

TERMS OF REFERENCE

PERFORMANCE EVALUATION/ASSESSMENT OF THE BOARD OF THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI)

1. INTRODUCTION

The South African National Biodiversity Institute (SANBI) is a schedule 3A PFMA public entity under the Department of Forestry, Fisheries and the environment (DFFE), established in terms of the National Environmental Management Biodiversity (NEMBA) Act No. 10 of 2004. SANBI leads and coordinates research, and monitors and reports on the state of biodiversity in South Africa. The institute provides knowledge and information, gives planning and policy advice and pilots best-practice management models in partnership with stakeholders. SANBI engages in ecosystem restoration and rehabilitation, leads the human capital development strategy of the sector and manages the National Botanical and Zoological Gardens as 'windows' to South Africa's biodiversity for enjoyment and education.

The SANBI Board is appointed by the Minister of Forestry, Fisheries and the Environment in terms of the National Environmental Management Biodiversity Act (NEMBA) (Act No. 10 of 2004), Part 2, Governing Board, composition and membership, Section 17, and it is the Accounting Authority of SANBI. The current Board was appointed effective 01 October 2021 to 30 September 2024, for a three-year term of office.

2. BACKGROUND

Clause 9 of the Corporate Governance Agreement (CGA) entered into between the Minister of Forestry, Fisheries and the Environment with the Members of the SANBI Board, states that "*the Board and its various committees shall, within three (3) months of the inaugural year and independent to the Minister, conduct an evaluation of its own performance to support continued improvement in its efficiency and effectiveness*". This is in line with **Principle 9 of the King IV Report** which provides that "*The governing body should ensure that the evaluation its own performance and that of its committees, its chair and its individual members, support continued improvement in its performance and effectiveness*".

The King IV report further recommends that the Board conducts a formal performance evaluation every two years, and during the alternate year, the Board should schedule in its annual work plan an opportunity to consider, reflect and discuss its performance. The reason for the gap between formal evaluations is to allow the Board sufficient time to address the findings of the previous evaluation.

3. OBJECTIVE

The objective of the Board Performance evaluation is to examine the roles and responsibilities of the Board, the effectiveness of its Committees and should go be a substantive and rigorous review of its performance and efficacy to identify the core areas that require improvement and whether the Board has a healthy Board dynamic.

The Board Performance Evaluation should examine the roles of responsibilities of the Board, the effectiveness of its Committees, its relationship with key governance players and overall assess the key areas which impact its effectiveness.

4. SCOPE OF WORK

The following should be assessed: -

The Board as a whole (seven (7) Board members

- The Board assesses its overall performance and identifies its developmental areas.

Committees:

- The Committee evaluation allow governing body to evaluate the committee's contribution and effectiveness in fulfilling its mandate as constituted as follows:-
 - i. Risk and Audit Committee (ARC) with four (4) members and two (2) non-voting Experts Members
 - ii. Human Resources and Remunerations Committee (HR and REMCO) with three (3) members.
 - iii. Research, Development and Innovation (RD&I) Committee with four (4) members.

Individual Board members

- Individual board evaluations provide insights into the competency and engagement levels of each and member of the Board.
- These also include specific evaluations of the Chairperson and Chairpersons of the 3 Committees.

The area to be covered should in the main include review at high level, the governance aspects of the Board:

- High level Board evaluation questionnaire – Board assessment.
- Board Committee Evaluation Questionnaire to assess the performance of the Board Committees.
- Individual Board Peer/ Self-Review questionnaire

Deliverables

- To provide for the Summary of findings arising from Board Governance evaluation and recommendations.
- The results of the Skills assessment.
- Results from the Board Evaluation Questionnaire, Board Committee Evaluations and individual Board members peer and self-assessment.
- Areas of improvement
- Any other matter worth bringing to the attention of the entity.

EVALUATION CRITERIA

Minimum Requirements

Bidders must comply with all the minimum requirements as listed below. Failure to comply with any of the supporting documentation listed below will result in your bid being disqualified.

ITEM DESCRIPTION	
(a)	Bidder must complete and sign the bid forms in full.
(b)	Proof registration with Central Database System (CSD) must be attached to the bid.
(c)	Proof of registration with relevant registration bodies

A. Evaluation Methodology

In accordance with the Preferential Procurement Policy Framework Act, 2000 the bid evaluation process shall be carried out in three Phases namely:

- Phase 1: Administrative Compliance
- Phase 2: Evaluation on Functionality
- Phase 3: Evaluation in terms of Price and Preference

1. Phase 1: Administrative Compliance

This is a first phase where service providers' proposals and attachments will be checked as per mandatory requirements in relation of supporting documents requested.

2. Phase 2: Functionality

The assessment on functionality will be done in terms of the evaluation criteria and minimum threshold as specified. The minimum qualifying score for functionality is **70%** as set out below. Bidders who fail to achieve the minimum qualifying score on functionality will be disqualified.

Functionality assessment should be allocated as follows:

	FUNCTIONALITY CRITERIA		
	COMPONENTS	Points Awarded	
A	FINANCIAL ABILITY		10
	Submission of letter from the Bank (we reserve the right to verify) Bank rating A Bank rating B Bank rating C Bank rating D Bank rating E Banking rating F downwards	10 08 05 03 02 0	
B	PROVEN TRACK RECORD OF THE COMPANY (Number of years active and experience gained in this field, to who services provided, and a record of services rendered complete with references. Provide documentation to confirm track record.)		30
	• Five (5) letters of reference • Four (4) letters of reference • Three (3) letters of reference • Two (2) letters of reference and less	30 20 10 0	
C	SKILLS AND QUALIFICATIONS (Attach Company profile with list of CV's and copies of qualifications of key personnel that will be assigned to the project) • Proof of registration with any relevant professional bodies for at least one key personnel assigned to the performance evaluation • No proof of registration A partner assigned to the project team should at least have a minimum of five (5) years' experience in conducting Board performance evaluation • More than five (5) years' experience • Minimum five years' experience • Less than five (5) years' experience	20 0 20 15 0	40
D	LOCALITY		20
	• Office situated in Gauteng Province • Office situated outside Gauteng Province	20 10	

The minimum qualifying score for functionality is **70%**.