



THE NATIONAL ECONOMIC DEVELOPMENT & LABOUR COUNCIL

14A Jellicoe Avenue, NEDLAC House,
Rosebank PO Box 1775, Saxonwold, 2132

INVITATION TO TENDER

YOU ARE HEREBY INVITED TO SUBMIT PROPOSALS FOR ENERGY EXPERT TO PROVIDE TECHNICAL SUPPORT TO THE NEDLAC ENERGY SECURITY WORKSTREAM

BID NUMBER:	Nedlac 23/24/03
BID ISSUE DATE:	22 September 2023
CLOSING DATE AND TIME:	16 October 2023 at 11am
BID VALIDITY PERIOD	90 days (COMMENCING FROM THE BID CLOSING DATE)
COMPULSORY CLARIFICATION MEETING	N/A
DESCRIPTION OF SERVICE/GOODS	ENERGY EXPERT TO PROVIDE TECHNICAL SUPPORT TO THE NEDLAC ENERGY SECURITY WORKSTREAM
SUBMISSION OF BID	<u>DEPOSITED IN THE TENDER BOX SITUATED AT:</u> Nedlac offices (Reception Area) 14A Jellicoe Avenue, Rosebank

PROCUREMENT ENQUIRY	Name : Mrs Sibongile Pheeha Tel no : 011 328 4200/ 060 771 0835 Email : sibongile@nedlac.org.za
TECHNICAL ENQUIRY	Name : Mr Vuyisa Tafa Email : vuyisa@nedlac.org.za

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PART A

INVITATION TO TENDER

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NEDLAC					
BID	NEDLAC 23/24/03		CLOSING DATE:	16 October 2023	CLOSING 11:00 AM
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER FOR ENERGY EXPERT TO PROVIDE TECHNICAL SUPPORT TO THE NEDLAC ENERGY SECURITY WORKSTREAM				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
NEDLAC HOUSE					
14A JELlicoe AVENUE					
ROSEBANK					
RECEPTION AREA – TENDER BOX					
BIDDING PROCEDURE ENQUIRIES MAY BE			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	SIBONGILE PHEEHA		CONTACT PERSON	Vuyisa Tafa	
TELEPHONE	011 328 4200		TELEPHONE	011 328 4200	
FACSIMILE			FACSIMILE NUMBER		
E-MAIL ADDRESS	sibongile@nedlac.org.za		E-MAIL ADDRESS	Vuyisa@nedlac.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE	CODE		NUMBER		
CELLPHONE					
FACSIMILE	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATI					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS	Yes No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		Yes No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES/ NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES/NO					

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? IS

YES NO

THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO

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.

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 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.
- 2.3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 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."

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:

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.:
CLOSING TIME 11:00	CLOSING DATE.....

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
a.	The accompanying information must be used for the formulation of proposals.	

a. The accompanying information must be used for the formulation of proposals.

- Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

- PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	.....	R.....	
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	.....	R.....	.....
	.....	R.....	days
	.....	R.....	.....
	.....	R.....	days

5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----			R.....
-----			R.....
-----			R.....

TOTAL: R.....

**** "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R.....
.....			R.....
.....			R.....
.....			R.....

TOTAL.....

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract? *YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....

*[DELETE IF NOT APPLICABLE]

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to

² 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.

win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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) BBBEE

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
BBBEE	20
Total points for Price and BBBEE	100

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:

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

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{min} = 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = 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.)

The BBBEE allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Level 1	10	20		
Level 2	8	16		
Level 3	5	10		
Level 4	4	8		
Level 5	3	6		
Level 6-8	0	0		

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:	.....
	
	
	

CERTIFICATE FOR JOINT VENTURES

This Returnable Schedule is to be completed by EACH member of a joint venture submitting a proposal.

We, the undersigned, are submitting this proposal offer in Joint Venture and hereby authorize

Mr / Ms.....,

Authorized signatory of the Company.....

Acting in the capacity of lead JV partner, to sign all documents in connection with the proposal offer and any contract resulting from it on our behalf as a joint venture.

NAME OF JV ORGANISATION.....

ADDRESS:.....

.....

.....

DULY AUTHORISED SIGNATORY NAME

DESIGNATION:.....

SIGNATURE.....

DATE:.....

TERMS OF REFERENCE

REQUEST FOR PROPOSALS FOR ENERGY EXPERT TO PROVIDE TECHNICAL SUPPORT TO THE NEDLAC ENERGY SECURITY WORKSTREAM

1. PURPOSE

The purpose of this RFP is to secure the services of a service provider who has expertise in the energy sector, to provide technical support to the Nedlac Energy Security Workstream.

2. INTRODUCTION AND BACKGROUND

From 2019 to 2020, the social partners at Nedlac negotiated a Framework Agreement for a Social Compact on Supporting Eskom for Inclusive Economic Growth which was signed by the leaders of Nedlac constituencies on 08 December 2020. The social compact sets out steps that each social partner will take to stabilise Eskom so that there can be an efficient, reliable, and affordable supply of energy which will enable sustainable job creation and inclusive economic growth. The implementation of this social compact is also one of the commitments of the Economic Recovery and Reconstruction Plan (ERRP) which was announced by President Cyril Ramaphosa in October 2020.

After the Social Compact was signed Nedlac established an Energy Security Work Stream (ESW) to coordinate and oversee its implementation. The approach of the ESW was to receive updates on progress made by various government departments, Eskom, and other social partners.

However, the evolving crisis and developments in the electricity industry have prompted a change in focus of the ESW to also deal with emerging issues and ensure that social partners are aware of the latest developments including through report backs from Operational Vulindlela and Eskom, and also roundtable sessions on key important issues relating to energy. This has enabled the ESW to identify key areas where additional oversight and attention is required including engaging on and providing submissions to the relevant Ministers and Parliament on the views of social partners on draft policy and legislation.

The overall objective of the energy workstream is to ensure energy security for economic recovery and growth through policy coherence, collaboration between all social partners, and increased accountability.

There are usually monthly meetings of the full work stream and ad hoc meetings that engage on Bill or Policy as and when it is tabled for engagement at Nedlac. Representation at the workstream includes stakeholders:

- From government – Department of Public Enterprise (DPE), Eskom, Department of Mineral Resource and Energy (DMRE), Department of Environment, Forestry and Fisheries (DEFF), National Treasury (NT), COGTA, SALGA and National Energy Regulator South Africa (NERSA), Presidential Climate Commission (PCC)
- From business – Business Unity South Africa (BUSA), Black Business Council (BBC), Energy Intensive Users Group and other energy-related bodies
- From organised Labour
- From community

3. SCOPE OF WORK

The role of the service provider will be to undertake the following deliverables:

- a) Guide the workstream by providing technical support, and knowledge;
- b) Curate the agenda or programmes of the ESW roundtables/dialogue sessions.
- c) Promote a learning environment so that social partners are capacitated to engage;
- d) Monitor the achievement of the workstream objectives together with the Nedlac secretariat;
- e) Build and maintain strong networks and relationships with social partners in the process and networks in the sector;
- f) Be a subject matter expert in the field of energy policy, energy modelling and markets;
- g) Set the agenda of the meetings and where necessary meet with presenters to ensure that inputs to the meetings are in line with expectations;
- h) Assist in drafting the reports, think pieces, and proposals arising from the meetings for mandating or further discussion;
- i) Regularly review the workstream work plan that has been agreed upon by the social partners with the Nedlac secretariat and develop strategies to ensure that action items are being implemented. This can include recommending research, convening workshops/roundtables, and arranging bilateral meetings with relevant social partners; and
- j) Assist the secretariat in developing progress reports as may be required on an ad hoc but at least quarterly basis by the Nedlac secretariat.

The expert will be required to work closely with the Nedlac secretariat who will be responsible for the overall coordination of the workstream.

4. REQUIREMENTS OF THE SERVICE PROVIDER

4.1. Minimum five (5) years of demonstrable experience in the energy sector

4.2. Demonstrable skills and expertise in the following areas:

- A solid understanding of the key issues and debates in the energy sector, particularly concerning the energy crisis, financial sustainability, renewable and alternative energy sources, and just transition and climate change.
- Programme/project planning and coordination
- Policy development and implementation
- Problem-solving, scoping, diagnostic and situational analysis
- Report writing, including presentation; and
- Stakeholder engagement and management
- Interpreting large data sets

5. PERIOD OF WORK

5.1. The contract will be set for a twenty-four (24) month period.

6. SUBMISSION OF DOCUMENTS

Bidders must submit the following documents:

- 6.1. A proposal outlining the approach and methodology as to the execution of the terms of reference.
- 6.2. Budget indicating an hourly or daily rate. Proof that the firm is in good standing with the South African Revenue Services (SARS).
- 6.3. Company registration.
- 6.4. Contact details and physical address.
- 6.5. CVs of the team members and if a company is tendering, the resume of the company which must demonstrate the necessary skills and experience in the area of expertise listed below.
- 6.6. Five contactable references.
- 6.7. Details of five or more projects that are similar.

8. BID SUBMISSION AND ENQUIRIES

- 8.1. Bidders should send their completed bids and accompanying relevant documentation by email (WinZip, WeTransfer, or any other similar applications for sharing are acceptable) to Sibongile Pheeha at Sibongile@nedlac.org.za and copy procurement@nedlac.org.za by **16 October 2023 at 11H00**.
- 8.2. Please find the link for the compulsory briefing session
- 8.3. Note that no late proposals will be considered.
- 8.4. Nedlac reserves the right to cancel this bid should such be deemed necessary.
- 8.5. Technical inquiries regarding this Terms of Reference should be emailed to Mr. Vuyisa Tafa at vuyisa@nedlac.org.za
- 8.6. Procurement inquiries regarding this Terms of Reference should be emailed to sibongile@nedlac.org.za

9. SELECTION AND EVALUATION CRITERIA

9.1. Evaluation criteria

As this procurement is expected not to exceed a maximum of R50 million, the 80/20 preferential procurement measure is applicable. To achieve specific goals, a maximum of 20 points will be awarded to a tenderer for broad-based black economic empowerment as follows:

- B-BBEE status Level 1 contributor: 20 points
- B-BBEE status Level 2 contributor: 16 points
- B-BBEE status Level 3 contributor: 10 points
- B-BBEE status Level 4 contributor: 8 points
- B-BBEE status Level 5 contributor: 6 points
- B-BBEE status Level 6 - 8 contributor: 0 points

The RFQ will be evaluated in two phases as follows:

Phase 1 – Functionality Evaluation

Functionality	100
Threshold	70

Phase 2 – Pricing and Goal Evaluation

Price	80
Goal Evaluation	20

The below matrix will be used in scoring the proposals: Description of Quality Criteria	Weight
Total Functionality	100%
A. Approach and methodology in managing this project which should include:	
Interpretation of Terms of Reference to demonstrate understanding of what is required:	
5. Excellent understanding of what is required in terms of reference; an innovative and practical approach to developing an application; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism to ensure that the main deliverables (inception report, profile report, and monthly report) are integrated and complementary	20%
4. Good understanding of what is required in terms of reference; practical approach and methodology; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism to ensure that the two main deliverables are integrated and complementary	
3. Satisfactory (or repeat of ToRs) understanding of what is required in terms of reference; generic or textbook approach and methodology; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism to ensure that the two main deliverables are integrated and complementary.	
2. Poor understanding (wrong interpretation) of what is required in terms of reference and missing one of the following critical components: approach and methodology; action plan; and project monitoring and evaluation mechanism	

The below matrix will be used in scoring the proposals: Description of Quality Criteria		Weight
1. No action plan submitted.		
B. Relevant Expertise		
Service providers (companies/individuals) must prove competency and expertise in one/more of the following areas: Energy sector, Tariff Structures, Additional energy generation, or any other relevant experience that can be demonstratable.		
50% or more of the team has a Post-graduate Degree (Honours/Masters/Ph.D.): NQF 8&9&10 = Excellent	30%	
60% or more of the team has a Bachelor’s Degree/BTech NQF/similar 7 = Good		
70% or more of the team has a Diploma or Advanced Certificate NQF 6 = Satisfactory		
80% or more of the team has a Higher Certificate NQF 5 = Poor		
The team members only possess a National Certificate and below NQF 4&3&2&1 = Not Acceptable		
C. Relevant experience		
To evaluate each of the above components, the following criteria will apply:		30%
5 and above years or more relevant experience = Excellent		
4 years relevant experience = Good		
3 years relevant experience = Satisfactory		
2 years’ experience = Poor		
0 to 1-year experience = Not Acceptable		
D. Similar Projects Completed		
Number of Completed Similar Projects:		
5 or More Completed Similar Projects = Excellent		
4 Completed Similar Projects = Good		
3 Completed Similar Projects = Satisfactory		
2 Completed Similar Projects = Poor		
1 Completed Similar Projects = No acceptable		

- 10.** The successful applicant must be ready and available to commence work immediately after the appointment. The targeted start date is **10 November 2023**.