



Terms of Reference and Request for proposals with quotations:

Call for Proposals for Industrial Relation Consulting

Deadline for Submissions: 28 JULY 2022

SAHRC RFP 5-2022

1. BACKGROUND

The South African Human Rights Commission (SAHRC) is a Constitutional body established in terms of the Constitution of South Africa, 1996 as well as the South African Human Rights Commission Act, 40 of 2014. The SAHRC is under the strategic leadership of Commissioners. The administration of SAHRC is overseen by a Chief Executive Officer (CEO).

2. OBJECTIVE

The South African Human Rights Commission (SAHRC) hereby seeks quotations/proposals from suitable companies to provide labour relations consultation on the retainer fee for a period of 36 months in our head office in Johannesburg and throughout our eight (8) provincial offices.

3. SCOPE OF SERVICES

- a) Analysis of the Commission's current compliance with industrial relations best practice and procedure and implementation of employee relations best practice and procedures; Drafting of employment contracts, employment policies & procedures (such as disciplinary codes and leave policies), operational regulations and rules;

- b) Performance Management & Counselling; Incapacity through illness or poor work performance; Misconduct; Restructuring through retrenchments; Transfers; Dispute and Conflict Management within the workplace; Collective Bargaining and drafting of collective agreements; Trade union negotiations including recognition agreements and wage negotiations; Strike Management & Support;
- c) Immediate access to consultants who are able to act as the Commission's first point of contact and advise the Commission on a wide range of labour-related issues.

4. MINIMUM REQUIREMENTS

- Company Profile
- Proof that the bidder has been in existence and practice for a period of at least five (5) years prior to the closing date of this request for the proposals
- Three reference letters

5. DELIVERABLES

- Consultant service as and when required with a national footprint (non-negotiable, if not deliverables to provincial offices should not be at an extra cost to the Commission).
- Assistance with CCMA representation
- Providing mediation services
- Chairing of disciplinary hearings and grievances

6. PRICING

- A monthly retainer fee
- The price must be inclusive of VAT

7. INDEPENDENCE AND OBJECTIVITY OF STAFF

In carrying out the work, the service provider must ensure that its staff maintains their objectivity by remaining independent of the activities they execute.

8. CONFIDENTIALITY

The service provider will hold material and information exchanged in the course of the implementation of this assignment 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 Commission.

9. Duration

The contract will be for thirty-six (36) months.

10. Evaluation Criteria

Please note that the following evaluation criteria will be used:

All quotes received will be evaluated based on the following criteria: functionality criteria will be further evaluated on applicable values as outlined below:

0 = **Unacceptable**, 1 = **Serious Reservations**, 2 = **Minor Reservations**, 3 = **Acceptable**, 4 = **Good**, and 5 = **excellent**

Evaluation on functionality, as in Table 1 below:

- i. Bidders will be evaluated out of 100 points and are required to achieve minimum threshold of 70%
- ii. The overall score must be equal or above 70% in order to proceed to for Price and BBEE evaluations.
- iii. The minimum threshold for qualification by functionality is 70%, assessed as per criteria listed in Table 1 below:

Table 1: Functionality evaluation

Criteria	Percentage
Bidder should have at least 5 years' experience of relevant service	45
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	
Skills and competencies on labour and industrial relations by submission of reference letters with the following: Signed on the letter head of a company and dated 0 = no reference letters submitted or they are not signed and on the letterhead of the company and dated 1 = 1 reference letter submitted with the above clauses 3 = 2 reference letters submitted with the above clauses 5 = 3 relevant reference letters submitted with the above clauses	25
Bidder should provide proof that they have a National footprint to carry out the services	20
Cost effectiveness of the quote including breakdowns of the implementation phases and total cost of the project must be included in the quotation	10

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

Only Bidders that have met the 70% threshold in functionality evaluation will be evaluated in 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)

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

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

11. Mandatory procurement documents required:

- Proposal with quotation
- Valid Tax Certificates;
- Company Profile;
- BBEE Certificate;
- Standard bid document 4 signed
- Standard bid document 7.2
- Standard bid document 6
- Central supplier database report at the time of quotation

12. Contact Details

Proposals can be submitted by e-mail to the following e-mail address:

Tenderoffice@sahrc.org.za For further information and clarification, contact **Mr. Lucky Zulu** on (011) 877 3604 or lzulu@sahrc.org.za or **Ms. Daisy Kenny** on (011) 877 3635 or dkenny@sahrc.org.za

Proposals which should include Company Profiles must be submitted by **11:00 on 28 July 2022**