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REQUEST FOR QUOTATION (RFQ)

APPOINTMENT OF A SERVICE PROVIDER TO REVIEW AND STANDARDISATION OF ALL INSETA CONTRACTS

RFQ	RFQ/2021/22/94
RFQ ISSUE DATE	26 August 2021
BRIEFING SESSION	N/A
RFQ DESCRIPTION	Appointment of a Service Provider to Review and Standardisation of all INSETA Contracts
CLOSING DATE & TIME	31 August 2021 @ 11:00
LOCATION FOR SUBMISSIONS	rfqs@inseta.org.za

Bidders must submit responses via e-mail at: rfqs@inseta.org.za, before or on the stipulated date and time. For any queries or questions, please use above mentioned email address.

The INSETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

FAX NO: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

Board Members: Mr. J.S. Ngubane (Chairperson), Ms. V. Pearson (Business), Ms. L. van der Merwe (Business), Ms. R.G. Govender (Business), Ms. P. Mendes (Business), Ms. S.J. Kruger (Business), Ms. Z. Motsa (Business), Mr. R.P. Motlhabane (Labour), Mr. M. Soobramoney (Labour), Mr. J.J.M. Mabena (Labour), Ms. S.A. Anders (Labour), Mr. C.B. Botha (Labour), Ms. S.T. Dinyake (Labour), Ms. F. Mabaso (Government), Mr. S.M. Mpuru (Community Organisation)

CEO: G. Mkhize

DETAILED SPECIFICATION

APPOINTMENT OF A SERVICE PROVIDER TO REVIEW AND STANDARDISATION OF ALL INSETA CONTRACTS

1. BACKGROUND

- 1.1 The Insurance Sector Education and Training Authority (INSETA) is a public entity listed in schedule 3A of the PFMA and was established in March 2000. The INSETA must, in accordance with any prescribed requirements to perform in accordance with the Skills Development Act (SDA), the Skills Development Levies Act (SDLA), the Public Finance Management Act (PFMA), any other relevant legislation and the Constitution.
- 1.2 The Insurance Sector Education and Training Authority (INSETA) resolved that there is a need to review all contracts in order to standardise the appearance as well as minimum compulsory information to be included on all contracts. The following departments are impacted
 - 2.2.1 Supply Chain Management,
 - 2.2.2 Human Resources,
 - 2.2.3 ETQA,
 - 2.2.4 Learning Programmes (Youth, Workers, and Special Projects).

2. SCOPE OF WORK & DELIVERABLES

- 2.1 The bidder must:
 - 2.1.1 Review all active contracts and identify potential risks to reduce the liability.
 - 2.1.2 Provide recommendations to address gaps/ shortcomings identified in active contracts and addenda and prepare the documents to be sent to employers and service providers where applicable to rectify those gaps/ shortcomings.
 - 2.1.3 Provide the minimum information and other requirements for the standardization of all contracts and addenda for SCM, HR, ETQA and Learning programmes and other departments in line with applicable legislation.
 - 2.1.4 Incorporate the provisions of the POPI Act in all standardized contracts.
 - 2.1.5 Align compliance with relevant legislation related to each division.
 - 2.1.6 Aligned contract terms specific to supply chain management to the Standard Bid Documents and General Conditions of Contract as prescribe by National Treasury.
 - 2.1.7 Develop standard templates for contracts and addendums, create a coding and numbering system.

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3. CONTRACTUAL OBLIGATION

- 3.1 The service provider's quotation must also provide sufficient detail in terms of various cost items such as total "man" hours and daily rates for the project team.
- 3.2 In the case of the service provider using sub-contractors, the former will be responsible for ensuring delivery of services from any such sub-contractors and for making any payments to such sub-contractors.
- 3.3 The successful bidder will be required to have adequate professional indemnity as well liability insurance in place (**upon parties contracting**)

4. TIMEFRAMES

- 4.1 Duration of the contract will be for a period of **three (3) months**.

5. PREQUALIFICATION CRITERIA (Phase 1)

- 5.1 Bidder must submit proof of registration on CSD (Central Supplier Database). The bidder will be verified if they are not listed on database of restricted suppliers and register of tender defaulter. The bidder will also be verified if they are in business.
- 5.2 Bidder must submit proof and must be an EME or QSE only (**level 1 or level 2 BBBEE contributor**) status will be considered (**no generic companies will be considered**).

Note: All bidders who do not comply with the items listed above will be disqualified.

6. MANDATORY CRITERIA (Phase 2)

- 6.1 Bidder must provide detailed project plan over a 3-month period including methodology aligned to the Scope of Work as detailed in this RFQ document.
- 6.2 Bidder must provide a minimum of three (3) reference letters reflecting experience in standardization of organisation contracts. The reference letters must be dated and signed on a referees letterhead.

Note: All bidders who do not comply with the items listed above will be disqualified.

7. PRICING SCHEDULE

- 7.1 The bidder must ensure that the price quotations are inclusive of all applicable taxes (**including VAT**). Costing must comprise of all the relevant services proposed in the bidder's submission. (*But not limited to*):

Items	Activity/ Deliverable (Aligned to scope of work)	Rate/ Hour per resource	Number of hours	Total Cost (VAT Excl.)
1	Review and recommend of current contracts			R
2	Standardisation of contract documents and provide templates and sequencing for each division			R
3	Miscellaneous costs			
Sub-Total				R
VAT 15%				R
Grand Total				R

7.2 Price & B-BBEE: Evaluation based on price and BBEE in line with the provisions of the Preferential Procurement Policy Framework Act of 2021. As the RFQ price is estimated to be between R 30 000.00 and R 1000 000.00, therefore RFQ responses will be evaluated on the 80/20 Price & BBEE preference point system.

NB: Tax matter for the recommended bidder will be verified on Central Supplier Database (CSD) or SARS eFiling prior awarding. If the bidders' tax matters are non-compliant in terms of clause 4.2 & 4.3 will be exercised from National Treasury Instruction No. 09 of 2017/2018 (Tax Compliance Status Verification).

8. ADJUDICATION USING A POINT SYSTEM

- 8.1 The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- 8.2 Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- 8.3 In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 8.4 However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 8.5 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

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9. POINTS AWARDED FOR PRICE

The **80/20** preference point system

A maximum of **80** points is allocated for price on the following basis:

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

Where:

P_s	=	Points scored for comparative price of bid under Consideration
P_t	=	Comparative price of bid under consideration
P_{\min}	=	Comparative price of lowest acceptable bid

9.1 B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

B-BBEE Status Level of contributor	Number of points 80/20 system
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 9.2 Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information constitutes a criminal offence.
- 9.3 Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.
- 9.4 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

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9.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

9.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

10. Consortium

10.1 A consortium is an association of two or more individuals, companies, organisations or governments (or any combination of these entities) with the objective of participating in a common activity or pooling their resources for achieving a common goal.

10.2 A consortium requires that each participant retains its separate legal status and the consortium's control over each participant is generally limited to activities involving the joint endeavour, particularly the division of profits. A consortium is formed by contract, which designates the rights and obligations of each member.

10.3 In a consortium, only the lead bidder's credentials both in terms of financial and technical qualifications are considered. Therefore, the interpretation and application to a RFQ/Bid process is such that the lead partner is identified, and the following requirements are required as follows:

a) Lead Partner

- All administrative documents (consortium agreement between the lead partner and the partner)
- Technical requirements (which will show in the proposal and other requirements why the need for the consortium, which for all intent and purpose fulfils the requirements of the bid through combination of skills)

b) Partner

- Proof of CSD registration.

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- Tax Pin.
- BBBEE Sworn-Affidavit.
- SBD 4 Declaration of interest.
- SBD 8 Past supply chain.

10.4 It should be taken into cognisance that although the lead partner is the qualifying entity, the partner should prove that it can do business with state-owned entities, through CSD registration, proof that the taxes are compliant, its level of BBBEE status in order to align with the BBBEE status level required by the BID, declare interest and answer questions that it is not a disqualified entity with the National Treasury. The foregoing ensures compliance from an SCM process perspective that the consortium is in order. Of importance is that in a consortium, each individual team members retain their identities.

11 A joint venture - A joint venture is a business entity created by two or more parties, generally characterized by shared ownership, returns and risks and shared governance.

11.1 Unincorporated joint venture:

11.1.1 All SCM documents are filled in by the joint venture in the name of the joint venture, although the submission of administrative documents (partnership agreement between parties) will be completed in the name of the joint venture, and the following will be required from both parties, amongst others

- a) SBD 4.
- b) SBD 6.
- c) SBD 8.
- d) SBD 9.
- e) Tax pin
- f) CSD registration.
- g) The JV agreement will direct which bank account of the two entities will be used.
- h) Consolidated Joint BBBEE Certificate.

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11.2 Incorporated joint venture

11.2.1 This aligned to a registered entity or company. A registered entity/ company with a consolidated BBBEE certificate and a bank account in the name of the Joint venture. The required compliance documents must be complete by the entity/ company the name of the joint venture, and the following will be required amongst others

- a) SBD 4.
- b) SBD 6.
- c) SBD 8.
- d) SBD 9.
- e) Tax pin
- f) CSD registration.
- g) The JV agreement will direct which bank account of the two entities will be used.
- h) Consolidated Joint BBBEE Certificate.

11.2.2 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.

12. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

13. COMMUNICATION

Respondents are warned that a response will be disqualified should any attempt be made by a bidder either directly or indirectly to canvass any officer(s) or employees of INSETA in respect of a RFQ, between the closing date and the date of the award of the business.

All enquiries relating to this RFQ should be emailed three days before the closing date.

14. CONDITIONS TO BE OBSERVED WHEN RFQING

INSETA does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of his RFQ. INSETA reserves the right to accept a separate RFQ or separate RFQs for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the RFQ at any stage.

No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed. Quotation shall remain open for acceptance by the Corporation for a period of 90 days from the closing date of the RFQ Enquiry.

INSETA reserves the right to:

- a. Not evaluate and award RFQs that do not comply strictly with this RFQ document.
- b. Make a selection solely on the information received in the RFQs and Enter into
- c. Negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- d. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered or permitted.
- e. Award a contract to one or more bidder(s).
- f. Accept any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any time as prescribed in the PPPFA regulation.
- h. Should bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs.

15. Cost of Bidding

The bidder shall bear all costs and expenses associated with preparation and submission of its RFQ or RFQ, and the INSETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

END OF RFQ DOCUMENT

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Annexed to this document for completion and return with the document:

- Preference Points Claim Form (SBD 6.1), Declaration of Interest (SBD 4) - fully completed and signed.
- Declaration of Bidder's Past Supply Chain Practices (SBD 8) - fully completed and signed.
- Certificate of Independent Bid Determination (SBD 9) - fully completed and signed.
- General Conditions of Contract (GCC) – initialled or signed each page.

Non – compliance in returning above mentioned documents, will deem the bid nonresponsive.

