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<http://www.namc.co.za>

**TERMS OF REFERENCE FOR INTERNAL AUDIT SERVICES FOR A PERIOD
OF THREE YEARS FOR THE NATIONAL AGRICULTURAL MARKETING
COUNCIL**

BID-NUMBER: NAMC T03/2024

CLOSING DATE: 13 DECEMBER 2024 @ 11H00

NO BRIEFING SESSION TO BE HELD

BID VALIDITY PERIOD: 120 DAYS

NB: On the last page of this document the bidder needs to declare and indicate that they have read and understood the document in full.

Faxed and/or emailed bids will not be accepted, only hand delivered and couriered original proposals will be accepted.

Council Members: Mr. A. Petersen (Chairperson), Ms. T. Ntshangase (Deputy Chairperson), Prof. A. Jooste, Mr. S.J. Mhlaba, Ms. F. Mkile, Ms. N. Mokose, Ms. S. Naidoo, Mr. G. Schutte and Dr. S.T. Xaba and Mr J.G Mocke

1. INVITATION

The National Agricultural Marketing Council (NAMC) is inviting potential bidders to submit proposals to provide internal audit services for a period of three (3) years.

2. BACKGROUND

The Marketing of Agricultural Products Act No. 47 of 1996, as amended by Act No. 59 of 1997 and Act No. 52 of 2001, established the NAMC as a statutory entity. The Council's primary responsibility is to provide advice on matters pertaining to agricultural product marketing to the Minister of Agriculture.

Section 51(1) (a) (ii) of the Public Finance Management Act: No. 1 of 1999 (PFMA) states that an accounting authority for a public entity must ensure that the public entity has and maintains a system of internal audit under the control and direction of an audit committee complying with and operating in accordance with section 27.2.2 of the Treasury regulations.

3. SCOPE OF WORK

The NAMC invites reputable consulting firms to tender for the provision of internal audit services for a three-year period.

- a) The successful bidder will be required to perform, inter alia, the following types of internal audits
- Risk-based audits (this includes, but are not limited to, audits on the Financial, Human Resource and Supply Chain Management processes);
 - Compliance audits (this includes but not limited to POPIA, governance);
 - Performance audits;
 - Audits on predetermined objectives (performance information);
 - Information Technology (IT) audits; and

- Ad hoc projects and consulting services as requested by management and / or the Audit and Risk Committee such as forensic investigations, risk management, Project management and others.

b) The scope of internal audit work entails:

- c) - adequacy and effectiveness of internal controls,
- effectiveness of risk management process
- effectiveness of governance processes.

General

- Develop a rolling three-year strategic and annual internal audit plan based on the results of the risk review and the execution of audits in accordance with these plans.
- Update the Internal Audit Charter that contains the purpose, authority, and responsibility of the internal audit activity. The Internal Audit Charter must be consistent with the Definition of Internal Auditing, the Code of the Ethics, and the Standards.
- Submit quarterly reports to the Audit & Risk Committee for the duration of the contract.
- Report on progress of the work against the approved Annual Internal Audit Plan to the Audit and Risk Committee at all Audit and Risk Committee meetings.
- Attend a strategic workshop and Management Committee Meetings to obtain knowledge of the procedures of the council. Exact dates of possible submission deadlines will be arranged with the successful bidder.
- Liaise with the external auditors to prevent duplication of work and share information to obtain efficiency.
- Perform a follow-up of all Internal audit and external audit findings and determine whether the actions plan as recommended have been adequately addressed.
- Review the effectiveness and efficiency of the risk management process and governance.

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- Review and update the current and existing NAMC risk management strategy.

Risk based audits (this includes, but are not limited to, audits on the Financial, Human Resource and Supply Chain Management processes);

Finance Audit

Review the adequacy and effectiveness on controls over the finance processes specifically in the following areas:

- Month-end process (Key General Ledger Reconciliations);
- Bank and Cash management;
- Income and Expenditure Management;
- Accounts Receivables;
- Account's payables and provisions;
- Fruitless, wasteful and irregular expenditure; and
- Asset Management.

Supply chain Audit

Review the adequacy and effectiveness of controls over the following processes:

- Supply chain management policy and procedures;
- Procurement plan;
- Request for Quotations;
- Contract management;
- Deviations;
- Tender committees and Tender processes; and
- Covid-19 procurement.

Human Resources

Review the adequacy and effectiveness of controls over the following processes:

- Human Resource (HR) Management
- Leave Management
- Appointments
- Terminations
- Performance Management
- Payroll Management

Compliance Audit

- Review the systems established by management to ensure compliance with policies, laws, regulations and controls that could have a significant impact on operations and determine whether the entity is in compliance with Public Finance Management Act No 1 of 1999 and other relevant legislation that governs the entity.
- Ensure that the entity adheres to the corporate governance requirements as prescribed by the latest King report.
- Review the adequacy and effectiveness of the Council and its Sub- Committee Charters and confirm that they are functioning in accordance with these Charters.

Audit on predetermined objectives

- Appraising the economy, effectiveness and efficiency with which resources are employed and identifying opportunities to improve operating performance.
- Review the reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information. (Completeness, Accuracy and Validity).
- Review operations or programmes to ascertain whether the results are consistent with established objectives or goals and whether the operations or programs are being carried out as planned.

Information Technology (ICT)

Review controls to monitor the Information Technology General Control environment (ITGC) – physical and logical access and security, change management, data operations and back-up procedures

- Antivirus;
- Patch Management;
- Physical Access and Environmental Controls;
- Firewall;
- Information Security Policy;
- User Access Control;
- Incident and Problem Management; and Backup procedures (Backup Policy)
- Perform a follow-up of all Internal audit and external audit findings
- Software Licensing
- Wireless procedure controls.

Ad Hoc Project and Consulting services

- Perform ad hoc requirements, as directed by Council or the Audit and Risk Committee.

Project Management Review

- Reviewing the planning, implementation, communication and monitoring of the projects;
- Reviewing progress against objectives and review controls to manage projects;
- Reviewing the adequacy of resources utilised in the projects;
- Reviewing the controls surrounding contract management; and
- Reviewing adherence to the Project management Framework.

- d) Execution of audit assignments will be as follows:
- I. Assignments are to be performed in accordance with the International Standards for the Professional Practice of Internal Auditing (Standards). Compliance with the IIA Standards will be evaluated through conducting External Quality Assurance Review undertaken by the NAMC.
 - ii. The execution of each assignment shall be in accordance with the Annual Internal Audit Plan.
 - iii. In carrying out the work, the successful bidder must ensure its staff maintains their objective by remaining independent of the activities they audit.
- e) Location of services
- The required service of internal audit will be rendered at NAMC's offices situated at 536 Francis Baard Street in Pretoria.

3. TECHNICAL REQUIREMENTS

The estimated 1 100 hours per annum should be the basis for evaluation of the following in the bidding process:

- a) Audit plan- Explanation of the approach to performing an internal audit, including the audit methodology, nature, timing and extent of audit procedures to be performed; and
- b) Demonstration of experience and expertise of internal auditing in the public sector.

Incorporating CVs of the proposed professional staff of the core management team proposed for the engagement and the authorized representative submitting the proposal. Key information should include the position of the individual in the company, the role that the individual will have in the engagement, number of years' experience, all tertiary and professional qualifications, professional memberships, experience, and degree of responsibility held in various assignments during the last three (3) years. CVs must be a maximum of one (1) page per staff member.

Proof of experience in performing internal audit services. List current and past public sector internal audit clients along with the name of the organization, contact person, designation, contact number, nature of the internal audit service (outsourced / co-sourced) and length of the appointment for at least three (3) public sector organisations where you have rendered internal audits services in the last three (3) years.

4. EVALUATION PROCESS

NAMC will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). Four (4) phase evaluation criteria will be considered in evaluating the bid as follows:

4.1 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 | Mandatory documents | Check list √ Tick each box |
|---|----------------------------|---------------------------------------|
| SBD 1: Completed, attached and signed | | |
| SBD 3.1: Completed, attached | | |
| SBD 4: Completed, attached and signed | | |
| SBD 6.1: Completed, attached and signed | | |
| Terms of Reference document: Completed, attached and signed | Mandatory | |
| General Conditions of Contract: Initialled and attached | | |
| Proof of registration on Central Supplier Database must be submitted. | Mandatory | |

| Pre-Qualification Requirements | Mandatory documents | Check list √ Tick each box |
|--|---------------------|-------------------------------|
| Proof that the audit team members are registered and in good standing with relevant Auditing professional body. (preferably with the Institute of Internal Auditors). Proof of registration is required. | Mandatory | |

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.

Failure to adhere to the above conditions will invalidate the proposal.

Bidders must also 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 | |

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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:

| No | Description | Subdivision of Functional Criteria | Allocated points | Maximum Points | Total Points |
|----|--|---|--|----------------|--------------|
| 1 | Experience, skills and ability of service provider | Experience of service provider in the INTERNAL AUDIT environment in the public sector. <u>Provide any appointment letters of Public Institutions and private institutions with the years when similar services were rendered.</u> Note: Clearly state the period of experience | Below 1 year = 0 No appointment letters = 0 1 to 3 years=3 points 4 to 7 years= 6 points More than 7 years= <u>10</u> points | 10 | 30 |

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| | | | | | |
|--|--|---|---|----|--|
| | | <p>Experience of the team members in Internal Audit.</p> <p><u>Provide Curriculum Vitae</u></p> | <p>Below 1 year = 0</p> <p>No indication of experience = 0 points</p> <p>1 - 3 years = <u>2</u> points</p> <p>4 - 7 years = <u>6</u> points</p> <p>More than 7 years = <u>10</u> points</p> | 10 | |
| | | <p>Relevant qualifications of the team members in Internal Auditing services.</p> <p><u>Provide certified copies of qualifications</u></p> | <p>Below NQF 6 = 0 points</p> <p>Non submission = 0 points</p> <p>Diploma/ NQF 6 = <u>2</u> points</p> <p>Degree/ NQF 7 = <u>6</u> points</p> | 10 | |

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| | | | | | |
|---|---|--|--|----|----|
| | | | Honours Degree/ NQF 8 and above = <u>10 points</u> | | |
| 2 | Technical Approach and Methodology | Proposals should contain the details of the proposed approach to be adopted in order to deliver the service in accordance with the TOR. (These criteria will be evaluated using the format as detailed in <u>Table A below</u>) <u>Detailed technical and methodology should be submitted</u> | | 25 | 25 |

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| No | Description | Subdivision of Functional Criteria | Allocated points | Maximum Points | Total Points |
|----|--|---|--|----------------|--------------|
| 3 | References (contactable and verifiable clients where similar services were done in the past 36 months i.e., from 2021) | Reference Letters from different clients with positive feedback should be provided | 1 - 3 letters= <u>6</u> points 4 - 7 letters = <u>12</u> points More than 7 reference letters= <u>25</u> points <u>No reference letters = 0</u> | 25 | 25 |
| 4 | Director/ Key personnel | Experience of bidder's key personnel that will be assigned to the contract. (The bidder must attach Curriculum Vitae (CV's) of Director and a minimum of NQF Level 7 certificates to qualify for points) | No Director = <u>0</u> points Director with no working experience = 0 points Director with 1 to 2 years of working experience and NQF Level 7 certificates = 5 | 20 | 20 |

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| | | | | | |
|--|--|----------------------------------|---|------------|------------|
| | | | <p>Points</p> <p>Director with over 2 years to 5 years of working experience and NQF Level 7 certificates = 10 points</p> <p>Director with over 5 years of working experience and NQF Level 7 certificates = 20 points</p> | | |
| | | TOTAL | | 100 | |
| | | Minimum qualifying score: | | 70 | 100 |

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Table A

Technical Approach and Methodology

| | Technical approach and methodology (methodology and technical approach methodology and technical approach) |
|--|--|
| Non submission = 0 | Bidder did not submit technical and methodology approach |
| Poor (Score less than 5) | The technical approach, methodology and/or methodology and technical approach is poor / is unlikely to satisfy project objectives or requirements. The technical approach fails to not deal with the critical aspects of the project as outlined in the terms of reference. |
| Satisfactory (score max 10) | The approach to performing an internal audit, including the audit methodology, nature, timing and extent of audit procedures to be performed are generic and not tailored for NAMC needs. The approach does not adequately address all the requirements as stipulated in the terms of reference. |
| Good (score 15) | The approach to performing an internal audit, including the audit methodology, nature, timing and extent of audit procedures to be performed are tailored to address NAMC needs. The approach is flexible to accommodate possible changes that could appear during execution. The methodology and technical approach is also comprehensive and easily understandable. The approach adequately addresses the requirements as stipulated in the terms of reference. |

| | |
|-----------------------------|--|
| Very good (score 20) | <p>The approach to performing an internal audit, including the audit methodology, nature, timing and extent of audit procedures to be performed are excellent.</p> <p>The approach provides an Innovative strategy to adequately address the requirements as stipulated in the terms of reference.</p> |
|-----------------------------|--|

Note: The minimum qualifying score for functionality is 70 points out of 100 points. All bidders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation. All bidders that achieve 70 points and above will be invited for a 20 minutes presentation.

Phase 3: Presentation

| CRITERIA | POINTS |
|---|------------------|
| 1. Understanding of the NAMC's Audit scope and objectives | 3 |
| 2. Bidder' detailed methodology and approach | 4 |
| 3. Team's experience in similar service | 3 |
| TOTAL | 10 points |

Note: The minimum qualifying score for presentation is 06 points out of 10 points. All bidders that fail to achieve the minimum qualifying score on presentation shall not be considered for further evaluation on Price and specific goals.

Phase 4: Price and Specific Goals

- All quotations up to the rand value of R 50 000 000.00 including all applicable taxes will be evaluated on the 80/20 principle as prescribed by the Preferential Procurement Policy Framework Act 5 of 2022 and its Regulations.
- N:B - Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids to substantiate their specific goal as stated below. However, Bidders who do not submit B-BBEE Status Level Verification Certificates do not qualify for specific goals points but they will not be disqualified from the bidding process.
- The lowest acceptable price will score 80 points, the 20 specific goals points will be allocated as follows:

| SPECIFIC GOAL | TOTAL POINTS |
|---|---------------------|
| Percentage (%) Black Ownership | Points (10) |
| 91-100 | 10 |
| 81-90 | 9 |
| 71-80 | 8 |
| 61-70 | 7 |
| 51-60 | 6 |
| 41-50 | 5 |
| 31-40 | 4 |
| 21-30 | 3 |
| 11-20 | 2 |

| SPECIFIC GOAL | TOTAL POINTS |
|--|---------------------|
| 1-10 | 1 |
| 0 | 0 |
| Percentage (%) | |
| Ownership By Women | Points (4) |
| 81-100 | 4 |
| 51-80 | 3 |
| 31-50 | 2 |
| 1-30 | 1 |
| 0 | 0 |
| Percentage (%) | |
| Ownership By Youth | Points (4) |
| 81-100 | 4 |
| 51-80 | 3 |
| 31-50 | 2 |
| 1-30 | 1 |
| 0 | 0 |
| Percentage (%) | |
| Ownership By People with Disability | Points (2) |
| 51-100 | 2 |
| 1-50 | 1 |
| 0 | 0 |
| | |

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PRICING SCHEDULE

NAMC will allocate fictitious hours to the below activities and use the average rate to calculate a ceiling price for the three-year contract period. The ceiling price will be used for price comparison and evaluation purposes only.

PRICING PROPOSAL

(i) Hourly Rates

| Resources | Year 1 | | Year 2 | | Year 3 | |
|------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | VAT Exclusive | VAT Inclusive | VAT Exclusive | VAT Inclusive | VAT Exclusive | VAT Inclusive |
| Director | | | | | | |
| IA Manager | | | | | | |
| Director | | | | | | |
| Auditors | | | | | | |

(ii) Summary of fees

| Years | Year 1 | Year 2 | Year 3 | Total |
|------------------------------|--------|--------|--------|-------|
| Estimated Hours | 1 100 | 1 100 | 1 100 | 3 300 |
| Rate per hour (excl VAT) | | | | |
| Estimated Disbursements | | | | |
| Subtotal | | | | |
| VAT | | | | |
| Total Estimated fee Incl VAT | | | | |
| Average Rate VAT Incl | | | | |

INSTRUCTIONS ON SUBMISSION OF BIDS

4.2 Bidders must submit 1 x original tender document, 4 x copies and a Memory stick of the original. Where documents are presented in a format which cannot be accessed by the NAMC through generally acceptable formats, or the specified number of tender documents, such bid response will be disqualified.

4.3 No late bids 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 tender box / physical address. The office hours are Monday to Friday except public holidays, from 08h00 to 16h00.

5. PREPARATION OF BID RESPONSE

- a) All the documentation submitted in response to this RFP must be in English.
- b) The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the bid document.
- c) Bids submitted by bidders which are or are comprised of companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.
- d) 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.
- e) Bidder's tax affairs with SARS must be in order (tax compliant status).

6. NAMC's RIGHTS

- 6.1 The NAMC is entitled to amend any bid condition, bid validity period, RFP specification, or extend the bid closing date before the bid closing date. All bidders, to whom the RFP 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.
- 6.2 The NAMC reserves the right not to accept the lowest priced bid or any bid in part or in whole. NAMC normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the NAMC.
- 6.3 The NAMC reserves the right to award this bid as a whole or in part.
- 6.4 The NAMC reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.
- 6.5 The NAMC reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the National Treasury Instruction 1A of 2024/2025: Cost Containment Measures, where relevant.
- 6.6 The NAMC reserves the right to request all relevant information, agreements, and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the NAMC to conduct background checks on the bidding entity and any of its directors / trustees / shareholders / members.

7. UNDERTAKING BY THE BIDDER

7.1 The bidder shall prepare for a possible presentation should NAMC requires such and the bidder will be required to make such presentation within three (3) days from the date the bidder is notified of the presentation. Such presentation may include a practical demonstration of products or services as called for in this RFP.

- 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 RFP and its acceptance shall be subject to the terms and conditions contained in this RFP 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 RFP; 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
- d) The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become NAMC property unless otherwise stated by the bidder/s at the time of submission.

8. 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 RFP 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 RFP document;

10 CONTRACT MANAGEMENT

- a) Delivery of the goods and services shall be made by the supplier in accordance with the terms specified in the service level agreement. The details of shipping and/or other documents to be furnished by the supplier are specified in General Conditions of Contract (GCC).
- b) Ongoing reviews based on either terms of reference or any other resolutions that have been passed by management should be conducted by NAMC on services rendered.
- c) Supplier Performance Management is viewed by NAMC as a critical component in ensuring value for money acquisition and good supplier relations between the NAMC and all its suppliers.
- d) The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with NAMC, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor, and assess the supplier

performance and ensure effective delivery of service, quality and value-add to NAMC's business.

- e) Successful bidders will be required to comply with the above condition, and provide a scorecard on how their product / service offering is being measured to achieve the objectives of this condition.

11 SUBMISSIONS REQUIREMENTS

A tender document with terms of reference/scope of work can be obtained from NAMC website (www.namc.co.za) or eTender portal

Proposals must be hand delivered or dispatched to NAMC at the following address:

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

- In case of joint ventures, bidders must provide a clear agreement regarding joint venture or consortia.
- A trust, consortium or joint venture must submit a consolidated B-BBEE status level verification certificate.
- Bidders must submit 1 x original bid document and USB containing tender document
- There will be no consideration or acceptance of late submissions. Ensure that the bid is forwarded to the correct physical address and received by the NAMC before the closing date and time in the NAMC's designated tender box or physical address is the bidder's obligation. With the exception of public holidays, our office hours are from 8:00 to 16:00 during weekdays.

Closing date for submission: 13 DECEMBER 2024 at 11H00

All enquiries must be directed to: SCM@namc.co.za

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12. APPROVAL

| Approval | | | |
|---------------------|-------------------------|------------------|-------------|
| | Name & Title | Signature | Date |
| Approved by: | | | |

13. DECLARATION BY THE BIDDER

I, the undersigned certify that the information provided is true and correct and understood the document's contents in full.

SIGNATURE :

DATE: