

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



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0. List of abbreviations

BMZ	German Federal Ministry for Economic Cooperation and Development
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
NACAC	National Anti-Corruption Advisory Council
NACS	National Anti-Corruption Strategy
OCDS	Open Contracting Data Standard
OCPO	Office of the Chief Procurement Officer
SECO	Swiss State Secretariat for Economic Affairs
TIP	Transparency, Accountability and Integrity Programme
ToRs	Terms of reference

1. Context

The **Transparency, Integrity and Accountability Programme in South Africa (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 of transparency, integrity, and accountability (output 1).
- The strengthening of institutional capacity of collaborative mechanisms, particularly the National Anti-corruption Advisory Council (NACAC) to coordinate the implementation of the NACS (output 2); and
- Multi-stakeholder partnerships to improve transparency, integrity, and accountability (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 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 programme is part of the newly established *Peaceful and Inclusive Societies* cluster of BMZ and the action field *Good Governance*. The TIP is co-financed by the Swiss State Secretariat for Economic Affairs (SECO).

Amongst the partners that TIP works with collaboratively is the Office of the Chief Procurement Officer (OCPO) to further Pillar 4 of the National Anti-Corruption Strategy (NACS) which deals with Public Procurement. Central to that Pillar is to ensure that the integrity of the procurement system is protected and that higher levels of transparency and trust in the procurement system is established. The OCPO has already embarked on enhancing transparency by publishing data sets on its website and building an open procurement portal. The collaboration with TIP is to expand on the transparency portal to increase the data sets shared and educate civil society on how to use the data. Generate more user-friendly reports out of the data and embed transparency within the public procurement space.

Tasks to be performed by the contractor.

The contractor is responsible for providing the following services:

- Enhancement of the transparency dashboard (aligned to the Open Data Standard OCDS) to include more data sources including comparative analyses between budget, procurement planning, sourcing and spend data.
- Enhancement of the existing (data dashboard) to include the features and functions listed below,
- Providing medium-term support and maintenance of the enhanced dashboard till the end of the contract and
- Providing recommendations for the long-term, sustainable maintenance of the dashboard including the "story telling" concept in the display dashboards.

The dashboard must include the following features/functionality:

- Deep analyses of the demographic elements.
- Comparative analyses between financial years.
- Time series analyses.
- Identification of potential patterns and goal setting.
- Performance monitoring.
- Development of an Annual state of procurement report.
- Development of Quarterly procurement spend reports.
- Collection and inclusion of data currently stored outside the eTenders Portal.
- Development of a procurement risk analysis functionality which will provide red flags for procurement anomalies and an early warning mechanism.

Certain milestones, as laid out in the table below, are to be achieved during the contract term:

Milestones/process steps/partial services	Deadline/place/person responsible
Enhanced transparency dashboard	30 September 2024
OCDS interactive Dashboard	30 September 2024
Storytelling Concept incorporated	30 September 2024
Electronic tender evaluation and adjudication functionality	30 April 2025
Business Requirements specification for electronic tender evaluation and adjudication system	30 October 2024
Quarterly Procurement Spend Report	29 November 2024
Annual State of Procurement Report	30 April 2025

Period of assignment: from **1.08.2024** until **30.4.2025**.

2. Concept

In the tender, the tenderer is required to show *how* the objectives defined in Chapter 0 (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 0 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).

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 0 (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

3. Personnel concept

The tenderer is required to provide personnel who are suited to filling the positions described, based on 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.

Senior Developer / Team Lead

Tasks of the Senior Developer

- Lead the architectural design and technology stack selection.
- Implement complex backend functionalities.
- Oversee the codebase for scalability and maintainability.
- Enforce coding standards and perform static code analysis for assurance.
- 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.
- Regular reporting in accordance with deadlines

Qualifications of the Senior Developer / team leader

- Education/training (2.1.1): At least a 3-year University degree ('Diploma'/master's in information technology, Computer Science,
- Language (2.1.2): C2-level language proficiency (*please use the A1-C2 proficiency levels defined in the CEFR*) in English
- General professional experience (2.1.3): 7 years of professional experience in Information Communication and Technology (ICT).
- Specific professional experience (2.1.4): 5 years in account management.
- Leadership/management experience (2.1.5): 3 years of management/leadership experience as project team leader or manager in a company
- Regional experience (2.1.6): Not applicable
- Development cooperation (DC) experience (2.1.7): 3 years of experience in DC projects in developing and implementing ICT systems.

Key expert 1- Application Developer

Tasks of key expert 1

- Develop frontend and backend components of the portal.
- Integrate third-party services and APIs.
- Ensure cross-platform compatibility.
- Work on bug fixes and performance improvements.

Qualifications of key expert 1:

- Education/training (2.2.1): 3 years degree in IT, computer science
- Language (2.2.2): C2 -level language proficiency (*please use the A1-C2 proficiency levels defined in the CEFR*) in English
- General professional experience (2.2.3): Minimum 5 years application development experience.
- Specific professional experience (2.2.4): 3 years' experience in integrating APIs. Working knowledge of OCDS will be an added advantage.
- Leadership/management experience (2.2.5): Not applicable

- Development Cooperation (DC) experience (2.2.7): Not applicable
- Other (2.2.8): Must have relevant experience in the following;
 - Microsoft Azure
 - Microsoft SharePoint
 - DevOps
 - Power BI
 - SQL
 - C#
 - .net Framework.
 - MVC
 - Entity Framework
 - JavaScript / jQuery
 - HTML
 - CSS

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

Key expert 2 (Business Intelligence Developer)

Tasks of key expert 2

- Design and develop data models for analytics.
- Create dashboards and reports for data visualization.
- Analyse user data to improve portal services.
- Ensure data accuracy and integrity.

Qualifications of key expert 2:

- Education/training (2.3.1): 3 years degree in IT, Computer Science,
- Language (2.3.2): C2 -level language proficiency (*please use the A1-C2 proficiency levels defined in the CEFR*) in English
- General professional experience (2.3.3): Minimum 5 years application development experience.
- Specific professional experience (2.3.4): 3 years, Experience with database management
- Other (2.3.8): Must have relevant experience in the following;
 - Microsoft SharePoint

- DevOps
- Power BI
- SQL
- C#
 - .net Framework.
 - MVC
 - Entity Framework
- JavaScript / jQuery
- HTML
- CSS

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

Key expert 3 – Business Analyst

Tasks of key expert 2

- Gather requirements from stakeholders.
- Define project scope and objectives.
- Facilitate communication between technical and non-technical teams.
- Document processes and create user manuals or help guides.

Qualifications of key expert 3:

- Education/training (2.4.1): 3 years degree in IT, Computer Science,
- Language (2.4.2): C2 -level language proficiency (*please use the A1-C2 proficiency levels defined in the CEFR*) in English
- General professional experience (2.4.3): At least 5 years of experience in business analysis.
- Specific professional experience (2.4.4): A minimum of 5 years of experience specifically focused on projects related to public procurement, with a deep understanding of the South African public procurement context.

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

4. 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
Designation of TL/Senior Developer	1	60	60	
Application Developer	1	110	110	
Business Analyst	1	100	100	
Business Intelligence Analyst	1	90	90	
Travel expenses	Quantity	Price	Total	Comments
Fixed travel budget	1	15 000	15 000	A budget is earmarked for travel to following countries: South Africa. It includes the following costs: Domestic Flights (up to 4x4 = 16 flights for all experts Domestic - South Africa). Accommodation (up to 32 nights in Pretoria all experts 4 experts x 4 trips x 2nights = 32 nights) airport transfer, and local travel, per diem up to 32 days.
CO ₂ compensation for air travel <i>Link to working aid and table for determining the budget and Guidance for GIZ service providers on avoiding, reducing and offsetting GHG emissions on setting the budget.</i>	16	70	1120	A budget is earmarked for settling carbon offsets against evidence.
Other costs	Number	Price	Total	Comments
Flexible remuneration	1	20 000	20 000	A budget of EUR 20 000 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.

5. 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 3 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.

6. Other Requirements

- Please submit your proposal (technical and price proposal) in separate files/folder to ZA_Quotation@giz.de no later than **16th August 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.

- 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

