

PROCUREMENT DOCUMENT

FOR

REQUEST FOR PROPOSAL (RFP)

Reference No.:	RFP No: GCRO 2023/06	
Description:	GCRO Quality of Life 7 (2023/24) Survey – Fieldwork and Data Preparation	
Issue Date:	Sunday, 7 May 2023	
Issued by:	Gauteng City Region Observatory (GCRO) – Mr Rashid Seedat, GCRO Executive Director	
Submission Date and Time:	Date: 5 June 2023	Time: 23h59

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PART A: TENDER OVERVIEW

1 TENDER OUTLINE

1.1 GCRO / University`s Background

1.1.1 The Gauteng City-Region Observatory (GCRO) is a partnership between the GCRO / University of Johannesburg (UJ), the GCRO / University of the Witwatersrand, Johannesburg (Wits), the Gauteng Provincial Government (GPG), and organised local government in Gauteng (SALGA). Behind the motivation for setting up the GCRO is a vision for South Africa's economic heartland as a region that is functionally integrated, spatially coherent, competitive, environmentally sustainable, and socially and economically inclusive. GCRO (www.GCRO.ac.za) helps to build the knowledge base that government, business, labour, civil society and residents all need to make this vision a reality. GCRO collects data and benchmarks the city-region, provides policy analysis and support, undertakes applied research, and publishes critically reflective academic work.

1.1.2 The Quality of Life (QoL) survey, run every two to three years, is the GCRO's flagship project. The survey measures the quality of life, socio-economic circumstances, perceptions of service delivery, psycho-social attitudes, value-base and other characteristics of residents in the GCR. It serves as a tracking and diagnostic tool, affording a rich information resource for policy-makers and the public wanting to see where progress is being made, and where concerns remain. An important characteristic of the survey is that it provides a spatially distributed sample that reflects the adult population in the GCR.

1.2 Tender Background

1.2.1 The University of Witwatersrand, Johannesburg (the "University") will facilitate the tender process on behalf of the Gauteng City-Region Observatory (GCRO). In order to ensure a transparent and fair tender process, the University has been tasked with managing the process on behalf of GCRO. This includes but is not limited to issuing the tender documents, receiving and evaluating Tender Submissions.

1.2.2 The GCRO, invites Tenderers for the GCRO Quality of Life 7 (2023/24) Survey – Fieldwork, for a contract period of 9 (nine) months.

1.2.3 This is an open, competitive tender process.

1.3 Tender Description

1.3.1 The primary operational objective of the RFP is to appoint a reputable service provider to provide GCRO Quality of Life 7 (2023/24) Survey – fieldwork and data preparation to the GCRO`s as follows:

1.3.1.1 The service provider will be expected to conduct as many interviews as possible to the total budget value of R 16,500,000.00 excluding VAT (with a minimum of 12,000 interviews) face-to-face computer-assisted personal interviewing (CAPI) interviews, with randomly selected adult respondents (aged 18 or above) at their place of residence.

1.3.1.2 Interviews will be required in all 529 of Gauteng's wards, as delimited by the Municipal Demarcation Board for the 2021 local government elections, with a minimum of 20 interviews in each ward.

1.4 Procurement Strategy

1.4.1 A single service provider shall be appointed.

1.5 Pre-qualification Criteria

1.5.1 Tenderers who have suitable experience and demonstrated capacity in the required work activities in the GCRO Quality of Life 7 (2023/24) Survey – Fieldwork and Data Preparation are eligible to partake in this Tender.

1.5.2 Only Tenderers who satisfy the pre-qualification criteria as set out in the table below should submit a Tender Submission, failure to do so will result in disqualification.

No.	Procurement Mandatory Criteria
	It is compulsory that the Tenderer:
1.	provides Schedule 1: Signed Submission which has be signed by a duly authorised representative.

2.	provides proof of your legal entity’s registration documentation (e.g., CIPC) indicating date of registration/incorporation, list of directors, partners, and members.
3.	provides proof of valid SARS Tax Pin.
4.	if applicable, provide VAT Registration Certificate. Provide rationale if Vat registration is not applicable. This will be considered whether acceptable or not.
5.	provides audited company financial statements for the past 3 (three) years.
6.	provides proof of the following insurance coverage: <ul style="list-style-type: none"> • Public Liability consistent with the potential risks and industry standards. • Professional Indemnity Insurance consistent with the potential risks and industry standards. • General and commercial liability insurance which includes defective workmanship, public liability, cyber risk insurance, products and equipment liability, bodily injury and death, and property damage Public Liability consistent with the potential risks and industry standards.
7.	provides proof of bank confirmation letter and/or letter of good standing.
8.	provides proof of being a South African entity or have local presence within South Africa.
9.	provides proof of having a Gauteng presence and is operational in Gauteng, South Africa.
No.	Functionality (including Technical) Mandatory Criteria
It is compulsory that the Tenderer:	
10.	provides a project proposal, providing an overview of how the tenderer would approach this project.
11.	provides pricing as per Annexure C must include the full specification.
12.	provides at minimum one reference where the tenderer has conducted a face-to-face CAPI (Computer assisted personal interview) household survey with a sample size of 6000 or more.
13.	provides two additional reference letters for face-to-face household survey work completed in the past 5 (five) years, with contact information for each reference.
14.	provides CV for dedicated senior project manager identified for this project.
15.	provides CV for dedicated senior data manager identified for this project.
16.	provides CVs for all managerial staff indicated in the proposal.
17.	provides an organisational profile, giving an overview of organisational background, experience and staffing, which includes evidence of dedicated capacity in the team to fulfil all roles including training and management of fieldworkers, management of survey logistics such as transport of fieldworkers, data management, and other key roles as specified.
18.	provides a project budget that does not exceed R16.5 million excluding Vat.
19.	provides a project proposal for a minimum of 12,000 successful surveys and a minimum of 20 surveys in each Gauteng ward.

1.5.3 The Tenderer’s attention is drawn to the pre-qualification criteria which requires the Tenderer to provide the necessary evidence (please refer to Annexure B: Returnable Schedules and Documents) in order to be eligible, failure to do so will result in disqualification.

1.5.4 Tenderers who fail to provide the required schedules and documents will not have their Tender Submissions evaluated further.

1.5.5 Despite the above, the GCRO reserves the right to request additional information (which must be responded and/or provided to the GCRO within the period as determined and communicated by the GCRO) where the information provided yields insufficient detail and Tenderer differentiation.

1.6 Tender Terms and Conditions

1.6.1 The [Tender Terms & Conditions](#) apply to and form an integral part of this Tender.

Full link: <https://www.wits.ac.za/media/wits-university/footer/about-wits/procurement/Tender%20Terms%20%20Conditions%2015.08.2020.pdf>

1.6.2 Words and phrases defined in the Tender Terms & Conditions shall also apply in the interpretation of the same words and phrases in this Tender, save where specifically otherwise indicated.

1.6.3 The Tender data table below will have precedence in the interpretation of any ambiguity or inconsistency between it and the Tender Terms & Conditions.

1.6.4 Each item of data given below is cross-referenced to the clause in the Tender Terms & Conditions to which it mainly applies.

Clause Number	Tender Data
2.22	In each occurrence of the “University” “GCRO” is to be added/inserted.
2.23	In each occurrence of “University-Supplied Information” is replaced with the “GCRO Supplied Information”.
19	<p>Clause 19 is deleted and replaced with the following:</p> <p><i>“19.1 The Parties will negotiate in good faith to resolve any disputes that may arise out of the Tender Terms & Conditions.</i></p> <p><i>19.2 Should any dispute of whatever nature arise from or in connection with these Tender Terms and Conditions then the dispute shall, unless the Parties otherwise agree in writing:</i></p> <p><i>19.2.1 in the first instance be referred to the University’s Head of Procurement and the Tenderer’s Tender/Bid Manager or duly authorised representative to resolve the dispute amicably. Each Party undertakes at such meeting to make full disclosure to the other of all information and records relating to the dispute;</i></p> <p><i>19.2.2 if the individuals described in clause 19.2.1, fail to resolve the dispute within a period of 30 (thirty) Business Days, the Parties respective internal legal counsel/director/advisor shall attempt to resolve the dispute amicably;</i></p> <p><i>19.2.3 if the individuals described in clause 19.2.2, fail to resolve the dispute within a period of 30 (thirty) Business Days the dispute must be referred to arbitration. The Arbitration Foundation of Southern Africa (AFSA), at Johannesburg, and the rules of AFSA thereof, shall have final, binding and exclusive jurisdiction in terms any disputes, whatsoever, arising out of this Agreement. South African law will be the governing law. The cost of the arbitration proceedings shall be borne by the Parties as decided by the arbitrator.”</i></p>

PART B: KEY INFORMATION

2 TENDER TIMELINE

2.1 The table below lists key events, dates and periods applicable to this Tender:

No.	Description	Date / Period
1.	Invitation to Tender notice release via print media	07 May 2023
2.	Publication of Tender available on the University’s Procurement website	08 May 2023
3.	Due date for Tenderer to submit its intention to bid for logistical purposes	15 May 2023
4.	<p>Briefing session: Compulsory and physical in-person session</p> <p>Date and time: 23 May 2023 14h00</p> <p>Venue: Please meet at the Procurement Offices (For parking arrangements please contact the Tender Administrator at admin.tenders@wits.ac.za and Mr Bonolo Mpshe (Procurement Representative) via e-mail: Bonolo.Mpshe@wits.ac.za). Ensure that you review the tenders page for any communication updates including parking information.</p>	

	Map: https://www.wits.ac.za/maps/ Map to Procurement Office Full link: https://www.wits.ac.za/media/wits-university/footer/about-wits/procurement/Directions%20-%20Wits%20Procurement%20Department%20v2.1.pdf
5.	Submission Date and Time 05 June 2023 23h59
6.	Envisaged Presentation Date and Time 20 & 21 June 2023

2.2 These dates and times do not create an obligation on the part of the GCRO to take any action or create any right for a Tenderer to demand that the GCRO executes a certain action on a specific date at a certain time.

2.3 In accordance with section 6 of the Tender Terms and Conditions, the GCRO may issue amendments until 3 (three) Business Days before the Submission Date and Time.

3 INTENT TO SUBMIT A TENDER SUBMISSION (WHERE APPLICABLE)

Prior to the submission of any returnable schedules, documents or other information as set out in the Tender Documents, the Tenderer is requested to submit to the University’s Procurement Representative (see section 4 in a single email, on or before the time indicated in section 2.1, the Tenderer’s written statement of intention to partake in the Tender.

4 CONTACT INFORMATION

Queries relating to the issue of the Tender Documents must be addressed to the Tender Administrator at admin.tenders@wits.ac.za **and** Mr Bonolo Mpshe (**Procurement Representative**) via e-mail: Bonolo.Mpshe@wits.ac.za .

5 DEVELOPING YOUR TENDER SUBMISSION

- 5.1 The Tender Documents set out the step-by-step process and conditions that apply.
- 5.2 Tenderers should take time to read and understand the Tender Documents, in particular:
 - 5.2.1 the Tender Terms & Conditions;
 - 5.2.2 the Tender Submission protocol (please refer to section 6);
 - 5.2.3 develop a strong understanding of the GCRO Scope of Work detailed Annexure A;
 - 5.2.4 in structuring your Tender Submission consider how it will be evaluated, Part C: The Evaluation Process of this document describes the evaluation approach;
 - 5.2.5 important checklists are included in Annexure B: Returnable Schedules and Documents to assist Tenderers with the completion of their Tender Submission. Tenderers are required to tick the relevant boxes for verification purposes. Where information is not applicable, the symbols N/A must be inserted in the space provided.
- 5.3 Tenderers are advised to check the number of pages and should any be missing or duplicated, or the reproduction indistinct, or any descriptions ambiguous, or this document contain any obvious errors they shall inform Bonolo.mpshe@wits.ac.za **and** copy in admin.tenders@wits.ac.za and to insert email address and have the same rectified.
- 5.4 The GCRO will respond to requests for clarification received up to 5 (five) Business Days before the Submission Date and Time. Queries should be by email to admin.tenders@wits.ac.za and to Bonolo.Mpshe@wits.ac.za . Please note that additional information supplied to any one Tenderer may also be provided to other Tenderers via e-mail.
- 5.5 It must be noted that the GCRO and the University will not be held liable for any loss or damage incurred to the Tenderer should the Tenderer fail to fulfil the requirements of the Tender.

6 SUBMITTING YOUR TENDER SUBMISSION

- 6.1 The mode of delivery for submission is set out below and will apply to this Tender:
- 6.2 Electronic Submissions:
- 6.2.1 The [Electronic Submission Protocol](#) will apply to this Tender.
Full Link: <https://www.wits.ac.za/media/wits-university/footer/about-wits/procurement/Electronic%20Submission%20Protocol%2015.08.2020.pdf>
- 6.2.2 Tenderers must submit Annexure C: Pricing in an editable xls - Microsoft Excel file and a .pdf - PDF file.
- 6.3 Tenderers are urged to contact the University's Procurement Representative if unsure which mode of delivery applies to the Tender. The GCRO and the University will not be held responsible where the Tenderer incorrectly interprets the mode of delivery.
- 6.4 For the avoidance of doubt, please note that telegraphic, telephonic, telex, facsimile, physical submissions, and late submissions will not be accepted.

PART C: THE EVALUATION PROCESS

7 EVALUATION METHODOLOGY

- 7.1 The GCRO will apply a multi-criteria approach in evaluating the prospective Tender Submissions. It is envisaged that the following core criteria (not complete and in order of preference) will amongst others form the basis of the tender evaluation:
- 7.1.1 The financial offer and tenderer's proposal for the number of interviews they commit to doing within this offer, given the budget envelope of a maximum of R 16,500,000.00 excluding VAT
- 7.1.2 The Tenderer's ability to match service requirements as set out in Annexure A: Scope of Work and adequate client liaison;
- 7.1.3 The type of organisation and the number of years in operation in the industry;
- 7.1.4 The track record and experience of the Tenderer;
- 7.1.5 The Tenderer's contactable client references;
- 7.1.6 The competence of the proposed management, project managers and staff of the Tenderer;
- 7.1.7 Accuracy and presentation of the calculations which must be sufficient for comparison purposes;
- 7.1.8 Financial ability of the Tenderer to provide the goods and/or services and to meet its contractual obligations;
- 7.1.9 Adequate insurance coverage with regard to the goods and/or services.
- 7.2 **Evaluation Procedure:**
- 7.2.1 The GCRO may request additional information, clarification or verification in respect of any information contained in or omitted from a Tenderer's Tender Submission and this information will be requested in writing.
- 7.2.2 The GCRO may enforce whatever measures it considers necessary to ensure the confidentiality and integrity of the contents of the Tender.
- 7.2.3 The GCRO will evaluate the proposals with reference to the GCRO set and approved evaluation criteria as indicated in these Tender Documents.

8 EVALUATION CRITERIA

- 8.1 **Stage 1: Pre-qualification Stage (Procurement Mandatory Criteria & Functionality Criteria)**
- 8.1.1 The GCRO has a defined minimum pre-qualification listed in the table under section 1.5 that must be met by the Tenderer in order for the GCRO to accept the Tender Submission for evaluation.
- 8.1.2 The pre-qualification evaluation will be carried out by the GCRO tender evaluation committee members to determine which Tender Submissions are compliant or non-compliant with the requirements issued by the GCRO as part of this tender process.

- 8.1.3 Where there is failure to comply with the pre-qualification criteria as set out in section 1.5 or the GCRO is for any reason unable to verify whether the pre-qualification criteria are fully complied with, the GCRO may disqualify the Tender Submission;
- 8.1.4 Tenderers that do not meet the pre-qualification criteria may not advance to the next stage of evaluation.
- 8.1.5 Please note that no points are allocated at this stage.
- 8.1.6 **Note:** Documents submitted in support of this Tender must be documents of the Tenderer’s entity. It is not permitted that documents submitted pertain to different companies or business units within a group.
- 8.2 **Stage 2: Functional including Technical Evaluation**
- 8.2.1 In this stage, the Tenderer must get a minimum of **80%**, in order to move on to the next stage of evaluation.
- 8.2.2 The evaluation of the Functionality Criteria of the Tender Submission will be based on the following criteria:

No.	Criteria	Proof and Documents Required	Points Allocation	Weight
1.	<p>The detail and quality of the project proposal, specifying how the tenderer would approach this project, to be provided in Schedule 5.</p> <p>Ensure all points below are addressed:</p> <ul style="list-style-type: none"> a) Approaches to questionnaire digitisation, piloting, and training of fieldworkers clearly specified, and appropriate to project purposes. b) Planning, managing and conducting fieldwork, including allocations of staffing and transport, and CAPI system. c) Strategy for in-field fieldworker management, ensuring adequate supervision, incentivisation of performance and performance oversight, transport and logistics, fieldworker support, and ensuring the safety and well-being of fieldworkers. d) Quality control, data management and reporting e) Timeline within the timeframes of the project - delivery by 29 March 2024, for a sample size as proposed by the bidder but with a minimum of 12 000 interviews (Project Plan) 	<ul style="list-style-type: none"> • The Tenderer must provide a clearly detailed project proposal as Schedule 5. • The Tenderer must demonstrate the experience of the firm with respect to specific aspects of the project. 	<p>35</p> <p>5</p> <p>10</p> <p>5</p> <p>10</p> <p>5</p>	35
2.	<p>Proven experience with conducting large-scale face-to-face CAPI household surveys: Information to be provided in Schedule 5.</p> <p>Ensure all points below are addressed.</p> <ul style="list-style-type: none"> a) Provides at minimum one reference where the tenderer has 	<ul style="list-style-type: none"> • The Tenderer must provide a clearly detailed company profile, stipulating the number of years rendering similar services. • The Tenderer must demonstrate the experience of the firm with respect to specific aspects of the 	<p>40</p> <p>10</p>	40

	<p>conducted a face-to-face CAPI (Computer assisted personal interview) household survey with a sample size of 6000 or more. Reference letters and contact information.</p> <p>b) Provides two additional reference letters for face-to-face household survey work completed in the past 6 (six) years, with contact information for each reference.</p> <p>c) Organisational profile demonstrating relevant experience.</p> <p>d) The CVs of the project manager and senior survey management team demonstrate dedicated senior level project management with at least three to five years recent relevant survey experience, and experience in managing at least one household-level survey or census with sample size of 6000 or more. Experience in managing social surveys, or surveys conducted to academic standards, is beneficial.</p> <p>e) Summary of a previous survey demonstrating ability (overcoming challenges and lessons learnt) to realise a sample of over 6000.</p>	<p>project. Contactable references for similar work/projects undertaken in the last X years.</p> <ul style="list-style-type: none"> Completed reference letters included in the proposal as Schedule 5. 	5	
			10	
			5	
			10	
3.	<p>Data access and CAPI system. Information to be submitted and referenced as Schedule 5. Ensure all points below are addressed:</p> <p>a) Specification of a system, which is able to ensure GCRO back-end access to raw data as it is collected, functionality for automated and manual real-time quality control (including GPS coordinates of interviews), and daily emails of cumulative data.</p> <p>b) Specification of a CAPI system able to meet project needs.</p>	<ul style="list-style-type: none"> The Tenderer must provide information on Data access and CAPI system as Schedule 5 	15	
			10	15
			5	
4.	<p>Fieldworker employment, training and management. Information to be submitted and referenced as Schedule 5. Ensure all points below are addressed:</p> <p>a) Capacity to field a team of at least 100 fieldworkers, working exclusively on the project and directly employed by the service provider.</p> <p>b) Experience in fielding a team of at least 100 fieldworkers for a single</p>	<ul style="list-style-type: none"> The Tenderer must provide information on Fieldworker employment, training and management as Schedule 5 	10	
			5	10
			5	

	project.		
Total			100%

8.3 Stage 3: Presentation, Site Visits, Demonstrations, or other due diligences

8.3.1 This phase of assessment is the final stage in the evaluation process and only successful Tenders that have met the minimum requirements in the technical/functionality stage will be considered.

8.3.2 Presentations:

8.3.2.1 The GCRO may require short-listed Tenderers to make presentations to GCRO the evaluation team on the date and at the place in section 2.1.

8.3.2.2 Presentations are designed to give Tenderers the opportunity to present their solution and have a question and answer clarifying session.

8.4 Stage 4: Price, Preference (B-BBEE) Evaluation and where applicable Consideration of Previous Stages

8.4.1 Tenderers who scored at least 80% in stage 2 and stage 3 will be considered for stage 4 (final stage).

8.4.2 In this final stage the criteria elements below will be considered. Therefore, a Tenderer's Tender Submission will be evaluated based on the weightings set out below:

Price and B-BBEE and Consideration of Previous Stages	Documents Required	Weighting %
Price	Annexure C: Pricing information to be completed	60%
B-BBEE	Please submit a current, valid B-BBEE certificate issued by a SANAS accredited verification agency unless the Tenderer is an exempted micro enterprise (EME) or a qualifying small enterprise (QSE), in which case the Tenderer may submit a sworn affidavit in accordance with the B-BBEE Act: Codes of Good Practice published in Government Gazette No. 36928.	20%
Consideration of Previous Stages: Functionality		15%
Consideration of Previous Stages: Presentation		5%
Total		100%

8.4.3 *B-BBEE Score Card*

B-BBEE Status Level Contributor	Number of Points (20% B-BBEE)
Level 1 contributor	20
Level 2 contributor	18
Level 3 contributor	14
Level 4 contributor	12
Level 5 contributor	8
Level 6 contributor	6
Level 7 contributor	4
Level 8 contributor	2
Non-Compliant contributor	0
Note: Non-compliant contributors or failure to provide certification substantiating the B-BBEE status level of contribution will result in the Tenderer being awarded zero (0) points for the preference point system.	

8.5 *Price Points Calculation*

8.5.1 A maximum of 60 = X points is allocated for price and includes consideration of the full price, number of successful interviews and a qualitative assessment of the pricing elements which will inform credibility of the proposal budget.

8.6 Other Information

- 8.6.1 All Tenderers will be formally notified (successful or not) after the evaluation process has been completed and are requested not to contact the GCRO and the University in this regard.
- 8.6.2 The detailed evaluation results and Tenderer ratings will not be published or made available to anyone.

PART D: SCOPE OF WORK

9 SCOPE OF WORK

- 9.1 The detailed scope of worked is attached to the Tender Documents and marked as Annexure A: Scope of Work.
- 9.2 Tenderers must ensure that before submitting a Tender Submission that they are able to meet the requirements as set out in Annexure A: Scope of Work.
- 9.3 **Note:** The GCRO will not accept any material variation to Annexure A: Scope of Work (which may include but not is not limited to the products, services and service levels).

PART E: RETURNABLE SCHEDULES & DOCUMENTS

10 THE SUBMISSION OF RETURNABLE SCHEDULES & DOCUMENTS

- 10.1 The Tender Submission will be evaluated based on the information submitted as instructed through the returnable schedules and documents.
- 10.2 The Tenderer's Tender Submission must be composed according to, and in the sequence as set out in Annexure B: Returnable Schedules and Documents. Additional instructions are contained under the applicable sections per Annexure B: Returnable Schedules and Documents.
- 10.3 Tenderers must complete the returnable schedules in type-written format and submit them in PDF and/or Excel compatible (.xls) (where indicated).
- 10.4 Tenderers must ensure that all returnable schedules, documents, and certificates are legible, current, legally compliant and valid.

PART F: PRICING

11 PRICING INSTRUCTIONS

- 11.1 The pricing that the Tenderer submits will be considered the Tenderer's final pricing which will be included in the Contract. The Excel spreadsheet that is Annexure C: Pricing must be used to submit the applicable pricing as indicated in these Tender Documents.
- 11.2 Tenderers must show its pricing information using the pricing template contained in Annexure C: Pricing
- 11.3 Pricing must be submitted in editable and printable softcopy in both the original Excel compatible (.xls) and .pdf formats.
- 11.4 Tenderers agree that an item against which no rate or price is entered by the Tenderer shall be considered to be covered by other rates or prices detailed in the Tenderers final pricing submitted.
- 11.5 Tenderers must carefully consider the provisions as set out in sections 9, 10 and 11 before submitting its Tender Submission.
- 11.6 **Annual Escalation Adjustments:**
- 11.6.1 Option 1: The contract price is firm and fixed for the duration of the Contract. The GCRO will not accept any adjustments.
- 11.7 **Cost Savings:**
- 11.7.1 The GCRO expects the Tenderer to be an active partner in generating ideas to reduce costs beyond only price reductions. Alternative cost reduction methods must be included in Annexure C: Pricing.

PART G: INSURANCE

12 INSURANCE REQUIREMENTS

- 12.1 A Tenderer must demonstrate that it has adequate insurance cover to meet the minimum requirements as set out in the Scope of Work or obtain a letter of confirmation from its insurers indicating that the Tenderer will qualify for adequate insurance cover to satisfy the minimum requirements. The Tenderer will have to establish its standard company insurance (please refer to Annexure B: Returnable Schedules and Documents) and details of:
 - 12.1.1 public liability; and/or
 - 12.1.2 professional indemnity insurance; and/or
 - 12.1.3 insurance covering its liability to any employees, its agents or representatives as contemplated in the Compensation for Occupational Injuries and Diseases Act, 130 of 1993; and/or
 - 12.1.4 general and commercial liability insurance which includes defective workmanship, public liability, cyber risk insurance, products and equipment liability, bodily injury and death, and property damage.
- 12.2 Tenderers agree that should it be awarded as a successful service provider that it shall at all times maintain insurance cover satisfactory to the GCRO insurance brokers. Proof of payment of premium for the respective policy shall be furnished annually to the GCRO y in the event the Tenderer is the successful service provider. This should not have an impact on the Tenderer’s submitted pricing.

PART H: THE CONTRACT

13 THE CONTRACT

- 13.1 Tenderers must please take note of the following important contractual terms:

Indicative Contract Dates:	Start Date 10 July 2023 – End Date 30 April 2024
Indicative Contract Duration:	9 (nine) months
Classification and Type of Contract:	Service Provider Project Legal Agreement

- 13.2 Any award made as a result of this Tender process will be governed by the regents of the Contract.
- 13.3 In the event that a Contract has been included in the Tender Documents (see Annexure D: Draft Contract) and if a Tenderer takes exception or wishes to propose a deviation to any term or condition in the Contract, it must be done clearly and conspicuously by referencing the specific clause number or the term or condition and by describing the exception or deviation in the Annexure B under the Contract Deviation Schedule. If a Tenderer does not clearly and conspicuously take an exception or propose a deviation to a specific term or condition, the Tenderer shall be bound by such term or condition in the event the award is made to it. The GCRO reserves the right to in each instance to:
 - 13.3.1 Accept the deviations or exceptions; or
 - 13.3.2 Negotiate the deviations or exceptions; or
 - 13.3.3 Reject a proposal with deviations or exceptions deemed unacceptable by the GCRO at its option and in the exercise of its sole discretion.
- 13.4 The rejection or amendment by the Tenderer of any terms and conditions contained in the Contract may increase the risk to the GCRO and will thus be taken into consideration when assessing the Tenderer’s Tender Submission.
- 13.5 Tenderers should not provide or include their own contract, service level agreement or ‘*reserve the right to negotiate if the Tenderer is selected as the preferred service provider*’ statement (the GCRO will not consider this type of documentation). Tenderers must ensure that they follow the protocol as set out in section 13.3.
- 13.6 The Tender awarded will be conditional and subject to successful negotiations and signing of a written contract, failing which the GCRO reserves the right to withdraw the Tender and to award another Tenderer without the need to repeat the same Tender process.
- 13.7 Should final contract negotiations with the preferred Tenderer not be concluded within 2 (two) weeks of the

tender award or the preferred Tenderer takes exception to certain terms in the Contract which the parties cannot agree to, the GCRO reserves the right to cancel the award and select an alternative Tenderer.