

Terms of Reference

Appointment of a service provider to render Catering Services for Agrément South Africa

1. Introduction

Agrément South Africa extends a call for the submission of proposals from suitably qualified service providers to provide catering services and all related requirements.

2. Background

Agrément South Africa was established in 1969 and had been operating within the CSIR under the auspices of its Built Environment Unit. In December 2015, Agrément South Africa was recognised as an independent agency that could provide an impartial judgement to the evaluation of innovative construction products and systems in the interests of the consumer and the construction industry at large.

The Agrément South Africa Act was accented to by the Honourable President of the Republic of South Africa as Act No 11 of 2015 from 1 April 2017. Agrément South Africa was thereby established as a Schedule 3A entity from 1 April 2017, where previously it had been transferred to the CSIR being a Schedule 3B entity with a staff compliment of 22 employees. The entity operates under a delegation of authority from the Minister of Public Works.

The main objectives are:

- To provide assurance of fitness-for-purpose of non-standard construction-related products and systems to those who specify requirements and to users;
- To support and promote the process of integrated socio-economic development in the Republic as it relates to the construction industry;
- To support and promote the introduction and use of certified non-standardised construction-related products or systems in the local or international market;
- To support policy makers in minimizing the risk associated with the use of non-standard construction-related products or systems; and

- To be an impartial and internationally-acknowledged South African centre for assessment and confirmation of fitness-for-purpose of non-standard construction-related products or systems.

3. Purpose

To provide high quality catering service with reasonable pricing methodology. To manage demand, professionally, for Agrément South Africa in terms of quality food, service and delivery on time. To provide dietary preference including halal meals and snacks in a variety of packages without minimum order requirements.

4. Scope of services

Agrément South Africa wishes to enter into a contract with one service provider to provide catering services for a period of 24 months.

- 4.1 The catering service provider is expected to serve Agrément South Africa, on a demand basis, a variety of food and beverages.
- 4.2 Additionally, the catering provider is expected to deliver the above-mentioned catering service on an ad hoc basis upon request.
- 4.3 Provide the crockery and cutlery, excluding the furniture (tables, chairs)
- 4.4 Be capable of managing and providing an in-house catering service for the entity when required.
- 4.5 Be capable of preparing food at a separate, offsite venue as and when needed (this venue will have to be approved by Agrément South Africa).
- 4.6 Provision for halal and vegetarian food must be made.
- 4.7 Be responsible for maintaining and cleaning the utilized serving areas upon completion of each event.
- 4.8 Utilize their own mode of communication should the need arise.

5. Deliverables

- 5.1 Deliver and supply catering as per specified menus in accordance with Agrément South Africa specifications.
- 5.2 Catering to be supplied at Agrément South Africa building or any specified location where a conference or workshop may be held.
- 5.3 The service provider must provide a quotation within ample time after request is received from Agrément South Africa.

- 5.4 The service provider to provide the catering quoted by no later than the agreed timelines the next day or on the day specified, irrespective of time constraints.
- 5.5 The service provider to provide all cutlery, crockery and table cloths, flowers and bouquets etc. (if required) per request to meet Agrément South Africa quality standards.
- 5.6 Food to be kept warm when necessary (caterer to provide own equipment for this purpose).
- 5.7 Service provider to set up and keep food wrapped / sealed appropriately until served, with cold or warm dishes as per requirement.
- 5.8 The service provider must ensure that a minimum of 2 staff members are present per 10 people served while serving and setting up or as the assignment requires.
- 5.9 The service provider must remove all left-over food, equipment and cutlery/crockery after all meals and leave the premises clean and tidy.
- 5.10 Service provider to set up 60 minutes prior to each requested time slot.
- 5.11 Food to be prepared and served in a professional manner as per acceptable health standards.
- 5.12 All catering shall be of a high quality, freshly prepared and acceptable to Agrément South Africa. The content shall be in accordance with good and accepted dietary quality and practice.
- 5.13 The service provider may not provide the same menu when booked for consecutive days.

6. Specifications:

- 6.1 Ensure that all equipment is removed from the premises; waste disposal is properly managed, disposed of or recycled;
- 6.2 Labour prospective bidders must include all transport costs related to the catering i.e. transportation of food; equipment; transport for waiters and/or waitresses for accreditation purposes etc.;
- 6.3 The successful service provider must render the required service in accordance with the agreed timeframes and specifications as indicated by Agrément South Africa;
- 6.4 It is important that the service provider should be flexible and willing to operate at any given time;
- 6.5 The successful service provider must ensure that all staff are equipped with the necessary skills to render catering services;
- 6.6 The service provider shall ensure that its employees are clean, healthy, neatly dressed, presentable and professional at all times whilst rendering the service
- 6.7 The supplier's employees shall and will be expected to be able to work well in a client- service environment; and

- 6.8 All complaints shall be handled by the nominated Agrément South Africa representative and the supplier, and will be addressed within 48hrs.

7. General

The service provider undertakes to:

- 7.1 Conduct business in a courteous and professional manner;
- 7.2 Provide the necessary documentation as requested prior to the awarding of the contract;
- 7.3 Comply with all relevant employment legislation and applicable bargaining council agreements, including UIF, PAYE, etc. Agrément South Africa may monitor compliance for the duration of the contract and implement penalties for non-compliance;
- 7.4 Manage internal disputes among his/her staff in such a way that Agrément South Africa is not affected by those disputes;
- 7.5 Comply with the Agrément South Africa security and emergency policies, procedures and regulations at Agrément South Africa premises;
- 7.6 Ensure that all work performed and all equipment used at Agrément South Africa facilities is in compliance with the *Occupational Health and Safety Act, 1993 (Act no. 85 of 1993)* and any regulations promulgated in terms of this Act and the standard instructions of Agrément South Africa;
- 7.7 Ensure that all the staff working on this project are adequately trained prior to the commencement of the project; and
- 7.8 Ensure that, for security reasons, Agrément South Africa is informed of any changes in staff related to the execution of the project.

8. Staffing

The service provider must:

- 8.1 Comply with existing labour laws and basic conditions of employment;
- 8.2 Ensure that only trained staff are utilized during the contract, and
- 8.3 Ensure continuous relevant training of staff.

9. Quality, health and safety management

The service provider must:

- 9.1 Ensure compliance with all requirements of the *Health and Safety Act and Regulations*; and

9.2 Ensure that all staff know how to handle fire hazards, fire extinguishers and are trained in first aid.

10. Record Keeping, Document Control and Management

The Service Provider is expected to keep all the records related to any aspect of the organization.

All records will be kept in accordance with the required management standards. Agrément South Africa will have the rights to any information, all records and deliverables generated for the purposes of this contract duration including availing all the records for audit processes.

11. Agrément South Africa undertakes to:

- 11.1 Manage the contract in a professional manner;
- 11.2 Provide appropriate information as and when required and only in situations where it is required by the service provider to fulfil their duties;
- 11.3 Not accept any responsibility for any damages suffered by the service provider or their staff for the duration of the contract;
- 11.4 Not tolerate any unfair labour practices between the service provider and their staff that happen during the execution of the contract activities; and
- 11.5 Not accept any responsibility for accounts/expenses incurred by the service provider that was not agreed upon by the contracting parties.

12. Additional Information

- 12.1 Agrément South Africa may request further information from any service provider after the closing date, for clarity purposes.
- 12.2 Agrément South Africa reserves the right to cancel any order where the delivery period indicated in the quotation / proposal is extended.
- 12.3 Agrément South Africa reserves the right to require delivery of the goods as specified, at the price quoted, regardless of any differences in specifications contained in the quotation.
- 12.4 Agrément South Africa reserves the right NOT to appoint any Service Provider or to withdraw this request for proposals.
- 12.5 Agrément South Africa reserves the right to split the awarding of the bid between two or more Service Providers or to award only a part of the bid.

13. Evaluation Phases:

Evaluation criteria		% weight								
1. Company background/profile	Bidder must provide the following; <ul style="list-style-type: none"> • Office address • List of regional branches • Number of years since rendering canteen and catering services <table border="1" data-bbox="475 450 1382 712"> <tr> <td data-bbox="475 450 916 517">< 1 years</td> <td data-bbox="924 450 1382 517">0 points</td> </tr> <tr> <td data-bbox="475 524 916 591">1 – 2 years</td> <td data-bbox="924 524 1382 591">5 points</td> </tr> <tr> <td data-bbox="475 598 916 665">3 – 5 years</td> <td data-bbox="924 598 1382 665">7 points</td> </tr> <tr> <td data-bbox="475 672 916 712">> 5 years</td> <td data-bbox="924 672 1382 712">10 points</td> </tr> </table>	< 1 years	0 points	1 – 2 years	5 points	3 – 5 years	7 points	> 5 years	10 points	40
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3 – 5 years	7 points									
> 5 years	10 points									
2. In-house catering/ canteen experience	List the number of currently and successfully completed/signed contracts in the last 2 years	20								
3. Management plan (methodology)	Management/ Operational Plan must include the following information: <ol style="list-style-type: none"> 1. Executive Summary 2. Business model 3. Human Capital Plan: Organizational structure indicating all relevant trades and qualifications 4. Implementation plan 									
Contactable references	An excellent track record in the identified field, substantiated by at least three signed references/letters from clients where service has been rendered (Letters must contain: name of client, term of engagement of the services rendered, quantum of matter, type of service/s rendered and outcome of matter). <p style="color: red; margin-top: 10px;">A minimum of 3 reference letters per area of specialisation that the bidder is tendering for with details of the service rendered are to be submitted.</p> <table border="1" data-bbox="475 1469 1382 1747"> <tr> <td data-bbox="475 1469 916 1570">No references or irrelevant references provided</td> <td data-bbox="924 1469 1382 1570">0 points</td> </tr> <tr> <td data-bbox="475 1576 916 1632">1 – 2 references provided</td> <td data-bbox="924 1576 1382 1632">5 points</td> </tr> <tr> <td data-bbox="475 1639 916 1695">3 to 4 references</td> <td data-bbox="924 1639 1382 1695">7 points</td> </tr> <tr> <td data-bbox="475 1702 916 1747">> 4 references</td> <td data-bbox="924 1702 1382 1747">10 points</td> </tr> </table>	No references or irrelevant references provided	0 points	1 – 2 references provided	5 points	3 to 4 references	7 points	> 4 references	10 points	40
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Proposals with functionality / technical points of less than the pre-determined minimum overall percentage of 70% and less than 50% on any of the individual criteria will be eliminated from further evaluation

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

$$Ps = \left(\frac{So}{Ms} \right) \times 100$$

Where:

Ps = Percentage scored for functionality by bid under consideration

So = Total score of bid under consideration

Ms = Maximum possible score

Service providers will be expected to achieve a minimum threshold score of 70% in order to proceed to Phase 2.

Phase 2: Calculation of points

Please note for quotations or bids above R30 000 up to R50 Million, ASA evaluates these in terms of the 80/20 preference point system where:

80 points are allocated for price and 20 points are allocated for the service provider's B-BBEE Level of Contribution. An original or certified copy of a B-BBEE certificate must be submitted to substantiate claims for preference points.

A due diligence process in a form of a presentation will be conducted in respect of all short-listed bidders. A set of questions will be posed during the presentation. Should the bidder fail to meet the requirements of the due diligence process, their proposal will be disregarded at this stage.

ASA also reserves the right to conduct an investigation of the bidder's financial position, previous contracts carried out, availability of skills or knowledge, existing work load, etc.

During phase 2, points for price will be calculated for all shortlisted service providers in accordance with the following formula

$$Ps = 80 \left(1 - \frac{Pt - P \min}{P \min} \right)$$

Where:

Ps = Points scored for price of quotation under consideration

Pt = Rand value of quotation under consideration

Pmin = Rand value of lowest acceptable quotation

The final points will be calculated as follows:

CRITERIA	SUB-CRITERIA	WEIGHTING POINTS
Price	Detailed budget breakdown	80
B-BBEE (Status Level Verification Certificate)	B-BBEE Level Contributor	20
TOTAL		100

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4

B-BBEE Status Level of Contributor	Number of points (80/20 system)
8	2
Non-compliant contributor	0

EMEs are deemed to have a B-BBEE status level four (4) contributor, in instances where EMEs are more than 50% black owned, such enterprises qualify for promotion to a BBEE status level three (3) contributor and points will be awarded accordingly.

Please note that the proposals will be evaluated using the 80/20 preference point system.

A recommendation for award will then be formulated for approval by the relevant delegated authority.

Agrément South Africa reserves the right to terminate the contract of the service provider within 30 days, should the services, quality and standards agreed upon not be adhered to.

14. Disqualification

- 14.1 Any effort by a bidder to influence the evaluation, comparisons or award decisions in any manner, may result in disqualification.
- 14.2 Agrément South Africa shall reject a quote / proposal if the bidder has committed a proven corrupt or fraudulent act in competing for a particular contract.
- 14.3 Agrément South Africa may disregard any quote / proposal if the bidder or any of its subcontractors:
- 14.3.1 Is not tax compliant
 - 14.3.2 Has abused the Supply Chain Management (SCM) system of Agrément South Africa, any other government department or any entity.
 - 14.3.3 Has committed proven fraud or any other improper conduct in relation to such system.
 - 14.3.4 Has failed to perform on any previous contract.
 - 14.3.5 Supplied incorrect information in the bid documentation.

15. Confidentiality

All information collected shall be treated with the highest level of confidentiality. This applies to the information acquired before, during and after completion of the contracted period, in compliance with *Act No. 4 of 2013, Protection of Personal Information Act*.

16. Required documentation for submission

- 16.1 Company profile.
- 16.2 Proven track record in providing professional catering services.
- 16.3 Tax certificate (Relevant to the latest year of submission);
- 16.4 SBD4- Declaration of Interest;
- 16.5 Bidders to be registered on the Government Central Supplier Database;
- 16.6 Preference Points Claim Form- SBD 6.1;
- 16.7 List of supporting documents of all company directors; and
- 16.8 A valid original tax clearance certificate in good standing
- 16.9 Pricing Schedule indicating basis for calculation of fees
- 16.10 A valid B-BBEE Certificate

17. Financial and compliance (minimum):

- 17.1 Registration with the National Treasury Central Supplier Data Base for Government is a pre-requisite. A valid registration number is required for all services;
- 17.2 All suppliers/contractors used are not on the Restricted Suppliers list;
- 17.3 The procurement of goods/ works/ services was not deliberately split into parts or items of lesser value merely to avoid complying with the requirements of the SCM policy/ SCM regulations;
- 17.4 The goods/ services were procured through transversal contracts (facilitated by the treasuries) as far as possible;
- 17.5 Quotes will be evaluated in accordance with the preference point system as prescribed by the PPPF Act for awards above the value of R10 000.00 (VAT included).
- 17.6 A valid B-BBEE Certificate is required for allocation of points for B-BBEE. In its absence (as prescribed in the B-BBEE Act), proof of annual turnover from the company's accountant or auditors will suffice.

18. Deadline

Important Notes:

- I. Contract will be for a duration of a year
- II. Pricing must be inclusive of VAT.
- III. Proposals must be emailed to tsaudi@agrement.co.za
- IV. The closing date for submission of proposals is the 08 August 2019 at 16:00 pm.
- V. **NO LATE SUBMISSIONS WILL BE ACCEPTED**

Written enquiries:

Supply Chain Management:

Procurement Official

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