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VAT No.: 496 026 5751

BID/RFQ NUMBER:	RFQ23/002/10
CLOSING DATE:	27 October 2023
CLOSING TIME	14:00
BID VALIDITY PERIOD:	60 days
DESCRIPTION OF BID:	The Appointment of Service provider for labour relations consultation on the retainer fee for a period of 12 months
RFP/ RFQ TO BE EMAILED TO THE FOLLOWING EMAIL ADDRESSES: - Email address: <a href="mailto:madoda@sanac.org.za">madoda@sanac.org.za</a> - Copied: <a href="mailto:Mbali@sanac.org.za">Mbali@sanac.org.za</a>	
Email submission is accepted for this request	

## **The Appointment of Service provider for labour relations consultation on the retainer fee for a period of 12 months**

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### **1. BACKGROUND**

The South African National AIDS Council (SANAC) Trust is a body mandated to coordinate the multi-sectoral response to the HIV, STI and TB epidemics by bringing together multiple sectors, namely, government departments, non-government organization (NGOs), civil society, the private sector, and the donor community, to build consensus and drive a national response to HIV TB and STIs. SANAC has just developed the National Strategic Plan (NSP) for HIV, Tuberculosis (TB), and Sexually Transmitted Infections (STIs) for the period 2023-2028. In its current structure, the SANAC Trust Structure has Seven main departments, namely (i) Governance and Administration; (ii) Strategic Information; (iii) Stakeholder Management and Campaigns; (iv) Communications; (v) NSP Implementation; (vi) Resource Mobilization and Donor Coordination; (vii) Technical Support Under these departments, there are several components and functions that operates to ensure the implementation of the NSP. To further facilitate the implementation of the NSP, the SANAC Trust recently finalised its Annual Performance Plan (APP) which seeks to assist with day-to-day operations of the Trust, as well as guide and measure performance against the goals and objectives of the NSP.

### **2. OBJECTIVE**

The SANAC Trust hereby seeks quotations/proposals from suitable individuals or companies to provide labour relations consultation on the retainer fee for a period of 12 months in our office in Hatfield, Pretoria.

### **3. SCOPE OF SERVICES**

- Analysis of the Commission's current compliance with industrial relations best practice and procedure and implementation of employee relations best practice and procedures;
- Advise and assist the organisation with the current integration, Employment Equity Act compliance
- Representation at CCMA cases, and the Client to an associate firm for Labour Court, High Court, etc cases,
- Inform the EXCO on the implications of the Labour Relations Act (LRA), and accepted labour relations practices.
- Review of employment contracts, employment policies & procedures (such as disciplinary codes and leave polices), operational regulations and rules;
- Performance Management & Counselling; Incapacity through illness or poor work performance; Misconduct; Restructuring through retrenchments; Transfers; Dispute and Conflict Management within the workplace;
- Identify the responsibilities of the Board and management respectively in any possible change process.
- Identify the various documents that are required to ensure that any change process is developed according to the requirements of the LRA.
- Work close with the HR Manager and provide IR advise on the currently approved job descriptions and their impact in enabling the current staff members to apply for

jobs where applicable and will enable management to consider the applications for those jobs, and when the positions cannot be filled from current staff to advertise to the outside.

#### **4. MINIMUM REQUIREMENTS**

- Proof that the service provider has been in existence and practice for a period of at least five (5) years prior to the closing date of this request for the proposals
- The successful service provider(s) shall have a proven track record in providing labour relations services and shall have a minimum of 5 years' experience in the field.
- Respondents shall clearly indicate the names of the resources that will be providing the service to SANAC Trust as well as a comprehensive CV(s) of the proposed resource(s).
- Respondents shall provide a list of assignments where similar services were provided in the past five years.
- Respondents shall provide the names and contact details of at least three clients (preferably in the NGO/public sector) for whom a similar service was provided during the past five years.

#### **5. MANDATORY REQUIREMENTS**

- The Team leader must have a bachelor's degree in any of the following: Labour Relations/ Labour Law/ LLB.
- The team must be registered with the relevant

#### **6. PRICING**

A monthly retainer fee

The price must be inclusive of VAT

#### **7. INDEPENDENCE AND OBJECTIVITY OF STAFF**

In carrying out the work, the service provider must ensure that its staff maintains their objectivity by remaining independent of the activities they execute.

#### **8. CONFIDENTIALITY**

The service provider will hold material and information exchanged in the course of the implementation of this assignment in the strictest confidence, and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the Trust.

## 9. EVALUATION CRITERIA

All bidders will be evaluated in two stages as below

Stage 1: Functionality

<b>Evaluation Criteria</b>	<b>Score</b>
Experience of the Bidder will be demonstrated by the bidder proving the business profile stating the experience of the company and the registration date. <b>5 years or more – 25 points</b> <b>3 to 4 years – 20 points</b> <b>1 to 2 years – 10 points</b> <b>Zero experience – 0 points</b>	<b>25</b>
Experience of the core team working with NGO/public/ private sector in dealing with employee's grievances, disciplinaries and CCMA cases. CV's and relevant qualification of the project team will be used to allocate points as indicated below: <b>More than 20 years combined – 25 points</b> <b>More than 10 years and up to 19 years – 20 points</b> <b>More than 5 years and up to 9 years – 10 points</b> <b>1 year to 4 years' experience – 0 points</b>	<b>25</b>
Team leader has experience of leading individual or proposed project team working on projects of a similar nature, including the knowledge and expertise in the area of Labour Relations/ Labour Law. CV's relevant qualification of the project team will be used to allocate points as indicated below: <b>More than 20 years combined – 30 points</b> <b>More than 10 years and up to 19 years – 20 points</b> <b>More than 5 years and up to 9 years – 10 points</b>	<b>30</b>
The bidder to demonstrate previous experience relevant to the project by providing contactable references for five years and points distributed as demonstrated below: <b>3 or more references– 20 points</b> <b>2 references - 10 points</b> <b>1 reference – 5 points</b> <b>Zero references – 0 points</b>	<b>20</b>
<b>Total functionality points</b>	<b>100</b>

**Only who obtained 70 on Functionality will be evaluated on Price & BEE using preference point system of 80/20 as per the below table:**

**Stage 2: Price and BBEE**

	<b>Weighting percentage (Must add up to 100 %)</b>
Preference point system (80/20)	
Price	<b>80% of 100 Points</b>
BEE	<b>20% of 100 Points</b>

<b>Total:</b>	<b>100%</b>
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**The score for functionality shall be calculated as follows:**

Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score for functionality.

The score of each panel member shall be added together and divided by the number of panel members to establish the average score obtained by each individual respondent for functionality.

**10. PRICE CALCULATIONS**

A maximum of 80/20 point system has been allocated to this bid on the following basis:

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

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

**i. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

## 11. PERFORMANCE MONITORING AND REPORTING

Service providers play a vital role in the performance of the organization as some supporting services are outsourced to service providers. The objective of performance monitoring of service providers is to obtain a measure of the service provider's performance under the contract. Performance assessments during the course of this contract will help both the SANAC Trust and the service provider to reach a common understanding of the requirements of both parties about the work.

A rigorous reporting system will provide feedback to a service provider on its performance on each deliverable. It will help to identify areas that the Service Provider is excelling in and any areas that need improvement. Performance reports will be used in the assessment of a service provider for pre-qualification, registration, evaluation and—in the event of termination—for unsatisfactory performance under a contract.

## 12. PROPOSAL FORMAT

A detailed proposal in response to this ToR is due on 27 October 2023 at 14h00pm containing all the information required to evaluate the bid against the requirements stipulated in these terms of reference document. Proposals should include the following attachments:

- i) **Annexure A:** Technical Proposal demonstrating ability to complete the assignment and produce a quality document as per scope of work detailed above
- ii) **Annexure B:** Summary of experience. Please attach CVs of proposed team members, where applicable which show the range of similar assignments they have undertaken and the size of these assignments, three letters of reference or other means of verifying experience
- iii) **Annexure C:** Summary details and qualifications of proposed team
- iv) **Annexure D:** Financial plan must include pricing information. Price proposals should include VAT and should be fully inclusive of ALL costs to deliver the outputs indicated in the terms of reference. The consultant should also include budget notes to justify the cost items.
- v) **Annexure E:** CSD Summary report with a compliant status for businesses
- vi) Successful Bidders will be required to complete the SBD Documents

**NB: Service providers to attach their Valid BEE Certificates, Tax Clearance Certificate, Certified ID Copies, Vat Registration Certificate where necessary, CIPC Registration documents. Failure to submit these will invalidate your proposal.**