

TERMS OF REFERENCE

THE PROVISION AND MANAGEMENT OF AN ANONYMOUS WHISTLE BLOWING REPORTING PLATFORM ON BEHALF OF MAGALIES WATER

DETAILED TECHNICAL SPECIFICATION

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1. BACKGROUND

Magalies Water recognises the fact that unethical conduct, fraud and corruption within Magalies Water could be detrimental to good, effective, accountable and transparent governance and these can endanger the economic stability of Magalies Water and have the potential to cause reputational and brand damages. Magalies Water has therefore realised that there is a need for procedures in terms of which employees, businesses, stakeholders and the entire community may, without fear of reprisals, disclose information relating to suspected or alleged unethical conduct, fraud and corruption affecting Magalies Water.

The Office of the Chief Executive Officer is responsible for the investigation of complaints and allegations pertaining to Magalies Water. These complaints could be arising from a variety of sources. Magalies Water has, therefore, seen the need to have an independent reporting platform/ tip-off mechanism so that fear and potential consequences to the reporting employees and public can be contained or kept safely.

2. SCOPE OF WORK

Magalies Water invites service providers to submit proposals for management of a professional, safe and secure, and ethical anonymous disclosure platform that will encourage Magalies Water employees, and any other stakeholder, to report fraud, theft and/or any other irregularities within the organisation in a safe and harassment free environment for a period of 36 months.

The successful bidder shall have shown that capabilities are in place:

- 2.1 To provide and manage the anonymous reporting of dishonest, illegal and/or inappropriate activities, contraventions of codes of conduct, sexual harassment, racism, nepotism, etc., that could be taking place at the Magalies Water.

- 2.2 For the visible display of the range of communication channels, which can be used for the disclosure of information that may be of interest to Magalies Water.

- 2.3 For the timeous and regular reporting by Magalies Water internal stakeholder of all irregularities disclosed.
- 2.4 To receive and analyse all claims of irregular activities with a strong ability to distinguish between legitimate claims and prank calls to avoid wasteful expenditure by the Magalies Water.
- 2.5 Assist with the creation and maintenance of the culture of reporting unwanted behaviours through awareness campaigns within the Magalies Water, among others.
- 2.6 Provide assurance / guaranteeing the anonymity and protection of the whistle-blowers.

3. MAGALIES WATER'S REQUIREMENTS

All the Proposals are required to include detailed information taking into account the list below.

- 3.1 Your company's experience in providing a similar service
- 3.2 Is it the core business of your Company or an add-on?
- 3.3 Profile and experience of Contact Centre Agents (CVs)
- 3.4 Security of Agents — Truth Verification Testing

- 3.5 Independence of auditing or legal firms
- 3.6 Operating hours - availability 24 hours a day, 7 days a week
- 3.7 Multilingual Agents - Number of languages used at the Call Centre/s
- 3.8 Must be able to provide Magalies Water with the following other reporting channels:
 - 3.8.1 The trigger number that Magalies Water toll-free call 0800 Number can be linked to.
 - 3.8.2 Cell phone number for SMS
 - 3.8.3 Unique e-mail address
 - 3.8.4 Fax number
 - 3.8.5 Website template
 - 3.8.6 Freepost address
- 3.9 Extensive range of promotional materials
- 3.10 Support staff to assist with awareness campaigns
- 3.11 Give a detailed explaining of how the reporting will be done to Magalies Water management. I.e. via website using a unique PIN, SMS, etc. Please elaborate.
- 3.12 Frequent employee awareness survey from a sample of employees' capabilities.
- 3.13 Full secure digital recording of all calls
- 3.14 Should have off site back-up of the Call Centre to ensure business continuity and allow Magalies Water to audit.
- 3.15 To provide a 24-hours access to top management.

4. EVALUATION CRITERIA

Responses will be evaluated using a pre-defined set of evaluation criteria. The evaluation criteria are designed to reflect Magalies Water' requirements in terms of identifying a suitable service provider and to ensure the selection process is transparent and afford all bidders a fair opportunity for selection.

Over and above the items listed in Item 3 above, the following criteria will also be used.

Criteria	Weight
Technical Criteria (75)	
A. Planning, Implementation, Monitoring and Evaluation: Bidders to present methodologies and approach to be used taking into Account the Scope	[40]
Breakdown of A	
Company / Entity's Compliance (Registration, Tax Status, MAAA...and CSD, Banking Details, etc.), i.e., Submission of All the Documents = 10 - Non-Submission = 0 and immediate disqualification	10
Proposal Comprehensiveness, e.g., - Innovativeness and time efficiency (10) - Approach proposed (10) - Other proposed models (5)	20
<u>Technical / Functional Requirements</u>	
	10

The suitability of the approach that will be used to implement the solution in Magalies Water environment.		
B. Skills, Experience and Track record		60
Skills and Experience		[40]
<u>Company profile and Experience</u>		
The profile of the company, including number of years in service, size, etc.		15
0 — 3 years (5/15)		60
4 — 5 years (10/15)		
6 + years (15/15)		15
<u>Company Personnel Skills and Experience in handling allegations</u>		
Staff CVs and Referral / Referees' Letters for employees and from other Companies for which Tip-offs are handled.		10
<u>Registration with the recognised professional body that specialises in fraud and corruption, governance and related fields.</u>		

Track record	[20]
Similar Projects' Proof	
- Completed Number of Clients /Table provided	5
- Attach 2 Referee Letter/s (No Letter = 0, Y Letter = 5)	10
- No proof / No Letter but details in the Table (0-5)	5

Phase 2: B-BBEE and Price

Criteria	Weight
B-BBEE	20
Price	80

5.0 MANDATORY DOCUMENTS FOR ALL SOUTH AFRICAN SUPPLIERS

- 1) CSD Report.
- 2) Valid BBEE Certificate (e.g., from SANAS accredited Verification Agency)/ Sworn Affidavit with the commissioners stamp.
- 3) Failure to submit above mandatory documents will automatically render the proposal disqualified.

6.0 COMMUNICATION

All required documentation to be submitted in English. Respondents are further warned that a response will be liable to disqualification should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of Magalies Water in respect of a RFQ.

A respondent may, however, BEFORE THE CLOSING DATE AND TIME direct any enquiries relating to the RFQ to the Magalies Water employee as indicated below.

7.0 COST OF BIDDING

The tenderer shall bear all costs and expenses associated with preparation and submission of its RFQ and Magalies Water shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

8.0 GENERAL TERMS AND CONDITIONS

The MW requires all Bidders to understand that this Company

- Is entitled to amend any quotation/proposal conditions, validity period, and specifications, i.e., to extend the closing date and/or shorten the time of RFQ to before the original closing date.
- May vary, alter, and/or amend the terms of this quotation/proposal at any time prior to the finalisation of its adjudication.

- Shall, to all respondents to whom the quotation/proposal documents have been issued, advice in time and in writing of such amendments.
- Shall verify any information contained in a quotation/proposal received.
- May not accept or appoint any Bidder.
- Advises that an omission to disclose material information, factual inaccuracy, and/or misrepresentation of fact may result in the disqualification of the submission.
- May call the Bidders for a presentation if the Magalies Water deems it so fit.
- Reserves the right not to accept the lowest proposal or any proposal in part or in whole.

9.0 PROPRIETARY INFORMATION

The Magalies Water considers this Request for Quotations/Proposal and all related information, either written or verbal, which shall be provided to the Bidder/s, to be the proprietary to Magalies Water. It shall be kept confidential by the Bidder and its officers, employees, agents and representatives. The Bidder shall not disclose, publish, or advertise this specification or related information in part or as a whole to any Third Party without prior written consent of the Magalies Water. This condition shall apply regardless of whether the recipient of this Request for Quotation/ Proposals Document has responded to this Call or not.

9.1 Submission of Proposals

The Quotations and the accompanying Proposals shall bear the Reference / Name provided for this request and shall be submitted for the attention of Mr. Hezekiel Lukele to the following address:

Magalies Water
38 Heystek Street
Rustenburg
0300

OR Email address

hezekiell@magalieswater.co.za

Responsibility lies with the respondents to ensure that the Quotations/proposals are submitted at the above mentioned address by no later than the specified date above.

9.2 Enquiries

For any further queries relating to the technical part of the request/proposal, please contact, in writing, hezekiell@magalieswater.co.za or sethabilen@magalieswater.co.za with the subject **MANAGEMENT OF AN ANONYMOUS WHISTLE BLOWING REPORTING PLATFORM ON BEHALF OF MAGALIES WATER.**