



Terms of Reference with Request for Quotations:

Rapporteur for SAHRC National Conference: ***Local Government Accountability, Service Delivery and Human Rights*** to be held on **31 August – 1 September 2022**

Venue: Gauteng, exact location TBC

Deadline for Submissions: 18 JULY 2022
SAHRC RFP 3-2022

1. Background

The South African Human Rights Commission (Commission) is an independent state institution, established in terms of section 181 of the Constitution of the Republic of South Africa (Constitution) to support and strengthen constitutional democracy. In terms of section 184(1) of the Constitution, the Commission is mandated to promote respect for human rights and a culture of human rights; promote the protection, development, and attainment of human rights; and monitor and assess the observance of human rights in the Republic of South Africa.

Local government is charged with the ensuring access to basic services at a local level. Municipalities are vested with the fiduciary duty of interacting directly with citizens in the delivery of basic services such as water, refuse removal, sanitation, and electricity – services intrinsically necessary for the realisation of basic rights in the Bill of Rights. Local government has the greatest direct interaction with communities and is an important enabler of economic growth and development through the provision of basic services. In the execution of its mandate, however, the Commission has noted myriad systemic challenges at local government that hinders the attainment and enjoyment of human rights. The dysfunction of most municipalities is rooted in poor governance, weak institutional capacity, poor financial management, corruption, and political instability.

Therefore, the Commission intends to convene a national conference from **Wednesday 31 August to Thursday, 01 September 2022**, to deliberate on ***Local Government Accountability, Service Delivery and Human Rights***. The proceedings will be in-person (physical attendance) and will be simultaneously live streamed on social media platforms. The national conference seeks to identify challenges at local government level with the aim of enhancing human rights-based

service delivery. The conference will offer a platform for collective deliberation with a broad cross-section of stakeholders to promote local government accountability.

The conference will commence with a plenary session, which will provide a broad but comprehensive overview of the challenges facing local government. The plenary will be followed by a roundtable discussion between various stakeholders on the role of local government in enabling service delivery, and the challenges facing local government. Much of day two of the conference will be spent in breakaway sessions, led by specialists and experts to develop targeted and practical solutions to these challenges.

2. Call for expression of interest

Through these Terms of Reference, the Commission seeks to identify a person, organization or company that will act as a Rapporteur for the Conference.

The Rapporteur will be required to draft a Conference Report and An Action Plan of recommendations directed to the Commission and other stakeholders as to how best to address the issue of local government accountability, service delivery and human rights going forward. The Rapporteur will be required to incorporate input from the Commission and produce a final comprehensive Conference Report and Action Plan.

3. Scope of work and key deliverables

The Commission requires the Rapporteur to complete the following tasks:

- (a) Engage with Commission staff and key stakeholders to ensure that there is a common understanding on the purpose of the Conference;
- (b) Act as a Rapporteur by attending the proceedings and -use a transcribed version if needed- to draft a comprehensive Conference Report and Action Plan;
- (c) Incorporate comments received from the Commission and key stakeholders in respect of the draft Conference Report and Action Plan within 14 working days of the conference ending; and provide the Commission with a final Commission approved Conference Report and Action Plan that includes a record of proceedings and recommendations to the Commission and an Action Plan by 30 September 2022.

4. Resources

- a) The Commission will provide the Rapporteur (or a representative) with bed, breakfast and other meals as provided to all in-person conference attendees. The bed, breakfast and meals will be covered for a maximum of two days to only one person and on request at the outset.
- b) The Commission shall not be liable for the costs of any research activities, or any other costs such as communication, printing, room service or travel costs.

5. Project duration (i.e., Duration of contract)

The project duration shall be one calendar month starting from the date that the Conference is held or until such time as the Commission approves the final Conference Report and Action Plan.

6. Payment schedule and method

Payment of 100% of the Rapporteur's fee will be on completion of the outputs of an approved final Conference Report and Action Plan. Payment method would be via electronic transfer to the Rapporteur's bank account as per submitted invoice and will be processed in line with the Commission's Supply Chain Management processes.

7. Competency and expertise requirements

Key competencies and expertise required include:

- a) Good writing skills in the English language.
- b) A demonstrable knowledge of socio-economic human rights and judicial developments in this regard.
- c) Excellent and demonstrable research, analysis and report writing skills and ability to work under pressure; and
- d) Experience in undertaking similar projects for donor or publicly funded entities and a familiarity with the South African Human Rights Commission's mandate.

The Commission may require samples of reports or similar outputs for the purposes of its selection.

8. Confidentiality, independence, objectivity, and intellectual property ownership

The Rapporteur shall ensure the confidentiality of all communications and documents shared throughout the duration of the contract. The Rapporteur is expected to observe independence and objectivity in the preparation of any Conference Report or Action Plan.

The Commission shall be entitled exclusively to all intellectual property rights in and to all reports, recommendations, methods, strategies, plans, and processes produced because of this project. The Rapporteur is not permitted to reproduce or publish any of the submissions, documents, presentations, or output of this project, including any extract of same, for any purpose without the express written consent of the Commission. A failure to deliver on any of the terms of the project to the scope outlined above shall constitute a breach of the contract and shall result in the summary termination of the contract accompanied by forfeiture of any outstanding remuneration. The Commission may take such other additional measures it deems appropriate in the event of a breach of the confidentiality, independence, and objectivity aspects.

9. Evaluation Criteria

The following evaluation criteria will be used:

Evaluation on functionality, as in Table 1 below:

- i. Bidders will be evaluated out of 100 and are required to achieve minimum threshold of 70 % out of 100.
- ii. The overall score must be equal or above 70% in order to proceed for Price and BBBEE evaluations.
- iii. The following scoring will be used to evaluate bidders
- iv. 0 = Unacceptable, 1 = Serious Reservations, 2 = Minor Reservations, 3 = Acceptable, 4 = Good, and 5 = excellent

Table 1: Functionality evaluation

	Criteria	Percentage weighting
1.	Compliance with mandatory documentation	20
2.	Skills and competencies for minimum of 5 years 0 = less than 1 year experience 1 = 1 year experience 2 = 2 years of experience 3 = 3 years of experience 4 = 4 years of experience 5 = 5 years or more of experience	20
3.	Previous experience as a Rapporteur in the human rights sector by submission of reference letters which are signed, dated and on the letterhead of the organisation 0 = no reference letters or reference letters that have not met the requirements as stated above	20

	1 = 1 reference letter with the applicable requirements 2 = 2 reference letters with the applicable requirements 3 = 3 reference letters with the applicable requirements 4 = 4 reference letters with the applicable requirements 5 = 5 reference letters with the applicable requirements	
4.	Budget and time lines in detail indicating all the different phases if applicable and total cost breakdown including vat for the report to be compiled.	20
5.	Detailed Projected methodology and work plan of how the report will be compiled	20
	Total	100

Price evaluation based on the 80/20 preferential point system.

Only Bidders that have met the 70% threshold in functionality evaluation will be evaluated for price and BBEE. Price and BBEE will be evaluated as follows:

- The price (maximum 80 points)
- B-BBEE status level of contributor (maximum 20 points)

1. Stage 1 – Price Evaluation (80 Points)

Criteria	Points
Price Evaluation $Ps = 80 \left(1 - \frac{Pt - P \min}{P \min} \right)$	80

The following formula will be used to calculate the points for price:

Where

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid

2. Stage 2 – BBEE Evaluation (20 Points)

a. BBEE Points allocation

A maximum of 20 points may be allocated to a bidder for attaining their B-BBEE status level of contributor in accordance with the table below:

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	16
4	12
5	10
6	8
7	6
8	2
Non-compliant contributor	0

B-BBEE points may be allocated to bidders on submission of the following documentation or evidence: B-BBEE Certificate or sworn affidavit

10. Mandatory procurement documents required:

Quotation showing a detailed fee breakdown structure and all pricing must be inclusive of any applicable VAT;

Valid Tax Certificate;

Proposal

Central Supplier Database report;

BBBEE Certificate; if a sworn affidavit is submitted then company financials showing the turnover is less than R50 million to be submitted as proof or any other supporting evidence

Standard Bid document 4

Standard Bid document 7.2

Standard Bid document 6

11. Confidentiality, independence and objectivity

The service provider will hold all material and information exchanged in the course of the implementation of this project in the strictest confidence and will take all steps necessary to

prevent dissemination of this information to any third party, without the prior written agreement of the SAHRC as the SAHRC asserts its moral authority and copyright over the report. The service provider must ensure that its staff maintains their objectivity by remaining independent of the activities they execute.

12. Contact Details

Submissions must be emailed to: tenderoffice@sahrc.org.za

All submissions must be emailed using SAHRC RFP 3-2022 as the title

For further information and clarity, contact Ms Joyce Tlou: jtlou@sahrc.org.za

Submissions are due by Monday, 18 July 2022, before 11h00.