REQUEST FOR QUOTATION (RFQ) FOR INTERNAL AUDIT SERVICES FOR A PERIOD OF 36 MONTHS

RFQ NUMBER:	**REQ11192**
RFQ ISSUE DATE:	**23 October 2023**
CLOSING DATE AND TIME:	**10 November @ 11h00**
RFQ VALIDITY PERIOD	**30 Days (COMMENCING FROM RFQ CLOSING DATE)**
DESCRIPTION OF SERVICES	**REQUEST FOR QUOTATION (RFQ) FOR INTERNAL AUDIT SERVICES FOR A PERIOD OF 36 MONTHS** **(Refer to Terms of reference from page 13)**
SUBMISSION EMAIL ADDRESS	joyce@nedlac.org.za and copy procurement@nedlac.org.za
PROCUREMENT ENQUIRIES	**Name: JOYCE TONGWANE** **Tel: 011 328 4200** **Email: joyce@nedlac.org.za**
TECHNICAL ENQUIRIES	**Name: Thomas Mohl** **Email: thomas@nedlac.org.za**

REQUEST FOR QUOTATION

BIDDER NAME: ……..

COMPANY REGISTRATION NUMBER:……………………………………………………………………………………..

CSD NUMBER :……….…

ADDRESS: ………………………………………………………………………………………….…………………………….

……………………………………………………………………………………...

………..

CONTACT PERSON : ………………………………………………………………………………………………………

TEL: ……………………………………………………………………………………………..….

FAX: …………………………………………………………………………………………………….

E-Mail : ....

Mobile: ………………………………………………………………………………………………..

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

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest[1] 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.

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 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

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.

PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

……………………………… ..……………………………………………

Signature Date

……………………………… ………………………………………………

Position Name of bidder

SBD 6.1

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

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1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

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

a) The applicable preference point system for this tender is the 90/10 preference point system.

b) The applicable preference point system for this tender is the 80/20 preference point system.

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

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

(a) Price; and

(b) Specific Goals

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
Specific Goals	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**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \text{ or } \qquad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

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

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

3.2.1. **POINTS AWARDED FOR PRICE**

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

80/20 or **90/10**

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) \text{ or } \qquad Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

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

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

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: ………………………………………………………

………………………………………………………

………………………………………………………

………………………………………………………

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR INTERNAL AUDIT SERVICES FOR THE NEDLAC HOUSE FOR 36 MONTHS

1. INTRODUCTION

The National Economic Development and Labour Council (Nedlac) is a statutory body that was established through Nedlac Act No. 35 of 1994 and operates under the terms of its own Nedlac Constitution. Nedlac's vision is to promote growth, equity and participation through social dialogue.

Nedlac is managed by a secretariat, consisting of about fifty (50) staff members and led by an executive director. Some of the staff members are seconded from Nedlac to the Presidential Climate Commission (PCC)

2. PURPOSE

The objective of internal auditing is to add value by assisting the Audit and Risk Committee and Management in effectively discharging their responsibilities, including the promotion of effective internal control. Nedlac is a statutory body which is governed and mandated by The National Economic Development and Labour Council Act, Act 35 of 1994. Nedlac is funded by a grant from the Department of Labour.

3. SCOPE OF WORK

Internal Audit should be an independent appraisal function within Nedlac, which provides management with a systematic review and evaluation of operations for determining efficiency, economy and effectiveness of policies, practices and controls.

The scope of internal audit work entails evaluating the adequacy and effectiveness of the organization systems of the internal control and developing recommendations for improvement. This includes but not limited to the following:

a. Overall project administration, planning and reporting to the relevant structures.
b. Review design and operating effectiveness of the internal governance structures and processes of the organization
c. Reviewing of performance information and quarterly reporting to Department of Employment and Labour and National Treasury
d. Review compliance of the entity to the ICT Governance Framework, including assessing the ICT general controls
e. Review accuracy and completeness of Annual Financial statements and supporting schedules
f. Financial discipline review

g. Evaluate the adequacy and effectiveness of controls around the procurement process and contract management.
h. Review the adequacy of Human Resource Management and Payroll Processing
i. Review accuracy and completeness of Annual Performance information.

Deliverables for the Internal Audit service should include:

- Assist the NEDLAC Executive Council in fulfilling their responsibilities of ensuring that the NEDLAC maintains an effective, efficient and transparent systems of financial and risk management and internal control while ensuring that there is a system of Internal Audit under the control and direction of an Audit Committee;
- Perform an executive support function to the Audit Committee;
- Ensure annual review and approval of the Internal Audit Charter by the Audit Committee;
- Facilitate the risk assessment in accordance with the NEDLAC's Risk Management Policy, Framework and best practices;
- Prepare a risk based three year rolling strategic internal audit plan that details audit scope which includes the evaluation of adequacy and effectiveness of NEDLAC's risk management, control, and governance processes, detailed resources, time frames per activity and present such strategic plan to Executive Management for inputs and to Audit Committee for approval;
- Prepare and execute an annual risk based internal audit plan according to the approved resources and timeframes for each year of the rolling three-year strategic internal audit plan for approval by the Audit Committee;
- Prepare and submit internal audit reports according to the execution of the risk based annual Internal Audit Plan and discuss with the Executive Management and report to the Audit Committee;
- Conduct ad-hoc audits at the Executive Council/Audit Committee/Management request in areas identified and agreed by Executive Management and Audit Committee;
- Conduct quarterly and annual performance information audits; and
- Review of annual financial statements. Building strategic, people management, decision making, analysis, problem solving and conflict resolution skills;

4. REQUIREMENTS

a. The service provider must submit CV's and qualifications of the team to be allocated to Nedlac
b. Certified CIA and/or CA certification
c. Certified proof of registration with IIA and/or SAICA
d. The company must have at least a minimum experience of 5 years as Internal Audit firm.

5. PERIOD OF WORK

The contract will be for a period of 36 months.

6. SUBMISSION OF DOCUMENTS

Service providers must submit the following documents:

a. A detailed written proposal indicating the project plan, the team members to be allocated to Nedlac and their qualification and relevant experience.
b. Provide and attach a copy of service provider's unique personal identification number (PIN) issued by SARS
c. Service providers must also submit recent CSD Report.
d. Provide and attach a copy of a valid BBBEE Certificate from an Accredited Verification Agency or a Sworn Affidavit.
e. SBD forms must be completed in full and signed
f. Submission of contactable references in company letterhead, for similar projects completed.

7. PROPOSAL SUBMISSION AND ENQUIRIES

a. Service providers should send their completed proposals and accompanying relevant documentation by email (WinZip, WeTransfer or any other similar applications for sharing are acceptable) to joyce@nedlac.org.za and copy procurement@nedlac.org.za by **10 November 2023 at 11H00**.
b. Note that no late proposals will not be considered.
c. Nedlac reserves the right to cancel this request for proposal should such be deemed necessary.

8. SELECTION AND EVALUATION CRITERIA

a. Evaluation criteria

The evaluation criteria to be utilised will be the following:

5= Excellent, 4 = Good, 3 = Satisfactory, 2 = Poor, 1= Unacceptable

The below matrix will be used in scoring the proposals.

The below matrix will be used in scoring the proposals: Description of Quality Criteria and Sub-criteria	Scoring	Weight
Total Functionality	**Total Score**	**100%**
A. Methodology in managing this project which should:		
Provide a detailed approach including how you will conduct the Internal Audit.		
5. Excellent understanding of what is required in the terms of reference; innovative and practical approach to developing an application; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism	5 = Excellent	35%
4. Good understanding of what is required in the terms of reference; practical approach and methodology; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism	4 = Good	
3. Satisfactory (or repeat of ToRs) understanding of what is required in the terms of reference; generic or text book approach and methodology; proposed action plan including milestones and timeframes; and a project monitoring and evaluation mechanism	3 = Satisfactory	
2. Poor understanding (wrong interpretation) of what is required in the terms of reference and missing one of the of the following critical components: approach and methodology; action plan; and project monitoring and evaluation mechanism	2 = Poor	
1. No action plan submitted.	0 = Not Acceptable	
B. Relevant Company experience		
To evaluate each of the above components, the following criteria will apply:		35%
6 years and above of relevant experience = Excellent	5 = Excellent	
4 to 5 years' relevant experience = Good	4 = Good	
3 years' relevant experience = Satisfactory	3 = Satisfactory	
2 years' experience = Poor	2 = Poor	
0 -1 year experience = Not Acceptable	1 = Not Acceptable	
C. Similar Projects Completed (Attach reference letters)		30%
Number of Completed Similar Projects:		

The below matrix will be used in scoring the proposals: Description of Quality Criteria and Sub-criteria	Scoring	Weight
Total Functionality	**Total Score**	**100%**
5 or More Completed Similar Projects = Excellent	5 = Excellent	
4 Completed Similar Projects = Good	4 = Good	
3 Completed Similar Projects = Satisfactory	3 = Satisfactory	
2 Completed Similar Projects = Poor	2 = Poor	
1 Completed Similar Projects = Acceptable	1 = Not Acceptable	

a. Service providers must attain a minimum score of 70 in the functionality evaluation, in order to be evaluated Price and specific goals.

b.

As this procurement is expected not to exceed a maximum of R50 million, the 80/20 preferential procurement measure is applicable. In order 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

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

d. The successful applicant must be ready and available to commence work immediately after appointment. The targeted starting date is 01 April 2024.

9. ENQUIRIES

Technical enquiries regarding TORs should be emailed to Thomas@nedlac.org.za.

Procurement enquiries regarding this Terms of Reference should be emailed to Joyce at joyce@nedlac.org.za and copy procurement@nedlac.org.za.

10. PAYMENT TERMS

Payments will be made monthly, as agreed upon appointment of the successful service provider.