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**TERMS OF REFERENCE FOR THE PROVISIONING OF ANTI-FRAUD AND CORRUPTION
HOTLINE SERVICES FOR THE NATIONAL AGRICULTURAL MARKETING COUNCIL
(NAMC) FOR A PERIOD OF THREE (3) YEARS**

RFQ NUMBER: NAMC RFQ - 158

CLOSING DATE: 10 June 2022 @ 11H00

NO BRIEFING SESSION TO BE HELD

VALIDITY PERIOD: 60 DAYS

Faxed/emailed proposal will not be accepted only hand delivered or couriered original proposals will be accepted.

1. INTRODUCTION

The National Agricultural Marketing Council (NAMC) invites proposals with quotations from suitably qualified service providers for the provisioning of the Anti-Fraud and Corruption Hotline for NAMC for a three (3) year contract period.

The NAMC is a statutory body established in terms of the Marketing of Agricultural Products Act No. 47 of 1996, as amended by Act No 59 of 1997 and Act No. 52 of 2001. The main function of the council is to advise the Minister of Agriculture, Land Reform and Rural Development (DALRRD) on issues relating to the marketing of agricultural products.

2. OBJECTIVES

The NAMC's Risk and Compliance unit hereby invites quotations from service providers to provide NAMC with an Anti-Fraud and Corruption Hotline service. The organization has a staff complement of approximately 60. The overall objective of this project is for NAMC to have an independent and effective Anti-Fraud and Corruption Hotline service that will act as a fraud prevention, deterrent and detection tool in its quest to combat fraud and corruption.

The specific objectives of this service therefore will include:

- 2.1 An independent Anti-Fraud and Corruption Hotline service where NAMC's employees, community at large and other stakeholders will be able to report allegations of fraud and corruption without fear of victimisation and is aligned to the Protected Disclosures Act, No 26 of 2000;
- 2.2 A Fraud Hotline service with an option available to the whistle-blowers to remain anonymous and confidential;
- 2.3 Provide spontaneous feedback to the relevant responsible unit in NAMC;
- 2.4 Provide quarterly reports;

- 2.5 A Fraud Awareness Program that is in line with NAMC Fraud Prevention Policy;
- 2.6 The service provider must comply fully with the provisions of the Protected Disclosure Act (Act 26 of 2000) and the Companies Act (Act 71 of 1988); and
- 2.7 Service provider is certified to the external whistle blowing Hotline Service Provider standard E01.1.1 of the Ethics Institute of South Africa.

3. SCOPE OF WORK

The scope of work will cover the following:

- 3.1 A Fraud Hotline service to be used to report incidences of fraud and corruption available to the whistle blower using innovative technology, for example: Free call number; Fax and/or Fax to email, email facility, short message services (sms) etc.
- 3.2 The above should also include an emergency reporting mechanism.
- 3.3 Multilingual call center.
- 3.4 Available 24 hours per day for 365 days per year.
- 3.5 The Fraud Hotline to be effectively marketed throughout NAMC and its stakeholders and should cover the contract period of three (3) years.
- 3.6 Anonymous reporting/ callers guarantee anonymity
- 3.7 The free call number will be provided
- 3.8 Due to the size of NAMC and the wide range of services provided, some of the calls may be service delivery related. Therefore, the hotline services may receive calls non-related to fraud and corruption. It is therefore expected that the service provider should have the capacity to distinguish between the two types of calls and refer the service delivery calls to the identified / designated office.
- 3.9 Ethics/ fraud surveys.

4. APPROACH AND METHODOLOGY

The approach and methodology in the performance of this service should be in line with the project's scope of work and should reflect NAMC expected deliverables for the project.

The scope of work mentioned above should be taken as a guideline and prospective service providers should make suggestions about the most appropriate approach and content; and should therefore display the value add to NAMC Anti-Corruption and Anti-Fraud strategies/policies.

A project implementation and maintenance plan should accompany the proposal. The plan should detail the key tasks to be performed in the maintenance of this service.

5. OUTCOMES & DELIVERABLES

The service provider will be required to submit Quarterly reports to the designated official / officials of NAMC at the intervals that shall be agreed to between the two parties.

Furthermore, in the case of certain issues that are identified and categorised as significant; requiring immediate escalation, the service provider will be required to treat these on an urgent basis.

6. CONFIDENTIALITY AND MANAGEMENT OF DOCUMENTS

The service provider shall not disclose confidential information to any person, firm, company or media except to the designated persons and will not use such information other than the purposes of its appointment, subject to any prior specific authorization in writing by each party

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. Thereafter all documents should be handed over to NAMC. Such information must be treated as confidential at all times;

In addition, information may not be used for personal gain by the service provider, any employee, subcontractor 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 or agents;

Failure to observe these conditions will constitute a breach of contract, which could result in termination of the contract;

The details of the caller should be kept confidential. Strict confidentiality of all information should be maintained and all calls should be accepted without favour or prejudice.

7. NON-APPOINTMENT

NAMC has the right not to make an appointment should it find that the bidding parties do not meet the specified criteria/requirements.

8. SERVICE LEVEL AGREEMENT

The Service Level Agreement will be entered into by NAMC and the successful service provider. The service provider is responsible for ensuring that the agreed deliverables are produced to the quality standard, on time, within budget.

9. DURATION

The Anti-Fraud and Corruption Hotline contract shall be for a period of 3 years subject to performance review.

10. PROPOSAL

The priced proposal/quotation submitted shall contain full details of the methodology together with such other information as may be considered necessary to explain the service to be provided.

11. EVALUATION PROCESS

NAMC will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). Three (3) phase evaluation criteria will be considered in evaluating the bid as follows:

11.1 Phase 1: Pre-Qualification Criteria (Mandatory requirements)

This stage checks and validates the bidder's compliance with legal requirements to conduct business with the government of South Africa.

All proposals duly lodged will be examined to determine compliance with bidding requirements and conditions (completion and attachment of compulsory documents). NB: No points will be allocated to this stage; however, bidders that do not comply with the Mandatory requirements below will be disqualified and will not advance to the next stage of evaluation.

Pre-Qualification Requirements	Check list √ Tick each box
SBD 2: Completed, attached and signed	
SBD 4: Completed, attached and signed	
SBD 3.1 Completed, attached and signed	
SBD 6.1: Completed, attached and signed	
Terms of Reference document: attached and signed	
General Conditions of Contract: Initialled and attached	
Proof of registration on Central Supplier Database (managed by National Treasury) a report not older than a month of the date of submission must be submitted	

Proof of registration by submitting a certified copy from the external whistle blowing Hotline Service Provider standard E01.1.1 of the Ethics Institute of South Africa	

Note: All SBD forms must be submitted (signed) noting where it is not applicable. If any specific SBD form is not submitted, documentary proof clearly stating the reasons must be attached.

Bidders to supply the following documents (where applicable).

Other Requirements	Check list √ Tick each box
Valid B-BBEE Certificate or attached (certified copy) or Sworn Affidavit	
Company Registration documents	

11.2 Phase 2: Technical/ Functionality Evaluation

Bid responses will be evaluated in accordance with the Functional criteria as follows:

Functional/ Technical Requirements

With regards to the other Functional Requirements, the following criteria (set out in more detail and the associated weightings will be applicable:

Stage 2 Technical (Functionality) proposal

Technical (Functionality) proposal		Maximum points to be awarded
1.	Company Information and relevant experience	
1.1	A minimum number of years in operation:	15

	<ul style="list-style-type: none"> • <i>Less than 1 year to 2 years in operation – 5 points</i> • <i>3 to 5 years in operation – 10 points</i> • <i>Over 6 years in operation – 15 points</i> 	
2.	Technical requirement	
2.1	Methodology and compliance with the scope of work as mentioned under point 3 above, evaluation as per Table A below (Detailed Project Plan with milestones/activities, timeframes etc.)	25
2.2	Human resources Extensive knowledge and experience in Anti-Fraud and Corruption, knowledge of Public Finance Management Act and Preferential Procurement Policy Act <i>Less than 1 year to 2 year of experience – 5 points</i> <i>3 to 4 years of experience – 10 points</i> <i>5 to 6 years of experience – 20 points</i> <i>Over 7 years of experience – 30 points</i>	30
3.	Reference	
3.1	The company's proven track record in handling assignments of a similar nature. A minimum of three written reference letters from clients where a similar service is/ was being rendered. Letters should not be older than three (3) years. <i>1 - 2 letters submitted – 10 points</i> <i>3 - 4 letters submitted – 20 points</i> <i>5 and above letters submitted – 30 points</i>	30
Total technical points		100
Minimum threshold for technical (functionality)		70

Note: The minimum qualifying score is 70 out of 100 points. All bidders that fail to achieve the minimum qualifying score will not be considered for further evaluation on Price and B-BBEE.

A point scoring system for evaluation criterion 2.1 above would be utilized as follows:

Table A

Score	Description
1	Does not meet requirements, or no information supplied
2	Meet some of the requirements (2 of the requirements not met as per point 3)
3	Almost meet all requirements (1 of the requirements not met as per point 3)

4	Fully meet all requirements
5	Exceeds all requirements

11.3 Phase 3: Preference Point System

The 80/20-preference points system for price would be utilized for procurement with a contract of up to R50 000 000.00 (VAT inclusive).

The following formula would be applied:

$$P_s = 80[1 - \frac{P_t - P_{min}}{P_{min}}]$$

Where:

P_s = Points scored for price of bid under consideration

P_t = Rand value of bid under consideration

P_{min} = Rand value of lowest acceptable bid

Points awarded for B-BBEE status level of contributor

A maximum of 20 points will be awarded for B-BBEE Status Level of Contributor.

CRITERIA	POINTS
Price	80
B-BBEE	20
TOTAL	100

Price and Preference

Bidders will be evaluated in terms of Price and Preference points (B-BBEE status level of contributor). As per the table below, price is evaluated over 80 points and preference

points over 20:

B-BBEE Status Level of Contributor	Number of Points
	Bids up to R50 million
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

12. PRICING SCHEDULE

Proposed Fee Structure (exclusive and inclusive of VAT) based on the following:

a) Total cost per annum and per hour (provide a clear breakdown of the costs)

i) Year 1 Total cost R-----

ii) Year 2 Total cost R-----

iii) Year 3 Total cost R-----

b) Reimbursement costs such as telephone, travel, stationery and printing (If applicable)

i) Year 1 Total cost R-----

ii) Year 2 Total cost R-----

iii) Year 3 Total cost R-----

13 INSTRUCTIONS ON SUBMISSION OF BIDS

13.1 Bidders must submit 1 original quotation document and 1 copy of the original.

13.2 No late submission will be considered. It is the bidder's responsibility to ensure that the bid is sent to the correct physical address and that this is received by the NAMC before the closing date and time in NAMC's dedicated physical address. The office hours are Monday to Friday except public holidays, from 08h00 to 16h00

14. PREPARATION OF BID RESPONSE

14.1 All the documentation submitted in response to this RFQ must be in English.

14.2 The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the bid document.

14.3 The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by NAMC regarding anything arising from the fact that pages of a bid are missing or duplicated.14.4 Bidder's tax affairs with SARS must be in order (tax compliant status).

15. NAMC's RIGHTS

The NAMC is entitled to amend bid validity period or extend the bid closing date before the bid closing date. All bidders, to whom the RFQ documents have been issued and where the NAMC have records of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the NAMC's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

16 UNDERTAKING BY THE BIDDER

- a) The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the NAMC during the bid validity period indicated in this RFQ and its acceptance shall be subject to the terms and conditions contained in this RFQ document read with the bid.
- b) The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFQ; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- c) The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with NAMC, as the principal(s) liable for the due fulfilment of such contract.

17 REASONS FOR DISQUALIFICATION

The NAMC reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be later notified in writing of such disqualification:

- i. Bidders who submit incomplete information and documentation contrary to the requirements of this RFQ document;
- ii. Bidders who submit information that is fraudulent, factually untrue or inaccurate information;
- iii. Bidders who receive information not available to other potential bidders through fraudulent means;
- iv. Bidders who do not comply with any of the **mandatory requirements** as

stipulated in the RFQ document.

18 SUBMISSIONS REQUIREMENTS

Bids should be submitted to the address below:

National Agricultural Marketing Council
Old Mutual Building, Block A, 4th Floor
536 Francis Baard Street
Meintjiesplein, Arcadia, Pretoria, 0001

Enquires can be directed to the following:


SCM Enquiries: Mmasabata Nkhodi at (012) 341 1115

Email address: mnkhodi@namc.co.za

Technical Enquiries: All technical enquiries should be forwarded in writing to the
Manager: Risk and Compliance (Nokuhle Shelembe)

Email address: nshelembe@namc.co.za

19 APPROVAL

	Name & Title	Signature	Date
Approved by:	Nokuhle Shelembe		25/052022

20 DECLARATION BY THE BIDDER

I, (Full name)
the undersigned certify that the information provided is true and correct, and understood
the contents of the document in full.

SIGNATURE :

DATE: