



SCM /Tender Ref #:	DPME 05-2017/18
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<b>Request for proposals for:</b>	Implementation Evaluation of the South African Police Service Detective Service: Crime Investigation Service (CIS)	
<b>Closing date and time:</b>	<b>14 August 2017 , 12h00</b> , at 330 Grosvenor Street, Hatfield Pretoria with provision of one electronic and six hard copies of the proposal	
<b>Compulsory briefing session:</b> <b>Note:</b> There will be two briefing sessions and bidders should only attend <b>one</b> .	Date: 21 July 2017 <b>OR</b>	Time: 10:00 – 11:00
	Date: 28 July 2017	Time: 10:00 – 11:00
	Venue: DPME Hatfield Office, Room G 01D, 330 Grosvenor Street, Pretoria	

Planned date of award of bid:	Expected project start date:	Expected project end date:
<b>21 August 2017</b>	August 2017	June 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 must be attached to the proposal as annexures:

- **Annexure A:** Summary of past experience (Must use attached template)
- **Annexure B:** Summary details of proposed team and time allocated to project (Must use attached template)
- **Annexure C:** Pricing information. Price proposals must include VAT, should be fully inclusive to deliver the all outputs indicated in the terms of reference and must be submitted in a separate envelope (Must use attached template).
- **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.

<b>SCM Contact person</b>	<b>Name:</b> Ms Ziyanda Mtwa-Modupe <b>Tel:</b> 012 312 0416 <b>e-mail:</b> <a href="mailto:Ziyanda@dpme.gov.za">Ziyanda@dpme.gov.za</a>
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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<sup>1</sup> and conviction<sup>2</sup> of perpetrators of crime, and how this can be strengthened.

It is envisaged that the evaluation will produce operational information on where, how and why the programme is or is not working well and how it 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 can the Division: 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:

<sup>1</sup> Detection of crime: The ability of SAPS and in particular the Detective Service to identify, trace, arrest and to bring perpetrators of reported crime before a court of law in order for the perpetrator to stand trial.

<sup>2</sup> Conviction: The ability of SAPS to contribute to the successful prosecution of perpetrators of crime.

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

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

### 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 a six-year financial period (2011/12– 2016/17).

#### 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
<ol style="list-style-type: none"> <li>1. Crime Investigation Service (CIS) across all levels</li> <li>2. Training of detectives in CIS</li> <li>3. Structure and resource alignment of CIS</li> </ol>	<ol style="list-style-type: none"> <li>1. Specialised units within the detective service</li> <li>2. Directorate for Priority Crime Investigation</li> <li>3. IPID</li> </ol>

#### 3.3.3 Geographic coverage

The coverage of the evaluation will include: national, provincial, clusters and stations. The methodology will include visits to stations in the four selected provinces, according to the indicated specifications.

## 4. PROPOSED METHODOLOGY / APPROACH

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 approximately 50 key stakeholders. This will include internal senior managers and external stakeholders from SAPS, NPA, DOJ&CD, Civilian Secretariat and IPID. Conduct focus groups with selected senior managers, branch commanders and investigating officers at national, provincial, cluster and station level.

### 4.4 Quantitative Analysis

- (i) Collect quantitative data and conduct analysis on the case dockets (approximately 150) of the Division: Detective Service.
- (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 Learning processes

Facilitate a reflective workshop with SAPS officials and stakeholders to reflect on the evaluation framework, lessons, 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.

#### 4.6 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 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 evaluation should be undertaken between August 2017 and June 2018 (10 months). The table below depicts the high level project plan and payment schedule. These are tentative dates and subject to change.

**Table 3: Outline project plan and payment schedule**

Deliverable	Expected milestones	% payment
Inception Meeting	September 2017	
Submission of Revised Inception Report	September 2017	
Approved Inception Report	September 2017	
Sign SLA	October 2017	10%
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 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		10%
Fieldwork report		
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		

## DPME TERMS OF REFERENCE

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	June 2018	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).	July 2018	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 (see 8.2 for details of requirements). 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.

### 6.2. Competencies / Skills required

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

**Table 4: Competencies and skills-set required**

Descriptor	Demonstrated ability to
<b>Overarching considerations</b>	
1.1 Contextual knowledge and understanding	Have knowledge and understanding of the security sector in relation to outcome 3 of the MTSF (NDP) as well as appropriately relating the evaluation to current government policy and governance environment.
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
<b>2 Evaluation leadership</b>	
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.
2.2 Composition of the team	Strong project manager, evaluation specialist, Information and Communications Technology 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) and they must play a meaningful role in the evaluation (shown in the activity table) and , at least 40% of person-days allocated to PDIs (either staff or could be a joint venture with a BEE company)
2.4 Capacity development	Meaningful capacity development to departmental staff as agreed with the relevant departments
<b>3 Evaluation craft</b>	

## DPME TERMS OF REFERENCE

Descriptor	Demonstrated ability to
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	Design specific research methods and tools that address the evaluation's research needs. This may include qualitative, quantitative or mixed methods.
	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 appropriate findings and recommendations.
<b>4 Implementation of evaluation</b>	
4.1 Evaluation planning: 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 exhibit the following skills and attributes:

- Team players, analytical and lateral thinkers;
- Have excellent communication skills with the ability to listen and learn;
- 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; and
- Have excellent computing skills including detailed knowledge and use of: Word, Excel, Power Point, Microsoft Project or similar compatible software.
- Strong project management skills, including field coordination and implementation where needed.

### 6.3. Minimum qualifications required

Refer to Section 8.2 for details of requirements. 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

The service provider should specify the number of evaluators expected to be part of the team, their areas of expertise and their respective responsibilities. Inclusion of international experts with proven experience would be an advantage in this evaluation. At least 40% of team should be Previously Disadvantaged Individuals (PDI) and these individuals must play a meaningful role in the project (see 8.3 for details of requirements).

The team members 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.

Three key roles must be defined (although they may not be three separate people) and may have varying levels of effort. The Table below summarises the requirements and their responsibilities.



**Table 5: Team roles and responsibilities**

<b>Role(s)</b>	<b>Requirements</b>	<b>Responsibilities</b>
Project Team leader	Must have relevant substantial experience of leading sensitive and complex evaluations. He/she must also have a relevant post-graduate qualification, from Master’s degree level. Must demonstrate high quality experience in a minimum of 5 related projects.	Responsible for overall project management and quality control as well as liaison with client;
Evaluation specialist	He/she must also have a relevant post-graduate qualification. He/she must have experience in Monitoring and Evaluation (M&E) and experience of successfully undertaking 5 evaluations.	Bring specialist knowledge of evaluation methodology (and not just research)
Sector specialist	He/she must have a relevant postgraduate qualification and at least 5 years’ experience in the Criminal Justice Sector	Bring in-depth knowledge and understanding of the criminal justice sector and be able to bring this insight to ensure that the richness of the programme is explored and meaningful recommendations derived

The evaluation team needs to show that between them they understand implementation realities of government in the Security Cluster and also indicate how skills transfer will be undertaken to the departments involved in the evaluation, as well as PDI/young evaluators.

**6.5 Project management**

The role of Secretariat will be provided by DPME. The Steering Committee will make decisions on project timelines and deliverables ensure risk management processes are implemented, and address challenges in terms of accessing the relevant information.

**6.5.1 Reporting arrangements**

The evaluation project manager to whom the service provider will report is Mr Jabu Mathe, Director: Evaluation, DPME ([jabu@dpme.gov.za](mailto:jabu@dpme.gov.za) / 012 312 0158 / 073 2523703.

**7. COSTING METHODOLOGY**

The bidder should cost the project according to the outputs/deliverables outlined in Section 5 above budget. Prices must be inclusive of VAT (if VAT registered) and must address all deliverables indicated in this ToR.

**8. EVALUATION OF BIDS**

**8.1. 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.

**8.2. Functional evaluation**

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

	<b>Domain/ descriptor</b>	<b>Functional Evaluation Criteria</b>	<b>Weight</b>	<b>Score(out of 4)</b>	<b>Weight x score</b>	<b>Minimum</b>
1	<b>The quality of the proposal</b>	<p><b>Addressing the TORs</b></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= Requirements of the evaluation addressed well and additional value added</p>	5			15
	<b>The quality of the team</b>	Team demonstrate the following key competences related to this assignment, with the ability to:				
	<b>Overarching considerations</b>					
2	Contextual knowledge and understanding	<p><b>Understand the relevant sector/intervention and government systems</b> in relation to the evaluation and can appropriately relate the evaluation to current political, policy and governance environments</p> <p>1= Unconvincing that understand the sector/ intervention</p> <p>2= Some understanding of the sector but not deep</p> <p>3= Good understanding of the sector and how implementation happens</p> <p>4= Good understanding of the sector nationally and internationally, and can bring international insight</p>	3			6
	<b>Evaluation leadership</b>	Lead an evaluation team effectively to project completion, using facilitation and learning approaches, to promote commitment and ownership of stakeholders in relation to the following three key role players				
3	Composition of team	<p><b>Project team leader</b> must have relevant substantial experience of leading sensitive and complex evaluations. He/she must also have a relevant post-graduate qualification, from Master’s degree level. Must demonstrate high quality experience in a minimum of 5 related projects (examples and references to be provided)</p> <p>1= Managed successfully &lt;1 projects and does not have relevant master’s degree</p>	3			6

**DPME TERMS OF REFERENCE**

	Domain/ descriptor	Functional Evaluation Criteria	Weight	Score(out of 4)	Weight x score	Minimum
		<p>2= Managed successfully 1-4 relevant projects with a relevant master's degree</p> <p>3= Managed successfully 5 relevant projects with a relevant master's degree</p> <p>4= Managed more than 5 relevant projects with a relevant master's degree or above relevant qualification</p>				
4	Composition of team	<p><b>Evaluation specialist</b> must have a relevant post-graduate qualification, experience in Monitoring and Evaluation (M&amp;E) and experience of successfully undertaking 5 evaluations. (examples and references to be provided)</p> <p>1= No relevant post-graduate qualification and successfully undertaken &lt;1 evaluation</p> <p>2= Relevant post-graduate qualification and successfully undertaken 1-4 evaluations</p> <p>3= Relevant post-graduate qualification and successfully undertaken 5 evaluations</p> <p>4= Relevant post-graduate qualification and successfully undertaken more than 5 evaluations and has experience of working with more than one national evaluation system.</p>	5			15
5	Composition of team	<p><b>Sector specialist</b> must have a relevant postgraduate qualification and at least 5 years' experience in the Criminal Justice Sector</p> <p>1= No relevant post-graduate qualification and has &lt;2 years' experience in the Criminal Justice Sector</p> <p>2= Relevant post-graduate qualification and has 3-4 years' experience in the Criminal Justice Sector</p> <p>3= Relevant post-graduate qualification and has 5 years' experience in the Criminal Justice Sector</p> <p>4= Relevant post-graduate qualification and has more than 5 years' experience in the Criminal Justice Sector as well as international good practice</p>	5			15
6	PDI role in team	<p><b>At least 40% of team are Previously Disadvantaged Individuals (PDIs)<sup>3</sup></b> and they must play a meaningful role in the evaluation</p> <p>1= Team consists of less than 40% PDIs and less than 40% of person-days allocated to PDIs</p> <p>2= Team consists of 40% PDIs but less than 40% of person-days allocated to PDIs</p>	3			9

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

**DPME TERMS OF REFERENCE**

	Domain/ descriptor	Functional Evaluation Criteria	Weight	Score(out of 4)	Weight x score	Minimum
		<p>3= Team consists of at least 40% PDIs, at least 40% of person-days allocated to PDIs (either staff or could be a joint venture with a BEE company)</p> <p>4= Team consists of at least 40% PDIs, at least 50% 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>				
7	Capacity development	<p><b>Capacity development</b> elements and building capacity of government partners, namely:</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
	<b>Evaluation craft</b>					
8		<p><b>Knowledge of and exposure to international good practice</b>, 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 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>	1			2
	<b>Implementation of evaluation</b>					
9	Evaluation planning	<p><b>Approach, design, methodology for the evaluation</b></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

**DPME TERMS OF REFERENCE**

	Domain/ descriptor	Functional Evaluation Criteria	Weight	Score(out of 4)	Weight x score	Minimum
10		<b>Quality of activity-based plan</b> (including effort for different consultants per activity and time frame linked to activities) 1= No plan 2= Activity-based plan produced but not convincing that the methodology can be delivered using resources proposed 3= Activity-based plan clear and realistic to address the methodology 4= Activity-based plan clear and realistic to address the methodology, and innovative so that more can be delivered	3			9
11	Report writing and communication	<b>Write clear, concise and focused reports</b> 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 1= No examples of writing provided or examples show poor writing skills 2= Examples provided show adequate but not good writing skills, but use of evidence is not good 3= Examples provided show good reports which demonstrate use of evidence, good logic, and are well-written 4= Well-written and punchy reports with good use of infographics, good summaries, good use of evidence	3			6
	Total		39			

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

**8.3. 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.

**9. SPECIAL CONDITIONS APPLICABLE TO THIS BID**

Service providers are expected to attend a compulsory briefing session. Only service providers that attend the compulsory briefing session may submit proposals. Please find details on the cover page of this document. **Important Special Condition in respect to the compulsory briefing session:** Failure of the prospective bidders to attend the compulsory briefing session will invalidate the prospective bidders bid.

Shortlisted candidates will be required to present their proposal to the evaluation committee as part of the selection process. The service provider should provide a proposal following the structure above. Proposals should be submitted with electronic copy and six (6) hard copies

## 10. GENERAL

### 10.1. The Service Provider undertakes to:

- 10.1.1. Conduct business in a courteous and professional manner.
- 10.1.2. Provide the necessary documentation as requested prior to the awarding of the contract.
- 10.1.3. 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.
- 10.1.4. Manage internal disputes among his/her staff in such a way that DPME is not affected by those disputes.
- 10.1.5. Comply with the DPME security and emergency policies, procedures and regulations at DPME premises.
- 10.1.6. 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;
- 10.1.7. Ensure that all staff working on this project are adequately trained prior to the commencement of the project.
- 10.1.8. 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.
- 10.1.9. Undertakes to store and handover all data generated by the project to DPME in an accessible and confidential manner.

### 10.2. DPME undertakes to:

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

## 11. ENQUIRIES

Regarding the evaluation process and commissioning, please contact Mr Jabu Mathe, DPME ([jabu@dpme.gov.za](mailto:jabu@dpme.gov.za) / 0123120158 / 0732523703) but in terms of content issues, please contact: Major General Johnson, SAPS, ([JohnsonC@saps.gov.za](mailto:JohnsonC@saps.gov.za) / 012 393 1826) or Major General TC Mosikili, SAPS, ([MosikiliTC@saps.gov.za](mailto:MosikiliTC@saps.gov.za) / 012 393 1207).

**DPME TERMS OF REFERENCE**

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

**DPME TERMS OF REFERENCE**

<b>ANNEXURE B1: DETAILS OF PROPOSED TEAM (Attach copies of qualifications)</b>						
Name	Role	Qualifications	Experience	Race	Gender	Days allocated to this project
<b>Total 1<sup>1</sup></b>						

<b>ANNEXURE B2: TIME ALLOCATIONS FOR PROPOSED TEAM</b>								
Activity / deliverable	Person days allocated per activity / team member							Total
	(name)	(name)	(name)	(name)	(name)	(name)	(name)	
<b>Total 2<sup>1</sup></b>								

<sup>1</sup>Totals 1 and 2 must be the same



**DPME TERMS OF REFERENCE**

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

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

<b>TOTAL BID PRICE (C1 + C2) incl. VAT</b> Please ensure that this price matches the price indicated on SBD 1	R
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<b>ANNEXURE C3: OTHER DISBURSEMENTS</b> (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.		
<b>Additional documentation required for certain types of bids. If applicable the additional documents will be distributed as part of the tender / bid documentation</b>	<b>Check Bidder</b>	<b>Verified SCM Unit</b>
Declaration certificate for local production and content for designated sectors (SBD 6.2)		

<b>Declaration</b>			
<ul style="list-style-type: none"><li>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)</li><li>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.</li><li>I have completed and submitted all the documents indicated in the above checklist</li><li>I have read and agree with the terms and conditions applicable to all bids as stipulated in this document</li><li>I have noted and will comply with the delivery time frames indicated in the specifications / terms of Reference</li><li>I am the authorised signatory of the applicant</li><li>For 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.</li></ul>			
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](http://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](http://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](http://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)

<b>BID NUMBER</b>	DPME 05-2017/18	<b>CLOSING DATE</b>	14 August 2017	<b>CLOSING TIME</b>	12:00
<b>COMPULSORY BRIEFING SESSION</b>	Date		21 July 2017 & 28 July 2017	Time	10:00
<b>DESCRIPTION</b>	Implementation Evaluation of the South African Police Service Detective Service: Crime Investigation Service (CIS)				
<b>BID DOCUMENTS MAY BE POSTED TO:</b> Department of Planning, Monitoring and Evaluation Head: Procurement Services Private Bag X944, PRETORIA, 0001			<b>OR DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS):</b> 330 Grosvenor Street, Hatfield, Pretoria <i>The bid box is accessible on working days between 8:00 and 17:00.</i>		
<b>SUPPLIER INFORMATION</b>					
<b>Name of bidder</b>					
<b>Postal address</b>					
<b>Street address</b>					
<b>Telephone number</b>			<b>Cell phone number</b>		
<b>E-mail address</b>					
<b>Company Reg. #</b>			<b>Vat registration #</b>		
<b>Tax compliance status</b>	<b>Compliant</b>		<b>CSD #</b>		
	<b>Not compliant</b>		<b>TCS Pin (if no CSD #)</b>		
<b>B-BBEE Status Level verification</b>	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				

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

<b>Total bid price (Incl. VAT)</b>		<b>Total # of items offered</b>	
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<b>Signature</b> (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)		<b>Date</b>	
<b>Name of Signatory</b>			
<b>Designation of Signatory</b>			
<b>Name of bidder (if different)</b>			

**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 state<sup>1</sup>, 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, shareholder<sup>2</sup>, 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:
- \_\_\_\_\_

<sup>1</sup> 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.

<sup>2</sup> "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.**

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#### **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
<b>TOTAL</b>	<b>100</b>

- 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 1.3 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:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> ✓	<b>QSE</b> ✓
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		
<b>OR</b>		
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? <b>(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)</b>	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)? <b>(To access this Register enter the National Treasury’s website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, 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.</b>	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)**

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 consortium<sup>3</sup> 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)			

<sup>3</sup> *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.*