

REFERENCE: RFP 31/2017

REQUEST FOR PROPOSAL

DESCRIPTION:

**PROVISION OF OPERATIONS MANAGEMENT DEVELOPMENT AND
MANAGEMENT DEVELOPMENT PROGRAMMES FOR SARS**

DATE ISSUED: 19 JANUARY 2018

CLOSING DATE: 20 FEBRUARY 2018

TENDER BOX:

**GROUND FLOOR, LINTON HOUSE
BROOKLYN BRIDGE
570 FEHRSEN STREET
BROOKLYN, PRETORIA**



TABLE OF CONTENT

1.	INTRODUCTION	3
2.	OVERVIEW OF SARS	3
3.	PURPOSE OF THIS REQUEST FOR PROPOSAL (RFP)	4
4.	LEGISLATION	4
5.	BRIEFING SESSION	5
6.	DURATION OF CONTRACT	6
7.	TIMELINE OF THE BID PROCESS	6
8.	CONTACT	7
9.	BACKGROUND / SCOPE OF WORK / DOCUMENTATION REQUIRED	7
10.	INSTRUCTIONS TO BIDDER(S)	14
11.	EVALUATION AND SELECTION CRITERIA PER CATEGORY	16
12.	FINANCIAL STATEMENTS	24
13.	AGREEMENTS	25
14.	SPECIAL CONDITIONS OF THIS BID	26
15.	ANNEXURE A1 - CATEGORY A - TECHNICAL COMPLIANCE CHECKLIST	31
16.	ANNEXURE A2 – CATEGORY B - TECHNICAL COMPLIANCE CHECKLIST	31
17.	ANNEXURE B – PRICING SCHEDULE	31

1. INTRODUCTION

The South African Revenue Service (SARS) is uniquely placed to contribute to government's plan of action to address socio-economic growth and development, poverty alleviation and job creation. Through the vital role of providing the revenue to fund the full spectrum of initiatives, plans, programmes and strategies of national and provincial government departments, SARS plays a crucial enabling role for government delivery.

2. OVERVIEW OF SARS

Our Mandate

In terms of the South African Revenue Service Act, 1997 (Act No. 34 of 1997), SARS is mandated to:

- Collect all revenues due;
- Ensure maximum compliance with tax and customs legislation; and
- Provide a customs service that will maximise revenue collection, protect our borders and facilitate trade.

Our Vision

SARS is an innovative revenue and customs agency that enhances economic growth and social development, and that supports the country's integration into the global economy in a way that benefits all South Africans.

Our Mission

To optimise revenue yield, to facilitate trade and to enlist new tax contributors by promoting awareness of the obligation to comply with tax and customs laws, and to provide a quality, responsive service to the public.

Our Values

- Fairness
- Integrity
- Transparency

- Honesty
- Accountability
- Respect
- Trust

Our Core Outcomes

- Increased Customs Compliance;
- Increased Tax Compliance;
- Increased ease and fairness of doing business with SARS; and
- Increased cost effectiveness, internal efficiency and institutional respectability.

3. PURPOSE OF THIS REQUEST FOR PROPOSAL (RFP)

The purpose of this Request for Proposal (RFP) is to solicit proposals from Institutions of Higher Learning and Business Schools (herewith referred to as Bidders) with accreditation to the South African Council of Higher Education (CHE) or other recognised accreditation bodies to partner with SARS for the customisation and implementation of two (2) Management Programmes.

For the purpose of this RFP, the two (2) Management Programmes referred to are:

- Category A - Foundational / Entry-Level Management Programme herewith referred to as Operations Management Development Programme (OMDP).
- Category B - Management Development Programme (MDP) for Middle Managers.

Bidders may submit proposals in respect of either one (1) or both programmes.

This RFP document details and incorporates, as far as possible, the tasks and responsibilities of the potential bidder(s) required by SARS. This RFP does not constitute an offer to do business with SARS, but merely serves as an invitation to Bidders to facilitate a requirements-based decision process.

4. LEGISLATION

4.1. TAX LEGISLATION

Bidder(s) must be compliant when awarded a Bid by SARS and remain compliant for the entire contract

term with all applicable tax legislation, including but not limited to the Tax Administration Act, 2011 (Act No. 28 of 2011), Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

4.2. PROCUREMENT LEGISLATION

SARS has a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated under Section 76 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), the Preferential Procurement Policy Framework Act, 2000 (Act No.5 of 2000) and the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003).

4.3. TECHNICAL LEGISLATIONS AND/OR STANDARDS

Bidder(s) should be cognisant of the following legislation and/or standards specifically applicable to the services, including but not limited to:

Acts (This list is not exhaustive)

- 4.3.1 Adult Basic Education and Training Act, 2000 (Act No. 52 of 2000)
- 4.3.2 Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006)
- 4.3.3 General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)
- 4.3.4 Higher Education Act, 1997 (Act No. 101 of 1997)
- 4.3.5 National Qualification Methodology Act, 2008 (Act No. 67 of 2008)
- 4.3.6 Skills Development Levies Act, 1999 (Act No. 9 of 1999)
- 4.3.7 Skills Development Act, 1998 (Act No. 97 of 1998)
- 4.3.8 South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
- 4.3.9 Basic Conditions of Employment Act, 1997 (Act No.75 of 1997)
- 4.3.10 Further Education and Training Act, 1998 (Act No. 98 of 1998)

5. BRIEFING SESSION

Interested parties have an option to attend a non-compulsory briefing session that will be held at Linton House, Brooklyn Bridge, 570 Fehrson Street, Brooklyn, Pretoria, on 05 February 2018 at 14h00 for clarification on the scope and the extent of work to be executed.

6. DURATION OF CONTRACT

The successful Bidder(s) will be appointed for a period of thirty six (36) months.

7. TIMELINE OF THE BID PROCESS

The **period of validity** of tender and the withdrawal of offers, after the closing date and time is 180 days.

The project timeframes of this Bid are set out below:

Activity	Date Due
Advertisement of Bid in the Government Tender Bulletin	19 January 2018
Advertisement on eTender	19 January 2018
Uploading of Bid documents on SARS website	22 January 2018
Non- compulsory briefing session	05 February 2018 at 14H00
Questions relating to the bid from bidder(s)	22 January 2018 – 13 February 2018
Bid Closing Date	20 February 2018
Notice to bidder(s)*	*May/ June 2018

*Dates subject to change

All times and dates in this bid are South African Standard Time.

Any time or date in this bid is subject to change at SARS' sole discretion. The establishment of a time or date in this bid does not create an obligation on the part of SARS to take any action, or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if SARS extends the deadline (the Closing Date) for bid submissions for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

8. CONTACT

A nominated official of the potential bidder(s) can make enquiries in writing to the specified person, Ms Vuyokazi Ntshinga (Procurement Tender Office) via email at tenderoffice@sars.gov.za and cc rft-professionalservices@sars.gov.za. Potential bidder(s) must reduce all telephonic enquiries to writing and send them to the above email addresses.

9. SCOPE OF WORK and DOCUMENTATION REQUIRED

9.1 BACKGROUND

In line with the SARS Strategic Plan 2015/16 to 2019/20, the Human Capital and Development strategy strives to create a learning organisation.

In achieving the same, SARS seeks to build a leadership and management bench strength that is capable of and is competent to

- (a) embed a values based culture,
- (b) take accountability and responsibility for the delivery of the SARS mandate and
- (c) build a sustainable organisation.

SARS has developed a leadership and management development framework that is aligned to the progressive developmental paths and the levels of work. The focus on this tender is mainly on the Operational Enhancement and Optimisation levels, fundamental to the business success. SARS has also conducted a suite of psychometric assessments to identify the developmental needs across the management levels. These assessments include but not limited to:

Personality Assessment:

- Occupational Personality Questionnaire (OPQ)
- Meyers Briggs Type Indicator (MBTI)

Ability Assessment:

- Numerical, Verbal and Inductive Reasoning

Capability Assessment:

- Modified Career Path Appreciation (MCPA)

9.2 SCOPE OF SERVICES

Bidders may submit proposals on either one or both programmes in respect of the following Categories:

9.2.1. CATEGORY A : OPERATIONS MANAGEMENT DEVELOPMENT PROGRAMME (OMDP)

Operations Managers in the SARS context refer to leaders who are at the Operational Optimisation level of work. Roles in this category are responsible drive results by executing the approved business plans at a business unit level to achieve the SARS mandate.

The successful bidder will be required to provide an existing NQF aligned and credit bearing Operations Management Development Programme. The successful bidder must:

9.2.1.1. NQF Alignment Programme

9.2.1.1.1. Ensure that the programme is aligned and customised to SARS strategic context.

9.2.1.1.2. Ensure that the programme is aligned to the **National Qualifications Framework (NQF) level 5.**

9.2.1.1.3. Ensure that the programme is aligned and meets the principles of Adult Learning.

9.2.1.1.4. Provide criteria that will be applied to evaluate the learning outcomes of the programme i.e. formative and summative assessments.

9.2.1.1.5. Ensure quality assurance and sign-off of all learning materials.

9.2.1.2. Structure and duration

9.2.1.2.1 Structure, align and deliver the OMDP over a period of ten (10) to twelve (12) months each year

9.2.1.2.2 Structure and propose the roll-out of the programme on a block-release i.e. contact sessions per month.

9.2.1.2.3 The expected commencement date of the programme for the first enrolment and in-take in Year 1 is May 2018. Subsequently, the delegates will be enrolled in advance to ensure the roll-out at the beginning of February in Year 2 and Year 3.

- 9.2.1.2.4 The methodology for delivery will be a workplace integration learning and classroom training. E-Learning may also be used where applicable (70:20:10).

9.2.1.3. Management of the Programme

- 9.2.1.3.1. Provide, host and facilitate the launch including the orientation for each academic year. The orientation will include the programme objectives, outcomes, criteria, method of evaluation and relevant information to the nominated SARS delegates.
- 9.2.1.3.2. Manage the programme for the full duration of the contract and provide resource plans.
- 9.2.1.3.3. Enrol and register delegates as nominated by SARS in cohorts of 30. The estimated delegates for enrolment are 180 in 2018, 210 in 2019 and 210 in 2020.
- 9.2.1.3.4. Utilise the relevant data as administered and provided by SARS to inform on the individual developmental needs.
- 9.2.1.3.5. Coordinate and manage the interface between SARS delegates and the successful bidder.
- 9.2.1.3.6. Make provisions for SARS Leadership to attend the simulations, presentations and summative assessments made by delegates to provide feedback.
- 9.2.1.3.7. Compile and submit progress reports per block-release.
- 9.2.1.3.8. Inform SARS on the conduct of delegates and any foreseeable risk that may impact the delivery of the programme or performance as provisioned for in the contractual agreement.
- 9.2.1.3.9. Award a certificate of competence to delegates and host the graduation ceremony.

9.2.1.4. Learning Resources

- 9.2.1.4.1. Provide participants learning material such as books including all materials required for successful completion of the programme.
- 9.2.1.4.2. Provide access to other learning resources such as libraries and knowledge hubs.

9.2.1.5. Training Venue

- 9.2.1.5.1. Provide the training venues at the Bidder's location in these regions : Johannesburg, Pretoria, Cape Town and Durban.
- 9.2.1.5.2. Provide venues that cater for participants with special needs.
- 9.2.1.5.3. Provide suitable venue for graduation or certification ceremonies.

9.2.1.6. Post Tender Award

- 9.2.1.6.1. Ensure that within eight (8) weeks from the contract commencement date, the OMDP programme is customised and ready for implementation.

9.2.2. DOCUMENTATION REQUIRED

Each category will be evaluated independent from each other. It is important that the bidders who intend to bid in both categories should submit all the required information separately i.e. per Category.

9.2.2.1. BIDDERS PROPOSAL FOR CATEGORY A – OPERATIONS MANAGEMENT DEVELOPMENT PROGRAMME (OMDP)

Bidders are required to submit their response to all the information in this section relating to the Operations Management Development Programme (OMDP).

- 9.2.2.1.1. Bidder's profile in rendering customised Management Education programmes, organisational structure and infrastructure to render the services. The profile must include but should not be limited to: staff compliment (including lecturers and Course Convener) for the programme; Level of expertise of key personnel who will be customising the programme (their accessibility, qualifications and experience and full contact details of the key contact person / Accounts Manager).

- 9.2.2.1.2. A comprehensive programme outline of the Bidder's existing foundational / entry level management programme that will be customised to meet SARS requirements. The information provided must include but not limited to: Programme overview, Entry requirements, Key focus areas, Module objectives, Learning outcomes, Duration of the programme, Venue for contact learning, NQF alignment, Credits (where applicable) and Certificate.

- 9.2.2.1.3. Clearly demonstrate on how the Bidder's Operations Management Development Programme can be customised and aligned to SARS requirements as outlined in paragraph 9.2.1. Bidders must also clearly outline any shortfall on their programme course content that may require customisation to align to SARS competency requirements.

- 9.2.2.1.4. Propose a high-level project plan with clearly defined deliverables and timelines for the customisation and implementation of the Operations Management Development Programme.

The plan must make provision for quality management. Bidders must take into account all SARS key requirements as outlined in paragraph 9.2.1.

9.2.2.1.5. Provide three (3) testimonial letters from current and recent clients not older than 5 years where a customised foundational / entry-level management programmes was implemented. The client reference letter must be on a company letter head and include the following: company name, contact name, address, phone number, and duration of contract, a brief description of the services and the level of customer satisfaction.

9.2.3. CATEGORY B : MANAGEMENT DEVELOPMENT PROGRAMME (MDP)

Managers in the SARS context refer to leaders who are at the Operational Enhancement level of work.

The successful bidder will be required to provide an existing NQF aligned and credit bearing Management Development Programme. The successful bidder must:

9.2.3.1. NQF Alignment Programme

- 9.2.3.1.1. Ensure that the programme is aligned and customised to SARS strategic context.
- 9.2.3.1.2. Ensure that the programme is aligned to the **National Qualifications Framework (NQF) level 6.**
- 9.2.3.1.3. Ensure that the programme is aligned and meets the principles of Adult Learning.
- 9.2.3.1.4. Provide criteria that will be used to evaluate the learning outcomes of the programme i.e. formative and summative assessments.
- 9.2.3.1.5. Ensure quality assurance and sign-off of all learning materials.

9.2.3.2. Structure and duration

- 9.2.3.2.1. Structure, align and implement the MDP programme over a period of ten (10) to twelve (12) months each year.
- 9.2.3.2.2. Structure and propose the roll-out of the programme on a block-release i.e. contact sessions per month.
- 9.2.3.2.3. The expected commencement date of the programme for the first enrolment and in-take in Year 1 is May 2018. Subsequently, the delegates will be enrolled in advance to ensure the roll-out at the beginning of February in Year 2 and Year 3.
- 9.2.3.2.4. The methodology for delivery will be a workplace integration learning and classroom

training. E-Learning may also be used where applicable (70:20:10).

9.2.3.3. Management of the programme

- 9.2.3.3.1. Provide, host and facilitate the launch including the orientation for the academic year. The orientation will include but not limited to programme objectives, outcomes, criteria, method of evaluation and relevant information to the nominated SARS delegates.
- 9.2.3.3.2. Manage the programme for the full duration of the contract and provide resource plans.
- 9.2.3.3.3. Enrol and register delegates as nominated by SARS in cohorts of 20. The estimated delegates for enrolment are 80 in 2018, 80 in 2019 and 80 in 2020.
- 9.2.3.3.4. Utilise relevant data as administered and provided by SARS to inform the individual developmental needs.
- 9.2.3.3.5. Coordinate and manage the interface between SARS delegates and the bidder.
- 9.2.3.3.6. Make provisions for SARS Leadership to attend the simulations, presentations and summative assessments made by delegates to provide feedback.
- 9.2.3.3.7. Compile and submit progress reports per block-release.
- 9.2.3.3.8. Inform SARS on the conduct of delegates and any foreseeable risk that may impact on the delivery of the programme or performance as provisioned for in the contractual agreement.
- 9.2.3.3.9. Award a certificate of competence to delegates and the host graduation ceremony.

9.2.3.4. Learning Resources

- 9.2.3.4.1. Provide participants with learning material such as books including all materials required for successful completion of the programme.
- 9.2.3.4.2. Provide access to other learning resources such as libraries and knowledge hubs.

9.2.3.5. Training Venue

- 9.2.3.5.1. Provide training venues at the Bidder's location in these regions : Johannesburg, Pretoria, Cape Town and Durban.
- 9.2.3.5.2. Provide venues that cater for participants with special needs.
- 9.2.3.5.3. Provide suitable venue for graduation or certification ceremonies.

9.2.3.6. Post Tender Award

- 9.2.3.6.1. Ensure that within eight (8) weeks from the contract commencement date, the MDP programme is customised and ready for implementation.

9.2.4. DOCUMENTATION REQUIRED

9.2.4.1. BIDDERS PROPOSAL FOR CATEGORY B – MANAGEMENT DEVELOPMENT PROGRAMME

Bidders are required to submit their response to all the information in this section for the Management Development Programme (MDP).

- 9.2.4.1.1. Bidder's profile in rendering customised Management Education programmes, organisational structure and infrastructure to render the services. The profile must also include but should not be limited to: staff compliment (including lecturers and Course Convener) for the programme; Level of expertise of key personnel who will be customising the programme (their accessibility, qualifications and experience and full contact details of the key contact person / Accounts Manager).
- 9.2.4.1.2. A comprehensive programme outline of the Bidder's customisable open programme for Management Development Programme. The information provided must include but not be limited to: Programme overview, Entry requirements, Key focus areas, Module objectives, Learning outcomes, Duration of the programme, Venue for contact learning, NQF alignment, Credits (where applicable) and Certificate.
- 9.2.4.1.3. Clearly demonstrate how the Bidder's Management Development Programme course content can be customised and aligned to SARS key focus areas as outlined in paragraph 9.2.2 Bidders must also clearly outline any shortfall on their programme course content that may require customisation to align to SARS competency requirements.
- 9.2.4.1.4. Propose a high-level project plan with clearly defined deliverables and timelines for the customisation and implementation of the Management Development Programme. The plan must make provision for quality management. Bidders must take into account all SARS key requirements as outlined in paragraph 9.2.2.
- 9.2.4.1.5. Provide three (3) testimonial letters from current and recent clients not older than 5 years

where a customised Management education programme was implemented. The reference letter must be on a company letter head and include the following: company name, contact name, address, phone number, and duration of contract, a brief description of the services and the level of customer satisfaction.

9.3 TECHNICAL COMPLIANCE CHECKLIST

Bidder(s) are required to complete the compliance checklist as outlined in **Annexure A1** for Category A & **Annexure A2** for Category B in order to guide the SARS evaluators where to find their technical responses.

9.4 CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION

Service providers and suppliers who wish to render services to SARS will no longer register at SARS directly. Suppliers will have to register on the National Treasury Central Supplier Database (CSD) as per National Circular No 3 of 2015/6 – Central Supplier Database;

National Treasury maintains the database for all suppliers for Government and its institutions; and

All existing and prospective suppliers are requested to register on the CSD by accessing the National Treasury website at www.CSD.gov.za.

10. INSTRUCTIONS TO BIDDER(S)

10.1. Bids must be properly packaged and deposited in the below mentioned tender box on or before the Closing Date and before the closing time at the SARS Tender Office situated at:

Linton House - Ground Floor

Brooklyn Bridge

570 Fehrsen Street

Brooklyn, Pretoria

Bid documents may also be posted to the Tender Office - SARS Procurement Department, Linton House, Brooklyn Bridge, 570 Fehrsen Street, Brooklyn, Pretoria, 0181.

10.2. Bid documents will only be considered if received by SARS before the Closing Date and time, regardless of the method used to send or deliver such documents to SARS.

10.3. Late bids will not be accepted and shall be returned to bidder(s).

- 10.4.** The bidder(s) are required to submit two (2) copies of each file (original and duplicate) and one (1) CD-ROM with the contents of each file by **20 February 2018 at 11H00**.
- 10.5.** Each file and CD-ROM must be **marked correctly and sealed separately** for ease of reference during the evaluation process.
- 10.6.** Pricing Information should not be included in the Technical file (File 1). Furthermore, the file and information in the CD-ROM must be labelled and submitted in the following format:

DOCUMENTATION REQUIRED FOR CATEGORY A – OPERATIONS MANAGEMENT DEVELOPMENT PROGRAMME

FILE 1 (ONLY TECHNICAL PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> Pre-qualification documents (SBD documents and others) Information on proof accreditation, refer to section 11.2 	Exhibit 2 <ul style="list-style-type: none"> Bidder Compliance Checklist for the Technical Evaluation (Annexure A1) Bidder's responses and supporting documents to paragraph 9.2.1 Testimonials
Exhibit 3 <ul style="list-style-type: none"> Any supplementary / additional information as part of technical response Financial Statements 	Exhibit 4 <ul style="list-style-type: none"> General Conditions of Contract (GCC) Draft Services Agreement
FILE 2 (ONLY PRICE AND BEE PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> B-BBEE Certificate SBD 6.1 	Exhibit 2 <ul style="list-style-type: none"> Pricing Schedule
Note: SARS request that bidders use Lever Arch files to package their proposals.	

DOCUMENTATION REQUIRED FOR CATEGORY B – MANAGEMENT DEVELOPMENT PROGRAMME

FILE 1 (ONLY TECHNICAL PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> Pre-qualification documents (SBD documents and others) 	Exhibit 2 <ul style="list-style-type: none"> Bidder Compliance Checklist for the Technical Evaluation (Annexure A2)

FILE 1 (ONLY TECHNICAL PROPOSAL)	
<ul style="list-style-type: none"> Information on proof accreditation, refer to section 11.2 	<ul style="list-style-type: none"> Bidder's responses and supporting documents to paragraph 9.2.3 Testimonials
Exhibit 3 <ul style="list-style-type: none"> Any supplementary / additional information as part of technical response Financial Statements 	Exhibit 4 <ul style="list-style-type: none"> General Conditions of Contract (GCC) Draft Services Agreement
FILE 2 (ONLY PRICE AND BEE PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> B-BBEE Certificate SBD 6.1 	Exhibit 2 <ul style="list-style-type: none"> Pricing Schedule
Note: SARS request that bidders use Lever Arch files to package their proposals.	

11. EVALUATION AND SELECTION CRITERIA PER CATEGORY

SARS has set minimum standards (Gates) that a bidder(s) needs to meet in order to be evaluated and selected as a successful bidder(s). The minimum standards consist of the following:

- Pre-Qualification Criteria (Gate 0)** – bidder(s) must submit all documents, as outlined in paragraph 11.1 and 11.2 below
- Technical Evaluation Criteria (Gate 1)** – bidders will be evaluated out of 100 points and must achieve a minimum threshold of 70 points. Only Bidders that have obtained a threshold of 70 out of 100 points will proceed to Gate 2 for Price and BEE evaluations as outlined in paragraph 11.3.
- Price and BBEE Evaluation (Gate 2)** – This will be evaluated out of 100 points. Price will be evaluated out of 80 points and BBEE out of 20 points. The process is outlined in paragraph 11.4.

11.1. PRE-QUALIFICATION CRITERIA – GATE 0

Without limiting the generality of SARS other critical requirements for this bid, a bidder(s) must submit the documents listed in **Table 11A** below.

All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). A bidder's proposal may be disqualified for non-submission of any of the documents.

Table 11A: Documents that must be submitted for Pre-qualification

Name of the document that must be submitted	Non-submission may result in disqualification
Invitation to bid – SBD 1	YES – Complete and sign the supplied pro forma document.
Pricing Schedule – SBD 3.3 and Annexure B: Pricing Template	YES – Complete and sign the supplied pro forma document. Submit full details of the pricing proposal to SARS in Annexure B.
Declaration of Interest – SBD 4	YES – Complete and sign the supplied pro forma document.
Preference Point Claim Form - SBD 6.1	YES – Complete and sign the supplied pro forma document.
Declaration of bidder's Past Supply Chain Management Practices – SBD 8	YES – Complete and sign the supplied pro forma document.
Certificate of Independent bid Determination – SBD 9	YES – Complete and sign the supplied pro forma document.
SARS' Oath of Secrecy	YES – Each recommended consultant to complete and sign the supplied pro forma document in the presence of a Commissioner of Oaths and initial every page.
General Conditions of Contract (GCC)	YES – Sign the supplied GCC.
Supplier cost and risk assessment questionnaire	YES – Complete and sign the supplied pro forma document.
Bidder Compliance Checklist Form for Technical Evaluation (Annexure A1&A2)	NO – Complete to assist with ease of reference during evaluation.
A complete set of audited/reviewed annual financial statements for three (3) most recent financial periods in the name of the bidding entity	YES – Please submit.

11.2. MANDATORY REQUIREMENT

Mandatory requirement	
Accreditation with South African Council of Higher Education (CHE) or other recognised accreditation bodies.	<p>SARS will verify the accreditation of each Bidder with the respective accreditation bodies. SARS reserves the right to request additional information from Bidders to validate accreditation.</p> <p>Non-verifiable accreditation will lead to disqualification.</p> <p>Bidders may submit proof of accreditation in either one the following format:</p> <ul style="list-style-type: none"> • Certificate; or • Accreditation number and professional body on a letter head of the bidding entity.

11.3. TECHNICAL EVALUATION (GATE 1) = 100 POINTS

Only Bidder(s) that have met the Pre-Qualification Criteria in (Gate 0) will be evaluated in Gate 1 for functionality. Bidders will be evaluated out of 100 points and are required to achieve the minimum threshold of 70 out of 100 points.

Only Bidders that have obtained a threshold of 70 out of 100 points will proceed to Gate 2 for Price and BEE evaluations.

11.3.1. TECHNICAL EVALUATION CRITERIA PER CATEGORY

CATEGORY A – OPERATIONS MANAGEMENT DEVELOPMENT PROGRAMME

#	Technical Evaluation Criterion	Weight	RFP Doc. Reference
1	Profile, Resources & Infrastructure	20	
1.1	Bidder's profile in rendering customised Management Education programmes, organisational structure and infrastructure to render the services. The profile must include but should not be		Refer to Section 9.2.2.1.1

#	Technical Evaluation Criterion	Weight	RFP Doc. Reference
	limited to: staff compliment (including lecturers and Course Convener) for the programme; Level of expertise of key personnel who will be customising the programme (their accessibility, qualifications and experience and full contact details of the key contact person / Accounts Manager.		
2	Capability	35	
2.1	A comprehensive programme outline of the Bidder's existing foundational / entry level management programme that will be customised to meet SARS requirements. The information provided must include but not limited to: Programme overview, Entry requirements, Key focus areas, Module objectives, Learning outcomes, Duration of the programme, Venue for contact learning, NQF alignment, Credits (where applicable) and Certificate.		Refer to Section 9.2.2.1.2
3	Methodology and Approach	35	
3.1	Clearly demonstrate on how the Bidder's Operations Management Development Programme can be customised and aligned to SARS requirements as outlined in paragraph 9.2.1. Bidders must also clearly outline any shortfall on their programme course content that may require customisation to SARS competency requirements.		Refer to Section 9.2.2.1.3
3.2	Propose a high-level project plan with clearly defined deliverables and timelines for the customisation and implementation of the Operations Management Development Programme. The plan must make provision for quality management. Bidders must take into account all SARS key requirements as outlined in paragraph 9.2.1.		Refer to Section 9.2.2.1.4
4	Testimonials	10	
4.1	Provide three (3) testimonial letters from current/recent clients, (not older than 5 years) to whom customisation or provision of a foundational / entry-level management programmes were rendered. The reference letter must be on a company letter head and include the following: company name, contact name, address, phone number, and duration of contract, a brief		Refer to Section 9.2.2.1.5

#	Technical Evaluation Criterion	Weight	RFP Doc. Reference
	description of the services and the level of customer satisfaction.		

CATEGORY B – MANAGEMENT DEVELOPMENT PROGRAMME

#	Technical Evaluation Criterion	Weight	RFP Doc. Reference
1	Profile, Resources & Infrastructure	20	
1.1	Bidder's profile in rendering customised Management Education programmes, organisational structure and infrastructure to render the services. The profile must also include but should not be limited to: staff compliment (including lecturers and Course Convener) for the programme; Level of expertise of key personnel who will be customising the programme (their accessibility, qualifications and experience and full contact details of the key contact person / Accounts Manager.		Refer to Section 9.2.4.1.1
2	Capability	35	
	A comprehensive programme outline of the Bidder's customisable open programme for Management Development Programme. The information provided must include but not be limited to: Programme overview, Entry requirements, Key focus areas, Module objectives, Learning outcomes, Duration of the programme, Venue for contact learning, NQF alignment, Credits (where applicable) and Certificate.		Refer to Section 9.2.4.1.2
3	Methodology and Approach	35	
3.1	Clearly demonstrate on how the Bidder's Management Development Programme course content can be customised and aligned to SARS key focus areas as outlined in paragraph 9.2.3 Bidders must also clearly outline any shortfall on their programme course content that may require customisation to align to SARS competency requirements.		Refer to Section 9.2.4.1.3
3.2	Propose a high-level project plan with clearly defined deliverables and timelines for the customisation and implementation of the Management Development Programme. The plan must make provision for quality management. Bidders must take into account		Refer to Section 9.2.4.1.4

#	Technical Evaluation Criterion	Weight	RFP Doc. Reference
	all SARS key requirements as outlined in paragraph 9.2.3.		
4	Testimonials	10	
4.1	Provide three (3) testimonial letters from current/recent clients, (not older than 5 years) to whom customisation of Management Education Programmes were rendered. The reference letter must be on a company letter head and include the following: company name, contact name, address, phone number, and duration of contract, a brief description of the services and the level of customer satisfaction.		Refer to Section 9.2.4.1.5

**SARS reserves the right to invite Bidders for presentation for technical clarification.*

11.4. PRICE AND BBBEE EVALUATION (GATE 2) (80 + 20) = 100 POINTS

11.4.1.Stage 1 – Price Evaluation (80 points)

Table 11B: Price evaluation formula

Adjudication Criteria	Points
Price Evaluation $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80

Where

P_s = Points scored for price of Bid under consideration
 P_t = Rand value of Bid under consideration
 P_{\min} = Rand value of lowest acceptable Bid

11.4.2.Stage 2 – B-BBEE Evaluation (20 points)

Table 11C: BEE Points allocation and required documents

Adjudication Criteria	Points
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A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1) and a B-BBEE certificate.	20
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The checklist below indicates the B-BBEE documents that must be submitted for this bid. Failure to submit the required documents will result in bidder(s) scoring zero (0) for B-BBEE.

No.	Classification	Turnover	Submission Requirement
1.	Exempted Micro Enterprise (EME)	Below R10 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS Accredited rating agency or a Registered Auditor approved by the Independent Regulatory Board for Auditors ("IRBA") or a letter from an Accounting Officer as contemplated in the CCA.
2.	Qualifying Small Enterprise (QSE)	Between R10 million and R50 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS Accredited rating agency or a Registered Auditor approved by the IRBA. A sworn affidavit.
3.	Large Enterprise (LE)	Above R50 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS Accredited rating agency or a Registered Auditor approved by the IRBA.

Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

Bidders who do not claim preference points will be scored zero for BEE but cannot be excluded from the tender process.

Use and acceptance of Sworn Affidavits

SARS reserves the right to request that bidders submit proof of their black ownership and turnover

information, in support of their sworn affidavits.

Joint Ventures (JVs) and Consortiums

A Trust, Consortium or Joint Venture, will qualify for points for their B-BBEE status level as a legal entity, provided that each of the entity(ies) submits their B-BBEE status level certificate.

A Trust, Consortium or Joint Venture will qualify for points for their B-BBEE status level as unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

Tertiary Institutions and Public Entities

Tertiary Institutions and Public Entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

- **Regulation 12 – Subcontracting after award of tender**

- (1) A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- (2) A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- (3) A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an Exempted Micro Enterprise that has the capability and ability to execute the sub-contract.

- **Proof of Existence: Joint Ventures and/or Sub-Contracting**

Bidders must submit concrete proof of the existence of joint ventures and/or sub-contracting arrangements. SARS will accept signed agreements as acceptable proof of the existence of a joint venture and/or sub-contracting arrangement.

The joint venture and/or sub-contracting agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or sub-contracting party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or sub-contracting arrangement.

11.4.3. Stage 3 (80 + 20) = 100 points

The Price and B-BBEE points will be added together to determine each bidder's overall score out of 100 points.

12. FINANCIAL STATEMENTS

Bidders are required to submit complete sets of audited or reviewed annual financial statements for the three (3) most recent financial periods in the name of the bidding entity. The financial statement analysis will be conducted on the shortlisted bidders.

12.1. The annual financial statements must contain:

- Statement of Profit and Loss and Other Comprehensive Income;
- Statement of Financial Position;
- Statement of Cash Flows; and
- Accompanying Notes.

12.2. Entities which are trading for less than three (3) financial periods should provide:

- A letter detailing that fact, signed by a duly authorised representative of the entity; and
- Any other information or documentation which would provide more clarity on the financial history of the bidder.

12.3. In the event that the subsidiary is the bidding entity and submits the financial statements of the holding company for financial evaluation purposes, the holding company must furnish a Performance Guarantee that is signed by a duly authorised representative of the entity.

12.4. In the event of the bid being in the form of a JV, the following is required:

- Annual financial statements of the JV; and
- A JV legal agreement detailing the percentage ownership of each entity.

SARS reserves the right to request further information with regards to the annual financial statements of a bidder at a later stage.

13. AGREEMENTS

13.1. GENERAL CONDITIONS OF CONTRACT

Any award made to a bidder under this bid is conditional, amongst others, upon –

- a. The bidder accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which SARS is prepared to enter into a contract with the successful bidder.
- b. The bidder submitting the General Conditions of Contract to SARS together with its bid, duly signed by an authorised representative of the bidder.

13.2. SERVICES AGREEMENT

- a. Upon award, SARS and the successful bidder will conclude a supplementary agreement regulating the specific terms and conditions applicable to the services being procured by SARS, more or less in the format of the draft Services Agreement included in this tender pack.
- b. SARS reserves the right to vary the proposed terms and conditions of the draft Services Agreement during the course of negotiations.
- c. Bidders are requested to -
 - Comment on the terms and conditions set out in the Services Agreement and where necessary, make proposals to the terms and conditions;
 - Each comment and/or amendment must be explained; and
 - All changes and/or amendments to the Services Agreement must be in an easily identifiable colour font and tracked for ease of reference.
- d. SARS reserves the right to accept or reject any or all amendments or additions proposed by a bidder if such amendments or additions are unacceptable to SARS or pose a risk to the organisation. For this reason, it is not required that the draft Services Agreement be signed on submission of the bidder's proposal.
- e. According to National Treasury instruction note No.2 of 2016/17, "Accounting officers and

accounting authorities must ensure that appropriate monitoring and reporting requirements are set for all consultancy contracts and that penalty provisions are invoked when deemed necessary”.

f. Insurance

The successful bidder will be required, on or before the effective date of the Master Services Agreement and for the duration of the Agreement, to have and maintain in force adequate insurance cover consistent with acceptable and prudent business practices and acceptable to SARS, which shall include, without limitation, professional indemnity insurance cover.

14. SPECIAL CONDITIONS OF THIS BID

14.1. SARS reserves the right:

- a. Not to award or cancel this bid at any time and shall not be bound to accept the lowest or any bid.
- b. To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s).
- c. To accept part of a bid rather than the whole bid.
- d. To cancel and/or terminate the bid process at any stage, including after the Closing Date and/or after presentations have been made, and/or after Bids have been evaluated and/or after the preferred bidder(s) have been notified of their status as such.
- e. To carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the bid.
- f. To correct any mistakes at any stage of the bid that may have been in the bid documents or occurred at any stage of the bid process.

14.2. SARS requires bidder(s) to declare:

In the bidder's Technical response, the bidder(s) are required to declare the following:

14.2.1. Confirm that the bidder(s) shall:

- 14.2.1.1. Act honestly, fairly and with due skill, care and diligence, in the interests of SARS;
- 14.2.1.2. Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;
- 14.2.1.3. Act with circumspection and treat SARS fairly in a situation of conflicting interests;
- 14.2.1.4. Comply with all applicable statutory or common law requirements applicable to the conduct

of business;

- 14.2.1.5. Make adequate disclosures of relevant material information, including disclosures of actual or potential own interests, in relation to dealings with SARS;
- 14.2.1.6. Avoid fraudulent and misleading advertising, canvassing and marketing;
- 14.2.1.7. Conduct their business activities with transparency and consistently uphold the interests and needs of SARS as a client before any other consideration; and
- 14.2.1.8. Ensure that any information acquired by the bidder(s) from SARS will not be used or disclosed unless the written consent of SARS has been obtained to do so.

14.3. CONFLICT OF INTEREST, CORRUPTION AND FRAUD

SARS reserves its right to disqualify any bidder who either through itself or any of its members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a fifteen percent (15%) interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of SARS or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity"):

- a. engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;
- b. seeks any assistance, other than assistance officially provided by a Government Entity, from any employee, advisor or other representative of a Government Entity in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
- c. makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of SARS' officers, directors, employees, advisors or other representatives;
- d. makes or offers any gift, gratuity, anything of any value or other inducement, to any Government Entity's officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
- e. accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Government Entity;
- f. pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity;
- g. has in the past engaged in any matter referred to above; or
- h. has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director's name not specifically

appearing on the List of Tender Defaulters kept at National Treasury.

14.4. BIDDER'S OWN TERMS AND CONDITIONS OR BID QUALIFICATION

This document contains the terms and conditions of this bid and bidders must not qualify the specifications or come up with their own terms and conditions. SARS reserves the right to disqualify a bid which seeks to modify or depart from the specified conditions.

14.5. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

The Bidder should note that the terms of its bid will be incorporated in the proposed contract by reference and that SARS relies upon the bidder's bid as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.

It follows therefore that misrepresentations in a bid may give rise to service termination and a claim by SARS against the bidder notwithstanding the conclusion of the Services Agreement between SARS and the bidder for the provision of the services in question.

14.6. PREPARATION COSTS

The bidder will bear all its costs in preparing, submitting and presenting any response or tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing SARS, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidders in the preparation of their response to this bid.

14.7. INDEMNITY

If a bidder breaches the conditions of this bid and, as a result of that breach, SARS incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds SARS harmless from any and all such costs which SARS may incur and for any damages or losses SARS may suffer.

14.8. PRECEDENCE

This document will prevail over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

14.9. LIMITATION OF LIABILITY

A bidder participates in this bid process entirely at its own risk and cost. SARS shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered as a result of the bidder's participation in this bid process.

14.10. TAX COMPLIANCE

No tender shall be awarded to a bidder who is not tax compliant. SARS reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder in the event that it is established that such bidder was in fact not tax compliant at the time of the award. SARS further reserves the right to cancel a contract with a successful bidder in the event that such bidder does not remain tax compliant for the full term of the contract.

14.11. NATIONAL TREASURY

No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appears on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. SARS reserves the right to withdraw an award, or cancel a contract concluded with a bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another government institution.

14.12. GOVERNING LAW

South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

14.13. RESPONSIBILITY FOR SUB-CONTRACTORS AND BIDDER'S PERSONNEL

A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid and in particular the provisions of paragraph 11.3.2 above. In the event that SARS allows a bidder to make use of sub-contractors, such sub-contractors will at all times remain the responsibility of the bidder and SARS will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.

14.14. CONFIDENTIALITY

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's bid proposal(s) will be disclosed by any bidder or other person not officially involved with SARS' examination and evaluation of a bid.

No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a bid. This bid and any other documents supplied by SARS remain proprietary to SARS and must be promptly returned to SARS upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

Throughout this bid process and thereafter, bidders must secure SARS' written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

No confidential information relating to the process of evaluating or adjudicating bids or appointing a bidder will be disclosed to a bidder or any other person not officially involved with such process.

14.15. SARS PROPRIETARY INFORMATION

Bidder(s) will on their bid covering letter make declaration that they did not have access to any SARS proprietary information or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidders.

14.16. INTELLECTUAL PROPERTY RIGHTS

Subject to pre-existing intellectual property rights of the bidder and/or any third party, all intellectual property right to literary works created in the course of executing the services contemplated in this RFP shall vest exclusively in SARS. By bidding, bidders irrevocably agree to transfer, make over and assign to SARS such relevant intellectual property rights.

14.17. SCREENING AND VETTING OF SERVICE PROVIDER

Acceptance of this tender is subject to the condition that both the contracting firm and its personnel providing the service must be screened and cleared by the appropriate authorities to the grade of

clearance in line to classified information, intelligence in the possession of SARS and areas designated as National Key points that they may have.

Obtaining a positive recommendation is the responsibility of the contracting firm concerned. If the principal contractor appoints a subcontractor, the same provisions and measures will apply to the subcontractor.

15. ANNEXURE A1 - CATEGORY A - TECHNICAL COMPLIANCE CHECKLIST

16. ANNEXURE A2 – CATEGORY B - TECHNICAL COMPLIANCE CHECKLIST

17. ANNEXURE B – PRICING SCHEDULE

Bidders to refer to the following pricing schedules:

- Annexure B1 – Category A – Operations Management Development Programme
- Annexure B2 – Category B – Management Development Programme