

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

Technical support to NACAC MERL workstream	Project number/ cost centre:
	20.2106.1-001.00

- 0. List of abbreviations 2
- 1. Context..... 3
- 2. Tasks to be performed by the contractor 3
- 3. Concept..... 5
 - Technical-methodological concept 5
 - Project management of the contractor (1.6) 5
- 4. Personnel concept..... 6
 - Team leader 6
 - Short-term expert pool with minimum 2, maximum 3 members 6
- 5. Costing requirements 7
 - Assignment of personnel and travel expenses 7
 - Sustainability aspects for travel 7
- 6. Inputs of GIZ or other actors..... 7
- 7. Requirements on the format of the tender 8
- Other Requirements 8**

0. List of abbreviations

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
BMZ	German Federal Ministry for Economic Cooperation and Development
DPME	Department of Planning, Monitoring and Evaluation
FK	Expert
FKT	Expert days
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
KZFK	Short-term expert
MERL	Monitoring, Evaluation, Reporting and Learning
NACA	National Anti-Corruption Agency
NACAC	National Anti-Corruption Advisory Council
NACS	National Anti-corruption Strategy
SECO	Swiss State Secretariat for Economic Affairs
SIU	Special Investigating Unit
TIP	Transparency, Integrity and Accountability Programme
ToRs	Terms of reference

1. Context

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 the implementation of the NACS in three areas:

- The first area promotes the active involvement of citizens, who contribute to the implementation of the NACS through initiatives that encourage transparency, integrity and accountability.
- The second area aims to strengthen institutional resilience so that the relevant state actors are empowered to steer the implementation of the NACS and coordinate processes themselves.
- The third area targets multi-stakeholder partnerships between the public sector, private sector and civil society to build up transparency, integrity and accountability.

The lead executing agency for the TIP is the Department of Planning, Monitoring and Evaluation (DPME). 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 (SECO).

Within its second area, the TIP provides technical support to establish capacity for an integrated system in the state to monitor the implementation and the impact of the NACS. In the medium-term, the system shall integrate different sets of data gathered from the following planned M&E systems:

- a) Monitoring of the Implementation Framework of the NACS
- b) Monitoring by the Presidency of the implementation of referrals of the Special Investigating Unit (SIU) to organs of state, Implementation of recommendations from the Judicial Commission of Inquiry into State Capture (Zondo Commission) and the President's commitments as well as
- c) Monitoring the change in behaviour in society and shifts of social norms towards zero tolerance of corruption.

In line with the NACS, the President appointed the National Anti-Corruption Advisory Council (NACAC) in August 2022 with a maximum lifespan of 3 years. This transitional body is responsible for managing the initial matters of strategy implementation, including research, conceptual development and drafting of a proposal to Cabinet for the establishment of an overarching body for anti-corruption, the envisioned National Anti-Corruption Agency (NACA). The NACAC is supported by the NACAC Secretariat. One of the six workstreams of the NACAC focuses on Monitoring, Evaluation, Reporting and Learning (MERL). The TIP provides technical assistance to the NACAC and its Secretariat on its contribution towards an integrated M&E system for the implementation of the NACS and its impact. This support will focus on the revision of the NACS Implementation Framework and finalisation of the NACS implementation plan and its corresponding monitoring framework.

2. Tasks to be performed by the contractor

The contractor shall support the NACAC MERL Workstream with the revision of the NACS implementation framework and finalisation of the NACS implementation plan and its

corresponding monitoring framework by providing the following services/fulfilling the following tasks:

1. Familiarize themselves with the NACS, its draft implementation framework and other relevant documents, such as the Zondo Commission report and internal working documents of the NACS reference group. The NACAC workstream will provide relevant documents and contact details.
2. Provide project management support to the MERL workstream to update its workplan and define performance indicators for this workplan.
3. Clarify the requirements of the NACS implementation plan and monitoring framework, the mandates of the different stakeholders involved, ownership and other questions that may arise.
 - a. Organise a workshop with the MERL workstream and other relevant stakeholders to develop the NACS draft implementation framework, including indicative assignment of programmes, projects and activities to relevant and appropriate entities and stakeholders.
 - b. Draft a cross-sectoral and project-based draft implementation plan for the NACS with assignment of roles and responsibilities from government cluster to implementing entities.
4. Organise and facilitate consultations with relevant stakeholders as determined by the MERL workstream to:
 - a. validate the draft implementation plan;
 - b. document new and existing projects and activities of relevance to the implementation of the NACS in line with the draft implementation plan;
 - c. develop the performance monitoring indicators and data collected in the period FY 2021-2023, and those projected for the period FY 2023-2024.
5. Draft a cross-sectoral and impact-based performance monitoring framework for the NACS with outputs, outcomes and indicators to outline the whole results chain.
6. Open the draft implementation plan and corresponding performance monitoring framework to relevant stakeholders for their written feedback.
7. Organise a consultative workshop with the MERL workstream and relevant stakeholders to receive feedback on the draft implementation plan and corresponding performance monitoring framework. For final feedback and validation.
8. Consolidate feedback and finalize the NACS implementation plan and performance monitoring framework.
9. Draft an indicative NACS progress report for the period FY 2021-2023.
10. Draft an institutionalisation plan guiding how the implementation plan and performance monitoring framework should be operationalised. This shall include recommendations on the institutional arrangements, partnerships and operational requirements for enhancing the impact of the NACS, as well as the relevant and necessary tools required e.g., reporting and

knowledge management framework and technical tools supporting the ongoing appropriation, validation, and presentation of the performance monitoring data.

11. Provide technical advice on the option to develop a digital tool that supports the ongoing collection, validation and presentation of the performance monitoring data of the NACS implementation plan for the lifetime of the NACS.

Note: Costs for venues and catering for the inaugural meeting and workshops referred to above will be carried by the TIP.

Period of assignment: from 7 July 2023 until 31 January 2024.

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 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.

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.

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 7), 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

Qualifications of the team leader

- Education/training (2.1.1): Master's degree or equivalent qualification in political science, economics, management, statistics, econometrics or any similar course
- Language (2.1.2): C1-level language proficiency in English
- Specific professional experience (2.1.4): 5 years of professional experience in project management, planning, budgeting and M&E knowledge of the planning and budgeting system of the public sector.
- Regional experience (2.1.6): 10 years of experience in projects in South Africa

Short-term expert pool with minimum 2, maximum 3 members

For the technical assessment, an average of the qualifications of all specified members of the expert pool is calculated. Please send a CV for each pool member (see below Chapter 7 Requirements on the format of the bid) for the assessment.

Tasks of the short-term expert pool

- Performance of specific tasks outlined under section 2.

Qualifications of the short-term expert pool

- Education/training (2.6.1): Master's degree or equivalent qualifications in M&E, data science, econometrics, statistics, political science or any similar course
- Language (2.6.2): C1 -level language proficiency in English
- Specific professional experience (2.6.4): 5+ years' experience in M&E, including community-oriented monitoring and social accountability systems.
- Regional experience (2.6.6): Experience in the region/knowledge of South Africa

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	50	50	
Expert pool	2	80	160	
Transport	Quantity	Price	Total	Comments
Domestic flights	6			Flights within the country of assignment during service delivery

6. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

- Logistics for workshops as outlined under section 2

7. 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.

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 4 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.

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 **09.06.2023**, 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.**