

National Nuclear Regulator



Terms of Reference

No	Title	Closing Date
NNRSCM06/2009	REVIEW OF OPERATOR LICENSE EXAMINATION PROCESS	28 May 2009

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SECTION A: NOTES TO PROSPECTIVE SERVICE PROVIDERS

1. Introduction

The National Nuclear Regulator (NNR) is established under the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999) (NNRA). Its main object is to provide for the protection of persons, property and the environment against nuclear damage through the establishment of safety standards and regulatory practices.

2. Invitation to submit proposals

The NNR wishes to secure the services of a suitably qualified and experienced person to review its reactor operator examination processes.

3. Clarification of Terms of Reference (TOR)

All questions regarding the proposed project and proposal document should be addressed to Dr. Tim Hill at email THill@nnr.co.za and Tel number (021) 553 9500.

The NNR may, at any time before the award of the tender, for any reason, whether at its own initiative or in response to a clarification requested by a prospective bidder, modify the TOR documents by amendment. The amendment will be sent in writing by facsimile or electronic mail to all registered service providers, entities or individuals and will be binding on them.

4. Adjudication of proposals

4.1. The NNR promotes and encourages affirmative procurement and to this end has adopted a Supply Chain Management Policy which has as one of its primary aims to extend business opportunities to individuals or entities that demonstrate compliance to the objectives of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) (BBBEE Act). Under this Policy, tenders are adjudicated using a system where points are awarded on the basis of the functionality of the solution, the tendered price and the status of the business enterprises in relation to the participation of *Previously Disadvantaged Individuals (PDI)* in equity ownership, the extent to which PDIs occupy executive management positions within the tendering enterprise, women equity ownership and disabled equity ownership.

4.2. For a service provider to claim BBBEE status points appropriate information must be provided together with the proposal. The award of BBBEE status points will be at the sole discretion of NNR. Points will **ONLY** be awarded where the NNR is fully satisfied that the business enterprise meets the relevant criteria.

4.3. Evaluation of Proposals

The evaluation of proposals will be on the basis of their responsiveness to the scope of work, applying the evaluation criteria indicated below. Each responsive proposal will be given a score. A proposal considered to be unsuitable shall be rejected at this stage if it does not respond to important aspects of the scope of work.

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No.	Category		Total
A.	Price		50%
B.	Compliance to Specification, Competency or Functionality		40%
1.	Understanding of the Scope of Work	5%	
2.	Credentials of individual/s conducting the work (provide names and CVs)	10%	
3.	Proposed Methodology and approach	15%	
4.	Methodology and undertaking for Skills transfer to NNR Staff	10%	
C.	Broad Based Black Economic Empowerment status ¹		10%
TOTAL			100%

5. Conditions for tenders

All tenderers responding to this request must meet the following conditions in order to be considered:

- 5.1 The tax clearance certificate issued by the South African Revenue Services must be attached;
- 5.2 The tenderer must submit **four (4) copies** in a manner prescribed in this tender document;
- 5.3 The tenderer shall furnish such additional information that the NNR may reasonably require;
- 5.4 Any false declaration of the information will result in the exclusion of the tender from consideration
- 5.5 A complete proposal, with a **signed** form of **offer or a letter** of undertaking with contents similar to the form prepared on the company's official letterhead, shall be placed in a sealed envelope clearly marked with the following title:

¹ Individuals or entities claiming BBBEE status must provide accreditation certification from Department of Trade & Industry approved verification agencies.

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PLEASE NOTE: The envelope should also bear the name and postal address of the service provider.

- 5.6 The proposal, in the sealed envelope, shall be deposited in the Tender Box at the offices of the NNR at the following address:

**The National Nuclear Regulator
Centurion Office Park
Block A, 2nd Floor Old Mutual Office Park
Cnr. Hendrik Verwoerd Drive and Embankment Road
CENTURION
South Africa**

6. Decision to award tender

The NNR is not bound to accept any of the proposals submitted including the lowest offer. The decision to award the tender will be based on both the competencies and cost portions of the proposal.

7. Costs of preparation of the proposal

The costs of preparing the proposal and of negotiating the contract are not reimbursable as a direct cost of this TOR.

8. Validity Periods

The period for the proposal to remain valid and binding should be at least 60 days from the offer date as reflected in the Form of Offer.

9. Firm Price/rate

Service providers must submit firm prices.

A detail cost breakdown of the work that includes all foreseeable costs. This must be separately include the number of billable hours, travel and other reimbursement costs.

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10. Acceptance

The successful service provider will be notified through a **Letter of Acceptance** from the NNR signed by an authorised official of the NNR, notifying the service provider of the acceptance of the Proposal.

The award of the tender shall be subject to the successful conclusion of a contract between the NNR and the successful service provider.

11. Commencement of assignment

Commencement of work shall be subject to the provisions of the contract and receipt of an official order from the NNR.

The assessment must be conducted over the period 6-10 July 2009. The report referred to in section 16 below must be provided by 30 July 2009.

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12. Terms of Payment

- 12.1. The NNR will only commence payment processes after fulfilment of the conditions contained in the contract and receipt of an invoice from the service provider and after such has been approved by the client division as representing the services received under this Terms of Reference.
- 12.2. Payment of invoices will be effected on the last day of the calendar month following the calendar month of receipt of a correct and original invoice.
- 12.3. All payments will be made by the NNR **ONLY** through electronic bank transfer into a banking account nominated by the Service Provider.

13. Cancellation of the TOR

The NNR reserves the right to cancel this TOR, at any stage, if the NNR determine that time-lines and standards have been or are likely to be compromised or it determines that it is not in the best interest of the NNR to proceed with the TOR.

14. Closing time and date

The completed proposal must be delivered at the submission address on or before the following time and date **Thursday 28 May, 12:00.**

PLEASE NOTE: Any proposal received after the closing time for submission of proposals shall be returned unopened.

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SECTION B: SCOPE OF WORK

15. Introduction

The NNR issue licences to Reactor and Senior Reactor Operators at Koeberg Nuclear Power Station. The process and standards used are based on the process as currently applied by the US NRC and adapted for South Africa.

The plan is to conduct a review of the NNR reactor operator license examination process, including the Eskom processes, in applying the relevant US standards and practices and to make recommendations on the NNR resources needs and process needs for operator licensing. This will include recommendations on outsourcing of this function in the short or medium term (until the posts are filled) and the provision of training and capacity building for this function.

16. Services required

Review the NNR process in applying the above –mentioned standards as observed during the administration of an initial Operator license examination. The review is to coincide with the administration of an initial operator license examination during the period of the simulator and in plant walkthrough sections which are scheduled for the week of 6-10 July 2009.

The review should be performed against the latest Nureg 1021, Revision 9. Focus areas are the following:

- Examination integrity
- Adequacy of content of simulator and in plant walkthrough examination material
- Adequacy of capturing of observed deficiencies and grading of the examination
- Examiner competencies

To aid in the review familiarization with the South African requirements related to the training and examination of power plant operators is required.

Provide a comprehensive report on the above with recommendations on the NNR resource needs and process needs for operator licensing, including recommendations on outsourcing of this function and the provision of training and capacity building for this function in the NNR.

17. Confidentiality

The report referred to in section 16 above will be the property of the NNR and will be treated as confidential.

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SECTION C: FORM OF OFFER

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We, _____ (the name of service provider) do hereby propose to provide services/products to the National Nuclear Regulator in conformity with the scope of work, applicable laws, regulations, guidelines, and TOR and Appendices if any detailed in this Tender Document.

The offered price(s) for the good or services under this tender invitation are detailed in the body of the proposal or in the Price Schedule Section of this tender document and are **VAT inclusive**

We acknowledge that we have familiarised ourselves with all the contents of this tender document as they are detailed in all the sections of the document, accompanying appendices, where applicable, etc.

We undertake, if our proposal is accepted, to enter into a contract with the NNR to commence work in accordance with the scope of work and the contents of this tender invitation and any other terms agreed with the NNR.

Signed at _____ (place) on

_____ (date).

Full Name of duly authorised official of the service provider

SIGNATURE