



Office of the Premier

North West Provincial Government
REPUBLIC OF SOUTH AFRICA



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OFFICE OF THE PREMIER

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TERMS OF REFERENCE

APPOINT SERVICES OF A CONSULTING COMPANY TO ASSIST THE OFFICE WITH REVIEW AND ALIGNMENT OF THE ORGANISATIONAL STRUCTURE (REQUEST FOR PROPOSAL VIA CLOSED QUOTATION: NWOTP 01/2022)

1. PURPOSE

To appoint a service provider to review and re-align the organizational structure of the Office with the generic structures of the Office of the Premier in the public service as developed by the Department of Public Service and Administration.

2. BACKGROUND

In line with organizational design principles applicable to the public service, the review of organizational structures may be triggered by a number of factors ranging from transfer of functions, cost containment measures and capacity constraints. The Office has undergone major structural transitions and capacity constraints that precipitated the need for the review of the organisational structure such as:

- Transfer of Community Development Workers to the Department of Cooperative Governance and Traditional Affairs;
- Receipt of the Special Programme function from Department of Social Development;
- The re-establishment of the Provincial Council on Aids.

In addition to the above changes, capacity constraints such as the absence of internal control function which impacts negatively on government service delivery precipitates the need for the review and realignment of the Organisational Structure. The review and realignment of the Organogram will be steered by the applicable processes, prescripts and laws that govern the organisational design in the public service as legislated.

3. OBJECTIVES

The objectives of the project are as follows;

- 3.1.** To assist the Office of the Premier to exclusively focus on its mandate of overseeing the performance of other government departments in the Province;
- 3.2.** To establish the structure for Provincial Council on Aids which necessitated the need for the review of the functions of the directorate: Reconciliation, Healing and Renewal to eliminate duplication of services;

- 3.3. To help the office to achieve its principle of 'doing more with less' through the review and realignment of the existing organisational structure with the generic structure as developed by the Department of Public Service and Administration, taking at all times into consideration the existing staff compliment of the Office;
- 3.4. Evaluate and advise on related functions, activities and location of various services in the Office as mirrored in the generic structure for Office of the Premier as developed by the Department Public Service and Administration.

4. METHODOLOGY

In carrying out work, the service providers appointed must ensure that their staff maintains their objectivity by remaining independent of activities they scrutinize and the review must be informed by the following key factors which must be tested and validated positively or negatively. **The proposal shall speak to the methodology as per the 14 Key factors and proposals shall be evaluated for the inclusion of the 14 Key factors as part of criteria to determine functionality**

1. The Transfer of the Community Development Worker Programme to the Department of Cooperative Governance and Traditional Affairs;
2. The re-establishment of the Provincial Council on AIDS Secretariat and subsequent implications on the functions rendered by Directorate: Reconciliation, Healing and Renewal;
3. The receipt of the Special Programme function from the Department of Social Development (Rights of Elders, Disability and Women);
4. The need to improve audit opinion through the creation of the Internal Control unit;
5. The realignment of the Premier Support Services with the new Guide for Members of the Executive issued in November 2019;
6. The division between the need to revisit the rational and substantive basis for the establishment of the Ikatisong School of Governance (ISOG);
7. The rational and substantive basis for the division of internal and external services on the corporate functions (HR, Labour, Wellness, Training, Transformation etc.);
8. The Discontinuation of Youth Enterprise Development Agency and alternative coordination options;
9. Location of ICT services in the Province
10. Coordination of forensic services / investigations in the Province;
11. Functioning and repositioning of service delivery and interventions unit;
12. Coordination and creating capacity for Infrastructure planning and implementation in the province;
13. Review the Moral Regeneration services; and
14. Alignment to strategic priorities of the 6th Administration

5. SCOPE OF WORK & DELIVERABLES

The appointed service providers will undertake the following

- 5.1. Re-alignment of the organizational structure after consultations and comparison with similar structures in the Offices of the Premier with similar features like the North West Province;
- 5.2. Alignment of the Organisational structure with the generic structure of Office of the Premier as designed by the Department of Public Service and Administration;

- 5.3.** Re-alignment of the organizational structure in consideration of all issues raised in paragraph 4 (methodology/ 14 key factors) above; and
- 5.4.** Secure approval of the organizational structure for Office of the Premier: NWPG by Department of Public Service and Administration
- 5.5.** To provide capacity building in the Office of the Premier to coordinate, integrate, direct, monitor and evaluate infrastructure projects in the Province

6. QUALIFICATIONS AND EXPERIENCE OF THE SERVICE PROVIDER

To be considered for this project, the service provider should possess the following skills and competencies in order to execute the task:

- Organizational Design
- Business Modelling
- Strategic Planning
- Human Capital Services
- Job evaluation and grading
- Public service structure design

7. PRICING AND DISBURSEMENT

- 7.1.** The pricing must be in line with National Treasury's Instruction note 3 of Cost containment of 2017/2018.
- 7.2.** A retention of 25% shall be released once the structure has been approved by DPSA;
- 7.3.** Mafikeng/ Mmabatho will be considered as the point of operation and disbursement would only be considered in instances where travelling is required outside Mahikeng/ Mmabatho Disbursement must be pre-approved by the Northwest Office of the Premier, in line with National Treasury Cost Containment Policy
- 7.4.** Payment shall be made in 4 equal trenches as follows:
 - On conclusion report of consultation with management and relevant institutions and present a draft report
 - On presentation of the draft structure to the Director General
 - After positive comment / recommendation by the Premier
 - After approval by the MPSA
- 7.5.** In the event the service providers do not produce quality reports on reasonable request, the office reserves a right to request a refund of the amount paid in order to avoid Fruitless and Wasteful Expenditure.

8. THE NORTHWEST OFFICE OF THE PREMIER'S OBLIGATION

The office shall avail data and information required and requested by the service providers for the proper execution of service, and as such assistance shall reasonably be required by the service provider in carrying out their duties under this contract.

9. SERVICE PROVIDER OBLIGATION

- 9.1.** To act as an independent contractor in respect to the work;
- 9.2.** To attend meetings with officials whenever required to do so for the purposes of obtaining information or advance in regard to the work and assignments or any matters arising there from or in connection therewith;
- 9.3.** Be responsible for its own resources (e.g. computers & laptops and/or all other working tools etc.) to adequately perform its functions;

- 9.4. To exercise all reasonable skills, care and diligence in the execution of the work and shall carry out their obligations in accordance with international professional standard;
- 9.5. Be professional in all matters and act as a faithful advisor to North West Office of the Premier as well as respecting laws and customs of the country and provinces in which any business in relation to the project is conducted;
- 9.6. To identify possible risks that may impact the delivery of the project on time and ensure that necessary mechanisms are in place to manage such risks
- 9.7. To protect all copyrights and intellectual property to all documentation, reports etc. that emanate from this assignment. Such information and documentation should be provided to the Accounting Officer upon completion of the assignment within (7) working days;
- 9.8. To treat all available data provided by North West Office of the Premier in the process as strictly confidential which is not for any form of distribution or use unless an express written approval is obtained from the Accounting Officer.

10. EVALUATION CRITERIA

This quotation shall be evaluated in four (4) stages

10.1. Stage 1 – Mandatory Bid Documents / Administrative Legal requirements

This entails initial screening of bid responses received at close of bid. During this phase bid responses are registered to ascertain the number of bid responses received before the closing date and time and to verify if the bidders submitted all mandatory requirements. Bidders are required to submit the documents listed below in a sealed envelope together with their proposal and all its attachments. All the below mentioned SBD documents must be completed and signed by the authorised representative of the prospective bidder.

- Proof of Central Supplier Database detailed summary report
- Certified ID Copies of all the directors or members
- Certified copies of company registration documents
- Original or certified copy of BBBEE Certificate or exemption of Sworn Affidavit
- SBD 1 Invitation to Bid
- SBD 2 Original valid tax certificate or Pin
- SBD 4 Declaration of Interest
- SBD 6.1 Preference Points Claim form in terms of the Preferential procurement regulations 2017
- SBD 8 Declaration of Bidder's Past Supply Chain Management Practices
- SBD 9 Certificate of Independent Bid Determination
- GCC: General Conditions of Contract

NB: Failure to provide any of the above particulars may render the bid Invalid.

In case of Joint Ventures, trust or consortium all of the following will apply:

- A copy of a Joint Agreement signed by all parties must be attached
- Consolidated B-BBEE Status level Verification Certificate must be attached
- Separate Tax Clearance Certificate or Pin for each supplier and

- Joint Banking Account details must be submitted. In the absence of a joint bank account a written agreement between all the parties involved, stipulating the designated bank account into which payment must be effected, must be submitted.

10.2. Stage 2 - Technical Evaluation Criteria - functionality

NO	CRITERION	WEIGHT
1.	<p>Previous experience of the bidder of similar tasks undertaken within the last three (3) years (submit a reference letter). The list should contain the client's name, the contact person and contact details. (NB: Each reference letter will be treated as one assignment).</p> <p>1 similar assignment = 0</p> <p>2 similar assignment = 5</p> <p>3 similar assignment = 10</p> <p>4 similar assignment = 15</p> <p>5 similar assignment = 20</p>	20
2.	<p>1. Number of Organisational Structures developed in the public service in the past five (5) years. Provide reference letters. . For purposes of this criteria the definition of public service is defined in terms of the Public Service Management Act, 2014 which reads as follows:</p> <p>"Public service "means all</p> <p>a) National Departments;</p> <p>b) National government components listed in Part A of Schedule 3 to the Public Service Act;</p> <p>c) Provincial departments which means</p> <p>1. The Office of the Premier listed in Schedule 1 of the Public Service Act, and</p> <p>2. Provincial Departments listed in Schedule 2 of the Public Service Act and</p> <p>d) Provincial government components listed in Part B of Schedule 3 to the Public Service Act, and their employees.</p> <p>Examples of public services include, but is not limited to, law enforcement, military services, healthcare, local government, provincial government, national government etcetera. Characteristics of a public service has four defining characteristics. They exist for reasons of policy, they provide services to the public, they are redistributive</p>	15

	and they act as a trust. They consequently operate differently from production for profit, in their priorities, costs, capacity and outputs.	
	01 - 03 = 5	
	04 - 06 = 10	
	07 – 10 = 13	
	11 and more = 15	
3.	Number of years a company has been in operation and the key activities of the company are of similar nature (provide company profile) in line with paragraph 6	15
	10 years and above = 15	
	5 years not more than 10 years = 10	
	Less than 5 years = 5	
4.	Methodology Proposals that address paragraph 4 key factors 13- 15 = 20 Proposals that address paragraph 4 key factors 09 -12 = 15 Proposals that address paragraph 4 factors 05 – 08 = 10 Proposals that address paragraph 4 factors 01 - 04 = 5 NB: The methodology that does not address the factors in paragraph 4 will not be awarded points	20
5.	Qualifications Professional qualifications of key personnel	10
	Master’s Degree = 10	
	Honours Degree = 8	
	Bachelor degree = 6	
	Diploma = 4	
6.	Experience of key personnel (as per individual experience)	20
	5 years or more experience = 20	
	4 years =15 3 years = 10 2 years = 5 1 year = 3	
	Each CV must provide the number of years and type of experience in developing structures and three (3) contactable reference	

	NB: if the bidder does not meet the individual requirements no points will be awarded	
Total Points		100

NB: Companies failing to obtain a threshold of 80% (80/100) will be deemed non-responsive in terms of the Preferential Procurement Regulations and will not be considered for next stage of evaluation.

10.3. Stage 3 - Price and Preference Point System – PREFERENCE POINTS

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 80/20 price and preference point system in terms of which points are awarded to bidders on the basis of:

- The bid price (maximum 80 points)
- B-BBEE status level of contributor (maximum 20 points) Preference Points

The following formula will be used to calculate the points for price:

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

A maximum of 20 points may be allocated to a bidder for attaining their BBEE status level of contributor in accordance with the table below:

B-BBEE Status Level of Contributor	Number of Points 80/20
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

Bidders are required to complete the preference claim form (SBD 6.1) in order to claim the B-BBEE status level points.

11. Pricing

- To price the bid, the bidder must complete the appropriate pricing schedule i.e. SBD Form 3.1 [Firm prices] or SBD Form 3.3 [Professional Services]

12. Duration of Contract

- 12.1.** The Duration of contract will be for a period of three (3) months from the date as indicated in the contract SBD 7.2 that will be signed by the successful bidder;
- 12.2.** Upon appointment of the bidder, the service provider will be required to enter into a Service Level Agreement.

13. Special Conditions

- Bidder must indicate if they intend to subcontract and how much of the value of the contract in terms of percentage shall be allocated for subcontracting;
- Information of the supplier(s) they intend to subcontract this work to must be provided on the submission of the quotation/bid;
- Bidder must be in a position to commence work within five (5) calendar working days of the awarding of an assignment / contract.
- General Conditions of Contract (GCC) are also applicable to this tender.
- Allocation of work will be at the discretion of Office of the Premier.
- Quotation must be on the letterhead of the entity.
- Total quotation amount must be inclusive of value added tax for VAT registered entities.
- Closed quotation should be delivered into the TENDER BOX outside the Supply Chain Management Office of the Premier, first floor, Garona Building, Mmabatho between 08h00 and 16h00, Monday to Friday. Delivery of proposals on the closing date of 25 March 2022 must be in tender box no later than 11h00 closing day.
- Bid rigging and collusion of any kind is strictly forbidden and subject to immediate disqualification.
- The Office of the Premier does not bind itself to accept the lowest and/or any other bid in its entirety nor in part and price alone is not a determining factor.
- Please consider your proposal to be unsuccessful should u not be notified within 30 days after closing of quotation on 25 March 2022 at 11h00.
- Proposals that fail to comply with any and/or all requirements and conditions of Terms of Reference will not be considered.

14. Cancellation

- Office of the Premier reserves the right to cancel the contract immediately if the service provider(s) fails to adhere to the conditions of the contract.
- On termination of the contract for whatever reason, the service provider shall on demand, without the right to retention, return any/and or all documents and information in terms of the agreement.

15. Vetting

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

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.

Acceptance of the tender is also subject to the condition that the contractor will implement all deliverables as outlined.

16. Contact details

**Physical address: 1st Floor Ga-Rona Building
Dr James Moroka Drive
Mmabatho, 2735**

Enquiries:

**Terms of reference: Manase Badimo
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018 388 5038**

**Administrative related issues: Machelie Van der Berg
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Closing date: 25 March 2022 at 11H00

Signature

Date issued