

# NORTH WEST DEVELOPMENT CORPORATION

(NWDC)



## REQUEST FOR PROPOSAL

NWDC/PRO048/2018

## TERMS OF REFERENCE (TOR)

### REQUEST FOR PROPOSALS (RFP) TO SERVE ON A PANEL OF MINING CONSULTANTS FOR THE NORTH WEST DEVELOPMENT CORPORATION (NWDC)

**Closing Date: 27 September 2018**

**Time: 12:00 pm**

**Delivery address:**

#### **MMABATHO BRANCH OFFICE:**

NWDC (SOC) LTD  
30 JAMES WATT CRESCENT MAHIKENG  
2745  
Work: 018 381 3665  
Fax: 086 530 3265

**BIDDER:** \_\_\_\_\_

## 1. **BACKGROUND**

The North West Development Corporation (NWDC) (SOC) Ltd is an established State Owned entity scheduled 3D in terms of the Public Financial Management Act (PFMA) No.1 of 1999. The North West Provincial Government (NWPG) holds 100% of the ordinary shares of NWDC. In terms of its mandate, the NWDC is established to assist in driving the economy of the provincial government of North West by delivering developmental projects efficiently and effectively, development of small businesses and promotion by identifying entrepreneurs and opportunities, providing financial services, business premises, and business support thereby influencing the small business environment positively.

The North West Province is engaged in an effort to improve and accelerate delivery of the Renewal, Reposition and Revitalisation (RRR) and the National Development Plan (NDP). The NWDC has been mandated to fast track this process in order to stimulate sustainable economic growth for the Province. The NWDC has a critical role in developing and promoting the range of investment products in the Province.

## 2. **PURPOSE**

The purpose of this Request for proposal is to invite panel of mining consultants with relevant mining skill and experience to form part of the mining consultants' panel for the corporation. The panel of mining consultants will offer, but not limited to the following consulting services:

- Mining project management
- Project planning and assessments (desktop studies)
- Project financial modeling and or business planning, (project costing) and
- Mining business plan review

## 3. **PROJECT IDENTIFICATION**

The NWDC has identified a need for the creation of a panel of mining consultants to provide technical assistance and support, in the implementation of prioritised mining projects. This creation of the panel is aimed at fastracking the achievement of the corporation's strategic objective in mining. The NWDC thus intends to create a panel of mining consultants experienced in the following Categories:

- Category A: Project Management in the Mining Sector
- Category B: Business plan analysis
- Category C: Investment and Capital Financing

#### **4. OBJECTIVE AND OUTPUTS OF A PROJECT**

Panel of mining consultants specializing in Mining are required to assist the corporation to best achieve the mining value chain processes. The NWDC wishes to create a panel of panel of mining consultants with relevant technical skills to assist in facilitating the implementation of mining projects. The NWDC further wishes to invite compatible panel of mining consultants to submit their bid documents to the address provided hereunder.

#### **5. SCOPE OF WORK**

The scope of work will include both project management and mining technical advice to the NWDC. This work will start with formal reviewing of mining proposals, assessing business plans, facilitating the development of possible partnership models, preparation of service level agreements, project management and possible capital raising for as and when required, the panel of mining consultants will be required to submit costed proposals to the corporation.

**The appointed mining consultant deliverable will include, but not limited to:**

- Review of the project(s) reports and develop and/or update business case(s) for each project(s);
- Develop a robust business and corresponding financial model, recommending the most optimal option;
- Recommend the most optimal structure for the project by analysing the existing project make-up, and structuring it if required;
- Develop final scoping of each project, prepare and package projects to maximize on financial returns;
- Assist with the design of a management vehicle/structure for each project;
- Provide advice on all mining technical matters relating to identified projects, and ensure compliance to all applicable laws, regulations and any policy frameworks;
- Assist with possible capital raising for each project.

#### **6. CONFIDENTIALITY**

A contractual pre-requisite is to comply with the NWDC's Confidentiality Agreements. It must be noted that all project information is confidential. All proposal writers will be expected to sign the NWDC Confidentiality Agreement once they are appointed.

## 7. TECHNICAL EVALUATION CRITERIA

It must be noted that the evaluation of the proposal will be conducted in one (1) stage:

### Stage 1: SUBMISSION OF FICA AND OTHER COMPLAINE DOCUMENTS

<b>_Authenticated copies are permissible</b>		
<b>No</b>	<b>Document</b>	<b>Checked (√/X)</b>
1	Company profile	
2	B-BBEE certificate (Only SANAS OR SWORN AFFIDAVITS)	
3	Company registration (CIPC) and Company Documents	
4	Confirmation of Residential Address or Business Address	
5	SARS Registration and Valid Tax Clearance Certificate	
6	VAT Registration Certificate	
7	CV, ID Copies and Profile of Directors, Team Members and Supporting Staff Members.	
8	Submit Certified Copies of Professional Body Membership (If any)	
9	Banking Details of the Company with a Bank Stamp (Not more than 3 months old)	
10	Confirmation letters from previous clients indicating success in similar projects at least (3) in line with the scope of work	
11	Proposal	
12	SBD 1 - Invitation to Bids	
13	SBD 2 – Tax Clearance Certificate Requirement	
14	SBD 4 – Declaration of Interest	
15	SBD 6.1 Preference points claim form in terms of the Preferential Procurement Regulations	
16	SBD 6.2 - Declaration certificate for local production and content	
17	SBD 7.2 – Contract Form – Rendering of Services	
18	SBD 8 – Declaration of Bidders Supply Chain Practices	
19	SBD9 - Certificate of Independence	

**NOTE:**

- Please Tick  if available and X if not available
- Clearance Certificate must be valid at time of submission of proposal.
- In case of a Consortium, Joint Venture or Subcontractor, the documents listed above must be submitted for each Consortium/ JV member or subcontractor. Attached with a certified copy of a JV agreement

**Non-submission of the above documents will render this proposal invalid**

**Stage 2 : TECHNICAL/FUNCTIONALITY STAGE:**

Proposal writers that scores less than 70 points out of 100 points in respect of the functionality, will be regarded as submitting a non-responsive proposal and will be eliminated from further evaluation process.

(A)	(B)	(C)	(D)
CRITERIA	DESCRIPTION	WEIGHT	FUNCTIONALITY RATING
Experience and Profile of a Company	Experience in mining and other relevant experience	20	5 points: 0-2years 10 points: 3-4years 20 points: 5years and more.
	Company Profile indicating a list as follows: Mining expertise; Legal and Regulatory expertise; Financial structuring expertise;	15	5 points : Mining expertise 5points : Legal and regulatory framework 5 points : Financial structuring expertise
Experience /expertise of Key Personnel	The project team members and other team assistants should have a minimum of five (5) years combined experience in the categories listed above.  Submit a general Curriculum Vitae and a statement for each of the key personnel which highlights specialization and experience that is relevant to a particular project.	20	5 points: 1-2 years personnel working experience (provide proof thereof); 10 points: 3-4 years personnel working experience (provide proof thereof); 20 points: 5+ more years personnel's working experience (provide proof thereof)

(A)	(B)	(C)	(D)
CRITERIA	DESCRIPTION	WEIGHT	FUNCTIONALITY RATING
Methodology	<p>A clearly defined delivery methodology as a mining consultant.</p> <p>It must demonstrate capabilities and understanding of participation in mining transactions, designing of partnering models.</p> <p>Also, it must indicate how the transfer of skills will be implemented.</p>	35	<p>15 points: Methodology demonstrating the understanding and implementing mining initiatives as a mining consultant in line with the attached scope of work.</p> <p>10 points: Sample of mining partnership models previously used in past projects.</p> <p>10 points: Skills transfer plan.</p>
Contactable references indicating success in completion of similar Projects	<p>Provide the list of contactable references (at least 3 confirmations letters indicating success in similar projects from companies/client's that you have done similar projects in with line with the scope of work). The reference should be in that Company's Letter head.</p>	10	<p>3 point : 1 references</p> <p>5 point :2 references</p> <p>10 points: 3 and more reference</p>

## 8. DURATION OF THE CONTRACT

The successful panel of mining consultants will form part of a mining consultant panel for a period of three (3) years.

## 9. SUBMISSION FORMAT

All respondents must submit one (1) original proposal copy (clearly marked- **NWDCPRO48/2018**) – **MINING CONSULTING PANEL**

The sealed envelope must be placed in the tender box at the Main Reception  
**NWDC Regional Office, 30 James Watt Crescent, Industrial Site, Mahikeng.**  
**By no later than 12:00 on the 27<sup>th</sup> September 2018.**

- a. Proposals must reach the above address on or before 27<sup>th</sup> of September 2018 @ 12h00.
- b. No late submissions shall be accepted.
- c. Bid Documents are late if they are received at the address given in the document; after closing date and time.
- d. Proposal writers are urged to provide the address at the back of your sealed proposal envelope.
- e. If a courier service company is to be used for delivery of the proposal document, the bid document description must be endorsed on the delivery note/courier packaging and the courier must ensure that documents are placed or dropped into the tender box. The NWDC will not be held responsible for incorrect delivery or delivery delays or loss of a proposal document.
- f. Proposals that are not received by the deadline will not be considered and will be returned to the proposer unopened
- g. No Electronic, Email or Faxed Proposals shall be accepted
- h. All costs related to this proposal shall be carried by the proposer.

## **10. LEGALITIES OF CONTRACT AND PROPOSAL RULES**

- **General Conditions**

The successful proposal writer (registration with relevant Governing Body) will apply to the Professional Team appointment.

- **Specific Conditions of the Contract**

Special Conditions that apply to this contract are as follows:

- The successful proposal writer to have access to internet as basis of communication (e-mail).
- The successful proposal writer will furnish NWDC with an invoice upon completion of each milestone (along with other required supporting documentation).
- The successful proposal writer will have to sign a Service Level Agreement with NWDC, immediately upon approval of the award.
- Ensure that the process is conducted in a transparent manner.
- The NWDC reserves the right to cancel the Request for proposal.
- The NWDC is not obliged to appoint the proposal writer with the highest points scored.
- The proposal writer shall prepare for a possible presentation should NWDC require such and the proposal writer shall be notified thereof no later than 3 (Three) days before the actual presentation date

**11. ENQUIRIES:**

Enquiries may be directed to the following person:

Scope/Terms of Reference	Proposal /Bid Document
<b>Tshepo Shai</b> – (018) 381 3663 Email: <a href="mailto:tshepos@nwdc.co.za">tshepos@nwdc.co.za</a>	<b>Mmapula Pholoana</b> – (018) 381 3663 Email: <a href="mailto:mmapulap@nwdc.co.za">mmapulap@nwdc.co.za</a>

**12. SECTION 2: GENERAL CONDITIONS OF PROPOSAL**

**12.1 Property Information**

North West Development Corporation (SOC) Ltd (NWDC) considers this Proposal and all related information, either written or verbal, which is provided to the respondent, to be proprietary to NWDC. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this specification or related information to any third party without the prior written consent of NWDC.

**12.2 Bid Validity Period**

Responses to this proposal received from proposal writers will be valid for a period of 120 days counted from the closing date of the submission of proposals.

**12.3 Compulsory Briefing Session**

No Compulsory Briefing Session is applicable.

**12.4 Supplier Performance Management**

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

The successful proposal writer shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the NWDC, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier performance level and ensure effective delivery of service, quality and value add to NWDC's business.

Proposal writers are required to comply with the above condition, and also provide a scorecard on how their product/service offering is being measured to achieve the objectives of this condition.



## **12.5 NWDC's Rights**

The NWDC is entitled to amend any proposal conditions, validity period, specifications, or extend the closing date of proposals before the closing date. All proposal writers, to whom the proposal documents have been issued, will be advised in writing of such amendments in good time.

The NWDC reserves the right not to accept any proposal in part or in whole. It normally awards the contract to the proposal writer who proves to be fully capable of handling the contract and whose proposal is technically acceptable and/or financially advantageous to the NWDC.

The NWDC reserves the right to award this proposal to a purely empowerment company or may award this proposal on condition that a joint venture with an empowerment company is formed. This will be added to the criteria when evaluating the proposals.

The NWDC reserves the right to award this proposal as a whole or in part without furnishing reasons.

NWDC reserves the right at all material times to extend the scope of work relating to this proposal to include all or some of the NWDC's Subsidiaries. Should this be the case, as a result thereof all the relevant implications will be negotiated between the NWDC and the successful proposal writer.

## **12.6 Undertakings by the successful proposal writer**

The proposal writer hereby offers to render all or any of the services described in the attached documents to the NWDC on the terms and conditions and in accordance with the specifications stipulated in this Proposal documents (and which shall be taken as part of, and incorporated into, this Proposal at the prices inserted therein).

Proposals submitted by Companies must be signed by a person or persons duly authorized thereto by a resolution of a Board of Directors, a copy of which Resolution, duly certified be submitted with the Proposal .

The proposal writer hereby agree that the offer herein shall remain binding upon him/her and receptive for acceptance by the NWDC during the validity period indicated and calculated from the closing hour and date of the Proposal . This proposal and its acceptance shall be subject to the terms and conditions contained in this proposal document.

The proposal writer furthermore confirm that he/she has satisfied himself/herself as to the correctness and validity of his/her Proposal response and that the price(s) and rate(s) quoted cover all the work/item(s) specified in the Proposal response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accept that any

mistakes regarding price(s) and calculations will be at his/her risk.

The proposal writer hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this agreement as the Principal(s) liable for the due fulfillment of this contract.

### **12.7 Reasons for Disqualification**

The NWDC reserves the right to disqualify any proposal writer which does any one or more of the following, and such disqualification may take place without prior notice to the offending proposal writer, however the proposal writer will be notified in writing of such disqualification:

- proposal writers who do not submit a valid and original Tax Clearance Certificate on the closing date and time of the bid;
- proposal writers who submitted incomplete information and documentation according to the requirements of this bid document;
- proposal writers who submitted information that is fraudulent, factually untrue or inaccurate information;
- proposal writers who received information not available to other vendors through fraudulent means; and/or
- proposal writers who do not comply with mandatory requirements as stipulated in this bid document.

