



THE NATIONAL CREDIT REGULATOR

SEPTEMBER 2013

**TERMS OF REFERENCE FOR THE
APPOINTMENT OF A SERVICE PROVIDER IN
ESTABLISHING A SECURITY PROGRAMME
FOR THE NCR**

RFQ NUMBER: NCR 199/09/2013

DUE DATE: 16 OCTOBER 2013 @ 11H00

GENERAL TERMS OF CONDITIONS

1. General Information for Bidders

The National Credit Regulator (NCR) was established in terms of Section 12(1) of the National Credit Act (Act 34 of 2005) and came into being on 1 June 2006.

The NCR will determine which bidding organisation (“bid participant”), if any, is appointed in response to this request for submission of a Service provider to assist the NCR in the terms of reference in section two of this document.

General Terms

This tender is issued in terms of the Public Finance Management Act 1 of 1999 (PFMA), the Preferential Procurement Policy Framework Act 5 of 2000 (PPPFA), the Preferential Procurement Regulations, 2001 (PPR), Supply Chain Management Regulations issued by the National Treasury and BBBEE Act.

Parties that wish to submit proposals are required to indicate that they are willing to accept the General Conditions and Procedures of the NCR (see Section 1.5 below and Annexure B.1). Please read this document carefully prior to submitting your proposal.

1.1 The Proposal Format

- **Economy of proposal preparation**

The proposal should be prepared simply and economically, providing a straightforward and concise description of the bid participant’s ability to meet the requirements of the proposal request.

Clear factual responses are required. The content of the proposals shall determine the merit of each participant, not brochures or other marketing material. To facilitate the review of proposals, participants are required to organise their responses according to the format presented below. Should a participant wish to provide additional information, that information should be referred to, and provided for, in a file of Annexure.

- **Validity of proposals**

The proposals must include a statement as to the period for which the proposal remains valid. The proposal must be valid for at least ninety (90) days from the due date for the submission of all bids. Refer to the quarters in the terms of reference (TOR).

- **Number of proposals**

Each bid participant must provide **three(3)** hard copies of their entire proposal, including all the documentation referred to in 1.5 below, in the format specified in that section. All submitted proposals will become the property of the NCR, and will not be returned. Receipt of all proposals will be recorded in a register at the point of receipt. One copy of the proposal must be signed and dated in black ink by the bidder or authorized representative of the bidder and initialled on each page.

1.2 Submission of proposals

1.2.1 Proposals must reach the offices of the NCR before 11:00 on **16 OCTOBER 2013**, and must be enclosed in a sealed envelope which must have clearly inscribed on the outside:

(a) RFQ No: NCR 199/09/2013

(b) TERMS OF REFERENCE : ESTABLISHMENT OF A SECURITY COMPLIANCE AND READINESS PROGRAMME

(c) CLOSING DATE: 11H00, 16 OCTOBER 2013

1.2.2 Proposals are to be submitted in the marked tender box, in the reception area, National Credit Regulator, 127-15th Road, Randjiespark, Halfway House, Midrand. The tender box will **only** be available for the depositing of proposals between 08h00 and 16h30 on weekdays (excluding public holidays).

1.2.3 Please note that this RFP closes punctually at 11h00 on **16 OCTOBER 2013**. No late submissions will be considered under any circumstances.

1.2.4 **All** the documentation referred to in Section 1.5 below must be submitted. Failure to submit all the documentation referred to in this section may result in a submission being discarded, and not considered for evaluation.

1.2.5 If responses are not delivered as stipulated in this Section 1.3, such responses will be considered **“late”**, and will not be considered for evaluation.

1.2.6 The NCR shall not disclose any details pertaining to the responses received, to any other participant, as this is regarded as confidential information.

1.2.7 Envelopes must not contain documents relating to any RFP other than the one referred to in this RFP.

- 1.2.8 The responses to the RFP will be opened as soon as is practical after the expiry of the time advertised for receiving them.
- 1.2.9 Only the participants that are short-listed after the evaluation process will be informed of the results of the submission adjudication process.
- 1.2.10 After the evaluation process is completed, the Evaluation Committee may, prior to making a final selection, draw up a shortlist of participants and require them to make a detailed presentation to the Adjudication Committee. A minimum of 2 days' notice will be given to relevant participants in advance of the presentation date.

1.3 Timetable

Date & time	Activity
20/09/2013	Issue Tender document
16/10/2013	Closing date @ 11h00
18/10/2013	Evaluations
22/10/2013	Presentation by the bidder
28/10/2013	Adjudication Committee
31/10/2013	Appointment of a supplier

The National Credit Regulator reserves the right to determine the structure of the process, the right to determine the number of short-listed participants, the right to withdraw from the proposal process, and the right to change this timetable at any time without notice.

1.4 Documentation to be submitted

Please Note

All of the documentation described below must be submitted, with no omissions whatsoever. Where a particular form or format of documentation is stipulated, this is the **only** form or format in which these documents must be submitted. Failure to adhere to these requirements may result in the rejection of the entire submission.

All of the documentation referred to below (in Parts One – Ten) must be submitted. For ease of reference and to facilitate the evaluation process, you are requested to clearly mark each part of the submitted documentation as it is referred to below.

Part One – Proposal drafted in response to Terms of Reference

Section 2 of this document below, contains the terms of reference (TOR) for the above mentioned tender. Bid participants are required to draft a proposal that will clearly indicate to the Evaluation Committee how they will fulfil the requirements as set out in the TOR.

Bid participants should include the following information when drafting their proposals:

- Proposals should make clear the relevant skills, experience and capacity of the participant, in respect of this particular TOR. This is an important evaluation criterion. Bid participants should ensure that their proposals focus on how they will address the requirements of this TOR, rather than on achievements.
- Proposals must contain the details of the proposed approach to be adopted in order to deliver the service in accordance with the TOR.
- Proposals should clearly indicate whether or not bid participants have the internal capacity to meet the requirements of the TOR.

Part Two – Pricing Proposal

Please see Annexure A – SBD 3.1 (Pricing Schedule – Firm Prices). **DO NOT RETYPE THESE FORMS**. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected. Additional information may be added on a separate page if necessary.

The total price that the participant will charge to deliver services in accordance with the TOR must be clearly indicated. The pricing proposal should contain sufficient information to allow the Evaluation Committee to estimate the cost of the service, to a high degree of accuracy.

Please note that a financial proposal must be submitted in a **separate sealed envelope** together with your submission. The financial Proposal will be opened once all technical proposals have been evaluated. This appointment will be made in line with QBS.

All prices provided must be inclusive of Value-Added Tax (VAT).

Please note that the prices contained in the pricing proposal are the only charges that may be levied if the participant's proposal is successful, unless explicitly agreed to in writing by the National Credit Regulator, and in terms of the General Conditions of Contract.

Part Three – General Conditions and Procedures of the NCR

See Annexure B. Bid participants must indicate clearly that they have read this document, and have no objections to being bound by its contents. Where any provisions of the General Conditions and Procedures conflict with this General Information for Bidders and/or Terms of Reference, the latter will take precedence over the General Conditions of Contract.

Part Four – Contract Form: Rendering of Services

See Annexure C - This will only be completed by the successful bidder once a selection has been made by NCR. Participants do not, therefore, need to complete this form at the bidding stage but their proposals must clearly indicate that they have read this form, and have no objections to signing it as is, if selected as the successful participant.

Part Five – Tax Clearance Certificate

See Annexure D - Please complete form SBD 2. **DO NOT RETYPE THESE FORMS.** They must be completed on the original and signed, all in black ink. Failure to submit a valid, original tax clearance certificate issued by SARS will result in a proposal being rejected.

Please note that the Tax Clearance Certificate submitted must be valid for at least one month after the closing date of the tender.

Part Six – Preference Points Claim Form

See Annexure E – form SBD 6.1. Bid participants must complete Sections 8 and 9 in full. **DO NOT RETYPE THESE FORMS.** They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

Part Seven – Declaration of Interest

See Annexure F – form SBD 4. **DO NOT RETYPE THESE FORMS.** They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

Part Eight – Declaration of past Supply Chain Management Practices

See Annexure G – form **SBD 8.** **DO NOT RETYPE THESE FORMS.** They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

Part Nine – Non-Disclosure Agreement

See Annexure H – Non-Disclosure Agreement. Participants must indicate clearly that they have read this agreement, and have no objections to signing it, as is.

Part Ten—Certificate of Independent Bid Determination

See Annexure I – Certificate of Independent Bid Determination Participants. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

Please note that a BBEE certificate must also be attached to the bid documents. None submission will result in zero scoring in this competitive bidding process

1.5 Evaluation Criteria

Proposals will be evaluated on the 80/20 preference points scoring system: that is, 80% of the points awarded will be based on price, as indicated in the table below; and 20% of the points awarded will be based on B-BBEE codes system, allocated as indicated in the table below.

B-BBEE status level of contributor	Number of points	Price
1	20	80
2	18	
3	16	
4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	
Total maximum points	20	80

Description

- Proposals should make clear the relevant **skills, experience and capacity** of the participant, in respect of this particular TOR
- Proposals must contain the details of the **proposed approach** to be adopted in order to deliver the service in accordance with the TOR
- Proposals should clearly indicate whether or not bid participants have the **internal capacity** to meet the requirements of the TOR

1.6 Conflict of interest

Service providers are required to provide services that are professional, objective and impartial. Service providers must ensure that there is no conflict of interest between existing assignments, obligations and responsibilities to other clients and the services set out in the TOR. In the event of any uncertainty in this regard, full disclosure in the submitted proposal should be considered. Non-disclosure of a conflict of interest may be grounds for termination of any contract.

1.7 Confidentiality agreement

The successful service provider may have access to confidential data or information. The appointment of a successful bidder is subject to that bidder agreeing to the contents of, and signing, the NCR's standard Non-Disclosure Agreement.

1.8 Contact details

This no-contact policy does not apply to any information deemed to be in the public domain, or which is readily available from organs of State, which are repositories of such information.

All communications and enquiries/requests for clarification relating to this proposal should be directed to procurement@ncr.org.za

2. Terms of reference

2.1 Background

The NCR needs to comply with relevant practices in ensuring the safety and security of assets, information and personnel; hence training for employees in Security Awareness is vital in achieving the aforementioned.

2.2 Scope of Work:

Purpose and objectives of the programme:

- 1) Raise security awareness amongst NCR personnel
- 2) Enable Senior Management to handle emergency situations in a well planned and constructive manner

2.3 Audience for the Programme

1. The programme is being commissioned by the Senior Security and Facilities Officer (SSFO) who will together with Senior Management develop and implement the Programme.

2.4 Programme issues and key questions Programme Matrix

- 1) What information is available to NCR personnel with regard to Security Awareness?
- 2) What training will be provided to NCR personnel in respect of the Security Awareness Programme?
- 3) Is specific Command and Incident training available to the Senior Management Team including support units of the NCR? (Team = EXCO + SSFO + IT)

2.5 Impact

1. Assess extent to which the programme is achieving its vision and goals in respect of addressing and contributing to staff well being and work place satisfaction.

2.6 Methodology

1. Development and delivery of training programmes
2. Development of tools and information (Manual production)

2.7 Profile of the Service Provider Team

1. Service Providers will be requested to submit documents in respect of the following:
 - Technical knowledge
 - Familiarity with NCR
 - Training skills etc.
2. Service Providers will be given an opportunity for a briefing session with the SSFO before submission of quotations.

2.8 Outputs and deliverables

- 1) Develop a Security Awareness Manual for NCR personnel
- 2) Development and Implementation of a Security Awareness Training Programme for NCR personnel
- 3) Development and implementation of a Command and Incident Training Programme for Senior Management and support units of NCR.
- 4) Provide sufficient training facilities/venues and catering which is cost effective to the NCR.

2.9 Programme Timetable

- 1) A suggested timetable for the Programme shall be provided by the preferred service provider.
- 2) The time table shall be realistic and in line with the milestones as indicated in the Strategic Operational Plan of the NCR Security Department.
- 3) It is important that adequate time be allocated to listed outputs and deliverables.
- 4) The Programme shall start on or before 2 December 2013 and completed by latest 28 February 2014.

2.10 Cost

Service Providers will be required to submit a quotation in respect of the scope of work outlined above. The bidder is required to submit two pricing proposal with the following options:

1. Outlining the costs inclusive of training venues and catering
2. Outlining the costs exclusive of training venues and catering.

Pricing must be all inclusive of VAT and related cost.

2.11 Logistical support

NCR will ensure that support is given to the Programme Team in respect of provisioning of documentation, access to office facilities etc.

2.12 Key informants

A list of individuals will be provided to the preferred service provider for the purpose of consultation e.g. contacts information, organizational affiliation etc.

2.13. Documents to be consulted

A list of important documents will be provided on the request of evaluators for the purpose of the project before finalizing the programme design.

This will be limited to critical information that the Programme Team requires.

2.14 Non Disclosure

A non-disclosure agreement must be signed by the SSFO and the preferred service provider.

2.15 Functionality scoring model:

Evaluation Criteria

1. Skills, experience and knowledge of the NCR requirements	Weighting: 35%
1. Legislative compliance <ul style="list-style-type: none"> ➤ Evidence <ul style="list-style-type: none"> • Technical knowledge • Accredited Training Service Provider 	35
2. The Project Approach to be adopted in order to deliver the service in accordance with the Terms of Reference	Weighting: 30%
1. Planning <ul style="list-style-type: none"> ➤ Provision of a time table/layout of the programme ➤ Realistic and adequate time frames to listed outputs and deliverables 2. Development and implementation of training programmes	30
3. Capacity	Weighting 35%
1. Knowledge, experience, skills and capacity in developing, implementing and conducting training in respect of <ul style="list-style-type: none"> ➤ Security Awareness Programmes ➤ Command and Incident to Senior Management levels and support units 	15
Project Team (qualifications (CV), summary of experience)	10

Equipped with relevant resources and equipment	5
References	5

Bidders are required to score a minimum of 70% points on functionality to qualify to be evaluated in the next level (BBBEE and price). Bidders who do not score the minimum of 70% points on functionality will be disqualified and not be evaluated on price and BBBEE.

Price and BBBEE will be calculated out of 80/20 Preferential points

Price 80 points

BBBEE 20 points

2.16 Additional information to be submitted by the service provider:

- Brief company profile, as relevant to the above mentioned terms of reference.
- Experience in the relevant areas.
- Clientele.
- Certification of all team members, highlighting experience relevant to this exercise. Confirmation that the proposed team members will in fact be available to undertake this exercise at the appropriate time and meet the necessary deadlines.
- Contact details of at least three references from amongst recent clients with whom similar work has been conducted in the past 12 Months.
- Certificate of incorporation / legal status.
- Financial proposal.
- BBBEE certificate