

### REQUEST FOR PROPOSAL (RFP)

<b>RFP NUMBER</b>	<b>RFQ CO 278/07/2023</b>
<b>DATE ISSUED</b>	<b>10 July 2023 Re-advertise</b>
<b>PROJECT NAME</b>	<b>Ethics And Fraud Hotline Service</b>
<b>CLOSING DATE AND TIME</b>	<b>04 August 2023 @ 16:00</b>
<b>NAME OF PROPOSER/TENDERER</b>	
<b>CSD SUPPLIER NUMBER (MA NUMBER)</b>	
<b>TELEPHONE NUMBER</b>	
<b>FAX NUMBER</b>	
<b>EMAIL ADDRESS</b>	
<b>PHYSICAL ADDRESS</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	
<b>FULL NAME OF BIDDER OR HIS OR HER REPRESENTATIVE</b>	
<b>IDENTITY NUMBER</b>	
<b>POSITION OCCUPIED IN THE COMPANY (DIRECTOR, TRUSTEE, SHAREHOLDER)</b>	
<b>COMPANY REGISTRATION NUMBER</b>	
<b>TAX REFERENCE NUMBER</b>	
<b>VAT REGISTRATION NUMBER</b>	
<b>QUOTE PRICE (INCL VAT)</b>	
<b>SIGNATURE</b>	

**Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

**A. BIDDER'S DISCLOSURE (SBD 4)**

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder's declaration**

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**
- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a

- joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....	.....
Signature	Date
.....	.....
Position	Name of bidder

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

## **B. REQUEST FOR PROPOSAL FOR SANSA ONLINE LEGAL LIBRARY FOR A PERIOD OF THREE (3) YEARS.**

### **1. BACKGROUND TO SANSA**

The South African National Space Agency (SANSA) has a mandate, as outlined in the South African National Space Agency Act, 2008 (Act No 36 of 2008), to coordinate and integrate national space science and technology programmes and conduct long-term planning and implementation of space-related activities for the benefit of the citizens of South Africa.

### **2. SCOPE OF WORK (TERMS OF REFERENCE)**

The purpose of the request for the Bid is to appoint a service provider to provide ethics and fraud confidential hotline services and conduct investigations for SANSA.

To provide a toll free hotline or ethics line service which will be active and managed for 24 hours ,365 days a year to enable employees , contractors , suppliers and other interested parties or members of the public to report irregular , unlawful and corrupt related activities.

**The appointment will be for a period of three (3) years.**

The Proposal must cover but not be limited to the following specification:

- Provide a multimedia disclosure service that a complainant/whistle-blower can use to report incidents of fraud, corruption and unethical conduct.
- The service provider should provide branding including posters and electronic notifications, etc. containing all relevant information.
- The service shall consist of the following communication platforms:
  - Telephonic, by using the SANSA unique free Fraud Hotline
  - Through a unique e-mail address
  - A unique fax number
  - Tip-offs anonymous Website
- The service operates 24hours a day, 7 days a week.
- Responses should cover official languages with minimum requirement being English, Luvenda, IsiZulu and Sepedi. These language options should be guaranteed between 08h00 and 17h00. Outside of these hours the service should be provided in English.

- All reports received by the service provider must be translated into English, where necessary.
- Where cases are reported, the information must be summarised into a disclosure report which must be submitted to the designated contact persons of SANSA within twenty-four (24) hours of the disclosure having been received.
- Where communication is received advising of a danger to a person(s), or of an imminent threat to assets of the SANSA, the service provider should immediately make use of the most appropriate reporting medium to contact the designated contact persons urgently.

Monthly and Quarterly reporting must be provided comprising of the following:

- Number of reports generated for the period
  - A summary on the categories of incidents that were reported on
  - The number of calls report breakdown
  - Progress report on the status of investigation (where necessary)
  - Description of channels used to contact the hotline in the period.
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- Communications that are of an abusive, scurrilous or malicious nature or which fall outside the scope of the service should be filtered out by the service provider using its best judgment and discretion. Such filtered out communications should however be included in the monthly report mentioned above and details be made available to SANSA on request.
  - The services provider must perform the following case management centre functions to support SANSA.
    - Feedback to callers on progress and outcome of reported cases.
    - Service providers must have systems and procedures in place to enable SANSA to comply with the provisions of the protected disclosures Act, no 26 of 2000.
  - The fraud hotline number should be the property of SANSA and will remain the property of SANSA after termination of service.
  - Development of an internal reporting template (Allegations of suspected or alleged Fraud or irregularity) by employees, contractors, suppliers and other interested parties or members of the public

In certain instances, SANSA may request the service provider to render investigative services on cases reported, and such requirements shall be communicated at the time when the instruction to render such services is required. The service provider must have extensive experience and expertise in performing investigations and remedial action, providing detailed reports of interviews, analysis and outcomes of the investigation.

The service provider must have the capacity to meet SANSA's requirements but not limited to the following:

- Resources
- Financial condition
- Geographical location

Location (geographical) area

SANSA operates in PTA, Hartebeeshoek and Hermanus. The service provider should be able to provide services in the above-mentioned areas as and when required.

SANSA PREMISES
<b>SANSA CORPORATE AND EARTH OBSERVATION OFFICES:</b> Enterprise Building, Mark Shuttleworth Street, Innovation Hub, Pretoria
<b>SANSA SPACE OPERATIONS OFFICES:</b> Farm 502JQ, Hartebeesthoek, District of Krugersdorp
<b>SANSA SPACE SCIENCE OFFICES:</b> Hospital Street, Hermanus, Western Cape

#### CONFIDENTIALITY AND DOCUMENTS MANAGEMENT

- The service provider should retain all information, records and/or documentation, whether written, verbal or electronic pertaining to reported disclosure for the duration of the contract plus a period of twenty four months after termination. Thereafter all documents should be handed over to SANSA. Such information must be treated as confidential at all times.
- The service provider should consider all information received from any third party as confidential and will not disclose any such information except to the designated persons for the purposes intended.
- The information may not be used for personal gain by the service provider, sub-contractor or any agent of the service provider or any other person, body or organisation receiving the information or data through the service provider, or any of their employees.
- Failure to observe these conditions will constitute a breach of contract, which could result in termination of the contract.
- The details of the complainants should be kept confidential. Strict confidentiality of all information should be maintained and all communications should be accepted without favour or prejudice.

#### ACCREDITATION

- Service providers must, in terms of the Ethics Institute of South Africa's External Whistle-blowing Hotline Service Provider Standards **(EO1.1.1)**, be Certified

Hotline Services Providers. Annual **Certificate should be attached** (certified copies).

- Membership with the Association of Certified Fraud Examiners (ACFE)

### REQUIREMENTS

- SANSA will review all proposals to find the most suitable service provider.
- Bidders must have an e-mail address and internet capacity as to ensure proper and convenient communications.
- The minimum fees payable by SANSA will be market related.
- Bidders must submit a comprehensive written (typed) profile which contains at least the following:
  - Organizational structure
  - Staff experience with detailed staff CVs
  - Previous similar experience with contactable references
  - Provide information in respect of their infrastructure to host a whistle-blower mechanism
  - Proof of professional membership

### SPECIFICATION AND ADDITIONAL CONDITIONS OF RFQ

- The successful bidder must sign the Service Level Agreement within six (6) weeks after the awarding of this RFQ failing which the bidder will without further notice contract be regarded as null and void.
- Proof of registration with the regulatory body (certified copies) must be submitted together with the RFQ document.
- SANSA reserves the right not to appoint any firm and further reserves the right to appoint a firm for matters according to their area of expertise.

## **C. EVALUATION CRITERIA**

SANSA promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price, which does not necessarily provide the best value. Best value incorporates the expertise, experience and technical proposal of the organisation and individuals who will be providing the service and the organisational capacity supporting the project team.

SANSA is committed to achieving Government's transformation objectives in terms of the Preferential Procurement Policy Framework Act.

The value of this bid is estimated not to exceed R1 million (all applicable taxes included) and therefore the **80/20** system shall be applicable.

The procedure for the evaluation of responsive tenders is **price, functionality (quality)**



**and preference** method. The evaluation of the bids will be conducted in the following two stages:

- Firstly, the assessment of quality will be done in terms of the evaluation criteria (Table 3) and the minimum threshold of 80 points explained below. A bid will be disqualified if it fails to meet the minimum threshold for functionality as per the bid invitation
- Thereafter, only the qualifying bids are evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price and the 20 points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the Table below

## 1. Preference

**(ORIGINAL/CERTIFIED B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

### Calculation of points for B-BBEE status level contributor

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the Table 1 below

**Table 1: B-BBEE level and points**

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

## 2. Eligibility Criteria

To be eligible for the functionality, price and preferencing evaluation, the bidder must submit the following as per table 2 below.

If there is “**No**” on the Table 2 below, the bidder who didn't submit the required document (s) with their bid will be requested in writing to submit them within three (3) working days for inclusion in the Bid Evaluation Committee item, if a bidder fails to submit on the 3<sup>rd</sup> working day, the relevant bid will be rejected.

**Table 2: Eligibility Criteria**

Criteria	Attached (Yes/No)	Comments
CSD Registration Summary Report with a compliant tax status		

### 3. Quality/Functionality:

Scores will be tabulated to 100 points. Respondents must score **80 points** and over to be assessed on their financial offer and preference score.

The allocation of points for the evaluation of quality/functionality is set out in Table3 below:

**Table 3: Quality/Functionality Criteria**

Criteria	Maximum Points
Methodology	50
Company Experience	30
Project Team	20
<b>Total evaluation points for quality</b>	<b>100</b>

#### **Evaluation criteria 1: Methodology**

#### **Description:**

#### **Evaluation Criteria 1: Methodology**

The proposal must respond to the scope of work/project design and outline the proposed methodology and work plan including time frames, and where relevant, propose the scope of work and/or modifications to the scope of work. The proposal should articulate the services that the bidder will provide for the price tendered in the pricing data

	<b>Methodology</b>
Poor (score 10)	The methodology and/or work plan is poor/is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project. The activity schedule omits important tasks or the timing of the activities and the correlation among them are inconsistent with the methodology. There is lack of clarity and logic in the sequence.
Fair (score 25)	The methodology is generic and not tailored to address the specific project objectives and requirements. The methodology does not adequately deal with the critical characteristics of the project. All key activities are included in the activity schedule, but are not detailed. There are inconsistencies between turnaround times, project deliverables and the proposed approach.
Good (score 40)	The methodology is tailored to address the specific project objectives and requirements and is sufficiently flexible to accommodate changes that may occur during execution. The work plan fits the approach document well; all important activities are indicated in the activity schedule and their turnaround times and sequencing is appropriate and consistent with project objectives and requirements. There is sufficient detail that facilitates the understanding of the proposed work plan.
Excellent (score 50)	Besides meeting the "good" rating, the important issues are proposed in an innovative and efficient way, indicating that the bidder has outstanding knowledge of the requirements. The methodology details ways to improve the project outcomes and the quality of the outputs. The sequencing and timing of activities are very well defined, indicating that the bidder has optimised the use of resources and the work plan permits flexibility to accommodate contingencies.

## **Evaluation Criteria 2: Company Experience**

The company must have at least three years' experience in public entities in similar projects submitted with contactable reference.

The bidder should briefly describe his or her experience in this regard and complete the table below.

The description should be put in tabular form with the following headings:

Successfully implemented similar projects and conditions in relation to the scope of work over 3 year's cumulative experience.

A minimum of 3 reference letters should be attached for work completed in similar projects

Previous contact person and telephone number	Client person	Description of work (service)	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Duration

Years of experience	Scores
Less than 3 years	10
3-4 years	15
5 or more years	30

### Evaluation criteria 3: Project Team

The service provider will be required to commit a dedicated, high-level project team who will act as the primary point of contact and liaison with SANSA. The experience of the project team must be confirmed within the proposal.

The project team needs to have relevant experience doing similar type of work within public entities. Abridged CV's or profiles of team members must be submitted.

The scoring of the company experience will be as follows

Maximum Score = 20	Project Team
<b>Poor (score 0)</b>	No CV/Profiles attached
<b>Fair (score 5)</b>	Key personnel have limited levels of experience (less than 2 years) based on their CV's/Profiles attached.
<b>Good (score 10)</b>	Key personnel have extensive levels of experience (2-4 years) based on their CV's/Profiles attached.
<b>Excellent (score 20)</b>	Key personnel have outstanding levels of experience (more than 5 years) based on their CV's/Profiles attached.

## D. PRICING SCHEDULE

### Pricing Instructions

1. The Bidder must price all items;
2. Rates are to include all costs with no unspecified cost to allow for a fair evaluation.
3. Payment will be made based on the deliverables (proven progress) for the services rendered/goods received.
4. Payment will only be made on the basis of invoices provided.
5. Offer to be valid for 30 days from the bid closing date.

Descriptions	Total (incl. VAT)
3 x Road shows. One at each SANSA directorate (Hermanus, Hartebeeshoek, Pretoria) inclusive of all travel and disbursement	
Fixed Monthly fee (Inclusive of all logistical costs) – No hidden costs will be entertained!	
20 x A2 gloss posters-design and print (Multiple language to be finalised with the successful service provider)	
200 X Design and produce mouse-pads to communicate roll out of the hotline to staff	
Hourly rates for investigation team (3 levels of seniority)	
<b>Total (Incl. VAT)</b>	

## E. SPECIAL CONDITIONS

- a) Proposals to be returned to Boitumelo Maredi: [bmaredi@sansa.org.za](mailto:bmaredi@sansa.org.za)
- b) The service provider shall commit to post support where and when required by SANSA.
- c) Contract will not be awarded unless supplier is registered on the Central Supplier Database. A supplier registration summary with a compliance tax status must be submitted with the proposal. Potential suppliers should contact SANSA should they require assistance in registering on the CSD)

- d) This RFP is part of the Supplier Development Programme (SDP). The recommended bidder will be required to sign a SDP agreement for shorter payment periods for EMEs.
- e) The offices of SANSA are situated at the following address:

**Shop 2 Enterprise Building  
Mark Shuttleworth Street  
The Innovation Hub  
Pretoria, 0087**

## **F. TIMELINES**

The successful service provider must be in the position to provide the service immediately after the purchase order has been issued by SANSA.

## **G. SUPPORTING DOCUMENTATION AND MINIMUM CRITERIA**

In order to demonstrate their capacity and score points with respect to the criteria, tenderers should provide the following supporting documentation.

- a. B-BBEE status level verification certificate/Sworn affidavit must be submitted in order to qualify for preference points for B-BBEE);
- b. Minimum of five (5) references including organisation name, contact person and contact numbers;
- c. Quotation must reflect a cost breakdown, where applicable, prices quoted must be inclusive of VAT
- d. All pages of quotation must be signed by the authorised person
- e. SANSA has the right to withdraw any quotation at any time within the validity of the quotation.
- f. SANSA reserves the right to invite suppliers/companies to present their bid proposals for final decision

## **H. DECLARATION**

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- i) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- ii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iii) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;

- iv) confirms that the contents of this questionnaire/forms (SBD 4) are within my personal knowledge and are to the best of my belief both true and correct
- v) accept that, in addition to cancellation of a contract, action may be taken against me should the Declaration prove to be false.
- vi) confirms that the bidder has read the General Conditions of Contract (GCC) and agree with the conditions. The GCC can be found on SANSA website (<http://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/> )

Signed

Date

Name

Position

Enterprise  
name

## BID CONDITIONS

### 1. Disqualification

Please note that if a bid document is not filled in correctly or completely, or complied with the specification, or is delivered/send after the bid closing date and time, or the supplier is not registered on the CSD or supplier has a non-compliant tax status, then unfortunately that bidder will be disqualified. Please return this document with the supporting documents.

### 2. Bid Document Submission

Emailed tender documents will be accepted. However, the onus is on the tenderer to ensure that complete email documents have been received by the SANSA by the due date and time.

Please note that any alterations to the tender document other than filling in the tenderer's details and tender price will automatically disqualify the tenderer.

## COMPLIANCE WITH PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) ("POPIA")

1. The Constitution guarantees citizens the right to privacy, including the right not to have the privacy of their communications infringed.

2. POPIA aims to promote the protection of privacy through the application of its guiding principles for the processing of personal information in a context-sensitive manner.

### Committed to your Privacy

3. SANSA fully comprehends that your personal and company information is valuable to you; your privacy is just important to SANSA. SANSA commits to safeguarding and lawfully processing your personal information.

### Purpose for Processing your Personal Information

4. SANSA collects, holds, uses and discloses your personal information mainly to provide you with access to its services. SANSA will only process your personal information for a purpose you would reasonably expect, including:

- Complying with any legal and regulatory requirements such as contract agreements, etc.
- Confirming, verifying and updating your details.
- Invoicing or paying you to ensure payment and tax compliance.

5. SANSA may collect your personal information which may include your first name and last name, company name and its registration number, identity numbers, email address, physical or postal address, other contact information, banking details, etc.

#### **Consent to Disclose and Share your Personal Information**

6. SANSA may need to share your personal information, with third parties, to provide advice, and/or services. Where SANSA shares your personal information, it will take all reasonable precautions to ensure that the third party will treat your personal information with the same level of protection as required by SANSA.

#### **Request and Access to your Personal Information**

7. Should you require further information on this or have any concerns about how your personal information is processed or used, you can contact SANSA's Information Officer: Mr Humbulani Mudau on [popi\\_paia@sansa.org.za](mailto:popi_paia@sansa.org.za).

8. You can request access to the personal information SANSA has on you at any time. If you think that SANSA has outdated information, you may request to update or correct it. You can also opt-out and request the removal of your personal information at any time. If there are any lawful reasons for requiring SANSA to retain any information, SANSA will advise so.

9. PLEASE TAKE NOTE that your personal information is securely hosted on infrastructure / system managed by SANSA. SANSA assures you that your information will not be shared for any marketing or promotional purposes without your consent.

10. SANSA will continue to manage, monitor, refine and develop policies, processes and systems. This will ensure that SANSA takes every practical and reasonable step(s) to ensure data protection, is in line with POPIA.

**END**