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**REQUEST FOR PROPOSAL (RFP-02-2023)**

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**REQUEST FOR PROPOSAL (RFP-02-2023) APPOINTMENT OF A SERVICE  
PROVIDER FOR THE PROVISION OF WHISTLEBLOW HOTLINE**

**CLOSING DATE: 09 MAY 2023**

**TIME: 16H00**

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## **1. INTRODUCTION**

Brand South Africa, previously known as the International Marketing Council of South Africa (IMC), was established in 2002 and tasked with leading the global and domestic marketing of our nation's Brand. The primary object of the Trust is to develop and implement a pro-active and coordinated marketing and communication and reputation management strategies for South Africa.

Brand South Africa's international mandate is to build South Africa's Nation Brand reputation in order to improve the country's global competitiveness, reflecting a great focus on driving international investment and trade.

Domestically, Brand South Africa's mandate is to build pride & patriotism amongst South Africans and contribute to social cohesion and nation brand ambassadorship, giving our country a consolidated and clear brand image. This involves the creation of a unified message and promise that becomes identifiable with South Africa, thereby building credibility, conviction and committed patronage.

Brand South Africa is also the central hub of national reputation and competitiveness intelligence. This intelligence is vital for articulating, aligning and mobilising key messages about the nation for the use and benefit of all stakeholders and strategic partners.

## **2. WHO WE ARE**

Brand South Africa is a Schedule 3A Public Entity, which was established in terms of the Brand South Africa Trust Deed, which is governed by the Trust Property Control Act No.57 of 1988 and the Public Finance Management Act, No.1 of 1999. The organisation reports to the Department of Communication, from which it receives its budget.

## **3. PURPOSE**

The purpose of Brand South Africa is to develop and implement pro-active and coordinated marketing, communication and reputation management strategies for the country.

## **4. MISSION**

To achieve our purpose, we will embark on the following execution mission:

- Develop and articulate a South African national brand identity that will advance South Africa's long-term positive reputation and global competitiveness.
- Seek to build individual and institutional alignment to and support for the brand in South Africa and pride and patriotism amongst South African.
- Build awareness and the image of the Nation Brand in other countries.
- Seek the involvement and cooperation of various government departments, civil society, business and the non-government sector.

## 5. SCOPE OF WORK

- 5.1. Providing the technological infrastructure for the establishment of the whistleblowing hotline;
- 5.2. Provide other means of reporting allegations of fraud and corruption, other than the above where feasible;
- 5.3. Ability to operate the hotline 24/7/365;
- 5.4. Have multi lingual capabilities, preferably in all eleven (11) languages;
- 5.5. Ensure protection and confidentiality of information and the whistleblowers;
- 5.6. Analyse and categorise the reported allegations accordingly; and
- 5.7. Provide reports to Brand SA in accordance with the escalation procedure that would have been agreed upon, for consideration. The ToR includes a preliminary investigation of reported cases.

## 6. DURATION

- 6.1. The duration of this contract is 1 (one) year based on performance, which may be assessed and reviewed on a monthly basis.

## 7. EVALUATION CRITERIA

- a) A minimum of **70 points out of 100 points** on technical capability for Table 1; will be the cut off to qualify for further evaluation Those who qualify will be assessed using the 80/20 preference points system for Price and B-BBEE as per the PPPFA 2017.
- b) Brand South Africa will analyse and assess technical capability and therefore the bidder should demonstrate the following:

### 7.1. Table 1- Technical Evaluation Criteria

TECHNICAL EVALUATION CRITERIA		
CRITERIA	SUB-CRITERIA	POINTS
Organisational experience and capability	<p>Demonstrate organisational capability to execute the project, including:</p> <p>Minimum of 5 years demonstrated experience in executing similar assignments in Public and Private sector. (25)</p> <ul style="list-style-type: none"> <li>• Less than 5 years (0)</li> <li>• Above 5 but less than 10 years (20)</li> <li>• Above 10 years (25)</li> </ul> <p>Minimum of 3 relevant, contactable signed client references or testimonial letters (15).</p>	40

	<ul style="list-style-type: none"> <li>• Less than 3 signed references or testimonial letters (0)</li> <li>• 3 and above but less than 5 signed reference or testimonial letter (10)</li> <li>• 5 and above reference or testimonial letters (15)</li> </ul>	
Approach, Methodology and Project Plan	<p>Detailed approach, methodology and process to be adopted in the project. (15)</p> <p>Project Plan to be linked to the deliverables and outputs. (5)</p>	<b>20</b>
Capacity and experience of the Project Lead	<p>Project leader must demonstrate requisite knowledge in providing and managing whistleblowing hotline with at least 5 years' experience Attach CVs and Qualifications (40).</p> <ul style="list-style-type: none"> <li>• Less than 5 years demonstrated experience in executing similar assignment in the public and private sector. (0)</li> <li>• Has 5 and above years' demonstrated experience in executing similar assignments in the public and private sector. (10)</li> <li>• Project leader and Team members possessing the relevant qualifications, e.g. Ethics Certification or any other relevant qualification. (10)</li> <li>• Project leader and team members must be a member of relevant Professional Body, e.g., the Ethics Institute of South Africa (Attach membership certificate)(20),</li> </ul>	<b>40</b>
<b>TOTAL POINTS</b>		<b>100</b>

## 7.2. Table 2 - Price and B-BBEE

The average rate price for each services costed will be utilized to determine the bid price.

The evaluation for Price and B-BBEE shall be based on the 80/20 PPPFA Principle and the points for evaluation criteria are as follows:

Table 2 - Price and B-BBEE		
CRITERIA	SUB-CRITERIA	WEIGHTING / POINTS
Price	Detailed budget breakdown	80
B-BBEE (Status Level Verification Certificate)	B-BBEE Level Contributor	20
TOTAL		100

## 8. INSTRUCTIONS TO BIDDERS

### 8.1. Terms and Conditions

Brand South Africa reserves, under exceptional circumstances, the rights to extend the closing date. All proposals and all subsequent information received from bidders will not be returned.

### 8.2. Changes to this RFQ document

Brand South Africa reserves the right to make changes on this RFP Document. All changes will be communicated to those firms that have responded to the RFP. No reliance shall be placed on other information or comment from any other person.

The adjudication process does not represent a commitment on the part of the Brand South Africa to proceed further with that proposal or of any other bidder.

Do we not include a Declaration of Interest clause? A general clause saying they do know anyone at Brand South Africa and are not related to anyone at Brand South Africa.

The price quoted must be valid for at least 90 days.

### 8.3. Confidentiality

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence.

#### **8.4. Other matters**

Brand South Africa reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.

If Brand South Africa does not accept any proposal, it will declare this RFQ call process closed and may then elect to:

- Proceed on a completely different basis; and
- Not to appoint any respondent in the event it deems proposals not appropriate.

Brand South Africa will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.

Brand South Africa reserves the right to engage in processes to validate all claims made in the proposal.

#### **9. PAYMENT STRUCTURE**

9.1. Brand South Africa undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.

9.2. Payment will only be made upon successful completion of the induction training.

#### **10. GENERAL**

10.1. Below are compulsory requirements for this service:

It is important to note that the successful bidder will work under the supervision of a Brand South Africa representative, abide by Brand South Africa's Code of Conduct, and other organizational guidelines.

10.2 Kindly submit the following document:

- **Valid and Original or certified as a true copy of B-BBEE Level of contribution or Original or certified as a true copy Sworn Affidavit Certificate issued by the following agencies SANAS, IRBA or CCA (Failure to attach certificate will lead to non- allocation of points)**
- **Proof that tax matters with SARS are in order.**

- (SARS Pin Number/ Tax Clearance Certificate) National Treasury Central Supplier Database Report
- Completed and signed SBD forms

## 11. CONTACT DETAILS FOR INFORMATION

11.1. Further information regarding technical matters can be sent via email to: [remembrancen@brandsouthafrica.com](mailto:remembrancen@brandsouthafrica.com) or tel: 011 483 0122.

11.2. Further information regarding supply chain matters can be send via email to: [quotations@brandsouthafrica.com](mailto:quotations@brandsouthafrica.com) or [Ntsepengl@brandsouthafrica.com](mailto:Ntsepengl@brandsouthafrica.com) or at tel: 011 483 0122.

## 12. SUBMISSIONS OF QUOTATIONS

12.1. Quotations should be submitted on or before the **09 May 2023** by no later than **16h00** to the following address: [quotations@brandsouthafrica.com](mailto:quotations@brandsouthafrica.com) or [Ntsepengl@brandsouthafrica.com](mailto:Ntsepengl@brandsouthafrica.com)

12.2. The selection of the qualifying bid/quotations will be at the Brand South Africa's sole discretion. Brand South Africa does not bind itself to accept any particular bid/quotations, and reserves the right not to appoint the bidder.

**NOTE TO BIDDER:**

I CERTIFY THAT THE INFORMATION FURNISHED IN THIS DOCUMENT IS TRUE AND CORRECT AND CONFIRM THAT:

- THE PROPOSAL IS AS PER THE BILL OF MATERIAL
- PRICE PROVIDED IS FOR A COMPLETE AND WORKABLE SOLUTION AS PER THE BILL OF MATERIAL
- THE SBD FORMS ARE FULLY COMPLETED AND SIGNED
- SUPPORTING DOCUMENT IS ATTACHED (B-BBEE CERTIFICATE, TAX CLARANCE CERTIFICATE AND CSD REPORT. (IF NOT ATTACHED PROVIDE A REASON))

YES	NO

**POPIA CONSENT**

By submitting a proposal tender or quotation, the bidder gives consent to Brand South Africa to collect and process his / her /its personal information as defined in the Protection of Personal Information Act 4 of 2013 for the purpose of Brand South Africa’s procurement processes.

The bidder acknowledges the right to access his / her /its personal information that is in Brand South Africa’s possession for data subject participation and to request Brand South Africa to correct or destroy any personal information in its possession relating to the bidder subject to the requirements of any laws applicable in the Republic of South Africa.

**NOTE: BRAND SOUTH AFRICA SCM WILL RELY ON YOUR COMPANY TO UPDATE YOUR COMPANY INFORMATION IN THE BID DOCUMENT IF THERE ARE ANY CHANGES.**

**NAME:**

.....

**SIGNATURE OF BIDDER [duly**

**authorised):**.....

**DESIGNATION:**

.....

**DATE:** .....

## BIDDER'S DISCLOSURE

### 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.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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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.

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

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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.

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

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system.
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</b>  The Database of Restricted Suppliers now resides on the National Treasury's website( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**SBD 8**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION  
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,  
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE  
TO BE FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

Js365bW

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.

<sup>3</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.

10. 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.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

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