

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

		Project number/ cost centre: 12.9097.2-460.00
Developing a Gender Equality and Social Inclusion Framework and Action Plan for the Energy Efficiency in Public Buildings and Infrastructure Programme		
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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
DAC	Development Assistance Committee
DESNZ	Department for Energy Security and Net Zero
DMRE	Department of Mineral Resources and Energy
EEDSM	Energy Efficiency Demand Side Management
EEPBP	Energy Efficiency in Public Buildings and Infrastructure Programme
EEPSU	Energy Efficiency Project Support Unit
ESCOs	Energy Service Companies
FK	Expert
FKT	Expert days
GESI	Gender Equality and Social Inclusion
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GHG	South Africa's Greenhouse Gas
H2.SA	Promoting a Green Hydrogen economy for South Africa
IDC	Industrial Development Corporation
IKI	International Climate Initiative
KZFK	Short-term expert
M&E	Monitoring and Evaluation
M&V	Measurement and Verification
NBI	National Business Initiative
NDC	Nationally Determined Contribution
NDP	National Development Plan
OECD	Organisation for Economic Co-operation and Development
PCG	Partial Credit Guarantee
SAGEN	South African German Energy Programme

SANEDI	South African National Energy Development Institute
SOEs	State-Owned Entities
ToRs	Terms of reference
UK	United Kingdom

1. Context

South Africa's Greenhouse Gas (GHG) emissions are high, in both absolute and per capita terms; mainly due to a primarily coal-based electricity supply industry, combined with a prevalent inefficient use of energy across many sectors. Public infrastructure, such as buildings, street lighting and water/ waste-water treatment plants, owned by and/or managed by municipalities, provinces, national government and State-Owned Entities (SOEs), contribute to the country's GHG emissions.

Despite potential financial savings and energy and emission reductions that could be achieved through the implementation of demand-side energy efficiency interventions, uptake and implementation to date has been limited. This is due to a range of factors including capacity and resource constraints, limited awareness of opportunities, a lack of comprehensive and accurate data on existing energy use, and access to finance.

To address these challenges and to fast track the large-scale roll out of energy efficiency across public institutions, the Department of Mineral Resources and Energy (DMRE), along with other key institutional stakeholders and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), have developed the Energy Efficiency in Public Buildings and Infrastructure Programme (EEPBIP).

The objective of the EEPBIP, which commenced in 2019, is to reduce GHG emissions in South Africa by catalysing an energy efficiency transformation within the public-sector environment. This will be achieved through the provision of appropriate technical and financial support, and a programmatic approach to identifying, developing, financing, and implementing energy efficiency interventions in a consistent and replicable manner. Technical assistance will be provided through the Energy Efficiency Project Support Unit (EEPSU).

Energy Efficiency projects developed through the EEPBIP will be implemented by Energy Service Companies (ESCO's) through Performance Contracting with public sector entities, with the ESCOs providing the required debt and equity.

Financing is available via the Industrial Development Corporation (IDC), subject to the required credit and eligibility assessments, with loans backed by a Partial Credit Guarantee (PCG). (N.B. ESCO's are not restricted to accessing finance solely through the IDC; however, the PCG is presently only available for loans issued through the IDC).

The implementation of the EEPBIP is supported by international climate finance, through the Mitigation Action Facility, alongside national funding for public sector energy efficiency programmes.

The key stakeholders directly involved in the EEPBIP include the following:

Table 1: Key EEPBIP Stakeholders

Institution	Role
Department of Mineral Resources and Energy (DMRE)	<ul style="list-style-type: none"> • EEPBIP Programme Co-ordinator • Energy Efficiency Demand Side Management (EEDSM) Co-ordinator • Implementation of workstream on Project Preparation
The Office of the Presidency	<ul style="list-style-type: none"> • EEPBIP Programme Political Partner

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)	<ul style="list-style-type: none"> • Delivery Organisation for Mitigation Action Facility Funding • Provision of technical assistance
South African National Energy Development Institute (SANEDI)	<ul style="list-style-type: none"> • Programme Partner/ EEPSU Coordinator • Implementation of workstream on Monitoring and Evaluation (M&E)/ Measurement and Verification (M&V)
National Business Initiative (NBI)	<ul style="list-style-type: none"> • Programme Partner • Workstream lead for Capacity Building and Awareness Raising
Industrial Development Corporation (IDC)	<ul style="list-style-type: none"> • Management of the Partial Credit Guarantee • Provision of loans to ESCos

Mainstreaming Gender Equality and Social Inclusion into the EEPBIP

South Africa recognises the need to promote an equal and democratic society by promoting equal opportunities for all genders, youth, and persons with disabilities. The National Development Plan (NDP) adopted by Cabinet in 2012, is anchored on the Constitution’s vision of a prosperous, democratic, non-sexist, non-racist and equal society. By 2030, the plan seeks to create an inclusive society that builds on the capabilities of its active citizenry. In South Africa’s Nationally Determined Contributions (NDC), gender mainstreaming involves integrating gender considerations into climate change policies, strategies, and actions. South Africa has made efforts to ensure that its NDC includes gender-responsive approaches to climate change mitigation and adaptation. South Africa’s NDC demonstrates a commitment to addressing the intersecting challenges of climate change and gender inequality, with the aim of building more inclusive and sustainable responses to climate change.

In September 2022, the Mitigation Action Facility introduced its Gender Vision as a commitment to be gender-responsive and adopt a gender-transformative approach. The Facility’s Gender Vision and Gender Action Plan aims to ensure the equality of persons of all genders and those facing social exclusion and discrimination in terms of their rights, opportunities, access, decision-making power, and treatment of their interests, needs and priorities within the context of all the Facility’s processes and interventions. These align with key international frameworks such as the Paris Agreement and the Lima Work Programme on Gender. In addition, as a recipient of funds from the International Climate Initiative (IKI), which is implemented by Germany’s Federal Ministry of Economics and Climate Protection and the United Kingdom (UK) Department for Energy Security and Net Zero (DESNZ), the Mitigation Action Facility aligns itself with their principles and core documents. Furthermore, the Mitigation Action Facility commits to achieving an Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) gender equality policy marker score of 1. The OECD tracks aid supporting gender equality and women’s rights using the OECD DAC gender equality policy marker – a statistical tool for recording aid activities that target gender equality as a policy objective.

In support of these objectives set out by the South African Government and the Mitigation Action Facility, the EEPBIP aims to support the mainstreaming of gender transformation and equity and enable an inclusive environment for those facing social exclusion and discrimination across the energy sector in South Africa (e.g. persons with disabilities and youth), while promoting energy efficiency and reducing greenhouse gas emissions within public buildings and infrastructure. In its present form, the EEPBIP could be considered to be Gender Sensitive in its design and implementation of activities; however, there is a need to refocus the project to be Gender Responsive.

To achieve this, GIZ will appoint a consultant to conduct a gender analysis of the EEPBIP, develop a framework and action plan for gender equality and social inclusion and conduct gender equality and social inclusion training for the project team and key stakeholders.

This activity will be guided by the Mitigation Action Facility's objectives and requirements for the development of a programme Gender Equality and Social Inclusion Plan.

2. Tasks to be performed by the contractor

The contractor is responsible for providing the following services:

Task 1: Project Inception

The contractor will be required to attend an inception meeting with GIZ and DMRE to confirm and clarify the objectives of the assignment and the expectations of GIZ and DMRE.

The contractor will prepare an inception report (3-5 pages).

Task 2: Conduct a Gender Equality and Social Inclusion Review and Analysis

It is acknowledged that extensive activities have taken place or are ongoing in analysing gender in the energy sector. The analysis must therefore use this as a foundation and a baseline for the study. This study will focus on the specific gender equality and social inclusion activities related to the development and implementation of energy efficiency projects in the public sector using a private sector performance contracting model.

- i) *Identify and review existing strategies, documents and programmes related to Gender Equality and Social Inclusion, including Youth and Disability*

The contractor is to identify and review existing strategies, national frameworks and initiatives related to gender equality and social inclusion, youth and disability, relevant to the South African energy and climate change sector, and specifically to energy efficiency activities. These may include NDP, DMRE gender strategies, and analyses from relevant GIZ activities, such as the South African German Energy Programme (SAGEN); H2SA; Climate Support Programme etc.

The review will highlight areas where relevant extensive gender analysis has already been carried out and where there may be gaps regarding the energy efficiency sub-sector, in particular related to the public sector.

- ii) *Project Activity Mapping*
The contractor will review the gender responsive methodologies and processes in place and under development by the EEPBIP and its partners to identify gender activities undertaken and planned across key project activities. These will include:
- *Project development*
 - *Project financing*
 - *Capacity building*
 - *Awareness raising*
 - *Monitoring and Evaluation*

iii) Stakeholder Mapping Consultation

The contractor will identify key stakeholders relevant to the EEPBIP and undertake consultations to assess the extent of gender transformation activities presently in place and potential actions.

The primary stakeholder groups associated with the EEPBIP include (but are not limited to):

- Project partners leading and implementing the EEPBIP (DMRE, SANEDI, NBI, GIZ)
- Project beneficiaries developing and contracting energy efficiency projects (municipalities, provinces and State-Owned Entities)
- Energy Service Companies (ESCOs) – private contractors providing the technical knowledge and financing to implement projects
- Financing institutions – providing the financing to ESCOs
- Ancillary stakeholders – not directly involved in the EEPBIP, but of particular relevance regarding energy and gender issues

It is expected that between 10 and 15 institutions/ individuals will be consulted, in addition to desk based research.

Once the initial mapping exercise is complete, prior to commencement of consultation with stakeholders, the list of recommended institutions and individuals will require approval from DMRE and GIZ.

iv) Prepare a Gender Equality and Social Inclusion Analysis for the EEPBIP

The contractor is required to develop a gender equality and social inclusion analysis for the EEPBIP using an existing GIZ template. The contractor must avoid reinventing the wheel and is required to build on existing analysis and findings identified in sub tasks i. The focus for the analysis is on aspects specific to the EEPBIP (i.e., public sector energy efficiency, the inclusion of ESCo's and aspects of financing).

Task 3: Develop a Gender Equality and Social Inclusion Action Plan

i) Develop a Gender Equality and Social Inclusion Action Plan

The contractor must develop a Gender Equality and Social Inclusion Action Plan for the EEPBIP. The findings in the analysis conducted in Task 1 must be considered during the development of the action plan.

The action plan should guide the project both on its internal processes and also its interactions with and support to external institutions, partners and private ESCO.

The plan must include the following elements (but are not limited to):

- Short term objectives (2024-2026)
- Medium to long term (4-5 years) objectives to be implemented by the EEPSU
- Identify and propose targets to integrate with M&E plan/ system including indicators, metrics and data collection methods

- Identification of specific gender transformation activities that can be implemented by EEPBIP programme partners and beneficiaries
 - Recommendations on how to integrate gender equality and social inclusion into the day to day operations of the EEPSU and the roles of staff
 - Recommendations on how to further integrate GESI into the procurement processes of projects
 - Recommendations on integration of GESI into the institutional assessment and support activities
 - Conduct a needs assessment regarding the training needs of the EEPSU
 - Identification of training, capacity building and awareness activities that can be implemented by the EEPSU
 - Identify key roles and functions for the EEPBIP gender focal point
- A draft training plan
- A draft concept for a GESI pilot activity to be implemented through the EEPBIP
- Format: The consultant is free in the overall format but should ensure that the action plan contains an easy-to-understand table. In line with the project's theory of change and the above-mentioned points the table should list under each project output
 - GESI-relevant actionable activities,
 - concrete, measurable targets and/or milestones for each activity
 - responsible person/institution for each activity
 - timeframe

ii) Conduct a Workshop

The contractor is to conduct a workshop to present the draft action plan to the key stakeholders in the EEPBIP including the EEPSU, project partners and beneficiaries with priority projects.

Task 4: Support the Training and Capacity Building of GESI for the EEPBIP

i) Support development of training material for the EEPSU on GESI

The contractor must develop training material on GESI for the EEPSU. This task must be undertaken in close conjunction with the EEPBIP's capacity building team as the material will be utilised for EEPBIP activities. The material must be developed using EEPBIP's format and structure. The training material should include a PowerPoint presentation and a PDF document.

ii) Conduct Training and Workshops on GESI

The contractor is expected to conduct training and capacity development on GESI for the EEPSU, programme partners, beneficiaries with priority projects and the ESCo's. The contractor must liaise closely with the capacity building team during this task.

- The contractor is responsible for selecting, preparing, training and steering the international and national, short and long-term experts assigned to perform the advisory tasks.
- The contractor provides equipment and supplies (consumables) and assumes the associated operating and administrative costs.

- The contractor manages costs and expenditures, accounting processes and invoicing in line with the requirements of GIZ.
The contractor reports regularly to GIZ in accordance with the current AVB of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.

In addition to the reports required by GIZ in accordance with the AVB, the contractor submits the following reports:

- Inception report
- Brief monthly reports on the implementation status of the project (2-3 pages)

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
Inception Report	15/07/24 – Consultant and/ GIZ
Draft GESI Analysis	31/08/24 - Consultant
GESI Analysis	15/09/24 - Consultant
Draft GESI Action Plan	01/10/24 - Consultant
GESI Action Plan	01/11/24 - Consultant
Workshop and Workshop materials	15/11/24 - Consultant
Final report	31/01/25 - Consultant

Period of assignment: from 01/07/24 until 31/01/25.

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

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**.

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 key expert

- 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
- Responsibility for quality delivery on all milestones/deliverables of assignment

Qualifications of the key expert

- Education/training (2.1.1): university degree (Master) in Political Science/ Natural Sciences/ Gender or Women Studies/ Development Studies or any other related subject.
- Language (2.1.2): C2-level language proficiency in Business English
- General professional experience (2.1.3): 15 years of professional experience in the undertaking gender analysis assignments.
- Specific professional experience (2.1.4): 5 years in gender/GESI expertise linked to the energy sector.
- 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): N/A
- Development cooperation (DC) experience (2.1.7): 5 years of experience in DC projects
- Other (2.1.8): 5 years of experience in providing training and assessing training needs

5. Costing requirements

Assignment of personnel and travel expenses

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 key expert	1	30	30	
Travel expenses	Quantity	Number per expert	Total	Comments
Per-diem allowance in country of assignment	8	440	3,520	
Overnight allowance in country of assignment	8	1500	12,000	If required
Transport	Quantity	Number per expert	Total	Comments
Domestic flights	4	5,000	20,000	Flights within the country of assignment during service delivery. If required
Travel expenses (train, car)	8	1000	8,000	Travel within the country of assignment, transfer to/from airport etc. If required
<ul style="list-style-type: none"> • Car Hire • KM Travelled 	1000	4.84	4,840	

Other travel expenses				e.g. visa costs
Fixed travel budget				<p>A budget is earmarked for travel to the following countries:</p> <p>.</p> <p>A fixed budget of EUR is earmarked for settling travel expenses against evidence.</p> <p>You can find further information on the travel expense budget in the 'Price schedule' document. Please use the 'Explanations' column in the price schedule to break down the individual items. Settlement is possible only until the budget is depleted.</p>

Workshops and training

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

- Workshops and training will be required for specific institutions. The venue and catering costs, will be covered by the institutions and/ or GIZ.
- Some training sessions may be held online.

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

6. Inputs of GIZ or other actors

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

- Logistics for meetings and workshops

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 (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 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 (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.

8. Annexes

- A1 - GIZ Gender Strategy
- A2 - Feminist Development Policy
- A3 – BMZ Gender Action Plan
- A4 - Mitigation Action Facility Gender Action Plan
- A5 - Mitigation Action Facility Gender Vision
- A6 –Women Empowerment and Gender Equality Strategy

9. Other Requirements

- Please submit your proposal (technical and price proposal) in separate files/folder to ZA_Quotation@giz.de no later than **31th May 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