



## **BID DOCUMENT**

**VAAL CENTRAL WATER BOARD INTENDS TO PROCURE THE SERVICE OF AN EXPERIENCED, REPUTABLE, EFFECTIVE, AND EFFICIENT SEARCH/PLACEMENT FIRM TO FACILITATE THE WATER BOARD'S EXECUTIVE SEARCH FOR CHIEF EXECUTIVE OFFICER, EXECUTIVE MANAGEMENT AND RELATED POSITIONS**

**BID NUMBER: VCW381/FIRM/EXEC/24**

**CLOSING DATE: 16 January 2024**

**TIME: 12:00**

**VALIDITY PERIOD: 90 DAYS**

## DOCUMENTS IN THE BID DOCUMENT PACK

Bidders are to ensure that they have received all pages of this document, which consist of the following documents:

### SECTION 1

- SBD 1: Invitation to Bid
- SBD 3.1: Pricing Schedule
- SBD 4: Declaration of Interest
- SBD 5: NIP declaration
- SBD 6.1: Preference points claim form i.t.o. Preferential Procurement Regulations 2022

### SECTION 2

- Standard Conditions of Bid

### SECTION 3

- Specification/Terms of Reference
- Functionality Criteria

### SECTION 4

- Dividers for attachments
- Joint Venture Annexure
- Checklist
- General Conditions of Contract (GCC)

# SECTION 1

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	VCW381/FIRM/EXEC/24	CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>					

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."</p>

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state**

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	
<b>SPECIFIC GOALS</b>	
<b>Total points for Price and SPECIFIC gGOALS</b>	<b>100</b>

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this

tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

80/20

or

90/10

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
 Pt = Price of tender under consideration  
 Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***



CATEGORIES OF PEOPLE HISTORICALLY DISADVANTAGED INDIVIDUALS	Requirements	Number of points( 80/20 system)	Please claim points				
<b>Blacks and people who had no franchise on national elections before 1994 constitution (more than 50% ownership)</b>	Certified ID copy and CIPC registration/ CSD report	<b>5</b>					
<b>Women (more than 50% ownership)</b>	Certified ID copy and CIPC registration/ CSD report	<b>2</b>					
<b>Youth (more than 50% ownership)</b>	Certified ID copy and CIPC registration/ CSD report	<b>2</b>					
<b>People with disability (more than 50% ownership)</b>	Medical report sanctioned by qualified professional and CIPC registration/ CSD report	<b>2</b>					
CATEGORIES OF RDP GOALS							
<b>promotion of local economy in terms of province, region, municipal area or rural area</b>	Municipal rates/ lease agreement accompanied by municipal rates statement of the landlord.	<b>3</b>					
<b>Promotion of BBBEE companies</b>	Level 1 to 4 Sworn affidavits/ CIPC BBBEE certificate	<b>6</b>	BBBEE level	1	2	3	4+
			Points	6	4	2	0
			Please tick applicable column				

BBBEE STATUS LEVEL OF CONTRIBUTOR	Number of points( 80/20 system)
1	<b>4</b>
2	<b>3</b>
3	<b>1</b>
4 and above	<b>0</b>

## DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**SBD 8**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....**

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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.

<sup>3</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.

10. 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.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder



**NAME OF PROJECT: VAAL CENTRAL WATER BOARD INTENDS TO PROCURE THE SERVICE OF AN EXPERIENCED, REPUTABLE, EFFECTIVE, AND EFFICIENT SEARCH/PLACEMENT FIRM TO FACILITATE THE WATER BOARD'S EXECUTIVE SEARCH FOR CHIEF EXECUTIVE OFFICER, EXECUTIVE MANAGEMENT AND RELATED POSITIONS**

**TERMS OF REFERENCE AND PROJECT BRIEF**

**1. CONTEXT**

The Water Board is a state-owned Entity listed in Schedule 3B of the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA), as amended and operates in terms of the Water Services Act, 1997 (Act No 108 of 1997 (WSA) to provide bulk water and related services.

The Entity, therefore, seeks candidates that will effectively drive the organization's strategy, manage its performance, achieve financial sustainability, good corporate governance, and targeted stakeholder management and communication, and redirect the organization towards excellence in service delivery and its social and economic responsibilities.

**2. PURPOSE**

The Water Board intends to procure the service of an experienced, reputable, effective, and efficient Search/Placement Firm to facilitate the Water Board's executive search for Chief Executive Officer, Executive Management and related Positions. Through their robust and well-tested experience, the potential service provider would be expected to search for experienced candidates to be recommended to the Board and the Chief Executive Officer post appointment.

The Water Board, through the process, aims to attract macro thinkers and quality executives with multiple market experiences.

**3. SCOPE OF WORK**

The requirements listed below are for guidance only and are not exhaustive:

**3.1. Search Initiation**

3.1.1. Conduct research and assessment to understand the requirements of the Water Board and the ideal candidates' profiles that the organization would like to attract. The research or need assessment phase informed by the Water Board's strategy and mandate should, amongst others, produce:

- a) Talent Acquisition strategy, which includes open advertising and other relevant search engines.

- b) An advertisement to be placed in the media and other search engines.
- c) Project delivery plan with timeline and recruitment/search process methodology to meet the Water Board's requirements.
- d) value-added services.

### **3.2. Search Process**

3.2.1. Candidate identification in line with competencies and experience required for the position. Candidate's identification phase should, amongst others, include and/or produce:

- a) Response handling
- b) Pre-screening of applicants
- c) Search list (long list) reflecting the candidate's name, surname, race, gender, qualifications, and experience.
- d) Pre-screening to identify the suitable candidates.
- e) A shortlist of suitable candidates who meet the requirements articulated in the Talent Acquisition strategy.
- f) Scheduling interviews
- g) Facilitate the interview process with the panel, e.g., set up the final shortlist interview schedule and provide the interview panel with discussion guidelines for the final shortlist to interview.

### **3.3. Search Completion**

3.3.1. References report of the selected candidate, i.e., fit and proper confirmation, including background checks, validation of Identity Document, criminal checks and credit rating, etc.

3.3.2. Competency Assessments

3.3.3. Final list of two (2) suitably qualified candidates to be presented to the Board, supported by a detailed report.

3.3.4. Contracting Facilitation

3.3.5. Remuneration Negotiations

## **4. DELIVERABLES**

4.1. The successful search/placement firm will submit to the Water Board the following:

4.1.1. Talent Acquisition Strategy, which includes the use of open advertising.

- 4.1.2. An advertisement to be placed in the media.
- 4.1.3. Project delivery plan with timeline and recruitment/search process methodology to meet the Water Board’s requirements.
- 4.1.4. Search list (long list) reflecting the candidate's name, surname, race, gender, qualifications, and experience.
- 4.1.5. A shortlist of suitable candidates, i.e., a maximum of five (5) suitably qualified candidates who meet the requirements articulated in the Talent Acquisition strategy.
- 4.1.6. References report of the selected candidates, i.e., fit and proper confirmation including background and reference checks, validation of Identity Documents, qualifications, criminal check, and credit rating.
- 4.1.7. Final list of two (2) suitably qualified candidates to be recommended to the Board supported by a detailed report.

**5. REQUIREMENTS AND SPECIFICATIONS FOR THE PROJECT**

- 5.1. The independent search/placement firm should have a proven track record in carrying out executive searches on medium to large-size organizations in the private and public sectors and State-Owned Entities.
- 5.2. A minimum of ten (10) years of demonstrable experience in executive search in medium to large-size organizations in private and public sectors and State-Owned Entities.

**6. FUNCTIONAL EVALUATION**

Evaluation Categories	Criteria/Questions/Guidelines	Source Documents that must be submitted to score points	Maximum Points
<b>Track Record</b>			<b>40</b>
Company Customer Recent References	The independent search/placement firm should provide at least three (3) contactable references of similar assignments conducted in medium to large-size organizations (on the referees’ company letterheads) in the past five (5) years.	Reference letters	20

Evaluation Categories	Criteria/Questions/Guidelines	Source Documents that must be submitted to score points	Maximum Points
	<ul style="list-style-type: none"> <li>• three or more contactable references validating the nature of the assignment, period, and quality of output (with at least two or more being in the State-Owned Entity Sector = <b>20 points</b></li> <li>• two or more contactable references validating the nature of the assignment, period, and quality of output (with at least one or more being in the State-Owned Entity sector = <b>14 points</b></li> <li>• two contactable references validating the nature of the assignment, period, and quality of output being from the State Owned Entity sector = <b>10 points</b></li> <li>• No relevant references submitted = <b>0 points</b></li> </ul>		
Experience and Team Capability	<p>Demonstrated competencies and experience in carrying out executive searches on medium to large-size organizations in the private and public sectors and State-Owned Entities.</p> <p>Demonstrated skills and relevant experience of each key personnel for the assignment.</p> <ul style="list-style-type: none"> <li>• Team leader</li> <li>• Key member</li> </ul> <p>Team members' experience and expertise</p>	Organogram supported by CVs, copies of qualifications of the proposed key personnel	20

Evaluation Categories	Criteria/Questions/Guidelines	Source Documents that must be submitted to score points	Maximum Points
	<ul style="list-style-type: none"> <li>• ten years and above for all assigned resources = <b>20 points</b></li> <li>• 7 - 9 years for all assigned resources = <b>14 points</b></li> <li>• 5 – 6 years for assigned resources = <b>10 points</b></li> <li>• Less than 5 years = <b>0 points</b></li> </ul> <p>Attached is a maximum 2-page resume indicating all the names, qualifications, and number of years rendering services, specifically providing strong evidence of accomplishments and expertise in executive searches on medium to large-size organizations in the private and public sectors and State-Owned Entities.</p> <p>Team profile with relevant competencies and track record of successfully executing similar projects.</p> <p>The proposed team submitted in this RFP will be the team expected to deliver the required service unless otherwise agreed to by the Water Board.</p>		
<b>Written understanding of this Scope of Work and Terms of Reference</b>			<b>20</b>

Evaluation Categories	Criteria/Questions/Guidelines	Source Documents that must be submitted to score points	Maximum Points
Understanding of the Scope of Work and Terms of Reference	<p>The service provider has clearly articulated the requirements of the Scope of Work and Terms of Reference and included a unique strategy beneficial to the Water Board.</p> <ul style="list-style-type: none"> <li>• Clear articulation of the requirements of the Scope of Work and Terms of Reference and inclusion of a tailor-made strategy beneficial to the Water Board = <b>20 points</b></li> <li>• Clear articulation of the requirements of the Scope of Work and Terms of Reference = <b>14 points</b></li> <li>• Covered significant areas of understanding the requirements of the Scope of Work and Terms of Reference = <b>10 points</b></li> <li>• Poor articulation of the requirements of the Scope of Work and Terms of Reference = <b>0 points</b></li> </ul>	<p>Minimum of 5-page method statement duly signed and dated by the service provider</p>	<p>20</p>
<b>Proposed Methodology and Approach</b>			<b>20</b>
Methodology	<p>The project is approachable innovatively and efficiently, indicating that the service provider has an outstanding knowledge of executive searches on medium to large-size</p>	<p>Minimum of 5-page approach paper duly signed and dated by the service provider.</p>	<p>20</p>

Evaluation Categories	Criteria/Questions/Guidelines	Source Documents that must be submitted to score points	Maximum Points
	<p>organizations in the private and public sectors and Staten-Owned Entities. The approach paper details ways to improve the project outcomes and the quality of the outputs.</p> <ul style="list-style-type: none"> <li>• The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution = <b>20 points</b></li> <li>• The generic approach is not tailored to the specific objective and methodology. The approach does not adequately deal with the critical characteristics of the project = <b>14 points</b></li> <li>• The methodology and approach are poor and are unlikely to satisfy project objectives or requirements. The service provider has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project = <b>0 points</b></li> </ul>		
<b>Project management Approach</b>			<b>20</b>
Project	Detailed and customized project	Project plan with timelines	10

Evaluation Categories	Criteria/Questions/Guidelines	Source Documents that must be submitted to score points	Maximum Points
management capabilities	<p>plan in line with the project scope with clear milestones and timeframes for each task completed, including the methodology for conducting the required services = <b>10 points</b></p> <p>Generic project management approach – <b>0 points</b></p>		
Assignment Stakeholder Management Approach	<p>Detailed and customized stakeholder management approach, methodology, etc., as well as how the service provider intends to carry out this assignment = <b>5 points</b> successfully</p> <p>Generic stakeholder management approach = <b>0 points</b></p>	Minimum of 3-page approach paper duly signed and dated by the service provider.	5
Risk management approach	<p>Detailed and customized risk management approach inclusive of identified risks by the service provider and risk mitigating strategy proposed = <b>5 points</b></p> <p>Generic risk management approach = <b>0 points</b></p>	Minimum of 3-page approach paper duly signed and dated by the service provider	5
<b>Total Score</b>			<b>100</b>
<b>Threshold</b>			<b>70</b>



## 7. EVALUATION PROCESS

7.1. The service provider will be evaluated and adjudicated as follows:

7.1.1. First Stage – Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

### Stage 1: Responsiveness

The service provider should be able to provide all the relevant information in the Supplier Information Form, which will include but not be limited to the following:

**A: Service providers who do not adhere to the criteria listed as a PRE-QUALIFIER will be disqualified:**

Responsiveness Criteria	Pre-Qualifying Criteria	Applicable to this Service Provider Y/M
Adherence to submitting the response as a two-folder proposal. Folder 1: Functionality and returnable submission separate form Folder 2: Pricing proposal submission	<b>Pre-Qualifier</b>	Y
Attendance Register of the Compulsory Briefing Session attended by the Service Provider	<b>Pre-Qualifier</b>	Y
Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report,	<b>Pre-Qualifier</b>	Y
The Service Provider should be registered with the Department of Labour as a private employment agency or temporary employment agency. A Certificate of Registration to be provided should be attached, failing which the bidder will be eliminated	<b>Pre-Qualifier</b>	Y
SARS issued a Valid and Active Tax Compliance Status Pin for Tax	<b>Pre-Qualifier</b>	Y

Compliance Status Verification. To operate with the Water Board, the service provider must be fully registered and tax-compliant.		
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Only those service providers who satisfy all the Pre-Qualifying Criteria of the First Stage will be eligible to participate further.

**Stage 2: Functional Criteria**

Only those service providers who score **70 points** or higher (**out of possible 100**) during the functional evaluation of the second stage will be evaluated further, and Service providers are required to submit supporting documentation evidencing their compliance with each requirement, where applicable.

**Stage 3: Price**

Those service providers who passed the first and second stages of the evaluation will be eligible to be evaluated in the third stage based on price and Specific Goals per applicable legislation.

**8. TIME FRAMES AND DURATION**

The contract duration is a maximum of 12 months, with the option for the extension or renewal for further 12 months.

**9. MANAGEMENT AND REPORTING**

The appointed service provider will report to the Board and the Chief Executive Officer post appointment, duly supported by the Company Secretary.

**10. PROPOSED REQUIREMENTS**

A technical proposal should include an executive summary that outlines the critical components of the proposal and provides a background of the firm (its history and current status) that is deemed relevant and noteworthy, in particular,

- a) the Firm’s ownership structure and
- b) the Firm’s background and presence in the public service sector and State-Owned Entities

## 11. CONFLICTS

Please note any conflict of interest you may have regarding this assignment.

## 12. PRICING SCHEDULE

The project costs are broken down as follows:

The total project costs are broken as follows:

Stage	Key Deliverables as per Scope of Work	Expert Description	Expected Outcomes	Total Rate
1	Planning	Briefing/planning meetings with Company Secretary and Board Chairperson and identified stakeholders.	Project plan for project execution	
2	Advertisement	Placement of an Advert	Advert Placed	
3	Response Handling	The progress report to the Board through the Company Secretary	Longlist	
5	Competency Assessments	Competency assessments conducted for suitably qualified candidates.	Competency Assessment Reports	
6	Final report	A detailed report that gives a performance evaluation report with recommendations to the Board.	Appointment Report with recommendations and action plan based on the evaluation results.	
<b>Total proposed fees excluding VAT</b>				
<b>15% VAT</b>				
<b>Total proposed fees, including VAT</b>				

Placement Fee	Percentage rate
Placement Fee	

The quoted fee should be a fixed maximum required to perform all scope, including the costs from conception to delivery, including Value Added Tax (VAT).

**NB: PLEASE NOTE THAT THE PROCESS MUST BE SUBMITTED IN A SEPARATE SEALED ENVELOPE, WHICH MUST CONTAIN THE NAME OF THE BIDDER AND RFP AND OR TENDER NUMBER WITH THE DESCRIPTION.**

# **GENERAL CONDITIONS OF CONTRACT IS APPLICABLE**

[www.treasury.gov.za](http://www.treasury.gov.za)

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>