



**ELRC (15-16) T005: TERMS OF REFERENCE FOR THE PROVISION OF
SECURITY SERVICES FOR THE EDUCATION LABOUR RELATIONS
COUNCIL (ELRC) FOR THE PERIOD OF 3 YEARS**

1. INTRODUCTION

The ELRC is a bargaining Council established in terms of Section 37 (2) of the Labour Relations Act (LRA). The Council serves educators in the public education sector, specifically those employed in terms of the Employment of Educators Act 76 of 1998. The Council also serves the learners of this country by effectively resolving disputes in public education that involve the child as victim or witness and therefore comply with Section 28 of the Constitution of South Africa, which provides that the child's rights is of paramount importance in every matter concerning a child.

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2. OVERVIEW

- The purpose of the bid is to invite potential service providers to submit proposals with regard to the provision of security services to the ELRC for the period of 3 years. Based on the performance of the service provider the contract may be extended for an additional 2 years.
- The ELRC is currently refurbishing its offices based at address:
261 West Avenue
Centurion
0046
- The ELRC wishes to appoint a service provider to supply security staff to render physical security services at its premises once the refurbishment project has been completed.
- It is crucial for ELRC to ensure that the building is secured in accordance with access control to premises and vehicle Act, 53 of 1985, minimum physical security standards (MPSS).

3. SCOPE OF WORK

- Services of trained security personnel are required by ELRC to perform duties at the premises occupied by ELRC. The security services shall be provided on the property of ELRC and shall in general entail the following:
 - Patrolling of premises,
 - Access control,
 - Screening/Scanning of personnel /vehicles
 - Assets monitoring,
 - Personnel and members of the public escorted where required and
 - Protection from and/ or to buildings and general crime prevention measures as agreed upon.
 - The specific duties of security personnel in respect of the premises shall be as described in the specific duties of security personnel and Standing Operating Procedures (SOP's) of the Agency. These SOP's setting out the specific duties of the preferred bidder's security personnel shall be compiled by the preferred bidder at least 1 week before the security services commence. This SOP's may be amended from time to time, with the agreement of both parties.
 - The purpose of access control is to prevent the unauthorised access of persons and vehicles and prohibit bringing in of any dangerous objects on to ELRC property in

order to safeguard the people, the property and the premises. This is to ensure the safeguarding of premises, people, vehicles and contents of the building, the bidder must do this in terms of the following acts:

- (i) The application of the Control of Access to Public Premises and Vehicle Act, 1985, Section 2, 3 and 4,
- (ii) The Criminal Procedure Act, Act 51 of 1977, Section 20, 23(b) (as amended in the Criminal Procedure Amendment Act, 33 of 1986) Section 24, 29 and 42 (as amended in the Amendment of the Criminal Law Amendment Act, 59 of 1983) as well as Section 46, 49, 50 and 51,
- (iii) Section 13 of the Constitution regarding violations must be avoided,
- (iv) The Firearms Control Act 60 of 2000, section 10, 34, 90 and 106,
- (v) Private Security Industry Regulation Act 56 of 2001,
- (vi) Protection of Information Act 84 of 1982,
- (vii) Trespass Act 6 of 1959,
- (viii) Occupational Health and Safety Act 85 of 1993

4. PERSONNEL REQUIREMENTS IN TERMS OF SECURITY SERVICE

The scope of services shall include without limitation the following:

- The security hours of the services to be provided to the ELRC facilities shall be; **Monday – Sunday (24/7), 24 Hours daily (including weekends and public holidays)**
- The number of security guards and grades are set in the table 1; numerical scope of requirements below

| DESCRIPTION | QUANTITY | PERIOD | UNIT PRICE | TOTAL |
|-----------------------------|----------|--|------------|-------|
| Site supervisor Grade B | 2 | Monday to Sunday • 1x day shift • 1x night shift | | |
| Security Officer Grade C | 2 | Monday to Sunday • 1x day shift • 1x night shift | | |
| TOTAL | 4 | Subtotal | | |
| | | Vat | | |
| | | Total | | |

- All security staff shall be trained and knowledgeable about ELRC procedures and staff; this is the responsibility of the service provider.

- The service provider must arrange relievers where it is necessary or required
- That all lost articles/items are recorded accordingly, after which must be handed over the designated representative of the ELRC
Security Officers will be posted as follows:

| STATION | QUANTITY | SHIFT | PERIOD |
|---------------------------------------|----------|-------|-----------------|
| Entrance Gate, Escorting & Patrolling | 2 | Day | Monday - Sunday |
| Entrance Gate & Patrolling | 2 | Night | Monday - Sunday |

- Security equipment and documents required:
 - a) 2x Baton Sticks
 - b) 2x Two way radio
 - c) 2x Hand Cuffs
 - d) 1x Occurrence book
 - e) 2x Pocket books
 - f) 2x Register book for visitors and cars
 - g) 2x Torches
 - h) 1x Declaration register
- That all staff deployed to the ELRC sign the relevant non-disclosure contracts
- Must have contingency plans for the business continuity for the services in cases of interruption (i.e. labour unrest, natural disasters, civil disorders, etc.)
- Conduct a background check on the staff deployed to the ELRC
- Must have adequate fleet of vehicles for general emergencies and urgent requirements.
- Take out sufficient public liability insurance against any claims, cost loss and /damage ensuing from his/her obligations in carrying out duties and shall ensure that such insurance remain operative for the durations of the contract. A copy of such an Insurance policy should be made available to the ELRC on request.

5. DRESS CODE

- The following standard uniform will be required from the service provider:
 - **Male Security:** Full Corporate trousers, shirts, pull over, blazers and black shoes, etc.
 - **Female Security:** Full Corporate uniform, skirts/trousers, pull over, blazers and black shoes, etc.
- Security Officers posted at main gate will be responsible for maintenance of access control operations in accordance with the relevant security prescripts,
- One security officer shall be responsible for escorting visitors to and from the reception during the working days/hours shifts.
- Day Shift security officers should ensure that the parking lots are patrolled at all times during the shifts,
- Site Supervisor will be responsible for overall supervision of security services to be rendered and report to Council Management.

6. DELIVERABLES

- a) The successful bidder will be required to render physical security services for a period of three (3) years.
- b) At least three (3) reference letters from the services rendered to previous clients should be attached to the proposal. Manuals, company profiles and pamphlets and pictures must be provided with the proposal

7. MANDATORY REQUIREMENTS

In order to be considered each of the service providers are required to submit following;

- A Valid Original Tax Clearance Certificate
- Private Security Industry Regulatory Authority (PSIRA) certificate. Bidders must attach a valid PSIRA certificate for the company and Directors.
- Certified copy of ICASA certificate for the radio communications (Type Approval Certification and Radio Frequency Spectrum License)
- Certified copy of Workmen's Compensations (Letter of good standing from the office of the Compensation Commissioner and a certified copy of the Compensation for Occupational Injuries & Diseases Act (COIDA) registration certificate)
- Certified copy of Unemployed Insurance Fund Registration (certificate of compliance)
- Certified copy of Insurance Indemnity/letter of assurance from Insurance broker (company, directors and owners)

The Council reserves the right to conduct security background checks in respect of the selected bidders, their Directors and Staff.

In case of a Joint venture all parties must attach the required mandatory documents as above
Appointment of the successful bidder will be done subject to positive background checks.

8. MAINTENANCE SERVICE LEVEL AGREEMENT

- a) A Service level agreement will be signed between the Council and successful bidder for a period of three (3) years.

9. COMPANY EXPERIENCE

- Service providers should have at least five (3) years' experience in providing physical security services and should provide proof accompanied by correspondence from referees indicating that such project was executed.

10. PROJECT EXECUTION PLAN

- Project plan with intermediate and final outputs and identified timeframes/milestones.
- Proposed Methodology
- Management of the project

11. CONTINGENCY PLAN

Service providers should include contingency plans in their proposals

12. EVALUATION PROCESS

12.1. Compliance with minimum requirements

All bids submitted will be examined to determine compliance with bidding requirements and conditions (completed and attachment of compulsory documents). Bids with obvious deviations from the requirements/ conditions will be eliminated from stage one (1) of the evaluation process which is functionality.

12.2. Elimination of proposals on grounds of functionality

Bids that score less than 70 points on functionality section (Stage 1) will be eliminated from further participation in the bid evaluation process. Bids that score 70 points and above will be considered further in the evaluation process for price and B-BBEE (Stage 2).

12.3. Evaluation criteria

Each proposal will be evaluated in two stages, as follows:

Stage 1: Functionality

Stage 2: Pricing and B-BBEE Status

Stage 1: Functionality

| No | Criteria | Weight |
|---------------------------------|---|------------|
| 1. | <p><u>Company History and Profile</u></p> <p>Company Experience in providing physical security services;</p> <ul style="list-style-type: none"> - Less than 3 years' experience (2 points) - At least 3 years' experience (3 points) - More than 3 years' experience (4 – 5 points) | 25 |
| 2. | <p><u>Methodology and Approach</u></p> <p>Demonstrate the methods and the approach from a systematic and theoretical stand point in analyzing and executing the requirements (i.e. paragraph 4,5 & 6) (2 – 5 points)</p> | 35 |
| 3. | <p><u>Resources and Personnel</u></p> <ul style="list-style-type: none"> - Be able to demonstrate the capability to meet the requirements in terms of specified infrastructure requirements (i.e. control rooms, vehicles, uniforms, radio, etc.) - Project team to execute the project has adequate skills, qualifications and experience in delivery - Capacity to provide monthly management reports, etc. | 20 |
| 4. | <p><u>References</u></p> <p>At least three (3) reference from previous clients (3 points)</p> <p>More than (3) reference from previous clients (4 – 5 points)</p> <p><i>Attach documents</i></p> | 20 |
| TOTAL | | 100 |
| Minimum qualifying score | | 70 |

For purpose of evaluation functionality, the following values will be applicable:

| | | |
|----|-----------|---|
| 1= | Poor | Will not be able to fulfil the requirements |
| 2= | Average | Will partially fulfil the requirements |
| 3= | Good | The bidder will be able to fulfil the requirements |
| 4= | Very Good | The bidder will be able to fulfil better in terms of the requirements |
| 5= | Excellent | Fully Fulfil in terms of the requirements |

Stage 2: Price and BBEE

| CRITERIA | SUB-CRITERIA | WEIGHT/ POINTS |
|--|------------------------------|----------------|
| Price | Detailed quotation breakdown | 90 |
| B-BBEE Status level verification from accredited verification agencies | B-BBEE level contributor | 10 |
| TOTAL | | 100 |

Points awarded for price

The 90/10 preference points system for price will be utilized for procurement with a contract value above R1 000 000.00 (VAT inclusive).

The following formula would be applied:

$$Ps = 90 \times [1 - ((Pt - Pmin)/Pmin)]$$

Where:

Ps = Points scored for price of bid under consideration

Pt = Rand value of bid under consideration

Pmin = Rand value of lowest acceptable bid

Points awarded for B-BBEE status level of contributor

A maximum of 10 points will be awarded for B-BBEE Status Level of Contributor.

| B-BBEE Status Level Of Contributor | Number of Points |
|------------------------------------|------------------|
| 1 | 10 |
| 2 | 9 |
| 3 | 8 |
| 4 | 5 |
| 5 | 4 |
| 6 | 3 |
| 7 | 2 |
| 8 | 1 |
| Non-compliant contributor | 0 |

13. PAYMENT STRUCTURE

- The service provider will be requested to provide a quote regarding the work to be undertaken for the project.
- The total cost must be VAT inclusive and should be quoted in South African currency (i.e. Rands).
- A Detailed breakdown of the bid must be attached.

14. DISCLAIMER

- The ELRC reserves the right not to appoint a service provider. The ELRC reserves the right to:
 - Award the contract or any part thereof to one or more service providers.
 - Reject all bids.

- Decline to consider any bids that do not conform to any aspect of the bidding process.
- Request further information from any service provider after the closing date, for clarity purposes.

15. NOTES TO BIDDERS

This section outlines basic requirements that must be met. Failure to accept these conditions or part thereof will result in your proposal being excluded from the evaluation process.

- Requests for proposal documents should be submitted to the ELRC.
- Evaluation of proposals will be carried out by the ELRC. The evaluators will, if necessary, contact bidders to seek clarification on any aspect of the proposals.
- Supplier must sign the register at the reception ELRC, when delivering the bidding proposals.
- The tenders will be closed by no later than **11:00 Friday the 23rd October 2015**.
- Tenders should be submitted in sealed envelopes and endorsed "**Tender No. and Description**" must be delivered at the **main reception at: ELRC, 240 Lenchen Avenue South, SACE Building, Block 1, 1st Floor Centurion 0046 (during office hours 08h00 – 16h00)**.
- **Bidders must submit one (1) original proposal.**
- Two (2) enveloped system must be utilized with one (1) envelope containing Bid functionality proposal and the other envelope containing the Price and BBEE certificate.
- Late tenders, as well as faxed, e-mailed or tenders submitted via telegram will not be accepted.
- Revised terms of reference are downloadable on the website, www.elrc.org.za from Wednesday the **23rd September 2015**; no bid documents will be downloaded for the public by staff members of ELRC.

16. VALIDITY OF PROPOSALS

The Bidder is required to confirm that it will hold its proposal valid for **90 days** from the closing date of the submission of proposals.

17. GENERAL

BELOW ARE THE REQUIREMENTS FOR THIS SERVICE

17.1. Kindly complete and submit the ELRC Supplier registration form if not already on our database and submit together with:

- Valid original tax clearance certificate. (mandatory)
- SBD Forms
- Detailed price proposal (please complete the SBD 3.3)
- Valid certified B-BBEE status level verification certificate.

17.2. Further information regarding technical matters can be sent to: Mr. Selaelo Moloisi on e-mail address: selaelom@elrc.org.za or Tel (012) 663 7446

17.3. Further information regarding supply chain matters and queries can be sent to: Mr. Phepishi Lebogo on e-mail address: phepishil@elrc.org.za or Tel 012 663 7446

18. THERE IS NO BRIEFING SESSION

19. SUBMISSION OF PROPOSALS

19.1.1 Proposal should be submitted on **23rd October 2015** by no later than 11:00 to the following address:

The SCM Officer
240 Lenchen Avenue South
SACE Building, Block 1, 1st Floor
Centurion
0046

19.1.2 The selection of the qualifying proposal will be at the ELRC's sole discretion. The ELRC does not bind itself to accept any particular bid/proposal and the ELRC reserves the right not to appoint the service provider.

20. APPROVAL

APPROVED BY: FOCA N.

DATE: 23/09/15

SIGNATURE: 