



# BeyondZero

a partner in public health transformation

## TERMS OF REFERENCE HUMAN RIGHTS PROGRAMME TECHNICAL SUPPORT SERVICES FOR BEYOND ZERO

SUMMARY	
Title	<b>Request for Proposal for the implementation of the Human Rights Programme for Beyond Zero</b>
Reference	<b>BZ-GF-2022-10-02</b>
Description (Summary for website - 100 words max)	Beyond Zero seeks to engage the services of a consultant to undertake and ensure the successful implementation of the Human Rights Programme for Beyond Zero.
Questions by email only to	<a href="mailto:tgf-procurement@beyondzero.org.za">tgf-procurement@beyondzero.org.za</a> with the reference in the subject line. Questions may be submitted until <b>18 October 2022</b>
Submission by email only to	<a href="mailto:tgf-procurement@beyondzero.org.za">tgf-procurement@beyondzero.org.za</a>
Submission must include	<ol style="list-style-type: none"><li>1. CIPC Registration Documents</li><li>2. Certified ID Copies of the Directors</li><li>3. B-BBEE certificate (Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor/Valid Sworn Affidavit together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.)</li><li>4. Valid SARS Tax Clearance Certificate / PIN</li><li>5. VAT Registration Certificate or VAT Registration Letter ("VALUE ADDED TAX Notice of Registration") available on e-Filing for all expenditure more than R1 000 000 (where applicable)</li><li>6. Bank account verification letter</li><li>7. Signed Global Fund Code of Conduct for Suppliers of Services</li><li>8. Completed and Signed Declaration of Interest</li></ol>
Deadline for submission	<b>13h00 on Wednesday, 28 October 2022</b>

## **1. PURPOSE**

- 1.1 Beyond Zero (BZ) seeks to appoint a suitable Consultant to undertake and ensure the successful implementation of the Human Rights Programme for a period of six (6) months.

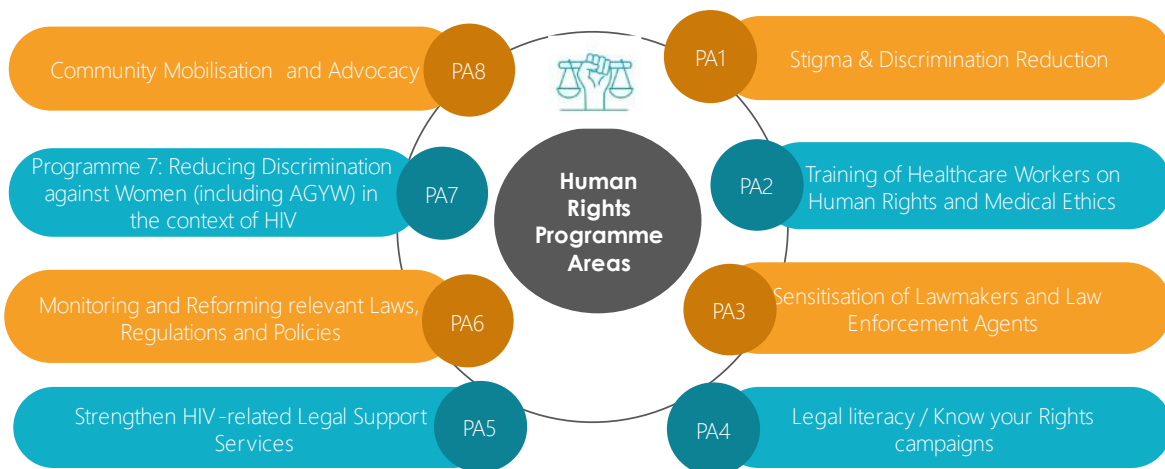
## **2. BACKGROUND**

- 2.1 The Human Rights module promotes a rights-based response that ensures that the Key and Vulnerable Populations have access to services, their rights are protected, promoted and respected at all times. Applying human rights principles and approaches enhances the reach and impact of prevention, testing and treatment programmes and ensure that no one is left behind. This work is grounded in Goal 5 of the South Africa's national Strategic Plan (NSP) for HIV, TB and STIs, 2017 – 2022, which seeks to ensure that the national response to HIV, TB and STIs is grounded in human rights principles and approaches. The aim is to address human rights-related barriers and gender inequality that increase risk and prevent people from accessing services, in particular for women, youth, sex workers, people who use drugs, inmates, LGBTI+ persons, and people with disabilities. The main objective is to;

- Reduce stigma and discrimination amongst people living with HIV or TB;
- Facilitate access to justice and redress for people living with, and vulnerable to, HIV and TB; and
- Promote an environment that enables and protects human and legal rights and prevents stigma and discrimination.

- 2.2 Beyond Zero is one of the four Principal Recipients (PRs) who have been appointed to implement Programmes to Reduce Human Rights Related Barriers to HIV Services (“the Human Rights Programme”) of the GF HIV & TB Programme, from April 2022 to March 2025. The Programme aims to support the goals, objectives and targets of the South Africa Three-Year National Implementation Plan for A Comprehensive Response to Human Rights-Related Barriers to HIV and TB Services and Gender Inequality in South Africa. The National Human Rights Plan sets out a comprehensive response to human rights and gender inequality for HIV and TB in South Africa for people living with HIV, people living with TB, key and vulnerable populations. Under the National Human Rights Plan, the implementation is structured according to seven programmatic areas. These programmatic areas have been further expanded to eight in the Global Fund Human Rights programme. The eight programmatic areas are listed in a figure below.

## Human Rights Programme Areas



### 3. PROJECT OBJECTIVE

- 3.1 To Identify and respond to immediate (setting up phase) TA required for Beyond Zero's Human Rights Programme

### 4. SCOPE OF WORK

- 4.1 Beyond Zero seeks to engage the services of a consultant to undertake the following work to ensure successful implementation of the Human Rights Programme

Activity	Purpose	Priority	Target Audience
<b>Human Rights SR and IPO Workshop and Mentoring</b>	Orient or induct Human Rights SRs and IPOs to the Human Rights module – This will ensure SR/IPO preparedness to implement the Human Rights Programme. Organisations will be taken through Human Rights Programme Description, Implementation, Coordination Framework, Human Rights Violation reporting Tools and M&E Reporting Tools	High	SR Human Rights Staff
<b>Human Rights Integration and Coordination Workshops for AYP, MSM, TG, CSS SRs and other Global Fund Programmes</b>	Sensitize Global Fund implementing SRs on Integration of human rights into programme implementation. Highlight key integration and coordination activities and reporting platforms	Medium	AYP, CSS, MSM, TG Programme staff

Activity	Purpose	Priority	Target Audience
<b>Mapping of Legal Support Services- Paralegals &amp; ProBono Lawyers</b>	As a lead PR, BZ will lead identification and coordination of Legal support service providers – in close proximity to the SRs/IPOs implementing Human Rights and other GF programmes districts	High	Paralegals CAO Legal Support NGO's Private Law Firms providing Probono services
<b>Job Aids- Peer Educators/REActors</b>	Simple Job Aids around (1) key laws around violence (like “Know your rights” type of materials) (2) consent and (3) Referral algorithm	Medium	SRs- Peer Educators/REActors
<b>SOP for Documenting Human Rights Violations</b>	Outlines how the REActors will identify, document, refer HR violations. It will cover linkages between REActors and paralegals, as well as linkages/ referrals between other programmes and stakeholders. SoPs for REActors to include guidelines on referrals - especially sensitive cases such as GBV, and improved greater integration with all GF programs.	Medium	SR - Peer Educators/REActors
<b>REACT Detailed Implementation Plan- incl (System Admin)</b>	To provide a clear implementation plan and resources required for System Administration. Number of Reactors and Paralegals to be trained	Medium	SR - Peer Educators/REActors

## 5. REQUIREMENTS

- 5.1 The successful service provider shall have experience, understanding in the development and successful implementation of the Human Rights Programme.
- 5.2 The Beyond Zero seeks to contract a service provider or consultant with extensive experience that includes:
- i. At least a master’s degree, preferably in the field of public health or related social sciences.
  - ii. Excellent knowledge of national policies and strategies and plans on HIV& AIDS and TB is essential.

- iii. Good domain and understanding of the context of health issues of Key Populations
- iv. At least 3-5 years of implementing human rights programmes, particularly on HIV and TB response with key Populations.
- v. Strong track record of providing capacity building to HIV programme implementers

## 6. BID RESPONSE REQUIREMENTS

- 6.1 BZ will use a pre-determined evaluation criterion when considering received Proposals. The evaluation criteria will consider the commitment made for Mandatory, Functionality/Technical, Price and B-BBEE. During the evaluation of received Proposals BZ will make an assessment on whether all of the Proposals comply with set minimum requirements. Bidders which fail to meet minimum requirements, thresholds or have not submitted required mandatory documents will be disqualified from the bid process.
- 6.2 The requirements at any given stage must be complied with prior to progression to the next stage. BZ reserves the right to disqualify bidders without requesting any outstanding document/information.
- 6.3 Bidders which meet the requirements of the TORs and the commercial and contractual conditions are invited to submit proposals. If the Consultancy finds any ambiguity, omission or internal contradictory, or any feature that is unclear or that appears restrictive, they should seek clarification before the closing date of submission.
- 6.4 As a minimum requirement the service provider must submit a list of relevant contactable reference (contact name, position, contact number and email address) supported by the appointment letters whereby they have executed similar services in the Non-Profit Organisations (NPO). The appointment letters must be in the client's company letterhead and must not be older than five (5) years. **Bidders are to populate Annexure B for the list of references.**
- 6.5 The bidder's proposed Project Lead/ Consultant is required to have experience in leading similar projects. The bidder must submit a brief CV(s) of the Project Lead(s) clearly showing the years of experience and also certified copy of their qualifications, not older than six (6) months
- 6.6 The Project Lead/Consultant must have relevant qualifications (At least a master's degree, preferably in the field of public health or related social sciences) and / or other related fields, skills and experience in similar projects.
- 6.7 Bidders must provide a detailed proposal of the methodology / approach to be used to carry out the scope of work. Bidders should indicate their knowledge of the demonstration of how

the bidder will deliver this project in line with the scope of work, include a detailed project plan with specific timeframes, deliverables and reporting.

6.8 Once the proposals are received and opened, bidders shall not be required nor permitted to change the substance, the key staff and so forth.

## 7. EVALUATION CRITERIA

The evaluation of proposals will be managed by an Evaluation Committee which will prepare a shortlist of applicants that meet the eligibility for appointment. The evaluation process will be conducted according to the following stages:

- **Stage 1:** Assessment of administrative compliance. Applications that do not comply will not be evaluated further.
- **Stage 2:** Assessment on functionality/technical evaluation criteria competency focusing on the ability to fulfil the required scope of work. Service providers need to achieve a score of at least 70 out of 100 points to progress further.
- **Stage 3:** The final stage of evaluation will be the application of the preference points system price at 80 points and B-BBEE 20 points.

### 7.1 Stage 1: Eligibility Evaluation

**Table 2: Eligibility evaluation Stages**

Criteria	Sub-Criteria	Comply / Not Comply
Eligibility	SARS Tax Clearance Status/pin	
	Certified ID Copies of the Directors	
	CIPC Registration Documents	
	In bids where consortia / joint ventures / sub-contractors are involved; each party must submit a separate proof of TCS / PIN	
	Valid B-BB-EE Certificate (from SANAS Accredited Verification Agency)	
	VAT Registration Certificate or VAT Registration Letter ("VALUE ADDED TAX Notice of Registration") available on e-Filing for all expenditure more than R1 000 000 (where applicable)	
	Completed and signed bid document	
	Signed Global Fund Code of Conduct for Suppliers of Services	
	Completed and signed Declaration of Interest	

## 7.2 Stage 2: Functionality/Technical Evaluation Criteria

Only service providers who score **70 points** or more in stage 2 will be evaluated further in stage 3 and therefore eligible for the award.

**Table 3: Functionality/technical Evaluation**

Criteria	Description	Weighting
<p><b>Methodology</b></p>	<p>The service provider must provide a detailed proposal of the methodology / approach to be used to carry out the scope of work.</p> <p>Bidders should indicate their knowledge of the demonstration of how the bidder will deliver this project in line with the scope of work, include a detailed project plan with specific timeframes, deliverables and reporting.</p> <p><b>Excellent:</b> Satisfies the requirements The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full = <b>30 points</b></p> <p><b>Acceptable:</b> Satisfies the requirement. The response shows an acceptable level of understanding of the requirement and provides some satisfactory level of details on how the requirements will be fulfilled = <b>20 points</b></p> <p><b>Serious Reservations:</b> Satisfies the requirement with serious reservations. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled = <b>10 points</b></p>	<p>30</p>

Criteria	Description	Weighting
	<p><b>Unacceptable:</b> Does not meet the requirement. Does not comply and/or insufficient information provided = <b>0 points</b></p>	
<p><b>Reference Letters</b></p>	<p>A list of references supported by appointment letters is a pre-condition for bidders to score points on this criterion</p> <p>List of References with an appointment letter from different clients as evidence of related services previously conducted.</p> <p>References must not be older than five (5) years, and the appointment letter must be submitted on the letterhead of the previously serviced clients and should at least reflect name of the clients, title of the related work conducted, contactable reference name and contact number and signed by the appropriate delegate.</p> <p><b>Scoring Matrix</b></p> <p>Three (3) and more contactable references provided with the appointment letters = <b>30 points</b></p> <p>Two (2) contactable references provided with the appointment letters = <b>20 points</b></p> <p>One (1) contactable reference provided with the appointment letter= <b>10 points</b></p> <p>No reference letter attached = <b>0 points</b></p>	<p>15</p>
<p><b>Qualifications and Experience</b></p>	<p>The <b>Project Lead/ Consultant</b> must have At least a master’s degree, preferably in the field of public health or related social sciences</p> <p>The bidder must provide proof of qualifications by attaching certified copies of qualifications for the <b>Project Lead/ Consultant</b>, not older than six (6) months.</p> <p><b>Scoring Matrix:</b></p>	<p>20</p>



<b>Criteria</b>	<b>Description</b>	<b>Weighting</b>
	Certified copy of <b>master's degree (SAQA NQF level 9)</b> in the fields indicated above = <b>20 points</b> Certified copy of <b>honour's degree (SAQA NQF level 8)</b> in the fields indicated above = <b>15 points</b> Certified copy of <b>bachelor's degree (SAQA NQF level 7)</b> in the fields indicated above = <b>10 points</b> Less than a diploma or no certified qualifications submitted = <b>0 points</b>	
	Bidder must attach a brief Curriculum Vitae (CV) for the <b>Project Lead/ Consultant</b> role indicating relevant experience; <b>Scoring Matrix:</b> Fifteen (15) years' relevant experience and more = <b>35 points</b> Ten plus (10) years' relevant experience = <b>25 points</b> Seven plus (7) years' relevant experience = <b>15 points</b> Five plus (5) years' relevant experience = <b>5 points</b> Less than five (5) years' experience = <b>0 points</b>	35
	The minimum qualifying score for functionality/technical evaluation will be <b>70</b> points overall, and service providers that fail to achieve the minimum qualifying score will be disqualified.	100

**Bidders obtaining a minimum of at least 70 out of 100 points of the technical competency requirements will be evaluated further on Price & BBEE.**

### 7.3 Stage 3: Price And B-BBEE Evaluation

Service Providers that have successfully scored 70 points and above in the Functionality/Technical evaluation stage will be evaluation on stage 3 (Price and B-BBEE). It is recognised that it is difficult for a prospective service provider to be firm about the extent of the work based solely on the terms of reference. However, to assist with assessments, a service provider will be provided with scenarios in the pricing schedule for evaluation purposes whilst a rate card will be provided and must be completed to be used during delivery of the services.

NB: Service Providers should note that the scenarios provided below are for the purposes of evaluation of the tender and a rate card unit price will be used during execution of the services.

The service providers' tender response will be evaluated based on a combination of price and BBBEE in accordance with the ratios set out below:

Price and B-BBEE	Weighting
Price	80
B-BBEE	20
Total	100

Price evaluations will be conducted using the following formula:

$$\text{Lowest bid price} = 80$$

$$\text{Price under calculation} = 80 \left( 1 - \frac{\text{Price under consideration} - \text{Lowest bid price}}{\text{Lowest bid price}} \right)$$

BBBEE evaluations will be conducted in accordance with the following table:

B-BBEE Status	Number of Points (80/20 system)
Level 1	20
Level 2	18
Level 3	12
Level 4	10
Level 5	8
Level 6	6
Level 7	4
Level 8	1
Non-compliant	0

## 8. PRICING SCHEDULE

Service provider to fill in the bellow table

Bidders are required to provide their Fee proposal in a following format:

**Table 3**

<b>Descriptions</b>	<b>Daily rate</b>	<b>Hourly rate</b>
Project Lead/ Consultant		
<b>Sub-total</b>		
<b>VAT</b>		
<b>Total</b>		

Bidders to populate the table below:

#	Service Descriptions	Appointment letter <i>Please mark (✓) and attach proof</i>	Contract duration (Period)	Client reference contact details <i>Please populate &amp; attach reference letter as proof</i>
1				Client Name: Contact person: Contract No: Email:
2				Client Name: Contact person: Contract No: Email:
3				Client Name: Contact person: Contract No: Email:
4				Client Name: Contact person: Contract No: Email:
5				Client Name: Contact person: Contract No: Email: