

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

1. INTRODUCTION

The Mining Qualification Authority (MQA) is a public entity established in terms of section 45 of the Mine Health and Safety Act, Act No. 29 of 1996 (MHSA) and is regarded as a Sector Education and Training Authority (SETA) in terms of item 4A to the second schedule of the Skills Development Act, Act No. 97 of 1998 (SDA). The MQA is listed as a schedule 3(a) public entity in terms of the Public Finance Management Act No. 1 of 1999 (PFMA) and has an Accounting Authority (the Board) that is constituted in terms of the SDA.

As required by legal statute in accordance with the Public Finance Management Act (PFMA), government agencies must insure organisational assets against known risks.

2. OBJECTIVE OF THE REQUEST FOR PROPOSALS

The MQA requires the services of a reputable, capable and effective service provider to provide insurance brokerage services and claims services in all aspects of the MQA business.

3. SCOPE OF WORK

- 3.1 Manage and administer all claims and procedures for the MQA, irrespective of the location, as will be agreed upon in the contract.
- 3.2 Maintain the schedule/list of insured assets.
- 3.3 Ensure that the MQA is adequately covered at all times.
- 3.4 Submit monthly reports to MQA of all the reported claims and added assets.
- 3.5 Obtain quotations from underwriters.
- 3.6 Monitor and account for premium payments and refunds.
- 3.7 The service provider must ensure that the MQA is covered on the following:
 - 3.7.1 **Assets:** to cover all assets contained in the MQA fixed asset register (Excluding Buildings) and new assets acquisitions that are not yet included in the fixed assets register at replacement values.
 - 3.7.2 **Public Liability;** to cover the MQA against claims involving illness, injury death, damages to third party property including but not limited to; defamation. **(Limit of Indemnity/Sum Insured – R2 500 000,00)**

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

3.7.3 **Directors' & Officers'**; to cover the Executive and Non-Executive directors of the MQA against the claims made against them. The policy must cover the Executive and Non-Executive directors against damages, judgements, settlements and defence costs. **(Limit of Indemnity/Sum Insured – R5 000 000,00)**

3.7.4 **Fidelity Guarantee**; to cover direct financial loss due to acts of fraud, forgery, alteration, robbery and safe burglary, computer fraud, extortion or dishonesty. **(Limit of Indemnity/Sum insured – R1 500 000,00)**

3.7.5 **Business Interruption**

A cover for financial loss suffered following interruptions of the MQA business. This should include but not limited to, fixed expenses, operating expenses and additional working expenses that the MQA will be liable for.

3.7.6 **Events**

A cover that indemnifies the MQA for damages which the event organizer (MQA), shall become legally liable to pay consequent upon accidental death of or bodily injury to or illness of any person or accidental loss of or physical damage to any person occurring within the territorial limits during the period of Insurance in the course of or in connection with the event. **(Limit of Indemnity/Sum insured – R2 500 000,00)**

3.7.5 **Travel**

A cover for employees and directors of the MQA whilst travelling on local and international business journeys and incurs medical and related expenses as a result of illness or injury or liability and loss or damage to personal property. **(Limit of Indemnity/Sum insured – R2 500 000,00)**

3.7.6 **Cyber Risks**

A cover for liability arising from Multimedia, Security and Privacy, Data Recovery & Loss of Income, Privacy Regulatory Defence and Penalties, Crisis Management Costs and Data Extortion. **(Limit of Indemnity/Sum insured – R2 000 000,00)**

4. EXPECTED OUTCOMES AND DELIVERABLES

- Obtain quotations from the underwriters.
- Update the insured assets schedule/list with assets additions and disposals.
- Administer the claims on a daily basis.
- Provide evidence of premiums paid to the underwriters and the commission charged.
- Provide monthly reports of all the reported claims, outstanding claims and added assets.
- Conduct the quarterly reconciliations of the assets register and insured assets schedule/list and report thereon.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

- To continuously advise the MQA on any suggested changes to the insurance policy, or make recommendation regarding insurable risk for the MQA.
- Provide a detailed assurance that MQA is adequately covered at all times.
- Attend to and provide feedback on all the claims submitted within a turnaround time agreed on with the MQA.
- Keep the MQA up to date with the latest amendments to the Legislation on Insurance.

5. INTERGRITY AND CONFLICT OF INTEREST

The service provider shall, at all times, exhibit the highest level of integrity in performing all professional assignments, and will accept only assignments for which there is a reasonable expectation that the assignment will be completed with professional competence.

The successful service provider will be required to conduct the assignment and compile the required reports with the utmost integrity, honesty and collect sufficient, appropriate evidence to ensure that the ultimate Broker will assist the MQA to achieve its business objectives.

6. DURATION

The successful bidder will be expected to commence with the work by **01 June 2022** and conclude the project by **31 March 2027**.

7. CONTENT OF THE PROPOSAL

The service provider wishing to submit proposals is required to include the following documents:

- 7.1 A short profile of the service provider; and
- 7.2 All the documents required as per the evaluation criteria.

8. SUBMISSION

One (1) set of original proposal documents accompanied by four (4) hard copies and/or Electronic submissions to tenders@mqa.org.za.

NB: Electronic submission of the proposal documents is allowed, the electronic submissions may be forwarded to tenders@mqa.org.za. Please ensure that your email size is not more than 10MB, otherwise, please split your email to emails of a size that is within the specified size.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

9. PROJECT PRICING

9.1 The amount quoted must be denominated in South African Rand, and should include VAT.

9.2 The quoted price should be as per the scope work (Paragraph 3) clearly indicating the premium and brokerage fees for the period of the contract.

9.3 Below is a guiding pricing schedule table:

Name of Bidder	XXX					
	Year 1 (10 months)	Year 2	Year 3	Year 4	Year 5	TOTAL
Categories						
Assets						
Director & officers						
Public Liability						
Fidelity Guarantee						
Business all risk						
Events						
Travel						
Cyber Risks						
Broker Fee						
SASRIA						
TOTAL Excluding VAT						
VAT @15%						
TOTAL Including VAT						

9.4 In line with the Preferential Procurement Regulations 2017; the MQA may subject the award of the tender to price negotiation with the preferred bidder. This will however be exercised subject to the following principles:

- Negotiation may not allow any preferred bidder a second or unfair opportunity;
- Is not detriment of any other bidder; and
- Does not lead to higher price than the bid as submitted.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

10. EVALUATION CRITERIA

Proposals for the appointment of the service provider will be evaluated in three (3) phases. The first phase will be compliance and mandatory requirements, the second phase will be functionality, and the third phase will be pricing in accordance with the Supply Chain Management Procurement policies (Preferential Point System).

10.1 PHASE ONE (1): COMPLIANCE AND MANDATORY REQUIREMENTS

10.1.1 RETURNABLE DOCUMENTS TO BE SUBMITTED

- a. Proof of registration on Central Supplier Database System (CSD)
- b. Valid Tax Clearance Certificate (Refer to SBD 2: Tax Clearance Certificate Requirements) or Tax PIN;
- c. SBD 1: Invitation to Bid fully completed and appropriately signed;
- d. SBD 3.3: Pricing Schedule fully completed and appropriately signed;
- e. SBD 4: Declaration of Interests Form fully completed and appropriately signed;
- f. SBD 5: The National Industrial Participation Programme (if applicable);
- g. SBD 6.1: Preference Points Claim Form, fully completed and appropriately signed;
- h. SBD 8: Abuse of Supply Chain Management System, fully completed and appropriately signed; and
- i. SBD 9: Certificate of Independent Bid Determination, fully completed and appropriately signed.

NB: Bidders who fail to submit the above documents will be disqualified and will not be evaluated further, however, to the extent that the applicable laws and regulations permit, bidders will be contacted to address outstanding information within a reasonable timeline as determined by the MQA. The request of such outstanding information will not be information that affect the substance of the bid or give a bidder unfair advantage to the other bidders.

10.1.2 MANDATORY REQUIREMENTS

Certified copies of the following proof of Accreditation / Registration must be attached:

- Financial Intermediaries Association of Southern Africa (FAIS) membership, and
- Financial Service Provider (FSP) Licence with Financial Sector Conduct Authority (FSCA) including the annexure indicating authorisation to provide financial advisory and intermediary services in Short-term Insurance.

NB:

- **Bidders who fail to meet the mandatory requirements will be disqualified and will not be evaluated further.**
- **All certified copies must have been certified within a period of six (6) months prior to the closing date of the bid.**

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

10.2 PHASE TWO (2): FUNCTIONALITY

Bids will be evaluated individually on score sheets by a representative evaluation panel according to the evaluation criteria indicated below.

These functionality criteria will be broken down into a rating of no submission, poor, fair, satisfactory, very good and excellent.

The proposals will be evaluated on a five point scale as follows:

0 = Required documents not submitted.

1 = Poor, does not meet criteria.

2 = Fair, less than acceptable. Not sufficient for performance requirements.

3 = Satisfactory, adequate for the performance requirements.

4 = Very Good, above the average compliance to the requirement.

5 = Excellent, exceptional mastery of the requirement.

KPA	ELEMENT	WEIGHT	SCORING MATRIX
1. Experience of the Bidder in Insurance brokering services.	<p>Proven company experience and expertise in providing Insurance brokering services.</p> <p>Submit a minimum of three (3) reference letters.</p> <p>For the reference letter to comply it must have the following:</p> <ul style="list-style-type: none"> ➤ Be on the client’s letter head, signed by relevant officials, dated, with contactable details (email/phone numbers), work done within 3 (three) and must have been issued within a period of Three (3) years prior to closing date of request for proposal. ➤ narrating the Insurance brokering services that was done. ➤ Was executed successfully within timeframes. <p>NB: The MQA reserves the right to contact the provided reference clients via their provided contact details and should such reference clients not confirm the work and services as in the reference letter. The MQA shall consider such provided letter to not be compliant.</p>	35	<p>0. = No submission /submission of irrelevant documents</p> <p>1. (Poor) = 1 signed reference letter satisfying the minimum requirements set out in the element.</p> <p>2. (Fair) = 2 signed reference letters satisfying the minimum requirements set out in the element.</p> <p>3. (Satisfactory) = 3 signed reference letters satisfying the minimum requirements set out in the element.</p> <p>4. (Very good) = 4 signed reference letters satisfying the minimum requirements set out in the element.</p> <p>5. (Excellent) = 5 or more signed reference letters satisfying the minimum requirements set out in the element.</p>

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

<p>2 Capacity to deliver (Experience of the key personnel and Qualifications of the key personnel)</p>	<p>1. Provide a CV of a key personnel/account manager who will be assigned to this project for the duration of the contract. With a minimum of 3 years' (36 months) experience as an insurance broker.</p> <p>The CV must include the number of years or months per each company worked for, period, position and clearly showing duties or responsibilities.</p> <p>NB: A CV that does not meet the above requirements will not be considered.</p> <p>2. Provide certified copies of National Senior Certificate, National diploma (NQF 6) and/or a minimum of a Degree (NQF 7) or equivalent in Insurance, Actuarial Science, Commerce General or any other relevant discipline and FSCA Regulatory Exams levels 1 and 2 certificates for a key personnel/account manager who will be assigned to this project for the duration of the contract.</p> <p>NB: all certified copies must have been certified within a period of six (6) months prior to the closing date of the bid.</p>	<p>45</p>	<p>0. = No submission /submission of irrelevant documents</p> <p>1. (Poor) = A CV with less than 24 months' experience with no qualifications or qualifications below the minimum required in the elements.</p> <p>2. (Fair) = A CV with 24 months to 35 months' experience and Certified copy of National Senior Certificate.</p> <p>3. (Satisfactory) = A CV with 36 months to 48 months experience, and Certified copies of National Senior Certificate and National diploma (NQF 6) or equivalent in Insurance, Actuarial Science, Commerce General or any other relevant discipline and FSCA Regulatory Exams levels 1 and 2 certificates.</p> <p>4. (Very good) = A CV with 49 months to 60 months experience and Certified copy of National Senior Certificate and a minimum of a Degree (NQF 7) or equivalent in Insurance, Actuarial Science, Commerce General or any other relevant discipline.</p> <p>5. (Excellent) = A CV with more than 60 months experience and Certified copy of National Senior Certificate, FSCA Regulatory Exams level 1 and 2 and a minimum of a Degree (NQF 7) or equivalent in Insurance, Actuarial Science, Commerce General or any other relevant discipline.</p>
--	---	------------------	---

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

<p>3. Methodology</p>	<p>Provide a methodology which include tasks, timeframes, resource allocation, milestones and a risk register. Must also detail how the following will be addressed:</p> <ol style="list-style-type: none"> 1. Additional assets during the period of the insurance. 2. Removal of assets during the period of the insurance and the effect of the credits notes thereof. <p>Note: the tasks in the methodology must be aligned, but not limited to the scope of work and deliverables in section 3 and 4 of the ToR's.</p>	<p>20</p>	<p>0. = No submission /submission of irrelevant documents</p> <p>1. (Poor) = Submitted methodology is not aligned with section 3 and 4 of the ToR's and do not have tasks, timeframes and resource allocations.</p> <p>2. (Fair) = Submitted methodology is aligned with section 3 and 4 of the ToR's and have tasks, timeframes and resource allocations.</p> <p>3. (Satisfactory) = Submitted methodology is aligned with section 3 and 4 of the ToR's and have tasks, timeframes and resource allocations and addresses point 1 and 2 of the elements.</p> <p>4. (Very good) = Submitted methodology is aligned with section 3 and 4 of the ToR's and have tasks, timeframes, resource allocations and milestones and addresses point 1 and 2 of the elements.</p> <p>5. (Excellent) = Submitted methodology is aligned with section 3 and 4 of the ToR's and have tasks, timeframes, resource allocations, milestones and a risk register of risks associated with this project and addresses point 1 and 2 of the elements.</p>
<p>TOTAL</p>		<p>100</p>	
<p>The minimum threshold is 60 points</p>			

All service providers who will score less than 60 out of 100 points for functionality will not be considered further, and will be regarded as having submitted a non-responsive proposal.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

10.3 PHASE THREE (3): PRICE

The proposals will be evaluated on Price.

- a. The MQA may undertake a due diligence to qualifying service provider(s) of functionality.
- b. The Mining Qualifications Authority reserves the right not to award the project to service providers.

11. TERMS AND CONDITIONS OF THE PROPOSAL

- a. Awarding of this contract will be subject to the service provider's acceptance of the Supply Chain Management's general conditions of contract.
- b. The appointed service provider will enter into a service level agreement with the MQA, which will include amongst others:
 - 1. Period of agreement;
 - 2. Project objectives and scope;
 - 3. Method of communication;
 - 4. Disputes; and
 - 5. Termination of contract and other specific matters will be agreed upon to form part of the service level agreement.
- c. The MQA reserves the right to terminate the contract in the event that there is clear evidence of non-performance.
- d. The MQA reserves the right to appoint one service provider or more than one.
- e. The basis of engaging service providers will be on an assignment basis.
- f. In the event where there are more than one service provider accredited on the bid, and they have the necessary skills that are required to render a specific service, the MQA will issue out the Terms of Reference/Specifications to call for proposals and award the work accordingly.
- g. The MQA reserves the right to interview service provider(s) that are short listed for a specific assignment (meaning that service providers may be requested to do a presentation for a specific project / assignment).
- h. The MQA may at its sole discretion award an assignment or any part thereof to more than one service provider(s).
- i. Payments will only be made for acceptable work completed and delivered.
- j. Any deviation from the project plan should be put in writing and signed by the project manager.
- k. Any suggestions during the progress meetings, once accepted by both parties, shall form part of the contract.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SHORT TERM INSURANCE BROKER FOR THE MQA UNTIL 31 MARCH 2027.

12. CONTACT PERSON FOR ENQUIRIES

All enquiries related to this bid call must be forwarded to:

Supply Chain Management Enquiries

Ms Tsholo Dilape

(011) 547 2600

E-mail Address: TsholoD@mqa.org.za

AND

All enquiries related to technical must be forwarded to:

Mr Kopano Sebudubudu

(011) 547 2600

Email Address: Kopanos@mqa.org.za