



**TERMS OF REFERENCE FOR A PARTNERSHIP TO MAKE DIAMOND
TRADING COMPANY BOTSWANA AN INCLUSIVE WORKPLACE**

TENDER NUMBER : DTCB 042-2022

SUBMISSION DATE : 19TH MAY 2022 @ 12 NOON

1. OVERVIEW

- 1.1. Diamond Trading Company Botswana (DTC Botswana) is a 50/50 Joint Venture Partnership between the Government of the Republic of Botswana and De Beers. It is the world's largest and most sophisticated rough diamond sorting and valuing operation.
- 1.2. The Company has commenced Inclusion and Diversity journey in the year 2018 with a focus in making DTCB an inclusive workplace where all forms of diversity are acknowledged and accepted. The aim is to create an inclusive environment and culture where employees are free to bring their whole self to work, feel safe to speak up without fear of being harassed or victimised and thrive in who they are to unleash their full potential.
- 1.3. DTCB would like going forward to embed Inclusion and Diversity initiatives in our work practices with a focus on Lesbian, Gay, Bisexual, Transgender, Queer, Intersexual (LGBTQ+) representation.

2. INVITATION TO TENDER

The purpose of this request for proposal is to invite suitably qualified and experienced service providers to partner with DTC Botswana to make DTCB an Inclusive work place by embedding the LGBTQ+ representation.

3. SCOPE OF WORK

The scope covers the provision of the following:

- Assess the current landscape in terms of LGBTQ+ representation to establish the base
- Recommend the tools/model/strategy for Inclusive hiring for LGBTQ+
- Identify areas of policy change and recommend interventions to prepare the environment for readiness to engage LGBTQ+
- Promote Equal Employment Opportunity for LGBTQ+ Employees
- Incorporate gender-neutral/inclusive language in DTCB
- Review for appropriateness the labelling of shared areas such as toilets and search facilities
- Incorporating LGBTQ+ inclusion in Health & Wellness
- Recommend tools for reflection and improvement
- Review and improve visibility of Real You Network in DTCB, De Beers Group in Botswana and Botswana as a whole.
- Provide training for management, employees and allies as and when necessary
- Align recommendations with the Inclusion and Diversity in De Beers Group
- Any other relevant process that will enhance LGBTQ+ assimilation.

4. REQUIREMENTS

Prospective bidders are required to submit a comprehensive proposal outlining how they will deliver the scope.

Expertise

- Bidder should demonstrate experience in delivering similar services
- Bidder should provide information on the qualifications and experience of personnel to be used on the assignment. There must be clear and demonstrable evidence of the specialist skills including evidence of having led and/or undertaken such assignments. Abridged curriculum vitae will be required.
- It is a requirement to have full time dedicated resources assigned to this assignment until it is completed and advisory services as and when needed. Upon approval, the proposed resources cannot be changed without prior validation of their credentials and written approval given by DTCB. DTCB reserves the right to request replacement of resources whose credentials are deemed not appropriate in its view.

5. REFERENCE SITES

Prospective bidder is expected to provide the following:

- Company names and Contact details where similar work is or has been carried out
- Nature and scope of the assignment
- Personnel involved

Please note that shortlisted bidders shall expect their client references to be contacted during the tender evaluation process and may be invited for presentation

6. METHODOLOGY AND APPROACH

The bidder must provide a detailed description of their proposed methodology and approach including full description of deliverables and timelines.

7. COST AND PAYMENT SCHEDULE

The prospective consultant is required to provide a breakdown of the fees for the assignment.

- Proposed payment schedule should be linked to deliverables. Please note that payment will only be made after completing the required deliverables.
- Taxes-clearly indicated for compliance purposes
- The fees schedule should include estimates of all costs e.g. reimbursable expenses

8. TIMELINES

- June to December 2022

9. LEGAL REQUIREMENTS

- DTCB will enter into a formal contract with the awarded bidder prior to starting the work. It is a pre-requisite to ensure that the parties are both committed to the assignment.
- The consultant should indicate any requirements that are necessary to enter into a contract.

- The contract shall be managed and run in accordance with the Botswana laws. Tenderers are responsible to familiarize themselves with the laws of Botswana.

10. **COMPANY INFORMATION**

The following are required in the proposal:

- The company/firm/consultant's profile – (when it was established, how long it has been operating, main line of business, the size of its operations in terms of manpower etc.).
- Directors' / Partner's profiles
- Contact details: Physical and postal addresses, telephone numbers and other related information.
- List of clients previously or currently assisted with the same service

11. **TENDER VALIDITY PERIOD**

The tender shall be valid for 30 days from the tender closing date.

12. **TENDER EVALUATION**

Tender evaluation criteria are contained in **Annexure A**.

13. **FORM OF TENDER**

Tenderers are required to complete and submit form of tender contained in **Annexure B**.

14. **TENDER SUBMISSION AND AWARD**

- DTCB reserves the right to amend or cancel this tender.
- DTCB is not bound to appoint the lowest or any other tenderer.
- The decision on the award of the tender solely remains with DTCB.
- DTCB shall not be liable for the expenses incurred during preparation and submission
- The proposals shall be written in English.

15. **SUBMISSION OF PROPOSAL**

Proposals must be emailed to tenders@dtcb.co.bw on or before the tender closing date; **19th May 2022 @12 noon**

16. **MODIFICATION AND WITHDRAWAL OF TENDER**

- The tenderer may modify or withdraw its tender after submission of the tender provided that a written notice of the modification, including substitution or withdrawal of the tender is received by DTCB prior to the deadline prescribed for submission of tender.
- No tender may be modified after the deadline for submission of tenders.
- No tender may be withdrawn on the interval between the deadline for submission of tenders and the expiration of the period of tender validity.

17. AMENDMENTS OF DOCUMENTS

- At any time prior to the deadline for submission of tenders, DTCB, for any reason, whether at its own initiative or in response to a clarification requested by a prospective tenderer, may modify the tender document and send written amendments or addendum to all tenderers who have been invited to tender.
- In order to allow prospective tenderers reasonable time in which to take the amendments into account in preparing their tender, DTCB, at its own discretion, may extend the deadline for the submission of tenders.

18. CLARIFICATION OF ORDERS

To assist in the examination, evaluation and comparison of tenders, DTCB may at its discretion, ask the tenderer for clarification of its tenders. The request for clarification and the response shall be in writing and no change in the prices or substance of the tender shall be sought, offered or permitted. Any effort by the tenderer to influence DTCB in its tender evaluation, comparison or contract award decision will result in the rejection of the tenderer's tender.

19. ENQUIRIES PRIOR TO TENDER CLOSING

Prospective tenderer requiring any clarification of the tender document may notify DTCB in writing or by email to tenders@dtcb.co.bw.

20. LATE DELIVERY OF TENDERS

No Tender will be considered unless it is delivered by the closing date.

21. AUTHORITY TO TENDER

The Tender must be signed by a person duly authorised to do so

22. ERRORS IN TENDER DOCUMENT

There shall be no erasing or overwriting for any mistake which is corrected in the tender document

23. INCOMPLETE TENDERS

DTCB will not consider tenders which it considers incomplete in any respect.

24. TENDER VALIDITY

Tenders shall be valid for a period of ninety (90) days from the closing date.

25. CONFIDENTIALITY

All documentation and any other information produced will be the intellectual property of DTCB exclusively and should be treated as confidential. No information obtained by the Service Provider as a result of the consultancy shall be given or applied to a third party without written consent from DTCB.

ANNEXURE A- EVALUATION CRITERIA

EVALUATION CRITERIA

Bidders are advised that the following will be taken into account during tender evaluation. The evaluation shall be carried out in three stages:

- **Stage 1:** Compliance
- **Stage 2:** Technical Evaluation
- **Stage 3:** Financial Evaluation

STAGE 1: COMPLIANCE STAGE

Proposals should satisfy the following compliance requirements to be considered for further evaluation:

- a) Submission of a Certified Copy of a Certificate of Incorporation
- b) Submission of a Copy of a Valid Tax Clearance Certificate or Exemption thereof,
- c) Submission of a Certified Copy of Share Certificate(s)
- d) Details of the Company's Director(s)
- e) Submission of a completed form of tender

STAGE 2: TECHNICAL EVALUATION

Compliant bids shall be evaluated to determine compliance to the set criteria. Technical evaluation shall account for 80% of the marks.

The following shall be considered at this stage:

- a) Consultancy firm years of experience
- b) Key personnel curriculum vitae detailing their academic qualifications and experience in delivery of similar solutions
- c) References written by clients where similar service has been rendered in the recent past
- d) Methodology and Approach for undertaking the exercise

STAGE 3: FINANCIAL EVALUATION

Technically compliant bids shall be subject to financial evaluation. This stage shall account for 20% of the marks. Bidders should be certain that price quoted is accurate before submitting their bids. Under no circumstances will DTCB accept any request for price adjustment on grounds that an error/mistake has been committed.

ANNEXURE B

SAFETY HEALTH AND ENVIRONMENT OBLIGATIONS

Every member of the Contractor's Team shall, whilst at DTCB adhere to the following DTC Botswana SHE requirements:

1. SHE induction

Members shall attend SHE induction prior to commencing work provided by the DTC Botswana SHE section. The induction will be in 2 parts, namely:

- ❖ General induction
- ❖ Site specific induction done in conjunction with the area line manager

2. Hazard identification and Risk Assessment (HIRA)

- ❖ Individuals and groups shall conduct risk assessments in their areas of work and manage the identified risks.

3. SHE Training

- ❖ Where required, individuals shall attend identified SHE training as per the training matrix and schedule.

4. Personal Protective Clothing (PPE)

- ❖ Where required, every member shall wear protective clothing and keep same in the condition as stipulated in the PPE policy

5. OHSAS Requirements

- ❖ All members shall comply with the DTC Botswana requirements regarding OHSAS 18001. These may include being asked to partake in the audits/inspections, incident investigations and being available for interviewing during inspections, audits or investigations
- ❖ SHE procedures as amended and or reviewed from time to time shall be complied with

6. Incident Reporting and Investigation

- ❖ All members of the Contractor shall familiarise themselves with and report incidents and accidents as and when they happen to them or in their area(s) of work as described in the incident reporting and investigation procedure

7. DTC Botswana SHE Policy

- ❖ The DTC Botswana SHE policy shall be the overriding SHE Policy on site

ANNEXURE C

BUSINESS INTEGRITY PRINCIPLES

The Contractor and, where applicable, each member of the Contractor's team shall adhere to the following requirements, during the time this agreement is in place:

1. Comply with all applicable laws dealing with corruption.
2. Ensure that no offer, promise or gift of money or anything of value, is made to any employee of DTCB or anyone else, to influence action or inaction or to obtain an improper advantage from DTB, or for DTCB or a third party.
3. In the event that the Contractor or any member of its team becomes aware of any act or omission, that is or seems to be fraudulent, corrupt or improper, involving DTCB in any way, a report should be made to DTCB by the next working day.
4. Have an anti-corruption, ethics or business integrity policy.
5. Conduct business in an ethical manner.

ANNEXURE D

SECURITY OBLIGATIONS

The Contractor and each member of the team shall adhere to the following security requirements, whilst at DTCB:

1. Security Induction

The members of the team must all undergo a detailed security induction carried out by DTCB.

2. Precious and Semi-Precious Stones Act Cap 66:03

Comply with the Act, which regulates the rough diamond business in Botswana; in terms of which Debswana and DTCB premises have been declared Precious Stones Security Area.

3. DTCB Diamond Risk Management Policies as listed below

3.1 Access Control

The policy details the requirements for entry and exit of employees, visitors and contractors within the security area.

3.2 Goods Movement

The policy details the requirements for entry and exit of all goods and assets carried by employees, visitors and contractors within the security area.

3.3 Product Protection

The policy details the requirements for control of some specific activities within DTCB carried out by employees, visitors within the security area.

4. DTCB Diamond Risk Management Procedures as listed below

4.1 Access Control

4.2 Goods Movement

4.3 Product Protection

4.4 Diamond Audit

ANNEXURE E – FORM OF TENDER

**Diamond Trading Company Botswana
Plot 63016, Airport Road
Block 8
Gaborone**

Having examined the invitation to tender (ITT) document the receipt of which is hereby duly acknowledged, we, the undersigned, offer to undertake the assignment in accordance with the tender documents for the sum of BWP.....(amount in figures). In words.....Vat exclusive

If our tender is accepted, we undertake to commence the work within..... weeks from receipt of official purchase order.

We agree to abide by this for a period of ninety (90) days from the date fixed for tender opening and it shall remain bidding upon us and may be accepted at any time before expiration of that period.

We understand that you are not bound to accept the lowest or highest or any tender you may receive.

On behalf of the tenderer

Name:

Title:

Tel No.....

Email Address.....

Date: