KZNERA

KWAZULU-NATAL ECONOMIC REGULATORY AUTHORITY

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TERMS OF REFERENCE (TOR)

APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF GRAPHIC DESIGN SERVICES

1. PURPOSE

The purpose of this Terms of Reference (TOR) is to invite proposals from qualified and experienced service providers for the provision of professional graphic design services to the KwaZulu-Natal Economic Regulatory Authority (KZNERA), on an hourly-rate basis and on an "as-and-when-required" basis, for a period of two (2) years. The services include the design of communication materials such as reports, social media content, publications, and branding items. It is further expected that the Lead Graphic Designer assigned by the appointed service provider will facilitate skills transfer to KZNERA officials by hosting quarterly capacity-building workshops for the Communications Team.

2. BACKGROUND

KZNERA is a Schedule 3C public entity in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999), and is governed by applicable legislative frameworks. The mandate of KZNERA is to regulate the gambling and liquor manufacturing and trade industries in KwaZulu-Natal in the public's best interest. KZNERA requires consistent, on-brand visual communication across all platforms and publications. These Terms of Reference are intended to guide the appointment of a graphic design service provider for a period of two (2) years.

3. OBJECTIVES OF THE CONTRACT

3.1 To ensure the efficient provision of graphic design services on an as-and-when-required basis over the contract period of two (2) years.

3.2 To ensure all design outputs are coherent, consistent, and aligned with KZNERA's corporate identity guidelines.

3.3 To promote innovation and creativity in visual communication that supports KZNERA's strategic objectives.

4. SCOPE OF WORK

4.1 The Lead Graphic Designer assigned by the appointed service provider will be responsible for delivering high-quality graphic design solutions in line with the KZNERA brand identity and communication objectives. This includes, but is not limited to:

4.1.1. Designing visually engaging and professional materials that support KZNERA's internal and external communication needs, such as reports, brochures, banners, posters, social media content, and infographics;

4.1.2. Ensuring that all design outputs comply with KZNERA's corporate identity manual, relevant legislative requirements, and branding standards;

4.1.3. Safeguarding and managing all design assets and templates developed for KZNERA, ensuring proper storage, version control, and accessibility for future use;

4.1.4. Demonstrating efficiency in the use of time and resources while identifying opportunities to enhance visual communication and improve turnaround times;

4.1.5. Aligning all design work with the strategic objectives and planned communication campaigns of KZNERA;

4.1.6. Ensuring that all digital files are optimised for the appropriate platforms and formats, including:

A. Proper resolution and dimensions for print and digital use;

B. Compatibility with various devices and media channels;

C. Accessibility and user-friendly formats;

D. Implementation of any cybersecurity or data protection guidelines relevant to file handling and submission.

4.2 The Lead Graphic Designer assigned by the service provider will report to the Communications Manager and will be responsible for:

4.2.1 alignment with the KZNERA corporate identity;

4.2.2 professional and timely delivery of design materials;

4.2.3 responsiveness to communication briefs and brand requirements;

4.2.4 implementation of feedback and design revisions; and

4.2.5 the submission of monthly progress reports and updates to the Communications Manager.

4.3. The Lead Graphic Designer assigned by the service provider is expected to have the capacity to develop and deliver a wide range of communication materials across various platforms. These may include, but are not limited to:

4.3.1. Designing digital and print publications such as annual and other corporate reports, brochures, newsletters, pamphlets, flyers, banners, presentation templates, and social media artwork;

4.3.2. Designing collateral for corporate events and campaigns, including signage and promotional items;

4.3.3. Creating digital graphics optimised for web, mobile, and social media platforms in multiple formats;

4.3.4. Producing campaign concepts in collaboration with the Communications Unit, with flexibility to incorporate feedback and revisions;

4.3.5. Delivering artwork in open file formats (e.g., .AI, .PSD, .INDD) along with print-ready and web-ready versions;

4.3.6. Managing design timelines to ensure all deliverables are submitted within agreed turnaround times and according to brief;

4.3.7. Providing creative direction where necessary, and assisting in the conceptualisation of public awareness, educational, or stakeholder engagement campaigns;

4.3.8. Maintaining confidentiality of all materials and working files produced for KZNERA;

4.3.9. Attending briefing sessions, status meetings or presentations (virtually or in person) when requested by the Communications Unit or management;

4.3.10. Ensuring that all designed materials comply with accessibility standards and are inclusive in visual representation;

4.3.11. Supporting the development and refinement of templates and toolkits for internal use by KZNERA staff;

4.3.12. Collaborating with relevant stakeholders to ensure that final outputs align with approved designs and specifications;

4.3.13. Ensuring efficient use of design resources while providing value for money and adherence to procurement and contract guidelines; and

4.3.14. Performing any other graphic design or visual communication-related task as may be requested from time to time by the Communications Unit or executive management.

4.4 The Lead Graphic Designer will be required to implement a skills transfer programme, including quarterly capacity-building workshops for KZNERA officials. This may include practical demonstrations, mentoring sessions, and guidance on the use of relevant design software and templates.

- The Lead Graphic Designer will be required to develop a brief skills transfer plan at the commencement of the contract and provide periodic support sessions for designated officials. Progress on skills transfer activities will be reported as part of the regular progress updates.

- The Communications Unit will monitor the implementation of the skills transfer through attendance records of sessions conducted and feedback from participating officials.

5. REQUIREMENTS OF SERVICE PROVIDERS

All requirements outlined below relate strictly to the provision of graphic design services as defined in section 4.

5.1 Execution of Design Assignments

5.1.1. All design work must be executed in line with KZNERA's Corporate Identity Manual and applicable design standards, ensuring high quality, accuracy, and consistency across all platforms.

5.1.2. Upon request by KZNERA, all source files, working drafts, and related documentation are to be submitted within two (2) working days.

5.1.3. Bidders are requested to disclose any limitations in sharing design files, concepts, or raw content created during the contract period, should KZNERA request access for operational or archival purposes.

5.2 Timing and Delivery

5.2.1. The Lead Graphic Designer will be expected to adhere to deadlines as agreed in each project brief. Any deviation must be communicated in advance and approved by the Communications Manager.

5.2.2. Project timelines will be discussed and approved before commencement, and the service provider is expected to allocate sufficient resources to ensure timely delivery.

5.3 Quality and Objectivity

5.3.1. The Lead Graphic Designer is expected to maintain a professional and impartial approach and to avoid any conflict of interest when creating content for KZNERA.

5.3.2 Quality assurance is to be embedded in all stages of design development, from concept through to final delivery.

6. SPECIAL CONDITIONS

6.1. The contract duration shall be two (2) years.

6.2. KZNERA reserves the right to conduct annual performance reviews, and may cancel the contract should the service be deemed unsatisfactory.

6.3. The hourly rates will remain fixed for each year, with any annual escalation clearly indicated in the pricing schedule.

6.4 The appointed service provider will be bound by a confidentiality clause and expected to adhere to KZNERA's policies and procedures.

6.5 Bidders should demonstrate an understanding of the public sector environment and the mandate of KZNERA in their proposal and work plan (see section 9.2, item A).

6.6 The successful bidder will sign a service level agreement (SLA) with the KZNERA. Progress reporting and final deliverables will be monitored by the Communications Unit and reported to the CEO.

6.7 Any replacement of key personnel assigned to the project must be communicated immediately in writing and approved by KZNERA.

6.8 The bidder may not assign its responsibilities, in whole or in part, to another party without prior written consent from KZNERA.

6.9 All personnel assigned to KZNERA must maintain professional independence and avoid any conduct that could compromise objectivity.

6.10 The successful bidder is required to provide signed declarations for each assignment affirming originality and compliance with copyright and brand standards.

7. COMPETENCY REQUIREMENTS (SKILLS AND EXPERIENCE)

7.1. The Lead Graphic Designer assigned by the service provider is expected to demonstrate the **following** competencies, each of which is assessed through the returnable documents indicated and scored in terms of section 13:

7.1.1 Relevant experience in providing graphic design services, as set out in section 8.1(b). Experience within the public sector environment will be an added advantage but is not scored.

7.1.2 Independence from KZNERA, with no affiliation that may create a conflict of interest (confirmed through the declaration of interest in the standard bid documents).

7.1.3 Demonstrated expertise in professional graphic design and visual communication, as evidenced in the Portfolio of Evidence (section 9.2, item D).

7.1.4 A recognised graphic design qualification or an equivalent relevant qualification, as specified in section 8.1(a), a copy of which is to be submitted with the proposal. (COMPULSORY RETURNABLE)

7.1.5 Relevant experience in managing design projects from concept to delivery. No minimum number of years of experience is required; experience is assessed on its relevance and scored in terms of section 13 (criterion 4).

7.1.6 Knowledge of current trends, tools and best practices in graphic design, branding and visual storytelling, as evidenced in the Portfolio of Evidence (section 9.2, item D).

8. QUALIFICATIONS AND EXPERIENCE

8.1. The service provider is requested to assign a Lead Graphic Designer who:

A) holds a recognised graphic design qualification (a Higher Certificate at NQF Level 5 or higher in graphic design, visual communication, communication design or visual arts) or an equivalent relevant qualification (a qualification at NQF Level 5 or higher in a related field such as multimedia design, digital media, illustration or advertising, or a foreign qualification evaluated by the South African Qualifications Authority (SAQA) as equivalent). A higher qualification earns more points under section 13 (criterion 2). A Lead Graphic Designer without such a qualification does not disqualify the bidder, but earns no points under that criterion;

B) has relevant **experience** in providing professional graphic design services, including the design of reports, publications and communication materials, as evidenced in the CV at Annexure 1. No minimum number of years of experience is required; experience is scored in terms of section 13 (criterion 4);

C) demonstrates proficiency in industry-standard design software (e.g., Adobe Creative Suite) and submits a Portfolio of Evidence showcasing relevant work in the categories listed in section 9.2 (item D), which is scored in terms of section 13 (criterion 5); and

D) may have additional skills or experience in multimedia, animation or motion design, including video editing or web-based interactive content creation, which will be regarded as an added advantage but is not scored.

8.2. The Lead Graphic Designer is expected to demonstrate creative judgement, technical skill and the ability to manage projects independently, ensuring that all design and communication deliverables meet KZNERA's standards. This is assessed through the Portfolio of Evidence and the reference letters (section 9.2, items D and E).

9. BID REQUIREMENT

9.1. STANDARD BID DOCUMENTATION

9.1.1. All bidders are required to complete and submit the prescribed standard bid documentation as issued by KZNERA.

9.2. Technical Proposal

9.2.1. Bidders must submit a detailed technical proposal comprising the following:

A. Proposal and Work Plan – criterion 1

- A clear understanding of the assignment, the public sector environment and the mandate of KZNERA, and how the service provider will execute graphic design services on an as-and-when-required basis.
- Methodology and approach for delivering design projects from concept to final output.
- Turnaround times for typical deliverables and responsiveness to briefs.
- Resource allocation and approach to ensure timely delivery while maintaining quality.

B. Lead Graphic Designer – Qualifications – criterion 2

- Copies of the Lead Graphic Designer's qualification(s) (diploma, degree or certificate) as specified in section 8.1(a), together with a SAQA evaluation for any foreign qualification. (COPIES OF QUALIFICATIONS)

C. Lead Graphic Designer – CV and Experience – criterion 4

- Detailed CV outlining the years of relevant experience in graphic design and in managing similar design projects (the service provider is to complete the CV template attached as Annexure 1).

- Experience should be specific to graphic design services similar to those required in this TOR. Years of experience will be calculated from the dates stated in the CV.
- Relevant experience in providing professional graphic design services, including the design of reports, publications and communication materials. No minimum number of years of experience is required.

D. Lead Graphic Designer – Portfolio of Evidence (POE) – criterion 5

- A portfolio demonstrating the Lead Graphic Designer's design competence across the following five categories of graphic design work (a maximum of two examples per category should be submitted):
- Category 1 – Reports and publications (e.g., annual reports, corporate or research reports, magazines and newsletters);
- Category 2 – Brochures, pamphlets and flyers;
- Category 3 – Social media and digital graphics (e.g., social media artwork and web, mobile or email graphics);
- Category 4 – Posters, banners, signage and event or promotional collateral; and
- Category 5 – Infographics, data visualisation and presentation templates.
- Each category evidenced by at least one verifiable example of relevant graphic design work will be awarded one mark (three (3) points), up to a maximum of five (5) categories (fifteen (15) points).
- Two or more examples of essentially the same type of work (for example, annual reports for two different organisations) will be treated as one category and awarded one mark (three (3) points) only.
- For each example, the bidder should state the client or organisation, the year of completion..

E. Previous Assignments / Reference Letters – criterion 3

- Verifiable reference letters, on the client's official letterhead, confirming completion of similar graphic design work by the service provider.

- Reference **letters** should be signed and include the client's **contact details.** A bid without reference letters will not be disqualified on that basis alone, but will be awarded no points under criterion 3. Unsigned letters, or letters without contact details, will not be scored.

10. NON-APPOINTMENT

10.1. The KwaZulu-Natal Economic Regulatory Authority (KZNERA) reserves the right not to appoint any bidder should none meet the required standards or specifications set out in these Terms of Reference (TOR). Submission of a proposal does not guarantee appointment. KZNERA is under no obligation to appoint the lowest bidder and may negotiate with the selected service provider to obtain the best market value.

11. PRICING SCHEDULE INCLUDING VAT

11.1. The service provider must provide a single all-inclusive hourly rate for the provision of graphic design services, which may differ for each year of the two-year contract. This rate must include project management, software usage, overheads, and any other related costs.

11.2. The hourly rate must remain fixed for each respective year, and any proposed annual increase must be clearly stated in the table below.

11.3. The KwaZulu-Natal Economic Regulatory Authority (KZNERA) will engage the appointed service provider on an as-and-when-required basis over a period of two (2) years. The volume of work will depend on project needs and the availability of budget.

11.4. Service providers are requested to indicate their hourly rates for each year of the contract period, including any applicable annual escalation. KZNERA reserves the right to adjust usage based on operational requirements.

11.5. For budgeting and purchase order purposes, the estimated utilisation of services is approximately 1400 hours per year. This estimate is provided for planning purposes only and does not guarantee that the full number of hours will be utilised.

11.6. Actual work will be assigned on an as-and-when-required basis, subject to approved project briefs and budget availability.

11.7. COMPULSORY TO COMPLETE TABLE BELOW.

DESCRIPTION	**ESTIMATED HOURS**	**RATE PER HOUR (VAT Inclusive)**	**ESCALATION% (IF APPLICABLE)**
Year 1	1400		
Year 2	1400		

11.8. Note: The quoted rates must cover all design-related services, regardless of the number of resources involved. No additional charges for staff levels or hidden costs will be accepted.

11.9. For each assignment, KZNERA may request a cost estimate based on the expected number of hours required, deliverables, and turnaround times. Work must not commence without written approval.

12. DURATION OF THE CONTRACT

12.1. The duration of the contract shall run over a period of two (2) years starting after the signing of the SLA with KZNERA.

12.2. The contract will be reviewed on an annual basis to assess the level of performance of the service provider. In the event that it is found that the service is not satisfactory, KZNERA reserves the right to cancel the contract.

13. EVALUATION

Proposals will be evaluated on the following basis:

13.1. Initial screening to ensure all documents submitted are in order.

13.2. Functionality assessment.

13.3. Price evaluation on the 80/20 points system.

13.4. Functionality Criteria

13.5. All bids will be evaluated in terms of functionality, out of a maximum of 70 points, as set out in the table below:

No	Functional specification	Points	Maximum
1	**Evaluation of the proposal and work plan submitted by the service provider (section 9.2, item A):**		**15 points**
	— Poor/Unacceptable: none or only one of the four elements in section 9.2, item A, is addressed	0 points	
	— Satisfactory: two or three of the four elements are addressed	10 points	
	— Good: all four elements are addressed	15 points	
2	**Demonstrated expertise of the Lead Graphic Designer**		
	(Points are awarded under this criterion only where points are scored under criterion 1 above) **a) Qualification** Graphic Design / Visual Communication / Communication Design / Visual Arts, or an equivalent relevant qualification (section 8.1(a))		**15 points**
	— No qualification, a qualification below NQF Level 5, or a qualification not relevant to graphic design	0 points	
	— Higher Certificate or Advanced Certificate (NQF Level 5 to 6)	5 points	
	— Diploma, Advanced Diploma or Bachelor's degree (NQF Level 6 to 7)	10 points	
	— Honours degree, postgraduate diploma or higher (NQF Level 8 or above)	15 points	
3	**Signed reference letters from clients, on official letterhead and with contact details, confirming similar graphic design work completed by the service provider (section 9.2, item E)**		**15 points**
	— No reference letter submitted	0 points	
	— 1 reference letter	5 points	
	— 2 to 4 reference letters	10 points	
	— 5 or more reference letters	15 points	

4	**Lead Graphic Designer – relevant experience, as evidenced in the CV (Annexure 1)**		**10 points**
	— No relevant experience demonstrated in the CV	0 points	
	— Less than 1 year of relevant experience	3 points	
	— 1 year to less than 2 years of relevant experience	7 points	
	— 2 years or more of relevant experience	10 points	
5	**Lead Graphic Designer Portfolio of Evidence (POE) (section 9.2, item D)**		**15 points**
	— No verifiable example of relevant graphic design work submitted	0 points	
	— Verifiable examples in one (1) category	3 points	
	— Verifiable examples in two (2) categories	6 points	
	— Verifiable examples in three (3) categories	9 points	
	— Verifiable examples in four (4) categories	12 points	
	— Verifiable examples in five (5) categories	15 points	
Maximum points to be awarded			**70 points**
THRESHOLD			**60% (42 points)**

13.6. A service provider must score a minimum **of 60%** (42 out of 70 points) to proceed to the price evaluation stage. Proposals that do not meet the threshold will be deemed non-responsive and disqualified.

13.7. KZNERA reserves the right to validate the reference letters, qualifications and portfolio examples submitted.

13.8. For criterion 4, years of relevant experience are calculated from the dated entries in the CV (Annexure 1).

13.9. For criterion 5, the categories are those listed in section 9.2, item D. Two or more examples of essentially the same type of work (for example, annual reports for two different organisations) are treated as one category and awarded one mark (three (3) points) only.

13.10. A bid that does not include a qualification, reference letters or portfolio examples will not be disqualified on that basis alone, but will score no points under the related criterion. The 60% threshold above continues to apply.

13.11. Price evaluation

13.12. Proposals that meet the threshold will be assessed using the 80/20 preference point system, where:

Price	80 points
Specific Goals	20 points
Total	100 points

14. RETURNABLE

The following information must be returned with the proposal:

14.1. A valid B-BBEE certificate or sworn affidavit.

14.2. Completed and signed SBD forms - Failure to complete all required information may result in disqualification.

14.3. Proof of Registration on CSD

14.4. Pricing Summary (Refer to Section 11 above for pricing schedule, hourly rates, and any related cost components including disbursements).

14.5. Supporting documents for specific goal points claimed by the service provider. Failure to provide the supporting documents will result in no points being awarded.

14.6. Supporting documents for functionality scoring, namely the technical proposal and work plan, copies of qualifications, the completed CV (Annexure 1), the Portfolio of Evidence and reference letters (section 9.2). Failure to provide a document will result in no points being awarded for the related criterion.

15. Submission

15.1. Proposals are to be emailed to the SCM Unit on or before the closing date and time as specified in the bid document. Submissions received after the cut-off date and time (according to KZNERA's email server) will not be considered.

15.2. Enquiries are to be directed to: (SCM) Bhekani Mncwango / (Communications Manager) Clarissa Naidoo via email: Bhekani.Mncwango@kznera.org.za / Clarissa.Naidoo@kznera.org.za

16. Terms and Conditions

16.1. This request is subject to the General Conditions of Contract published on the National Treasury website www.treasury.gov.za

16.2. All suppliers must be registered on the National Treasury Central Supplier Database (CSD). The Central Supplier Number is to be included in the proposal.

16.3. Proposals are to be submitted on the supplier's letterhead.

16.4. This request is subject to the terms and conditions prescribed by the Preferential Procurement Regulations, 2022, and KZNERA's own policies.

ANNEXURE 1: CURRICULUM VITAE OF LEAD GRAPHIC DESIGNER (MAX 5 PAGES)

1. **Surname:**
2. **First names:**
3. **Date of birth:**
4. **Nationality:**
5. **Education:**

INSTITUTION [DATE FROM - DATE TO]	QUALIFICATION OBTAINED (INCLUDE NQF LEVEL):

6. Language skills: Indicate competence on a scale of 1 to 5 (1 = excellent; 5 = basic)

LANGUAGE	READING	SPEAKING	WRITING
English			
isiZulu			

7. Professional Experience

DATE FROM - DATE TO	LOCATION	COMPANY	POSITION	DETAILED DESCRIPTION OF PROJECTS/RESPONSIBILITIES ETC

*NOTE: Information must be clear and legible. Detail the responsibilities and projects under section 7, Professional Experience. Years of relevant experience will be calculated from the dates stated.

Approved by *C. Naido*