

# TERMS OF REFERENCE TECHNICAL CONSULTATION SERVICES

# LIBERATION HERITAGE ROUTE



## SUMMARY OF TENDER

|   |  |
|---|--|
| 1. Assignment:  | The National Heritage Council (NHC) requires suitably qualified and experienced service providers to submit proposals to amplify existing World Heritage Listing Dossier through additional sites, engaging identified stakeholders, prepare integrated management plans, maps photos and prescribed annexures (Technical Consultation Services) from signature date until 31 July 2018. |
| 2. Name of the responsible office:                          | Supply Chain Management  |
| 3. Address for submitting proposals & other correspondence: | The Supply Chain Manager,<br>National Heritage Council,<br>Room 201,<br>No 57 Kasteel Road,<br>Domus Building,<br>Lynnwood Glen,<br>Pretoria   |
| 4. Telephone:   | 012-3481663/8223   |
| 5. Email:   | procurement@nhc.org.za   |
| 6. Attention:   | Mr Sipehelele Skenjana   |
| 7. Closing Date & Time for submission of proposals:         | 15 July 2016 at 12H00  |
| 8. Bid Description:   | Appointment of a suitably qualified and experienced service provider to amplify existing World Heritage Listing Dossier through additional sites, engaging identified stakeholders, prepare integrated management plans, maps photos and prescribed annexures (Technical Consultation Services) from signature date until 31 July 2018.  |
| 9. Bid Number:  | NHC 02/2016/2017   |
| 10. Briefing Meeting  | 29 June 2016 at 10h00, Venue NHC offices (Optional)  |

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# 1. BACKGROUND AND ABBREVIATIONS

## 1.1. Introduction to the National Heritage Council

The National Heritage Council of South Africa (NHC) is a Schedule 3(A) Public Entity that is responsible for the preservation of the country's heritage. The important areas that the NHC focuses on is policy development for the sector to meet its transformation goals, public awareness and education, knowledge production in heritage subjects that were previously neglected, and making funding available to projects that place heritage as a socio-economic resource. The NHC came into existence through an amendment of the Cultural Laws Second Amendment Act 69 of 2001, and was officially constituted through the National Heritage Act of 1999.

### **ACCRONYMS:**

DAC – DEPARTMENT OF ARTS AND CULTURE

DEA – DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NHC – NATIONAL HERITAGE COUNCIL

SAHRA – SOUTH AFRICAN HERITAGE RESOURCES AGENCY

WHC – WORLD HERITAGE COMMITTEE

SAWHCC – SOUTH AFRICAN WORLD HERITAGE CONVENTION COMMITTEE

NEMPAA – NATIONAL ENVIRONMENTAL MANAGEMENT OF PROTECTED AREAS ACT

TRC – TRUTH AND RECONCILIATION COMMISSION

## 2. GENERAL GUIDELINES

Completed Tender submissions should be hand-delivered in sealed envelopes to the NHC at the address on page 1 of this document. All envelopes should be sealed and clearly marked.

All enquiries should be in writing and must be directed to: [procurement@nhc.org.za](mailto:procurement@nhc.org.za) for the attention of Mr S. Skenjana. Enquiries will be allowed from the date of invitation until seven working days before the closing date for submission of proposals.

### 2.1. Purpose of the Terms of Reference (ToR)

The purpose of this bid is to provide information that will enable the bidder to develop a scope and comprehensive proposal for Technical Consultation Services from signature date until 31 July 2018. Since not all services and requirements can be fully defined, the ToR provides an environmental sketch for Bidders to enable them to formulate their proposal for the NHC.

### 2.2. Objectives

The primary objective of this request for proposal is to invite suitably qualified and experienced service providers to submit proposals to the NHC to render Technical Consultation Services from signature date until 31 July 2018.

### 2.3. Submission of Proposals

2.3.1. The bid should be hand delivered or couriered to the address specified on Page 1 in six (6) sets each. The original, four copies of the proposals plus one CD (i. e. six sets in total) should be clearly marked:

**“TECHNICAL CONSULTATION SERVICE, REFERENCE  
NUMBER: NHC02/2016/17”**

- 2.3.2. Bidders are requested to indicate clearly on the cover page of each document, whether it is the original or copy 1, copy 2, copy 3 etc.
- 2.3.3. Bidders should adhere to the following:
- 2.3.3.1. The CD containing BID documents costs R200.00
- 2.3.3.2. All proposals must be costed in South African Rand, inclusive of VAT.
- 2.3.3.3. If the bid does not include all the information required or is incomplete, the bid will be non-compliant and thus be invalidated;
- 2.3.3.4. Any bid received after the closing date and time, will be rejected;
- 2.3.3.5. All costing must remain valid and open for evaluation for a period of at least ninety (90) days from the time of submission.

2.4. Infrastructure

It is expected that Bidders will be able to provide all necessary facilities, systems, equipment, personnel needed for effective and efficient delivery of the ToR requirements and Service Level Agreement (SLA), without any upfront payment by the NHC.

2.5. Cost to be borne by Service Provider

All costs and expenses incurred by the Bidder, in any way associated with the development, preparation and submission of bid documents, responses and providing any additional information required by the NHC, will be borne entirely and exclusively by the Bidder.

2.6. No Legal Relationship

No binding legal relationship will exist between any of the Bidders and the NHC until the execution of a signed contractual SLA. The ToR document will not form part of any such contract or arrangement. The SLA will be based upon the Successful Bidder's Technical Bid document.

The NHC reserves the right to split the award, or award the tender to more than one Bidder where no Bid satisfies all the requirements or the ToR document.

2.7. Evaluation of Offers

Each Bidder acknowledges and accepts that the NHC may, at its absolute discretion apply selection criteria, specific in this document for the evaluation of proposals for shortlisting/selection of eligible bidders(s), in a phased approach.

### 3. INSTRUCTION FOR PROPOSALS

#### 3.1. Included on Scope of Service, please see Number 4

## 4. SCOPE OF SERVICE

### APPOINTMENT OF SERVICE PROVIDER FOR DEVELOPMENT OF AMPLIFIED WORLD HERITAGE LISTING DOSSIER

**NAME OF PROPERTY:** HUMAN RIGHTS, LIBERATION STRUGGLE AND RECONCILIATION: NELSON MANDELA LEGACY SITES

#### 1. PURPOSE OF THE BID

- Source an appropriately capacitated team to:
  - Amplify a completed World Heritage Listing Dossier, using prescribed processes including prescribed annexures, through integrated addition of identified sites onto the dossier;
  - Give effect to such revisions as would amplify the dossier;
  - strengthen the serial property management plan and system and develop plans for those proposed sites that may not have at the time of appointment
  - undertake and document systematic engagement of agreed stakeholders resulting in positive outcomes
- Work within the framework of the World Heritage Convention, its Operational Guidelines, SA World Heritage Convention Act, NEMPAA, DEA Procedure for World Heritage Listing, National Heritage Resources Act, Decisions of the SAWHCC and related relevant policy and legislation.

#### 2. OVERALL BACKGROUND:

The National Heritage Council has been coordinating a Liberation Heritage Route initiative for the past 10 years.

This is a multi-dimensional, multi-epoch, multi-theme initiative that received cabinet approval in August 2015.

The initiative takes inspiration from the preamble of the SA Constitution, the TRC Report, the agenda to transform South African society and the vision in the National Development Plan. It takes seriously the vision of planting peace in the minds of humans and the vision of a Better Africa and a Better World.

The LHR was conceptualized as a project which presents concrete evidence and narration of the experiences on the road to freedom. The route registers continuous significant activities, sites, buildings, places, personalities, groups, events, memories, documents, objects, stories of the national liberation struggle. It will provide a channel for the collection of stories about the movement and continuity of the liberation movements, the continuity of actions, exchange of ideas and the context for reflection on the critical road traversed, the dialogue and engagement across the country and the trans-boundary co-ordination of the liberation struggle. It links with existing freedom trails.

The pillars of the LHR program as a turnkey model include: World Heritage Listing and Conservation Agenda; Research Agenda; Unsung Heroes; Infrastructure & Integrated Development Agenda; Socio-Economic Agenda; African Liberation Heritage Programme; Intergovernmental Relations Coordination.

Research, conservation and world heritage listing have yielded *inter-alia* an unsung heroes program, a series of commemorative events. In addition to the foregoing the research and consultations that covered all 9 provinces over the past few years has revealed, over 400 sites in all provinces of the country, with diverse levels of significance; the cabinet process has approved 3 sites per province in which the liberation route will initially be implemented.

Over and above these an intensive research agenda that focused on implementing the African Union and UNESCO Resolutions on African Roads to Independence as part of the Heritage of Humanity in terms of the 1972 convention has yielded two serial properties on the South African tentative list to UNESCO:

- (i) Liberation Heritage Route [covering all themes, all epochs] – will be a transnational property and
- (ii) and the current serial nomination Human Rights, Liberation Struggle and Reconciliation: Nelson Mandela Legacy Sites.

Towards the Human Rights Liberation Struggle and Reconciliation Serial Nomination a dossier with six sites has been completed, it has been submitted for completeness check, most completeness check feedback has been incorporated into a revised dossier.

What is now required is a service provider who will provide a turn-key solution in the addition of four identified sites to the dossier with their prescribed annexures, develop a management plan for the serial property and for any of the 10 sites that may not have, undertake agreed stakeholder engagement, incorporate feedback from stakeholders identified with the client.

### **3. BACKGROUND TO THE BID FOR AMPLIFIED WORLD HERITAGE LISTING DOSSIER:**

This is a serial nomination, has to be written in a way that takes account of the other property on the tentative list and opens doors for future nominations. It is a nomination that is expected to be first of its kind on the subject of Roads to African Independence and South Africa's liberation. It has to be executed with excellence, dignity and precision.

A Nomination Dossier has been completed which features six sites, four sites have been identified by the state party for addition to this dossier. Most of the sites are at various stages of national declaration in terms of NHRA Legislation.

Completeness check and rigorous quality assurance has taken place around the above dossier, except for integrated management plans and some conservation aspects the completeness check feedback has been incorporated in the completed dossier.

A turn-key solution is required through the integration of identified four sites to the currently completed dossier - will be a dynamic high-speed, high quality, multi-stakeholder process. Flexibility to incorporate the feedback of identified stakeholders is required within the framework of the current bid. Full account will need to be taken of the work done at the time of appointment.

It is required that by September the expanded integrated dossier be presented for completeness check after processing through the national processes, it is required that the final dossier be presented during January for final submission. It is accepted that finalization of the site level management plans may take a longer than these two dates. It is expected that systematic well documented engagement of agreed stakeholders will be undertaken in line with UNESCO, DEA and SAHRA prescripts.

### **4. SCOPE OF WORK**

- Amplifying existing nomination dossier, include prescribed annexures like maps & illustrations, using prescribed appropriate processes and be able to produce proof thereof
- Integrated management planning
- Identified Stakeholder engagement
- Maps, photographs and illustrations
- The outcome will at least need to meet the requirements of the World Heritage Convention and its operational guidelines, DEA Procedure for Nomination onto the World Heritage List, SA World Heritage Convention Act, NEMPAA, National Heritage Resources Act and other prescribed legislation.
- Present for stakeholder and peer review within the state party, present complete dossier for completeness check, present final dossier for evaluation by January 2017
- Participate in consultations identified by NHC from time to time
  - A. PROJECT INCEPTION REPORT
  - B. PROJECT PLAN AND DETAILED BUDGET
  - C. AMPLIFIED INTEGRATED DOSSIER



- Completeness check dossier
- Revised final dossier
- With annexures prescribed by world heritage system and DEA procedure
- According to prescribed processes
- Incorporating quality assurance by NHC identified stakeholders
- Support lobbying process, including ad-hoc presentations and content
- 6 properly bound copies
- 1 copy on lever arch
- 2 digital copies – one on word editable, one on pdf on memory stick
- 2 digital copies – one editable, on pdf on appropriate sharing software like g-drive or drop box
- Maps on pdf and on editable software

#### D. INTEGRATED MANAGEMENT PLAN & INDIVIDUAL SITE PLANS

- According to SAHRA, DEA and WHC
- Taking account of the objectives of the Liberation Heritage Route to balance conservation and development without harming future generations access to this heritage;

#### E. MAPS, ILLUSTRATIONS AND PHOTOS

- According to WHC requirements
- Protected area with buffering mechanism where applicable
- Ensure that intellectual property is ceded

#### F. Stakeholder engagement

- In line with an agreed plan and as required by NHC
- According to WHC, DEA and SAHRA process

### 5. Contract period:

- From signature date until 31 July 2018
- Or completion of the dossier evaluation process whichever comes first

## **6. AUTHORSHIP**

While the service provider must do all things necessary for the completeness of the dossier, the NHC reserves all rights related to authorship and editorship of the dossier.

## **7. MONITORING PROGRESS OF ASSIGNMENT:**

- Reports according intervals scheduled in the project plan,
- Report progress against plan, actual against budget, and recommendations on next steps
- Maintain and track issues register
- Meetings according to project plan
  - A. Contract meeting [bilateral]
  - B. Content meetings with stakeholders
- Ad-hoc reports as required
- Pre-completeness check
- Completeness check
- Post completeness check
- Final dossier
- Management plans
- Evaluation support
- Stakeholder engagement reports according to engagement plan
- Close out report, with annexures, working documents, source documents
- Confirmation of copyright cession
- Project implementation, budget and financial reporting
- Such other information as the NHC may require

## **8. COMPETENCY AND EXPERTISE REQUIREMENTS:**

Evaluation of the proposals will take account of:

The technical approach, the experience, track record, capacity, skills and relevant knowledge of the team. Knowledge of the South African story and struggle, combined with knowledge of the World Heritage system, especially the nomination program, conservation and management plans are an absolute must. Innovative approaches that offer value for money, turnkey approach that leverages on bidder's current strengths and past projects, achieves cost effective results through realistic budget will be attractive to the NHC.

## **8. COMPLETED SBD DOCUMENTS WITH PRESCRIBED ANNEXURES TAX CLEARANCE AND BBEE CERTIFICATE**

9. CVs OF TEAM MEMBERS – with knowledge of the subject matters that intersect in this dossier

10. COMPANY PROFILE / PROFILES SHOWING inter alia: relevant experience, track record, capacity, appropriate configuration, appropriate knowledge, success stories, understanding of the project etc

11. PROJECT PROPOSAL OUTLINING IMPLEMENTATION APPROACH, VALUE ADD, FLEXIBILITY, QUALITY ASSURANCE, INNOVATION, MEASURES TO ACHIEVE VALUE FOR MONEY AND COST EFFECTIVENESS, TIMELINES

12. SUCCESS STORIES, COMPLETED PROJECTS AND REFERENCES

13. BE ABLE TO PRODUCE PROOF OF AGREEMENT TO BE INCLUDED IN THE BID BY THE TIME OF EVALUATION

14. JV AGREEMENT IF APPLICABLE

15. PROPOSAL OUTLINING THE IMPLEMENTATION APPROACH AND METHODOLOGY

16. COST EFFECTIVE REALISTIC BUDGET PROPOSAL

17. BIDDER MUST BE WILLING TO ACCEPT ANY GOVERNMENT VETTING THAT IS PRESCRIBED OR REQUIRED.

## 5. STANDARD REQUIREMENTS OF THE BID

### 5.1. Disclosures

The bidder must disclose:

- 5.1.1. If they are or have been the subject of any proceedings or other arrangement relating to bankruptcy/insolvency.
- 5.1.2. If they have been convicted or, or are the subject of any proceedings, relating to:
- 5.1.3. A criminal offence or other offence, involving the activities of a criminal nature in its organization or found by any regulator or professional body to have committed professional misconduct.
- 5.1.4. Corruption, including the offer or receipt of any inducement or any kind in relation to obtaining any contract with any contracting authority.
- 5.1.5. Failure to fulfil any obligation in any jurisdiction relating to the payment of taxes and other legal obligations.

5.2. If a bidder or related Disclosure extends to any company in the same group of the bidder, including but not limited to parent, subsidiary and sister companies, companies with common shareholders (whether direct or indirect) and parties with whom the Bidder is associated in respect of this tender.

5.3. Disclosure extends to any company in the same group of the bidder, including but not limited to parent, subsidiary and sister companies, companies with common shareholders (whether direct or indirect) and parties with whom the Bidder is associated in respect of this tender.

### 5.4. Disclaimer

The NHC reserves the right not to appoint a service provider. The NHC also reserves the right to:

- 5.4.1. Award the contract or any part thereof to one or more service providers;
- 5.4.2. Reject all bids;
- 5.4.3. Decline to consider any bids that do not confirm to any aspect of the bidding requirements;
- 5.4.4. Request further information from any Bidder, after the closing date for clarity purposes;
- 5.4.5. Cancel this tender or any part thereof at any time; and
- 5.4.6. Should any of the above occur, it will be communicated in writing to the Bidders.

### 5.5. Confidentiality

- 5.5.1. Bids submitted will not be revealed to any other Bidders and will be treated as contractually binding;
- 5.5.2. All information pertaining to the NHC obtained by the Bidder as a result of participation in this Request for Bid (RFB) is confidential and must not be disclosed without written authorization from the NHC; and
- 5.5.3. The successful Bidder will be expected to sign a SLA with the NHC.

5.6. Disqualification

- 5.6.1. Any form of canvassing/lobbying/influencing regarding the short listing will result in disqualification;
- 5.6.2. Any non-disclosure of any information pertaining to this bid will result in disqualification;
- 5.6.3. Non-compliance with the bid requirements will invalidate the bid; and
- 5.6.4. Non-compliance with all the applicable Acts, Regulations and by-laws will result in the disqualification of the bid.

## 6. EVALUATION CRITERIA

The bid will be evaluated in three (3) phases:

### 6.1. Phase 1 – Evaluation on Compliance (Minimum qualification requirements)

This entails screening of all bid responses received at the close of the bid. During this phase, bid responses are registered to ascertain the number of bid responses received before the closing date and time, and to verify if the Bidders have submitted all mandatory requirements. The following mandatory documents should be submitted to qualify for the next phase of evaluation:

- 6.1.1. Standard Bid Document 1 – Invitation to Bid: Annexure 1;
- 6.1.2. SBD 2- Tax Clearance Certificate Requirement
- 6.1.3. Original and valid Tax Clearance Certificate;
- 6.1.4. Certified Copy of BBBEE Status level certificate;
- 6.1.5. Certified Copy of Company Registration;
- 6.1.7. Vat Certificate (if applicable);
- 6.1.8. Joint Venture Certificates or Agreement signed (*if applicable*);
- 6.1.9. SBD4 - Declaration of Interest – Annexure 2;
- 6.1.10. SBD 6.1- PPFA Regulations claim form
- 6.1.11. SBD8 - Declaration of Service providers past supply chain management practices – Annexure 3; and
- 6.1.12. SBD9 - Certificate of Independent Bid Determination – Annexure 4.
- 6.1.12 Bidders to be registered on the Government Central Supplier Database (Compulsory)

### 6.2. Phase 2 – Technical Requirements (Functional Specifications, skills and experience, references and resources)

This evaluation will be based on the responses provided in the Bidders bid documents, using the functional requirements in the ToR document. The threshold values set for qualification of a bid is 80/100 for weight and all bidders who score below this score will be eliminated.

**TABLE 6.3**

**FUNCTIONALITY**

| INDICATOR   | SCORING          | EVIDENCE   | CRITERIA |
|---|------------------|--|----------|
| <p><b><u>EXPERIENCE</u></b></p> <ul style="list-style-type: none"> <li>- RELEVANCE</li> <li>- CULTURE DOSSIERS</li> <li>- LIBERATION HERITAGE</li> <li>- HIA / SOC</li> <li>- SA HISTORY</li> <li>- PROVEN TRACK RECORD</li> <li>- TRACEABLE REFERENCES</li> <li>- EVIDENCE OF WORK DONE</li> </ul>         | <p><b>30</b></p> | <p>PROFILE</p> <p>CVS</p> <p>EXAMPLES OF WORK DONE</p> <p>SUCCESS STORIES</p>                        |          |
| <p><b><u>KNOWLEDGE</u></b></p> <ul style="list-style-type: none"> <li>- CULTURAL HERITAGE</li> <li>- WORLD HERITAGE SYSTEM</li> <li>- SA HISTORY</li> <li>- SA LIBERATION HISTORY / HERITAGE</li> <li>- QUALIFICATIONS OF TEAM</li> <li>- PUBLICATIONS / WRITINGS</li> <li>- DOSSIER DEVELOPMENT</li> </ul> | <p><b>25</b></p> | <p>PROFILE</p> <p>CVs</p> <p>PROJECT PROPOSAL</p> <p>PREVIOUS PROJECTS</p> <p>PUBLICATION RECORD</p> |          |

|   |                    |  |  |
|---|--------------------|--|--|
| <p><b><u>SKILLS</u></b></p> <ul style="list-style-type: none"> <li>- WRITING</li> <li>- PROJECT MANAGEMENT</li> <li>- CONTENT INTEGRATION</li> <li>- RELEVANCE TO THE OUTPUT</li> <li>- DISCIPLINE SPECIFIC</li> <li>- CONTENT OF PRESENTATION</li> <li>- PROJECT MANAGEMENT &amp; CO-ORDINATION</li> <li>- STAKEHOLDER SKILLS</li> </ul> | <p><b>15</b></p>   | <p>CVs</p> <p>PROFILE</p> <p>PROJECT PROPOSAL APPROACH</p> <p>PREVIOUS WORK</p> <p>EXAMPLES OF WORK</p> <p>SUCCESS STORIES</p> |  |
| <p><b><u>METHODOLOGY</u></b></p> <ul style="list-style-type: none"> <li>- INNOVATION</li> <li>- TIMEFRAME</li> <li>- RELEVANCE</li> <li>- VALUE FOR MONEY</li> <li>- ALIGNMENT TO WHC, DEA PROCEDURE</li> <li>- DATABASE</li> <li>- FLEXIBILITY</li> <li>- UNDERSTANDING OF THE PROJECT</li> </ul>  | <p><b>30</b></p>   | <p>PROJECT PROPOSAL</p> <p>ANY OTHER ANEXURES</p>  |  |
| <p><b>TOTAL</b></p>   | <p><b>100%</b></p> |  |  |



**6.3. Phase 3 – Evaluation in terms of the PPPFA Regulations 2011  
(Preference Points: BBEE contribution)**

- 6.3.1. The value of this bid is estimated not to exceed one million Rand (R1 000 000), including all applicable taxes, and therefore the 80/20 system shall apply.
- 6.3.2. This bid will be evaluated and adjudicated according to the 80/20 preference point system, in terms of which a maximum of 80 points will be awarded for price and 20 points will be allocated based on the B-BBEE status level certificate.

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

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

| B-BBEE Status Level of Contributor | Number of Points (80/20 system) |
|------------------------------------|---------------------------------|
| 1                                  | 20                              |
| 2                                  | 18                              |
| 3                                  | 16                              |
| 4                                  | 12                              |
| 5                                  | 8                               |
| 6                                  | 6                               |
| 7                                  | 4                               |
| 8                                  | 2                               |
| Non-Compliant Contributor          | 0                               |

- 6.3.3. Preference Points for this bid will be awarded to a bidder for attaining the BBEE status level of contributor in accordance with the table below:

Breakdown of points:

| 80/20 Preference Point Component | Points |
|----------------------------------|--------|
| Pricing                          | 80     |
| B-BBEE Level Contribution        | 20     |
| Total                            | 100    |

- 6.3.4. The Bidder obtaining the highest number of total points will be awarded the tender.
- 6.3.5. Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 6.3.6. Points scored must be rounded off to the nearest two decimal places.
- 6.3.7. In the event that two or more bids have scored an equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

- 6.3.8. However, when functionality is part of the evaluation process, and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality, documented in Phase 2.
- 6.3.9. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
- 6.3.10. Failure on the part of the bidder to fill in and/or sign this form and submit a BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid or sworn affidavit will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 6.3.11. The NHC 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.
- 6.3.12. Bidders wishing to claim preference points must complete the Annexure 5: SBD6.1 - Preference Point Claim form in terms of Preferential Procurement Regulations 2011

## 7. PRICES

- 7.1. All services pricing should be inclusive of all taxes and payment shall be made in South African Rand;
- 7.2. Service Provider to provide rates per person, per hour on human resources that will be providing services to NHC;
- 7.3. The NHC may require a breakdown of rates on any of the items priced and the Bidders are to provide same without any additional costs and also provide a "Pricing Guide" or "Transaction Fee Schedule"; and
- 7.4. The total amount should be carried out on the Standard Bidding Form SBD1 – Annexure 1.
- 7.5. PRICE ADJUSTMENTS

Prices submitted for this bid will be regarded as non-firm subject to the following price adjustments:

- 7.5.1. Annual price adjustment; and
- 7.5.2. Application for price adjustments must be accompanied by documentary evidence in support of any adjustment on an annual basis.

## 8. PAYMENT TERMS

- 8.1. The NHC undertakes to pay valid tax invoices in full within thirty (30) days from statement date for services rendered; and
- 8.2. All supporting documents for services rendered should be submitted together with the tax invoice as and when a service has been rendered.

## 9. VALIDITY

- 9.1. A Proposal shall remain valid for ninety (90) days after the closing date of the submission for proposals. A Proposal which is valid for a shorter period may be rejected by the NHC for non-responsiveness.

- 9.2. In exceptional circumstances, the NHC may solicit the Bidder's consent to an extension of the period of the validity of the bid. The request and responses thereto shall be made in writing. A Bidder that has been granted the request will neither be required nor permitted to modify the Proposal.

## 10. SIGNATORIES

All responses to this RFP should be signed off by the authorised signatories of the Bidder.

## 11. SPECIAL TERMS AND CONDITIONS

- 11.1. The NHC reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring any liability to the affected bidders.
- 11.2. This bid and the contract will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the PFMA. The special terms and conditions of contract are supplementary to that of the general conditions of the contract.
- 11.3. Where, however, the special conditions of contract are in conflict with the general conditions of contract, the general conditions of contract will prevail.
- 11.4. The NHC is the sole adjudicator of the suitability of the Backup / Business Continuity facility for the purpose for which it is required. Therefore, the NHC's decision in this regard will be final.
- 11.5. No bids sent by the facsimile or email will be accepted.
- 11.6. Bids must only be submitted at the NHC Office in Pretoria by the specified date and time.
- 11.7. Bidders are welcome to be present at the opening of bids.
- 11.8. The annexures are part of the bid documentation and must be signed by the bidder and attach to the bid document.
- 11.9. The bid forms must not be retyped or redrafted but copies may be used.
- 11.10. Additional offers may be made but only photocopies of the original supporting documents are required. Additional offers/submissions are regarded as separate and must be treated as such by the bidder. The inclusion of various offers as part of a single submission in one envelope is not allowed and will not be considered. Additional bid offers must be submitted separately in separate sealed envelopes.
- 11.11. The original valid Tax Clearance Certificate should be submitted together with the completed bid.
- 11.12. Failure to comply with the above-mentioned conditions will invalidate the bid.
- 11.13. Certified copies of the company registration documents or proof of ownership of the company or agency i.e. Shareholders Certificates must be submitted.
- 11.14. Original Sworn Affidavit, Certified copy of B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the founding documents of a CC must be submitted.
- 11.15. Subcontracting of all or any part of this contract will not be permitted.

## 12.SUBMISSION OF BID DOCUMENTS

Responses to this bid must be submitted to the NHC by no later than:

Date: 15 July 2016

Time: 12H00

Address: NHC Offices, 57 Kasteel Road, Domus Building, Room 201, Lynnwood Glen, Pretoria.

## 13.LATE SUBMISSION

- 13.1. A response to this RFB shall be late if it is received by the NHC at any time after the closing date and time indicated in Paragraph above.
- 13.2. A late submission shall be clearly marked as late and shall not be admitted for consideration by the NHC.

## 14.CLARIFICATIONS / ENQUIRIES

Telephonic request for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter or e-mail) from the below contact persons. The bid reference number should be mentioned in all correspondence.

- 14.1 Bid Enquiries :Mr Siphelele Skenjana

Email: [procurement@nhc.org.za](mailto:procurement@nhc.org.za)

- 14.2. Enquiries received will be responded to within three (3) working days.

## 15.ANNEXURES

- 15.1. Annexure 1: SBD 1 – Invitation to Bid
- 15.2. Annexure 2: SBD 2 – Tax Clearance Certificate Requirements
- 15.3. Annexure 3: SBD 4 – Declaration of Interest
- 15.4. Annexure 4: SBD 8 – Declaration of Service Provider’s past supply chain management practices
- 15.5. Annexure 5: SBD 9 – Certificate of Independent Bid Determination
- 15.6. Annexure 6: SBD 6.1 – Preference Point Claim form in terms of Preferential Procurement Regulations 2011
- 15.7. Annexure 7: SBD 3.3 Pricing Schedule-Professional Services