



SCM /Tender Ref #:	DPME 06-2018/19
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Request for proposals for:	Implementation Evaluation of the South African Police Service Detective Service: Crime Investigation Service (CIS)
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Bid closing date and time as well as the date and time of briefing session (if any) are indicated on the attached SBD1. Quotations / proposals received after the closing date and time indicated on SBD 1 will not be accepted.

Bidders must provide one original and 5 (five) copies of proposals submitted.

Only 1 (one) original price proposal and SBDs are required.

Estimated project start date:	Expected project duration (Months)
December 2018	12 Months

1. BID INFORMATION

Information and guidelines on the format and delivery of bids are 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 must be attached to the proposal as annexures:

- **Annexure B1:** Proposed team (Must use attached Excel template)
- **Annexure B2:** Summary of past experience of team members (Must use attached Excel template)
- **Annexure B3:** Deliverables and allocation of time to team members (Must use attached Excel template).
- **Annexure B4:** Pricing information. Price proposals must include VAT and should be fully inclusive to deliver the all outputs indicated in the terms of reference (Must use attached Excel template).
- The published terms of reference (this document, including Annexure A to this document).
- 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 person	Contact	Name: Mr Marthinus Prinsloo Tel: 012 312 0417 e-mail: Marthinus.Prinsloo@dpme.gov.za
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1. BACKGROUND

The Evaluation background has been included in Annexure A.

2. EXPERIENCE / SKILLS / TEAM COMPOSITION / PAST PERFORMANCE

The attached spread sheet must be used to summarise qualifications, skills and past experience and to cost the proposal.

2.1. Team composition

2.1.1. Empowerment requirements

The proposed team must meet the following empowerment requirements:

- **Black PDI%:** At least 50% of the person-days required to complete this project must be allocated to Previously Disadvantaged Individuals (PDIs)¹; and
- **Gender%:** At least 40% of the person-days required to complete this project must be allocated to women; and
- **Youth%:** At least 30% of the person-days required to complete this project must be allocated to youth (persons aged 35 or younger); and
- **Empowerment spend:** At least 50% of the fully inclusive resource cost for all deliverables must be allocated to Black PDIs.

Annexure B1 must be completed and the required details of each team member must be provided. Team members indicated in the proposal must be available for the duration of the project and must play a meaningful role in the project. Replacement of team members may only be done in consultation with DPME and replacement team members must have the same PDI profile as well as qualifications / experience as those they are replacing.

2.1.2. Qualifications and 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 and the proposal must contain details about projects worked on including roles, cost and duration as well as names and contact persons at contracting party. The proposal should contain letters of reference and CVs of proposed team members or other means of verifying past experience. Only contactable references will be accepted.

Roles*	Qualifications	Experience
Evaluations specialist	Minimum: a relevant Postgraduate qualification and training in evaluations. Advantage: Master's degree	Minimum: Has worked on at least 5 national programme evaluations of any value and played a lead evaluator role in at least one evaluation of over R500, 000. Should have experience in Implementation Evaluation.
Sector (Criminal Investigation, Justice, Crime Prevention and Security sector) expert(s)**:	Minimum: Master's degree Advantage: Doctorate	Minimum: At least 15 years' total work experience and at least 10 years' experience in the criminal Justice sector (justice Crime Prevention and Security (JCPS) Cluster) in relation to outcome 3 of the MTSF (NDP) as well as appropriately relating the evaluation to current government policy and governance environment. The specialist

¹ By Black PDIs we mean South African citizens who are Black, Indian, or Coloured.

		should have criminal investigation experience.
Project Manager	Minimum: Junior degree Advantage: Honours degree	Minimum: Successfully managed and completed at least five projects of R500,000 or more

* One team member can have more than one of the roles indicated.

* Score will be combined for all experts – All experts must meet minimum criteria stipulated above to receive a score of 3.

2.2. Confirmation of experience, qualification and availability

The following must be submitted for each of the proposed team members:

- Written confirmation of availability (signed by the proposed team member) for the expected duration of the project of to produce the deliverable(s) as indicated in Annexure B.
- Detailed CV indicating qualifications, previous experience as well as letters of reference (references must be contactable).
- Copies of qualifications.

DPME reserves the right to verify all qualifications through the South African Qualifications Authority and to verify experience indicated on CVs with third parties.

2.3. Past performance

The past performance of bidders in executing similar projects will be evaluated using the references supplied by bidders as well as any other information available to the panel. Below satisfactory performance on a particular project may only be considered if such performance was communicated to the bidder by the contracting party and the bidder was given a reasonable opportunity to correct any deficiencies highlighted by the contracting party. The Department reserves the right to reject a bid if the service provider failed to perform satisfactorily on similar projects.

2.4. Project management

The bid proposal submitted by the bidder must include a detailed project plan. As summary of deliverable dates must be included in Annexure B3. The start of the project will depend on the DPME procurement process. The total duration of the project as indicated in the bidder's proposal is binding (except for delays due to circumstance beyond the bidder's control).

3. COSTING METHODOLOGY

Prices must be inclusive of VAT (if VAT registered) and must include all costs to fully execute all deliverables indicated in this ToR. No variation in contract price will be permitted. Annexure B4 must be used to summarise costing.

4. EVALUATION OF BIDS

4.1. Administrative requirements

Annexures B1 to B4 **must** be completed using Microsoft Excel or compatible software. Annexures completed by hand (in writing) will not be accepted and such bids will be regarded as administratively non-compliant.

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

4.2. Scoring of bids (functional criteria)

The following weighting and scoring system will be applied to the evaluation of all functional criteria:

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

Score per criteria: The final score obtained by a bidder for each criteria will be calculated by multiplying the weight and the score indicated by each Bid Evaluation Panel member and then by averaging the scores of all panel members. The average score per criteria is expressed as a number.

The **overall score** obtained by a bidder (expressed as a percentage) will be calculated as follows:

$$\text{Overall Score (\%)} = \frac{\text{Sum of average scores for all criteria}}{\text{Sum of weights} \times 4} \times 100$$

4.3. Functional evaluation Part 1 – Quantitative criteria

Part 1: Minimum functional requirements: Only bids that scored at least the minimum score for each criteria will proceed to functional evaluation part 2. In cases where bidders submitted insufficient evidence or where evidence is ambiguous, bidders may be requested to provide additional evidence and may be re-scored based on this information. Additional information submitted may only be used as evidence to substantiate what is already contained in the proposal. The costing and content of proposals may not be amended.

Functional Evaluation Criteria		Weight	Min. Score
1.1	Team composition (par 2.1.1 of ToR and Annexures B and B1): 1= Proposed team does not meet the empowerment criteria. 3= Proposed team meets the empowerment criteria. 4= Proposed team meets the empowerment criteria and achieved 50% or more in at least 2 criteria.	3	9
1.2	Evaluation specialist(s) ** (par 2.1.2 of ToR): 1= The evaluation specialist(s) do/does not meet the minimum requirements for either experience or qualifications. 3= The evaluation specialist(s) meet(s) all the minimum experience and qualifications requirements. 4= The evaluation specialist(s) exceed(s) the minimum experience or qualifications requirements.	3	9
1.3	Sector expert(s) ** (par 2.1.2 of ToR): 1= The sector expert(s) do/does not meet the minimum requirements for either experience or qualifications. 3= The sector expert(s) meet(s) all the minimum experience and qualifications requirements. 4= The sector expert(s) exceed(s) the minimum experience or qualifications requirements.	3	9
1.4	Project manager ** (par 2.1.2 of ToR): 1= The project manager does not meet the minimum requirements for either experience or qualifications. 3= The project manager meets all the minimum experience and qualifications requirements. 4= The project manager exceeds the minimum experience or qualifications requirements.	3	9

** Combines score for all experts – All experts must meet minimum criteria stipulated above to receive a score of 3.

4.4. Functional evaluation Part 2 – Qualitative criteria

Initials of specification committee members: _____
 Terms of Reference - Final

The functional evaluation criteria indicated below will be applied during Part 2 of functional evaluation to all bids that met the minimum requirements stipulated under Functional evaluation Part 1. During part 2 the Bid Evaluation Committee may:

- Evaluate and score bids based on the bid documents and proposals submitted; or
- Provisionally evaluate and score bidders based on proposals submitted and then invite bidders that met all requirements under Part 1 and a provisional overall score of at least 60% for both functional evaluation parts 1 and 2, to present their bids.

The final evaluation and scoring of bids will be based on the proposals submitted, as well as on information provided by bidders during bid presentations (if applicable). Presentations can be used to summarise and clarify bids and may not substantially depart from the proposals submitted.

If a bidder is unable to attend a bid presentation on the date requested by the Bid Evaluation Committee, then the bidder must be afforded another opportunity within 5 working days. If a bidder is for a second time unable to attend a bid presentation then the bid must be evaluated based on the bid documents and proposals submitted only.

Part 2: Minimum functional requirements: Only bids that obtained at least the minimum score for each criteria as well as an overall score of at least 75% for both functional evaluation parts 1 and 2, will proceed to Price/PPFA evaluation.

Functional Evaluation Criteria		Weight	Min. Score
2.1	<p>Understanding the brief. The proposal and / or presentation by the service provider:</p> <p>1= Did not address the purpose and objectives of the project.</p> <p>2= Proposal shows minimal understanding of the sector and partially addresses the purpose and objectives of the project.</p> <p>3= Proposal shows good understanding of the sector and fully addresses the purpose and objectives of the project.</p> <p>4= Proposal shows exceptional understanding of the sector and policy issues, the purpose and objectives of the project responded innovatively and proposal offered added value to the project.</p>	5	15
2.2	<p>Proposed evaluation approach</p> <p>1= Proposed methodology is not aligned to the evaluation purpose and key evaluation questions.</p> <p>2= Proposed methodology is partially aligned to the evaluation purpose and key evaluation questions.</p> <p>3= Evaluation design, sample, data collection tools and analytical framework proposed is fully aligned to the evaluation purpose and key evaluation questions.</p> <p>4= In addition to 3, the methodology is innovative in application of evaluation methods and there is added value proposed.</p>	5	15
2.3	<p>Knowledge of and exposure to international good practice, particularly in middle-income and African countries.</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 relevant international work and shows in the proposal how it will draw in international experience and insight</p> <p>4= Recognised relevant international expertise included in the team (either sector or evaluation)</p>	3	6

Functional Evaluation Criteria		Weight	Min. Score
2.4	<p>Extent to which the costing methodology is realistic given the scope and time frames of the project</p> <p>1= Costing of the project is not aligned to the scope and times frames of the project.</p> <p>2= Costing of the project not entirely aligned to scope and time frames and may negatively impact delivery.</p> <p>3= The costing methodology is realistic given the scope and time frames of the project.</p> <p>4= The costing methodology provides innovative solutions to reduce costs associated with the project.</p>	3	6
2.5	<p>Project plan (par 2.4 of ToR and Annexure B3):</p> <p>1= No project plan included in bid.</p> <p>2= Project plan does not fully address all deliverables or does not indicate completion within the required time frames.</p> <p>3= Project plan addresses all deliverables and indicates completion of the project within the required time frames.</p> <p>4= Project plan addresses all deliverables and indicates completion of the project in significantly less that the envisaged time frames.</p>	3	6

4.5. PRICE / BBBEE / PPPFA

Only bids that meet the minimum administrative and functional requirements / specifications indicated in the ToR (qualifying bids) will be evaluated in terms of the Preferential Procurement Framework Act and related regulations – see attached bid documents. The evaluation method (80/20 or 90/10) and preference point's allocation applicable to this bid are indicated in the attached SBD 6.1.

4.6. CONTRACT MANAGEMENT

The successful bidder will be required to enter into a service level agreement (SLA) with the Department of Planning, Monitoring and Evaluation. The National Treasury General Conditions of Contract (GCC) will form part of the SLA to be concluded between DPME and the successful bidder. A copy of the standard DPME SLA is available on the DPME tenders' website. Bidders should familiarise themselves the content of the standard template.

Bidders should note that:

- All information related to this bid, or information provided to the service provider subsequent to the award of this bid, must be treated as confidential and may not be disclosed in any way to third parties without the explicit written consent of DPME.
- All right, title and ownership of any Intellectual Property developed by or for the Service Provider or DPME independently and outside of execution/production of the Deliverables related to this bid, and provided during the course of this project ("Background IP") shall remain the sole property of the party providing the Background IP.
- To the extent that the Service Provider utilises any of its Background IP in connection with the Deliverables, such Background IP shall remain the property of the Service Provider and DPME shall acquire no right or interest therein, save that, upon payment of the applicable consideration, the Service Provider shall grant DPME a non-exclusive, royalty-free, non-transferable licence to use such Background IP strictly for purposes of making beneficial use of the Deliverables into which such Background IP has been incorporated.
- All Intellectual Property rights in Bespoke Deliverables are or will be vested in and owned by DPME unless specifically agreed otherwise in writing. The Service Provider agrees that it shall not, under any circumstances, question or dispute the rights and ownership of DPME in and to the Bespoke Deliverables. DPME shall grant the Service Provider a non-exclusive, royalty free, non-transferable licence to use the Bespoke Deliverables for the purpose of performing its obligations under this project.
- The Service Provider may not publish or sell, in whole or in part, any Bespoke Deliverables emanating from this project without the explicit written consent of DPME.
- The Copyright of any Bespoke Deliverables shall vest in DPME.

5. SPECIAL CONDITIONS APPLICABLE TO THIS BID

None

6. GENERAL

6.1. The Service Provider undertakes to:

- 6.1.1. Conduct business in a courteous and professional manner.
- 6.1.2. Provide the necessary documentation as requested prior to the awarding of the contract.
- 6.1.3. 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.
- 6.1.4. Manage internal disputes among his/her staff in such a way that DPME is not affected by those disputes
- 6.1.5. Manage internal disputes among his/her staff in such a way that DPME is not affected by those disputes.
- 6.1.6. Comply with the DPME security and emergency policies, procedures and regulations at DPME premises.
- 6.1.7. 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;
- 6.1.8. Ensure that all staff working on this project are adequately trained prior to the commencement of the project.
- 6.1.9. 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.
- 6.1.10. Undertakes to store and handover all data generated by the project to DPME in an accessible and confidential manner.

6.2. DPME undertakes to:

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

TERMS OF REFERENCE: ANNEXURE A

SCM /Tender Ref #:	DPME 06-2018/19
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Request for proposals for:	Implementation Evaluation of the South African Police Service Detective Service: Crime Investigation Service (CIS)
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1. BACKGROUND / CONTEXT

The investigation of crime is one of the key components of policing as per Section 205(3) of the Constitution. The overwhelming majority of the crimes that are reported to the SAPS and subsequently investigated fall within the ambit of the Crime Investigation Service. Crimes are reported to the SAPS by citizens who expect these reported crimes to be properly investigated and to enable the prosecution of the alleged offender. The following legislations: Section 205(3) of the Constitution, South African Police Service Act of 1995 as amended 2012 and Criminal Procedure Act 51 of 1977 amongst others are applicable.

The Detective Service is therefore a key element of the Criminal Justice System (CJS), which involves a range of departments and the success of which, has a direct impact on not only whether people in South Africa are and feel safe, but also on the overall performance of government.

The Financial Programme 3 comprises of four sub-programmes, namely: Detective Service, Specialised Investigations and Forensic Services. The Detective Service sub-programme focuses on the following objective statement: To contribute to the successful prosecution of offenders by investigating, gathering and analysing evidence.

The Detective Service consists of the following components:

- i. Family Violence, Child Protection and Sexual Offences (FCS) Investigation Service. FCS Units are responsible for rendering effective and efficient investigations of crimes, linked to the FCS mandate and the Forensic Social Work Service provide support to these investigations.
- ii. Crime Investigation Service is responsible for the effective and efficient investigation of crime at station level, inclusive of services rendered by Detective Court Case Officers inclusive of investigations into Harmful Religious Practices, Missing Persons and Crime Stop.
- iii. Specific Crime Investigations includes the Vehicle Crime Investigation Section, Trans National Crime Investigation, Stock Theft and Endangered Species Investigation, as well as the National Investigation Unit
- iv. Commercial Crime, responsible for the investigation of all commercial-related crime [excluding serious commercial-related crime, which is investigated by the Directorate for Priority Crime Investigation (DPCI)].
- v. Organised Crime, responsible for the investigation of all organised crime-related crime [excluding serious organised crime-related crime, which is investigated by the (DPCI)].
- vi. Anti- Corruption Investigation [excluding serious Corruption-related crime, which is investigated by the (DPCI)].

The Detective Service function is linked to Outcome 3 of the National Development Plan (NDP): “All people in South Africa are and feel safe”. “Feel safe” relates directly to citizen’s perceptions of safety and security, while “Are Safe” speaks to the levels of particularly serious crime in the country. Achieving this vision requires a well-functioning criminal justice system, in which the police, the judiciary and correctional services work together to ensure that suspects are arrested, prosecuted, convicted if guilty, and securely incarcerated and rehabilitated. There are five priorities to achieve a crime-free South Africa, including: strengthening the criminal justice system; make the police service professional; demilitarise the police; build safety using an integrated approach; and build community participation in community safety (NDP, 2012).

Over the medium-term, the Department will continue to strengthen the implementation of the CJS's 7-point plan, which outlines the changes that the JCPS cluster, must put in place to establish a modernised and transformed CJS. The plan is endorsed by the NDP, and R6 billion is allocated over the medium-term for its ongoing implementation: R852 million in the Administration programme and R5.1 billion in the Detective Service programme. The cornerstone of implementing the 7-point plan is the roll-out of the Integrated Justice System, which seeks to ensure greater efficiency in the management of cases, persons and exhibits. Various case, person and exhibit management systems will be implemented over the medium-term at a total cost of R325 million. These management systems are expected to lead to improved performance in, among others, the detection rate for serious crimes and the percentage of trial ready case dockets for serious crimes. Over the past three financial years, the Division Detective Service were not able to achieve the set targets for the detection rate for serious crimes.

2. PROBLEM STATEMENT / PURPOSE

The purpose of evaluation is to assess whether the Division: Detective Service is investigating crime in a manner which improves chances of a successful detection and conviction of perpetrators of crime, and how this can be strengthened.

3. OBJECTIVES AND SCOPE OF PROJECT

3.1 Key evaluation questions to be addressed

1. Are the South African Police Service (SAPS) National Instructions (NI) and directives on the investigation of crime implemented as envisaged?
 - 1.1 Are there any variations of implementation of the NI at various components (provinces, clusters and stations)?
2. To what extent are the operational mechanisms (investigation process) working as intended?
 - 2.1 What is working and what is not working well?
3. Is the monitoring system of the detective service effective? If not, how can it be improved?
4. Does the Division: Detective Service have sufficient capacity in terms of physical, human and financial resources to deliver services?
 - 4.1 Are the approved organisational structures of the Detective Service implemented?
 - 4.2 Do detectives have requisite skills, training and experience to perform their duties?
5. To what extent is the Division: Detective Service cost effective in regard to the investigation of crime?
6. To what extent is the Division: Detective Service succeeding in the detection of cases?
 - 6.1 What are the challenges experienced and how can they be resolved?
 - 6.2 What is the effect of the basic conditions of service on the performance of detectives?
7. How does South Africa compare with other countries in regard to Detective Service processes?
 - 7.1 What are the international best practice models that can be replicated in South Africa?
 - 7.2 Locally, what are the best practices within provinces that can be replicated nationally?
8. How the Division can: Detective Service be strengthened to be more effective and efficient?

Please note that the above questions are the minimum main questions for the evaluation. The service Provider is expected to develop further sub-questions.

3.2 Intended users and stakeholders of the evaluation

The following table depicts potential users of the evaluation results and how they will/may use the information:

Table 1: Implementation Evaluation of the South African Police Service Detective Service

Stakeholder	How they will use the evaluation
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TERMS OF REFERENCE: ANNEXURE A

1. SAPS	<ul style="list-style-type: none"> • Improve current policy and implementation where there are gaps • Improve accountability, decision making and performance • Contribute to the achievement of the NDP (Outcome 3)
2. Government Security Cluster	<ul style="list-style-type: none"> • To ensure maximum impact and value for money of support programmes • Ensure strategic alignment and improve coordination • Ensure proper alignment of cluster activities • To develop customise indicators to enhance report on the relevant outcomes • Contribute to the achievement of the NDP (Outcome 3)
3. DPME	<ul style="list-style-type: none"> • Facilitate and advise on improvements to ensure maximum impact and value for money.
4. Private Sector (Business Against Crime, SABRIC, PSIRA ,etc)	<ul style="list-style-type: none"> • To leverage support • Support the implementation of the evaluation recommendations
5. Cabinet	<ul style="list-style-type: none"> • To ensure accountability
6. Parliament (Portfolio Committee on Police)	<ul style="list-style-type: none"> • To ensure accountability

3.3 Scope of the evaluation

3.3.1 Time period under review

The focus of the evaluation will assess the progress made towards the implementation of the programme over five-year financial year (2013/2014 to 2017/2018).

3.3.2 Components of the evaluation

The table below indicates specific components that are in-scope and out of scope:

Table 2: Outline in-scope and out of scope components

In Scope	Out of Scope
1. Crime Investigation Service (CIS) across all levels	1. Specialised units within the detective service
2. Training of detectives in CIS	2. Directorate for Priority Crime Investigation
3. Structure and resource alignment of CIS	3. IPID

3.3.3 Geographic coverage

The coverage of the evaluation will include: national, provincial, clusters and stations. The methodology will include visits to a total of 20 Police Stations in the following four provinces: Gauteng (5), Eastern Cape (5), Limpopo (5) and Mpumalanga (5). The identification of stations should include: rural, urban, rural-urban mix as well as high volume stations and different categories of stations. Bidder to spend a minimum of 8 hours per Police Station conducting key informant interviews and collecting quantitative data as specified in section 4.4 of the TOR.

4. PROPOSED METHODOLOGY / APPROACH

TERMS OF REFERENCE: ANNEXURE A

The service provider is expected to propose relevant methods to respond to the key evaluation questions in section 3 above. It is envisaged that the evaluation exercise will employ both quantitative and qualitative research methods. We require a participatory approach whereby the work engages all key stakeholders - especially the national and selected provinces, clusters and stations.

The methodology should include amongst others, the following:

4.1 Literature review and Document Analysis

Review both local and international literature on police detective services and what leads to effective performance. This exercise should further inform the review of the current Theory of Change of the programme; and produce an analytical framework to inform the evaluation, based on the lessons about successful performance.

In addition, the evaluator is expected to review relevant documents, namely: national instructions, Crime Administration System (CAS)/ICDMS, annual reports, training manuals relevant to detectives and other programme documents.

4.2 Benchmarking study

Conduct a benchmarking study using secondary data between South African and three other countries to be proposed by the service provider (one from a developed and two from comparator countries, one of which must be an African country) and motivate for the selection. We expect the benchmarking study to provide insights into good practices and provide real-world lessons for South Africa. The benchmarking study must be submitted as a separate deliverable and should include a two-page best-practice scan which compares how South Africa compares to the selected countries.

4.3 Interviews of key stakeholders

Semi-structured interviews should be conducted with a minimum of 40 key stakeholders. This will include internal senior managers (national and provincial) and external stakeholders from NPA, DOJ&CD, Civilian Secretariat and IPID. Conduct 5 focus groups: 1 at national comprising of selected senior managers and 4 at provincial level, 1 in each of the 4 provinces with selected detective commanders and investigating officers from cluster and station level.

4.4 Quantitative Analysis

- (i) Collect quantitative data and conduct analysis on the case dockets (minimum of 20 closed dockets in the following categories: serious crimes, contact crimes, crimes against women, crimes against children and property crimes. There should be a balance between resolved with a conviction and unresolved cases, per station on the various categories of crimes).
- (ii) Use quantitative analysis to determine the extent to which key systems are being implemented across the SAPS, including in provinces and whether changes have happened over the period under review, e.g. the degree of attainment of targets.
- (iii) Do basic financial analyses to assess cost effectiveness of the programme.

4.5 Snapshot Online Survey

Conduct an online survey (consisting of ± 10 items) of detective cluster co-ordinators across all nine provinces with the support of the SAPS Research Unit. In total, SAPS structure consists of 108 detective cluster co-ordinators.

4.6 Learning processes

TERMS OF REFERENCE: ANNEXURE A

Facilitate a reflective workshop with SAPS officials and stakeholders to reflect on the evaluation framework, lessons, and emerging findings, formulation of recommendations and how the system can be strengthened. Recommendations should be specific and practical, remembering that an improvement plan will be developed following the evaluation.

4.7 Develop and later Review the Theory of Change

Develop a theory of change and logical framework at the beginning of the evaluation process on the current system as it currently operates and facilitate a one-day workshop to discuss the current Theory of Change. Propose a revised theory of change and logical framework of the intervention and submit this at the end of the evaluation.

5. DELIVERABLES AND TIME FRAMES

The following deliverables will be expected:

- i. Inception Report by the service provider as a follow-up to the proposal. This must include a capacity development and skills transfer plan. This forms the basis for initial agreements and expectations in the evaluation.
- ii. Literature review; document analysis and benchmarking report
- iii. Report structure, evaluation matrix, analytical framework, final data collection instruments and other tools;
- iv. One-day workshop to discuss/ develop the current theory of change and logframe
- v. One-day workshop with the Technical working Group of the Steering Committee to discuss the report structure, evaluation matrix, analytical framework, final data collection instruments and other tools.
- vi. Fieldwork report
- vii. Draft evaluation report for review, full and in 1/5/25 format (note: there are likely to be 2 further versions after comments). A workshop with stakeholders to discuss the draft report;
- viii. The final evaluation report with recommendations, both full and in 1/5/25 format, in hard copy and electronic;
- ix. Provision of all datasets, metadata and survey documentation (including interviews) when data is collected. *(Full transcripts of interviews are not required).*
- x. A PowerPoint or audio-visual presentation of the results and other presentations as required.

The indicative timeframe for the evaluation is twelve months in total, including non-billable time. The evaluation will start at the beginning of August 2018 and should be completed by July 2019.

The service provider should produce the project plan indicating the milestones against the deliverables in table 2.

Table 3: Outline project plan and payment schedule

Deliverable	Expected milestones	% payment
Inception Meeting		
Submission of Revised Inception Report		
Approved Inception Report		
Sign SLA		5%
Literature Review and Benchmarking Report	To be determined by the service provider	20%
Submission of draft data collection instruments, report structure, analysis plan and other tools to test out how the theories of change are working		
One day workshop to discuss the overarching Theory of Change for the suite of incentives, draft data collection instruments, report		

TERMS OF REFERENCE: ANNEXURE A

structure, analysis plan and other tools to test out how the theory of change is working		
Approval of final data collection instruments, report structure, analysis plan and other tools		15%
Fieldwork report		10%
Draft evaluation report for review. This includes proposed changes to the intervention design.		20%
Workshop with stakeholders to discuss the draft report		
Revised Draft evaluation report full and 1/5/25 summaries		
Peer Review of the Report & comments from Steering Committee		
Final Evaluation Report, Version 1		
Comments to service provider from Steering Committee and Peer reviewer on Final Report		
Final report draft 2 submitted		
Approval of the Report by the Steering Committee		20%
Power-point Presentation of the Report at Economic Sector, Employment and Infrastructure Development Cluster and provision of all datasets, metadata and survey documentation (including interview transcripts).		10%

6. PROJECT MANAGEMENT / REPORTING ARRANGEMENTS

6.1. Management arrangements

The evaluation will be managed by an Evaluation Technical Working Group (ETWG) and an Evaluation Steering Committee (ESC). The Steering Committee will be responsible for overseeing the whole evaluation, make decisions on project timelines and deliverables, ensure risk management processes are implemented, and address challenges in terms of accessing relevant information. The chair of the committee will be a representative of senior management within the DPME.

6.2. Peer reviewers

National and international peer reviewers will be contracted to support the assignment. Two peer reviewers will be contracted to focus on both content and methodology of the assignment. The peer reviewers will provide their independent expert view on appropriate approaches, methods, instruments and data analysis as to ensure quality at the different stages of the assignment.

6.3. Reporting arrangements

The evaluation project manager to whom the service provider will report to is Mr Jabu Mathe, Senior Evaluation Specialist, DPME (jabu@dpme.gov.za / 012 312 0158/073 2523 703).

7. OTHER

None

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS



**planning, monitoring
& evaluation**

Department:
Planning, Monitoring and Evaluation
REPUBLIC OF SOUTH AFRICA

**STANDARD DOCUMENTS TO BE SUBMITTED FOR ALL BIDS
(INCL. TENDERS) FROM R30,000 UP TO R50,000,000**

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

Required Documents	Check Bidder	Verified SCM Unit
Central Suppliers Database Registration Report Attached – Not older than 30 days NB: Only suppliers registered on CSD may bid. All required CSD information up to date.		
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.		
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) and all applicable Annexures.		

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 studied, accurately completed and submitted all the documents indicated in the above checklist. • I have read and agree with the conditions applicable to all bids as contained in this document. • I have noted and will comply with the delivery time frames indicated in the specifications / terms of Reference. • I am the authorised signatory of the applicant. • I have noted that the Department may publish the names of bidders, total bid prices indicated in SBD 1 and B-BBEE points claimed, after the closing date of the bid. 			
Signature		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

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

ALL DPME BID DOCUMENTS ARE AVAILABLE FREE OF CHARGE FROM THE DPME WEBSITE OR DPME OFFICES AND ARE NEVER SOLD

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS WHO ARE PERSONS IN THE SERVICE OF THE STATE.

1. GENERAL

This request is issued in terms of all applicable legislation, including but not limited to: the Public Finance Management Act (Act 1 of 1999) as amended (PFMA), Treasury Regulations, the Preferential Procurement Policy Framework Act 5 of 2000 (PPFA), 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), applicable Departmental Policies and any other special conditions of contract indicated in bid documents.

- 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 to make public the names of all bidders as well as total bid prices and B-BBEE points claimed, after the closing date and time for the bid.
- 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 verify the taxpayer's profile and tax status.
- 2.3. Applications for a tax compliance status (TCS) certificate or pin may be made via e-filing through the SARS website www.sars.gov.za. Bidders may also submit a printed TCS certificate with this bid.
- 2.4. Where no TCS pin is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided and the tax compliance status on CSD will be utilised by the Department.
- 2.5. In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.
- 2.6. The tax compliance requirements are not applicable to foreign bidders / individuals with no South African tax obligations or no history of doing business in South Africa. Foreign suppliers must complete a pre-award questionnaire from SARS on their tax obligation categorisation.
- 2.7. 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.

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)

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

All quoted prices must be **inclusive of VAT** and must be valid (firm) for at least 30 days for all bids excluding open tenders and for 120 days for open tenders, from the closing date indicated on SBD 1. 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 / specifications.

4. FUNCTIONAL EVALUATION

Functional criteria and/or specifications are contained in the specifications sheet or Terms of Reference distributed for this bid. Unless otherwise indicated in the ToR / specifications sheet, only service providers that submitted acceptable bids and that met all functional / specifications requirements will proceed to the PPPFA evaluation phase

5. PRICE EVALUATION: THE PPPFA

DPME applies the provisions of the PPPFA and Regulations to all bids with an estimated cost from R30,000. Bid amounts in the case of this particular RFQ/RFP/Tender are estimated to be R30,000 or more and the PPPFA preference points system will be applied, even if all bids received are below R30,000.

Only bids that meet all administrative requirements and meet the minimum functional requirements indicated in the ToR / specifications sheet will be evaluated in terms of the PPPFA 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 bid evaluation, comparisons or award decisions in any manner, may result in rejection of the bid. DPME shall reject a bid if the bidder has committed a proven corrupt or fraudulent act in competing for a particular contract. DPME may disregard any bid 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, agency or entity.
- 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 contracts track records; Government employment status (individuals); Company / closed corporation ownership / membership status (individuals); Suitability to handle confidential government information; government employment status of bidders/staff/directors; Qualifications of bidders / contractors / team members; and any other information contained in bid documents

8. CENTRAL SUPPLIERS DATABASE

8.1. All suppliers must be registered on the Central Suppliers Database (CSD) managed by National Treasury (www.csd.gov.za).

8.2. The following information must be up to date on CSD:

- Tax compliance status
- B-BBEE Level (as indicated on B-BBEE certificate or sworn affidavit)

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

- Turnover (EME, QSE, etc.)
- Black ownership
- Women ownership
- Youth, Disabled and Military Veteran ownership
- Verified banking details
- Contact details

8.3. It is the responsibility a supplier to inform the DPME immediately in writing of any changes in details and to provide DPME with an updated CSD report. 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 if a bid is awarded based on incorrect information contained in the CSD report.

9. COMMITMENTS BY PARTIES

9.1. The Service Provider undertakes to:

- 9.1.1. Conduct business in a courteous and professional manner.
- 9.1.2. Provide the necessary documentation as requested prior to the awarding of the contract.
- 9.1.3. 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.
- 9.1.4. Manage internal disputes among his/her staff in such a way that DPME is not affected by those disputes.
- 9.1.5. Comply with the DPME security and emergency policies, procedures and regulations at DPME premises.
- 9.1.6. 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;
- 9.1.7. Ensure that all staff working on this project are adequately trained prior to the commencement of the project.
- 9.1.8. 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.
- 9.1.9. Store and hand over all data generated by the project (if any) to DPME in an accessible and confidential manner.
- 9.1.10. Not proceed with any work and not to incur any expense for which DPME could be liable, until such time as an official written government purchase order has been issued by DPME.

9.2. DPME undertakes to:

- 9.2.1. Manage all contracts in a professional manner.
- 9.2.2. Provide appropriate information as and when required and only in situations where it is required by the service provider to fulfil their duties.
- 9.2.3. Not accept any responsibility for any damages suffered by the service provider or their staff for the duration of the project.
- 9.2.4. Not tolerate any unfair labour practices between the service provider and their staff that happen during the execution of the project activities.
- 9.2.5. Not accept any responsibility for accounts/expenses incurred by the service provider that was not agreed upon by the contracting parties.
- 9.2.6. Pay all valid invoices within 30 calendar days.

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 06/2018-2019	CLOSING DATE	23 November 2018	CLOSING TIME	12:00
COMPULSORY BRIEFING SESSION	Date		9 November 2018	Time	10:00
DESCRIPTION	Implementation evaluation of the South African Police Service detective service				
BID DOCUMENTS FOR RFQs:		BID DOCUMENTS FOR RFPs AND TENDERS MUST BE:			
MUST BE SENT ELECTRONICALLY TO: The email address of the SCM official that sent out the request for quotes and CC to DPME.SCM@dpme.gov.za.		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>	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO					
Head of Procurement Services, 330 Grosvenor Street, Hatfield, Pretoria. Tel 012 312 0000, e-mail: xxx@dpme.gov.za Technical enquiries will be directed to the responsible employee.					
SUPPLIER INFORMATION					
Name of bidder					
Postal address					
Street address					
Telephone number			Cell phone number		
E-mail address					
ID / company Reg. #			Vat registration #		
Supplier tax compliance status	Compliant		CSD MAAA #		
	Not compliant		TCS Pin (if no CSD #)		
B-BBEE Status Level verification	None				
	All (except EMEs/QSEs): Certificate Issued by SANAS accredited verification agency.				
	EMEs/QSEs: 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)	
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DETAILED TERMS AND CONDITIONS FOR BIDDING ARE CONTAINED IN PAGES 2 TO 4 OF THIS DOCUMENT AS WELL AS IN THE ATTACHED SPECIFICATIONS / TERMS OF REFERENCE.			
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)			

INVITATION TO BID (SBD 1)

DECLARATION OF INTEREST (SBD 4)

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS WHO ARE PERSONS IN THE SERVICE OF THE STATE.

Any other natural or legal person legal person may make an offer or offers in terms of an invitation to bid. , or persons having a kinship with persons employed by the state, including a blood relationship. 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.

Full Name of bidder or his or her representative	
Identity Number	
Position occupied in Company (director, trustee, shareholder¹, member):	

The names of all directors / trustees / shareholders / members, their individual identity numbers, and if applicable, employee / PERSAL numbers must be indicated in the CSD report provided.

		YES	NO
1.1	Are you or any person connected with the bidder presently employed by the state?		
1.1.1	The bidder acknowledges that bids from Government employees or from companies/close corporations with directors/members that are government employees cannot be considered.		
1.1.2	The bidder further acknowledges that any false declaration in this regard will be reported to the relevant authorities		
1.1.3	If your answers to 1.1 is yes, then please provide details:		

		YES	NO
1.2	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?		
1.2.1	If so, furnish particulars:		

¹ "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)

		YES	NO
1.3	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?		
1.3.1	If so, furnish particulars:		

		YES	NO
1.4	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?		
1.4.1	If so, furnish particulars:		

		YES	NO
1.5	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??		
1.5.1	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	<u>80</u>
(b)	B-BBEE Status Level of Contribution.	<u>20</u>
	TOTAL	<u>100</u>

- 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:

$$\begin{array}{l}
 \mathbf{80/20 \text{ (Up to R50,000,000)}} \quad \text{Or} \quad \mathbf{90/10 \text{ (From R50,000,000)}} \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{Or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

Where:

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = 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 1.2 AND 4.1

B-BBEE Status Level of Contribution: = (maximum of ~~10~~ 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 document, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (I) The information furnished (including information in 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;

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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.