TERMS OF REFERENCE

APPOINTMENT OF PANEL OF COMPETENCY ASSESSMENT SERVICE PROVDERS SERVICES ON BEHALF OF THE NRCS ON AN AD HOC BASIS FOR A PERIOD OF 36 (THIRTY-SIX) MONTHS RFQ 085-26

CLOSING DATE: 25 NOVEMBER 2026

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ANNEXURE A

1 TERMS OF REFERENCE / SPECIFICATIONS

BACKGROUND

The National Regulator for Compulsory Specification (NRCS) was established on the 1st of September 2008, under the auspices of the National Regulator for Compulsory Specifications Act, 2008 (Act 5 of 2008) hereinafter called the NRCS Act.

The NRCS is primarily responsible for the administration of three Acts that reside under its jurisdiction, namely the NRCS Act, the Legal Metrology Act, 2014 (Act 9 of 2014) hereinafter called the LM Act, and the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) hereinafter NBR Act. The NRCS also administers regulations that fall under the jurisdiction of other governments departments, as per agreements.

The NRCS as the regulator consist of the following operations business units namely: Automotive; Chemicals, Mechanical and Materials, Electro technical, National building Regulations, Legal Metrology as well as Food and Associated Industries and support business units.

Competency Assessment form an integral part of the selection and development processes within the NRCS. For recruitment and select purposes, the competency assessments are utilized to assess an employee's capabilities against the requirements of their job and for developmental purposes they are utilised to identify gaps and highlight training needs which will form part of the succession planning process and retention strategy.

2 OBJECTIVE

To appoint a suitable service provider/s to provide and assist the NRCS to:

2.1. Conduct competency assessments for selection purposes and

2.2 Provide detailed report with suitable recommendations includes strengths and developmental areas.

3 SCOPE OF WORK

3.1. Competency Assessments for Selection:

3.1.1. Recommend suitable and appropriate battery of tools to be utilized for positions on management level i.e. Specialists, Managers, Senior Managers, General Managers and EXCO.

3.1.2. Design a report template for the competency assessments with five-point scoring scale.

3.1.3. Design a competency scoring matrix to be approved by the NRCS.

3.1.4. Schedule competency with recommended employees, providing time, venue and all the necessary logistics.

3.1.5. Conduct competency assessments based on the competencies outlined in the Job Profile.

3.1.6. Score the Competency Battery as per the approved scoring matrix.

3.1.7. Compile a comprehensive report outlining the strengths and developmental areas per candidate and recommendation for the job.

3.1.8. Submit the comprehensive written report to the NRCS within three (3) working days of conducting the competency assessment.

3.1.9. Provide verbal feedback to the candidates regarding their performance including strengths and developmental areas.

4 DURATION OF THE PROJECT

The duration of the project is for thirty-six (36) months which is subject to both parties agreeing and signing the Service Level Agreement (SLA).

5 SPECIAL CONDITIONS OF TENDER

5.1 No recommended bidder may cede or assign any part of its agreement with the NRCS nor subcontract any part of the assignment assigned to them without the prior written authorization of the NRCS.

5.2 Failure to comply with any condition of this request for proposal will invalidate respective tender proposal.

5.3 A recommended bidder must declare any interest it has in an assignment as well as declare any possible conflict of interest with the NRCS in the pursuance of the proposed assignment.

5.4 Bidders are required to identify and to disclose as soon as possible any conflict of interest or potential conflict of interest to the NRCS. Bidders should contact the NRCS for clarity on whether a conflict of interest actually exists or not. The existence of a conflict of interest or a failure by a bidder to timeously disclose any such conflict or part conflict may result in the bidder's bid being disqualified.

5.5 NRCS Documentation and Information:

5.5.1 All copyright and intellectual property rights that may result as consequences of the assignment to be performed will be become the property of the NRCS.

5.5.2 A recommended bidder must hand over all documents and information in any format, including copies thereof, that it received from the NRCS or that it had access to during the assignment immediately after completion of the assignments to the NRCS.

5.5. 3 The recommended bidder shall deliver to the NRCS, on completion of an assignment, any security devices, passwords or protective mechanisms to the soft versions of documents that were written and the NRCS will have the right to amend and change these without obligation whatsoever to the firms of attorneys upon completion of the assignment.

5.6 Supplier Performance Management is viewed by NRCS as a critical component in ensuring value for money acquisition and good supplier relations between NRCS or and all its suppliers.

5.7. The NRCS reserves the right to negotiate with all or some of the shortlisted bidders.

5.8 The NRCS reserves the right to cancel this tender.

6. The NRCS does not take any responsibility for expenses or loss, which may be incurred by any bidder in preparation of this bid

6.1 Binding Arbitration Provision

6.2.1 It is a condition of participation in this bid process between the bidder and the NRCS that should any dispute or difference arise between the parties, this shall be resolved by a single Arbitrator -

6.2.1.1 Concerning the purport or effect of the bid documents or of anything required to be done or performed there under

6.2.1.2 Concerning any aspect of the bid process to anything done or decided there under: or

6.2.1.3 Concerning the validity of the award of the bid to any bidder or the failure to award same to any Bidder, then such dispute or difference shall be finally resolved by arbitration.

6.2.2 Such arbitration shall be by a single arbitrator who shall be -

6.2.2.1 Selected by agreement between the parties, or failing such agreement nominated on the application of any party by the Arbitration Foundation of Southern Africa (AFSA); and

6.2.2.2 The arbitrator shall have power to open up, review and revise any certificate, opinion, decision, requisition or notice relating to all matters in dispute submitted to him/her and to determine all such matters in the same manner as if no such certificate, opinion, decision, requisition or notice had been issued.

6.2.3 Upon every or any such reference, the costs of an incidental to the reference and award shall be at the discretion of the arbitrator, who may determine the amount of the costs, or direct them to be taxed as between attorney and client or as between party and party and shall direct by whom and to whom and in what manner they shall be borne and paid.

6.2.4 The award of the arbitrator shall be final and binding on the parties and any party shall be entitled to apply to the Courts to have such award made an order of court.

6.2.5 Save as set out in this clause, the arbitration shall be conducted in accordance with the rules of the Arbitration Foundation of Southern Africa.

6.2.6 The arbitration shall be held at a place agreed by both parties and should be conducted in the English language.

6.2.7 However, nothing in this clause shall preclude any party to the arbitration from seeking interlocutory relief in any court having jurisdiction pending the institution of a review or other appropriate proceedings for legal redress.

6.2.8 Such arbitration shall be commenced and concluded within 60 days of the dispute having noted.

6.3 The NRCS reserves the right to reject: -

6.3.1 Incomplete bids

6.3.2 Late bids

6.3.3 Conditional bids

6.3.4 Bids that are non-compliant with the procedural and administrative requirements.

6.4 Should the resource(s) provided to render the services to the NRCS resigns or any other acts of God, the appointed bidder to provide the same resource(s). The NRCS reserves the right to verify the resources provided at any given time.

6.5 The NRCS may negotiate with all or some of the bidders in relation to the prices quoted. NRCS reserves the right not to appoint any bidder whose prices are not market related.

6.6 The NRCS reserve the right to only verify contactable references of bidders as part of the vetting process.

6.7 In cases where a bidder will be sub-contracting, proof of documentation for the subcontractor should be submitted as well i.e. BBBEE, company registration documents. The BBEEE certificate must be valid for a period of 12 months (either be an original certificate or certified copy of an original or certified sworn affidavit).

6.8 The NRCS will not award the bid to any prospective bidder who has not registered on the Central Database Supplier as regulated.

6.9 All bidders should initial every page of the bid document, including the GCC.

6.10 All SBD forms to be fully completed and singed failure to do will lead to a disqualification as the forms are mandatory compliance forms.

6.11 In terms where the preferred bidder tax matters are not in order 7 (seven) days will be given to the bidder to rectify their tax matters failure to do the bidder will be disqualified from the bid process as indicated in the National Treasury Prescript No 9 of 2017/2018.

6.13 The NRCS reserves the right to confirm reference letters submitted by the bidders either telephonically or via email, should it transpire that the reference checks are not of good substance the NRCS will revise its score initially allocated to the bidder(s).

6.14 The NRCS reserves the right to negotiate prices in line with market related prices.

7 Procurement policies and procedures

7. 1 The General Conditions of Contract will be applicable to this tender.

8 MINIMUM REQUIREMENTS

8.1 Bidders are required to furnish NRCS with the following:

a. Proof that supplier is registered on the Central Supplier Database (CSD),

- The following key information will be accessed and verified on CSD, namely

i. Business registration, including details of directorship and membership;

ii. Tax compliance status

b. Completed and signed SBD forms; SBD 1, SBD 3.3, SBD 4 and SBD 6.1

Please note that failure to adhere to the following requirements may lead to an immediate disqualification

8.2 Late Submissions will not be accepted

9 EVALUATION CRITERIA

During the evaluation process, the Bid Evaluation Committee of the NRCS will also verify the bidders' information. Bidders must comply with all the criterion listed below, failure to comply with required criterion will be an automatic disqualification from the evaluation process.

NOTE: For the purpose of comparison and in order to ensure a meaningful evaluation, bidders must submit detailed information in substantiation of compliance to the evaluation criteria mentioned.

For the purpose of comparison and in order to ensure a meaningful evaluation, bidders must submit detailed information in substantiation of compliance to the evaluation criteria mentioned. Minimum Required Score for functionality is: **65 points out of 100 points and any bidder scoring less than 65 points will not be considered for further evaluation.** Service Providers that qualified pre-evaluation in terms of the functionality cut-off points of **65 points** will then be evaluated in terms of price and preference points

No.	FUNCTIONALITY AND SCORING GUIDE	WEIGHT
1	**Company Experience** The bidder must demonstrate that they have the capacity to render the required services, with a minimum of 5 years of demonstrable experience. Attach a company profile with a list of projects showing details of experience of the company in Competency Assessment field • 9 and above years of experience (Value =5) • 6 to 8 experience (Value =4) • 3 to 5 experience (Value =3) • 1 to 4 experience (Value = 2) • Anything below or non-submission is (Value =1) ***Confirmation that the project(s) was carried out, in the form of reference letter from each of the client on their company letterhead must be attached***. **Note: Failure to submit projects as required is non-submission (value 1)**	**30**
2	**Directors/ Partners or Project Manager Experience**	**30**
	(a) The Project Manager must be experienced in the area of Competency Assessment services and must be a registered Psychologist with the HPCSA be capable of leading the multi-disciplinary team to deliver the project (b) Points will be allocated as follows: • 10 years' relevant experience and above plus requirements specified in (a) above = (Value 5) • 7-9 years' relevant experience plus requirements specified in (a) above = (Value 4) • 6-4 years' relevant experience plus requirements specified in (a) above = (Value 3) • 2-3 years' relevant experience plus requirements specified in (a) above = (Value 2) • 0-1 years of experience plus requirements specified in (a) above = (Value 1)	
3	**Team qualifications and experience** The bidder to provide a multi-disciplinary team by providing their Curriculum Vitae detailing qualifications, skills, experience and applicable professional body registration where applicable. This will may include Psychometrists, Psychologists and Admin Support.	**10**
4	**Methodology**	**30**
	Bidders to provide methodology in line with the scope of work as outlined in paragraphs 3 (showing how the services will be rendered i.e. tools to be used, scoring matrix example, turn-around times for reports, etc.)	
Minimum threshold for Functionality		**65**
Total		**100**

The bids will be evaluated on a scale of 0-5. Each panel member will rate individual criterion on the score sheet using the following scale

Value	Description
5 – Excellent	Meets and exceed the functionality requirements
4 – Very Good	Above average compliance to the requirements
3 – Good	Satisfactory and should be adequate for stated element
2 – Average	Compliance to the requirements
1 – Poor	Unacceptable, does not meet set criteria
0	Non-Submission

The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. Theses marks will be added and expressed as a fraction of the best possible score for all criteria. Bidder/s that meets the minimum

required percentage or minimum points, will be evaluated in terms of price and preference as per the PPPFA Act, No.5 of 2000 and its associated Regulations issued by the National Treasury.

10. Pricing Schedule

Bidders are required to submit details of the rates to be charged, indicating the annual escalation factor over a period of 3 (three) years. All prices must be VAT inclusive.

Item Description	Unit Price	Year 1	Year 2	Year 3
Rate per headcount				
Manager/Specialist				
Senior Manager				
General Managers				
Executives				
Other costs – please specify				
Total before VAT				
VAT @ 15%				
Total inclusive of VAT				