

## TERMS OF REFERENCE

| SUMMARY   |   |
|---|---|
| Title   | Appointment of Implementing Partner Organizations (IPOs) to implement Human Rights Programmes in 4 Provinces.   |
| Reference   | <b>BZ -GF-2023-07-03</b>  |
| Description<br><i>(Summary for website - 100 words max)</i> | BZ seeks to appoint South African legally registered organisations to implement human rights interventions in different districts.  |
| Submission Email  | <a href="mailto:crs-procurement@beyondzero.org.za">crs-procurement@beyondzero.org.za</a>  |
| Submission must include                                     | <p><b>Schedule 1:</b> CIPC Registration Document or proof of any legally registered entity within South African law (Non-Profit organisation / Civil Society Organisation)</p> <p><b>Schedule 2:</b> SARS tax clearance certificate/Tax Compliance Letter</p> <p><b>Schedule 3:</b> VAT Registration Certificate or VAT Registration Letter ("VALUE ADDED TAX Notice of Registration") available on e-Filing for all expenditure more than R 1 000 000.00</p> <p><b>Schedule 4:</b> B-BBEE certificate (<i><b>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.</b></i>)</p> <p><b>Schedule 5:</b> Signed Global Fund Code of Conduct for Suppliers of Services</p> <p><b>Schedule 6:</b> Completed and Signed Declaration of Interest</p> <p><b>Schedule 7:</b> Bank account verification letter</p> <p><b>Schedule 8:</b> Pricing Proposal</p> |
| Closing date and time                                       | <b>25 July 2023, at 15h00pm</b>   |

## **1. PURPOSE**

- 1.1 Beyond Zero (BZ) seeks to appoint at least five (5) Implementing Partner Organizations (IPOs) to implement five (5) Global Fund districts in four (4) provinces, over a period of 20 months.
- 1.2 The overall purpose of the required IPOs is to implement Global Fund human rights related interventions with objectives to:
  - A. Reduce stigma and discrimination amongst people living with HIV or TB;
  - B. Facilitate access to justice and redress for people living with, and vulnerable to, HIV and TB; and
  - C. Promote an environment that enables and protects human and legal rights and prevents stigma and discrimination.
  - D. In this, Beyond Zero seeks to appoint IPOs with adequate experience and expertise to implement the following activities:
    - E. To scale up community-level anti-stigma campaigns, in order to reduce stigma, discrimination and violence against key and vulnerable populations.
    - F. To improve awareness of rights and how to obtain redress for rights violations through the implementation of “Know-Your-Rights” campaigns.
    - G. To reduce gender inequality, harmful gender norms and gender-based violence, decrease gender-related vulnerability to HIV and TB and provide access to justice for Gender Based Violence (GBV)
    - H. To mobilize communities to strengthen monitoring of HIV, TB, human rights, and gender equality and to advocate for an enabling environment that protects rights.
    - I. To identify, document, refer and follow up on human rights violation cases and capture these on the available documentation platform.

*See Scope of Work, section 4 below, for a detailed breakdown of suggested activities.*

## **2. BACKGROUND INFORMATION**

- 2.1 Beyond Zero is one (1) of four (4) PRs of funding support by the Global Fund for AIDS, TB, and Malaria in South Africa to lead and provide strategic management, oversight, monitoring, and evaluation the day-to-day implementation of the Global Fund grant for the period April 2022 until March 2025. Beyond Zero is implementing interventions that address the AIDS and TB epidemics in South Africa and focuses more specifically on Key Population Prevention

Programs, including prevention programs for adolescents and young people (AYP), in and out of school; comprehensive prevention programs for men who have sex with other men (MSM); comprehensive prevention programs for transgender (TG) people, people who use drugs (PWUD), the Community Systems Strengthening (CSS) programmes and the Human Rights Programme.

2.2 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.

### 2.3 **About the Human Rights Programme**

The Human Rights Programmes implementation is guided by the Three-Year National Implementation Plan for A Comprehensive Response to Human Rights-Related Barriers to HIV and TB Services and Gender Inequality ('the National Human Rights Plan'). 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 below.

- PA1: Stigma and Discrimination Reduction
- PA2: Training of Health Workers
- PA:3 Sensitization of Law makers and Law Enforcement Agents

- PA4: Legal literacy / Know your Rights campaigns
- PA5: Strengthen HIV-related Legal Support Services
- PA6: Monitoring and Reforming relevant Laws, Regulations and Policies
- PA7: Reducing gender discrimination and violence against women, including AGYW
- PA8: Community Mobilisation and Advocacy

### 3. OVERVIEW OF REQUIREMENTS

3.1 Beyond Zero requires suitable and experienced non-profit organisations located and operating in the districts outlined on the table below:

**Table 1: Districts where IPOs will be operating.**

| <b>Province</b>     | <b>District</b> |
|---------------------|-----------------|
| <b>Eastern Cape</b> | OR Tambo        |
| <b>Mpumalanga</b>   | Gert Sibande    |
| <b>Limpopo</b>      | Sekhukhune      |
|                     | Vhembe          |
| <b>Free State</b>   | Mangaung        |

### 4. SCOPE OF WORK

The responsibilities of IPOs include the following:

- 4.1 Conduct Anti- Stigma & Discrimination Campaigns, Know-Your- Rights campaigns and Community Dialogues
- 4.2 Create linkages with trained external paralegals working in communities to refer reported violations.
- 4.3 Coordinate response to human rights violation through the creation of human rights sub-committees aligned to the existing District and Provincial AIDS councils.
- 4.4 Conduct human rights sensitization sessions with Community Gatekeepers, MSM, TG & programmes implementers in districts.
- 4.5 Develop and conduct advocacy campaigns to respond to violation of rights.
- 4.6 Identify discriminating policies and procedures in health and police facilities.
- 4.7 Distribution of IEC material

## **5. DELIVERABLES**

The IPOs will be expected to deliver the following activities over the period ending 31<sup>st</sup> March 2025:

- 5.1 Document human rights violations reported by key populations on the PR approved documentation tool.
- 5.2 Conduct two (2) community dialogues per quarter, reaching at least twenty (20) community members per session.
- 5.3 Conduct one (1) community-level Anti-Stigma Campaigns per quarter.
- 5.4 Undertake “Know-Your-Rights” (KYR) campaigns through radio slots (1 slot per quarter), distributing flyers and petitions.
- 5.5 Establish and or support five (5) PLHIV adherence clubs per districts with at least ten (10) people each.
- 5.6 Conduct regular meetings (at least 1 meeting per month) with community advice offices, legal organisations to strengthen referrals, follow-up, case management and resolution of cases.
- 5.7 Participate in monthly performance review meetings to improve grant performance and impact.
- 5.8 Produce monthly M&E reports on programme progress and challenges to the PR through the provided reporting templates.
- 5.9 Produce quarterly narrative reports on activities conducted to respond to violations a document success stories and achievements.

## **6. BID RESPONSE REQUIREMENTS**

- 6.1 Beyond Zero intends to contract IPOs with suitable qualifications and extensive experience and the IPOs must have traceable experience in implementing programmes for MSM, TG and AYP populations.
- 6.2 The bidder must submit written relevant contactable references (contact name, position, contact details) whereby work of a similar nature was successfully executed. The reference letter must be in the client’s company letterhead and must not be older than five (5) years.

- 6.3 The bidder's proposed Project Lead(s) is required to have experience in leading similar projects and working with civil society organisations and /or on good governance issues within the public sector. The bidder must submit a brief CV(s) not more than 5 pages of the Project Lead(s) clearly showing the years of experience and also certified qualification copies not older than six (6) months.
- 6.4 The proposed team must have relevant qualifications, skills and experience in similar projects and also working with civil society organisations. The bidder must submit CVs of at least three (3) of their key team members; and the CVs must clearly highlight qualifications, areas of experience/ competence relevant to the tasks and objectives of this project as outlined above. *The team members must have a degree in related fields such as: International Development, Social Sciences, Governance, Civil Society development, Community development and /or other related fields.*
- 6.5 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 and or demonstrate how the bidder will deliver this project in line with the scope of work, include a detailed project plan with specific timeframes and deliverables, research methods, use of statistical software, data gathering and analysis, and reporting.
- 6.6 The methodology/approach must include a team structure/organogram of the team members that will be servicing Beyond Zero, reflecting the years of experience and the languages. The team should include but not limited to the following, Project Lead, field technical staff etc.
- 6.7 Bidders must provide a breakdown of professional fees / cost structure for services to be rendered including equipment hire. Bidders must include Travel and Accommodation fees as part of their costing.
- 6.8 Bidders must include a written programmatic report on previous work implemented or copy of programmatic report submitted to their previous funders.

## **7. EVALUATION CRITERIA**

- 7.1 The evaluation of proposals will be managed by an Evaluation Committee which will prepare a shortlist of applicants that meet the eligibility for appointment.
- 7.2 The evaluation process will be conducted according to the following stages:
- **Stage 1:** Assessment of administrative compliance with eligibility criteria. 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.

The weighting of the overall competence score is as follows:

### 7.3 ELIGIBILITY EVALUATION STAGE 1

**Table 1: Eligibility evaluation Stages**

| CRITERIA | Document Number   | SUB-CRITERIA   | Comply/Not Comply |
|----------|-------------------|--|-------------------|
|          | <b>Schedule 1</b> | CIPC Registration Document or proof of any legally registered entity within South African law (Non-Profit organisation / Civil Society Organisation)                 |                   |
|          | <b>Schedule 2</b> | SARS tax clearance certificate/Tax Compliance Letter   |                   |
|          | <b>Schedule 4</b> | VAT Registration Certificate or VAT Registration Letter ("VALUE ADDED TAX Notice of Registration") available on e-Filing for all expenditure more than R 1000 000.00 |                   |
|          | <b>Schedule 4</b> | B-BBEE certificate/Sworn Affidavit   |                   |
|          | <b>Schedule 5</b> | Signed Global Fund Code of Conduct for Suppliers of Services   |                   |
|          | <b>Schedule 6</b> | Completed and Signed bid document  |                   |
|          | <b>Schedule 7</b> | Bank account verification letter   |                   |
|          | <b>Schedule 8</b> | Pricing Proposal   |                   |

### 7.4 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 2: Functionality/technical Evaluation**

| Criteria                            | Document Number    | Description   | Weighting |
|-------------------------------------|--------------------|---|-----------|
| <b>Company Directors Experience</b> | <b>Schedule 09</b> | <p>The service provider must provide written contactable reference letters of recent and current similar projects.</p> <p>Reference must not be older than five (5) years, and the written reference Letters must be submitted on the company 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) or more contactable references provided = <b>30 points</b></p> <p>Two (2) contactable references provided = <b>20 points</b></p> <p>One (1) written reference letter provided = <b>10 points</b></p> <p>No reference letter provided = <b>0 points</b></p> | 30        |
| <b>Methodology and approach</b>     | <b>Schedule 10</b> | <p>The service provider must submit a methodology detailing operational plan with clear details to demonstrate understanding of assignment. An indication of the approach to carrying out the assignment,</p> <p>This must include the actual process on how the service would be provided, a provisional project plan with timelines. (i.e., delivery/collection points, frequency, turnaround time, etc.) including delivery team structure, communication and operational tools, reporting, etc.</p> <p><b>Scoring Matrix:</b></p> <p><b>Excellent:</b> Satisfies the requirements The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides</p>  | 30        |



| Criteria   | Document Number           | Description  | Weighting |
|--|---------------------------|--|-----------|
|  |                           | <p>details of how the requirement will be met in full = <b>30 points</b></p> <p><b>Good:</b> Satisfies the requirements. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled = <b>25 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>Minor Reservations:</b> Satisfies the requirement with minor reservations. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas = <b>15 points</b></p> <p><b>Unacceptable:</b> Does not meet the requirement. Does not comply and/or insufficient information provided = <b>0 points</b></p> |           |
| <p><b>Project Lead Experience and Qualifications</b></p> | <p><b>Schedule 11</b></p> | <p>Bidder must attach a brief Curriculum Vitae (CV) for the Project Lead role indicating relevant experience, and a relevant tertiary qualification in healthcare studies or International Development or Social Sciences or Governance or Civil Society development, Community development and /or other related fields, will be an added advantage.</p> <p><b>Scoring Matrix:</b></p> <p>Five (5) years' relevant experience and relevant NQF level 7 and above = <b>15 points</b></p>   | <p>15</p> |

| Criteria | Document Number | Description   | Weighting |
|----------|-----------------|---|-----------|
|          |                 | <p>Four (4) years' relevant experience and relevant level 6 = <b>10 points</b></p> <p>Three (3) years' relevant experience and relevant certificates = <b>5 points</b></p> <p>Less than two (2) years' experience = <b>0 points</b></p> <p>Bidder must attach CV's of at least Four (4) of their key team members (Programmes, M&amp;E and Finance) indicating relevant experience and proof of qualification in aligning to their respective roles.</p> <p><b>Note to Bidder:</b> Certified copy not older than six (6) month of qualification for each member in the fields specified above is a precondition, and failure to provide the proof may result in a bidder scoring zero for this criterion.</p> <p><b>Scoring Matrix:</b></p> <p><b><u>Role 1: Programmes</u></b></p> <p>Three (3) years' relevant experience = <b>5 points</b></p> <p>Two (2) years' relevant experience = <b>3 points</b></p> <p>One (1) year relevant experience = <b>1 points</b></p> <p>Less than one (1) year experience = <b>0 points</b></p> <p><b><u>Role 2: Finance</u></b></p> <p>Three (3) years' relevant experience = <b>5 points</b></p> <p>Two (2) years' relevant experience = <b>3 points</b></p> <p>One (1) year relevant experience = <b>1 points</b></p> <p>Less than one (1) year experience = <b>0 points</b></p> <p><b><u>Role 3: M&amp;E</u></b></p> <p>Three (3) years' relevant experience = <b>5 points</b></p> | 15        |

| Criteria   | Document Number    | Description   | Weighting |
|--|--------------------|---|-----------|
|  |                    | <p>Two (2) years' relevant experience = <b>3 points</b></p> <p>One (1) year relevant experience = <b>1 points</b></p> <p>Less than one (1) year experience = <b>0 points</b></p>  |           |
| <b>Report</b>  | <b>Schedule 13</b> | <p>Bidder must submit a copy of previous report on work done relevant to the scope of work and clearly indicating geographic, outcome of the project or success stories etc.</p> <p><b>Scoring Matrix:</b></p> <p>Excellent: 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>10 points</b></p> <p>Good: Satisfies the requirements. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled = <b>7points</b></p> <p>Acceptable: 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>5 points</b></p> <p>Unacceptable: Does not meet the requirement. Does not comply and/or insufficient information provided = <b>0 points</b></p> | 10        |
| The minimum qualifying score for functionality/technical evaluation will be 70 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.**

## 7.5 PRICE AND B-BBEE EVALUATION

Service Providers that have successfully met the minimum points (70) on stage 2 will be evaluation on stage 3 (Price and B-BBEE

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-BBBEE          | 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<br>(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. COSTING MODULE/ FEE PROPOSAL

- 8.1 The costing proposal from the bidders must be in line with the deliverables (Section 4 of the ToR) and project timelines over the period of 22 months.
- 8.2 Costing must be done as per the example of costing schedule template below, including salaries of key staff, showing an amount Sub-total, Vat, and the amount inclusive of vat.
- 8.3 The quotation must show the amount exclusive of vat separately and also show a total fee that is vat inclusive.

| ACTIVITY/<br>COST INPUT                       | COST ITEM   | QUANTITY | COST<br>UNIT | TOTAL | NOTES |
|---|---|----------|--------------|-------|-------|
| <b>1. Salaries</b>                            | Programmes Officer  | 1        |              |       |       |
|   | Supervisor/ M&E Officer   | 1        |              |       |       |
|   | % contribution for Finance Officer  | 1        |              |       |       |
|   | % Contribution for Project Lead   | 1        |              |       |       |
| <b>2. Community dialogues (2 per quarter)</b> | Venue hire  |          |              |       |       |
|   | Refreshments  |          |              |       |       |
|   | Transportation  |          |              |       |       |
|   | Communication   |          |              |       |       |
|   | Printing  |          |              |       |       |
| <b>3. Deliverables as per section 4</b>       | Deliverables as per section 4 of the Terms of Reference must also be quoted for in full |          |              |       |       |

**NB: This is an EXAMPLE please add costs as per Section 4**