

REFERENCE: RFP 20/2016

REQUEST FOR PROPOSAL

DESCRIPTION:

**APPOINTMENT OF A SERVICE PROVIDER FOR
PSYCHOMETRIC ASSESSMENT AND RELATED SERVICES**

DATE ISSUED: 30 SEPTEMBER 2016

CLOSING DATE: 31 OCTOBER 2016

TENDER BOX:

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

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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

- Integrity



- Fairness
- Respect
- Trust
- Honesty
- Accountability
- Transparency

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 potential bidder(s) for the provision of psychometric assessment and related services at senior management/specialist to executive leadership level.

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 submitting a Bid to 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 LEGISLATION AND/OR STANDARDS

Bidder(s) should take cognisance of all the legislation and/or standards applicable to the services.

5. BRIEFING SESSION

A non-compulsory briefing session will be held at Linton House, Brooklyn Bridge, 570 Fehrsen Street, Brooklyn, Pretoria, on 11 October 2016 at 14H00, to clarify to bidder(s) the scope and 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	30 September 2016
Advertisement of Bid in the eTender website	30 September 2016
Distribution of Bid documents on SARS website	03 October 2016
Non Compulsory Briefing Session	11 October 2016 at 14H00

Questions relating to the bid from bidder(s)	03 October to 21 October 2016
Bid Closing Date	31 October 2016 at 11H00
Notice to bidder(s)*	December 2016 / January 2017.

*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's 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 bidder(s) can make enquiries in writing, to the specified person, Mr Aser Makgate (Procurement Tender Office) via email at tenderoffice@sars.gov.za and cc rft-professionalservices@sars.gov.za. Bidders must reduce all telephonic enquiries to writing and send them to the above email address.

9. SCOPE OF WORK

9.1 BACKGROUND

SARS strives to build a culture where its workforce can thrive, develop, and deliver outstanding service to our taxpayers and traders. Essential to this is that current and prospective members be assessed accurately and be matched scientifically against position requirements. These person-job-matches can assist to identify strong talent as well as developmental gaps.

The strengths and developmental areas identified in reports are used to inform employee development as well as recruitment and talent management processes. Furthermore assessment reports are also used for trend analysis to inform Leadership development

priorities in collaboration with Leadership Effectiveness 360-degree evaluation results.

The SARS Assessments Unit strives to improve its service delivery and cost effectiveness of assessment and will perform all assessments up to middle management/specialist level by utilising its in-house capability by the end of 2016.

This RFP makes provision for assessment services and centres for senior management/specialist to executive leadership levels as and when the services are required.

9.2 SCOPE OF SERVICES

The successful bidder will be required to:

9.2.1 Candidate and Management reports

- 9.2.1.1 Provide candidate and management reports for each candidate assessment;
- 9.2.1.2 Articulate areas of strengths and improvement through the provisioning of self-help development suggestions, formal service offerings of the SARS Institute of Learning (SIOL), and generic, externally provided developmental interventions.;
- 9.2.1.3 Note relevant behavioural observations during the assessment day;
- 9.2.1.4 Provide the validity period of the assessment reports; and
- 9.2.1.5 Secure assessment reports in a storage facility.

9.2.2 Verbal feedback

- 9.2.2.1 Provide verbal feedback to a candidate subsequent to each candidate's assessment. This feedback is used to verify the assessment results as well as debriefing on candidate developmental areas.

9.2.3 Management Information Report

- 9.2.3.1 Provide a management stats/information report within five (5) working days after finalising assessment activities;
- 9.2.3.2 Rank order position fit indices in a separate report in the event where more than

one (1) candidate was assessed for a position as part of management report to SARS Assessment Unit; and

9.2.3.3 Provide a quarterly progress report(s).

9.2.4 Key Personnel

9.2.4.1 All key personnel who are involved in the supervision; administration, scoring and interpretation of results with regard to competency assessment as well as those who will be giving feedback to the candidates and writing the reports must be appropriately qualified and registered with the HPCSA.

9.2.5 Assessment Tools

The successful bidder will be required to utilise the following assessment tools preferred by SARS.

9.2.5.1 Occupational Personality Questionnaire (OPQ)

9.2.5.2 Modified Career Path Appreciation (MCPA)

9.2.5.3 Assessment centre simulations (Inbox)

9.2.5.4 Assessment centre simulations (unspecified, however it must adequately cover SARS leadership competency.)

Note: Bidders are required to refer to Annexure C which details the SARS leadership competency

9.2.6 Assessment Turnaround Times

Successful bidder(s) must ensure that:

9.2.6.1 The actual assessment process does not take longer than one (1) day per candidate;

9.2.6.2 All assessments commence within twenty four (24) hours (1 working day) after a valid assessment request is made;

9.2.6.3 A comprehensive written report outlining the assessment outcomes (results, recommendations and additional observations) are provided to SARS' Assessment Unit within forty eight (48) hours (2 working days) of the assessment; and

9.2.6.4 Assessment feedback is provided to a candidate within forty eight (48) hours (2

working days) after the assessment report is available.

9.2.7 Pricing Methodology

Bidders are required to carefully read the notes below prior to completing Annexure B – Pricing template:

9.2.7.1 The assessment services and centres for senior management/specialist to executive leadership levels will be on an as and when required basis.

9.2.7.2 Number of assessments is likely to range between 16 – 18 per month but fixed number not guaranteed.

9.3 DOCUMENTATION REQUIRED

Bidders are required to submit their response to all the information in this section.

9.3.1 Company Profile

Provide the following:

9.3.1.1 A company profile which illustrates the extent of conducting psychometric assessment services as well assessment centres at senior management/specialist and executive level in South Africa; and

9.3.1.2 Full contact details of the key contact person / Accounts Manager.

9.3.2 Experience of Resource (Expertise)

9.3.2.1 Bidders must provide a list of key personnel and a one (1) pager CV indicating qualifications, valid HPCSA registration number and relevant experience of the individuals who will be providing assessment services to SARS;

Note: Additionally, the key personnel must include a supervisor who is a registered Psychologist with at least 5 years' experience.

The assessment team must comprise of at least 5 registered psychologists/psychometrist with at least 3 years' experience each.

Bidders must also provide proof of current and valid HPCSA membership.

9.3.2.2 Bidders must provide two (2) samples of previously completed assessment reports

prepared for Senior Management/Specialists and Executive Management level for Selection/Talent management.

9.3.3 National Footprint

- 9.3.3.1 Bidders must indicate their national footprint and addresses where assessments will be conducted. Offices must comply with the assessment requirements.

Note: SARS offices are located throughout South Africa, although the majority of senior /Executive management are located at head office which is primarily based in Gauteng.
SARS may conduct site visits to shortlisted Bidder(s) to validate the bidders' capability to render the service.

9.3.4 Methodology

- 9.3.4.1 Bidders must indicate their different types of delivery methods that will be carried out for the assessments comprehensively.
- 9.3.4.2 All methods provided should accommodate different kinds of disabilities.

9.3.5 Insurance

- 9.3.5.1 Provide proof that the bidder has Professional Indemnity Insurance.

9.3.6 References

- 9.3.6.1 Provide three (3) contactable reference letters from current/recent (not older than 3 years) clients where both psychometric assessment services and assessment centres at senior management/specialists to executive leadership level were rendered.
- 9.3.6.2 The reference letter must be on a company letter head and include the following:
- Brief description of services rendered;
 - Duration of contract,
 - Quality of service;
 - Company address and contact person;
 - Performance; and
 - Level of customer satisfaction

Note: SARS will verify and evaluate only contactable references.

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 National Treasury's Central Supplier Database (CSD) as per National Circular No 3 of 2015/6 – Central Supplier Database; National Treasury will maintain 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)

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.

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.

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

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.

Each file and CD-ROM must be **marked correctly and sealed separately** for ease of reference during the evaluation process. Pricing Information should not be included in the Technical file. Furthermore, the file and information in the CD-ROM must be labelled and submitted in the following format:

FILE 1 (ONLY TECHNICAL PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> • Pre-qualification documents (SBD documents) 	Exhibit 2 <ul style="list-style-type: none"> • Bidder Compliance Checklist for the Technical Evaluation • Response to Technical Requirements • Supporting documents for the technical responses
Exhibit 3 <ul style="list-style-type: none"> • Company profile • Any Supplementary / Additional information supporting documents for the technical responses • References/testimonials 	Exhibit 4 <ul style="list-style-type: none"> • General Conditions of Contract (GCC) • Draft Services Agreement
FILE 2 (ONLY PRICE AND BBBEE PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> • BBBEE Certificate 	Exhibit 2 <ul style="list-style-type: none"> • Pricing Schedule

10.1. SARS REQUIRES BIDDER(S) TO DECLARE

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

- 10.1.1. List the names of key individuals i.e. representative of the bidder(s) that will act on behalf of the bidder(s) if successful in this Bid.
- 10.1.2. Confirm that the bidder(s) is to:
 - 10.1.2.1. Act honestly, fairly and with due skill, care and diligence, in the interests of SARS;
 - 10.1.2.2. Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the Services;
 - 10.1.2.3. Act with circumspection and treat SARS fairly in a situation of conflicting interests;

- 10.1.2.4. Comply with all applicable statutory or common law requirements applicable to the conduct of business;
- 10.1.2.5. Make adequate disclosures of relevant material information, including disclosures of actual or potential own interests, in relation to dealings with SARS;
- 10.1.2.6. Avoid fraudulent and misleading advertising, canvassing and marketing;
- 10.1.2.7. Conduct their business activities with transparency and consistently uphold the interests and needs of SARS as a client before any other consideration; and
- 10.1.2.8. 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.

11. EVALUATION AND SELECTION CRITERIA

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:

- a. **Pre-Qualification Criteria (Gate 0)** – bidder(s) must submit all documents, as outlined in section 11.1 below.
- b. **Technical Evaluation Criteria (Gate 1)** – bidders will be evaluated out of 100 points and must achieve a minimum threshold of 70 points to proceed to Gate 2 for Price and BEE. (Refer to par 11.2 for detailed elimination methodology in technical evaluation)
- c. **Price and BBBEE Evaluation (Gate 2)** – This will be evaluated out of 100 points. Price will be evaluated out of 90 and BBBEE 10 points. Price should be inclusive of all direct and indirect costs and should include VAT.

11.1. PRE-QUALIFICATION CRITERIA – GATE 0

Without limiting the generality of SARS's other critical requirements for this bid, a bidder(s) must submit the documents listed in **Table 1** 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 1: Documents that must be submitted for Pre-qualification

Name of the document that must be submitted	Non-submission may result in disqualification
Central Registration Report (Central Database System) from National Treasury	YES – Bidders must register on Central Database System and submit the Report as confirmation of registration.
Tax Clearance Certificate – SBD 2	YES – submit a valid and original copy of the certificate.
SARS' s Oath of Secrecy	YES – complete and sign the supplied pro forma document in the presence of a Commissioner of Oaths and initial every page.
Invitation to Bid – SBD 1	YES – complete and sign the supplied pro forma document.
Pricing Schedule	YES – 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	NO – Non-submission will lead to a zero score on BBEE.
General Conditions of Contract (GCC)	YES – sign the supplied GCC form.
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.
Bidder Compliance checklist for Technical Evaluation –Annexure A2	NO – complete to assist with ease of reference during evaluation.

11.2. 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. Functionality will be evaluated as follows:

- a. Desktop Technical Evaluation – bidders will be evaluated out of 70 points and are required to achieve a minimum threshold of 49 out of 70 points to be shortlisted and invited for a presentation.

The evaluation criteria for presentation will be issued to shortlisted bidders.

- b. Presentation– Bidders will be evaluated out of 30 points.
- c. The overall combined score must be equal or above 70 points in order to proceed to Gate 2 for Price and BEE evaluations.

The Bidder(s)' information will be scored according to the following points system:

Functionality	Maximum Points Achievable	Minimum Threshold
Desktop Technical Evaluation Details found in Annexure A1 - Technical Scorecard	70	49 points
Presentation	30	N/A
OVERALL COMBINED POINTS	100	70

11.3. PRICE AND BBBEE EVALUATION (GATE 2) (90 + 10) = 100 POINTS

11.3.1. Stage 1 – Price Evaluation (90 points)

Adjudication Criteria	Points
Price Evaluation $P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	90

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

11.3.2. Stage 2 – BBBEE Evaluation (10 points)

a. B-BBEE Requirements

In line with the requirements of the Preferential Procurement Regulations, 2011 (*Government Gazette* No. 34350) to the Preferential Procurement Policy Methodology Act, 2000 (Act No. 5 of 2000) [the “PPPFA”] tenders that have achieved the minimum qualifying score for functionality will be evaluated further in terms of the prescribed preference point systems:

- (i) Regulation 5 - 80/20: A maximum of 20 points may be allocated to a Bidder; or Regulation 6 - 90/10: A maximum of 10 points may be allocated to a Bidder.

b. Bid Evaluation Process Gate 2: B-BBEE EVALUATION

B-BBEE points may be allocated to bidders on submission of the following documentation or evidence:

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1); and
- B-BBEE Certificate.

The checklist below indicates the B-BBEE documents that must be submitted for this tender. Failure to submit the required documents will result in bidders scoring zero for B-BBEE.

Classification	Turnover	Submission Requirement
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.
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.
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.

SARS will accept B-BBEE Certificates issued under the revised B-BBEE Codes.

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

Incorporated JVs must submit the B-BBEE status of the entity. Unincorporated JVs must submit a consolidated B-BBEE scorecard as if they were a group structure for every separate bid.

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.

11.3.3. Stage 3 (90 + 10 = 100 points)

The Price and BBEE points will be consolidated to determine the successful Bidder.

12. AGREEMENTS

12.1. GENERAL CONDITIONS OF CONTRACT

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

- 12.1.1. 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.
- 12.1.2. The bidder submitting the General Conditions of Contract to SARS together with its bid, duly signed by an authorised representative of the bidder.

12.2. SPECIAL CONDITIONS OF THIS BID

SARS reserves the right:

- 12.2.1. Not to award or cancel this bid at any time and shall not be bound to accept the lowest or any bid.
- 12.2.2. 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).
- 12.2.3. To accept part of a bid rather than the whole bid.
- 12.2.4. 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.
- 12.2.5. 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.
- 12.2.6. 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.

12.3. SERVICES AGREEMENT

- 12.3.1. 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.
- 12.3.2. SARS reserves the right to vary the proposed terms and conditions of the draft Services Agreement during the course of negotiations with a bidder by amending or adding thereto (including for purposes of better giving effect to the objectives in paragraph 2 above).
- 12.3.3. Bidders are requested to:
 - 12.3.3.1. Comment on the terms and conditions set out in the Services Agreement and where necessary, make proposals to the terms and conditions;
 - 12.3.3.2. Each comment and/or amendment must be explained; and
 - 12.3.3.3. All changes and/or amendments to the Services Agreement must be in an easily identifiable colour font and tracked for ease of reference.

- 12.3.4. 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.

12.4. CONFLICT OF INTEREST, CORRUPTION AND FRAUD

SARS reserves its right to disqualify any bidder who either itself or any of whose 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 specialist/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"):

- 12.4.1. 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;
- 12.4.2. 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;
- 12.4.3. makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of SARS's officers, directors, employees, advisors or other representatives;
- 12.4.4. 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;
- 12.4.5. 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;
- 12.4.6. 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;
- 12.4.7. has in the past engaged in any matter referred to above; or
- 12.4.8. 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.

12.5. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

The successful 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. In the event of a conflict between the bidder's proposal and the Services Agreement concluded between the parties, the Services Agreement will prevail.

12.6. 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.

12.7. 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.

12.8. 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.

12.9. 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.

12.10. 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, or has submitted a fraudulent Tax Clearance Certificate (TCC) to SARS. 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. The bidder will be required to submit the tax clearance upon expiry of the TCC.

12.11. 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.

12.12. 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.

12.13. 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.

12.14. 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's 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's 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.

12.15. SARS PROPRIETARY INFORMATION

Bidder 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.

13. TECHNICAL EVALUATION CRITERIA

13.1. ANNEXURE A1 - Technical Evaluation Scorecard – 100 points

#	DESKTOP EVALUATION CRITERIA	Weight 70	RFP Doc. Reference
1	Company Profile	10	Reference Section
1.1	Bidder provided a company profile which illustrates the extent of conducting psychometric assessment services as well assessment centres at Senior Specialist/Management to executive leadership level in South Africa. Provided full contact details of the key Accounts Manager.		9.3.1
2	Experience of Resource (Expertise)	25	
2.1	Bidders provided a list of key personnel and a one (1) pager CV indicating qualifications, valid HPCSA registration number and relevant experience of the individuals who will be providing assessment services to SARS.		9.3.2.1
2.2	Bidders provided two (2) samples of previously completed assessment reports prepared for Senior and Executive Manager/Specialist level for Selection/Talent management.		9.3.2.2
3	National Footprint	10	
3.1	Bidders indicated their national footprint and addresses where assessment will be conducted. Offices must comply with the assessment requirements.		9.3.3
4	Methodology	10	
4.1	Bidders indicated all different types of delivery methods that will be carried out for the assessments comprehensively and the delivery methods provided accommodates different kinds of disabilities.		9.3.4
5	Insurance	5	
5.1	The bidder has provided proof of Professional Indemnity Insurance.		9.3.5

#	DESKTOP EVALUATION CRITERIA	Weight 70	RFP Doc. Reference
6	Reference	10	
6.1	<p>Provided three (3) contactable reference letters from current/recent (not older than 3 years) clients were both psychometric assessment services and assessment centres at senior specialist/management to executive leadership level were rendered</p> <p>The reference letters provided include the following:</p> <ul style="list-style-type: none"> • Brief description of services rendered; • Duration of contract, • Quality of service; • Company address and contact person; • Performance; and • Level of customer satisfaction 		9.3.6
	SUB-TOTAL	70	

	PRESENTATION EVALUATION CRITERIA		
	Evaluation criteria for presentation will be send to shortlisted bidders		
	SUB-TOTAL	30	



14. COMPLIANCE CHECKLIST

Bidders must complete the technical compliance checklist as outlined in Annexure A2.

15. ANNEXURE B – PRICING SCHEDULE

See attached Pricing Schedule