



inseta

INSURANCE SECTOR EDUCATION
AND TRAINING AUTHORITY

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TERMS OF REFERENCE

BID NUMBER: TENDER- INS/2022/01012

**DESCRIPTION : APPOINTMENT OF PROJECT MANAGEMENT SERVICE
PROVIDER FOR THE INSURANCE SECTOR STUDENT FUND (ISSF)
SERVICES TO INSETA FOR A PERIOD OF THREE (3) YEARS**

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. Z. Motsa (Business), 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. N.B. Jonas (Labour)
Ms. F. Mabaso (Government), Mr. S.M. Mpuru (Community Organisation)

CEO: G. Mkhize

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** INSETA is requiring a suitably qualified Project Management Service Provider to project manage the Insurance Sector Student Fund (ISSF) for a period of three (3) years.

2. SITUATION ANALYSIS

- 2.1** The Insurance Sector Student Fund is centrally linked to the Skills Development Act, Act 97 of 1998, as amended, where the INSETA outlines the framework through which it will carry out its mandate through the management of Discretionary and other funds or donations towards the insurance sector student fund for the development of skills.

3. SCOPE OF WORK

- 3.1** The purpose of this bid is to appoint a Project Management service provider to project manage the Insurance Sector Student Fund (ISSF) for a period of three (3) years.
- 3.2** The Insurance Sector Fund is centrally linked to the Skills Development Act, Act 97 of 1998 as amended, where the INSETA outlines the framework through which it will carry out its mandate through the management of Discretionary and other funds or donations toward the insurance sector student fund for the development of skills.
- 3.3** The appointed bidder of the insurance sector student fund project will be allocated all the managing responsibilities and implementation of the ISSF project including the following activities, deliverables, milestone, risks, the prudent management of the budget, audit trails as and when required and undertaking powerpoint presentation on the ISSF through the following mediums, conference, webinars and virtual presentations.

4. DELIVERABLES

4.1 Initiation

- 4.1.1 Bidder must provide a business case and process of managing the ISSF Project (SETA environment/ Public sector).
- 4.1.2 Providing a detailed description of how the appointed Project management service provider will maintain this project for the agreed period of time.

4.2 Planning; Deliverables and Milestone

- 4.2.1 The bidder must advertise, test the compliance of the the bursary applications received.
- 4.2.2 The bidder will have a responsibility of delineating, modifying and amending the duties and tasks of two constituted INSETA internal committees i.e. The Insurance Sector Student Fund Project Review and Evaluation Committee (PREC) and the Insurance Sector Student Project Verification and Adjudication Committee (PVAC).
- 4.2.3 Bidders must provide multiple methodologies for reviewing and evaluating the diverse bursary applications received from the various stakeholders but not limited to;
 - 4.2.3.1 Strategic Partners which includes public educational institutions, public entities, regulatory bodies and any SETA including dependants of INSETA employees.
 - 4.2.3.2 Private sector providers which includes private sector implementation partners.
 - 4.2.3.3 Private Strategic Partners, other strategic partners including the Public which includes employers in the insurance and related service sector, cross sectoral employers, organized labour, professional bodies, trade associations and the public.

4.3 Implementation

- 4.3.1 Bidder must provide a suitable methodology for evaluating the application of the diverse strategic partners using any available platform that can be migrated to the INSETA Management Information System (MIS) for reviewing and approving the ISSF fund applications.
- 4.3.2 The Bidder must keep all records and supporting documents in line with INSETA's technical indicators or guidelines, both digitaly and physical, with adherence to POPIA 2014.
- 4.3.3 The bidder is expected to implement and review ISSF bursary policy and procedure. Bidder need to check the accuracy of the variables for effective implementation of project as per below;
 - a) The legitimacy of the contributing company; the size of the company; the number of the included applying students/employees; the proposed employer commitment; and the Grand Total (Employer Proposed Commitment and INSETA Proposed Commitment) on their Online Platform.

- 4.3.4 It must be in accordance with the rules of minimum co-funding percentages and categories as indicated below;
- a) Micro business (1-9 employees) minimum 10% co-funding.
 - b) Small business (10-49 employees) minimum 10% co-funding.
 - c) Medium businesses (50-149 employees) minimum 25% co-funding.
 - d) Large and macro business (150+ employees) minimum 35% co-funding.

4.4 Project Reporting

- 4.4.1 Bidder must submit reports on the application process (*accepted and rejected applicants*) of ISSF fund applications to the Executive Management of INSETA upon agreed time frames, in a format that may be prescribed by INSETA.
- 4.4.2 The bidder must provide a monthly report to Sector Education and Training Management (SETMIS), Quartely Performance Report (QPR) and the Finance Committee, taking full control of this processes with the assistance of INSETA ISSF resources, the ISSF (PREC) and (PVAC) INSETA and the appointed external project management service provider.

4.5 Project closure report

- 4.5.1 The bidder to submit a report on progress and recommendations made.

5. TIMEFRAMES

- 5.1 The duration of the contract will be for period of three (3) years.

6. CONTRACTUAL OBLIGATION

- 6.1 Bidders to fully complete **SBD 3.3** including all applicable costs. (*i.e Including VAT*)
- 6.2 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.
- 6.3 **Bidder will be subjected to annual review in terms of measuring satisfactory performance.**
- 6.4 The successful bidder will be required to have adequate professional indemnity as well as liability insurance in place (**upon parties contracting**)
- 6.5 Bidders are required to fully comply with the relevant SCM Legislative Framework as well as application of regulatory and prescripts. Bidders are also required to take all reasonable steps to protect information, in line with the provisions of the POPIA 4 of 2014.

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7. ABSENCE OF OBLIGATION & CONFIDENTIALITY

- 7.1 No legal or other obligation shall arise between the service provider and INSETA unless/until both parties have signed a formal contract or Service Level Agreement in place.
- 7.2 The Contract site is at **INSETA (as and when required)**.

8. WORKMEN AND SUPERVISION ON SITE

- 8.1 The service provider shall be held responsible for the conduct of his employees and the conduct of his sub-contractor's employees for the full duration of the contract.

9. ADMINISTRATIVE COMPLIANCE CRITERIA (Phase 1)

Bidders are required to fully complete and sign the below mentioned returnable documents:

- 9.1 Standard Bid Document one (1) Invitation to Bid and Proof of company resolution (as referenced in SBD 1)
- 9.2 Standard Bid Document four (4) Bidder's Disclosure
- 9.3 Standard Bid Document six point one (6.1) Preference Points Claim Form
- 9.4 General Condition of Contract (GCC) *initial each page*
- 9.5 Standard Bid Document three point three (3.3) **Pricing Schedule and Annexure A**

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

10. PREQUALIFICATION CRITERIA (Phase 2)

- 10.1 Proof of registration on CSD (**Central Supplier Database**) **full CSD report**.
- 10.2 Submission of a complete and signed submitted Standard Bid Documents.
- 10.3 Bidders must provide a **valid BBBEE Certificate** (accredited by SANAS only) or Sworn Affidavit (in as prescribed or CIPC or DTI template) – **Level 1 or Level 2 BBBEE Contributor**.

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

11. MANDATORY CRITERIA (Phase 3)

- 11.1 Bidder must provide valid proof of Professional Indemnity Insurance.
- 11.2 Bidder must provide a minimum of two (2) resources with evidence of valid qualification or certification with **atleast one** of the following:
- 11.3 Proof of valid of certification with **atleast one** of but not limited to the following;
 - 11.3.1 Project Management Professional (PMP) **or**
 - 11.3.2 Certified Project Management Practitioner (CPMP) **or**
 - 11.3.3 PRINCE2 Foundation **or** PRINCE 2 Practitioner **or**

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- 11.3.4 PMBOK, Professional in Project Management (PPM) **or**
- 11.3.5 Certified Project Manager (CPM) Certified Associate in Project Management (CAPM) **or**
- 11.3.6 Associates in Project Management (APM) **or**
- 11.3.7 Masters in Project Management (MPM) **or**
- 11.3.8 BTEC in Project Management.

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

12. EVALUATION CRITERIA (Phase 4)

12.1 Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation criteria is designed to reflect the INSETA's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and affords all the bidders a fair opportunity for evaluation and selection.

12.2 Functional Evaluation threshold (Phase 4)

12.2.1 The tender submission will be functionally evaluated out of a **minimum of 70 points** – **any bidder who scores less than 70** will not be considered for further evaluation (Phase 5), maximum score is 100 Price and BBEE.

12.3 Functional Evaluation Criteria Phase 4:

The evaluation is based on functionality, which will be evaluated using the following criteria and points:

Evaluation Area	Evaluation Criterion	Maximum Points
Methodology and Proposed project execution plan	<p>Bidder must demonstrate a thorough understanding of Project Management services and highlight all key elements demonstrating the plan to deliver and implement on the project including timelines, resources to the task or role, support required to this project as well as reporting requirements reflecting the objectives measurable, milestone linked to the deliverables in line with the scope of work presented indicating compliance with section four (4) of the terms of reference on the delivery of the ISSF Project = 40 points</p> <ul style="list-style-type: none"> • Initiation • Implementation • Planning, Deliverables and Milestone • Project Report • Project closure report <p>Non compliance with all of the above = 0 points</p>	40

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<p>Reference letters</p>	<p>Bidder must provide proof of reference letters from previous and or current clients confirming that the bidder has successfully completed implementation bursary allocations and distribution in related projects for any SETA and or Public Higher Education Insitution.</p> <p>The service providers will be allocated points for providing signed reference letters on clients letterhead, dated with contactable references active client email address.</p> <p>Letters must not be older than 5 years rendering similar services in the SETA and Public Sector.</p> <ul style="list-style-type: none"> • 3 or more reference letters with contactable details = 25 points • 2 reference letters provided with contactable details = 15 points <p>Non compliance with any of the above = 0 points</p> <p>Note that due diligence will be conducted against reference letters submitted.</p>	<p>25</p>
<p>Qualification and experience of core team (CV's)</p>	<p>Bidder must provide the CV's of the two (2) Project management resources (referenced in the mandatory criteria) reflecting capability and track record with number of years, in providing project management services, and have extensive experience in the project management field.</p> <ul style="list-style-type: none"> • Resources must reflect experience of having completed above 3 projects = 35 points • Resources must reflect experience of having completed a minimum of 3 projects = 15 points <p>Non compliance with any of the above = 0 points</p>	<p>35</p>
<p>TOTAL</p>		<p>100</p>

12.3.1 Bidders who obtained less than the minimum threshold of **70 points** will be declared non-responsive and therefore will not be eligible for **evaluation of BBBEE & Price Preference**.

12.4 Preference Evaluation

12.4.1 BBBEE and Price

As the tender **price is estimated to be between R30 000 and R50 million including VAT**, the tender responses will be evaluated on the **80/20**-point system.

13. ADJUDICATION USING A POINT SYSTEM

- 13.1** The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- 13.2** Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- 13.3** In the event that two or more bids have scored equal points in terms of price and preference points for BBBEE, the successful bid must be the one scoring the highest number of preference points for BBBEE - in terms of PPPFA Act 5 of 2000.
- 13.4** However, when functionality is part of the evaluation process and two or more bids have scored equal points for BBBEE, the successful bid must be the one scoring the highest score for functionality.
- 13.5** Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

14. POINTS AWARDED FOR PRICE AND BBBEE PREFERENCE POINT

The **80/20** preference point system

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

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

P_{\min}

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

15. 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

- 15.1** 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.
- 15.2** 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.
- 15.3** 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.
- 15.4 Consortium**
- 15.4.1 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.
- 15.4.2 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.
- 15.4.3 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:

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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.
- Tax Pin.
- BBBEE Sworn-Affidavit.
- SBD 4

15.4.4 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.

15.4.5 Of importance is that in a consortium, each individual team members retain their identities.

15.5 A joint venture

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

15.6 Unincorporated joint venture:

15.6.1 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

- SBD 4
- SBD 6
- Tax pin
- CSD registration.
- The JV agreement will direct which bank account of the two entities will be used.
- Consolidated Joint BBBEE Certificate.

15.7 Incorporated joint venture

15.7.1 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

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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) Tax pin
- d) CSD registration.
- e) The JV agreement will direct which bank account of the two entities will be used.
- f) Consolidated Joint BBBEE Certificate.

15.7.2 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.

15.8 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.

16. COMMUNICATION

16.1 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 BID process, between the closing date and the date of the award of the business.

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

17. CONDITIONS TO BE OBSERVED WHEN BIDDING

17.1 The organization does not bind itself to accept the lowest or any BID, 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 BID submission. The organization also reserves the right to withdraw or cancel the BID at any stage.

No BID shall be deemed to have been accepted unless and until a formal contract / letter of award is prepared and executed.

The competitive shall remain open for acceptance by the Organization for a period of **120 days** from the closing date of the BID Enquiry.

INSETA reserves the right to:

17.2 Not evaluate and award a bid that do not comply strictly with this BID document.



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- 17.3** Make a selection solely on the information received in the Bid Document and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the terms of reference.
- 17.4** 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 BID shall be sought, offered or permitted.
- 17.5** Cancel this BID at any time as prescribed in the PPPFA.
- 17.6** Should bidder(s) be selected for further negotiations, they will be chosen on the basis of the of cost effectiveness and the principal of value for money not necessarily on the basis of the lowest costs.

18. Cost of Bidding

- 18.1** The bidder shall bear all costs and expenses associated with preparation and submission of its BID submission 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.

19. Note to Bidders:

- 19.1** Due diligence to be conducted by INSETA prior to the award of the contract.

END OF TERMS OF REFERENCE DOCUMENT

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. Z. Motsa (Business), 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. N.B. Jonas (Labour)
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