



## **NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL**

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### **REQUEST FOR PROPOSALS FOR AN SERVICE PROVIDER TO DRAFT A CODE OF CONDUCT FOR MEMBERS AND REPRESENTATIVES OF NEDLAC**

#### **1. INTRODUCTION**

Nedlac requires a service provider to draft a Code of Conduct for its members and representatives.

#### **2. BACKGROUND**

The Nedlac Constitution requires that the Executive Council is required to develop a code of conduct to regulate the conduct of members and representatives where a member means a representative of any organisation which is part of Nedlac.

The members or representatives of Nedlac are thus individuals that have been nominated by the following constituencies and their organisations:

- Organised labour including the federations of Cosatu, Nactu and Fedusa
- Organised business including the business organisations of BUSA and the Black Business Council
- Organised community
- Government.

Nedlac is a Schedule 3 (a) public entity that is not governed by a Board. Instead, there is a Management Committee and Executive Council whose powers and functions are regulated by a Nedlac Constitution.

Further, representatives at Nedlac are nominated through their respective constituencies to be part of Chambers as well as other task teams and committees of Nedlac.

There is a need for all these members and representatives to abide by a Code of Ethics that considers the specific circumstances of Nedlac while adhering the general principles of ethical governance.

#### **3. SCOPE OF WORK**

The service provider is required to draft a first Code of Conduct for Nedlac which would be subject to a consultative process with the Nedlac governance structures. After the

consultative process, the service provider would be required to finalise the Code, considering and incorporating the comments.

The Code of Conduct should include clauses, at least, in respect of the following:

- Guiding principles and/or value statement
- Conflict of interest
- Use of Nedlac resources
- Gifts and benefits
- Fraud and corruption
- Improper influence and bribery
- Use of official information
- Confidentiality
- Communication with the public
- Intellectual property
- Compliance and consequences for non-compliance
- Monitoring and enforcement
- Mandating procedures

Reference documents to be consulted should include the King Commission and the Code of Conduct of the public service.

The first draft should be finalised within 2 (two) months from date of appointment and the final draft must be delivered within 4 (four) months from date of appointment.

#### **4. REQUIREMENTS**

- 4.1. The successful service provider must show that they have more than five years of experience in respect of similar work. This must be demonstrated by provision of:
- 4.1.1. Copy of CVs of person(s) to work on the Code
  - 4.1.2. At least three examples of previous similar work
  - 4.1.3. Three contactable references.

#### **5. SUBMISSION OF DOCUMENTS**

Bidders must submit the following documents:

- 5.1. A proposal outlining the approach and methodology as to the execution of the terms of reference.
- 5.2. Budget indicating all the cost assumptions and a maximum amount for the assignment;
- 5.3. Proof that the firm is in good standing with the South African Revenue Services (SARS).
- 5.4. Entity ownership type and BBBEE certificate if relevant.
- 5.5. Company registration.
- 5.6. Contact details and physical address.
- 5.5. Company profile, including CVs of relevant individuals which must clearly demonstrate the necessary skills and experience in the area of expertise listed below.
- 5.7. Three contactable references.
- 5.8. Details of three - five projects that are similar in nature

#### **6. BID SUBMISSION AND ENQUIRIES**

- 6.1. Bidders should send their completed bids and accompanying relevant documentation to SCM unit by 10 November 2020
- 6.2. Any questions regarding the RFP should be emailed to SCM.

- 6.3. Note that no late proposals will be considered.  
 6.4. Nedlac reserves the right to cancel this bid should such be deemed necessary.

## 7. SELECTION AND EVALUATION CRITERIA

### 7.1. Evaluation criteria

The evaluation criteria to be utilised will be the following:

5= Excellent, 4 = Good, 3 = Satisfactory, 2 = Poor, 1= Unacceptable

The below matrix will be used in scoring the proposals. The minimum functionality points of seventy (70) is required to qualify to be evaluated for pricing and BEE in phase two.

The below matrix will be used in scoring the proposals: Description of Quality Criteria	Scoring	Weight
and Sub-criteria		
Total Functionality	Total Score	100%
<b>A. Approach and methodology in managing this project which should include:</b>		
Interpretation of Terms of Reference to demonstrate understanding of what is required:		
5. Excellent understanding of what is required in the terms of reference; innovative and practical approach to developing an application; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism to ensure that the main deliverables (inception report, profile report and monthly report) are integrated and complementary	5 = Excellent	20%
4. Good understanding of what is required in the terms of reference; practical approach and methodology; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism to ensure that the two main deliverables are integrated and complementary	4 = Good	
3. Satisfactory (or repeat of ToRs) understanding of what is required in the terms of reference; generic or text book approach and methodology; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism to ensure that the two main deliverables are integrated and complementary.	3 = Satisfactory	
2. Poor understanding (wrong interpretation) of what is required in the terms of reference and missing one of the of the following critical components: approach and methodology; action plan; and project monitoring and evaluation mechanism	2 = Poor	
1. No action plan submitted.	1 = Not Acceptable	
<b>B. Relevant Expertise</b>		

<b>The below matrix will be used in scoring the proposals: Description of Quality Criteria and Sub-criteria</b>	<b>Scoring</b>	<b>Weight</b>
<b>Total Functionality</b>	<b>Total Score</b>	<b>100%</b>
Service providers (companies/individuals) must prove competency and expertise in one/more of the following areas: Law, Governance, Social Sciences, Public Policy or any other relevant experience that can be demonstratable.		
50% or more of the team has a Post-graduate Degree (Honours/Masters/PHD): NQF 8&9&10 = Excellent	5 = Excellent	30%
60% or more of the team has a Bachelor's Degree/BTech NQF 7 = Good	4 = Good	
70% or more of the team has a Diploma or Advanced Certificate NQF 6 = Satisfactory	3 = Satisfactory	
80% or more of the team has a Higher Certificate NQF 5 = Poor	2 = Poor	
The team members only possess a National Certificate and below NQF 4&3&2&1 = Not Acceptable	1 = Not Acceptable	
<b>C. Relevant experience</b>		
To evaluate each of the above components, the following criteria will apply:		30%
5 and above years or more relevant experience = Excellent	5 = Excellent	
3 to 5 years' relevant experience = Good	4 = Good	
2 to 3 years' relevant experience = Satisfactory	3 = Satisfactory	
1 to 2 years' experience = Poor	2 = Poor	
0 to 1-year experience = Not Acceptable	1 = Not Acceptable	
<b>D. Similar Projects Completed</b>		
Number of Completed Similar Projects:		20%
5 or More Completed Similar Projects = Excellent	5 = Excellent	
4 Completed Similar Projects = Good	4 = Good	
3 Completed Similar Projects = Satisfactory	3 = Satisfactory	
2 Completed Similar Projects = Poor	2 = Poor	
1 Completed Similar Projects = Acceptable	1 = Not Acceptable	