

HEAD OFFICE
ETDP SETA House
2 - 6 New Street
Gandhi Square
South Marshalltown
Johannesburg CBD
Private Bag X105
Melville, 2109
Tel:(011) 372 3300

EASTERN CAPE
Waverley Office Park
3 - 33 Philip Frame Road
Chiselhurst
East London, 5200
Tel: (043) 726 8314
Fax: (043) 726 8302

FREE STATE
Motheo TVET College
National Artisan Academy
R657+P3, Ehrlich Park
Bloemfontein, 9312
Tel: (051) 430 5072
Fax: (051) 430 5080

GAUTENG
ETDP SETA House
2 - 6 New Street
Gandhi Square
South Marshalltown
Johannesburg CBD
Tel: (011) 403 1301/2/3/6
Fax: (086) 614 8781

KWAZULU-NATAL
Thynk Box
27 Jan Hofmeyer Road
Westville
Durban, 3630
Tel: (031) 304 5930
Fax: (031) 301 9313

LIMPOPO
89B Biccard Street
Polokwane
0700
Tel: (015) 295 9303
Fax: (015) 295 9301

MPUMALANGA
Streak Office Park
6 Streak Street
Block B, 1st Floor
Nelspruit, 1201
Tel: (087) 352 7108
Fax: (013) 752 2917

NORTHERN CAPE
Bobby's Walk Building
6A Long Street
Kimberley, 8300
Tel: (053) 832 0051/ 2
Fax: (053) 832 0047

NORTH WEST
Sparkling Office Park
78 Retief Cnr Peter
Mokaba Street
Potchefstroom, 2531
Tel: (018) 294 5280
Fax: (018) 294 5719

WESTERN CAPE
Sunbel Building
2 Old Paarl Road
Office 205, 2nd Floor
Belville, 7530
Tel: (021) 946 4022
Fax: (021) 946 4043



Education, Training and Development Practices Sector Education and Training Authority

RFQ NO: 95 – 2023/24

REQUEST FOR QUOTATIONS

TERMS OF REFERENCES FOR THE APPOINTMENT OF AN ACCREDITED SERVICE PROVIDER TO CHAIR HEARINGS FOR THE ETDP SETA

1. INTRODUCTION

ETDP SETA (“the organization”) is a Schedule 3A Public Entity established in terms of the Skills Development Act 97 of 1998. EDP SETA is one of 21 sector education and training authorities (SETAs) mandated to put the National Skills Development Strategy (NSDS) into practice. ETDP SETA is currently seeking providers to provide technical human resources services and related ancillary services as and when required in terms of chairing disciplinary hearings and appeals processes.

The organization is seeking to appoint two (2) Providers to provide technical Human Resources Services and related Ancillary Services relating to disciplinary processes and appeals that are part of human resource management functions.

The duration of the contract is for a period not exceeding two (2) years commencing from **the last signatory on the Service Level Agreement (SLA) up to 31 March 2026.**

2. PRUPOSE & OBJECTIVES

2.1. OBJECTIVES

The objective of this bid is to appoint 2 Service Providers to provide Technical Human Resources Services and related Ancillary Services around the chairing of disciplinary hearing and appeal hearings in order to give effect to the imperatives imposed by Part F of the ETDP SETA Human Resources Management and Part D of the HR Procedure Manual which deal with labour relations matters.

3. SCOPE OF WORK

3.1. The required Technical Human Resources Services from the Provider are as follows:

- 3.1.1. Chairing of Internal Disciplinary Hearings,
- 3.1.2. Chairing of Internal Appeal Hearings,
- 3.1.3. Chairing of Incapacity Hearings,
- 3.1.4. Writing Reports of the Disciplinary Hearings,
- 3.1.5. Writing Reports for Incapacity Hearings,
- 3.1.6. Writing Reports of the Appeal Hearings,
- 3.1.7. Conducting Exit Interviews, where necessary,

The information in this communication is confidential and may be legally privileged.

It is intended for the sole use of the individual/s or entity to whom this has been addressed or copied. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this communication and/or its attachments, is strictly prohibited and will be unlawful.

- 3.1.8. Deposing to affidavits when required for purposes of litigation and dispute resolution connected with involvement in disciplinary and appeal processes,
- 3.1.9. Appearing as a witness at the CCMA or Labour Court where their Report is a subject of a Dispute.

4. DURATION OF THE AGREEMENT

The duration of the contract is for a period not exceeding two (2) years commencing from **the last signatory on the Service Level Agreement (SLA) up to 31 March 2026.**

5. COSTING MODEL (PRICING SCHEDULE)

COSTS FOR CHAIRS OF DISCIPLINARY HEARING

This costing model must not be modified at all and if retyped (year 1 and year 2 in order to include annual fee adjustments or price escalation) all line items in order as stated below to be included.

PROVINCE: Head Office - Gauteng		
NAME OF SERVICE TO BE RENDERED: CHAIRING OF DISCIPLINARY HEARINGS		
ITEM DESCRIPTION	RATE PER HOUR	RATE PER DAY
Chairing of Disciplinary Hearings		
Writing Reports of Disciplinary Hearing		
Chairing of Appeal Hearings		
Writing Reports of appeal Hearings		
Deposing to affidavits		
Appearing as a witness at the CCMA and Labour Court		
Telephone Consultation		
Face to Face Consultation		
Postage and Receivables		
SUB- TOTAL		
Travel related costs		
SUB-TOTAL		
Admin Expenses		
TOTAL COSTS		
ALL COSTS MUST BE INCLUSIVE OF VAT		

NAME OF BIDDER: _____

POSITION/ ROLE: _____

SIGNATURE: _____

The information in this communication is confidential and may be legally privileged. It is intended for the sole use of the individual/s or entity to whom this has been addressed or copied. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this communication and/or its attachments, is strictly prohibited and will be unlawful

All pricing shall be in South African Rand (ZAR). All project milestones with costing should be listed on the pricing schedule.

6. EVALUATION CRITERIA

THE ETDP SETA applies the provisions of the Preferential Procurement Policy Framework Act, ACT NO 5 OF 2000 and Preferential Procurement Regulations, 2022. The evaluation will be guided by ETDP SETA procurement policy.

Note: Folder A (USB) must have documents for Stage 1 and Stage 2

6.1. STAGE 1 [Folder A (USB)]

Bidders will be evaluated on the submission of the requested mandatory documents. Fully completed and signed forms with witnesses' signature must be submitted and all applicable boxes be ticked.

6.1.1. MANDATORY DOCUMENTS TO BE SUBMITTED IN ORDER TO BE ELIGIBLE FOR EVALUATION
--

1. Company Profile or Personal Profile (Freelancers)
2. Legal practice Council ("LPC") Certificate of Good Standing for Legal Practitioners (for law firms)
3. Fidelity Fund Certificate of Legal Practitioners (for law firms)
4. Proof of Trust Account for the law firm (for law firms)
5. Company Registration Documents
6. Proof of Tax Compliance (For Freelancers).
7. Proof of registration of affiliation with Regulatory Bodies (Non-Legal Firms)
8. Letter of Good Standing from Compensation Fund (COIDA)

NB: Failure to submit any of the above-requested mandatory documents will lead to disqualification.

6.2. STAGE 2 [Folder A (USB)]

The evaluation of this bid shall include functionality whereby the bids will be evaluated in terms of the evaluation criteria embodied in the bid documents.

1. The minimum qualifying score for functionality will be **80 points** and bids that fail to achieve the minimum qualifying score will be disqualified.
2. Only bids that achieved the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference point systems prescribed in Preferential Procurement Regulations **5 and 6**.

The evaluation criteria for functionality will be as below:

NO	QUALIFYING CRITERIA FOR SHORT LISTING	POINTS
1.	<p>Proof of experience for the firm of similar services, and references to be provided on the Client's Letterhead.</p> <p>1.1. Contactable References: Contactable references (15)</p> <ul style="list-style-type: none"> • Three (3) reference letters submitted = 15 • Two (2) references letters submitted = 10 • One (1) reference letter submitted = 5 <p>1.2. Experience in the business of providing similar services (15)</p> <ul style="list-style-type: none"> • 10 years plus = 15 • 5 - 9 years = 10 • 3 - 4 years = 5 	30
2.	<p>Qualifications, experience of team members and CV; (Attach qualifications and CVs of the Project Team Members)</p> <p>2.1. QUALIFICATION: 50</p> <p>E.g. Admitted Attorneys, Commissioners or HR Practitioners: 35</p> <ul style="list-style-type: none"> • Postgraduate Qualification = 35 • Bachelor's degree = 25 • National Diploma = 5 <p>Experience of Engagement Manager: 15</p> <ul style="list-style-type: none"> • 5 years plus = 15 • 3 – 4 years = 10 • 1 – 2 years = 5 <p>*Note: The project team submitted for this bid will remain the same team for the duration of the term. Should there be any changes, the new team member must have the same qualifications and experience or even better qualified.</p>	50
3.	<p>Bidder's infrastructure/ resources capacity and proof of existence: 20</p> <p>Proof that the bidder has been in existence and in practice for a period of at least five (5) years at the closing date of this bid.</p> <ul style="list-style-type: none"> • 5 years plus = 15 • 3-4 years = 10 • 1-2 years = 5 <p>a. Proof of business address = 5</p>	20
TOTAL		100

Bidders must provide documents to justify awarding the above points, and such include details of contactable references to validate the information submitted.

Points will be awarded on a sliding scale.

Please take note of the value and scoring point system of your bid.

The information in this communication is confidential and may be legally privileged. It is intended for the sole use of the individual/s or entity to whom this has been addressed or copied. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this communication and/or its attachments, is strictly prohibited and will be unlawful

6.3. STAGE 3 [Folder B (USB)]

PRICING SCHEDULE DOCUMENTS

- a. Costing Model (*Price must be final, include VAT and signed*)
- b. Submit a “Unique security personal identification number (PIN) issued by SARS” *which the SETA will use to verify the bidder’s tax matters prior to the award.*
- c. Invitation to Bid - **SBD1**
- d. Declaration of Interest – **SBD 4 (New)**
- e. Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2022 -**SBD 6.1 (If claiming preferential points) - this will be used to verify points to be allocated for specific goals.**
- f. B-BBEE certificate or sworn affidavit (*If claiming preferential points*) – *this will be used to verify points to be allocated for specific goals.*

80/20 preference point system shall be applicable as follows:

Price	80
Allocation of specific goals	20

In order to facilitate a transparent selection process that allows equal opportunity to all service providers, the ETDP-SETA will adhere to its policy on the appointment of service providers.

7. BID CONDITIONS

The ETDP SETA Supply Chain Management Policy will apply:

1. The ETDP-SETA Supply Chain Management Policy will apply:
2. ETDP-SETA does not bind itself to appoint a bidder with the highest points.
3. ETDP-SETA reserves the right to negotiate the bidder's price.
4. ETDP-SETA reserve the right to cancel the bid and not award the bid to any of the bidders.
5. Bids which are late, incomplete, unsigned **will NOT** be accepted.
6. Bidders must submit a valid certified B-BBEE Certificate from SANAS Accredited Verification Agency or issued by Companies and Intellectual Property Commission (CIPC) or a signed Sworn Affidavit for allocation of points for specific goals.
7. Specific goals shall not be allocated where supportive documents, as stated in the bid documents, are not provided as stated in the bid document.
8. Bids submitted are to hold good for a period of **90 days**.
9. Companies who bid as a joint venture must submit a **consolidated B-BBEE Verification certificate prepared for this bid only**, from **SANAS Accredited Verification Agency** in order to be eligible for empowerment points. Companies who form part of this joint venture **MUST** provide an accreditation certificate with relevant authority as stated in Mandatory documents.
10. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor, Sworn Affidavit or a B-BBEE Certificate, together with the bid, will be interpreted to mean that points for specific goals for B-BBEE status level of contribution are not claimed.
11. Deregistered and blacklisted companies including directors/owners/individuals linked to the company will not be considered. Due diligence will be conducted with successful bidders to validate submitted information.
12. All suppliers must be registered on the Central Supplier Database. No bid shall be awarded to any supplier that is not registered on the Central Supplier Database.
13. Companies that are in the process of de-registration in the CIPC will not be considered.
14. The successful service provider **must** sign the penalty and termination clause as part of the agreement with ETDP SETA.

8. BID DOCUMENTS/ PROPOSAL PACKS

Bid documents for participation **must** be downloaded from the ETDP SETA website: www.etdpseta.org.za, Main Menu > Supply Chain > Open RFQs as from **12h00** on **28 March 2024**.

Bidders must submit technical and financial proposals in **one (1) USB** clearly marked “**Folder A-Technical Proposal**” and “**Folder B- Financial Proposal**”.

Folder B - (Financial Proposal) Costing Model (*Price must be final, include VAT and signed*), Submit a “*Unique security personal identification number (PIN) issued by SARS*” **which the SETA will use to verify the bidder’s tax matters prior to the award**, Invitation to Bid - **SBD1**, Declaration of Interest – **SBD 4 (New)**, Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2022 -**SBD 6.1 (If claiming preferential points) - this will be used to verify points to be allocated for specific goals** and B-BBEE certificate or sworn affidavit (*If claiming preferential points*) – **this will be used to verify points to be allocated for specific goals**.

All Bids/Proposals (completed in [one (1) USB] must be courier or hand delivered to:

The ETDP SETA – Head Office
ETDP SETA House
2-6 New Street
Ghandi Square
Johannesburg South - CBD
2091

OR

Sent via email to TienieJ@etdpseta.org.za or etdpsetarfq@etdpseta.org.za

Submissions can be delivered into the tender box between **08h00** and **16h30** Monday to Friday **BEFORE** the closing date and time of **11h00** on **16 April 2024**.

9. CLOSING DATE

All Proposals should reach the ETDP SETA Offices on or before **11h00** on **16 April 2024**.

No late submission will be accepted!

10. CONTACT PERSON

NO telephonic or any other form of communication relating to this bid will be permitted with any other ETDPSETA member of staff either by Bidders (as collective bidding team or individual of the bidding team), representative of Bidders, associates of Bidders, shareholders of Bidders, other than with the named individual stated below. **ANY MEANS OF ATTEMPTING TO INFLUENCE THE ADJUDICATION PROCESS OR OUTCOMES OF THE ADJUDICATION PROCESS WILL RESULT IN IMMEDIATE DISQUALIFICATION OF THE ENTIRE BID.** All enquiries regarding this bid must be in writing only and be directed to:

Supply Chain Management: Email: TienieJ@etdpseta.org.za or etdpsetarfq@etdpseta.org.za



Note: Blacklisted companies appearing on the National Treasury database and prohibited from conducting business with public entities, will be disqualified.

The information in this communication is confidential and may be legally privileged. It is intended for the sole use of the individual/s or entity to whom this has been addressed or copied. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this communication and/or its attachments, is strictly prohibited and will be unlawful