

Terms of reference (ToRs) for the procurement of services below the EU threshold

To develop and deliver a training package and manual on anti-corruption for civil society organisations and activist networks	Project number/ cost centre: 20.2106.1-001.00
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0. List of abbreviations

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
CSO	Civil Society Organisation
FK	Expert
FKT	Expert days
KZFK	Short-term expert
NACS	National Anti-Corruption Strategy
TIP	Transparency, Integrity and Accountability Programme
ToRs	Terms of reference

1. Context

Since the end of the apartheid regime in 1994, South Africa has developed into a stable democracy with a progressive constitution. However, it faces growing governance challenges: lack of good governance at all levels of government as well as endemic corruption in all sectors and mismanagement of public finances. The Transparency, Integrity and Accountability Programme (TIP) supports state and non-state actors to contribute towards the implementation of the National Anti-corruption Strategy (NACS) in a whole-of-government and societal manner. The TIP provides capacity development for anti-corruption actors in the state, civil society and the business sector. The project supports:

- Active citizenry where citizens can contribute actively to activities and initiatives in favour transparency, integrity and accountability (output 1);
- The strengthening of institutional capacity of collaborative mechanisms, particularly the National Anti-corruption Advisory Council to coordinate the implementation of the NACS (output 2); and
- Multi-stakeholder partnerships to improve transparency, integrity and accountability meet the requirements of the human rights-based approach, including gender equality (output 3).

In addition to the whole-of-government and societal approach of the TIP, the programme actively pursues a human rights-based orientation including gender equality. The strategic reference points for the TIP are the NACS, Agenda 2030, the Medium-term Strategic Framework 2019-2024, Germany's approaches to governance, democracy and anti-corruption as well as Agenda 2063 (African Union) and Sustainable Development Goals 16.5 and 16.6.

The lead executing agency for the TIP is the Department of Planning, Monitoring and Evaluation. The TIP is implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ). The TIP is co-financed by the Swiss State Secretariat for Economic Affairs. The programme is part of the newly established Peaceful and Inclusive Societies cluster of BMZ and the action field Good Governance.

These ToRs form part of the TIP's implementation mandate.

Background to the Assignment

Under Output 1 of the TIP, a work package is focused on supporting 'multipliers' – individuals, groups, or organisations that are already active citizens who have a sphere of authority and influence, and who can be capacitated to infuse anti-corruption into their existing work or become anti-corruption 'champions'. Work in this area aims to enhance the knowledge and skills of these 'multipliers' to enable them to promote values of transparency, integrity and accountability.

Many civil society organisations (CSOs) embody the notion of active citizenry and play an essential role in holding authorities accountable in South Africa, for the delivery of services, upholding of human rights, and on the principle of transparency. They also often have access to networks of activists at grassroots level. These organisations and their constituents may encounter corruption regularly, for example as a blocker to the effective delivery of basic services. They may also come across people who report corruption and who are potentially whistleblowers. These organisations are not always necessarily capacitated with the relevant

tools or knowledge required to capture, report on, raise awareness, or seek justice for these incidents.

Capacitating ‘multiplier’ organisations will ensure that they are able to infuse anti-corruption advocacy in their work. In addition, with the knowledge of the correct tools and processes, organisations can better advise and support their constituencies. Through these ‘multiplier’ organisations, a vast number of willing and active citizens can be reached.

There is a need to develop a training package that enables civil society and activist organisations to be capacitated on corruption, as well as pertinent areas of whistleblowing and service delivery. The training must enhance the organisations’ activism and enable them to incorporate anti-corruption into their existing work.

2. Tasks to be performed by the contractor

The contractor is responsible for providing the following services:

- Research, conceptualise and develop a training package on **Anti-corruption** tailored for civil society organisations
 - This must be done consultatively to adequately respond to needs of stakeholder organisations
 - It must share best practice, use scenario-based analysis, and cover relevant digital tools
 - It must take an intersectional lens and uphold principles of human rights and gender equality
 - It must enable participants to better support and share information with their constituents
- Provide the training package in the form of a training manual or guidebook with pull-out posters and/or other communications tools effective for sharing information
- Deliver up to three training sessions of up to 35 people each in Gauteng
- Assess the training package and sessions, recording number/diversity of participants, and quality and effectiveness of the training, providing recommendations for improvements if necessary.
- The training package must include the following components and any other deemed necessary:

Content	Skills
Corruption: what it looks like, how it manifests, what its impacts are	Building anti-corruption advocacy campaigns/initiatives
Relevant legislation including PRECCA, PFMA, MFMA, PDA, PAIA etc.	How to use relevant tools such as a PAIA or PAJA applications
Whistleblowing: how and where to report wrongdoing, and practical safety when whistleblowing	How to compile an effective whistleblower report
Budgeting and procurement: how to access/read a public budget	How to interpret procurement information (i.e. bid specifications in relation to delivery of goods/services) in order to safeguard communities and monitor service delivery.

Certain milestones, as laid out in the table below, are to be achieved by certain dates during the contract term.

Milestone	Deadline
Inception meeting	23 June 2023
Consultation with stakeholders	7 July 2023
Draft training package	31 July 2023
Delivery of final training package in printed form	15 August 2023
Delivery of three trainings	30 November 2023
Final report	8 December 2023

Period of assignment: From 23 June 2023 until 8 December 2023.

3. Concept

In the tender, the tenderer is required to show *how* the objectives defined in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Note: The numbers in parentheses correspond to the lines of the technical assessment grid.

Technical-methodological concept

Strategy (1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1) and its contribution to the **results-based monitoring system** (1.3.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

The tenderer is required to describe its contribution to knowledge management for the partner (1.5.1) and GIZ and to promote scaling-up effects (1.5.2) under **learning and innovation**.

Project management of the contractor (1.6)

The tenderer is required to explain its approach for coordination with the GIZ project. In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the contractor) must be explained in detail.

The tenderer is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the tender; the plan includes information on assignment dates (duration and expert months) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

The tenderer is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored into the fee schedules of the staff listed in the tender in accordance with Section 3.3.1 of the GIZ AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between the tenderer and GIZ
- Assuming personnel responsibility for the contractor's experts
- Process-oriented steering for implementation of the commission
- Securing the administrative conclusion of the project

Further requirements (1.7)

Cross-cutting themes of gender equality and human rights must be considered and included in the content of the training.

4. Personnel concept

The tenderer is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 6), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

Team leader

Tasks of the team leader

- Overall responsibility for the advisory packages of the contractor (quality and deadlines)
- Coordinating and ensuring communication with GIZ, partners and others involved in the project
- Personnel management, in particular identifying the need for short-term assignments within the available budget, as well as planning and steering assignments and supporting local and international short-term experts
- Regular reporting in accordance with deadlines

- Oversee monitoring and evaluation

Qualifications of the team leader

- Education/training (2.1.1): University qualification in Education, Political Studies, Law, Governance, Management or other relevant social science.
- Language (2.1.2): A1 level good business proficiency in English (One additional South African language at A1 level beneficial).
- General professional experience (2.1.3): 20 years of professional experience in the Training and education, governance or anti-corruption sector
- Specific professional experience (2.1.4): 10 years in training and education
- Leadership/management experience (2.1.5): 6 years of management/leadership experience as project team leader or manager in a company

Key expert 1: Researcher

Tasks of key expert 1

- Participate in consultative process to identify needs of stakeholders
- Research the thematic areas identified in Chapter 1 and following consultations with stakeholders
- Compile research

Qualifications of key expert 1

- Education/training (2.2.1): University Qualification in social sciences
- Language (2.2.2): A1 level good business proficiency in English
- General professional experience (2.2.3): 10 years experience in research plus 5 years experience in training and education preferred
- Specific professional experience (2.2.4): 5 years experience in governance, anti-corruption or civil society

Key expert 2: Education and Training Specialist

Tasks of key expert 2

- Work together with researcher and team leaders to develop content into effective training
- Lead training sessions with civil society organisations

Qualifications of key expert 2

- Education/training (2.3.1): University Qualification in Social Sciences
- Language (2.3.2): A1 level good business proficiency in English (One additional South African language at A1 level beneficial).
- General professional experience (2.3.3): 10 years experience in education and training, professional training experience preferred.
- Specific professional experience (2.3.4): 5 years experience in leadership, governance, anti-corruption.

Key expert 3: Designer

Tasks of key expert 3

- Design training into aesthetically appropriate training manual
- Create posters from relevant sections of content that can be used by participants to train their constituencies.

Qualifications of expert 4

- Education/training (2.4.1): University Qualification in Graphic Design, Multimedia Design or Communications
- Language (2.4.2): A1 level good business proficiency in English
- General professional experience (2.4.3): 5 years experience in communications
- Specific professional experience (2.4.4): 2 years experience in designing printed media

Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative
- Communication skills
- Socio-cultural skills
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

The tenderer must provide a clear overview of all proposed short-term experts and their individual qualifications.

5. Costing requirements

Assignment of personnel and travel expenses

Per-diem and overnight accommodation allowances are reimbursed as a lump sum up to the maximum amounts permissible under tax law for each country as set out in the country table in the circular from the German Federal Ministry of Finance on travel expense remuneration (downloadable at <https://www.bundesfinanzministerium.de>).

Accommodation costs which exceed this up to a reasonable amount and the cost of flights and other main forms of transport can be reimbursed against evidence

All business travel must be agreed in advance by the officer responsible for the project.

Sustainability aspects for travel

GIZ would like to reduce greenhouse gas emissions (CO₂ emissions) caused by travel. When preparing your tender, please incorporate options for reducing emissions, such as selecting the lowest-emission booking class (economy) and using means of transport, airlines and flight routes with a higher CO₂ efficiency. For short distances, travel by train (second class) or e-mobility should be the preferred option.

If they cannot be avoided, CO₂ emissions caused by air travel should be offset. GIZ specifies a budget for this, through which the carbon offsets can be settled against evidence.

There are many different providers in the market for emissions certificates, and they have different climate impact ambitions. The [Development and Climate Alliance \(German only\)](#) has published a [list of standards \(German only\)](#). GIZ recommends using the standards specified there.

Specification of inputs

Fee days	Number of experts	Number of days per expert	Total	Comments
Team Leader	1	20	20	
Key Expert 1	1	10	10	
Key Expert 2	1	15	15	
Key Expert 2	1	5	5	
Travel expenses	Quantity	Price	Total	Comments
Per-diem allowance in country of assignment	18			
Overnight allowance in country of assignment				
Transport	Quantity	Price	Total	Comments
International flights				Travel to the place of service delivery
Domestic flights	18			Flights within the country of assignment during service delivery
CO ₂ compensation for air travel				A budget is earmarked for settling carbon offsets against evidence.
Travel expenses (train, car) • Taxi/Car •	18			Travel within the country of assignment, transfer to/from airport etc.
Other costs	Number	Price	Total	Comments
Flexible remuneration				A budget of EUR is foreseen for flexible remuneration. Please incorporate this budget into the price schedule. Use of the flexible remuneration item requires prior written approval from GIZ.
Workshops	3	25 000	75 000	The budget contains the following costs: venue; catering.

Subcontracts				The budget contains the following costs .
Procurement of materials and equipment	1	1000		The budget contains the following costs: printing of training manuals.
Local subsidies				The contractor administers the following local subsidies in accordance with Section 2.7 AVB: .
Other costs				The budget contains the following costs .

Workshops and training

Please describe in your concept how you implement GIZ's minimum standards for sustainable event management (see annexes to the terms of reference).

The contractor implements the following workshops/study trips/training courses:

Up to three training sessions for civil society of up to thirty-five participants each. The allocated budget for workshops is ZAR 75 000.00 (EUR3900).

6. Requirements on the format of the tender

The structure of the tender must correspond to the structure of the ToRs. In particular, the detailed structure of the concept (Chapter 3) should be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). The tender must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in English (language).

The complete tender must not exceed 10 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 0 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English (language).

Please calculate your financial tender based exactly on the parameters specified in Chapter 5 Quantitative requirements. The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.

Other Requirements

- Please submit your proposal (technical and price proposal) in separate files/folder to ZA_Quotation@giz.de no later than **26.05.2023**, all documents must be in PDF.
- Submission to any other email address may invalidate your bid.
- Please do not mention any price for this measure on your cover letter/Technical proposal.
- Please submit your tax clearance certificate with the bidding documents.
- Please submit your price proposal in ZAR.
- Our General Terms of Conditions (attached) shall not be changed/amended should you be the winner of this tender. These General Terms and Conditions will form part of the contract should you be awarded this contract. By submitting your proposal we will conclude that you have read and accepted these terms and conditions.
- Participating more than once in the same tender is not allowed and it will lead to your proposal as well as that of the other company where you appear more than once being disqualified. The responsibility rest with companies to ensure that their partners/experts are not bidding/participating more than once in the same tender.
- **Bidders are not allowed to communicate directly with any other person regarding this bid other than the procurement official/s. Failure to comply with this requirement may lead to your bid being disqualified.**
- Bidders must strictly avoid conflicts with other assignments or their own interests. Bidders found to have a conflict of interest shall be disqualified. Without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this EOI and tender process, if they:
 - a) are or have been associated in the past, with a firm or any of its affiliates which have been engaged by GIZ or the Interim Supply Chain Management Council to provide services for the preparation of the design, specifications, Terms of Reference, cost analysis/estimation, and other documents to be used for the procurement of the services in this selection process;
 - b) were involved in the preparation and/or design of the programme/project related to the services requested under this EOI and tender;
 - c) are serving or have been serving in the past three months in the structures of the Interim Supply Chain Management; or
 - d) are found to be in conflict for any other reason, as may be established by, or at the discretion of GIZ.
- In the event of any uncertainty in the interpretation of a potential conflict of interest, Bidders must disclose to GIZ, and seek GIZ's confirmation on whether or not such a conflict exists.
- Similarly, the Bidders must disclose in their proposal their knowledge of the following:

- a) if the owners, part-owners, officers, directors, controlling shareholders, of the bidding entity or key personnel are family members of GIZ staff involved in the procurement functions and/or the Interim SCM Council or any Implementing partner receiving services under this EOI or tender; and
 - b) all other circumstances that could potentially lead to actual or perceived conflict of interest, collusion or unfair competition practices.
- **Failure to disclose such an information may result in the rejection of the proposal or proposals affected by the non-disclosure.**
 - **Bids sent via Dropbox and WeTransfer will not be accepted.**

7. Option

After the services put out to tender have been completed, important elements of these tasks can be continued or extended. Specifically:

Type and scope

The contractor is responsible for providing the following optional services:

- Adjusting or editing the training package after evaluating its effectiveness; and/or
- Carrying out up to three additional workshops for civil society or activist groups in Gauteng or other provinces

Requirements

Exercising the option will depend on whether the training package needs significant adjustments in agreement between the technical advisor and the service provider. It also depends on whether there will be further interest from potential participants for further training. The decision on continuation is expected to be made in the period January 2024 – June 2024.

The option will be exercised by means of a contract extension on the basis of the individual approaches already offered.

Quantitative requirements for the optional services

Fee days	Number of experts	Number of days per expert	Total	Comments
Team Leader	1	4	4	
Key Expert 1	1	2	2	
Key Expert 2	1	3	3	

Travel expenses	Quantity	Price	Total	Comments
Per-diem allowance in country of assignment	6			
Overnight allowance in country of assignment				
Transport	Quantity	Price	Total	Comments
International flights				Travel to the place of service delivery
Domestic flights	6			Flights within the country of assignment during service delivery
CO ₂ compensation for air travel				A budget is earmarked for settling carbon offsets against evidence.
Travel expenses (train, car) • Taxi/Car	6			Travel within the country of assignment, transfer to/from airport etc.
Other costs	Number	Price	Total	Comments
Flexible remuneration				A budget of EUR is foreseen for flexible remuneration. Please incorporate this budget into the price schedule. Use of the flexible remuneration item requires prior written approval from GIZ.
Workshops	3			The budget contains the following costs: venue; catering.
Subcontracts				The budget contains the following costs .
Procurement of materials and equipment	1	1000		The budget contains the following costs: printing of training manuals.
Local subsidies				The contractor administers the following local subsidies in accordance with Section 2.7 AVB: .

Other costs				The budget contains the following costs .
Fee days	Number of experts	Number of days per expert	Total	Comments