

15 December 2025

TERMS OF REFERENCE – REQUEST FOR QUOTATIONS

THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT INDEPENDENT INVESTIGATION OF MATERIAL IRREGULARITY IDENTIFIED DURING AUDIT.

The Food & Beverages Manufacturing Sector Education and Training Authority (FoodBev SETA) hereby invites prospective service providers to submit proposals for conducting independent investigation of material irregularity identified during audit, to determine the root causes, identify responsible parties, and recommend corrective actions.

Closing date of submission	22 December 2025
Closing time of submission	11h00am
Quotes to be e-mailed to	scm@foodbev.co.za
All quotes must be valid for at least	30 days
Delivery address for the services	7 Wessel Road, Rivonia, Johannesburg

All queries/ clarifications can be sent in writing, citing the bid reference above to the under-mentioned person before the closing date for the quote:

Queries address to	Mr. Lunga Mokoena
Telephone Number: Landline	011 253 7300
e-mail address to send queries	scm@foodbev.co.za

1. INTRODUCTION AND BACKGROUND

The Food and Beverage Manufacturing Education and Training Authority (FoodBev SETA) is a Schedule 3A public entity responsible for skills development in its sector.

The Auditor-General of South Africa (AGSA) identified a material irregularity during the recent audit of FoodBev SETA. The irregularity pertains to the non-adherence to the entity's internal policy, which mandates the submission of all debtors exceeding 180 days to the legal unit for collection. This failure represents a significant breakdown in internal controls and has resulted in a material financial and compliance risk. In response to the AG's finding, FoodBev SETA requires an independent forensic investigation to determine the root causes, identify responsible parties, and recommend corrective actions.

2. PURPOSE OF THE ASSIGNMENT

The purpose of this investigation is to independently and objectively:

- 2.1. Establish the root causes of the failure to submit aged debtors (>180 days) for legal collection as per policy.
- 2.2. Identify any process, system, or human failures that contributed to this control deficiency.
- 2.3. Determine if any individuals, through acts of omission or commission, are responsible for the breakdown.
- 2.4. Provide a factual, evidence-based report suitable for use in potential disciplinary proceedings and for strengthening internal controls.

3. OBJECTIVE

The specific objectives of the investigation are to:

- 3.1. Reconstruct the end-to-end process for debtor management and legal collection referrals.
- 3.2. Identify the specific point(s) of failure within this process.
- 3.3. Determine why existing first-line (management) and second-line (compliance/risk) controls failed to prevent or detect this issue.
- 3.4. Assess the roles and responsibilities of all personnel involved in the debtor management and collection process.
- 3.5. Establish individual accountability, distinguishing between negligence, incompetence, wilful misconduct, or systemic constraints.
- 3.6. Provide actionable recommendations for process correction, control strengthening, and, if warranted, disciplinary action.

4. SCOPE OF WORK

The scope shall cover the period of the AG's finding and the preceding two financial years to establish a pattern or pinpoint the origin of the failure. The investigation will focus on:

- **Policy and Process:** Review the relevant debtor management and legal collection policies, procedures, and delegations of authority.
- **People:** Interview all relevant personnel from the Finance, Revenue, and Legal departments, as well as their respective line managers and the Head of Department/CFO.
- **Systems and Data:** Analyse data from the financial system to identify all debtors that met the >180-day criteria during the scope period and trace their status.
- **Controls Environment:** Evaluate the design and operating effectiveness of monitoring and compliance controls meant to ensure policy adherence.
- **Accountability:** Based on evidence, ascribe levels of responsibility to individuals in line with their job descriptions and assigned duties.

5. PROJECT DURATION

The successful bidder must complete the investigation and submit a final report within **eight (8) weeks** from the date of appointment. An interim progress report must be submitted to the CEO within four (4) weeks. This timeline is critical to meet the entity's commitment to the AG for potential disciplinary actions by end of February 2026.

6. REPORTING

The successful bidder will report directly to the FoodBev SETA CEO. All reports are strictly confidential.

- **Inception Report:** Within 5 days of appointment.
- **Interim Progress Report:** At the 4-week mark.
- **Draft Final Report:** For factual verification by management (without compromising independence).
- **Final Investigation Report:** A comprehensive document detailing findings, root causes, evidence, conclusions, and recommendations.

7. PRICING SCHEDULE

#	Task	Deliverables (ToR Reference)	Resource Allocation (Roles/Hours)	Unit price	Total Cost
1.				R	R
2.				R	R
3.				R	R
4.				R	R
5.				R	R
	Sub Total			R	R
	VAT			R	R
	TOTAL			R	R

8. BID EVALUATION

The bids submitted will be evaluated as per the following process:

- 8.1. Criteria 1: Compliance evaluation**– bidders will first be evaluated in terms of compliance, that is, meeting minimum requirements. Bidders who do not fulfil all the requirements or do not submit required documents using the required format, will be disqualified and will not move on to the next stage of evaluations.

8.2. Criteria 2: Functional criteria – Functionality points are equal to 100 points. Bidders are required to achieve a minimum score of **75.00 points** on functionality evaluations to qualify to be evaluated on Specific goals and Price. All bidders who do not score the minimum points will be disqualified.

8.3. Criteria 3: Price and Specific goals will be evaluated on an 80/20 preferential procurement principle for all bids above R2000 and below R50 million.

9. CRITERIA 1 - COMPLIANCE EVALUATION

9.1. Bidder must be registered on the National Treasury CSD (Central Supplier database): A full report must be submitted.

9.2. Standard Bidding Documents (SBD) forms: (SBD 1, SBD 4, SBD 6.1): completed and signed by the duly authorized person.

9.3. Tax clearance pin.

9.4. B-BBEE certificate or signed affidavit

Failure to submit the above documents will result in the bidder being disqualified.

10. CRITERIA 2 – FUNCTIONALITY EVALUATION

DETAILED FUNCTIONALITY EVALUATION CRITERIA		WEIGHTING ALLOCATED	
1. Experience and Competence of the Proposed Resource			
The Lead Investigator must submit a CV demonstrating a minimum of 8 years of relevant experience in conducting similar forensic investigations.			
• 8 years or more years' experience	30.00	30.00	
• 5 to 7 years' experience	20.00		
• Less than 5 years' experience	0.00		
2. Qualifications of the Proposed Resource			
The Lead investigator must have a minimum of a postgraduate qualification (NQF 8) in Finance, or Accounting, or Auditing. Together with relevant professional certifications including Certified Fraud Examiner (CFE), or Certified Internal Auditor (CIA), or Chartered Accountant (CA(SA)), or similar forensic investigation credentials			
• Postgraduate qualification (NQF 8) in Finance, or Accounting, or Auditing and relevant professional certification/s.	20.00	20.00	
• Postgraduate qualification (NQF 8) in Finance, or Accounting, or Auditing	10.00		
• Less than NQF level 8 and No qualification submitted	0.00		

DETAILED FUNCTIONALITY EVALUATION CRITERIA		WEIGHTING ALLOCATED
3. Experience of the Bidder in Similar Work (Reference Letters)		
Proof of experience in conducting similar forensic investigations which must be supported by written references/testimonials from public or private sector. The reference letters must be on the client's letterhead, dated and signed by authorised personnel:		40.00
• More than three (3) written references	40.00	
• Three (3) written references	30.00	
• Two (2) written references	20.00	
• One (1) written reference	10.00	
• No reference letter	0.00	
4. Methodology and approach		
The bidder must submit a methodology and approach, the methodology must clearly outline evidence collection, data analysis, interview techniques, and root cause analysis methodology. The approach must not be generic or artificially intelligent created, it must be specific to FoodBev SETA.		
Excellent: The proposal is unambiguous and demonstrates a thorough understanding of the requirements and provides full details of how each requirement will be met	10.00	10.00
Good: The proposal meets most of the requirements and is sufficiently detailed to demonstrate a good understanding and provide details of how requirements will be met.	7.00	
Acceptable: The proposal meets some of the requirements and shows an acceptable level of understanding of requirements and provides some satisfactory level of details on how the requirements will be met.	5.00	
Unacceptable: The proposal does not meet any of the above requirements or comply with and/or insufficient/no information provided.	0.00	
TOTAL POINTS		100.00

Bidder must meet the minimum functionality of **75,00** points out of 100 points in order to be evaluated further. Any bid that does not meet the minimum threshold will not move to the next stage of evaluation.

11. Criteria 3 - PREFERENCE POINTS SYSTEM

11.1. The 80/20 preference points system will be utilized for this bid. This preference points system is for the acquisition of goods or services with a Rand value up to R50 million.

11.2. 80/20 preference point system for acquisition of goods or services for Rand value equal to or above R2 000 and up to R50 million as follows:

CRITERIA	MEANS OF VERIFICATION	POINTS
Price	Proposed Bid Price	80,00
Preference Points	Specific Goals	20,00
Total Points		100,00

11.3. The following allocation will determine the specific goals (20.00 points) for this tender process:

Category	% Allocation for each category	Points allocated
Black People Ownership	60%	12,00
Woman Ownership	*30%	6,00
Black Youth Ownership	*10%	2,00
Total	100%	20,00

**Only representation is required from these categories, regardless of the percentage. Evidence of representation in ownership is required for eligibility to score points for specific goals*

11.4. Bidders must submit the following documents as a means of verification for specific goals:

- a) CIPC documents (company registration documents),
- b) A copy of a BBBEE verification certificate or signed affidavit indicating ownership levels,
- c) Shareholder certificates,
- d) Copy(ies) of Identity document(s) for shareholders(s).
- e) Central Supplier Database (CSD) full report. *(Not a summary)*

12. CONDITIONS OF CONTRACT

The successful service provider undertakes:

- 12.1.** To treat all relevant and available data and/or information provided by the FoodBev SETA and its employees strictly confidential;
- 12.2.** The onus is on the bidder to submit the SAQA certificate of evaluation for foreign qualifications.
- 12.3.** Not to discuss or make any information available to any member of the public, press or other service provider/consultant or any other unauthorized person(s) except as authorized by the FoodBev SETA;
- 12.4.** Not to copy or duplicate any software or documentation for private use;
- 12.5.** To give back to the FoodBev SETA all documentation, reports, programmes etc. upon completion of the project;
- 12.6.** General conditions of tender, contracts and orders will be applicable in the execution of the contract;
- 12.7.** Parking and travel between the prospective service provider's home/office and the FoodBev SETA will be borne by the Service Provider;
- 12.8.** Failure to adhere to the above conditions will lead to the invalidation of the quotation;
- 12.9.** The FoodBev SETA reserves the right to discontinue work on any element of the quotation at any given time in consultation with the Senior Manager: Human Resources of the FoodBev SETA, for example the quality of work delivered is poor or the service provider is unduly delaying delivery of service;
- 12.10.** Enter into a Service Level Agreement with the FoodBev SETA before the final acceptance of the tender proposal.

- 12.11. The Contract/SLA may be finalized within a period of maximum of five (5) working days for signature before commencement of the work. Bidders must note that FoodBev SETA contracts are vetted by outsourced lawyers therefore it is important to note that it is the responsibility of the bidder to also vet their contract before signing it off.
- 12.12. If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.
- 12.13. If functionality is part of the evaluation process and two or more tenderers score equal total points and equal preference points for specific goals, the contract must be awarded to the tenderer that scored the highest points for functionality.
- 12.14. If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots

13. IMPORTANT INFORMATION TO NOTE - GUIDELINES

13.1. Disclosures

Bidder to disclose if they have been subject to proceedings or other arrangements relating to bankruptcy or insolvency

14. DISCLAIMER

- 14.1. FoodBev SETA reserves the right not to appoint a service provider
- 14.2. Not to appoint a bid that scored the highest points i.e. award a bid, on reasonable and justifiable grounds, to a bidder that did not score the highest points
- 14.3. Award the contract or any part thereof to one or more service providers
- 14.4. Reject all bids
- 14.5. Decline to consider any bids that do not conform to any aspect of the bidding requirements
- 14.6. Request further information from any bidder after closing date for clarity purposes
- 14.7. Cancel this RFQ or any part thereof at any time
- 14.8. Require the shortlisted bidders to make presentations at the venue communicated with the bidder and this presentation will be made by bidder at their own cost
- 14.9. Points scored will be rounded to 2 decimals
- 14.10. FoodBev SETA does not communicate with any bidders telephonically indicating that the bidder will be assisted to receive the award in return of financial resources. FoodBev SETA does not request bribes from any of the bidders and should a bidder receive such request, please that bidder must immediately notify FoodBev SETA and the police.

15. IMPORTANT INFORMATION TO NOTE - GUIDELINES

15.1. Disclosures

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- 16.1.** FoodBev SETA reserves the right not to appoint a service provider.
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- 16.10.** FoodBev SETA does not request bribes from any of the bidders and should a bidder receive such request, please that bidder must immediately notify FoodBev SETA and the police.

17. CONFIDENTIALITY

- 17.1.** Bids submitted will not be revealed to any other bidders and will be treated with utmost confidentiality.
- 17.2.** All information pertaining to FoodBev SETA obtained by the bidder as a result of participation in this RFQ is confidential and must not be disclosed without written authorization from the FoodBev SETA.
- 17.3.** The project lead will abide by FoodBev SETA Code of Conduct and all laws, rules and regulations that govern the SETA.

18. MISCELLANEOUS

- 18.1.** The service provider should include any additional information deemed useful to the FoodBev SETA in evaluating the proposal.

19. NEGOTIATIONS

- 19.1.** FoodBev SETA will enter into negotiations to agree on fees, scope of work, scope of service, and other salient commercial terms with the preferred bidder.

20. VALIDITY

- 20.1.** The proposal provided to FoodBev SETA in terms of this request for quotations will be valid for a period of 90 days from the date of submission with the exception of the Tax pin which must still be valid at the time of award.
- 20.2.** Should there be a need to request extension of the finalization of the award of the bid, the bidders will be duly informed, and the tender/proposal will remain valid except for items mentioned above.

21. CONDITIONS OF PAYMENT

- 21.1. No service should be provided to FoodBev SETA before an official purchase order has been issued to the supplier. An invoice supported by all relevant documentation must be submitted to FoodBev SETA for certification and authorization before payment can be made. Invoices will be payable 30 days after receipt of the invoice and statement.

22. COST OF TENDERING/ PROVIDING QUOTATIONS

- 22.1. The bidders shall bear all costs and expenses associated with the preparation and submission of the tender document/proposal.
- 22.2. FoodBev SETA shall under no circumstances be responsible and/or liable for any such costs, regardless of, and without limitation to the conduct or outcome of the tendering, evaluation and selection process. The bidder will have no claim against FoodBev SETA where bids are cancelled for whatever reason.

23. UNSUCCESSFUL BIDDERS

- 23.1. Please note FoodBev SETA decision on the selection of the successful bidder is final and FoodBev will not enter into any further correspondence and/or negotiations with any unsuccessful bidder.

24. PROCEDURES FOR SUBMITTING QUOTATIONS

- 24.1. The **closing date** for proposals **22 December 2025 @ 11h00**. Suppliers must reach the FoodBev SETA before or on the closing date and time. Bidders must email a soft copy of their proposal to: scm@foodbev.co.za.