

Terms of Reference

Appointment of qualified registered built environment experts on Agrément South Africa's database to serve as assessors and evaluators of innovative and non-standardized products or systems for Agrément certification as fit for purpose

1. INTRODUCTION

Agrément South Africa extends a call for the submission of proposals from suitably qualified registered built environment experts to register with Agrément South Africa to serve as assessors and evaluators of innovative and non-standardized products or systems for Agrément certification as fit for purpose.

2. BACKGROUND

Agrément South Africa was established by a Ministerial delegation of Authority in 1969. Since its inception it has been administered by and housed at the Council for Scientific and Industrial Research (CSIR). The National Department of Public Works (NDPW) has effectively managed the process of creating Agrément South Africa as a juristic person. The Agrément South Africa Bill was tabled before the National Council of Provinces and the National Assembly in Parliament and passed. The Agrément South Africa Act was accented to by the Honourable President of the Republic of South Africa as Act No 11 of 2015. Agrément South Africa's main site is in Pretoria while it is represented in other provinces of South Africa. It is an independent public entity for the technical assessment and certification of fitness-for-purpose of innovative building and construction products or systems.

Agrément South Africa is bound by its mandate to support and promote the process of integrated socio-economic development in South Africa as it relates to the construction industry by facilitating the introduction, application and utilisation of satisfactory innovation and technology development.

The main objectives are:

- To certify non-standardised construction products or systems through technical assessment as being fit-for-purpose;

- To serve construction communities nationally by providing specifiers, regulators, financial institutions and users with assurance that the products or systems can be used; and
- Enabling the introduction of innovation into markets, and minimising associated risks.

3. INVITATION FOR REGISTRATION

Agrément South Africa recognises the role played by experts in the built environment in discharging Agrément South Africa's mandate. In this regard, the entity intends to broaden the list of external service providers in the built environment to build and strengthen Agrément South Africa's capacity. Experts will be utilised for the evaluation and certification of innovative construction products or systems on an on-going basis.

Agrément South Africa complies with procurement regulation by appointing registered built environment experts on Agrément South Africa's database as expert assessors and evaluators of innovative and non-standardized products or systems for Agrément certification as fit-for-purpose; thereby ensuring a consistent, fair, equitable, transparent, competitive, cost-effective and efficient procurement system.

It must be noted that your appointment as an expert on Agrément South Africa's database does not automatically constitute expert responsibilities to assess innovative and non-standardized products or systems for Agrément certification. If you are appointed on the database you will be approached as and when your service is required.

4. SCOPE OF WORK

Successful applicants will be invited to enter into an agreement either similar or according to Appendix A. Appendix A is therefore provided for information purposes and should not be construed as the final agreement to be concluded with the successful service provider. Applicants should peruse these appendix carefully prior to their submission as information relating to responsibilities, deliverables, reporting, scope of work etc. is also contained in the Appendix. The general duties and responsibilities of an expert are as described in detail under section 5 of the Draft Service Level Agreements under Appendix A.

The main responsibilities of the experts are as follows:

- Identify the relevant assessment criteria and in the absence of such criteria establish performance criteria appropriate to the properties and use of the product or system;
- Identify and establish suitable test methods or methods of assessment which may be applied in the measurement of performance;
- Establish the actual performance of the product or system in accordance with the methods established above; and
- Provide expert opinion and judgement of acceptability of the product or system in light of the measured or assessed performance against the appropriate performance criteria and make recommendations to Agrément South Africa Technical and Evaluation Committee (TECO) to approve the product or system as fit for purpose, impose limitations or conditions on the use of the product or system or recommend that approval be withheld.

4.1 Assessment and Evaluation

Given the absence of standards, Agrément South Africa bases its assessments and evaluations on the performance concept, whereby the required performance in use of a product or system is defined without specifying how such performance is to be attained.

Usually the assessments or evaluations are based on published performance criteria as well as approved test methods. These documents are intended for the guidance of experts, and must be used with circumspection and only to the extent to which they are appropriate.

The assessment or evaluation process must at all times be sufficiently comprehensive to confirm the overall fitness for purpose of the product or system in its “as built” or installed condition. This would include the ability of the manufacturer, installer or contractor to consistently manufacture, build or install the product to the required level of quality.

The results of the assessment or evaluation process and its conclusions must be able to withstand robust peer review and critical consideration by the Board of Agrément South Africa.

4.2 Invoicing

All invoices submitted by the Service Provider shall be signed by the Service Provider.

The Service Provider shall invoice Agrément South Africa for work already done and Agrément South Africa shall settle that specific account within 30 days after date of receipt of the invoice and all relevant

supporting documentation as required, subject to the submission and approval of deliverables as defined in the Terms of Reference.

All payments made by Agrément South Africa to the Service Provider shall be in compliance and subject to Agrément South Africa policies and procedures including any applicable legislation and or regulations.

5. SUBMISSION REQUIREMENTS

Documents to be submitted by the service providers are as follows:

- 5.1 Signed Covering letter on official letterhead stating the following:
 - Areas of expertise
- 5.2 The Terms of Reference was obtained and that the submission is based on the Terms of Reference.
- 5.3 The service provider has no undisputed commitments for Agrément South Africa services towards Agrément South Africa or other service providers in respect of which payment is overdue for more than 30 days.
- 5.4 The service provider has no conflict of interest in services to be rendered to Agrément South Africa (personal or otherwise).
- 5.5 Companies submitting a submission must provide the details and documentation of the individual experts proposed to serve as experts. In addition documentation relating to the company profile and company registration documents is also to be submitted.
- 5.6 Certified copy of qualifications.
- 5.7 Proof of registration with relevant Built Environment Professional Councils where applicable.
- 5.8 Curriculum Vitae(s) as per each expert proposed.
- 5.9 Proof of registration on National Treasury’s Central Supplier Database (CSD). It must be noted that no contract with a service provider will be entered into if such service provider is not registered on the CSD.
- 5.10 B-BBEE certificate.
- 5.11 Valid Tax Clearance certificate.
- 5.12 The documents as listed in the table below appear under the appendices and must also be completed and submitted with the proposal by the service provider:

Summary of appendices to be completed and submitted by the expert		
Document description	Document Reference number	Appendix Reference
Declaration of interest	SBD 4	Appendix B
Declaration: Abuse of Supply Chain Management Systems	SBD 8	Appendix C

6. EVALUATION CRITERIA AND METHODOLOGY

The following criteria and methodology will apply:

Item	Criteria Description	Weight
Phase 1: Functionality		
	Years registered as an expert (Primary Profession)	60
	Years with Agrément South Africa as an expert assessor	10
	No. of fields of expertise	10
	No. of previously disadvantaged experts working under primary expert	20
Total		100

The process of selection will have four phases:

- Phase 1: User department of Agrément South Africa to verify the basic compliance of the submissions and service providers;
- Phase 2: The service providers will need to obtain a minimum of 55%; failing which will result in the disqualification of your bid.
- Phase 3: The user department will formulate a recommendation for approval by TECO.
- Phase 4: Agrément South Africa to notify successful service providers, finalise Service Level Agreements and arrange for signing thereof.

6.1 EVALUATION PHASES (1 & 2)

Phase 1: Verification of Basic Compliance

Basic compliance is achieved if the service provider is registered on the National Treasury's Central Supplier Database (CSD). (This is a mandatory requirement); and if all the supporting documentation required by this terms of reference is submitted.

Non-compliance may result in the submission not being considered for expert assessor or evaluator.

Phase 2: Technical Evaluation

The service provider's submission will be evaluated against the set evaluative criteria indicated above. A form will be used which will reflect the name of the service provider, the different criteria, with space provided to record the points awarded and motivation for points awarded.

The following aspects relating to the evaluative criteria will be taken into account:

Years registered as an expert (Primary Profession)		
2 to 5 Years Registered as a Professional	6 to 10 Years Registered as a Professional	> 10 Years Registered as a Professional
Years of experience as an expert assessor with Agrément South Africa		
0 to 1 Years	1 to 2 Years	> 2 Years
No. of fields of expertise (Civil Eng., Mechanical Eng., Structural Eng. Etc.)		
0 to 1	1 to 2	> 2

The following matrix will be used for the scoring of the evaluative criteria:

Very poor	Poor	Fair	Good	Very good	Excellent
0	1	2	3	4	5

The following formula will be used to convert the points scored against the weight:

$$P_s = \frac{S_o}{M_s} \times 100$$

Where:

P_s = Percentage scored for functionality by submission under consideration

S_o = Total score of submission under consideration

M_s = Maximum possible score

Service providers will be expected to achieve a minimum threshold score of 55 in order to be recommended for approval by TECO.

Please note:

Proposals should not be qualified by the service provider's own conditions of procurement. Failure to comply with these requirements or to renounce specifically the service provider's own conditions of procuring, when called upon to do so, may invalidate the proposal.

Should any dispute arise from the contract, the matter shall be settled by means of mutual consultation, mediation (with or without legal representation), arbitration, or when unsuccessful, in a South African court of law.

7. ENQUIRIES

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8. DEADLINE

Proposals, must be submitted to Khathu Madzivha, at 1 Meiring Naude Road, CSIR, Building 17B, by 16:30 on 23 March 2018.

9. APPENDIXES

9.1 Appendix A – Draft Service Level Agreement

9.2 Appendix B – SBD 4

9.3 Appendix C – SBD 8