



NAME OF BID	PROVISION OF INTEGRATED REGULATORY SOLUTION FOR THE FSCA
BID NO.	FSCA2022/23-T001
CLOSING DATE	01 NOVEMBER 2022
CLOSING TIME	11h00 (South African Standard Time, obtained from Telkom SA SOC Limited by dialling 1026)

BIDDER NAME			
ID/REGISTRATION NUMBER			
CSD NUMBER			
B-BBEE LEVEL		EXPIRY DATE	
CONTACT PERSON			
EMAIL ADDRESS			
TELEPHONE NUMBER			

Riverwalk Office Park, Block B; 41 Matroosberg Road
(Corner Garsfontein and Matroosberg Roads)
Ashlea Gardens, Extension 6
Menlo Park; Pretoria; South Africa; 0081

P.O. Box 35655; Menlo Park; 0102

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Website: www.fsca.co.za



Executive Committee:

Commissioner: U. Kamlana | Deputy Commissioners: A. Ludin | K. Gibson | F. Badat

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A. INTRODUCTION TO BID

1. Introduction

- 1.1 The Financial Sector Conduct Authority (FSCA) was established in terms of the Financial Sector Regulation Act, No. 9 of 2017. It is responsible for market conduct regulation and the supervision of the financial services industry. The objectives of the FSCA are to enhance and support the efficiency and integrity of financial markets, to protect financial customers by promoting their fair treatment by financial institutions, as well as providing financial customers with financial education. The FSCA is a Schedule 3A Public Entity, in terms of the Public Finance Management Act, No. 1 of 1999 (PFMA).
- 1.2 The vision of the FSCA is to ensure an efficient financial sector where customers are informed and treated fairly, and its mission is to ensure a fair and stable financial market, where consumers are informed and protected, and where those that jeopardise the financial well-being of consumers are held accountable. Visit the FSCA website, www.fsc.co.za for further information about the FSCA.
- 1.3 The FSCA operates from offices in Pretoria at Riverwalk Office Park; 41 Matroosberg Road; Ashlea Gardens Extension 6; Menlo Park; Pretoria.
- 1.4 All information, including personal information collected during this process will be treated as confidential, and processed in line with the Promotion of Access to Information Act, No. 4 of 2013 and the FSCA Privacy Policy. For more information on how your personal information is processed and how you may exercise your rights in term of privacy laws, please view the Privacy Policy on the FSCA website at www.fsc.co.za
- 1.5 Bidders are hereby invited to submit bids for the appointment of a service provider to supply, install and configure an Integrated Regulatory Solution which must meet, and if necessary, be customised to, the business requirements of the FSCA within 18 months and as well as provide support and maintain the Solution for a period of five (5) years after the go-live date.
- 1.6 The contract will commence on 01 April 2023 or earlier.
- 1.7 This bid is subject to the Preferential Procurement Policy Framework Act, No. 5 of 2000 and the Preferential Procurement Regulations, 2017, Broad-Based Black Economic Empowerment Act, No. 53 of 2003, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.

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2. Non-compulsory briefing session

- 2.1 A **non-compulsory briefing** session will be held on **25 August 2022** at **10H00** for a maximum of two (2) hours using an online meeting platform.
- 2.2 A Microsoft Teams meeting link will be provided on the FSCA's website.

3. Bid enquiries and questions

- 3.1 Enquiries relating to minor administrative issues with reference to the bid may be directed to:

Ms. Monicca Masenya
Supply Chain Management Unit
Tel no.: (012) 367 7847
E-mail: tenders@fsc.co.za

- 3.2 All questions relating to the contents of the bid (conditions, rules, terms of reference etc.) must be forwarded in writing via email to tenders@fsc.co.za by not later than **25 September 2022**. Questions received after this date will not be entertained.
- 3.3 All questions must reference specific paragraph numbers of this bid document, where applicable.
- 3.4 All enquiries (received on or before the closing date for enquiries) will be consolidated and the FSCA will publish one response document on the FSCA's website (www.fsc.co.za) within ten (10) working days after the date in indicated in paragraph 3.2.
- 3.5 No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

4. Bid submission

- 4.1 Bid documents may either be posted (preferably by registered mail) or placed in the bid box or couriered to the physical address. Bids submitted by means of e-mail, telex facsimile, electronic or similar means shall not be considered.
- 4.2 Complete documents with supporting annexures shall be packaged, sealed, clearly marked and submitted strictly as follows:

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- 4.3 The FSCA requires four (4) printed copies, one (1) original and three (3) copies and one (1) electronic copy (on an electronic storage media, preferably a CD or

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flash drive/memory stick) in PDF format, all bound in a sealed envelope marked as stated in paragraph 4.2.

- 4.4 Bids must be properly packaged and deposited on or before the closing date and before the closing time in the bid box situated at the reception area of the FSCA. The physical address of the FSCA is as follows:

Financial Sector Conduct Authority
Riverwalk Office Park, Block B
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)
Ashlea Gardens, Extension 6
Menlo Park
Pretoria, 0081

GPS Coordinates	
Latitude	-25.7843344
Longitude	28.268365

- 4.5 Bid documents may also be posted (preferably by registered mail) to:

PO Box 35655
Menlo Park
Pretoria
0102

- 4.6 Bid documents will only be considered if received by the FSCA on or before the closing date and time, regardless of the method used to send or deliver such documents to the FSCA.

- 4.7 **Late submissions will not be accepted.**

- 4.8 Bidders must initial each page of the bid document on the bottom right hand corner.

5. Pricing schedule

- 5.1 Only fixed prices in South African Rand (ZAR) will be accepted.
- 5.2 Prices should be inclusive of Value Added Tax (VAT) currently at 15%
- 5.3 Bidders are required to provide detailed pricing schedule for all services proposed.
- 5.4 A pricing schedule summary (Annexure C) must be submitted on a separate sheet from the technical proposal for ease of evaluation. The pricing schedule must be submitted adjacent to the SBD3.3 form in the bid proposal.

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B. DEFINITIONS

6. Definitions

- 6.1 Unless inconsistent with or expressly indicated otherwise by the context.
- 6.1.1 **FSCA** shall mean the Financial Sector Conduct Authority or any successor in title.
- 6.1.2 **Contractor** shall mean the successful bidder whose bid has been accepted by the FSCA and shall include the bidder's personal representatives.
- 6.1.3 **Contract** shall include the General Conditions of Contract and Special Conditions of Contract, the specifications including any schedules attached to the specifications, and any agreement entered into in terms of these Special Conditions of Contract.
- 6.1.4 **Service** shall mean the supply, installation and configuration of an Integrated Regulatory Solution (the Solution) to be completed within a period of less than 18 months, which must meet, and if necessary, be customised to the business requirements of the FSCA; including support and maintenance for a period of five (5) years after the go-live date.
- 6.1.5 **Subcontractor** The person to whom a part of the project is assigned, leased or made out to by the primary contractor to support such primary contractor in the execution of the project in terms of the contract.
- 6.1.6 **Person** includes natural and juristic persons and shall include an authorised employee or agent of such person.
- 6.2 Except where the context indicates otherwise, in this document the singular includes the plural, and with reference to gender, the one includes the other.

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C. BID RULES

7. Capabilities and experience of bidders

7.1 Bidders are required to provide all information as may be necessary to demonstrate their capabilities and experience with regard to the requested services.

8. Form of bid

8.1 The bid shall be signed and witnessed on the form of bid incorporated herein. The schedule of services shall be fully priced in South African Rand (ZAR) to show the total amount of the bid and shall be signed. The certificates, schedules and forms contained in this document shall be completed and signed by the bidder in blue or black ink.

8.2 **Please note:** No correction fluid such as Tippex or similar product is allowed. All changes must be scratched out and a signature next to each change.

8.3 Where the space provided in the bound document is insufficient, separate schedules may be drawn up in accordance with the prescribed formats. These schedules shall be bound with a suitable contents page and submitted with the bid documents.

9. Signing of bid

9.1 The bid must be signed by a person who is duly authorised to do so.

10. Bid all inclusive

10.1 The bidder must provide an all-inclusive fee statement in the bid.

11. Alterations to bid documents

11.1 No unauthorised alteration or addition shall be made to the form of bid, to the schedule of quantities of services to be rendered or to any other part of the bid documents. If any such alteration or addition is made or if the schedule of quantities of services to be rendered, or other schedules or certificates are not properly completed, such submission may be disqualified.

12. Qualifications on bid

12.1 Bids submitted in accordance with this bid document shall be without any qualifications.

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13. FSCA'S rights

- 13.1 The FSCA is entitled to amend any bid condition, bid validity period, bid specification, or extend the bid's closing date, all before the bid closing date. The FSCA reserves a right to extend the bid validity period before its expiry period. All bidders, to whom the bid documents have been issued and where the FSCA have record of such bidders, shall be advised in writing of such amendments in good time and any such changes will also be posted on the FSCA's website under the relevant bid information. All prospective bidders should, therefore, ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.
- 13.2 The FSCA reserves the right not to accept the lowest priced bid or any bid in part or in whole.
- 13.3 The FSCA reserves the right to award this bid as a whole or in part.
- 13.4 The FSCA reserves the right to conduct site visits at bidder's corporate offices and/or at client sites if so required.
- 13.5 The FSCA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the National Treasury Instruction Note 02 of 2016/2017: Cost Containment Measures, where relevant.
- 13.6 The FSCA reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the FSCA to conduct background checks on the bidding entity and any of its directors/trustees/shareholders/members.

14. Undertaking by bidder

- 14.1 By submitting a bid in response to this bid, the bidder will be taken to have offered to render all or any of the services described in the bid response submitted by it to the FSCA on the terms and conditions and in accordance with the specifications stipulated in this bid document.
- 14.2 The bidder shall prepare for a possible presentation should the FSCA require such and the bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this bid.
- 14.3 The bidder agrees that the offer contained in its bid shall remain binding upon him and receptive for acceptance by the FSCA during the bid validity period indicated in this document and calculated from the bid closing date. Its acceptance shall be subject to the terms and conditions contained in this bid document read with the bid.

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- 14.4 The bidder furthermore confirms that they have satisfied themselves as to the correctness and validity of their bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all their obligations under a resulting contract for the services contemplated in this bid; and that they accept that any mistakes regarding price(s) and calculations will be at their risk.
- 14.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on them under the supply agreement and Service Level Agreement (SLA) to be concluded with the FSCA, as the principal(s) liable for the due fulfilment of such contract.
- 14.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with this bid will become FSCA property unless otherwise stated by the bidder/s at the time of submission.

15. Central supplier database

- 15.1 Except for foreign bidders, the FSCA will not award any bid to a supplier who is not registered as a prospective supplier on the Central Supplier Database (CSD) as required in terms of National Treasury SCM Instruction Note 4A of 2016/2017.
- 15.2 The supplier is responsible to continuously update their information, including personal information on the CSD to ensure that it is complete, accurate and not misleading.
- 15.3 In cases of a foreign recommended bidder, with neither South African tax obligation nor history of doing business in South Africa, the foreign recommended bidder's completed standard bidding document (SBD 1) must be submitted to SARS for confirmation of tax status.

16. Supplier performance management

- 16.1 Supplier Performance Management is viewed by the FSCA as a critical component in ensuring it acquires value for money and maintains good supplier relations between the FSCA and all its suppliers.
- 16.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude an SLA with the FSCA (where applicable), which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to the FSCA's business.

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16.3 The successful bidder will be required to comply with the above conditions, and also provide a scorecard on how their product/service offering is being measured to achieve the objectives of this condition.

17. Cancellation of contract

17.1 If the FSCA becomes aware or is satisfied that any person (including an employee, partner, director or shareholder of the bidder or a person acting on behalf of or with the knowledge of the bidder), firm or company; amongst others:

17.1.1 is executing a contract with the FSCA unsatisfactorily,

17.1.2 has in any manner been involved in a corrupt act or provided a gift or remuneration in relation to any officer or employee of the FSCA, in connection with obtaining or executing a contract,

17.1.3 has acted in bad faith, in a fraudulent manner or committed an offence in obtaining or executing a contract,

17.1.4 has in any manner influenced or attempted to influence the awarding of FSCA's bids,

17.1.5 has when advised that his bid has been accepted, given notice of his inability to execute or sign the contract or to furnish any security required,

17.1.6 has engaged in any anti-competitive behaviour, including having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from bidding for this contract, or relating to the bid price to be submitted by either party,

17.1.7 has disclosed to any other person, any information relating to this bid, except where disclosure, in confidence, was necessary to obtain quotations required for the preparation of the bid,

the FSCA may, in addition to any other legal recourse, which it may have, cancel the contract between the FSCA and such a person, firm or company and/or resolve that no bid from such a person will be favorably considered for a period, as prescribed by the National Treasury.

17.2 Any restriction imposed upon any person shall apply to any other person with which such a person is actively associated.

18. Applicable laws

18.1 The laws of the Republic of South Africa shall be applicable to each contract created by the acceptance of a bid and each bidder shall indicate an address in

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the Republic and specify it in the bid as his *domicilium citandi et executandi* where any legal process may be served on him.

18.2 Each bidder shall accept the jurisdiction of the courts of the Republic of South Africa.

19. Reasons for disqualification of bid

19.1 The FSCA reserves the right to disqualify any unacceptable bid as defined in the PPPFA and such disqualification may take place without prior notice to the offending bidder. The grounds for disqualification amongst others include the following:

19.1.1 bidders who submit incomplete information and documentation as specified in the requirements of this bid document;

19.1.2 bidders who submit information which is fraudulent, factually untrue or inaccurate;

19.1.3 bidders who receive information not available to other potential bidders through any means;

19.1.4 bidders who do not comply with mandatory requirements, if stipulated in the bid document;

19.1.5 bidders who fail to attend a compulsory briefing session and sign the bid register, if stipulated in the bid advert and/ or in this bid document; and/or

19.1.6 bidders who fail to comply with FICA (Financial Intelligence Centre Act, No. 38 of 2001) requirements (where applicable).

20. Local Production and Content

20.1 The FSCA promotes Local Production and Content. In the case of designated sectors, only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered. Where applicable, the FSCA will reserve the right, at its sole discretion, to set minimum thresholds for sectors which may not have been declared as designated sectors by the Department of Trade and Industry (or its successor in title) in an effort to stimulate local production and content where relevant.

21. Delegation of authority

21.1 The FSCA may delegate any power vested in it by virtue of these Terms of Reference to an officer or employee of the FSCA.

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22. Bid rules are binding

22.1 The bid rules as well as the instructions given in the official bid notice shall be binding on all bidders submitting bid applications for the service or services set out in the bid document.

23. Language of contract

23.1 The bid documents are drafted in English and any contract, which originates from the acceptance of the bid, will be interpreted and construed in English.

D. TERMS OF REFERENCE

24. Objectives

24.1 The broad objectives of this bid include:

To provide bidders with adequate information to understand and respond to the FSCA's requirements to appoint a service provider to supply, install and configure an Integrated Regulatory Solution which must meet, and if necessary, be customised to, the business requirements of the FSCA within 18 months and also as providing support and maintain the Solution for a period of five (5) years after the go-live date .

24.1.1 To ensure uniformity in the responses received from each prospective service provider.

24.1.2 To provide a structured framework for the evaluation of proposals.

25. Background

25.1 The FSCA's core business requirements are centred on its financial sector regulatory and supervisory functions and business processes which are informed by its mandate emanating from the Financial Sector Regulation (FSR) Act and these require specialised software solutions.

25.2 The FSCA currently operates multiple systems to support the core regulatory services area. In addition, several processes are still executed manually.

25.3 To streamline its processes, the FSCA intends to procure and implement a Commercial Off-The-Shelf (COTS) Solution that will automate and integrate all its regulatory functions based on the requirements documented in this bid document.

25.4 Suitable solutions in the financial sector regulatory and supervisory space that exist must take advantage of the developments emanating in the Financial Technology (Fintech), Regulatory Technology (RegTech) and Supervisory Technology (SupTech) industries.

25.5 The Solution which the FSCA requires, will also be used by external stakeholders.

26. Purpose of the request for bid

26.1 The purpose of this bid is to appoint a contractor to:

26.1.1 Supply, install and configure an Integrated Regulatory Solution which must meet, and be customised to, the business requirements of the

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FSCA as outlined in Annexure A (Minimum Functional Requirements) in Section E below; within a period of 18 months.

26.1.2 Support and maintain the Solution for a period of five (5) years after the go-live date.

27. Technical background information

27.1 The FSCA's Information and Communication Technology (ICT) environment technical information is as follows:

27.1.1 Server operating system is Microsoft® Windows Server® 2019 (although the Solution should support for later versions).

27.1.2 Databases are clustered on Microsoft® SQL Server® 2019 (although the Solution should support for later versions).

27.1.3 Integration with third parties is currently being handled by the current regulatory system (developed in Magic eDeveloper) using web services. A full Enterprise Service Bus (ESB) with Application Programming Interface (API) will be available in future.

27.1.4 The Solution will replace the functionality currently provided by the applications developed on the Magic Platform and its associated Workflow system.

27.1.5 The FSCA follows a change management process which governs the implementation of all changes across four (4) different environments (development environment, user acceptance testing environment, production environment and disaster recovery environment). This proposal should therefore include all necessary costs and resources needed to implement the Solution according to the FSCA's change management processes.

28. Scope of work

28.1 The contractor will be required to:

28.1.1 Supply, install, configure and where necessary customise the proposed Solution to meet the FSCA's business requirements. The Solution provided must be fully functional after testing for approximately 700 internal users and an estimated 37,000 external users (forecasted over the contract period) who are mainly regulated entities and it must be scalable to support more users in future. The Solution must also support the functional requirements to enable the core business processes outlined in Annexure A in Section E below.

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- 28.1.2 Support and maintain the Solution provided for a period of five (5) years after go-live.
- 28.1.3 Review the business processes and business requirements, with the project team, as part of the project to align to industry best practice, while complying with all applicable legislation.
- 28.1.4 Migrate, validate and clean-up the regulated entity and individual data from the Magic® system used by the FSCA's regulatory functions. The proportion of regulated entities and individuals to be migrated are estimated at:
- 28.1.4.1 37,000 regulated entities; and
- 28.1.4.2 354,822 regulated individuals.
- 28.1.5 Implement system integration between the proposed Solution and the following internal solutions and external entities as part of the initial scope, but the Solution must be able to be configured with additional integrations in future:
- 28.1.5.1 Companies and Intellectual Property Commission (CIPC) for company information verification;
- 28.1.5.2 Department of Home Affairs (DHA) for individual information verification;
- 28.1.5.3 E-Signature solution for document approval;
- 28.1.5.4 OpenText eDocs for document management;
- 28.1.5.5 Finance Solution (currently Sage 300) for payment module, services fees, levies, customer account creation, profile data sharing;
- 28.1.5.6 Sage CRM solution for profile data and interaction history sharing.
- 28.1.6 Train employees of the FSCA, before, during and after handover as follows:

Table 1

TYPE OF USER	NUMBER OF ATTENDEES
Business administrators	15
System administrators	10
Super users	25
Train-the-trainers	50

28.1.6.1 Training shall be held at the premises of the FSCA in Pretoria at Riverwalk Office Park; Block B; 41 Matroosberg Road; Ashlea Gardens Extension 6; Menlo Park; Pretoria; South Africa or through electronic platforms, where feasible and agreed to by both parties.

28.1.6.2 Training materials must be provided to all attendees.

28.1.6.3 A detailed training plan must be provided as part of the proposal.

28.1.7 Providing change management services and support, guided by the FSCA's internal change management policies.

29. Solution requirements

29.1 The FSCA requires a Solution that must include, but not limited to, the following high-level key regulatory functional areas (which are detailed in Annexure A in Section E and Annexure B in Section F below):

29.1.1 Web-portal;

29.1.2 Regulated entity profile management;

29.1.3 Core licensing activities management;

29.1.4 Core supervision activities management;

29.1.5 Regulatory risk management;

29.1.6 Investigation and enforcement activities management; and

29.1.7 Regulatory revenue management.

29.2 The proposed Solution must also include, but not limited to, the following additional implemented capabilities:

29.2.1 Workflow management;

29.2.2 Integration capabilities;

29.2.3 Standard, as well as advanced analytics and custom reporting;

29.2.4 Document management;

29.2.5 Enhancement capabilities; and

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29.2.6 Case management.

30. Bid conditions

30.1 Please complete Annexure D in Section H to indicate compliance with the following bid conditions:

30.1.1 No hosted services or applications will be accepted.

30.1.2 The subcontractor selected by the bidder, must have experience in software / applications development; maintenance and support with a proven track record of successfully implementing and supporting similar software and architecture projects.

30.1.3 In the event of the bidder being a foreign entity, skills must also be transferred to the local subcontractor for ongoing support and maintenance. The subcontracting agreement needs to be provided as part of the response and must include details on how skills transfer will be done.

30.1.4 The proposed Solution must be developed in English.

30.1.5 The COTS Solution must include the high-level key regulatory functional areas and capabilities detailed in paragraph 29 above, with no more than 20% customisation required.

30.1.6 The Solution must have mobile device compatibility and the contractor must clearly define all mobile platforms available and proposed for this type of solution and provide it as part of the bid.

30.1.7 The contractor must provide high level details (system architecture) with supporting documentation on how the system will be designed and deployed to meet the set requirements specified in this bid.

30.1.8 The contractor must provide documentation on security controls and recommend effective internal controls in protecting the integrity of FSCA's information.

30.1.9 The contractor must provide hardware requirements as well as detailed hardware configuration requirements of the server environment required for hosting the proposed Solution.

30.1.10 The proposed Solution must be compatible with Microsoft Windows operating system (the FSCA is currently using Microsoft Windows 10). The contractor must provide confirmation of the operating system compatibility as part of the system architecture.

30.1.11 The proposed Solution must integrate with the OpenText Enterprise Content Management (ECM) eDocs solution for document management purposes.

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30.1.12 The proposed Solution must make collected data available to Microsoft Power BI solution for data analysis purposes.

30.2 Failure to meet any of the above bid conditions may eliminate the bidder from further evaluation.

31. Contract conditions

31.1 The software licenses would be procured as needed:

31.1.1 During project implementation, only the licenses required for development and testing would be purchased.

31.1.2 After project close-out, the initial bundle of licenses would be procured, based on the number of active employees of the FSCA and entities / individuals needing access to the Solution at project close-out.

31.1.3 Additional bundles of licenses will be purchased as needed (i.e. if the number of active employees and / or regulated entities increase).

31.2 Software license maintenance and support will only become payable, on licenses purchased, after the system has been successfully implemented and handed over.

31.3 The contractor will be required to furnish the FSCA with the following:

31.3.1 Data conversion and migration

31.3.1.1 The contractor must describe the general approach towards data conversion and how they will work to conclude the conversion. In addition, provide a recommended approach towards the retention of legacy data. The approach should be structured according to the following stages:

31.3.1.1.1 Data migration strategy.

31.3.1.1.2 Data migration approach.

31.3.1.1.3 Data migration activities.

31.3.1.1.4 Testing approach.

31.3.1.1.5 Data migration tool.

31.3.2 Change management strategy

31.3.2.1 The contractor must submit a comprehensive change management plan that covers training, paradigm shift, culture

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and new work processes in the context of the proposed system for the FSCA. The plan must provide a detailed training methodology and approach, including user training manuals and guides, and ensure that the transfer of knowledge to the FSCA occurs.

31.3.3 Configuration management

31.3.3.1 The contractor must provide a hardware and software configuration management approach that will manage all versions of hardware and software for the proposed Solution.

31.3.4 Process mapping with the proposed integrated regulatory supervision system and gap analysis document

31.3.4.1 The contractor must provide a gap analysis report between the FSCA business requirements and the system capabilities.

31.3.5 Custom development functional specifications document

31.3.5.1 The contractor must provide documentation and source code for all customisation implemented.

31.3.6 Project plan

31.3.6.1 The contractor will be responsible for the following:

31.3.6.1.1 Management for the duration of the project, including Solution delivery, customisation, configuration, installation and implementation.

31.3.6.1.2 The project plan indicating deliverables related to the Solution.

31.3.6.1.3 Ownership of the project related meetings that includes:

31.3.6.1.3.1 Weekly project status/project progress meetings; and

31.3.6.1.3.2 Monthly project steering committee meetings.

31.3.6.1.4 Monitoring risk management aspects and control project delays.

31.3.6.1.5 Management of scope changes.

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31.3.6.1.6 Ensuring synchronisation of all activities of the project.

31.3.6.1.7 Final quality audit before handover.

31.3.6.2 The project plan and roll-out approach to be reviewed and agreed during project kick-off.

31.3.7 Support and maintenance

31.3.7.1 The contractor will be required to provide the FSCA with support and maintenance post implementation of the Solution. Remote support can be used, but onsite support must be provided for urgent requests or requests that cannot be resolved within agreed timeframes remotely.

31.3.8 The contractor must provide a performance guarantee (for the full amount which the FSCA shall pay for all licences associated with this project) either from a financial institution or an insurance company in favour of the FSCA to guarantee compensation for any monetary losses, suffered by the FSCA, where licences are purchased, by the FSCA and there is non-performance, malperformance or incomplete performance by the contractor with regard to such licences.

31.3.9 Payment for implementation services will be effected in line with the SLA and will be based on milestones delivered by the contractor and signed off by the FSCA.

32. Project implementation timelines

32.1 The project will only commence upon signing of the Service Level Agreement by all parties to the contract.

32.2 The contractor must implement, successfully test and hand over the Solution within eighteen (18) months.

33. Pre-qualification criteria

33.1 Mandatory requirements (special condition)

33.1.1 The contractor must subcontract a minimum of thirty percent (30%) of the contract to an Emerging Micro Enterprise (EME) or Qualifying Small Enterprise (QSE) which is at least 51% owned by black people.

33.1.2 Subcontractors can be obtained from the following link:
<https://secure.csd.gov.za/>

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33.1.3 The appointed subcontractor must have a valid SANAS B-BBEE certificate or a B-BBEE certificate for Exempted Micro Enterprises issued by the DTI & Companies and Intellectual Property Commission or a Sworn Affidavit which is in line with Preferential Procurement Regulations 2017, signed by the deponent / representative and attested by a Commissioner of Oaths.

33.2 Substantial evidence for compliance (special condition)

Table 2

Pre-qualification criteria	Bidders declaration (Indicate one with an X)	
	Comply	Do not comply
Subcontract a minimum of 30% to EME or QSE		

Table 3

Evidence or Commitment provided (aligned to SBD 6.1)	Bidders declaration (Indicate one with an X)	
	Comply	Do not comply
Subcontracting declaration letter, indicating that 30% of the work will be subcontracted to EMEs/QSEs, signed by the principal contractor and the subcontractors and/or		
Subcontractor agreement signed by all parties indicating that 30% will be subcontracted to an EME/QSE or a letter indicating the intent to subcontract signed by the principal contractor and the sub-contractor(s) indicating that 30% will be subcontracted to an EME/QSE.		

Note:

A signed subcontractor agreement must be submitted to the FSCA by the successful bidder.

If the signed subcontractor agreement was not provided during the bidding stage, the agreement must be submitted by the bidder to the FSCA within 6 weeks following the award of this bid.

33.3 The bidder must be the Original Equipment Manufacturer (OEM) of the proposed Solution and submit proof thereof (product certification or equivalent).

33.4 Bidders who do not meet the pre-qualification criteria stipulated in paragraph 32.1.to 32.3 of this bid document will be eliminated from further evaluation.

34. Bid evaluation criteria

34.1 The proposals will be evaluated as follows:

34.1.1 Evaluation Stage One: Compliance

Compliance with administrative requirements as stated in the Standard Bidding Documents and the mandatory requirements as listed in paragraph 40 below. In this evaluation stage, all bidders that fail to provide the required information and documentation, may be disqualified from further evaluation.

34.1.2 Evaluation Stage Two: Technical (ICT Requirements) evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 100 out of 100 points to proceed to the next evaluation stage of the evaluation, as listed in paragraph 35 below. Failure to obtain the prescribed minimum points will lead to the elimination of the bid offer from proceeding to the next evaluation stage.

34.1.3 Evaluation Stage Three: Technical (Functional Requirements) evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation, as listed in paragraph 36 below. Failure to obtain the prescribed minimum points will lead to the elimination of the bid offer from proceeding to the next evaluation stage.

34.1.4 Evaluation Stage Four: Functional evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation, as listed in paragraph 37 below. Failure to obtain the prescribed minimum points will lead to the elimination of the bid offer from proceeding to the next evaluation stage.

34.1.5 Evaluation Stage Five: demonstration as part of functionality evaluation

In this evaluation stage, bidders are expected to obtain a minimum of 60 out of 100 points to proceed to the next evaluation stage of the evaluation, as listed in paragraph 37 below. Failure to obtain the prescribed minimum points will lead to the elimination of the bid offer from proceeding to the next evaluation stage.

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34.1.6 Evaluation Stage Six: Preference Point System

The 90/10 preference point system shall be applicable to this phase, where 90 points represent maximum obtainable points for the lowest acceptable price, and 10 points represents the B-BBEE level status. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table as listed in the bid documentation.

34.1.7 Evaluation Stage Seven: Site Inspection

At the FSCA's discretion, a site inspection may be conducted at this stage. The FSCA may visit the recommended bidders' premises with the objective of verifying information as contained in their respective bid documents. The FSCA may also visit at least two (2) clients' premises of the identified bidder with the objective of verifying some of the facts contained in their respective bid documents. Should it be discovered during a site inspection or presentation that the information submitted by the bidder is inconsistent with what is on their current premises of business, such bidders will be disqualified.

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35. Evaluation Stage Two: Technical (ICT requirements) evaluation (Desktop)

35.1 The bid/proposal will be evaluated for technical suitability (as per the bidder's answers in Annexure B in Section F) and be rated as follows:

35.1.1 Values: 0=Do not comply, 5=Fully Comply or Require Customisation
 (full points on "Require Customisation" will depend on comments provided)
 (if "Do not comply" is ticked, on any of the requirements, the bidder will be eliminated from further evaluation)

Table 4

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
A.	A.1. ICT Requirements	A.1.1. Employee activation and deactivation;	0 or 5	15
		A.1.2. User management and system administration;	0 or 5	15
		A.1.3. System integration;	0 or 5	15
		A.1.4. Security;	0 or 5	15
		A.1.5. Business continuity;	0 or 5	10
		A.1.6. Architectural requirements; and	0 or 5	10
		A.1.7. Solution's continuous enhancement capabilities.	0 or 5	10
		A.1.8. Architectural design, security controls and hardware requirements	0 or 5	10
TOTAL				100

36. Evaluation Stage Three: Technical (Functional requirements) evaluation (Desktop Evaluation):

36.1 The bid/proposal will be evaluated for technical suitability (as per the bidder’s answers in Annexure A) and be rated as follows:

36.1.1 Values: 0=Poor 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 5

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
A.	<p>A.1. Web Portal The client facing web-portal component of the application must be the centralised platform of all interactive regulatory activities between external stakeholders and the regulator.</p> <p>The internal web-portal must be a platform used by the FSCA to deal with various activities initiated by the regulated entities and to initiate regulatory activities internally.</p> <p>Bidders must complete paragraph A in Annexure A (Section E)</p>	A.1.1. Bidder did not complete paragraph A in Annexure A (Section E).	0	10
		A.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		A.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	
		A.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		A.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	
		A.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
B.	<p>B.1. Regulated Entity Profile Management The Solution must have the capability to manage the regulated entities profile information.</p> <p>Bidders must complete paragraph B in Annexure A (Section E)</p>	B.1.1. Bidder did not complete paragraph B in Annexure A (Section E).	0	10
		B.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		B.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	
		B.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		B.1.5. The proposed Solution complies with all the requirements but requires some customization..	4	
		B.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	
C.	<p>C.1. Core Licensing Activities Management New license application processing, license amendments processing, and licensing exemption processing.</p>	C.1.1. Bidder did not complete paragraph C in Annexure A (Section E).	0	15
		C.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		C.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
	Bidders must complete paragraph C in Annexure A (Section E)	C.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		C.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	
		C.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	
D.	D.1. Core Supervision Activities Management Online submission of returns and other reports, on-site visit and off-site review management, regulated entity, management meetings, post-licensing exemption. Bidders must complete paragraph D in Annexure A (Section E)	D.1.1. Bidder did not complete paragraph D in Annexure A (Section E).	0	15
		D.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		D.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	
		D.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		D.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	
		D.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
E.	E.1. Regulatory Risk Management Risk engine for risk-based supervision Bidders must complete paragraph E in Annexure A (Section E)	E.1.1. Bidder did not complete paragraph E in Annexure A (Section E).	0	15
		E.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		E.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	
		E.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		E.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	
		E.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	
F.	F.1. Regulatory, Investigation and Enforcement Activities Case Management; and Cases Register. Bidders must complete paragraph F in Annexure A (Section E)	F.1.1. Bidder did not complete paragraph F in Annexure A (Section E).	0	15
		F.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		F.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
		F.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		F.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	
		F.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	
G.	<p>G.1. Regulatory Revenue Management Collection of service fees, fines and penalties, and calculation of levies.</p> <p>Bidders must complete paragraph G in Annexure A (Section E)</p>	G.1.1. Bidder did not complete paragraph G in Annexure A (Section E).	0	10
		G.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		G.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	
		G.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		G.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
		G.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	
H.	H.1. Additional Capabilities Workflow management; Case management; Document management; Integration Capabilities; Standard- and custom reporting; Continuous enhancement capabilities; and Compliance with legislation. Bidders must complete paragraph H in Annexure A (Section E)	H.1.1. Bidder did not complete paragraph H in Annexure A (Section E).	0	10
		H.1.2. The proposed Solution only meets some of the requirements (more than 2 requirements ticked as “not comply”).	1	
		H.1.3. The proposed Solution only meets some of the requirements (2 requirements ticked as “not comply”).	2	
		H.1.4. The proposed Solution only meets some of the requirements (1 requirement ticked as “not comply”).	3	
		H.1.5. The proposed Solution complies with all the requirements but requires some customization.	4	
		H.1.6. The proposed Solution complies with all the requirements as well as demonstrating additional value-added functionality.	5	
TOTAL				100

37. Evaluation Stage Four: Functional evaluation (Desktop)

37.1 The bid/proposal will be evaluated for functionality and be rated as follows:

37.1.1 Values: 0=Poor 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 6

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
A. Project Plan	A.1. The bidder must submit a detailed project plan which should contain: <ul style="list-style-type: none"> • Timelines • Milestones Project plan needs to align to project implementation timelines as per paragraph 31.	A.1.1. The bidder did not submit a project plan.	0	25	25
		A.1.2. The bidder submitted a basic flow of events, but no timelines or milestones.	1		
		A.1.3. The bidder submitted a basic flow of events, with only either timelines or milestones.	2		
		A.1.4. The bidder submitted a project plan with timelines and milestones, but the timelines do not meet the requirements.	3		
		A.1.5. The bidder submitted a detailed project plan with clear timelines and milestones. The timelines meet the requirements.	4		
		A.1.6. The bidder submitted a detailed project plan with clear timelines and milestones. The timelines meet the requirements. The bidder also	5		

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
		included additional information, including: A.1.6.1. which resource is doing which activity; or A.1.6.2. a cost breakdown per milestone.			
B. Track Record	B.1. The bidder must submit at least three (3) client reference letters on the client's company letterhead where a similar regulatory system (with similar size) was successfully implemented by the bidder. For a reference letter to be considered complete, it must	B.1.1. The bidder did not submit reference letters.	0	25	25
		B.1.2. The bidder submitted reference letters, which are incomplete or irrelevant.	1		
		B.1.3. The bidder submitted one (1) complete and relevant reference letter.	2		
		B.1.4. The bidder submitted two (2) complete and relevant reference letters.	3		
		B.1.5. The bidder submitted three (3) complete and relevant reference letters.	4		

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
	contain at least the following details: <ul style="list-style-type: none"> • Client company name • Client contact person • Client contact person email address • Description of project • Date project started and ended. 	B.1.6. The bidder submitted more than three (3) complete and relevant reference letters.	5		
C. Project-Team	C.1. The bidder must submit the team structure and competency of Solution implementation consultants specific to this assignment. <u>Mandatory Requirements:</u>	C.1.1. No CVs submitted or Project Manager has less than 5 years of implementation experience on the proposed Solution	0	20	20
		C.1.2. The proposed team consists of relevant specialists and high-level CVs of the technical leads and PM are submitted. Project Manager has 5 years of implementation experience on the proposed Solution.	1		
		C.1.3. The proposed team consists of relevant specialists and high-level	2		

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
	<p>Bidders must submit detailed CV's of project manager (PM) and technical leads with contactable references where similar projects were completed.</p> <p>Project Manager to have a minimum of five (5) years of implementation experience on the proposed Solution.</p> <p>Project Manager to be certified in either Project Management Professional (PMP) or Prince II.</p> <p>The project should be managed by the bidder and not the sub-contractor.</p>	<p>CVs of the technical leads and PM are submitted. Project Manager has 6-7 years of implementation experience on the proposed Solution</p> <p>C.1.4. The proposed team consists of relevant specialists and high-level CVs of the technical leads and PM are submitted. Project Manager has 8 years or more of implementation experience on the proposed Solution</p> <p>C.1.5. The proposed team consists of relevant specialists and detailed CVs of the technical leads and PM are submitted. Project Manager has 5-7 years of implementation experience on the proposed Solution.</p> <p>C.1.6. The proposed team consists of relevant specialists and detailed CVs of the technical leads and PM are submitted. Project Manager has 8 years or more of implementation experience on the proposed Solution.</p>	<p></p> <p>3</p> <p>4</p> <p>5</p>		

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
D. Financial Viability	D.1. Proof that the bidder in good financial standing. Provide signed audited financial statements for the three (3) financial years prior to the closing date of this bid (the audited financial statements must be in the name of the bidder).	D.1.1. Provided no signed audited financial statements or less than 3 years signed audited financial statements or statements showing that the bidder is not in a good financial standing / position.	0	15	15
		D.1.2. Provided signed audited financial statements of three (3) years showing that the bidder is in good financial standing.	5		
E. Support and Maintenance	The contractor must: E.1. Provide plan with turnaround timelines detailing how the responsibility of the support and maintenance of the Solution would be executed.	E.1.1. Bidder did not submit the plan.	0	5	15
		E.1.2. Bidder submitted a plan with no timelines.	1		
		E.1.3. Bidder submitted a plan with unclear timelines.	2		
		E.1.4. Bidder submitted a plan with clear timelines but does not meet all the requirements.	3		
		E.1.5. Bidder submitted a plan with clear timelines but with minimal details.	4		
		E.1.6. Bidder submitted a detailed plan with clear timelines meeting all the requirements.	5		

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
	E.2. Provide a company profile of the local company that will support the Solution, showing available resources with the necessary skills and experience.	E.2.1. Bidder did not submit the company profile.	0	5	
		E.2.2. Bidder submitted a company profile with no details on the available resources.	1		
		E.2.3. Bidder submitted a company profile, but it contains only position descriptions.	2		
		E.2.4. Bidder submitted a company profile, but it contains limited details on the available resources' skills and experience.	3		
		E.2.5. Bidder submitted the company profile of the local company that will support the Solution, showing available resources with the necessary skills and experience.	4		
		E.2.6. Bidder submitted the company profile of the local company that will support the Solution, showing available resources with the necessary skills and experience. Available resources are linked to activities on the proposed project.	5		
	E.3. Demonstrate the plans to transfer skills to	E.3.1. Bidder did not submit the training plans.	0	5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
	FSCA employees as well as the proposed subcontractor, to support and maintain the Solution after implementation as well as to provide support for any escalated issues (where the local support personnel are unable to resolve it).	E.3.2. Bidder only mentioned plans to train local resources, but no details were provided.	1		
		E.3.3. Bidder submitted the plans to transfer skills to FSCA employees as well as the proposed subcontractor to support and maintain the Solution after implementation, but it was not clear.	2		
		E.3.4. Bidder submitted the plans to transfer skills to FSCA employees as well as the proposed subcontractor to support and maintain the Solution after implementation, but the plan lacked details around how unresolved issues can be escalated.	3		
		E.3.5. Bidder submitted the plans to transfer skills to FSCA employees as well as the proposed subcontractor to support and maintain the Solution after implementation as well as to provide support for any escalated issues (where the local support personnel are unable to resolve it).	4		

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
		E.3.6. Bidder submitted the plans to transfer skills to FSCA employees as well as the proposed subcontractor to support and maintain the Solution after implementation as well as to provide support for any escalated issues (where the local support personnel are unable to resolve it). The plan includes detailed timelines.	5		
TOTAL					100

38. Evaluation Stage Five: Evaluation Criteria: demonstration as part of functionality evaluation-

- 38.1 Bidders will be required to demonstrate their proposed Solution to the FSCA IRS Committees.
- 38.2 Demonstration details will be communicated to bidders who have passed stages 1 to 4 of evaluation, in due course.
- 38.3 The demonstration will involve demonstrating a pre-built prototype, using the same version of the solution that will be implemented during project execution, based on identical scope that will shared with shortlisted candidates.
- 38.4 The demonstration to the FSCA IRS Committee on functionality criteria are listed below, and will be rated as follows:

Values: 0=Poor, 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 7

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT
A.	A.1. Understanding the FSCA Thorough understanding of what the FSCA is and what it does.	A.1.1. The bidder’s presentation did not include their understanding of the FSCA.	0	10
		A.1.2. The bidder’s presentation demonstrated a misalignment with the purpose and activities of the FSCA.	1	
		A.1.3. The bidder’s presentation demonstrated high-level understanding of the purpose and activities of the FSCA but missed some critical details.	2	
		A.1.4. The bidder’s presentation demonstrated a high-level, but unclear understanding of the purpose and activities of the FSCA.	3	
		A.1.5. The bidder’s presentation demonstrated a clear understanding of the purpose and activities of	4	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT
		the FSCA, including the different sectors it regulates.		
		A.1.6. The bidder’s presentation demonstrated a clear understanding of the purpose and activities of the FSCA, including the different sectors it regulates and relationships with other regulators.	5	
B.	B.1. Layout of the system Bidders will be required to demonstrate the look and feel of the proposed system for both internal and external users.	B.1.1. The bidder’s presentation did not include the layout of the system.	0	30
		B.1.2. The bidder presented how both internal and external users would access the system, using screenshots (not using a live system).	1	
		B.1.3. The bidder’s presentations demonstrated how both internal and external users would access the system on a live system.	2	
		B.1.4. The bidder’s presentations clearly demonstrated how both internal and external users would access the system on a live system.	3	
		B.1.5. The bidder’s presentations clearly demonstrated how both internal and external users would access the system as well as how interactions between these would be facilitated by the system – using the complete prototype on a live system.	4	
		B.1.6. The bidder’s presentations clearly demonstrated how both internal and external users would access the system as well as how interactions	5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT
		between these would be facilitated by the system – using the complete prototype end-to-end on a live system.		
C.	C.1. Process Flow Bidders will be required to demonstrate the flow of data within the proposed Solution.	C.1.1. The bidder’s presentation did not include the process flow.	0	20
		C.1.2. The bidder’s presentations demonstrated how data would flow between internal and external users, using screenshots (not using a live system).	1	
		C.1.3. The bidder’s presentations demonstrated how data would flow between internal and external users, using a live system.	2	
		C.1.4. The bidder’s presentations clearly demonstrated how data would flow between internal and external users as well as which channels are available for data collection and validation, using a live system.	3	
		C.1.5. The bidder’s presentations clearly demonstrated how data would flow between internal and external users as well as which channels are available for data collection and validation—using the complete prototype end-to-end, using a live system.	4	
		C.1.6. The bidder’s presentations clearly demonstrated how data would flow between internal and external users as well as which channels are available for data collection and validation—	5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT
		using the complete prototype end-to-end. It also demonstrated how data types and forms are created and used, using a live system.		
D.	D.1. Customisation Bidders will be required to demonstrate the level of customisation required and roadmap (including timelines) for solution updates to be completed to meet any requirements not met at the time of submitting the proposal.	D.1.1. The bidder's presentation did not include the level of customisation required.	0	20
		D.1.2. The bidder's presentation highlighted all customisations required, but no confirmation was provided that the customisations would be completed within the project timelines.	1	
		D.1.3. The bidder's presentation highlighted all customisations required, which is confirmed to be done within the project, but the customisations would be specific to the FSCA.	2	
		D.1.4. The bidder's presentation highlighted all customisations required and any customisations required will be added as features to the main products with clear timelines provided that fits within the project timelines.	3	
		D.1.5. The bidder's presentation highlighted all customisations required and it is mostly achieved using front-end configurations. Minor customisations will be added as features to the main products as part of the project timelines.	4	
		D.1.6. The bidder's presentation highlighted all customisations required and it is all achieved using front-end configurations.	5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT
E.	E.1. Analytics Capabilities Bidders will be required to demonstrate the analytics capabilities inherent to the Solution (related to key regulatory KPIs).	E.1.1. The bidder’s presentation did not show any data analytics capability.	0	20
		E.1.2. The bidder’s presentation highlighted how the data collected can be analysed, using basic reports.	1	
		E.1.3. The bidder’s presentation highlighted how the data collected can be analysed using advance reports.	2	
		E.1.4. The bidder’s presentation highlighted how the data collected can be analysed to provide insights using an analytical tool/module.	3	
		E.1.5. The bidder’s presentation highlighted how the data collected can be analysed to provide insight into trends to pro-actively identify emerging risks.	4	
		E.1.6. The bidder’s presentation highlighted how the data collected can be analysed to provide insight into trends to pro-actively identify emerging risks, with use cases applicable to the FSCA using a built-in analytical tool.	5	
TOTAL				100

39. Preference point system

39.1 The formula below will be used to calculate the preference procurement points for price:

$$Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

39.2 Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid or offer under consideration

Pmin = Comparative price of lowest acceptable bid

39.3 Depending on the bidder's level of broad-based black empowerment contribution, a maximum of 10 points may be allocated to a bidder. The points scored by a bidder for broad-based black economic empowerment contribution will be added to the preference procurement points allocated for price.

39.4 The table below reflects the number of points to be allocated to a bidder based on broad-based black economic empowerment contribution:

Table 8

B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

39.5 If bidders would like to claim the B-BBEE point above, bidders are required to submit proof of B-BBEE Status Level of contributor. Proof includes valid B-BBEE Status Level Verification Certificates or certified copies of sworn affidavits together with their bidders or price quotations, to substantiate their B-BBEE rating claims. **Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for B-BBEE.**

39.6 Bidders who did not submit their B-BBEE Status Level Verification Certificates/certified copies of sworn affidavits or who are non-compliant

contributors to B-BBEE do not qualify for preference points for B-BBEE but should not be disqualified from the bidding process unless if the FSCA has stipulated a specific B-BBEE Status Level as pre-qualification criteria in terms of Regulation 4; and the bidder does not meet this requirement. In this instance, the FSCA must disqualify such bidder as having submitted an unacceptable bid.

- 39.7 A consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid
- 39.8 Bidders must ensure that their B-BBEE Status Level Verification Certificates submitted are issued by the following agencies:
- 39.8.1 Bidders who qualify as Exempted Micro Enterprise (EMEs):
- 39.8.1.1 Verification agencies accredited by SANAS; or
- 39.8.1.2 Sworn affidavit signed by the EME representative and attested by a Commissioner of oaths.

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40. Standard bidding documents

40.1 The following compulsory additional information are required. Failure to complete, and supply any of these documents might lead to disqualification from this bid:

Table 9

Invitation to bid	SBD 1
Pricing Schedule	SBD 3.3
Declaration of Interest	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2017 (including a valid B-BBEE Status Level Verification Certificate) Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for B-BBEE.	SBD 6.1

41. Timeline of the bid process

41.1 The period of validity of the bid and the withdrawal of offers, after the closing date and time are 120 days, expiring on 01 March 2023. The project timeframes of this bid are set out below:

Table 10

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
1.	Advertisement of bid on Government e-tender portal / print media / Tender Bulletin	24 July 2022
2.	Briefing session	25 August 2022
3.	Questions relating to bid from bidder(s)	25 September 2022
4.	Bid closing date	01 November 2022
5.	Evaluation Stage One: Compliance: Bid Evaluation Committee	08 November 2022
6.	Evaluation Stage Two: Technical (ICT Requirements) evaluation (Desktop evaluation)	15 November 2022
7.	Evaluation Stage Three: Technical (Functional Requirements) evaluation (Desktop evaluation)	29 November 2022
8.	Evaluation Stage Four: Functional Evaluation: (Desktop evaluation)	06 December 2022
9.	Evaluation Stage Five: Evaluation Criteria: demonstration as part of functionality evaluation.	24 January 2023
10.	Evaluation Stage Six Preference Point System: Bid Evaluation Committee	02 February 2023

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
11.	Evaluation Stage Seven: Site Inspection	09 February - 9 March 2023
12.	Bid Adjudication: Bid Adjudication Committee	23 March 2023
13.	Notification of the outcome to the bidders	31 March 2023

41.2 All dates and times in this bid are South African Standard Time.

41.3 Any time or date in this bid is subject to change at the FSCA's discretion. The establishment of a time or date in this bid does not create an obligation on the part of the FSCA to take any action or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if the FSCA extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

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E. ANNEXURE A: MINIMUM FUNCTIONAL REQUIREMENTS

(THIS SECTION TO BE COMPLETED BY ALL BIDDERS)

Please indicate with an 'X' whether you Fully Comply, Require Customisation or Do Not Comply. Where you require customisation, provide comments including the time estimates for each requirement in the comments column. Please choose only one option.

A. WEB-PORTAL	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
1. <u>Client facing web-portal</u>				
1.1. The client facing web-portal component of the application must be the centralised platform of all interactive activities between other stakeholders and the regulator.				
1.2. This platform must support the execution of the following activities:				
1.2.1. Initiation of licensing applications including profile changes and other types of amendments.				
1.2.2. Capability to validate captured data.				
1.2.2.1. Validating identity information				

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A. WEB-PORTAL	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
<p>against Department of Home Affairs (DHA) and any other external data sources as required.</p> <p>1.2.2.2. Validating company registration information against the Companies and Intellectual Property Commission (CIPC) and any other external data sources as required.</p>				

PROVISION OF INTEGRATED REGULATORY SOLUTION

A. WEB-PORTAL	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
1.2.3. Validating that all mandatory fields have been completed and all required documents have been attached prior to submission of an application or return.				
1.2.4. Responses to regulatory information requests (ad-hoc and in relation to existing applications).				
1.2.5. Enabling of the submission of annual statutory and non-statutory reporting processes including complaints reporting (while minimising additional costs to regulated entities).				
1.2.6. Supervisory interactions i.e., on-sites, off-sites, management meetings, supervisory colleges, compliance practices.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

A. WEB-PORTAL	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
1.3. This portal must have case management capability with automatic referencing and pre-defined statuses.				
1.3.1. The portal must have the capability to integrate with the Department of Home Affairs (DHA) for verification of identity and passport numbers.				
1.3.2. The portal must have the capability to integrate with Companies and Intellectual Properties Commission (CIPC) for verification of company registration numbers.				
1.4. The system must have workflow capability to control the routing of various cases generated from various activities from the web portal to the integrated system.				
1.5. This portal must have the capability to integrate with the FSCA's ERP payment module for				

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PROVISION OF INTEGRATED REGULATORY SOLUTION

A. WEB-PORTAL	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
<p>payment processing purposes. The FSCA would like to implement an automated payment system in future, although no specific solution has been identified yet.</p>				
<p>1.6. This system must have a document upload facility and integrate to the FSCA's document management system (OpenText eDocs). This will allow the upload of any supporting documents linked to workflow cases.</p>				
<p>2. <u>Internal web-portal</u></p>				
<p>2.1. The Internal web-portal must be a platform used by the FSCA to deal with various activities initiated by the regulated entities and to also initiate regulatory activities internally.</p>				
<p>2.2. This platform must support the execution of the following internal activities:</p>				
<p>2.2.1. Capturing of manually submitted applications</p>				

PROVISION OF INTEGRATED REGULATORY SOLUTION

A. WEB-PORTAL	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
and submissions including profile changes and other types of amendments.				
2.2.2. On-line review of submissions i.e., applications, statutory and non-statutory reports, complaints reporting etc.				
2.2.3. Initiation of enforcement and other types of cases.				
2.2.4. Allocation of logged cases.				
2.3. The internal portal must provide the interface to validate the payment of fees. The validation will be done against the client account in the integrated Enterprise Resource Planning (ERP) system and the prescribed service fees as published in the government gazette. The FSCA is currently implementing Sage 300 as its ERP solution.				

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B. REGULATED ENTITY PROFILE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
3. <u>Corporate profile management</u>				
3.1. The system must have the capability to manage the regulated- entities' and individuals' profile information.				
3.2. The system must have the capability to arithmetically generate and assign a unique reference number to each regulated entity on application for licensing.				
3.3. The system must enable the single view of the regulated entity and key persons across all sectors, irrespective of line of business.				
3.4. The following information about the regulated entity must be maintained:				
3.4.1. Corporate structure.				
3.4.2. Shareholders information including but not limited to basic				

PROVISION OF INTEGRATED REGULATORY SOLUTION

B. REGULATED ENTITY PROFILE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
<p>information such as contact details, personal identification number or registration number, transformational data and shareholding percentage.</p>				
<p>3.4.3. Key person's details including qualifications, regulatory examinations, etc. person's relationship with entity, person's date of first appointment, person's competency details including continuous personal development hours, regulatory exams written, transformational data and person's qualifications etc.</p>				
<p>3.4.4. The system must have the ability to automatically update the regulated entity</p>				

PROVISION OF INTEGRATED REGULATORY SOLUTION

B. REGULATED ENTITY PROFILE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
<p>information when changes are made through the amendment process. This will include but not limited to the following:</p> <p>3.4.4.1. Updating the competency details of a person when additional qualifications are obtained.</p> <p>3.4.4.2. Removal or addition of a particular person on the entity profile.</p> <p>3.4.4.3. Updating statuses of entities as they are updated by internal departments within FSCA.</p>				

PROVISION OF INTEGRATED REGULATORY SOLUTION

B. REGULATED ENTITY PROFILE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
3.4.5. Authorised and licenced activities, products/services for the entities and individuals.				
3.4.6. Pertinent regulated entity activities and statuses.				
3.4.7. And any other relevant information like complaints, financial positions, operational ability, etc.				
3.5. The capability to generate email \ SMS notifications to the responsible department and where applicable to regulated entities.				
3.6. Ability for the regulated entity to view the regulated entity corporate information via the external portal.				
3.7. Ability to assign proportional supervision level to regulated entities based on the line of business, assets, entity size etc.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

B. REGULATED ENTITY PROFILE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
3.8. Ability to request amendments to some of the corporate information including but not limited to change in contact details, directors' names, auditors etc. using the client facing portal.				
3.9. The ability for the regulator to assess and approve the changes to the profile of the entity before changes takes effect.				
3.10. The ability to integrate on-going supervisory and enforcement activities with the profile of the entity.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

C. CORE LICENSING ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
4. <u>New licence application processing</u>				
4.1. The system must support electronic assessment of licensing and authorisation applications.				
4.2. The system must have the capability to assign and route cases from one user to the other.				
4.3. It must have the functionality to interact with the applying entity during the assessment of the application for the requesting of additional information or supporting documents.				
4.4. The system must allow multiple internal stakeholders to simultaneously assess the applications leading to granting or rejection of the license.				
4.5. The system must also have the capability to track and monitor the progress of the assessment of the licence applications.				

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C. CORE LICENSING ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
4.6. The system must have the provision of warning the user during the assessment of the application in cases where applicants and or role players have conditions imposed against them or are under investigation etc.				
4.7. The system must have the capability to build a sustainable record of each entity's applications over a period of time.				
5. <u>Licence amendments processing</u>				
5.1. The system must provide for the processing of changes to the profile of the licensed entity. This must include all changes to the role players, products / services, licensee conditions, contacts information etc. as allowed by the prescripts of respective legislation.				
5.2. The system must have the capability to integrate with				

PROVISION OF INTEGRATED REGULATORY SOLUTION

C. CORE LICENSING ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
regulatory authority's financial system for verifying and allocating exemption application fees. NB: applicants can also apply to be exempted from a fee and in such cases credit notes will need to be issued.				
5.3. The system must also have the capability to issue email or SMS reminders to regulated entities to update any out-of-date information or to submit requested information.				
6. <u>Licensing exemption processing</u>				
6.1. The system must have provision for processing and noting the regulated entities exemptions applications which accompany new licence applications. An exemption relates to specific regulatory requirements that an entity or individual wants to be exempted from complying with.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

C. CORE LICENSING ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
6.2. The system must have the capability to track, monitor and generate reports of all the entities with exemptions in place. 6.2.1. Any entities no longer complying with the conditions linked to the exemption needs to be flagged for action.				
6.3. The system must have a capability to process penalties for entities that failed to submit returns and reports within the required time.				
6.4. The system must have the capability to integrate with the regulatory authority's financial system for the purpose of issuing invoices to entities that are penalised.				

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D. CORE SUPERVISION ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
7. <u>Online submission of returns and other reports</u>				
7.1. The system must support the electronic submission of annual statutory reports via the defined client facing portal as well as any other types of reports required by the regulator from the regulated entities.				
7.2. The system must be able to automatically schedule and send email or SMS notifications of submissions due to regulated entities based on pre-defined periodic dates.				
7.3. It must further have the Workflow management system to manage interactions between the regulated entity and the internal regulatory functions.				
7.4. The system must allow multiple internal stakeholders to simultaneously assess the submitted returns.				

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D. CORE SUPERVISION ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
<p>7.5. Complete data validation of submitted returns prior to submission is required, to enhance the quality of submitted information in order to eliminate lengthy reviews and avoid resubmissions. The business rules will be used to validate, for example:</p> <p>7.5.1. All mandatory fields have been completed prior to submitting a return.</p>				
<p>7.6. The system must have the provision of warnings when certain pre-defined thresholds are crossed. Examples include:</p> <p>7.6.1. Entity approaching non-compliance with financial soundness requirements.</p>				
<p>7.7. The system must have the capability to build a sustainable record of each entity's submissions over a period of time.</p>				

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D.	CORE SUPERVISION ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
8. <u>On site visits and off-site reviews</u>					
8.1.	The system must have provision for planning the on-site visits using pre-defined templates that are only accessible to the supervisory teams during planning.				
8.2.	The capability to capture the on-site visits information once planning finalised.				
8.3.	The system should allow onsite visit schedules to be shared with other regulators.				
8.4.	The system must have the capability to determine the frequency and level of on-site visits and off-site reviews required per entity based on the risk profiling.				
8.5.	The outcomes of each on-site visits and off-site reviews activity must have an interface where they are capture and linked to the corporate profile of the entity.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

D.	CORE SUPERVISION ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
8.6.	The system should allow supporting files to be uploaded and linked to specific onsite visits.				
9. <u>Regulated entity management meetings activities</u>					
9.1.	The system must have provision for recording the management meetings activities that take place between the regulatory authority and the regulated entities.				
9.2.	Provisions must also be made for reporting on the meeting occurrences as well as the outcomes thereof.				
10. <u>Post-licensing exemption</u>					
10.1.	The system must have provision for processing and noting the regulated entities exemptions applications.				
10.2.	The system must integrate with the regulatory authority's				

PROVISION OF INTEGRATED REGULATORY SOLUTION

D.	CORE SUPERVISION ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	financial system for the purpose of: 10.2.1. issuing invoices for exemption applications that attract a fee. 10.2.2. issuing credit notes when applicants are applying to be exempted from paying a certain fee.				
10.3.	The system must have the capability to track all the entities with exemptions in place. 10.3.1. Any entities no longer complying with the conditions linked to the exemption needs to be flagged for action.				

E. REGULATORY MANAGEMENT	RISK	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
11. Risk engine for risk-based supervision					
<p>11.1. The system must have risk intelligence capability that detects anomalies in the conduct of regulated entities, individuals and flag them accordingly. The business rules will inform the early warning indicators. For example:</p> <p>11.1.1. Entity approaching non-compliance with financial soundness requirements.</p> <p>11.1.2. Late submission of returns</p> <p>11.1.3. Number of complaints received etc.</p>					
<p>11.2. The system must have the capability to configure business rules to detect early-warning indicators.</p>					

PROVISION OF INTEGRATED REGULATORY SOLUTION

E.	REGULATORY RISK MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
11.3.	The system must identify high-risk financial institutions based on holistic analysis and the detection of movements in key indicators and ratios. These indicators will be informed by the business rules and based upon legislation that governs the activities of regulated entities.				
11.4.	The system must have the capability to profile each regulated entity together with the key role players and assign a particular score. The risk rating of the entity is based upon the underlying risks of the regulated entity and the nature of its business. Key role players relate to the governance structure of the regulated entity.				
11.5.	The system must detect anomalies and generate warning indicators and record them under the following conditions:				

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E.	REGULATORY RISK MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	11.5.1. During the processing of applications for licences and any amendments to the entity profile.				
	11.5.2. During the processing of submitted returns.				
	11.5.3. During any of the supervisory activities including regulatory, enforcement and legal proceedings against a regulated entity and key role players.				
	11.6. The system must be able to build an industry-wide risk profile to pro-actively alert the regulatory authority at an early stage for better decision making.				
	11.7. The system must also be able to build the recorded complaints information into the risk profile of the regulated entities as well as key role players.				

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F. REGULATORY, INVESTIGATION AND ENFORCEMENT MANAGEMENT ACTIVITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
12. <u>Case management</u>				
12.1. The system must have the case management capability with options of capturing all the complaints / tip-offs / referred cases. A proper classification of these types of complaints is needed.				
12.2. The system must have the capability to send notification upon assignment of cases, and referral of cases from one user to the other. As comments are added onto a case during its lifecycle, the concerned department / business unit must be notified. Should documents be attached during capturing of comments, the attachments must be included in				

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F. REGULATORY, INVESTIGATION AND ENFORCEMENT ACTIVITIES MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
the notification to the concerned department / business unit.				
12.3. The system must also have workflow capability for routing of cases from one point to the other and tracking statuses.				
13. <u>Cases register</u>				
13.1. The system must have a register to store all the cases logged (including old cases) against regulated entities for regulatory, enforcement and investigation purposes.				

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G. REGULATORY REVENUE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
14. <u>Service fees</u>				
14.1. The system must have the capability to record the service fees based on the type of service requested. This component must include the ability for the system to link with deposits accounts, EFT's, direct deposits.				
14.2. This component must be integrated into the regulatory authority's financial system to streamline the recognition of revenue and automate the reconciliation process.				
14.3. The system must have the capability to generate and issue an invoice.				
15. <u>Annual levies</u>				
15.1. The system must have the capability to automatically schedule and manage the activities related to levies.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

G. REGULATORY REVENUE MANAGEMENT	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
15.2. The system must have the capability to calculate the levies. The calculations are based upon the levy gazette, which is published on the FSCA website.				
15.3. This component must also be integrated into the regulatory authority's financial system to streamline the recognition of revenue and automate the reconciliation process.				
16. Penalties				
16.1. The system must have the capability to identify, record and track the collection of penalties charged to regulated entities following supervisory activities.				
16.2. This component must also be integrated into the regulatory authority's financial system to streamline the recognition of revenue and automate the reconciliation process.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H.	ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
17.	<u>Workflow management</u>				
17.1.	The system must have the capability to manage and automate a number of defined regulatory business processes.				
17.2.	This component must be able to transition activities within each process from one state to the other until the final stage of the process.				
17.3.	The system must be able to integrate with other workflow solutions to hand over control for parts of the process and receive control back once complete. This is needed for both internal systems and systems at other external parties (e.g., other regulators).				
17.4.	Statuses, Service Level Agreements (SLAs), completion				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H. ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
milestones must be recorded as the processes are executed.				
18. <u>Case management</u>				
18.1. The system must have the capability to log cases, with unique case reference number generation ability and status tracking.				
19. <u>Document management</u>				
19.1. The system must have the capability to index documents and link them to specific cases as well as affected regulated entities using the FSCA's document management solution (OpenText eDocs).				
19.2. The system must also have the capability to search for specific documents linked to specific cases and regulated entity using the FSCA's document management solution (OpenText eDocs).				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H. ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
19.3. The system must have support for creating and reusing communication templates.				
20. <u>Integration</u>				
20.1. The system must be able to integrate with the financial system for the purpose of accounting for the collection of fees, levies and penalties.				
20.2. This must include the automatic reconciliation of the collected revenue between the system and the financial system.				
20.3. It must also be able to integrate with the ERP payment module to allow regulated entities as well as individual to pay via credit cards and other means.				
20.4. The system must be able to integrate with digital signature solutions to allow paperless document approval as part of the workflow processes.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H. ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
20.5. The system must allow integration with the FSCA's BIA platform (Microsoft Power BI) for advanced analytics of all data in the system.				
20.6. The system must have capabilities to integrate with XBRL (eXtensible Business Reporting Language) systems in future as a financial and compliance reporting standard.				
20.7. The system must be able to integrate to the FSCA's Customer Relationship Management (CRM) solution to share data with regards to all interactions between the FSCA and external parties as well as regulated- entity and individual profile data.				
20.8. The system must have capabilities for integration with industry partners, regulated entities and other third parties where necessary.				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H. ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
21. <u>Standard- and custom reporting</u>				
21.1. The system must have Supervisory Technology (SupTech) reporting capabilities (specify in comments). These would include analytic capabilities like: <ul style="list-style-type: none"> • Market Surveillance <ul style="list-style-type: none"> ○ Manipulation ○ Insider Trading • Misconduct Analysis <ul style="list-style-type: none"> ○ AML / CFT ○ Fraud ○ Mis-selling • Micro Prudential <ul style="list-style-type: none"> ○ Credit Risk ○ Liquidity Risk • Macro Prudential <ul style="list-style-type: none"> ○ Forecasting ○ Emerging Risk Signalling ○ Financial Stability ○ Policy Evaluation 				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H.	ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
21.2.	The system must have the capability to provide reporting on the profiles of regulated entities.				
21.3.	The system must also include the following minimum reporting needs:				
21.3.1.	The various submissions for licence applications, profile changes, ad-hoc requests etc. by regulated entities including the aggregation thereof.				
21.3.2.	The risk profiling of regulated entities by sectors, entity types, aggregations etc.				
21.3.3.	The regulated entities shareholding, directorship information.				
21.3.4.	Regulatory initiatives / activities i.e., on-site visits and off-site				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H.	ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	reviews, on regulated entities.				
	21.3.5. Enforcement activities against regulated entities.				
	21.3.6. The system must have the capability to generate and customise reports on off-site review data.				
22. <u>Continuous enhancement capabilities</u>					
	22.1. The system must have the capability to allow new regulatory requirements and the changes to existing regulatory business processes to be implemented in-house.				
23. <u>Compliance with legislation</u>					
	23.1. The Solution must enable the FSCA to align and support the business processes that will ensure compliance with the provisions of the Protection of				

PROVISION OF INTEGRATED REGULATORY SOLUTION

H. ADDITIONAL CAPABILITIES	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
Personal Information Act 4 of 2013 (POPI Act).				

F. ANNEXURE B: MINIMUM TECHNICAL REQUIREMENTS

The Solution provided must meet the following mandatory technical requirements. **Please indicate with an ‘X’ whether you Fully Comply, Require Customisation or Do Not Comply. Where you require customisation, provide comments including the time estimates for each requirement in the comments column. Please choose only one option.**

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
1. <u>Employee activation and deactivation</u>				
1.1. User access to the system should be controlled by the users’ account’s status in Microsoft Active Directory. Users should not be allowed access to the system if their account in Microsoft Active Directory isn’t active.				
1.2. User access should be through single-sign-on (users should not need to log on again once logged onto their operating system).				
2. <u>User management and system administration</u>				
2.1. User management integration through Microsoft Active Directory.				
2.2. The new system must provide the FSCA with the functionality to perform system administration				

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<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
functions throughout the various modules.				
3. <u>Systems integration</u>				
3.1. The Solution must be flexible to integrate with FSCA accounting systems for the recognition of income and automatic reconciliation of service fees and collected levies.				
3.2. The Solution must be able to integrate using web services (SOAP / HTTPS), Open APIs.				
4. <u>Security</u>				
4.1. The new system must ensure that data, information and documents are classified according to the confidentiality levels.				
4.2. The new system must have the following security capabilities: 4.2.1. Role based access, 4.2.2. User Management, 4.2.3. Authorisation, 4.2.4. User activity auditing,				

PROVISION OF INTEGRATED REGULATORY SOLUTION

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
4.2.5. Security logging 4.2.6. Integrate with multi-factor authentication (MFA) provider, 4.2.7. Support data encryption for data in motion and at rest, 4.2.8. Support secure integration (e.g., using TLS), 4.2.9. Use of digital certificates for web frontend.				
5. <u>Business continuity</u>				
5.1. The system must cater for high-availability and automatic failover within the production environment.				
5.2. The new system must also be installed and configured in the FSCA's disaster recovery site located in Midrand to support the failover of business applications for business continuity. Refer to paragraph 27.1.5.				
6. <u>Architectural requirements</u>				

PROVISION OF INTEGRATED REGULATORY SOLUTION

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
6.1. The Solution should be compatible with Microsoft windows operating systems. Windows Server 2019, Windows 10.				
6.2. The Solution should be accessible on mobile device platforms				
6.3. The Solution should use Microsoft SQL server as its Database management system. The minimum requirements should be Microsoft SQL 2019 up to the latest.				
7. <u>Solution's continuous enhancement capabilities</u>				
7.1. The bidder's Solution must have the capability to allow new regulatory requirements and the changes to existing regulatory business processes to be implemented in-house.				
8. <u>Architectural design, security controls and hardware requirements</u>				

PROVISION OF INTEGRATED REGULATORY SOLUTION

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
8.1. The contractor must provide high level details (system architecture) with supporting documentation on how the system will be designed and deployed to meet the set requirements specified in this bid.				
8.2. The contractor must provide documentation on security controls and recommend effective internal controls in protecting the integrity of FSCA’s information.				
8.3. The contractor must provide hardware requirements as well as detailed hardware configuration requirements of the server environment required for hosting the proposed Solution.				

G. ANNEXURE C: PRICING SCHEDULE SUMMARY

Description	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Implementation Services (18 months)						
Licensing						
Maintenance and Support						
Other Costs						
Total						

H. ANNEXURE D: BID CONDITIONS

Description	Comply	Do Not Comply
1. No hosted services or applications will be accepted.		
2. The subcontractor, selected by the bidder, must have experience in software / applications development; maintenance and support with a proven track record of successfully implementing and supporting similar software and architecture projects.		
3. In the event of the bidder being a non-South African entity, skills must be transferred to the local subcontractor for ongoing support and maintenance. The subcontracting agreement must be provided as part of the response and needs to include details on how skills transfer will be done (refer to paragraph 32.1).		
4. The proposed Solution must support the English language.		
5. The COTS Solution must include the high-level key regulatory functional areas and capabilities detailed in paragraph 29 above, with no more than 20% customisation required.		
6. The Solution must have mobile device compatibility and the contractor must clearly define all mobile platforms available and proposed for this type of solution.		
7. The contractor must provide high level details (system architecture) with supporting documentation on how the system will be designed and deployed to meet the set requirements specified in this bid.		
8. The contractor must provide documentation on security controls and recommend effective internal controls in protecting the integrity of FSCA's information.		

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<p>9. The contractor must provide hardware requirements as well as detailed hardware configuration requirements of the server environment required for hosting the proposed Solution.</p>		
<p>10. The proposed Solution must be compatible with Microsoft Windows operating system (the FSCA is currently using Microsoft Windows 10). The contractor must provide confirmation of the operating system compatibility as part of the system architecture.</p>		
<p>11. The proposed Solution must integrate with the OpenText Enterprise Content Management (ECM) eDocs solution for document management purposes.</p>		
<p>12. The proposed Solution must make collected data available to Microsoft Power BI solution for data analysis purposes.</p>		

I. STANDARD BIDDING DOCUMENTS**Standard Bidding Document (SBD 1)****PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL SECTOR CONDUCT AUTHORITY					
BID NUMBER:	FSCA2022/23-T001	CLOSING DATE:	01 November 2022	CLOSING TIME:	11H00
DESCRIPTION	PROVISION OF INTEGRATED REGULATORY SOLUTION				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Riverwalk Office Park, Block B					
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)					
Ashlea Gardens, Extension 6, Menlo Park					
Pretoria, South Africa, 0081					
BIDDING PROCEDURE AND TECHNICAL ENQUIRIES MAY BE DIRECTED TO					
DEPARTMENT	Supply Chain Management Department				
FACSIMILE NUMBER	Not applicable				
E-MAIL ADDRESS	tenders@fsc.co.za				
TELEPHONE NUMBER	012 367 7847				
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		

E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
<i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		<i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO					
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO					
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED- (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:.....
(Proof of authority must be submitted e.g. company resolution)

DATE:

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Standard Bidding Document (SBD 3.3)

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.:
CLOSING TIME 11:00	CLOSING DATE.....

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
---------	-------------	--

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.
R.....
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT	HOURLY RATE	DAILY RATE
.....	R..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

TOTAL: R.....

** "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL: R.....			

- 6. Period required for commencement with project after acceptance of bid
.....
- 7. Estimated man-days for completion of project
.....
- 8. Are the rates quoted firm for the full period of contract? *YES/NO
- 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –
(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –
(INSERT NAME OF CONTACT PERSON)

Tel:

Standard Bidding Document (SBD 4)

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:
.....
.....

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS

OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature Date

.....
Position Name of bidder

Standard Bidding Document (SBD 6.1)

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- (a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- (b) The 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	10
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

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**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2017 (continuation)**

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE**3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

80/20 or 90/10

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Where

- Ps = Points scored for price of bid under consideration
 Pt = Price of bid under consideration
 Pmin = Price of lowest acceptable bid

1. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 1.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (continuation)

4. BID DECLARATION

4.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

5. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

5.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

6. SUB-CONTRACTING

6.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
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6.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
------------	--	-----------	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2017 (continuation)**

7. DECLARATION WITH REGARD TO COMPANY/FIRM

7.1 Name of company/firm:.....

7.2 VAT registration number:.....

7.3 Company registration number:.....

7.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

7.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

7.6 Total number of years the company/firm has been in business:.....

7.7 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to

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the satisfaction of the purchaser that the claims are correct;

- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p>..... SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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EXAMPLE OF SWORN AFFIDAVIT CAN BE USED BY SUPPLIERS IN THE RELEVANT CATEGORY
SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop	
Nature of Business:	
Definition of “Black People”	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <ol style="list-style-type: none"> before 27 April 1994; or on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;”

Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <ul style="list-style-type: none"> (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas;
--	---

3. I hereby declare under Oath that:

- The Enterprise is ___% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = ___%
 - Black Disabled % = ___%
 - Black Unemployed % = ___%
 - Black People living in Rural areas % = ___%
 - Black Military Veterans % = ___%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of __, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.

- 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp

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J. ADMINISTRATIVE CHECKLIST

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/NO
1.	SBD 1	Invitation to bid	Is the form duly competed and signed?	
2.	SBD 3.3	Pricing Schedule	Is the form duly competed and signed?	
3.	SBD 4	Declaration of Interest	Is the form duly competed and signed?	
4.	SBD 6.1	Preference Points Claim Form for Preferential Procurement Regulations 2017	Is the form duly competed, B-BBEE points claimed and form signed?	
5.	B-BBEE status level verification certificate		Is proof of B-BBEE Status level of contributor attached?	
6.	Tender submission		Three (3) printed copies (Two original original and one copy) submitted?	
			One (1) electronic copy submitted?	

I, the undersigned (name)
certify that the information furnished on this checklist is true and correct.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder