



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

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<b>REQUESTS FOR QUOTATIONS</b>	
<b>APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A SATISFACTION SURVEY FOR NEDLAC WITH ITS PARTNERS AND STEAKHOLDERS FOR THE PERIOD OF 2022/23 &amp; 23/24 FINANCIAL YEAR</b>	
<b>RFQ NUMBER:</b>	RFQ10556
<b>RFQ ISSUE DATE:</b>	01 November 2022
<b>CLOSING DATE AND TIME:</b>	09 November 2022 at 11h00
<b>RFQ VALIDITY PERIOD</b>	N/A
<b>DESCRIPTION OF SERVICES</b>	<b>Service provider to conduct a satisfaction survey for Nedlac with its social partners</b> <b>NB: TORs attached</b>
<b>SUBMISSION ADDRESS</b>	Submissions to be sent electronically
<b>PROCUREMENT ENQUIRIES</b>	Name: JOYCE TONGWANE 060 771 0485 Email: <a href="mailto:joyce@nedlac.org.za">joyce@nedlac.org.za</a>

**TECHNICAL ENQUIRIES**

**Name: Nozipho Ngema**

**060 771 1049**

**Email: [nozipo@nedlac.org.za](mailto:nozipo@nedlac.org.za)**

.....

**COMPANY REGISTRATION NUMBER:.....**

**CSD NUMBER : .....**

**ADDRESS: .....**  
**.....**  
**.....**

**CONTACT PERSON : .....**

**TEL: .....**

**FAX: .....**

**E-Mail : .....**

**Mobile: .....**

**TOTAL RFQ PRICE R .....(VAT Incl.)**

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned,  
(name)..... in submitting the  
accompanying bid, do hereby make the following statements that I certify to be true  
and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids/quotations:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

a) The value of this bid/quotations is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.3 Points for this bid/quotations shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

1.5

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.6 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.7 The purchaser 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.

### 2. DEFINITIONS

(a) “**B-BBEE**” means broad-based black economic empowerment as defined in section 1

of the Broad-Based Black Economic Empowerment Act;

- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE  
*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		



Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name \_\_\_\_\_ of  
 company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
 .....  
 .....

**8.6 COMPANY CLASSIFICATION**

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in

paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES
1. ....
2. ....

.....
SIGNATURE(S) OF BIDDERS(S)
DATE: .....



## TERMS OF REFERENCE

### APPOINTMENT OF SERVICE PROVIDER TO CONDUCT A SATISFACTION SURVEY FOR NEDLAC WITH ITS PARTNERS AND STEAKHOLDERS FOR THE PERIOD OF 2022/23 & 23/24 FINANCIAL YEAR

#### 1. PURPOSE

1.1. Nedlac is seeking a service provider to conduct a satisfaction survey for the current financial year 2022/23 and the next financial year 2023/24 to establish the level of satisfaction of Nedlac social partners on the efficiency of the institution. The survey needs to be conducted from January and February 2023 as well as January and February 2024. The results need to be available by the middle of March 2023 and 2024.

#### 2. SCOPE OF WORK

2.1 Nedlac requires a service provider to be able to measure satisfaction of the social partners in respect of whether:

- (i) Nedlac performs its work efficiently,
- (ii) Governance processes at Nedlac are effective.
- (iii) Social dialogues are successfully convened
- (iv) Agreements are successfully reached
- (v) Processes are successfully concluded and coordinated within stipulated timeframes and to the satisfaction of social partners;
- (vi) Constituencies are satisfied with the support and capacity building initiatives provided by Nedlac.

2.2 The service provider will be required to:

2.2.1 Develop a process outline and survey which needs to include:

A unipolar scale comprising a continuum ranked as follows needs be used for respondents to rate Nedlac's performance, as well as "I don't know option"

- Level 1: Not at all satisfied
- Level 2: Slightly satisfied
- Level 3: Satisfied
- Level 4: Very satisfied
- Level 5: Completely satisfied.

2.3 Between mid-January and mid-February 2023 as well as 2024, the survey will be administered electronically to social partners and identified other external stakeholders where they will be requested to complete and return to Nedlac.

2.4 The system should send automatic reminders (at least three times) to social partners and stakeholders who have not responded. Telephonic follow ups may also need to be done if the response rate is poor.

2.5 The envisaged number of social partners to be surveyed is 64 which is 18 per Constituency. The envisaged number of stakeholders is 20.

2.6 The Service Provider will be required to analyse the computer-generated report and develop a summary PowerPoint report with results arising from the survey and recommendations by no later than 15 March 2023 and 15 March 2024. The same will apply the following financial year.

### **3. TIMEFRAMES**

3.1. The work of the Service Provider shall commence immediately after the appointment.

3.2. The design of survey instrument should be concluded by mid-December 2022 and the same will apply mid-December 2023.

3.3. The survey should be completed and final report handed in by 15 March 2023 for the current financial year. The completed and final report should also be handed in by 15 March 2024 for the next financial year 2023/24.

### **4. SUBMISSION OF DOCUMENTS**

Bidders must submit the following documents:

4.1 A proposal outlining the approach and methodology for the execution of the terms of reference.

4.2 Budget indicating all cost assumptions and a maximum amount for the assignment.

4.3 Central Supplier Database (CSD) report

4.4 BBBEE certificate/ affidavit.

4.5 Completed SBD forms.

4.6 Company profile, including CVs of relevant individuals which must clearly demonstrate the necessary skills and experience in the area of expertise listed below.

4.7 Five contactable references.

4.8 Details of five projects that are similar in nature, including:

- a) Project name
- b) Project objectives
- c) Role on the project
- d) Number of years worked on the project
- e) Relevance or link of the project to these terms of reference.

## 5. BID SUBMISSION AND ENQUIRIES

5.1. Bidders should send their completed quotations and accompanying relevant documentation to SCM unit at [joyce@nedlac.org.za](mailto:joyce@nedlac.org.za) and copy [procurement@nedlac.org.za](mailto:procurement@nedlac.org.za) by Monday **09 November 2022 at 11am.**

5.2. Any technical enquiries should be sent to [Nozipho@nedlac.org.za](mailto:Nozipho@nedlac.org.za) and SCM related enquiries should be sent to [Joyce@nedlac.org.za](mailto:Joyce@nedlac.org.za) and copy [procurement@nedlac.org.za](mailto:procurement@nedlac.org.za)

5.3. Note that no late proposals will be considered.

5.4. Nedlac reserves the right to cancel this bid should such be deemed necessary.

## 6. SELECTION AND EVALUATION CRITERIA

### 6.1. 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:

<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:		
<b>What is required</b>	<b>Application of evaluation criteria</b>	<b>% Allocation</b>
5. Excellent understanding of what is required in the terms of reference; innovative and practical approach; quality project proposal including milestones and timeframes.	5 = Excellent	40%
4. Good understanding of what is required in the terms of reference; practical approach and methodology; quality project proposal	4 = Good	
3. Satisfactory (or repeat of ToR) understanding of what is required in the terms of reference; generic or text book approach and methodology; project proposal	3 = Satisfactory	
2. Poor understanding (wrong interpretation) of what is required in the terms of reference and missing one of the critical components	2 = Poor	
1. No action plan submitted.	1 = Not Acceptable	
<b>B. Relevant expertise</b>		
Competency and expertise of bidder in the following areas: Data collection, Data analysis, report writing, research and related areas. A post graduate qualification will be an added advantage.		
<b>What is required</b>	<b>Application of evaluation criteria</b>	<b>% Allocation</b>
Leader and team member/s have excellent levels of competency and expertise, including being involved in innovative programmes.	5 = Excellent	20%
Leader and team members are competent with high levels of expertise	4 = Good	
Leaders and team members have sufficient competence and expertise	3 = Satisfactory	
Competence and expertise are lacking	2 = Poor	
Limited expertise.	1 = Not Acceptable	

<b>C. Relevant experience of the organization</b>		
What is required	Application of evaluation criteria	% Allocation
5 and above years or more relevant experience = Excellent	5 = Excellent	20%
4 years' relevant experience = Good	4 = Good	
3 years' relevant experience = Satisfactory	3 = Satisfactory	
2 years' experience = Poor	2 = Poor	
1-year experience = Not Acceptable	1 = Not Acceptable	
<b>D. Similar Projects Completed with good references</b>		
What is required	Application of evaluation criteria	
5 or more completed similar projects	5 = Excellent	20%
4 completed similar projects	4 = Good	
3 completed similar projects	3 = Satisfactory	
2 completed similar projects	2 = Poor	
1 completed similar projects	1 = Not Acceptable	

**7. Minimum score for Functionality Evaluation**

7.1 Service providers that attain a minimum score of 75% in both the technical and interview evaluation will be evaluated for price and BBBEE.

7.2 The final decision and successful appointment will be made by Nedlac and no correspondence will be entered into thereafter. Nedlac reserves the right to ultimately decide not to appoint any service provider in terms of this call for quotations.

7.3 The successful applicant must be ready and available to commence work immediately after appointment.