



Terms of Reference

Appointment of a service provider to provide B-BBEE verification service.

Reference: **AFSA01REQ00864**

Application deadline: **17 March 2023, 11h00 (Email submissions only)**

AFSA reserves the right to amend this document or to cancel this call, for any reason. Changes and notices to this document will be posted on AFSA website:

<https://www.aids.org.za/>

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Abbreviations

AFSA	AIDS Foundation of South Africa
ABYM	Adolescent Boys and Young Men
AGYW	Adolescent Girls and Young Women
AYP	Adolescents and Young People
B-BBEE	Broad-Based Black Economic Empowerment
CV	Curriculum Vitae
CBO	Community Based Organisation.
GF	Global Fund
HIV	Human Immunodeficiency Virus
IEC	Information, Education, and Communication
NGO	Non-governmental Organisation
NSWP	National Sex Worker Plan
SANAS	South African National Accreditation System
TOR	Terms of Reference

1. Introduction and Background

AIDS Foundation of South Africa (AFSA) is a Durban-based NGO that acts as an interface between Donors and Community Based Organisations (CBO's). AFSA is one of four Principal Recipients (PRs) currently implementing Global Fund (GF) supported programmes in South Africa for the April 2022 to March 2025 grant period. By placing donor funds with strategically selected CBO's, AFSA currently provides ongoing, technical support & capacity building to CBO's implementing programmes across South Africa.

Amongst these programmes are the Sex Worker Programme (SWP) and Adolescents and Young People Programme (AYP) which are implemented in 18 districts across 8 provinces in South Africa.

1.1 The Sex Worker Programme

The Sex Worker Programme aims to improve the health and wellness of sex workers in South Africa. The envisaged outcomes are:

- Prevent new infections of HIV, STIs and TB amongst sex workers.
- Improved health outcomes for sex workers, clients, and sexual partners through combination prevention approaches.
- A strengthened health system for the implementation of the National Sex Work Plan (NSWP).
- Reduced human rights, social and structural barriers to HIV, STI and TB prevention, care, and impact among sex workers.

Interventions within the Sex Worker Programme are structured and evidence based to account for the evolving, unique emotional and physical developmental needs of beneficiaries. Sex Workers can enter the programme from several service entry points where they will receive a core package, inclusive of individual risk screening, and where they will be offered HIV testing, condoms, and IEC materials. Based on Sex Worker's personal risk profile they will be directed to a range of layered health, behavioural and structural interventions and if required, they will also be supported to successfully access services offered via referrals.

1.2 The Adolescents and Young People Programme

The Adolescents and Young People Programme aims to improve the health, psychosocial, and socio-economic well-being of Adolescent Girls and Young Women (AGYW) and Adolescent Boys and Young Men (ABYM) collectively known as Adolescents and Young People (AYP). This will be achieved by providing comprehensive and co-ordinated components, consisting of a core component integrated into 5 components, each providing layers of biomedical, behavioural, and structural services, and integrated linkages to care through multiple referral systems across components and between other GF funded programmes. The programme targets AYP, in and out of school, aged between 15 and 24 years old, with the aim of effecting risk reduction, behaviour change, and empowerment.

In alignment with the National Strategic plan goals 1, 3, and 4, the programme's objectives are to;

- Decrease the incidence of HIV,
- Decrease teenage pregnancy in AGYW,
- Increase retention in schools,
- Increase economic opportunities, and
- To reduce gender-based violence.

2. Scope of Work

These terms of reference are intended to provide a scope of work and deliverables to appoint BBBEE verification agency to compile a balance score card, do the required verification in relation to the BBBEE for a period of 12 Months.

The appointed service provider will be required to but not limited:

- Perform a verification of AFSA's B-BBEE status and recognition level based on an updated scorecard for NGO's.
- Scorecard compilation.
- Generation of verification certificate confirming B-BBEE status and recognition level.
- The service provider must ensure that all work conforms to the B-BBEE Act and SANAS standards.

3. Required Documents

IMPORTANT: Documents listed in the table below must be submitted as one pdf file and, in the order, shown. Insert a blank page, with appropriate label & mark it “**NOT SUBMITTED**” to indicate documents not submitted. AFSA will not be responsible for documents misplaced during file transmission -if this step is not adhered to.

Table 1: Mandatory Documents.

Document Number	Description
DOC-01	Motivation /cover letter attached to Company Profile
DOC-02	A declaration confirming the absence of any conflict of interest; or alternatively a declaration stating any existing relationship with AFSA employees or Directors. Use document provided on page 1.
DOC-03	Sole Proprietor: Certified copy of identity document (If non-South African: attach work permit). Company: Company or trading entity registration certificate.
DOC-04	A valid tax clearance certificate issued by the South African Revenue Service (SARS).
DOC-05	VAT vendor registration – Compulsory for transactions over R100 000.
DOC-06	Three (3) relevant, contactable references that the bidder did work for in the past two years.
DOC-07	B-BBEE status level verification certificate (unless trading below the prescribed Threshold, Level 4 and above) -attach affidavit. Applicable to companies.
DOC-08	Detailed Proposal including quotation
DOC-09	Supporting documentation

Applications missing these documents will be disqualified. Documents are valid only if obtained /certified within 3months of closing date. Only short-listed candidates will be contacted.

4. Competence Requirements

The service provider should meet the following competency requirements:

- Be certified by SANAS or equivalent (South African National Accreditation System) and possesses current knowledge.
- Be well vested in the best practices and BBBEE Act.
- Must have done similar verification in some other NGO.
- Applicant company directors also confirm that the bidding company is a going concern.

5. Pricing

- A total price for the project must be submitted.
- Price must be all inclusive of disbursements and travel costs.
- AFSA would prefer to engage a service provider on a fixed fee for the entire verification process.

6. Evaluation and Technical Criteria- Stages

Stage 1: Administrative compliance: Applications with missing mandatory documents will be disqualified.

Stage 2: Functionality: Experience, motivation letter, technical approach and execution plan and supporting documents will be assessed and scored accordingly. Minimum score of 70% is required to move to next stage.

Stage 3: Costing: Proposals will be scored, with cheapest scoring maximum score. AFSA is not obliged to select a service provider based on the cheapest quotation.

Table 2: Functionality - Technical evaluation criterion

ELEMENT	Maximum Score
<p>Technical Approach and Execution Plan</p> <ul style="list-style-type: none"> Proposals must contain the details of the proposed approach to be adopted to deliver the service in accordance with the requirements of the TOR. (20) The bidder must also outline how information will be collected for various elements of the scorecard; an example must be attached. (20) 	40
<p>References</p> <ul style="list-style-type: none"> Did the bidder submit at least three relevant and contactable clients (With emails and contact numbers) that were serviced in the past two (2) years. 	20
<p>Internal capacity and experience</p> <p>Proposals should clearly indicate whether or not bid participants have the internal capacity to meet the requirements of the TOR</p> <ul style="list-style-type: none"> Experience in similar work of this nature (10) Team member/s experience (accompanied by brief CV's including copies of qualifications) (10) The team leader should at least have 5 years' experience in the BBBEE verification field (10) The bidder must have at least performed same work in the NGO sector. (10) 	40
Total	100
<p>*Bidders are required to score 70 points on functionality to qualify to be evaluated for Price and BBBEE.</p>	

7. Application Process

- This tender may be awarded to one or more successful bidders.
- AFSA reserves its right to:
 - Cancel this bid, at any time, for any reason,
 - Modify specifications before contract is awarded,

- c. Terminate services /contract due to poor performance:
 - i. Failure to deliver goods/ services within agreed timelines.
 - ii. Goods/ services delivered are of poor quality.
- Suitably qualified service providers are required to submit an application only on e-mail to procurement@aims.org.za with this reference: “AFSA01REQ00864/BBBEE Verification” on the subject line, by 17 March 2023.
- All enquiries are to be emailed *only* to with subject line clearly marked with reference shown above.
- *If you are not contacted within 45 days of closing date, please consider your submission unsuccessful.*
- AFSA will not be held responsible for costs associated with the application process.
- Submission /bidding implies full understanding and acceptance of contents of these terms of reference, requirements, and stipulated performance conditions.

8. Approval: CEO

Name	Designation	Signature	Date
Ntombenhle Mkhize	Chief Executive Officer		

9. Required, additional forms to complete, sign and attach with the submission



DOC 02: DECLARATION OF INTEREST FORM

Please respond to the following questions, by placing an “X” on your response.

If you require additional space to complete a response, please continue your response on a separate page and sign and date that page.

1) Do you or any of your immediate family members have any financial interest in the work of the AIDS Foundation of South Africa?

Yes: _____ No: _____

If you have responded “yes”, please give details in the box below sufficient for AFSA to evaluate the situation, including, but not limited to, the following:

- If the financial interest relates to a role held at an organization, please list the name of the organization, the role held at the organization (such as employee, consultant, or board member), the work performed in the role, and the dates during which the role was held.
- If the financial interest relates to an ownership interest, please describe the nature and amount of the interest owned, the duration for which the interest has been held, and any other relevant information.

2) Have you or an immediate family member had a professional relationship with an organization subject to a diagnostic review, audit, investigation, or similar activity by AFSA, or been personally subject to an investigation by AFSA? Has there ever been an investigation by any other authority against you, your immediate family members, or an organization to which you have a professional relationship?

Yes: _____ No: _____

If you have responded “yes”, please describe relevant information in the box below, including, as applicable:

- The organization involved.
- The role and title held (such as employee, consultant, or Board member), whether the role was held by you or by an immediate family member, and the dates when the role was held.
- The work performed, and whether the role involved working on, managing, or overseeing matters involving AFSA.
- The investigating authority
- The focus of the investigation or other action
- The outcome or resolution of the investigation or other action (such as findings of fraud or misuse of funds).

3) Have you or any of your immediate family members been involved in a legal dispute with AFSA or its grant recipients, or are you currently involved in any other legal dispute that could have a real or perceived effect on your duties at AFSA?

Yes: ____ No: ____

If you have responded “yes”, please give details in the box below on the nature of the dispute, the parties involved, and, as applicable, the status of the dispute or how and when the dispute was resolved.

Note: This question is intended to only address legal disputes that could have a real or perceived effect on your ability to work with the best interests of AFSA in mind. Therefore, any legal issues you may have experienced relating to your gender, sexual orientation, political beliefs, disease status, activities as a sex worker or drug user, or activities associated with advocacy for social, political or human rights issues do not need to be disclosed here. For the legal disputes disclosed here, you may provide any background you deem relevant.

4) Do you or any of your immediate family members or business associates have any relations with AFSA Sub-recipients, Donors, Partners, Suppliers or Contractors?

Yes: _____ No: _____

If you have responded “yes”, please give details in the box below sufficient for AFSA to evaluate the situation:

5) Do you or any of your immediate family members or business associates have any relations with AFSA?

Yes: _____ No: _____

If you have responded “yes”, please give details in the box below sufficient for AFSA to evaluate the situation:

6) Is there anything else not captured in the questions above that could affect your objectivity or independence in the performance of your duties for AFSA, or in your opinion, the perception by others of your objectivity and independence?

Yes: ____ No: ____

If you have responded “yes”, please give details in the box below sufficient for AFSA to evaluate the situation.

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In signing this Form, I, the undersigned, _____ hereby confirm that:

- i. The information which I disclose in this Declaration of Interest Form is correct and complete.

- ii. In the event of a material change to the information provided, I shall advise the AFSA CEO immediately of the situation consisting of a conflict of interest or that which could give rise to a conflict of interest and undertake to update the information in this Declaration Form in the event of these circumstances and, in any event, at least annually.

- iii. I have not made, and will not make, any offer of any type whatsoever from which a personal advantage can be derived from my involvement or employment with AFSA.

- iv. I understand that AFSA reserves the right to verify this information and that I am aware of the consequences which may derive from any false declaration in respect of the information required by AFSA. Such consequences may include reporting a crime to law enforcement agencies and disqualification from the bidding process.

Name (print):

Title (print):

Designation /position

Signature:

Date:

DOC 08 Costing Tool

DESCRIPTION	COST PER MONTH
Provision of BBBEE Verification	
Vat	
Total Inclusive of VAT	

INITIAL AND DATE THIS PAGE: _____

DOC 14: Signed undertaking

In signing this Form, I, the undersigned, _____
hereby confirm and agree that:

- 1) This tender may be awarded to one or more successful bidders.
- 2) AFSA reserves its right to:
 - a. Cancel this bid, at any time, for any reason,
 - b. Modify specifications before contract is awarded,
 - c. Terminate services /contract due to poor performance:
 - i. Failure to deliver goods within agreed timelines
 - ii. Goods delivered are of poor quality.
- 3) AFSA may not be held responsible for costs associated with the application process.
- 4) Submission /bidding implies full understanding and acceptance of contents of the terms of reference, requirements, and stipulated performance conditions.
- 5) I also confirm the company is a going concern.
- 6) The information which I provided in this application process is correct and complete.
- 7) In the event of a material change to the information provided, I shall advise the AFSA CEO immediately of the change and in writing.
- 8) I understand that AFSA reserves the right to verify information I provided and that I am aware of the consequences which may derive from any false declaration in respect of the information required by AFSA. Such consequences may include reporting a crime to law enforcement agencies and /or disqualification from the bidding process.

Name (print):

Title (print):

Designation /position

Signature:

Date: