

REQUEST FOR PROPOSAL

DESCRIPTION:

**PROVISION OF BUSINESS FACILITATION SERVICES FOR SARS
LEADERSHIP**

DATE ISSUED: 24 AUGUST 2018

CLOSING DATE: 25 SEPTEMBER 2018 AT 11H00

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

- Fairness
- Integrity
- Trust
- Honesty
- Accountability
- Respect
- 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 Service Provider(s) for the provision of business facilitation services for the following SARS leadership sessions:

- Four (4) EXCO Leadership Alignment Sessions (Including New Ways of Working and Strategic planning and Review processes); and
- Four (4) National Management Forum workshops.

The proposed sessions will be conducted over three (3) days within the 24 (twenty-four) month's period of the contract as per the schedule below.

Session Description	Frequency of sessions							
	Nov - Dec 2018	Jan - Mar 2019	Apr - Jun 2019	Jul - Sep 2019	Oct - Dec 2019	Jan - Mar 2020	Apr - Jun 2020	Jul - Oct 2020
EXCO Leadership Alignment Sessions	X		X		X		X	
National Management Forum workshops	X		X		X		X	
Data Analysis and Reporting		X		X		X		X

NB: The proposed schedule is indicative and subject to change in consultation with the successful bidder.

This RFP document details and incorporates, as far as possible, the scope of work for the potential successful bidder required by SARS.

This RFP does not constitute an offer to do business with SARS, but merely serves as an invitation to potential bidders to facilitate a requirements-based decision process.

4. LEGISLATIVE METHODOLOGY OF THE BID

4.1. TAX LEGISLATION

When submitting a bid to SARS, bidder(s) must be compliant and remain compliant with all applicable tax legislation for the entire contract term, 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

The bidder(s) should be cognisant of all relevant legislation and/or standards applicable to the provision of the services required in terms of this RFP.

5. BRIEFING SESSION

Interested parties have an option to attend a non-compulsory briefing session that will be held at Linton House, Brooklyn Bridge, 570 Fehrson Street, Brooklyn, Pretoria, on 07 September 2018 at 10h00, to clarify to bidders the scope and extent of work to be executed.

6. DURATION OF CONTRACT

The successful bidder will be appointed for a period of 24 (twenty-four) months to deliver on the specified deliverables of this project.

7. TIMELINE OF THE BID PROCESS

The validity period is 180 (one hundred and eighty) days after the closing date of the bid. The project timeframes of this bid are set out below:

Activity	Date Due
Advertisement of the bid in the: - Government Tender Bulletin; and - National Treasury Tender Portal.	24 August 2018
Distribution of bid documents on the SARS website.	27 August 2018
Non-Compulsory briefing session.	07 September 2018, 10H00 – 11 H00 am
Questions relating to the bid from potential bidder(s).	24 August – 13 September 2018
Bid closing date.	25 September 2018 at 11H00
Notice to bidder(s)	*October/November 2018

* Dates subject to change.

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

8. CONTACT

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

9. SCOPE OF WORK

9.1. BACKGROUND

SARS held a workshop for its Executive Committee (EXCO) members aimed at creating leadership alignment and enabling a smooth transition into the New SARS Operating Model which was implemented in April 2016.

During this session, new strategies were agreed upon including the leadership behaviours and new ways of working. Members of EXCO underwent structural and decision making clarity changes and now need an alignment in behaviors and capabilities to ensure leadership cultural transformation.

New members have since joined the EXCO team and therefore the previous outcomes need to be reviewed by the EXCO. This is critical to ensure alignment and to create synergy and improve collaboration amongst all business divisions.

This leadership alignment session is essential for improved business effectiveness and designing SARS ways of working in order to create a balance between technical and transformational behaviour and achieving SARS' strategic objectives and overall culture transformation.

The South African Revenue Service undertakes Strategic Planning in accordance with the Public Finance Management Act (PFMA) as well as the Guidelines issues by the National Treasury, from time to time.

The current SARS strategy is due for a review and a **Leadership Strategic Planning Session** is required to ensure that the SARS leadership is aligned on the strategic imperatives and to seek agreement on the journey and actions going forward to craft the next version of the SARS Strategic Plan. This will require a review of the measures and relevant metrics to ensure collective accountability for organisational performance.

SARS wishes to augment its capability with best-in-class consulting services with the objectives:

- to ensure independent evaluation of its approach, processes & reference material;
- to review and augment the draft content informing its strategy, as well as;
- to undertake and facilitate strategic discussions and workshops with key role players of the organisation.

SARS wishes to adopt an integrated approach in the facilitation process for its Leadership and Management to enable continuity across different strategic, operational and culture aspects. A leadership alignment session is envisaged to be conducted twice a year for EXCO to build cohesion and reflect on strategic imperatives. A National Management Forum is envisaged to be held twice a year to cascade the strategic elements and inculcate the desired cultural shift. An alignment on the new ways of working at leadership and management levels is critical to enable business effectiveness in achieving SARS' strategic objectives and overall culture transformation. To this end, SARS has initiated a Culture Transformation Programme (CTP) to embed "New Ways of Working" (NWoW) with the primary aim of enabling a high performance culture anchored on SARS organisational values.

9.2. SARS SCOPE OF WORK

The successful bidder will be required to provide facilitators and support resources for the sessions as outlined in the table below:

Session Description	Duration	Indicative number of SARS delegates	Number of Facilitators	Number of support resources
EXCO Leadership Alignment Sessions	3 (Three) days	12 (Twelve)	2 (Two) Facilitators	2 (Two) resources
National Management Forum Workshops	3 (Three) days	450 (Four hundred and fifty)	4 (Four) Facilitators	2 (Two) resources

Note: SARS' Change Management, Strategy Development team and any other internal subject matter expert will be available to assist the service provider throughout the project. This is important to ensure optimal skill transfer in the end to end process.

Each facilitator must have more than 5 (five) years and each support resource must have more than 2 (two) years' relevant experience in order to execute on the following scope of work:

9.2.1. PROGRAMME PLANNING

The successful bidder will be required to:

9.2.1.1. Study available and relevant information to ensure that the planning process adequately covers the relevant content required to enable effective delivery of the project in line with stipulated objective of the **3 (three) days' Leadership Engagement Sessions**, as mentioned in the table above. These include but are not limited to:

- Outcomes from the 2016 EXCO leadership alignment process;
- Understanding of SARS' current landscape, culture and climate;
- Conduct a "dip stick" analysis and leadership interviews;
- Employee engagement survey results;
- SARS' strategy and annual performance plan; and
- SARS Service charter, governance framework and values.

9.2.1.2. Attend preparatory meetings aimed at providing insights to relevant information referred to paragraph 9.2.1.1 above.

9.2.1.3. Ensure adequate preparatory planning required to enable the effective delivery of each session. This will include review of relevant internal documentation, interviews or meeting with relevant stakeholders, site visits of the venue (which SARS will provide in Gauteng) etc.

9.2.2. EXCO LEADERSHIP ALIGNMENT SESSION

The estimated number of delegates to attend the EXCO Leadership Alignment Sessions is 12 (twelve). Bidders are advised to note that the numbers of estimated delegates are indicative only.

The successful bidder will be required to:

- 9.2.2.1.** Lead the 3 (three) days' EXCO Leadership Alignment Sessions and ensure achievement of the workshop objectives across strategic, operational and culture aspects;
- 9.2.2.2.** Review outcomes of the previous EXCO new ways of working session;
- 9.2.2.3.** Establish the current status quo and create alignment to enable achievement of the SARS strategic objectives;
- 9.2.2.4.** Create group thinking around leadership values leadership philosophy and people philosophy
- 9.2.2.5.** Adopt leadership behaviours and new ways of working and create a common understanding to ensure consistency in modelling of adopted behaviours;
- 9.2.2.6.** Facilitate a co-creation process, share information and provide an opportunity to contribute inputs into the SARS Culture Transformation programme;
- 9.2.2.7.** Bring SARS' vision, values and code of conduct to life through alignment of leadership behaviours;
- 9.2.2.8.** Improve team cohesion at leadership level by facilitating a team building process inclusive of personal. experience shared and personal contribution to SARS;
- 9.2.2.9.** Facilitate Strategic planning and review process to enable SARS EXCO to reflect on where SARS is in terms of performance against its Strategic objectives and in relation to its operating environment (i.e. SWOT Analysis);
- 9.2.2.10.** Facilitate alignment of SARS planning and reporting processes; ensuring there is clear understanding of leadership role and responsibilities in driving their respective divisional planning, review and reporting requirements;
- 9.2.2.11.** Facilitate deliberations resulting in the SARS EXCO understanding of Stakeholder expectations; governance and service levels that are critical for optimal organisational reputation management;
- 9.2.2.12.** Create a platform for SARS EXCO to understand their role and take ownership of the way forward and in driving organisational change through visible sponsorship and ownership of the cascading process and to driving compliance thereof;

- 9.2.2.13. Enable SARS EXCO strategic alignment and commitment on the journey and actions required to optimally transition into the future-state and optimally deliver on set objectives.
- 9.2.2.14. Guide SARS EXCO on principles of ensuring proper transformation results delivery and enable a better understanding for the leadership to embed desired culture change and new ways of work;
- 9.2.2.15. Enable commitment, ownership and buy-in to lead the National Management Forum as a critical path to driving the SARS Culture Transformation programme.

9.2.3. NATIONAL MANAGEMENT FORUM

The estimated number of delegates to attend the **National Management Forum (NMF)** is 450 (four hundred and fifty). SARS will provide a minimum of 10 (ten) internal facilitators to assist the service provider during the NMF workshops. Bidders are advised to note that the numbers of estimated delegates are indicative only.

The successful bidder will be required to:

- 9.2.3.1. Lead the 3 (three) days' **National Management Forum** in order to cascade the outcomes of the EXCO Leadership alignment Session for all SARS Group Executives, Executives and Senior Managers;
- 9.2.3.2. Enable further understanding of the existing SARS strategic direction, mandate and vision;
- 9.2.3.3. Cascade pertinent culture change elements as per the outcomes of the N-2 Heads leadership engagement sessions;
- 9.2.3.4. Guide SARS leadership on principles of ensuring proper transformation results delivery and provide a better understanding of the leadership in embedding culture change and new ways of work;
- 9.2.3.5. Facilitate deliberations resulting in the SARS Leadership understanding of Stakeholder expectations; governance and service levels that are critical for optimal organisational reputation management;
- 9.2.3.6. Create a platform for SARS leadership to understand their role and take ownership of the way forward and in driving organisational change through visible sponsorship and ownership of the cascading process and to driving compliance thereof;
- 9.2.3.7. Enable SARS Leadership strategic alignment and commitment on the journey and actions required to optimally transition into the future-state and optimally deliver on set objectives.
- 9.2.3.8. Enable ownership of the cascading process to their teams and entrench correct behaviours required to enable the SARS Culture Transformation programme.

9.2.4. VENUE

SARS will secure a venue(s) in Gauteng (Pretoria/Johannesburg) and provide the facilities for sessions and

workshops.

9.2.5. DATA ANALYSIS AND REPORTING

The successful bidder must be available for 2 (two) meetings to present the feedback post the Leadership Engagement Sessions and National Management Forum.

The successful bidder will be required to:

- 9.2.5.1** Collate all data sourced during programme planning, EXCO Leadership Alignment Sessions, Leadership Strategic Planning Sessions and National Management Forum workshops into an enterprise-wide culture and climate assessment report. Include data from different sources as provided by SARS to enable development of an enterprise wide culture and climate assessment report;
- 9.2.5.2** Develop a detailed overall report on insights gathered together with recommendations highlighting strengths and improvement opportunities and proposed action planning.
- 9.2.5.3** Present the report in 2 (two) meetings, (1) one presentation to SARS EXCO and another presentation to the Internal Change Management and Strategic planning team.

9.2.6. TIMELINES

The table below illustrates the envisaged programme timeliness for the sessions. Kindly note that these dates are indicative and may be adjusted due to operational priorities. It should also be noted that the days indicated below will not be limited to 8 (eight) hours per day but will be determined by the achievement of the envisaged outcome of the applicable day.

Phase	Expected implementation date	Duration(per instance)
EXCO Leadership Alignment Sessions	Third/fourth week of November 2018, then June 2019, November 2019 and June 2020.	3 (three) days
National Management Forum	Third/fourth week of November 2018, then June 2019, November 2019 and June 2020.	3 (three) days
Data analysis and reporting	Report presentation in January 2019, July 2019, January 2020 and July 2020.	2 (two) meetings per report

Note: Programme planning for follow-up sessions of the EXCO Leadership Alignment Sessions is limited at 16 (sixteen) hours and for the National Management Forum is limited at 24 (twenty four) hours per session.

9.2.7. POST AWARD OF TENDER

The successful bidder will be required to:

9.2.7.1 Adhere to agreed turnaround times to provide efficiency and agility with which to create impetus for the cascading process; and

9.2.7.2 Adhere to agreed quality standards for the effective delivery of the project within scope, time and budget.

9.3. SARS' REQUIREMENTS FROM THE BIDDERS' RESPONSES

9.3.1. COMPANY PROFILE

Bidders should provide the following information in their responses, which should include, but is not limited to:

- company profile detailing the organisational structure and infrastructure to render the services; also detail the company experience in facilitating strategic planning, organisational development, culture transformation, leadership coaching and group facilitation; and
- full contact details and level of experience of Key Personnel / Account Manager who will be responsible for the programme planning.
- facilitators must provide valid professional membership to People Management Professional Bodies(e.g. HPCSA, South African Board of Peoples Practices)

9.3.2. COMPANY REFERENCE

Bidders are required to submit testimonials from three (3) current and / or recent government (not older than 36 months) clients to whom similar services are /were provided. Each testimonial must be on a client (i.e. company) letterhead and include, but is not limited to:

- Brief description of services rendered;
- Contract period;
- Quality of service and Performance.

9.3.3. METHODOLOGY / TECHNICAL APPROACH

The bidders should provide in their responses:

- A detailed proposal of the methodology/technical approach on how the bidders envisage to carry out the following:
 - Programme planning for the contract period;
 - EXCO Leadership Alignment Sessions: A total of 4 (four) sittings each consisting of 3 (three) days sessions.
 - National Management Forum Workshops: A total of 4 (four) sittings each consisting of 3 (three) days sessions; and
 - Data analysis and reporting: A total of 8 (eight) reports presented in 2 (two) meetings per report.

9.3.4. RESOURCES

9.3.4.1. Facilitators

The bidders should provide in their responses curriculum vitae (CVs) of the facilitators that will be assigned to this project. Each facilitator's CV must include but should not be limited to:

- **2 (Two)** facilitators must have a post graduate qualification in Industrial Psychology and **2 (two)** facilitators must have a post graduate qualification in Business Management.
- Each facilitator must have at least **5 (five)** years of experience in each of the following:
 - strategic planning;
 - organisational development;
 - culture transformation;
 - leadership coaching; and
 - group process facilitation.

9.3.4.2. Support Resources

Bidders are required to provide CVs of all the 2 (two) resources that will be supporting the facilitators during the sessions. The support team provided must have at least 2 (two) years' relevant experience.

9.3.4.3. Testimonial of facilitators

Each facilitator must provide written contactable testimonials from 2 (two) current and / or recent (not older than 36 months) clients to whom similar services are /were provided. The reference letters provided must be on the organisation's letter head.

The testimonial for each client previous client must include the following information:

- Contact person, phone number, company business address;
- Contract period;
- Brief description of services rendered;
- Quality of service.

Please note that SARS reserves the right to contact the clients for a reference check. It is therefore important to ensure that the clients listed on the schedule are contactable.

9.3.5. SKILLS TRANSFER PLAN

Bidders are required to demonstrate their approach to ensure optimal skills transfer to the SARS Change Management team. The estimated number of SARS delegates will not exceed 10 (ten).

9.4. TECHNICAL COMPLIANCE CHECKLIST

Bidder(s) are required to complete the compliance checklist as outlined in **Annexure A1** in order to guide the SARS bid evaluators where to find their technical responses.

9.5. 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 Treasury 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)

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

Linton House - Ground Floor

Brooklyn Bridge

570 Fehrson Street

Brooklyn

Pretoria

- 10.2.** Bid documents may also be posted to the Tender Office - SARS Procurement Department, Linton House, Brooklyn Bridge, 570 Fehrsen Street, Brooklyn, Pretoria, 0181.
- 10.3.** Bid documents will only be considered if received by SARS before the closing date and time, regardless of the method used to send or deliver such documents to SARS.
- 10.4.** Late bids will not be accepted.
- 10.5.** The bidders are required to submit two (2) copies of each file (original and duplicate) and one (1) CD-ROM with the contents of each file at the closing date and time.
- 10.6.** Each file and CD-ROM must be **marked correctly and sealed separately** for ease of reference during the evaluation process.
- 10.7.** Pricing information should not be included in the technical file (File 1). Furthermore, the files 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 and others) 	Exhibit 2 <ul style="list-style-type: none"> Bidder Compliance Checklist for the Technical Evaluation (Annexure A2) Bidder's responses and supporting documents to paragraph 9.3 Testimonials
Exhibit 3 <ul style="list-style-type: none"> Any supplementary / additional information as part of technical response 	Exhibit 4 <ul style="list-style-type: none"> General Conditions of Contract (GCC) Draft Services Agreement
FILE 2 (ONLY PRICE AND BEE PROPOSAL)	
Exhibit 1 <ul style="list-style-type: none"> B-BBEE Certificate SBD 6.1 	Exhibit 2 <ul style="list-style-type: none"> Pricing Schedule
Note: SARS request that bidders use Lever Arch files to package their proposals.	

11. EVALUATION AND SELECTION CRITERIA

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

- **Pre-Qualification Criteria (Gate 0)** – bidder(s) must submit all documents, as outlined in paragraph 11.1 below.
- **Technical Evaluation Criteria (Gate 1)** – Bidders will be evaluated out of 100 points and must achieve a minimum threshold of 70 points.
- **Price and B-BBEE Evaluation (Gate 2)** – This will be evaluated out of 100 points. Price will be evaluated out of 80 and B-BBEE 20 points. The process is outlined in paragraph 11.3 below.

11.1. PRE-QUALIFICATION CRITERIA – GATE 0

Without limiting the generality of SARS' other critical requirements for this bid, 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 listed documents.

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

Name of the document that must be submitted	Non-submission may result in disqualification
Invitation to bid – SBD 1	YES – Complete and sign the supplied pro forma document.
Tax Compliance status pin	YES – Submit Tax Compliance status pin
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.
Pricing Schedule – SBD 3.3 and Annexure B: Pricing Template	YES – Complete and sign the supplied pro forma document. Submit full details of the pricing proposal to SARS in Annexure B.
Declaration of Interest – SBD 4	YES – Complete and sign the supplied pro forma document.
Preference Point Claim Form - SBD 6.1	YES – Complete and sign the supplied pro forma document.
Declaration of bidder's Past Supply Chain Management Practices – SBD 8	YES – Complete and sign the supplied pro forma document.
Certificate of Independent bid Determination – SBD 9	YES – Complete and sign the supplied pro forma document.

Name of the document that must be submitted	Non-submission may result in disqualification
SARS' Oath of Secrecy:	YES – Each recommended consultant to complete and sign the supplied pro forma document in the presence of a Commissioner of Oaths and initial every page.
General Conditions of Contract (GCC)	YES – Sign the supplied GCC.
Supplier cost and risk assessment questionnaire	YES – Complete and sign the supplied pro forma document.
Bidder Compliance Checklist Form for Technical Evaluation (Annexure A1)	NO – Complete to assist with ease of reference during evaluation.
Three (3) most recent Financial Statements	NO – Bidders are required to submit complete sets of audited / independently reviewed annual financial

Table 11B: Mandatory Requirements

Mandatory Requirements	Non-submission will result in disqualification
Minimum B-BBEE status level 3	YES – Submit a valid B-BBEE certificate or sworn affidavits with minimum B-BBEE status level 3 as per paragraph 11.3.2.
At least 1 (one) facilitator assigned to the project must be a qualified Industrial Psychologist and must be currently registered with Health Professions Council of South Africa (HPCSA).	YES – Submit a valid Health Professions Council of South Africa (HPCSA) certificate.

11.2. TECHNICAL EVALUATION (GATE 1) = 100 POINTS

Only bidders that have met the Pre-Qualification Criteria in Gate 0 will be evaluated in Gate 1 for functionality. Functionality will be evaluated as follows:

Desktop Technical Evaluation – Bidders will be evaluated out of 100 points and are required to achieve the minimum threshold of 70 points out of 100 points. Only bidders that have obtained the minimum threshold will proceed to Gate 2: Price and B-BBEE evaluations.

The bidders' information will be scored according to the following points system:

No.	TECHNICAL EVALUATION CRITERIA	Weight	RFP Doc. Reference
11.2.1	COMPANY PROFILE	10	
11.2.1.1	<p>Bidders should provide the following information in their responses, which should include, but is not limited to:</p> <ul style="list-style-type: none"> company profile detailing the organisational structure and infrastructure to render the services; also detail the company experience in facilitating strategic planning, organisational development, culture transformation, leadership coaching and group facilitation; level of expertise of Senior Key Personnel / Account Manager who will be responsible for the programme planning and full contact details. facilitators must provide valid professional membership to People Management Professional Bodies(e.g. HPCSA, South African Board of Peoples Practices) 	<p>5</p> <p>3</p> <p>2</p>	Refer to par. 9.3.1
11.2.2	COMPANY REFERENCE	5	
11.2.2	<p>Bidders are required to submit testimonials from three (3) current and / or recent government (not older than 36 months) clients to whom similar services are /were provided. Each testimonial must be on a client (i.e. company) letterhead and include, but is not limited to:</p> <ul style="list-style-type: none"> Brief description of services rendered; Contract period; Quality of service and Performance. 	5	Refer to par. 9.3.2
11.2.3	METHODOLOGY / TECHNICAL APPROACH	18	
11.2.3	<p>The bidders should provide in their responses:</p> <ul style="list-style-type: none"> A detailed proposal of the methodology/technical approach on how the bidders envisage to carry out the following: <ul style="list-style-type: none"> Programme planning for the contract period; EXCO Leadership Alignment Sessions: A total of 4 (four) sittings each consisting of (3) three days' 	<p>4</p> <p>8</p>	Refer to par. 9.3.3

No.	TECHNICAL EVALUATION CRITERIA	Weight	RFP Doc. Reference
	sessions.		
	<ul style="list-style-type: none"> National Management Forum Workshops: A total of 4 (four) 4 sittings each consisting of 3 (three) days' sessions; and 	6	
11.2.4	RESOURCES	64	
11.2.4.1	<p>Four (4) facilitators</p> <p>The bidders should provide in their responses curriculum vitae' (CV) of the four (4) facilitators that will be assigned to this project. Each facilitators CV must include but not limited to:</p> <ul style="list-style-type: none"> 2 (Two) facilitators must have a post graduate qualification in Industrial Psychology and 2 (two) facilitators must have a post graduate qualification in Business management, respectively. Each facilitator must have at least 5 (five) years of experience the following: <ul style="list-style-type: none"> strategic planning; organisational development; culture transformation; leadership coaching; and group process facilitation. 	<p>2 points per facilitator= 2x4=8</p> <p>10 points experience =10X4=40</p>	Refer to par. 9.3.4
11.2.4.2	<p>Support team</p> <p>Bidders are required to provide a short CV of the 2 (two) resources that will be supporting the facilitators during the 2 (two) day sessions. The support team provided must have at least 2 (two) years' relevant experience.</p>	2 points each =2x2= 4 points	
11.2.4.3	<p>Testimonial of resources</p> <p>Each facilitator must provide written contactable testimonials from 2 (two) current and / or recent (not older than 36 months) clients to whom similar services are /were provided. The reference letters provided must be on the organisation's letter head.</p> <p>The testimonial for each client previous client must include the following information:</p> <ul style="list-style-type: none"> Contact person, phone number, company business address; 	<p>Total of 4 points per facilitators reference 3x4=12 points</p>	

No.	TECHNICAL EVALUATION CRITERIA	Weight	RFP Doc. Reference
	<ul style="list-style-type: none"> Contract period; Brief description of services rendered; Quality of service. 		
11.2.5	SKILLS TRANSFER PLAN	3	
11.2.5.1	Bidders are required to demonstrate their approach to ensure optimal skills transfer to the SARS Change Management team. The estimated number of SARS delegates will not exceed ten (10).	3	Refer to par. 9.3.5
TOTAL		100	

11.3. PRICE AND B-BBEE EVALUATION (GATE 2) (80+20) =100 POINTS

11.3.1. Stage 1 – Price Evaluation (80 points)

Table 11C: Price evaluation formula

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

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 – B-BBEE Evaluation (20 points)

Table 11D: BEE Points allocation and required documents

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

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

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

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

Use and acceptance of Sworn Affidavits

SARS reserves the right to request that bidders submit proof of their black ownership and turnover information, in support of their sworn affidavits.

Joint Ventures (JVs) and Consortiums

A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as legal entity, provided that the entity submits their B-BBEE status level certificate.

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

Tertiary Institutions and Public Entities

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

Pre-qualification criteria

In line with the Government's objectives for the advancement of SMMEs and certain designated groups, a Pre- Qualification Criteria is being introduced for preferential procurement.

- The Pre-qualification criteria may stipulate that only one or more of the following tenderers may respond to this bid:
 - a) A tenderer having a stipulated minimum B-BBEE status level of contributor.
 - b) An EME or QSE.
 - c) A tenderer subcontracting a minimum of 30% to:
 - i. An EME or QSE which is at least 51% owned by black people;
 - ii. An EME or QSE which is at least 51% owned by black people who are youth;
 - iii. An EME or QSE which is at least 51% owned by black people who are women;
 - iv. An EME or QSE which is at least 51% owned by black people with disabilities;
 - v. An EME or QSE which is at least 51% owned by black people;
 - vi. An EME or QSE which is at least 51% owned by black people living in rural or underdeveloped areas or townships;
 - vii. A cooperative which is at least 51% owned by black people; and
 - viii. An EME or QSE which is at least 51% owned by black people who are military veterans.

A tender that fails to meet any qualifying criteria stipulated in the tender documents is NOT an acceptable tender.

Sub-contracting

Compulsory sub-contracting of a minimum 30% of contracts or projects above R30 million to EMEs or QSEs.

Bidders who submit bids for contracts or projects above R30 million will have to comply fully with regulations 9 and 12 of the PPPFA Act with regard to sub-contracting.

- **Regulation 9 – Subcontracting as condition of tender**

- (1) If feasible to subcontract for a contract above R30 million, an organ of state must apply subcontracting to advance designated groups.
- (2) If an organ of state applies subcontracting as contemplated in sub-regulation (1), the organ of state must advertise the tender with a specific tendering condition that the successful tenderer must subcontract a minimum of 30% of the value of the contract to:
 - a) An EME or QSE
 - b) An EME or QSE which is at least 51% owned by black people
 - c) An EME or QSE which is at least 51% owned by black people who are youth
 - d) An EME or QSE which is at least 51% owned by black people who are women
 - e) An EME or QSE which is at least 51% owned by black people with disabilities
 - f) An EME or QSE which is at least 51% owned by black people living in rural or underdeveloped areas or townships
 - g) A cooperative which is at least 51% owned by black people
 - h) An EME or QSE which is at least 51% owned by black people who are military veterans
 - i) More than one of the categories referred to in paragraphs (a) to (h)
- (3) The organ of state must make available the list of all suppliers registered on a database approved by the National Treasury to provide the required goods and services in respect of the applicable designated groups mentioned in sub-regulation (2) from which the tenderer must select a supplier.

The discretionary 25% or more subcontracting it is still applicable (Regulation 12). Nothing prevents organs of state from enforcing subcontracting to contracts or projects below R30 million.

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

- (1) A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- (2) A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

(3) A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an Exempted Micro Enterprise that has the capability and ability to execute the sub-contract.

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

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

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

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

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

12. 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. SERVICES AGREEMENT

12.2.1. Upon award, SARS and the successful bidder will conclude an agreement regulating the specific terms and

conditions applicable to the services being procured by SARS, more or less in the format of the draft Service Level Agreement included in this tender pack.

12.2.2. SARS reserves the right to vary the proposed terms and conditions of the draft Services Agreement during the course of negotiations.

12.2.3. Bidders are requested to-

12.2.3.1. Comment on the terms and conditions set out in the draft Services Agreement and where necessary, propose required changes to such terms and conditions;

12.2.3.2. Each comment and/or amendment must be explained; and

12.2.3.3. All changes and/or amendments to the draft Services Agreement must be in an easily identifiable colour font and tracked for ease of reference.

12.2.4. 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. For this reason, it is not required that the draft Services Agreement be signed on submission of the bidder's proposal.

12.2.5. According to National Treasury instruction note No.2 of 2016/17, "Accounting officers and accounting authorities must ensure that appropriate monitoring and reporting requirements are set for all consultancy contracts and that penalty provisions are invoked when deemed necessary".

12.2.6. **Insurance**

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

13. SPECIAL CONDITIONS OF THIS BID

13.1. SARS reserves the right:

13.1.1. Not to award or cancel this bid at any time and shall not be bound to accept the lowest or any bid;

13.1.2. To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price and Best and Final Offer (BAFO);

13.1.3. To accept part of a bid rather than the whole bid;

- 13.1.4. 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;
- 13.1.5. 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; and
- 13.1.6. 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.

13.2. SARS requires bidder(s) to declare:

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

- 13.2.1. Confirm that the bidder(s) shall:
 - 13.2.1.1. Act honestly, fairly and with due skill, care and diligence, in the interests of SARS;
 - 13.2.1.2. Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;
 - 13.2.1.3. Act with circumspection and treat SARS fairly in a situation of conflicting interests;
 - 13.2.1.4. Comply with all applicable statutory or common law requirements applicable to the conduct of business;
 - 13.2.1.5. Make adequate disclosures of relevant material information, including disclosures of actual or potential own interests, in relation to dealings with SARS;
 - 13.2.1.6. Avoid fraudulent and misleading advertising, canvassing and marketing;
 - 13.2.1.7. Conduct their business activities with transparency and consistently uphold the interests and needs of SARS as a client before any other consideration; and
 - 13.2.1.8. Ensure that any information acquired by the bidder(s) from SARS will not be used or disclosed unless the written consent of SARS has been obtained to do so.

13.3. Conflict of Interest, Corruption and Fraud

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

- 13.3.1. 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;

- 13.3.2. 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;
- 13.3.3. Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of SARS' officers, directors, employees, advisors or other representatives;
- 13.3.4. 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;
- 13.3.5. 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;
- 13.3.6. 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;
- 13.3.7. Has in the past engaged in any matter referred to above; or
- 13.3.8. 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.

13.4. Bidder's Own Terms and Conditions or Bid Qualifications

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

13.5. Misrepresentation during the Lifecycle of the Contract

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

13.6. 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 bidder in the preparation of their response to this bid.

13.7. 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.

13.8. 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.

13.9. 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.

13.10. 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 a TCC upon expiration thereof, annually.

13.11. 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.

13.12. 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 High 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.

13.13. 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 and 14.10 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.

13.14. Confidentiality

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

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

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

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

13.15. Intellectual Property Rights

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

13.16. SARS Proprietary Information

On their bid covering letter, bidder(s) will make a 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.

13.17. Screening and Vetting of Service Provider

Acceptance of this tender is subject to the condition that both the contracting firm and its personnel providing the service must be screened and cleared by the appropriate authorities to the grade of clearance in line to classified information, intelligence in the possession of SARS and areas designated as National Key points that they may have. Obtaining a positive recommendation is the responsibility of the contracting firm concerned. If the principal contractor appoints a subcontractor, the same provisions and measures will apply to the subcontractor.

14. ANNEXURE A1 - TECHNICAL COMPLIANCE CHECKLIST

15. ANNEXURE A2 - TECHNICAL EVALUATION CRITERIA

16. ANNEXURE B - PRICING SCHEDULE