

TERMS OF REFERENCE



Contract number:

PQ: 7N-098

Request for Proposals:

**Appointment of a service provider for the design and communication packaging of the
Industrial Sector Support Programmes Initiatives
in eThekweni Municipality**

Economic Development and Investment Promotion Unit

1. Project Title

EThekwini Municipality's Economic Development and Investment Promotion Unit (ED&IPU) invites proficient and competent service providers with relevant experience and sufficient capacity who are registered on the Municipality database to submit comprehensive proposal for design and packaging of communication materials for the industrial sector development programmes and interventions.

2. Background Information

The Industrial sectors are key drivers of economic growth and development in eThekwini. Local Government has a responsibility of creating an enabling environment for developing and supporting the growth and development of the industrial sectors within their areas of jurisdiction to ensure that industry continues to invest, retain and expand job opportunities to develop the local economy. In line with the National Industrial Policy Framework (NIPF) and Industrial Policy Action Plan (IPAP), the eThekwini Municipality Economic Development and Investment Promotion Unit (ED&IPU) is implementing the Industrial Sector Development Programmes (ISDPs). The IPAP provides mandates and parameters for the ED&IPU to implement the ISDPs in eThekwini Municipality Area (EMA) for investment promotion, skills development and job creation as part of Local Economic Development.

The EThekwini Municipality ED&IPU took a strategic decision to implement industrial sector development interventions in partnership with the sector-specific industrial formations and stakeholders. Currently, there are ISDPs being implemented by eThekwini Municipality and these include the Automotive Cluster, Clothing and Textile Cluster, Ethekewini Maritime Cluster, Chemical Cluster, Material Recovery, Smart Exchange, EDAMAME, Durban Green Corridor, Leisure and Tourism and Furniture incubator. These programmes and interventions have been established and implemented as a collaborative enabling platform for industry and their formations, government, not-for-profit organizations, State-owned Companies (SOCs) as well as other agents to address common issues of interest. These ISDPs contributes to several positive economic development outcomes which include: the propensity to create meaningful employment opportunities; the ability to derive export earnings; and the ability to support economic activities in related sectors such as transport and logistics and business and professional services. While these activities have yielded positive results for the firms which have participated in the programs, there exists a need to design and implement a tactic for effective communication with council members. Therefore, the service provider being sourced will need to design a communication system of packaging the information and delivery to support and improve the flow of information from the activities/interventions that are supported by ED&IPU to the council members with political oversight responsibilities.

3. Problem Statement

The Department is implementing a suite of programmes and projects emanating from the Provincial and National industrial development frameworks. There is a lot of effort that is being put in the management of these industrial development interventions life-cycle. While these efforts ensure that the interventions yield positive outcomes/impact. These positive results are not optimally identified, packaged and effectively communicated to the council members periodically. It is on these bases that the services of the skilled marketing and communication specialist team is required to develop an effective communication tool and ensuring that the significant achievements/outcomes are communicated to internal stakeholders in particular the council members.

4. Objectives of Project

The objective of this project is to:-

- 4.1. Identify and effectively capture specific interventions with positive outcomes.
- 4.2 Collect visual evidence/pictures of the specific interventions.
- 4.3 Compiling of these in appropriate communication documentation packaging booklets.

5. Scope of the Project

The Service Provider would need to prepare an inception report to detail the project plan with timeframes outlining overall approach/ methodology, Key milestones and indicators, deliverables and resources to be deployed including budget. The scope of the project will include and is not limited to:

- 5.1 Review of relevant strategy documents to identify topics of interest in the political environment and service delivery requirements.
- 5.2 Collaborate with programme managers to understand the initiatives and to craft the narrative or content where there is demonstrable evidence of positive outcome/impact.
- 5.3 Develop a repository of visual evidence/pictures which captures the change/impact made by municipality's interventions.
- 5.4 Craft the reports (both quarterly progress and impact success stories) including relevant visual evidence/ pictures in a way that is compelling, relatable and unique.
- 5.5 Development of the reporting template for quarterly reports and packaging of these reports in professional booklet format suitable for executive communication.
- 5.6. Draft a Powerpoint presentation as a snippet/summary version of the content in the booklet.

6. Project Deliverables

All actions and activities will take place in consultation with the eThekweni Municipality Economic Development and Investment Promotions Unit. The following are the expected deliverables/output of the project:

- Designing the template for reporting of quarterly progress reports and impact/success stories in an appropriate format.
- Compiling of quarterly progress reports to include identified impact/success stories to be highlighted.
- Create a portfolio and repository of visual evidence/pictures linked to the programmes and interventions supported.
- Delivery of 40 hard copies at the end of each quarter and a soft copy.
- Consolidation of these 4 quarterly reports to an annual report at the end of the financial year and delivery of 40 hard copies and a soft copy.
- Powerpoint presentation draft summarizing the content of the compiled reports.

7. Reporting

The service provider has to prepare regular reports on progress to eThekweni Municipality in accordance to the project plan.

8. Milestones and Timeframes

The service provider is expected to commence with the project immediately after appointment with the first delivery due by 15 October 2018 and complete project at the end of the financial year on 31 August 2020.

9. End Product and Format

The end products will be the packaged communication of 4 quarterly progress reports including the impact success stories and the consolidated annual report and powerpoint drafts. The service provider will deliver 40 hard copies and a soft copy per quarter of progress reports and an annual report to EDIPU. Please note that the electronic copies are to be supplied in Microsoft Word format and Presentations in Microsoft PowerPoint format.

10. Individual/Professional Team

The service provider appointed would be:-

- The individual/team with at least 5 years relevant experience in marketing, communication and public relations.
- Able to demonstrate that they have the capacity and capability to deliver on this project.
- Having practical experience in the communication packaging of economic development initiatives or similar development initiatives,
- Skilled in excellent report writing and presentation,
- Able to think laterally and make practical workable recommendations,
- Experience in previous projects of this magnitude.

11. Tender Submission Details

The deadline for submissions is: **3 October 2018 at 11h00**

These must be submitted for **attention: Mthokozisi Zondi** of the Economic Development and Investment Promotion Unit, and labeled:

**“Communication packaging of Industrial Sector Support Programmes:
Economic Development & Investment Promotion Unit”**

Please deliver the proposals to:

Tender Box

Materials Management Building

Corporate Procurement

Archie Gumede Place

Durban

4001

Tenders must include:

- The location of the firm's offices.
- A proposal responding to the above terms of reference, including:
- The Service Provider's response to this brief and scope of work.
- A proposed plan and method for delivery.

- A detailed timeframe for completion of the project, including key milestones and deliverables.
- The quotation (to be included with the proposal) consisting of total cost, VAT and disbursements as separate figures. A schedule of projected time and financial cost per phase, and per staff member must be provided.
- Descriptions of and references for, previous work of a similar nature as per the requirements outlined above.
- A demonstration of the required level of experience as stipulated in the terms of reference, including the two page CVs on each member.
- Proof of registration on eThekweni Municipality's Supplier Database.
- A valid Tax clearance certificate and original BBBEE certification.
- Completed and signed MBD 9 Forms (Found in the Appendix):
- Original Declaration of Interest
- Original Declaration of Municipal Fees
- Original Certificate of Independent Bid Determination

In the event that consortia respond to this request for proposals, each company forming part of the consortium are to fill out all of the supporting documentation in full. Please note that the appointment will be made in terms of the council's procurement policy. The quotation must include total cost, VAT and disbursements as separate figures. A schedule of projected time and financial cost per phase, and per staff member must be provided. These terms of reference are subject to any changes which may stem from a negotiation of the final terms with the service provider, as well as any additional budget which may be allocated to the project.

12. Adjudication

The adjudication of this Request for Proposals will be in terms of MFMA Circular 53 (Municipal Finance Management Act No. 56 of 2003), whereby FUNCTIONALITY is included in this bid as a criterion (Stage 1) and will be assessed in terms of the evaluation criteria detailed in the table below. Any bid which fails to meet the minimum threshold of 70 out of 100 points for functionality will be disqualified. Thereafter, only qualifying bids will be evaluated in terms of the 80/20 preference points system (Stage 2) where 80 points is used for price only and Broad Based Black Economic Empowerment Points will be awarded to bidders in accordance with the following table:

B-BBEE Level of Contributor	90/10 Point System	80/20 Point System
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2

13. Project Budget/Professional Re-imbusement

The budget is subject to the range of costs as quoted by consultants for similar studies and is expected to cost up to R200 000 (Including VAT, and disbursements) for the full scope of deliverables. The consultant must provide a full budget breakdown and final costs to undertake all work pertaining to this project the full scope of deliverables. Payment will be made via EFT therefore all service providers must be registered with the eThekwini procurement database.

14. Copyright, Confidentiality and Termination Agreements

Please note that as a requirement of this project, all output and copyright thereof will become the property of eThekwini Municipality. The findings and results from this project shall by no means be used by any other sources. In the event of termination of this appointment, ED&IPU reserve the right to use all or any parts of the documentation for completion of the project.

This report must be deemed as strictly confidential and while it may be necessary to consult with various entities, no information garnered may be divulged. The content and proposed submissions, of the winning proposal, are to be regarded as the property of the EThekwini Municipality and are to be treated as confidential. Information, which is generated, may not be made available to any third party without the prior permission of the Municipal Manager: EThekwini Municipality.

CRITERIA	MAXIMUM SCORE
STAGE 1	
1. Response to the brief	30
<ul style="list-style-type: none"> ○ Does the proposal clearly demonstrate good understanding of the brief? All key deliverables are distinctly identified and adequately address. ○ <i>Nil – No submission</i> ○ <i>Poor (score 40%; 6 points) – The proposal shows limited understanding of the brief and project, has not adequately dealt with the key challenges.</i> ○ <i>Satisfactory (score 70%; 10.5 points) – The brief is well understood, clearly articulated, and key components are adequately addressed. The proposal reflects necessary concepts but has insufficient detail for it to be distinctive.</i> ○ <i>Good (score 90%; 13.5 points) – the proposal clearly demonstrates an understanding of the project’s brief. All key components are adequately addressed. It also reflects sufficient vision and detail to be distinctive.</i> ○ <i>Very good (score 100%; 15 points) - A unique proposal that is strongly aligned to and identifiable with the project. It identifies and deals well with all the brief criteria and has the potential to leave a broader legacy.</i> 	15
<ul style="list-style-type: none"> ○ Is the methodology innovative, detailed to adequately address all elements of the project and the technical approach stating how each will be executed? ○ <i>Nil – No submission</i> ○ <i>Poor (score 40%; 6 points) –The technical approach and the methodology is poor/ is unlikely to satisfy the project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of it. The methodology is unacceptable.</i> ○ <i>Satisfactory (score 70%; 10.5 points) – The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is managed is too generic.</i> ○ <i>Good (score 90%; 13.5 points) – The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to manage risk etc. is specifically tailored to the critical characteristics of the project. The methodology is reasonable.</i> ○ <i>Very good (score 100%; 15 points) – Besides meeting the “good” rating, the important issues are approached in an innovative and efficient way, indicating that</i> 	15

<p><i>the tenderer has outstanding knowledge of the state-of –the art approaches. The methodology is comprehensive.</i></p>	
<p>2. Expertise and experience</p>	<p>30</p>
<ul style="list-style-type: none"> ○ Does the service provider and team members have relevant and sufficient experience and expertise in projects of similar nature and scale? Does the service provider have capacity and experience to raise specified sponsorship? ○ <i>Nil – No submission</i> ○ <i>Poor (score 40%; 12 points) – The team has limited relevant experience in projects of similar nature and has not taken a project of this magnitude. The proposed team is weak in important areas and is unlikely to deliver within the specified time frames.</i> ○ <i>Satisfactory (score 70%; 21 points) – The tenderer has relevant experience in projects of similar nature but has not directly undertaken a project of this magnitude. Key personnel allocated to the project have reasonable relevant experience.</i> ○ <i>Good (score 90%; 27 points) – The tenderer has extensive experience in projects of similar nature and has directly undertaken similar projects. The key personnel allocated have extensive relevant experience.</i> ○ <i>Very good (score 100%; 30 points) – The tenderer has extensive and outstanding experience in projects of similar nature and has taken many such projects. Key personnel allocated to the project have outstanding relevant experience.</i> 	<p>30</p>
<p>3. Capacity to deliver and capability</p>	<p>20</p>
<ul style="list-style-type: none"> ○ Has the operational plan and resources clearly explained? ○ <i>Nil – No submission</i> ○ <i>Poor (score 40%; 8 points) – The operational plan is vague, and there is no clarity in terms of resources aligned to the project. It is unlikely that the plane will deliver all outcomes on time and within budget.</i> ○ <i>Satisfactory (score 70%; 14 points) – Operational plan is complete and reasonably detailed. Resources appear adequate. The plan will deliver all outcomes on time and within budget.</i> ○ <i>Good (score 90%; 18 points) – Besides meeting the ‘satisfactory’ rating, resources have been clearly defined and make provision for key risk areas.</i> ○ <i>Very good (score 100%; 20 points) – Besides meeting the ‘good’ rating, the plan makes provision for every eventuality.</i> 	<p>20</p>
<p>4. Cost Breakdown</p>	<p>20</p>

<ul style="list-style-type: none"> ○ Are the costs of work streams in proportion to their contribution to the end products? Is the cost breakdown clear i.e. cost per item? ○ <i>Nil – No submission</i> ○ <i>Poor (score 40%; 8 points) – unacceptable proportion</i> ○ <i>Satisfactory (score 70%; 14 points)– adequate proportion</i> ○ <i>Good (score 90%; 18 points) – reasonable proportion</i> ○ <i>Very good (score 100%; 20 points) – fully in proportion</i> 	20
TOTAL	100
STAGE 2	
<ul style="list-style-type: none"> ○ Price: overall budget of the project 	80
<ul style="list-style-type: none"> ○ BEE: empowerment status 	20
<ul style="list-style-type: none"> ○ GRAND TOTAL 	100

15. Termination of Contract/Proposal/Project

The eThekweni municipality reserves the right to terminate the award of any tender to any party if there are reasonable grounds for considering that there is non-performance by the tenderer in terms of the contract/proposals. The eThekweni municipality also reserves the right to curtail the scope of any tender awarded or to curtail any aspect of any tender. In the event of any such cancellation or curtailment, the tenderer shall have no claim or recourse against the eThekweni municipality, of whatsoever nature, save the recoupment of the tenderer's actual and reasonable costs already expended on the project.

16. Council Contact Persons and Details

For any other queries, please contact:

Mthokozisi Zondi

Mthokozisi.Zondi@durban.gov.za

031 322 2996

Appendix A

DECLARATION OF INTEREST

Any legal person, including persons employed by the principal, or persons having a kinship with persons employed by the principal, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favoritism, should the resulting bid, or part thereof, be awarded to persons employed by the principal, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where-

- The bidder is employed by the principal; and/or
- The legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Are you or any person connected with the bidder, employed by the principal? YES / NO

2.1.2 If so, state particulars.

2.2 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the principal and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.2.1 If so, state particulars.

2.3 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the principal who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.3.1 If so, state particulars.

DECLARATION

I, THE UNDERSIGNED (NAME).....
CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.3.1 ABOVE
IS CORRECT. I ACCEPT THAT THE PRINCIPAL MAY ACT AGAINST ME SHOULD THIS
DECLARATION PROVE TO BE FALSE.

SIGNATURE

DATE

POSITION

NAME OF BIDDER

Appendix B

DECLARATION OF MUNICIPAL FEES

I/We do hereby declare that the Municipal fees of _____ (company name) are, as at the date of the tender closing, fully paid up, or arrangements have been concluded with the Municipality to pay the said fees:

ACCOUNT

ACCOUNT NUMBER

ELECTRICITY

WATER

RATES

JSB LEVIES

OTHER

I acknowledge that should it be found that the Municipal fees are not up to date, the Council may take such remedial action as is required, including termination of contract, and any income due to the Contractor shall be utilized to offset any monies due to the Council.

Name

Signature

Designation

Date

Appendix C

CERTIFICATE OF INDEPENDENT BID DETERMINATION

This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

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).² Collusive bidding is a per se prohibition meaning that it cannot be justified under any grounds.

Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

- Take all reasonable steps to prevent such abuse;
- Reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
- Cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

This MBD 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.

In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² 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.

MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

—
(Name of Municipality / Municipal Entity)

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;

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:

- Has been requested to submit a bid in response to this bid invitation;
 - Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - 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 consortium³ 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:
 - Prices;
 - Geographical area where product or service will be rendered (market allocation)
 - Methods, factors or formulas used to calculate prices;
 - The intention or decision to submit or not to submit, a bid;
 - The submission of a bid which does not meet the specifications and conditions of the bid;or;
 - 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.
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

.....
Date

³ 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.