



SCM /Tender Ref #:	DPME 03/2021-2022
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Request for proposals for:	Professional Legal Entity or Resource Team for the Review, Amendment and Drafting of the Integrated Planning Framework (IPFB)
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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)
September 2021	4 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.

ENQUIRIES		
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**1. BACKGROUND**

Annexure A contains a detailed description of the requirements for this project, including:

- Background / context
- Problem statement / purpose
- Objectives and scope of project
- Proposed methodology / approach
- Deliverables and time frames

**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 30% of the person-days required to complete this project must be allocated to Previously Disadvantaged Individuals (PDIs)<sup>1</sup>; 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 30% 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.

<b>Roles*</b>	<b>Qualifications</b>	<b>Experience</b>
Team Leader and/or Project Lead or Individual	Minimum: Legal degree and/or LLB or Masters degree in related field Advantage: Doctorate	Minimum: Has minimum of 10 years' experience in public sector legislation and drafting, public policy and planning environment. Has deep and innate knowledge and experience of national development planning, planning policies, legislation, and processes across government.
Sector expert(s)**: Legal, Public Sector Legislation and Drafting,	Minimum: Honours degree Advantage: Masters, Doctorate	Minimum: At least 10 years total work experience and at least 10 years in the indicated sector. Demonstrate 3 examples of work

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

Development Planning, Regional Planning		conducted on policy development, drafting of legislation or public policy, development planning policy and/or legislation, National, Provincial and/or Local government development planning
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\* One team member or individual 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 draft 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	<b>Individual or Team composition:</b> 1= Proposed entity or team does not meet the empowerment criteria. 3= Proposed entity or team meets the empowerment criteria. 4= Proposed entity or team meets the empowerment criteria and achieved 50% or more in at least 2 criteria.	3	9
1.2	<b>Project Lead:</b> 1= The project leader does not meet the minimum requirements for either experience or qualifications, or did not submit verifiable references, or did not submit written confirmation of availability for project. 3= The project leader meets all of the minimum experience and qualifications requirements. 4= The project leader exceeds the minimum experience or qualifications requirements.	3	9
1.3	<b>Sector Expert/s:</b> 1= The sector expert/s does not meet the minimum requirements for either experience or qualifications, or did not submit verifiable references, or did not submit written confirmation of availability for project. 3= The sector expert/s meets all of the minimum experience and qualifications requirements. 4= The sector expert/s 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

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

Initials of specification committee members: \_\_\_\_\_  
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- 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 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/PPPFA evaluation.

Functional Evaluation Criteria		Weight	Min. Score
2.1	<p><b>Understanding the brief. The proposal and / or presentation by the service provider:</b></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><b>Proposed approach</b></p> <p>1= Proposed methodology is not aligned to the purpose and key questions.</p> <p>2= Proposed methodology is partially aligned to the purpose and key questions.</p> <p>3= Project design, sample, data collection tools and analytical framework proposed is fully aligned to the purpose and key evaluation questions.</p> <p>4= In addition to 3, the methodology is innovative and will add value beyond the originally intended purpose and objectives of the project.</p>	5	15
2.3	<p><b>Extent to which the costing methodology is realistic given the scope and time frames of the project</b></p> <p>1= Costing of the project is not aligned to the scope and time 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	9
2.4	<p><b>Project plan ( Annexure B3):</b></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 than the envisaged time frames.</p>	3	9

#### 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 points allocation applicable to this bid are indicated in the attached SBD 6.1.

## 5. 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.

## 6. SPECIAL CONDITIONS APPLICABLE TO THIS BID

6.1. There will be a non-compulsory virtual briefing session.