

**TERMS OF REFERENCE FOR THE
APPOINTMENT OF A CONSULTANT FOR THE
DEVELOPMENT OF RESEARCH BRIEFS**

1) DEFINITIONS

Built Environment Professions	Built environment professions include architecture, engineering, construction project management, landscape architecture, quantity surveying, property valuation, town and regional planning, sustainable development and management, environmental management, geomatics and related.
Occupationally directed programmes/qualified	Occupational programmes/ qualifications are associated with a particular trade or occupation, resulting from work-based learning and involve knowledge, practical, and work experience components.

2) BACKGROUND TO THE CBE

The Council of the Built Environment (CBE) is a statutory body established in terms of the Council for Built Environment Act (No. 43 of 2000) and an entity of the Department of Public Works and Infrastructure (DPWI). The CBE is a schedule 3(a) public entity and is subject to compliance with the Public Finance Management Act (PFMA) Act No. 29 of 1999 and Treasury regulations. Sections 3(c) and (d) of the CBE Act mandate it to promote ongoing human resource development in the built environment, and to facilitate participation by the built environment professions in integrated development in the context of achieving national goals. It is an overarching body that lead, regulate, coordinate and advise the six Professional Councils namely: Architectural Profession, Landscape Architectural Profession, Engineering Profession, Property Valuers Profession, Project and Construction Management Professions, and Quantity Surveying Profession. The CBE also entered into a working relationship with the following professional bodies as part of the built environment family – South African Council for Planners, Environmental Assessment Practitioners Association of South Africa, and South African Geomatics Council. In the main, the central mandate of the Council for the Built Environment is to:

- Transform the Built Environment Industry
- Create skilled Built Environment professionals
- Expedite the empowerment of women, youth and persons with disabilities

The objects of the CBE are to:

- Promote and protect the interests of the public in the built environment
- Promote and maintain a sustainable built environment and natural environment
- Promote ongoing human resource development in the built environment
- Facilitate participation by the built environment professions in integrated development in the context of national goals.
- Facilitate participation by built environment professions
- Promote sound governance of the built environment professions
- Promote liaison in the built environment in the field of training, both in the Republic and elsewhere, and to promote the standards of such training in the Republic.
- Serve as a forum where the representatives of the built environment professions may discuss the relevant required qualifications, standards of education, training and competence, promotion of professional status and legislation impacting on the built environment.
- Ensure the uniform application of norms and guidelines set by the councils for the

professions throughout the built environment.

3) BACKGROUND TO THE ASSIGNMENT

The CBE Act mandates the CBE to advise Government on any matter that falls within the Built Environment, as well as to create platforms for engagements. The CBE and Councils for the Built Environment Professions (CBEP) have a role to play in proactively identifying, investigating, and informing trends and changes likely to have an impact on the Built Environment Professions and the sector. One of the key strategic priorities of the CBE Strategic plan 2020-2025 is to advise on issues impacting the Built Environment by:

- Providing thought leadership
- Prioritise research that is critical to the sustainability and growth of the sector.
- Making recommendations on built environment issues
- Analysing and forecasting industry trends
- Establishing a repository of data
- Informing national policy

This project is part of CBE's strategic priority to reposition itself as a thought leader on Built Environment issues. To implement this strategic priority the CBE has developed the Knowledge and Information Hub, an information and knowledge repository on various issues affecting the sector. The Built Environment Knowledge and Information Hub will promote skills, knowledge, and data development to be shared, analysed, interrogated, and harnessed to keep the sector abreast on relevant subject areas. It will further become a centre for access to data and knowledge for built environment knowledge and information and a platform designed to harvest, store, and retrieve research knowledge products serving students, professionals, public and private sector institutions, and the public. The Built Environment Knowledge and Information Hub will also serve as a repository of research outputs including academic and non-academic research reports, policy advisory briefs, technical briefs, special publications, position papers, conference proceedings and research papers. The research briefs that will be developed by the appointed consultant will be published in the Knowledge and Information Hub and the CBE website.

4) OBJECTIVE OF THE ASSIGNMENT

The objective of this assignment is to have the appointed service provider summarise CBE research reports and produce ten (10) research briefs.

5) SCOPE OF WORK

- **Research brief format:** Develop the structure and outline of the CBE briefs after preliminary discussions at the CBE.
- **Information Compilation:** Compile all the necessary data and documents required.
- **Content development:** write and edit the ten research briefs, ensuring accuracy, clarity, consistency and highlight the specific objectives, findings and recommendations of the CBE's research reports.
- **Design Collaboration:** Collaborate with the CBE marketing and communication team to align the research briefs with the corporate identity of the CBE, visuals, infographics and other design elements.
- **Review and Revisions:** Incorporate feedback from the CBE and make necessary revisions to the research briefs.
- **Standard:** Ensure that the ten final research briefs are of high grammatical, editorial and standard and adheres to the CBE corporate identity guide.

6) PROJECT TIMEFRAMES

The service provider for the research briefs will be appointed for a period of 2 months.

7) PROJECT DURATION AND MODALITY OF WORK

The duration of this assignment is for 60 days, noticing that due to the nature of the assignment, there may be periods of time when no actual writing takes place.

8) DELIVERABLES AND PAYMENT

The service provider is expected to deliver within the stipulated timeline. Please indicate your pricing accordingly:

Deliverable	Expected time (days)	Cost	Percentage payment
Submission of a document outlining the	Within five days of project	R	10%

structure and layout for the research briefs	inception		
Submission of first draft of research briefs	Within a month of project inception	R	30%
Submission of improved first draft research briefs and report of completed/outstanding activities	Within two weeks	R	20%
Submission of final research briefs and exit consultancy report	Within two weeks	R	40%

9) COMPETENCY AND EXPERTISE REQUIREMENT

The service provider must have the following:

- Qualifications: A minimum of a Master's Degree in the Social Sciences.
- Specific professional experience: Demonstrate a minimum of 5 years' experience in writing and editing publications.
- Excellent command of the English language
- Excellent command of communication and collaboration skills.

10) PRICING

The pricing of the project should include costs for:

- Development of a detailed project plan
- Reading of CBE research reports
- Development of research briefs

Please populate your pricing on the Table under Item 8 above.

11) LOCATION

The service provider will be required to work remotely; and on occasion attend virtual or physical meetings at the CBE (Pretoria).

12) REPORTING

The service provider will report to the CBE Research Unit.

13) MONITORING AND EVALUATION

The service provider will be expected to meet timelines set out in the project work plan and agreed with the CBE during the finalisation of the inception report. Indicators and targets will be determined and stipulated during the inception phase of the assignment. The CBE will be responsible for quality control of the research briefs to ensure that they are of good quality.

14) EVALUATION PROCESS

After the closing date, an evaluation panel will evaluate the proposals received. The following evaluation process shall be followed:

Pre-qualification Criteria: Bidders must meet the following pre-qualification criteria. Failure to meet this requirement will result in the disqualification of your proposal.

Potential service providers must be registered on the National Treasury Central Supplier Database (CSD). The CSD registration report must be submitted. Prospective bidders must be tax compliant. This proposal will not be awarded to any bidder who is not registered on the CSD, whose tax matters are not in order and/or is a restricted supplier.

**** The CBE reserves the right to verify the authenticity of the information submitted. The results of the verification will take precedence.**

Evaluation Phases:

Phase 1: Technical Evaluation

The bidders' proposal will be evaluated against the set criteria indicated under the *Evaluation Criteria* section below. A form will be used which will reflect the name of the bidder, the different criteria, with space provided to record the points awarded and motivation for points awarded. The allocation of points will not be affected on a basis of consensus.

The following scoring matrix will be used:

Unable to evaluate	Does not comply with the requirements	Partial compliance with requirements	Full compliance with requirements	Exceeds requirements	Exceptionally exceeds requirements
0	1	2	3	4	5

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

Where:

$$P_s = \left(\frac{S_o}{M_s} \right) \times 100$$

- Ps = Percentage scored for functionality by proposal under consideration
 So = Total score of proposal under consideration
 Ms = Maximum possible score

Bidders will be expected to achieve a minimum threshold score of **60%** in order to proceed further in the evaluation process.

A due diligence process will be conducted in respect of all short-listed bidders to determine the capability and ability of short-listed bidders to execute this contract. The CBE reserves the right to utilise any one or more of the below due diligence methods:

- Presentation by bidders with pre-determined questions being posed by the CBE. A set of pre-determined questions based on the submitted proposal will be posed. This will be evaluated based on a grading scheme of either consistent or not consistent with the proposal. Should more than 20% of the responses not be consistent to the bidder's proposal their proposal will be disregarded or
- An investigation by the CBE of the bidder's previous contracts carried out, availability of skills or knowledge, existing workload etc or
- Confirmation of the authenticity and content of the reference letters submitted (bidders must provide a minimum of **two** signed reference letters of the same/similar work undertaken even if this method is not selected for due diligence. Failure to submit the letters will result in the disqualification of your proposal. The reference letters must:
 - Be on the official letterhead of the issuing company
 - Not be older than three (3) years

- Bear the signature of an official authorized to do so
- Contain valid contactable details
- Purchase orders will also be accepted, subject to the CBE verifying the authenticity of the information submitted.

Should negative feedback be obtained from the aforementioned, that will render the bidder unsuitable to execute the assignment, their proposal will be disregarded at this point and they will not proceed for further evaluation. It must be noted that if a service provider has previously undertaken work for the CBE to which a positive report is on record, such report may be used for the purpose of due diligence if the selected method(s) above is/are unsuccessful.

Should the bidder meet the requirements of due diligence, their proposal will proceed to Phase 2.

Phase 2: Calculation of points

Please note that the proposals will be evaluated using the 80/20 preference point system where: 80 points are allocated for price and 20 points are allocated for the bidders' Broad-Based Black Economic Empowerment (B-BBEE) Level of Contribution.

An original or originally certified copy (it must be fresh ink and not a copy) of a correct and valid B-BBEE certificate (only SANAS accredited certificates will be accepted) OR valid original affidavit (whichever is applicable) must be submitted to confirm your B- BBEE Level. Failure to submit a B-BBEE certificate or sworn affidavit will result in the forfeiture of points. Failure to submit a correct and valid certificate or affidavit will result in the forfeiture of B-BBEE points. Only points for price will be allocated.

Any enquiries in respect of B-BBEE Status Level Verification Certificates may be directed to the B- BBEE Commission at 012-649 0918.

Bidders must note that affidavits must adhere to the requirements set out in The Broad Based Black Economic Empowerment Practice Guide 1 of 2022, Determining the validity of a Broad-based Black Economic Empowerment verification certificate, B-BBEE certificate and affidavit, paragraph 17. (Please ensure that your affidavit complies with the requirements set out under this paragraph. If one or more requirements are not met, it will render the affidavit invalid).

Special note: Bidders must please ensure that affidavits indicate the title of the deponent i.e. director or member or owner (please circle/underline the relevant title applicable to you); and the full financial year must be stated i.e. date, month and year

(not only the month and calendar year).

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where:

- Ps = Points scored for price of proposal under consideration
Pt = Rand value of proposal under consideration
Pmin = Rand value of lowest acceptable proposal

The final points will be calculated as follows:

- Points for price: 80 points
B-BBEE Status Level of Contribution: 20 points
Final points: 100 points

In accordance with section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000, the CBE reserves the right to apply the following objective criteria, based on current case law, in determining the final outcome of the award irrespective of which bidder scores the highest final points:

- 1) the rotation of contracts amongst suppliers following 2 awards by the CBE to the same supplier within a period of 12 months.
- 2) Protection of the environment
- 3) the receipt of an abnormally low or high price i.e. more than 10% below the estimated price or more than 5% above the estimated price.

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

Evaluation Criteria

The following criteria and weights shall apply when considering the proposals:

Criteria for Technical Evaluation	Weight	Scoring Guidelines
<p>Experience of the service provider relevant to the assignment.</p> <p>Bidder must provide a CV that demonstrates a minimum of 5 years' experience writing and editing publications. (Please list the number of years' experience writing and editing publications).</p>	40	<p>0= The bidder did not provide evidence of experience in writing and editing publications.</p> <p>1= The bidder provided a CV with 1-2 years' experience writing and editing publications.</p> <p>2 =The bidder provided a CV with 3-4 years' experience writing and editing publications.</p> <p>3=The bidder provided a CV with 5 years' experience writing and editing publications.</p> <p>4=The bidder provided a CV with 6-8 years' experience writing and editing publications.</p> <p>5=The bidder provided a CV with 9 years and above experience in writing and editing publications.</p>
<p>Publications</p> <p>Bidder must provide a minimum of three publications (report, policy brief, paper etc) they have written or edited.</p>	30	<p>0=The bidder did not provide evidence of publications they have edited or written.</p> <p>1=The bidder provided evidence of one publication they have written or edited.</p> <p>2=The bidder provided evidence of two publications they have written or edited.</p> <p>3=The bidder provided evidence of three publications they have written or edited.</p> <p>4=The bidder provided evidence of four-six publications they have written or edited.</p> <p>5=The bidder provided evidence of seven and above publications they have written or edited.</p>
<p>Qualifications</p> <p>Bidder must provide proof of a master's degree in social sciences.</p>	20	<p>0=The bidder has a diploma.</p> <p>1=The bidder has a bachelor's degree.</p> <p>2=The bidder has an honour's degree.</p> <p>3=The bidder has a masters degree.</p> <p>4=The bidder has a PHD degree.</p> <p>5=The bidder is an editor of a journal/newspaper etc.</p>
<p>Empowering Supplier</p> <p>The CSD report shall be used to determine the ownership statistics of the bidder. The CBE reserves the right to verify the authenticity of the information submitted</p>	10	<p>5 = 100% black female/ youth -owned entity</p> <p>4 = 100% Black owned entity</p> <p>3 = More than 51% black owned entity</p> <p>0 = No information submitted</p> <p>An additional point will be allocated if an entity has demonstrated that it has a disabled employee(s) or is owned by disabled persons.</p>
Total	100	
Minimum Threshold Score	60	

15) IMPORTANT CONDITIONS

- Protection of Personal Information - All bidders agree that personal information of persons related to or linked with bidders or respondents to this request for quotations/request for proposals or tender document is/may be required to fulfil the requirements for submitting a bid. All bidders agree that the CBE may collect, keep and process such information provided that the aforesaid uses shall be for purposes of evaluating the bid submitted. Where the information is sought to be used for other purposes, further and specific consent shall be obtained.
- Bidders shall note that any personal information that they may disclose to or share with the CBE pursuant to this request/Bid may be processed by the CBE in terms of the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). By disclosing or sharing any personal information, the bidder is unconditionally consenting to the processing thereof by the CBE, its stakeholders or partners of such personal information for purposes related to this request/Bid. Further, the bidder declares All consents required by the POPI Act or any other law applicable in respect of all personal information disclosed has been duly and legally obtained. Thus, the bidder hereby indemnifies the CBE against any civil or criminal action, administrative fine or other penalty or loss that may arise as a result of the processing of any personal information disclosed to the CBE pursuant hereto.
- Rates quoted should be inclusive of the items stipulated in section 10 (Pricing).
- Rates quoted must be inclusive of VAT (if VAT registered). Rates must be fixed over the two months contract period. No price adjustment will be permitted during the tenure of the contract.
- All Supply Chain Management compliant (required) documents must be completed in full and submitted. These include SBD 1, 4 and 6.1.
- Any award made to a Bidder under this RFP is conditional upon the Bidder accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which the CBE is prepared to enter into a contract with the successful Bidder.
- The General Conditions of Contract (GCC) are to be acknowledged and returned with your proposal.

- Bidders must submit the company registration documents (CIPC), share certificate and ID documents of all Directors. All parties forming a Joint Venture/Consortium for the purpose of this assignment must submit a separate CSD report for each party; and all SBD forms and GCC must be completed by each party to the Joint Venture/Consortium and submitted accordingly.
- Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements (where applicable). The CBE will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.
- The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.
- A Bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this RFP.
- In the event that the CBE allows a Bidder to make use of sub-contractors, such sub-contractors will at all times remain the responsibility of the Bidder and the CBE will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.
- The CBE reserves the right to disregard a bidders' proposal should it be found that work was previously undertaken for the entity to which poor performance was noted during the execution of such contract that subsequently lead to the cancellation of said contract in the last five years. Documentary evidence of poor performance without a cancellation of the contract may also result in the disqualification of the bidders' proposal.
- Any communication between the closing date and the award of the proposal by Bidders is discouraged.
- Whilst all due care has been taken in connection with the preparation of this RFP, the CBE makes no representations or warranties that the content of the RFP or any

information communicated to or provided to Bidders during the bidding process is, or will be, accurate, current, or complete. The CBE and its employees and advisors will not be liable with respect to any information communicated which may not be accurate, current or complete. If a Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the CBE (other than minor clerical matters), the Bidder(s) must promptly notify the CBE in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the CBE an opportunity to consider what corrective action is necessary (if any).

- Any actual discrepancy, ambiguity, error or inconsistency in the RFP or any other information provided by the CBE will, if possible, be corrected and provided to all Bidders without attribution to the Bidder(s) who provided the written notice.
- Bidders' attention is drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by Bidders or qualifying any Bid Conditions will result in the invalidation of such proposals.
- The CBE supports the spirit of Broad Based Black Economic Empowerment and recognises that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Against this background the CBE condemns any form of fronting. The CBE, in ensuring that Bidders conduct themselves in an honest manner may, as part of the evaluation process, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents.
- Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the Bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the proposal / contract and may also result in the restriction of the Bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the CBE

may have against the Bidder / contractor concerned.

- If a Bidder breaches the conditions of this RFP and, as a result of that breach, the CBE incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the Bidder indemnifies and holds the CBE harmless from any and all such costs which the CBE may incur and for any damages or losses the CBE may suffer.
- Proposals must be emailed electronically to both sthembile@cbe.org.za and Afika@cbe.org.za.
- **Bidders must please note that the CBE server can receive files to a maximum size limit of 150mb (inclusive of message content and attachment). Should files exceed this size limit, bidders may either send their files in separate emails or alternatively compress the files and submit.**
- The original or originally certified BBEE Certificates or sworn affidavits must be hand delivered to the 2nd floor, Lourie Place, Hillcrest Office Park, 179 Lunnon Rd, Hillcrest, Pretoria and deposited into the bid box before the closing date and time stipulated below.
- It is the responsibility of prospective bidders to ensure that their proposals are submitted before the closing date and time of the RFP.
- Proposals received after the closing time and date will not be considered for evaluation.
- The award of this RFP may be subject to price negotiation with the preferred bidders
- The CBE reserves the right not to award this contract.
- Any change of information provided in the bid document that may affect delivery by the successful bidder must be brought to CBE's attention as soon as possible. Failure to comply may result in the contract being terminated.
- The CBE will enter into a formal contract with the successful bidder.
- Should the bidder present information intentionally incorrectly/fraudulently their proposal will be disqualified.
- It must be noted that payment will be made upon satisfactory delivery of the service and receipt of an invoice. The invoice will be paid within 30 days of receipt thereof. No deposit and advance payments will be made.
- A shorter payment period may be agreed upon by the CBE and the successful service

providers and a supplier development agreement will be signed in this regard. To be considered for the shorter payment period the service provider must meet the following requirements:

- Be at least 51% black owned. Be an Exempt Micro Enterprise (EME) (Turnover under R10 million) or a
- Qualifying Small Enterprise (QSE) (Turnover less than R50 million), subject to the specific Sector Code.
- The closing date for submission of proposals is **25 March 2024 at 11:00**.
- Proposals will be valid for a period of 30 days after the closing date of the proposal.

**** Special Note: The CBE reserves the right not to award two contracts that are in direct conflict with each other to the same service provider.**

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