



**SOUTH AFRICAN TOURISM**

RFQ-06-GRC-21

Delivered by e-mail

Date: 05 August 2021

Dear Bidder

**Subject Matter: Request for Quotation (RFQ) for the appointment of a service provider to provide a comprehensive suite of Compliance Management Services.**

South African Tourism Board (SA Tourism) was established by section 2 of the Tourism Act, 1993 (Act No. 72 of 1993) and continues to exist in terms of section 9 of the Tourism Act, 2014 (Act No. 3 of 2014) as amended. SA Tourism is also Schedule 3 Part A public entity in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

SA Tourism is mandated in terms of the Tourism Act to provide for, amongst others, the development and promotion of sustainable tourism for the benefit of the Republic, its residents and its visitors. It is common cause that tourism is a key strategic industry in terms of The National Development Plan and the National Tourism Sector Strategy as it supports governments' objectives to alleviate the triple challenges of unemployment, poverty and inequality.

Section 217 of the Constitution of the Republic of South Africa, 1996, provides that goods and services must be contracted through a system that is fair, equitable, transparent, competitive and cost-effective and confers a constitutional right on every potential supplier to offer goods and services to the public sector when needed.

**1. Objective**

The objective of this bid is to appoint a suitably qualified service provider to review Compliance programme at SAT.

**2. Scope of Work**

2.1.1 The scope of work defines the deliverables to be provided by the successful Bidder for a period of (09) nine months. The objective of the appointment is to assist SAT in reviewing and enhancing Compliance capability, conduct workshops with each business units. The engagement will be in accordance with the Compliance international standards and best practice. The ultimate objective will be for SAT to have an up to date Compliance program that will ensure SAT fully comply with relevant laws, rules, and regulations or to uphold business reputation.

2.1.2 The scope of work will include the following key activities:

- Understand the relevant legal and regulatory compliance requirements and compliance standards;

- Conduct Legal compliance audits
- Conduct Compliance Programs and Regulatory Mapping
- Develop Compliance Policy and Framework;
- Review Compliance universe list;
- Conduct ad hoc compliance reviews against approved frameworks, standards, policies and regulations;
- Track legislative developments relevant to tourism industry and SA Tourism's.
- Develop compliance risk register
- Develop self-assessment checklist(s) for compliance reporting to Audit and Risk and Board
- Conduct compliance awareness sessions throughout the organisation (approximately 8 sessions).

### **3. Format of proposal**

3.1 Bidders must complete and return all the necessary standard bidding documents (SBD's) attached to this request with technical and financial proposals.

3.2 Bidders are advised that their proposals should be concise, written in plain English and simply presented in the same order as indicted below:

- (a) Cover letter introducing your firm and credentials, capacity, capability and experience for this assignment;
- (b) National Treasury Centralized Supplier Database (CSD) registration summary report with a valid tax status;
- (c) Valid certified copy of B-BBEE certificate;
- (d) Bidders must have specific experience and submit at least three recent references (in a form of written proof(s) on their client's letterhead including relevant contact person(s), office telephone & fax number, website and email address) where similar work were undertaken.
- (e) Overview of the methodology your firm will apply for this assignment;
- (f) Project/assignment approach and plan which outlines the activities to be undertaken during the process;
- (g) Outline of the qualifications and related experience of the proposed resources that will be assigned to the matter;
- (h) Financial proposal to deliver the assignment including any other cost SA Tourism should be aware off for the successful completion of the assignment;
- (i) Declaration of Interest – SBD 4;
- (j) Preference Point Claim Form – SBD 6.1;
- (k) Declaration of Bidder's Past Supply Chain Management Practices – SBD 8; and (l) Independent Bid Determination – SBD 9.

### **4. Cost structure and project plan:**

4.1 Bidders must submit the total bid price for the assignment based on the skills, resources and time allocated in providing the services.

4.2 Bidders should also propose innovation in their technical proposals to keep the cost to a minimum where SA Tourism will still benefit from the best possible qualitative outcome. SA Tourism reserves the right to request additional information or clarity on cost proposals prior to the evaluation thereof.

### **5. Evaluation Method**

5.1 The evaluation process of bids will comprise of the following phases:

Phase 1	Phase 2	Phase 3
<b>Administration and Mandatory bid requirements</b>	<b>Functionality</b>	<b>Price and B-BBEE</b>
Compliance with administration and mandatory bid requirements.	Bids will be evaluated in terms of functionality.	(a) The bidders that have successfully progressed through to Phase 2 will be evaluated in accordance with the 80/20 preference point system contemplated in the Preferential Procurement Policy Framework Act, 2000  (b) 80 points will be awarded for price while 20 points will be allocated for preference points for BBEE as prescribed in the regulations.

4.2 Points awarded for functionality:

EVALUATION CRITERIA	Rating					Weight
	1	2	3	4	5	
<p>The Bids will be evaluated on a scale of 1 – 5 in accordance with the criteria below. The rating will be as follows: 1 = Very poor, 2 = Poor, 3 = Good, 4 = Very good, 5 = Excellent</p>						
<p><b>Approach and ability to meet deliverables:</b> Bidders must provide a detailed description of how they intend executing the services from inception to completion. This must include:</p> <ul style="list-style-type: none"> <li>(a) Project plan with clear timelines and a process to be followed to undertake the tasks</li> <li>(b) Outline the process of developing Compliance management universe list</li> <li>(c) Outline the process of developing Compliance universe policy and Outline process of developing compliance risk assessment</li> </ul>						30
<p><b>Bidders relevant experience and knowledge</b> The bidder must demonstrate at least 5 years' experience and expertise in the field of compliance management. Kindly provide a table of current and previous contracts relating to Compliance indicating the client and contract duration</p> <p>Scoring Guide:  0 years' experience = 1 point  2 years' experience = 2 points  3 years' experience = 3 points  4 years' experience = 4 points  5 years' or more experience = 5 points</p>						20
<p><b>Company track record:</b> The Bidders are required to provide minimum three (3) contactable client reference letters where its services can be verified. Reference letters should be presented in a form of a written letter on an official letterhead from clients where similar services have been provided and should not be older than three (3) years. No appointment letters from clients will be accepted as reference letters. It is ideal that the reference letters be same with the appointment letters above and from the respective companies. One (1) reference letter = 1 points Two (2) reference letter = 2 points</p>						20

Three (3) reference letters = 3 points Four (4) reference letters = 4 points Five (5) or more reference letters 5 points	
Registration or membership with the Compliance Institute of Southern Africa	10
Expertise of proposed resources to be assigned to the project:  Proposed team leader should have: Compliance/ Legal/ Law Degree/ Diploma Certificate in Compliance	10
<b>Experience of proposed resources to be assigned to the project:</b> Proven experience of proposed resources to be deployed to provide the services.  Detailed CVs of proposed team must be submitted which must elaborate on areas that they were involved in.  The team leader should have at least 5 years' experience or more in developing or reviewing Compliance Program. The team members should demonstrate evidence of working in similar projects.  0 up to 5 years' experience = 3 points 5 years and more experience = 5 points	10
<b>TOTAL POINTS FOR FUNCTIONALITY</b>	<b>100</b>
<b>A threshold of 75% is applicable.</b>	

**“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, considering, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder.

- I. Bids will be evaluated strictly according to the bid evaluation criteria stipulated in this section.
- II. Bidders must, as part of their bid documents, submit supportive documentation for all functional requirements. The official responsible for scoring the respective bids will evaluate and score all bids based on bid submissions and the information provided.
- III. The score for functionality will be calculated in terms of the 1 - 5 rating scale as shown in the functionality criteria matrix under paragraph 4.2.
- IV. The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. These scores will be added and expressed as a fraction of the best possible score for all criteria.
- V. The points for functionality and the points for B-BBEE level of contribution will be added together and the proposal from the bidder which meets the highest score will be deemed the preferred proposal.

#### 4.3 Awarding of Points for Price and Broad-Based Black Economic Empowerment

The bidders that have successfully progressed through to Phase 3 (bidders who meet the minimum threshold for the functionality of 80%) will be evaluated in accordance with the 80/20 preference point system contemplated in the Preferential Procurement Policy Framework Act, 2000 and the Preferential Procurement Regulations of 2017.

80 points will be awarded for price while 20 points will be allocated for preference points for BBBEE as prescribed in the regulations.

Points for B-BBEE level of contribution will be awarded in accordance with the below table: -

<b>B-BBEE Status Level of Contributor</b>	<b>Number of Points</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

#### **4.4 Adjudication and Final Award of Bid**

The successful bidder will usually be the service provider scoring the highest number of points for comparative price and BBEE level of contribution or it may be a lower scoring bid on justifiable grounds or no award at all.

#### **5. National Treasury Centralized Supplier Registration and B-BBEE Certificates**

5.1 All bid submissions must include a copy of successful registration on National Treasury's Centralized Supplier Database (CSD) with a valid tax clearance status and an original or certified copy of a BBEE verification certificate (if you have been assessed).

5.2 Proposals which do not include these documents will not be considered.

#### **6. Deadline for submission**

All proposals must be e-mailed, in PDF format, to [leratod@southafrica.net](mailto:leratod@southafrica.net) no later than 14h00 on Monday, 17 August 2021 and should remain valid for at least 1 month after the closing date.

#### **7. Confidentiality**

The request for a technical and cost proposal and all related information shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid. All bidders are bound by a confidentiality agreement preventing the unauthorized disclosure of any information regarding SA Tourism or of its activities to any other organization or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of SA Tourism.

#### **8. Terms of engagement**

Prior to commencing with the assignment, the successful bidder will be required to meet with the SA Tourism's Head of Risk to finalize the statement of work (SOW) and criteria for approval.

#### **9. Payments**

9.1 No advance payments will be made in respect of this assignment. Payments shall be made in terms of the deliverables as agreed upon and shall be made strictly in accordance with the prescripts of the PFMA (Public Finance Management Act, 1999. Act 1 of 1999).

9.2 The successful bidder shall after completion of the contract, invoice SA Tourism for the services rendered. No payment will be made to the successful bidder unless an invoice complying with section 20 of VAT Act No 89 of 1991 has been submitted to SA Tourism.

9.3 Payment shall be made into the bidder's bank account normally 30 days after receipt of an acceptable, valid invoice.

#### **10. Non-compliance with delivery terms**

The successful bidder must ensure that the work is confined to the scope as defined and agreed to. As soon as it becomes known to the bidder that they will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, SA Tourism's Head of Risk Management must be given immediate written notice to this effect.

#### **11. Retention**

Upon completion of the assignment and / or termination of the agreement, the successful bidder shall on demand hand over to SA Tourism's Head of Risk Management all documentation, information, etc... relevant to the assignment without the right of retention.

#### **12. Cost**

The bidder will bear all the costs associated with the preparation of the response and no costs or expenses incurred by the bidder will be borne by SA Tourism.

#### **13. Cancellation of the request for a technical and cost proposal**

13.1 SA Tourism may, prior to the award of the bid, have the right to cancel the bid if:

- (a) Due to changed circumstances, there is no longer a need for the service; or
- (b) Funds are no longer available to cover the part and/or total envisaged expenditure; or (c) No acceptable bids are received.

13.2 SA Tourism reserves the right to withdraw this request for technical and cost proposals, to amend the term or to postpone this work by email notice to all parties who have received this request.

#### **14. Clarification**

Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning this request for technical and cost proposals, is to be requested in writing from the Sourcing Manager.

Thanking you and looking forward to your proposal in this regard.

Yours in Tourism

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