoft Project or similar compatible software
- The service provider must guarantee the presence of a senior lead person throughout the project; any change thereof, must be approved by the project steering committee

6.3. Minimum qualifications required

All research-related professional services will require a minimum of a Master's degree from the individual if a short term assignment is undertaken or from the team leader for longer term research projects. Copies of qualifications must be included in the proposal. DPME reserves the right to verify all qualifications through the South African Qualifications Authority.

6.4. Team composition

At least 40% of each team must consist of Previously Disadvantaged Individuals and these individuals must play a meaningful role in the project.

The team contained in the proposal must be available for the duration of the project. Replacement of team members may only be done in consultation with DPME and replacement team members must have at least the same qualifications / skills / experience as those they are replacing.

6.5. Project management

The service provider will be managed by the steering committee. The steering committee will be chaired by DEA and the Secretariat role will be provided by DPME.

6.5.1. The role of the steering committee:

- a. Recommend approval of the terms of reference for the evaluation
- b. Approve peer reviewers and technical resource persons to be co-opted into the steering committee through a formalised process and based on capacities and skills identified by the same
- c. Evaluate proposals and provide the assessment of these on functionality criteria to the commissioning department (DPME), recommending those who pass the minimum standard. The commissioning department will then complete the selection process

- d. During the inception phase, review the proposal by the service provider and recommend changes in approach, methodology and format
- e. Review the inception report, consider comments from peer reviewers, recommend changes if needed, and approve the inception report
- f. Approve the project plan for the evaluation
- g. Provide feedback on the methodology of the study
- h. Approve data collection instruments and tools
- i. Provide feedback on draft reports, including comments from peer reviewers to the service provider, and a workshop with stakeholders if appropriate
- j. Approve the final report as a satisfactory evaluation report that fulfils the requirements reflected in the terms of reference
- k. Provide feedback on recommendations emanating from the reports produced
- l. Report back to their principals on all key decisions made by the committee

6.5.2. Reporting arrangements

The evaluation project manager to whom the service provider will report is Ms Noqobo (Nox) Chitepo, nox@dpme.gov.za/012 312 0204. All the correspondence should be sent to Mr Obakeng Gift Mpyana, gift@dpme.gov.za/012 312 0185.

6.5.3. Peer review

National and/or international peer reviewers will be contracted to support the assignment. Refer to the DPME *Guideline on Peer Reviewers*; from the DPME website for more details.

6.5.4. Quality assessment

Once the final evaluation report has been approved, the evaluation will be quality assessed by independent assessors, using a methodology based on the national evaluation standards. These standards and an example of the quality assessment can be found on the DPME website.

7. KEY BACKGROUNDS DOCUMENTS

Among other the following sources of information will be beneficial for the service provider:

- National Environmental Management Act (NEMA)
- Environmental Impact Assessment Regulations and Listing Notices

8. COSTING METHODOLOGY

Prices must be inclusive of VAT (if VAT registered) and must address all deliverables indicated in this ToR.

9. EVALUATION OF BIDS

9.1. Administrative requirements

Only bids / quotes that comply with all administrative requirements and that submitted all required bid documents (acceptable bids) will be considered during the functional evaluation phase. Only acceptable bids / quotes will be scored by the Bid Evaluation Committee against the functional criteria indicated in this Terms of Reference.

Only bids that meet all administrative requirements and all the functional requirements indicated above (if any) will be evaluated using the functional evaluation criteria indicated below (functional evaluation).

9.2. Functional evaluation

(Criteria must be objective / measurable and linked to requirements specified in ToR. Maximum 15 criteria. Examples of criteria below can be used as is or can be replaced / amended)

Weight allocation	Scoring system
1 – Value adding requirement (minimum score of 2)	1 – Does not comply with the requirements
3 – Important requirement (minimum score of 6 or 9)	2 – Partial compliance with requirements
5 – Essential requirement / integral part of project (minimum score of 15)	3 – Full compliance with requirements
	4 – Exceeds requirements

Table 4: Functional evaluation criteria

NO	Functional Evaluation Criteria	Weight	Score	Weight X Score	Min. Score
1	<p>Quality of the Proposal</p> <p>Demonstrated expertise in EIAs, sustainable development processes and conducted evaluations in government or private sector within the Environmental sector.</p> <p>Addressing the TORs:</p> <p>1= The requirements of the evaluation not addressed at all.</p> <p>2= Requirements of the evaluation partially addressed but not convincing.</p> <p>3= Requirements of the evaluation addressed well and convincingly</p> <p>4= Bidder has successfully undertaken 5 or more similar projects.</p>	5			15
2	<p>Approach, design and methodology for the evaluation, reflecting its complex and political nature.</p> <p>Addressing the TORs:</p> <p>1= Not likely to address the needs of the evaluation.</p> <p>2= Some parts of the evaluation addressed satisfactorily but overall not convincing.</p> <p>3= Addresses these satisfactorily. Confident the evaluation can be implemented.</p> <p>4= Addresses these satisfactorily. In addition some very interesting approaches suggested for undertaking the evaluation which are likely to increase the use.</p>	5			15
3	<p>Quality of activity-based plan (including effort for different consultants per activity and time frame linked to activities).</p> <p>Addressing the TORs:</p> <p>1= No plan.</p> <p>2= Activity-based plan produced but not convincing that the methodology can be delivered using resources proposed.</p> <p>3= Activity-based plan clear and realistic to address the methodology.</p> <p>4= Activity-based plan clear and realistic to address the methodology, and innovative so that more can be delivered.</p>	3			6

NO	Functional Evaluation Criteria	Weight	Score	Weight X Score	Min. Score
4	<p>Demonstrated high quality experience in at least 5 related projects undertaken in last 5 years by main contractor and subcontractors, including at least 2 projects that are complex and politically challenging.</p> <p>Addressing the TORs:</p> <p>1= Organisation has undertaken successfully <2 evaluations of a similar nature and over R500 000.</p> <p>2= Organisation has undertaken successfully 3-4 evaluations of a similar nature and over R500 000.</p> <p>3= Organisation has undertaken successfully 5 evaluations of a similar nature and over R500 000 (convincing as an evaluator in this type of work).</p> <p>4= Organisation has undertaken successfully 5 evaluations of a similar nature and over R1 000 000 (convincing as an evaluation organisation in this type of work).</p>	5			15
5	<p>Knowledge of and exposure to international good practice, particularly in middle-income and African countries.</p> <p>Addressing the TORs:</p> <p>1= No international experience available.</p> <p>2= Proposal makes mention of international experience but not convincing in how this will benefit the project.</p> <p>3= Organisation has undertaken international work and shows in the proposal how it will draw in international experience and insight.</p> <p>4= Recognised international expertise included in the team (either sector or evaluation).</p>	3			6
6	<p>Capacity development element (building capacity of partners, especially young evaluators and PDIs).</p> <p>Addressing the TORs:</p> <p>1= No indication of capacity development.</p> <p>2= Some capacity development included in proposal but not well thought through.</p> <p>3= Well thought through strategy of how they would use junior government staff on the evaluation.</p> <p>4= Interesting/innovative model for building capacity in evaluation of junior and potentially other government staff.</p>	3			6

NO	Functional Evaluation Criteria	Weight	Score	Weight X Score	Min. Score
7	<p>Contextual Knowledge and understanding</p> <p>Understand the relevant sector and government systems in relation to the evaluation and can appropriately relate the evaluation to the current political, policy and governance environments. Addressing the TORs:</p> <p>1= Unconvincing that understand the sector/ intervention. 2= Some understanding of the sector but not deep 3= Good understanding of the sector and how implementation happens. 4= Good understanding of the sector nationally and internationally, and can bring international insight.</p>	5			15
8	<p>PDI role in team</p> <p>At least 40% of team are Previously Disadvantaged Individuals (PDIs)³ and they must play a meaningful role in the evaluation. Addressing the TORs:</p> <p>1= Team consists of less than 40% PDIs and less than 30% of person-days allocated to PDIs. 2= Team consists of 40% PDIs but less than 30% of person-days allocated to PDIs. 3= Team consists of at least 40% PDIs, at least 30% of person-days allocated to PDIs (either staff or could be a joint venture with a BEE company). 4= Team consists of at least 40% PDIs, at least 40% of person-days allocated to PDIs, and one of the specialists above is PDI (either staff or could be a joint venture with a BEE company).</p>	3			9
9	<p>Ethical Conduct</p> <p>Understand ethical issues relating evaluation, including potential or actual conflict of interest, protecting confidentiality/anonymity, and obtaining informed consent from evaluation participants. Addressing the TORs:</p> <p>1= The requirements of the evaluation not addressed at all. 2= Requirements of the evaluation partially addressed but not convincing. 3= Requirements of the evaluation addressed well and convincingly. 4= Requirements of the evaluation addressed well and additional value added.</p>	5			15
10	<p>Evaluation Leadership</p> <p>Project manager has experience of managing successfully projects of this size previously (examples and references to be provided). Addressing the TORs:</p> <p>1= Managed successfully <3 projects of less than R1m. 2= Managed successfully 1-2 projects of R1m and above. 3= Managed successfully 3 projects of R1m and above. 4= Managed successfully 3 evaluation or research projects of R1m and above.</p>	3			6

³ By PDIs we mean Blacks, Indians, and Coloureds. For example, if a team consists of 10 members, 3 of them should be PDIs.

NO	Functional Evaluation Criteria	Weight	Score	Weight X Score	Min. Score
11	<p>Evaluation specialist has experience of undertaking successfully evaluations of this size and nature previously (examples and references to be provided).</p> <p>Addressing the TORs:</p> <p>1= Undertaken successfully 1 evaluation over R500 000.</p> <p>2= Undertaken successfully 3-5 evaluations over R500 000.</p> <p>3= Over 10 years' experience of evaluations, has led >5 evaluations of over R500 000.</p> <p>4= Over 10 years' experience of evaluations, has led >5 evaluations of over R500 000, and has experience of working with more than one national evaluation.</p>	5			15
12	<p>Evaluative discipline and practice</p> <p>Demonstrated experience of developing theories of change and logical frameworks and using these to drive the evaluation methodology.</p> <p>Addressing the TORs:</p> <p>1= Organisation has undertaken successfully <2 evaluations which demonstrate use of theories of change and logframes.</p> <p>2= Organisation has undertaken successfully 3-4 evaluations which demonstrate use of theories of change and logframes.</p> <p>3= Organisation has undertaken successfully 3-4 evaluations which demonstrate use of theories of change and logframes to drive the evaluation methodology.</p> <p>4= Organisation has undertaken successfully 5+ evaluations or research projects which demonstrate use of theories of change and logframes to drive the evaluation methodology (convincing in theory-based evaluation).</p>	3			9
13	<p>Demonstrated experience of undertaking quality evaluations (so using evaluation knowledge) relevant to the evaluation.</p> <p>Addressing the TORs:</p> <p>1= Organisation has undertaken successfully <2 evaluations over R500 000</p> <p>2= Organisation has undertaken successfully 3-4 evaluations of a similar nature and over R500 000.</p> <p>3= Organisation has undertaken successfully 5 evaluations of a similar nature and over R500 000 (convincing as an evaluator in this type of work).</p> <p>4= Organisation has undertaken successfully 5 evaluations and over R1 000 000 (convincing as an evaluation organisation in this type of work) and has evaluated or reviewed evaluation systems in another country.</p>	5			15

NO	Functional Evaluation Criteria	Weight	Score	Weight X Score	Min. Score
14	<p>Familiarity with theories of change and logframe</p> <p>Demonstrated experience of developing theories of change and logical frameworks and using these to drive the evaluation methodology. Addressing the TORs:</p> <p>1= Organisation has undertaken successfully <2 evaluations which demonstrate use of theories of change and logframe.</p> <p>2= Organisation has undertaken successfully 3-4 evaluations which demonstrate use of theories of change and logframe.</p> <p>3= Organisation has undertaken successfully 3-4 evaluations which demonstrate use of theories of change and logframe to drive the evaluation methodology.</p> <p>4= Organisation has undertaken successfully 5+ evaluations or research projects which demonstrate use of theories of change and logframe to drive the evaluation methodology (convincing in theory-based evaluation).</p>	3			6
15	<p>Report writing and communication</p> <p>Ability to write constructive, clear, concise and focused reports that are credible, useful and actionable and address the key evaluation questions. Addressing the TORs: Addressing the TORs:</p> <p>1= No examples of writing provided or examples show poor writing skills.</p> <p>2= Examples provided show adequate but not good writing skills, but use of evidence is not good.</p> <p>3= Examples provided show good reports which demonstrate use of evidence, good logic, and are well-written.</p> <p>4 = Well-written and punchy reports with good use of infographics, good summaries, good use of evidence.</p>	3			6
	TOTAL	52			

Minimum functional requirements: Bids and that scored at least the minimum for each element as well as the overall minimum score (75%), based on the average of scores awarded by the Bid Evaluation Committee members.

9.3. PRICE / BBBEE / PPPFA

Only bids that meet the minimum administrative and functional requirements / specifications indicated in the ToR will be evaluated in terms of the Preferential Procurement Framework Act and related regulations – see attached bid documents.

10. SPECIAL CONDITIONS APPLICABLE TO THIS BID

Awarding of the final contract will be subject to the conclusion of a Service Level Agreement between the DPME and the successful service provider.

11. GENERAL

11.1. The Service Provider undertakes to:

- 11.1.1. Conduct business in a courteous and professional manner.
- 11.1.2. Provide the necessary documentation as requested prior to the awarding of the contract.
- 11.1.3. Comply with all relevant employment legislation and applicable bargaining council agreements, including UIF, PAYE, etc. DPME may monitor compliance for the duration of the contract and implement penalties for non-compliance.
- 11.1.4. Manage internal disputes among his/her staff in such a way that DPME is not affected by those disputes.
- 11.1.5. Comply with the DPME security and emergency policies, procedures and regulations at DPME premises.
- 11.1.6. Ensure that all work performed and all equipment used at DPME facilities are in compliance with the Occupational Health and Safety Act, 1993 (Act no. 85 of 1993) and any regulations promulgated in terms of this Act and the standard instructions of DPME;
- 11.1.7. Ensure that all staff working on this project are adequately trained prior to the commencement of the project.
- 11.1.8. Ensure that DPME is informed of any changes in staff related to the execution of the project. For security reasons, DPME reserves the right to vet all persons working on this project.
- 11.1.9. Undertakes to store and handover all data generated by the project to DPME in an accessible and confidential manner.

11.2. DPME undertakes to:

- 11.2.1. Manage the contract in a professional manner.
- 11.2.2. Provide appropriate information as and when required and only in situations where it is required by the service provider to fulfil their duties.
- 11.2.3. Not accept any responsibility for any damages suffered by the service provider or their staff for the duration of the project.
- 11.2.4. Not tolerate any unfair labour practices between the service provider and their staff that happen during the execution of the project activities.
- 11.2.5. Not accept any responsibility for accounts/expenses incurred by the service provider that was not agreed upon by the contracting parties.

12. Annex 1: Requirements for metadata

Metadata should accompany any datasets produced. It should include, amongst other issues, the following:

1. Explanation of what format the data is in and how one might convert the data into another format if needed (e.g. from Excel to Stata).
2. Description of the data: What the units of analysis are, how many variables (columns) there are, etc
3. Data structure: Description of whether the data is contained in a single data file or in several data files. If there are separate data files there should be an explanation of how to merge the various data files (e.g. what unique identifiers should be used to merge the data files).
4. Explanation of variable labelling and how the variable names correspond to the questionnaires.
5. A discussion about the weights. Which weights should be used when doing various types of analysis?
6. Data quality issues. Are there any variables that should be treated with caution due to reliability issues?
7. A discussion of non-response and what procedures were followed to DEA with it, if any (eg. imputation).
8. A discussion of coding: What coding was used to identify "unspecified", "don't know", "Not Applicable, etc.
9. Derived variables: Are there any derived variables (e.g. minimum infrastructure standards combining water, electricity, toilets, etc.)? How were these calculated?

ANNEXURE A: SUMMARY OF PAST EXPERIENCE (Attach reference letters or other means of verification)					
Project description	Client name	Client contact name, number, e-mail address	Contract start date	Contract end date	Contract value

ANNEXURE B: DETAILS OF PROPOSED TEAM (Attach copies of qualifications)						
Name	Role	Qualifications	Experience	Race	Gender	Days allocated to this project

ANNEXURE C1: COSTING OF GOODS (Leave blank if not required)				
Description	# of units	Unit cost (VAT incl.)	Total cost (VAT Incl.)	Lead time (Days)
TOTAL C1				

ANNEXURE C2: COSTING OF SERVICES (Deliverable dates based on expected project start date indicated on page 1 of the ToR)		
Description of deliverable	Completion date	Cost (VAT incl.)
TOTAL C2		

TOTAL BID PRICE (C1 + C2) incl. VAT Please ensure that this price matches the price indicated on SBD 1	R
--	---

ANNEXURE C3: OTHER DISBURSEMENTS (Time and Material costs not included in total bid price)	
Description of other disbursement	Cost (VAT incl.)



The term "Bid" Includes price quotations, advertised competitive bids, limited bids and proposals.

Document	Check Bidder	Verified SCM Unit
Invitation to bid (SBD 1)		
Declaration of interest (SBD 4)		
Preference Points Claim (SBD 6.1)		
Declaration of past supply chain management practices (SBD 8)		
Certificate of Independent Bid Determination (SBD 9)		
Valid B-BBEE Status Level Verification Certificate (Original or Certified Copy) bearing SANAS logo. QMEs/EMEs: Sworn affidavit / CIPC confirmation of turnover etc.		
Central Suppliers Database Registration Report Attached – Not older than 30 days NB: Only suppliers registered on CSD may bid.		
Additional documentation required for certain types of bids. If applicable the additional documents will be distributed as part of the tender / bid documentation	Check Bidder	Verified SCM Unit
Declaration certificate for local production and content for designated sectors (SBD 6.2)		

Declaration			
<ul style="list-style-type: none">I have read and agree to the General Conditions of Contract related to Government procurement (Available on DPME tenders web page or from National Treasury)I have read the DPME standard Service Level Agreement (SLA) and have included in my (our) proposal and material changes that may be required to the SLA.I have completed and submitted all the documents indicated in the above checklistI have read and agree with the terms and conditions applicable to all bids as stipulated in this documentI have noted and will comply with the delivery time frames indicated in the specifications / terms of ReferenceI am the authorised signatory of the applicantFor the purposes of section 256 of the Tax Administration Act of 2011 I authorise the South African Revenue Service to disclose "taxpayer information" as contemplated under the provisions of Chapter 6 of the Act in relation to the compliance status of tax registration, tax debt and filing requirements to the Department of Planning, Monitoring and Evaluation.			
Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

ALL DPME BID DOCUMENTS ARE AVAILABLE FREE OF CHARGE FROM THE DPME WEBSITE OR DPME OFFICES AND MAY THEREFORE NOT BE SOLD

1. GENERAL

This request is issued in terms of the Public Finance Management Act (Act 1 of 1999) as amended (PFMA), Treasury Regulations, the Preferential Procurement Policy Framework Act 5 of 2000 (PPPFA), the Preferential Procurement Regulations, 2017 (PPR), Supply Chain Management instructions issued by the National Treasury, General Conditions of Contract published by National Treasury (GCC), the B-BBEE Act (Act 53 of 2003) as well as applicable Departmental Policies.

- Lead times / delivery periods should be clearly indicated in the quotation / proposal where applicable. The Department reserves the right to cancel any order where the delivery period indicated in the quotation / proposal is extended.
- The Department reserves the right to require delivery of the goods as specified, at the price quoted, regardless of any differences in specifications contained in the quotation.
- The department reserves the right NOT to appoint any Service Provider or to withdraw this request for bids/proposals.
- The department reserves the right to split the award of the bid between two or more Service Providers or to award only a part of the bid.
- The Department reserves the right to call bidders that meet the minimum functional requirements to present their proposals. The Bid Evaluation Committee may decide to amend the scoring assigned to a particular bid based on the presentation made.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1. Bidders must ensure compliance with their tax obligations.
- 2.2. Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the Department to view the taxpayer's profile and tax status.
- 2.3. Application for the tax compliance status (TCS) certificate or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- 2.4. The tax compliance requirements are not applicable to foreign bidders / individuals with no South African tax obligation, no history of doing business in South Africa. Foreign suppliers must complete a pre-award questionnaire from SARS on their tax obligation categorisation.
- 2.5. Bidders may also submit an original printed TCS certificate together with the bid.
- 2.6. In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.
- 2.7. Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

3. ADMINISTRATIVE COMPLIANCE

Only proposals that comply with all administrative requirements (including tax compliance requirements) will be considered acceptable for further evaluation. Incomplete and late bids may be rejected. All documents indicated on page 1 must be submitted with each bid. Bidders must use the Standards Bid Documents (SBDs) included in this document (documents may not be re-typed)

All quoted prices should be valid (firm) for at least 120 days from the closing date indicated on SBD 1 and must be **inclusive of VAT**. Prices dependent on the **exchange rate** should include reference to the exchange rate used. Price escalations and the conditions of escalation should be clearly indicated. No variation of contract price or scope creep will be permitted unless specifically allowed in the ToR.

4. FUNCTIONAL EVALUATION

Functional criteria and/or specifications are contained in the specifications sheet or Terms of Reference. Unless otherwise indicated in the ToR, only service providers that submitted acceptable bids and that scored at least the minimum for each functional criteria as well as the overall minimum score (75%) will proceed to the PPPFA evaluation phase.

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

5. PRICE EVALUATION: THE PPPFA

Only bids that meet the minimum functional requirements / specifications indicated in the ToR will be evaluated in terms of the Preferential Procurement Framework Act and related regulations. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table contained in SBD 6.1. The applicable evaluation method is indicated in SBD 6.1.

Consortia or joint ventures must take note of SBD 6.1, paragraphs 5.4 and 5.5 regarding requirements for B-BBEE certificates.

If the 80/20 preference point system is specified on SBD 6.1 and all bids received exceed R50,000,000, the bid will be evaluated on the 90/10 preference point system.

6. REJECTION OF QUOTES / PROPOSALS

Any effort by a bidder to influence the evaluation, comparisons or award decisions in any manner, may result in rejection of the quote / proposal concerned. DPME shall reject a quote / proposal if the bidder has committed a proven corrupt or fraudulent act in competing for a particular contract. DPME may disregard any quote / proposal if the bidder or any of its subcontractors:

- a) Is not tax compliant
- b) Have abused the Supply Chain Management (SCM) system of the Department or any other government department.
- c) Have committed proven fraud or any other improper conduct in relation to such system.
- d) Have failed to perform on any previous contract.
- e) Supplied incorrect information in the bid documentation.

7. VETTING

The Department reserves the right to approach the relevant authorities to verify the following for each bidder:

- Citizenship status (individuals)
- Company information
- Criminal records (individuals)
- Previous tender and government contract track records
- Government employment status (individuals)
- Company / closed corporation ownership / membership status (individuals)
- Suitability to handle confidential government information
- Qualifications of bidders / contractors / team members
- Any other information contained in bid documents

8. REGISTRATION ON DPME SUPPLIERS DATABASE

If not already registered, the successful bidder will be registered on the DPME suppliers database. The following terms and conditions apply:

- 8.1. All suppliers must be registered on the central suppliers database managed by National Treasury (www.csd.gov.za) before they can register on the DPME suppliers database.
- 8.2. All information will be treated confidentially.
- 8.3. Applications that are incomplete or that are not accompanied by the required documents will be disqualified. The included checklist should be completed to ensure completeness of the application.
- 8.4. Completed application forms should be posted to or hand delivered at the above mentioned addresses. No e-mail or fax copies can be accepted
- 8.5. The Department of Planning, Monitoring and Evaluation's (DPME) Service Provider Database will be used mainly for the purposes of identifying entities (individuals or juristic persons) when price quotations for

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

goods and services are to be invited. Requests for quotations / proposals are normally sent by e-mail to the address provided on the supplier registration form. The fact that an entity is registered as a supplier does not constitute any contractual relationship between the entity and the Department of Planning, Monitoring and Evaluation.

- 8.6. Suppliers may list a maximum of 5 categories of goods and services offered (Section 4). Where a supplier lists more than 5 categories, the DPME may at its own discretion reject the application or select the 5 most applicable categories.
- 8.7. For procurement above the financial limit applicable to price quotations, as determined from time to time by National Treasury, the DPME will normally invite competitive bids by means of advertisements in the Government Tender Bulletin. The onus is on entities to monitor the tender bulletin and to ensure that they obtain copies of the bidding documents that are available on the DPME when bids are advertised.
- 8.8. The Department reserves the right to approach potential service providers not on the database in cases where an insufficient number of suppliers are registered for a particular commodity or service or an insufficient number of quotations are received in response to a particular request for quotations or proposals.
- 8.9. It is the responsibility of a registered entity to inform the DPME immediately in writing of any changes in the particulars as stated in the application, especially changes in respect of contact details, ownership, B-BBEE and the SMME or EME status of the entity. Should a contract be awarded to an entity based on incorrect particulars provided by that entity, the DPME shall have the right to, in addition to any other remedy that it may have in terms of applicable legislation, cancel the contract and to claim damages.
- 8.10. The DPME reserves the right to cancel the registration of an entity if that entity has given incorrect or false information in the application form or any correspondence relating to the application or:
 - Failed to inform the Department of any changes to the particulars as furnished in the application;
 - Failed to comply with the conditions of any contract that might have been awarded to the entity;
 - The entity has been included on the list of restricted suppliers maintained by National Treasury; or
 - The entity has acted in an improper, fraudulent or corrupt manner.
- 8.11. The DPME reserves the right to cancel the registration of an entity if that entity fails to respond to three or more consecutive requests for quotations / proposals.
- 8.12. The following documentation must accompany this application:
 - All documents included in this application form.
 - Original or certified copy of a valid B-BBEE Status level certificate (must bear SANAS logo), or sworn affidavit in cases of EMEs.
 - Printout from Central Suppliers Database (www.csd.gov.za) with supplier unique registration reference.
- 8.13. For the purposes of section 256 of the Tax Administration Act of 2011 the bidder / supplier authorises the South African Revenue Service to disclose "taxpayer information" as contemplated under the provisions of Chapter 6 of the Act in relation to the compliance status of tax registration, tax debt and filing requirements to the Department of Planning, Monitoring and Evaluation.

INVITATION TO BID (SBD 1)

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE
DEPARTMENT OF PLANNING, MONITORING AND EVALUATION**
(Subject to the terms and conditions applicable to all bids as indicated earlier in this bid document)

BID NUMBER	DPME 03-2016/17	CLOSING DATE	26 May 2017	CLOSING TIME	12:00
COMPULSORY BRIEFING SESSION	Date		9 May 2017	Time	09:00
DESCRIPTION	IMPLEMENTATION EVALUATION OF THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA)				
BID DOCUMENTS MAY BE POSTED TO: Department of Planning, Monitoring and Evaluation Head: Procurement Services Private Bag X944, PRETORIA, 0001			OR DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS): 330 Grosvenor Street, Hatfield, Pretoria <i>The bid box is accessible on working days between 8:00 and 17:00.</i>		
SUPPLIER INFORMATION					
Name of bidder					
Postal address					
Street address					
Telephone number			Cell phone number		
E-mail address					
Company Reg. #			Vat registration #		
Tax compliance status	Compliant		CSD #		
	Not compliant		TCS Pin (if no CSD #)		
B-BBEE Status Level verification	None				
	All except EMEs: Certificate Issued by verification agency accredited by the SANAS				
	EMEs: Sworn affidavit by EME representative and attested to by Commissioner of oaths				

Are you the accredited representative in South Africa for the goods /services /works offered? If yes attach proof	YES	NO
FOREIGN SUPPLIERS: Do not complete this form. You must contact the Department to obtain the required documentation to be completed		

Total bid price (Incl. VAT)		Total # of items offered	
------------------------------------	--	---------------------------------	--

Signature (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:
Contact persons indicated on the bid documents; or
Head of Procurement Services, 330 Grosvenor Street, Hatfield, Pretoria. Tel 012 312 0000

DECLARATION OF INTEREST (SBD 4)

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 an 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.

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

1.1 Full Name of bidder or his or her representative:

1.2 Identity Number:

1.3 Position occupied in Company (director, trustee, shareholder², member):

1.3.1 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 2 below.

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

1.4.1 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:

1.4.2 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

1.4.2.1 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.

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

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.

DECLARATION OF INTEREST (SBD 4)

1.5 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

1.5.1 If so, furnish particulars:

1.6 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

1.6.1 If so, furnish particulars:

1.7 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 of this bid? YES NO

1.7.1 If so, furnish particulars:

1.8 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

1.8.1 If so, furnish particulars:

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

See CSD report

3. DECLARATION

I, THE UNDERSIGNED CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

PREFERENCE POINTS CLAIM (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
 - the 90/10 system for requirements with a Rand value above R50,000,000 (all applicable taxes included).

- 1.2 The value of this bid is estimated to ~~exceed~~/not exceed R50,000,000 (all applicable taxes included) and therefore the 80/20 system shall be applicable. Preference points for this bid shall be awarded for:

(a) Price; and	80
(b) B-BBEE Status Level of Contribution.	20
TOTAL	100

- 1.3 Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.4. 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 “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2 “**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;
- 2.3 “**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;
- 2.4 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5 “**EME**” means an Exempted Micro Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act with an annual turnover up to R10 million;
- 2.6 “**functionality**” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
- 2.7 “**proof of B-BBEE status level of contributor**” means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;

PREFERENCE POINTS CLAIM (SBD 6.1)

- 2.8 “prices” includes all applicable taxes less all unconditional discounts;
- 2.9 “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);
- 2.10 “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE: THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

80/20 (Up to R50,000,000) Or 90/10 (From R50,000,000)

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

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

- 4.1 In terms of Regulation 6 (2) and 7 (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	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 4.2 A bidder who qualifies as a EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership. An EME automatically qualifies as a level 4 contributor. An EME with at least 75% black ownership qualifies as level 1 contributor and an EME with black ownership from 51% to 74% qualifies as a level 2 contributor.
- 4.3 A Bidder other than EME must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating. The certificate must be issued by a Verification Agency accredited by SANAS.

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3 AND 5.1

B-BBEE Status Level of Contribution: = (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 6 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.

PREFERENCE POINTS CLAIM (SBD 6.1)

7. SUB-CONTRACTING

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

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-BBEE status level of contributor indicated in paragraph 6 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (I) The information furnished (including informational SBD 1) 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 6, 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

Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

DECLARATION OF PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

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	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied)	Yes	No
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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes	No
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	No
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	No
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED 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	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

- 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.

I, the undersigned, in submitting the accompanying bid:

|

(Bid Number and Description)

in response to the invitation for the bid made by:

The Department of Planning, Monitoring and Evaluation

(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 authorised 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 authorised 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

CERTIFICATE OF INDEPENDENT BID DETERMINATION (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.
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	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

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.*