

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

Project title:

GIZ Office South Africa

**Processing
number/cost centre:**

96.9250.0-001.00

Country:

South Africa, Lesotho, and eSwatini

Transaction number:

83450016

Subject of the tender procedure:

**Framework Contract: Provision of Services for Commercial and
Legal Eligibility Check for Financing Arrangements in South
Africa, Lesotho and eSwatini**

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0. List of abbreviations

GTC	General Terms and Conditions of Contract for supplying services and work on behalf of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
KEP	“Kaufmännische EignungsPrüfung” or commercial and legal eligibility checks
KOMP	Cost per output monitoring and forecast
Lol	Letter of Intent
MoU	Memorandum of Understanding
RMO	Risk Management Office
SADC	Southern African Development Community
ToRs	Terms of Reference

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1. Context

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH is a federally owned enterprise of the German Government. GIZ operates in more than 120 countries around the world and has been present in South Africa since 1993.

GIZ works on bilateral projects in the core areas of 1) Peace and Security, 2) Energy and Environment, 3) Economic Development, and 4) Employment Promotion. There are approximately 270 people currently working for GIZ in South Africa, Lesotho, and Eswatini. For more information on our 3 countries visit: <https://www.giz.de/>.

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As part of our vision of working to shape a future worth living around the world, [GIZ](#) provides Finance Arrangement opportunities to various partners and beneficiaries in the Republic of [South Africa](#) and [Lesotho](#). Depending on the recipient type and outcome of the due diligence process, GIZ typically enters into 3 types of financing arrangements: Financing Agreements, Local Contributions, or Grant Agreements. As part of our due diligence process, potential direct contracting partners are required to undergo an assessment for commercial and legal eligibility. The assessments - known as *Kaufmännische Eignungsprüfung* (KEP) or commercial and legal eligibility checks - demand thorough examination of potential recipients in line with comprehensive predetermined GIZ regulations and aim to strengthen the capacities of less established recipients. Based on this background, the Consultant should proceed to reasonably assess the organizations, considering the minimum requirements from GIZ and making recommendations for risk mitigations measures. The relevant KEP Guidelines and templates for completion, are provided to the consultants to enable this important work.

2. Subject of this tender

The subject of this tender is the conclusion of a framework agreement for the commercial and legal eligibility checks (KEP) in compliance with the GIZ standard.

The framework agreement is to be concluded with **multiple** contractors. The framework agreement will be concluded with a maximum of 10 contractors.

The term of the framework agreement is 24 months and can be optionally extended once by 24 months by GIZ and is limited to a maximum of 4 years.

For the term of 24 months an estimated quantity of up to 65 consultancies (KEP examinations) is set.

This corresponds to an estimated of 175 expert days for the Expert 1 – Team leader position and 150 expert days for the Expert 2 – Backstopper position.

For the optional term of 24 months an estimated quantity of up to 65 consultancies (KEP examinations) is set.

This optional term corresponds to an estimated of 175 expert days for the Expert 1 – Team leader position and 150 expert days for the Expert 2 – Backstopper position.

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One call-off is made for each consultancy (KEP Examination).

3. Call-off contract

Call-off mechanism: Rotation

The contractors can be drawn on multiple times during the term; they are engaged by Procurement and Contracting Unit, as needed and exclusively in accordance with the criteria listed below. The call-off contract is issued in text form, as soon as an assignment is required. The overall monitoring of all individual assignments is the responsibility of the Procurement and Contracting Unit.

Call-off contracts are awarded based on a defined mechanism according to the '**rotation procedure**', under which individual assignments are awarded based on the best value for money offered in the tenders submitted by the contractors (ranked according to the overall evaluation of the competitive tenders).

Accordingly, the first-ranked tender offering the best value for money receives a contract first, then the second-ranked, etc. If a contractor is not available (following an email enquiry), it is disregarded and only included again in the next rotation round. A rotation round is completed once all contractors in the pool have been contacted with an assignment offer, irrespective of whether they actually took on the assignment.

This mechanism also applies if an individual assignment that has already been placed is cancelled and needs to be awarded again.

An example with five contractors in the pool and 12 contracts is presented below to illustrate the procedure for awarding individual contracts; it assumes all participating contractors are available:

Ranking	Number and order of contracts to be awarded
Contractor 1	e.g. contracts 1, 6 and 11
Contractor 2	e.g. contracts 2, 7 and 12
Contractor 3	e.g. contracts 3 and 8
Contractor 4	e.g. contracts 4 and 9
Contractor 5	e.g. contracts 5 and 10

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4. Tasks to be performed by the contractor

4.1 Term

The expected term of the contract for services must be specified in the 'Special terms and conditions of contract'. The definitive term and service delivery period are set out in the contract award notification.

4.2 Objectives

The objective of the assignment is to conduct and document the current commercial and legal eligibility status of potential financial arrangement recipients. The Consultant is required to conclude a robust assessment of the institution's legal and ethical compliance, and financial risk profile, supported by relevant GIZ and evidentiary documentation where applicable. The KEP should also focus on the internal control mechanisms and accountability procedures of the recipient. Hence forth, GIZ would be in a position to determine whether the potential recipient is commercially, administratively, and legally qualified to assume responsibility for implementing the measure or whether the potential recipient is not yet sufficiently qualified to do so.

The Consultant must have sound understanding, experience, and knowledge in due diligence procedures of a financial and nature. Most importantly, the Consultant must be familiar with GIZ's contracting instruments; particularly the Financing Arrangements. Further information can be found here: [Financing: Contract management and contract processing - giz.de](https://www.giz.de/Projekte/Finanzierung/Finanzierung-Contract-management-and-contract-processing).

Main Activities

The main tasks for the consultant(s) under this assignment are as follows:

- a) Schedule introductory meetings with project team and potential financing arrangement recipients,
- b) Conduct an evidence-based remote assessment and analysis of the potential recipient,
- c) Collate the relevant documentation that support the key areas of the KEP assessment as received from the potential recipient,
- d) Provide weekly status updates to the project team during the assessment process itself as the check progresses,
- e) Hold on-site or virtual interviews with relevant stakeholders of the potential recipient
- f) Write a final report outlining the findings of the commercial and legal eligibility check by completing the GIZ KEP template as well as an assessor's report, restricting the information to precisely what is required according to the GIZ Guidelines,
- g) Highlight risks identified and propose mitigation measures,
- h) Provide the supporting documents collected from the potential recipient, based on which the KEP was concluded, clearly annexed, named, and numbered.
- i) Schedule debriefing meeting with project team,
- j) Report back to the Country Office on quarterly KEPs conducted.

Deliverables

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- a) Fully completed and quality checked GIZ templates as informed by the findings,
- b) Copies of supporting documents reviewed,
- c) Overall risk assessment and proposed risk mitigation measures,
- d) Summary of assessment and findings: final report providing conclusive advisory commentary and recommended actions by GIZ, prior to commencement of the financial agreement with the potential contract beneficiary or partner,
- e) Written feedback from potential recipient on the Consultant's approach to the KEP process.

The schedule of one consultancy (KEP examination) assignment may be geared to the following table:

No.	Action	(Estimation) Expert Days Expert 1	(Estimation) Expert Days Expert 2
1	<ul style="list-style-type: none">• Receive and agree official brief (ToRs) and Budget from project team/ Country Office,• Request and collate set of commercial and legal documents required from the potential recipient,• Schedule initial meetings with potential recipient.	2	0,5
2	<ul style="list-style-type: none">• Assess documentation provided and ensure completeness and quality of submission,• Interview/ meet with the necessary recipient institution personnel to validate documentation received,• Compile final reports and completion of KEP forms for submission to GIZ.	2	0,5
TOTAL		4	1

Please note: the number of days per assignment above are approximate. Deviations thereto are to be agreed with the relevant project (per budget submission) and approved in writing.

The contractor is responsible for achieving the objectives and indicators described in this document.

KEP submissions that are incomplete, erroneous, or do not comply with the quality requirements of GIZ, will be corrected by the Consultant without impact to cost for GIZ.

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4.3 Project and knowledge management requirements

Requirements on the assignment of experts:

- The contractor is responsible for selecting, preparing, training and steering the experts assigned to carry out the advisory services.
- The contractor must have sound understanding, experience, and knowledge in due diligence procedures that encompass:
 - Sactions List checking;
 - Verification of an organisation's Legal personality as per National requirements;
 - Confirmation of Public Benefit Organisation status;
 - Assessment of Accounting procedures, qualifications, and systems;
 - Comparison of Contract Award procedures with National legislation;
 - Organisational Internal and External Controls;
 - Fraud and Corruption checking, as well as Legal compliance in this area;
 - Safeguards and Gender;
 - Company Policy reviews;
 - Analysis of existing Audit Reports and Annual Financial Statements.

Both financial and legal expertise are thus mandatory skills areas for the Consultant to possess.

- Experts assigned for GIZ KEPs in South Africa, Lesotho, and eSwatini must be familiar with legislation/ Acts, as well as their corresponding Amendments, such as:
 - The Public Financing Management Act,
 - The General Procurement Guidelines of the National Treasury,
 - The National Company Act,
 - Acts governing NGOs and NPCs,
 - SARS PBO requirements.

Requirements on equipment and operating costs:

- The contractor makes the required equipment and consumables available and covers their operating and administrative costs.

Requirements on expenditure management and cost control:

- The contractor manages costs and expenditures, accounting processes and invoicing in line with GIZ requirements.

Monitoring and reporting requirements:

- The contractor plays an active role in the results-based monitoring of the project. Regular monitoring activities must cover at least the following areas - *Not Applicable*
- Degree to which activities are implemented

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- Degree to which the objectives, indicators and milestones listed in section 2.2 of these ToRs have been achieved
- Results that have occurred in the contractor's sphere of responsibility
- Results that have occurred outside the contractor's direct sphere of responsibility - *Not Applicable*
- Risks
- Other areas: *Recommendation and risk mitigation measures*
- The contractor reports to GIZ regularly in accordance with the version of the General Terms and Conditions of Contract for supplying services and work on behalf of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ AVB) that is applicable to this contract.
- In addition to the reports provided for in GIZ's General Terms and Conditions of Contract, the contractor submits the following reports:

Write a **final report** outlining the findings of the Commercial and legal eligibility check as guided by the key areas in the KEP template. This includes completion of the GIZ KEP template.

Note: Any additional information and observations may be included in the report as observations and recommendations while observing the scope and purpose of the KEP

Requirements for company-wide learning, knowledge and innovation:

- Contributions to conferences: Not Applicable
- It is the responsibility of the contractor to keep abreast of the latest developments in national legislation and ensure that these are immediately applied to the GIZ KEP processes
- The contractor is responsible for arranging its experts to discuss material changes in national legislation that may impact the KEP, with GIZ
- The contractor's experts are actively involved in GIZ's sector networks where applicable
- The contractor provides support in implementing a project evaluation with special emphasis on ensuring the effectiveness of the knowledge management process. Not Applicable
- (Virtual) debriefing with the commissioning unit as per the specific Terms of Reference of the specific GIZ project
- The contractor expresses willingness, if required, to support project assistants or staff members on temporary placements who, in the context of GIZ's separately financed training programmes for junior employees, work in and undertake special tasks for the project. Not Applicable

Backstopping requirements:

The contractor ensures appropriate backstopping. The following services form part of the standard backstopping package. In accordance with GIZ's General Terms and Conditions for supplying services and work on behalf of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, these services – as well as the ancillary personnel costs – must be priced into the fee schedules of the staff listed in the tender:

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- *The contractor's responsibility for its own staff;*
- *Ensuring the flow of information between GIZ and the contractor's field staff;*
- *Process-oriented technical and conceptual steering of the consulting services;*
- *Steering adaptations to changing framework conditions;*
- *Performance monitoring; where applicable*
- *Ensuring the administrative management of the project; where applicable*
- *Ensuring compliance with reporting requirements;*
- *Technical support by the contractor's staff for its personnel on the ground;*
- *Making local use of and sharing the lessons learned by the contractor with the GIZ team.*

The following additional backstopping services should be offered: Not Applicable

4.4 Data protection and information security

The provisions on data protection and information security of the current version of GIZ's General Terms and Conditions of Contract (section 1.10 Data protection) apply.

4.5 Other requirements

- Not applicable -

5. Technical-methodological concept

In this section, the tenderer is required to reflect on the objectives and terms of reference of the tender at hand, describe the partner system and its processes in the area of responsibility and present the technical-methodological concept for completing the tasks listed in section 2 and achieving the set objectives. In addition, the tenderer must describe the design of the project management process.

5.1 Interpretation of objectives (section 1.1 of the assessment grid)

The tenderer is required to interpret the objectives for which it is responsible. Simple repetition of the objectives formulated in section 2 of the ToRs is not desired. Rather, the contractor is to describe and interpret the changes in the partner system that are to be directly achieved by the object of the tender procedure. The resulting positive impact on the partner system (section 1.1.1 of the assessment grid) should also be presented.

The contractor must undertake a critical examination of the ToRs (section 1.1.2 of the assessment grid) by:

- *undertaking an assessment of the appropriateness of the personnel concept for implementing the scheduled tasks;*
- *providing an assessment of the results hypotheses for achieving the objectives and possible risks in implementation;*
- *making an assessment of the technical concept e.g. in consideration of further sectors or actors, process adjustments, etc.*

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5.2 Processes and actors in the partner system (section 1.2 of the assessment grid)

- Not applicable -

5.3 Strategy (section 1.3 of the assessment grid)

The strategy for delivering the services in the tender is the core element of the technical-methodological concept. It is composed of the following elements:

- Procedure for achieving the objectives stated in section 2.2 of these ToRs
- Development of partnerships with the relevant actors
- Approaches for leverage effects and measures for scaling-up
- Consideration of environmental and social compatibility requirements (including gender equality (- Not applicable -))
- Appropriate consideration of further requirements - Not applicable -

5.3.1 Strategic approach to achieving the objectives mentioned in the ToRs (section 1.3.1 of the assessment grid)

The tenderer is required to describe and justify the approach it plans to adopt in order to achieve the milestones (- Not applicable -), objectives and results (see section 2) for which it is responsible.

5.3.2 Building partnerships with the relevant actors (section 1.3.2 of the assessment grid)

The tenderer is required to develop and describe a strategy for developing the cooperation with the actors in the partner system who are relevant for the implementation of the services in the tender. The project partnerships already mentioned in section 1 must also be taken into account.

5.3.3 Approaches for leverage effects and measures for scaling-up (section 1.3.3 of the assessment grid)

The tenderer is required to state whether there are promising approaches for leverage effects beyond the measures mentioned in section 2 (for example through targeted measures in the field of 'knowledge management') and to describe them. In doing so, the tenderer is required to present and explain measures that promote both horizontal and vertical scaling-up. In particular, the tenderer must submit proposals on how innovations that have been developed in the context of implementation can be disseminated beyond the sphere of influence of the project.

5.3.4 Consideration of environmental and social compatibility requirements (section 1.3.4 of the assessment grid)

- Not applicable -

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5.4 Project management

(section 1.4 of the assessment grid)

In this section, the tenderer presents the operational plan for implementing the services in the tender, describes the procedure for coordination with GIZ or the project and the project partners, and explains its backstopping strategy and the monitoring procedure.

5.4.1 Operational plan(section 1.4.1 of the assessment grid)

- Not applicable –

5.4.2 Coordination with GIZ or the commissioning project

(section 1.4.2 of the assessment grid)

In the tender, the tenderer is required to describe the procedure for coordinating with GIZ or with the commissioning project.

5.4.3 Steering or coordination of measures with the relevant implementing partner

(section 1.4.3 of the assessment grid)

- Not applicable -

5.4.4 Monitoring

(section 1.4.4 of the assessment grid)

- Not applicable -.

5.5 Further requirements

(section 1.5 of the assessment grid)

- Not applicable -.

6. Human resources

The tenderer is required to provide 'experts' for the positions referred to and described (scope of tasks and qualifications) in this section on the basis of corresponding CVs. **The requirements on the format and content of the CVs are described in section 6.**

The qualifications mentioned below correspond to the requirements for achieving the highest number of points in the technical assessment.

'One year of professional experience' is therefore defined as a cumulative 12 expert months with at least 20 expert days per month, provided no diverging definition is specified for individual qualifications.

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Language skills must be described in accordance with the [Common European Framework of Reference for Languages](#) (for example, C1).

Expert 1: Team leader (section 2.1 of the assessment grid)

This position is a key expert. A statement of availability for this expert must be attached to the tender as an annex.

Tasks of expert 1:

- Overall responsibility for the advisory packages of the contractor
- Ensuring the coherence and complementarity of the contractor's services with other services delivered by the project at local and national level
- Staff management, in particular identifying the need for short-term assignments within the available budget, planning and managing the assignments and supporting local and international experts
- Regular reporting in accordance with deadlines
- Responsibility for checking the use of funds and financial planning in consultation with the officer responsible for the commission at GIZ and according to the number of days of days approved for the specific assignment.

Qualifications of expert 1: (team leader)

Education/training (section 2.1.1 of the assessment grid):	University degree (master's or German Diplom) in Finance/Law
Language (section 2.1.2 of the assessment grid):	Knowledge of English, C1-level in the Common European Framework of Reference for Languages (5 out of 10 points), and the knowledge of any other official local language, C1-level in the Common European Framework of Reference for Languages (5 out of 10 points)
General professional experience (section 2.1.3 of the assessment grid):	10 years of professional experience in the sector organisational financial audits and due diligence procedures
Specific professional experience (section 2.1.4 of the assessment grid):	10 years of <i>professional</i> experience in ability to undertake audits and appraisals regarding organisational: Legal Personality, Public Benefit status, Accounting processes and procedures, Internal and External control measures, Legal and anti-corruption compliance, Environmental and Social sustainability safeguards

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Leadership/management experience (section 2.1.5 of the assessment grid):	- Not applicable -.
International professional experience outside the country/region of assignment (section 2.1.6 of the assessment grid):	- Not applicable -.
Professional experience in the country/ region of assignment (2.1.7 of the assessment grid):	05 years of professional experience with projects and conducting assessments in South Africa, Lesotho, and Eswatini for recipients based in these countries
Experience in the field of development cooperation (section 2.1.8 of the assessment grid):	05 years of experience in development cooperation projects
Other (section 2.1.9 of the assessment grid):	Proof of a valid admission to a professional body as a (Chartered) accountant/lawyer

Expert 2: Backstopper (section 2.2 of the assessment grid)Tasks of expert 2

- Backstopping

Qualifications of expert 2:

Education/training (section 2.2.1 of the assessment grid):	University degree (master's or German Diplom) in Finance/Law
Language (section 2.2.2 of the assessment grid):	Knowledge of English, C1-level in the Common European Framework of Reference for Languages
General professional experience (section 2.2.3 of the assessment grid):	05 years of professional experience in the sector organisational financial audits and due diligence procedures
Specific professional experience (section 2.2.4 of the assessment grid):	05 years of <i>professional</i> experience in ability to undertake audits and appraisals regarding organisational: Legal Personality, Public Benefit status, Accounting processes and procedures, Internal and External control measures, Legal and anti-corruption compliance, Environmental and Social sustainability safeguards

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Leadership/management experience (section 2.2.5 of the assessment grid):	- Not applicable -.
International professional experience outside the country/region of assignment (section 2.2.6 of the assessment grid):	- Not applicable -.
Professional experience in the country/ region of assignment (2.2.7 of the assessment grid):	- Not applicable -.
Experience in the field of development cooperation (section 2.2.8 of the assessment grid):	03 years of experience in development cooperation projects
Other (section 2.2.9 of the assessment grid):	- Not applicable -.

The tenderer must assign all the proposed experts to the required qualifications and clearly present them in a separate table preceding the CVs. The summary presentation must mention only qualifications that are actually indicated in the CVs. Professional experience must be evidenced by meaningful references in the CVs. It is advisable to make explicit reference to each example of professional experience.

Soft skills of team members

In addition to their specialist qualifications, all team members are also expected to have the following qualifications:

- Team skills
- Initiative
- Communication skills
- Sociocultural and intercultural skills
- Efficient partner- and client-oriented working methods
- Interdisciplinary thinking

Soft skills are not evaluated.

Staff presentation

(section 2.11 of the assessment grid)

- Not applicable -.

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7. Costing requirements

7.1 Remuneration

The number of expert days corresponds to working days.

In their price offer, bidders should state a fee rate per expert day per expert position (daily rate).

Pure travel days are not expert days (cf. Section 3.3.1 of the General Terms and Conditions (AVB), Calculation basis according to clause 6).

The fee rate stated in the price offer is valid for an initial period of 24 months.

Please note that call-offs for this Framework agreement are invoiced on the basis of a time sheet per order.

“GIZ will undertake a negotiated price procedure with bidders as per the GIZ consultancy fee grid”.

7.2 National administrative staff

- Not applicable -.

7.3 Travel expenses

7.3.1 Travel – sustainability considerations

GIZ would like to reduce greenhouse gas emissions (CO₂ emissions) caused by travel. When preparing your tender, please incorporate options for reducing emissions, for example by selecting the lowest-emission booking class (economy) or using means of transport, airlines and flight routes that are more CO₂-efficient. For short distances, travel by train (second class) or e-mobility are the preferred options.

CO₂ emissions caused by air travel should be offset if they cannot be avoided. GIZ specifies a budget for this which enables carbon offsets to 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](#) has published a [list of standards](#) (only in German available). GIZ recommends using the standards specified there.

7.3.2 Travel expense requirements

Expense items costed by tenderer

The travel expenses must be costed as follows by the contractor:

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Travel expenses item	Number/quantity/budget
Total number of international flights	-Not applicable-
Total number of regional/national flights	To be determined in accordance to GIZ rules and regulations where applicable and upon GIZ prior approval. Evidence to be provided. A lumpsum of 20.000EUR is provided over the period of 4 years across multiple service providers. Any travel is strictly in agreement with and only upon written approval by GIZ
CO ₂ offsets for flights <i>Link to working aid and table for setting the budget</i>	EUR 63.00 An unalterable budget for CO ₂ offsets for settlement against evidence is specified.
Transport costs (rail travel, car travel, public transport)	To be determined in accordance to GIZ rules and regulations where applicable and upon GIZ prior approval. Evidence to be provided (see flexible remuneration)
Per-diem allowances	To be determined in accordance to GIZ rules and regulations where applicable and upon GIZ prior approval (see flexible remuneration)
Accommodation allowances	To be determined in accordance to GIZ rules and regulations where applicable and upon GIZ prior approval. Evidence to be provided (see flexible remuneration)
Other travel expenses (visa, project-related travel expenses outside the place of business etc.)	To be determined in accordance to GIZ rules and regulations where applicable and upon GIZ prior approval. Evidence to be provided (see flexible remuneration)

Per-diem *and 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

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circular from the German Federal Ministry of Finance on travel expense remuneration (download at <https://www.bundesfinanzministerium.de>).

In addition, for the following items, reasonable costs can be settled against evidence up to the proposed amount.

- Costs of overnight accommodation against proof of evidence and GIZ approval
- Flight costs against proof of evidence and GIZ approval
- Transport costs against proof of evidence and GIZ approval
- Other travel expenses against proof of evidence and GIZ approval

All travel activities must be agreed in advance with the officer responsible for the project. Travel expenses must be kept as low as possible.

Please note: These travel expense items do not cover costs related to the contract in the country of assignment (see section 3.3.2 of the General Terms and Conditions). Please cost these items if applicable in the price schedule under '2.2 Costs related to the contract in the country of assignment'.

The specified lump sums are the maximum amounts the tenderer can include in the tender. In other words, the tenderer can also offer lower individual lump-sum amounts. The corresponding lump sums are to be entered into the price schedule by the tenderer. **Higher lump sums must not be included in the tender.**

7.4 Equipment

- Not applicable -.

7.5 Operating costs in the country of assignment

– Not applicable –

7.6 Workshops, education and training

– Not applicable –

7.7 Local contributions

– Not applicable –

7.8 Other costs

– Not applicable –

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7.9 Flexible remuneration item

Budget for flexible remuneration:

A flexible fee of 10% of the total value for an individual call-off (for one consultation/KEP examination contract) should be calculated in the price offer, but the funds can only be used in consultation with and after approval by GIZ (officer responsible for the commission). Flexible remuneration is used for flexible management of the assignment by the GIZ.

8. Requirements on the format of the tender

The structure of the tender must correspond with the structure of the ToRs. It must be legible (for example Arial, font size 11 or larger) and clearly formulated. The tender must be written in **English** (language).

The technical-methodological concept of the tender (section 3 of the ToRs) must not exceed 10 pages (not including the cover page, list of abbreviations, table of contents, brief introduction and CV for the backstopper). Additional annexes not requested will not be assessed.

The CVs of the staff proposed in accordance with section 0 of the ToRs must be in the EU format and not more than four pages in length. The CVs can also be submitted in English (language).

The CVs must clearly and unequivocally show what position the proposed person held, which tasks they performed and how long they worked during which period in the specified references. **The references contained in the CVs must therefore include the following information:**

- Name of the company/organisation/reference project in which the expert worked
- Position held and task(s) performed by the expert in the company/organisation/reference project
- Work outcomes or products produced by the expert, or expert's contribution to the completion of these outcomes and projects (if relevant)
- Duration of the expert's assignment in the company/organisation/reference project per calendar year in full-time expert days, weeks or months (for example: 2019: 2 months, 2020: 10 months, 2021: 1 month)
- Leadership experience/management: clear information on the reference projects or fixed positions within the company/organisation in which the requirements specified in section 4 were fulfilled (for example, period, number of persons for whom the expert had disciplinary responsibility, project budget) (if relevant)
- International professional experience/professional experience in the country of assignment: clear information on the reference projects or fixed positions in the company/organisation in which the requirements specified in section 4 were fulfilled (for example, actual duration of assignment on the ground in full-time expert days, weeks or months) (if relevant)

In order to facilitate the assessment, we request that you number the references sequentially and provide only references that are clearly related to the object of this tender.

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- Please submit your proposal (technical and price proposal) in separate files/folder to ZA_Quotation@giz.de no later than **25th November 2024** 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 same tender is not allowed and it will lead to your proposal as well as that of the company where you appear more than once being disqualified. The responsibility rests with the companies to ensure that their partners/experts are not bidding/participating more than once in 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.

Scientific data

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.

Subject of the tender procedure:

Transaction number:83450016



- 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.