



National Gambling Board

*South Africa*

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a member of **the dtic** group

## **REQUEST FOR QUOTATION**

### **RFQ 053 (2022/2023): SUBSCRIPTION TO AN ONLINE DATABASE PROVIDING LEGAL RELATED SERVICES**

## 1. BACKGROUND

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- 1.1 The National Gambling Board (NGB) is a statutory body established in terms of the National Gambling Act, No 33 of 1996 (repealed by the National Gambling Act, No 7 of 2004) to provide for the co-ordination of concurrent national and provincial legislative competence over matters relating to casinos, racing, gambling and wagering, and provide for the continued regulation of those matters, for that purpose to establish certain uniform norms and standards applicable throughout the Republic.
- 1.2 NGB is listed under schedule 3A of the Public Finance Management Act 1 of 1999 (PFMA) as amended with effect from 1 April 2001.

## 2. PURPOSE OF REQUEST FOR QUOTATION

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- 2.1 The purpose of the request is to invite quotations from Information Publishing Service Providers for Membership Subscription to an Online Database providing Legal and related services.

## 3. SPECIFICATIONS

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TASK DESCRIPTION	QUANTITY	FREQUENCY
<b>Standard required items:</b> <ul style="list-style-type: none"><li>• Labour Law Reports;</li><li>• Labour Law commentary (specifically on the public sector) on dispute resolution and labour litigation;</li><li>• All South African Law Reports;</li><li>• Unreported Judgements;</li><li>• Laws of South Africa;</li><li>• All South African Law Statutes (including Provincial and Local Government laws);</li><li>• Commentary on public administration laws;</li><li>• Civil procedure material;</li><li>• Business Transactions Law;</li><li>• Legal Materials on VAT;</li><li>• Corporate Law and Corporate Governance material;</li><li>• Contract Law;</li><li>• Competition Law;</li><li>• Government Gazettes;</li><li>• Bill of Rights commentary;</li></ul>	Access for five (5) NGB officials.	<b>Access to the database daily for a year.</b>

<ul style="list-style-type: none"> <li>• Commentary on Money Laundering, terror financing, organised crime and the proceeds thereof, and Corruption;</li> <li>• Litigation skills manuals;</li> <li>• International published journals/articles for research (gambling industry-related)</li> <li>• Employment equity law; and</li> <li>• Public Procurement law.</li> </ul>		
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#### 4. SPECIFICATION ON OPTIONAL PRODUCTS

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TASK DESCRIPTION	QUANTITY	FREQUENCY
<p>Items/Modules/Products/Services which would be advantageous and/or preferred as part of the service may include:</p> <ul style="list-style-type: none"> <li>• Amlers' Precedents and Pleadings;</li> <li>• Access to specialised compliance knowledge and/or services, providing updates and/or reminders on matters of corporate governance, and commentary or explanatory notes on King IV;</li> <li>• Access to specialised services dealing with procurement services;</li> <li>• A practical guidance service for in-house advisors on various matters; and</li> <li>• A forms and precedents service.</li> </ul> <p>The services or products referred to in above are optional but the provision thereof would be advantageous. Potential service providers may suggest combinations of the above and other services/products that are suitable to a public entity such as the NGB.</p> <p>The NGB's Legal services unit would prefer to use the most user-friendly platform and inclusive of a search system that generates answers most efficiently and quickly to save time on research matters.</p>	Access for five (5) NGB officials.	<b>Access to the database daily for a year.</b>

#### 5. FUNCTIONALITY CHECKLIST

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- 5.1 Bidders should note that this Functionality Checklist is compulsory and must be completed and submitted together with the proposal.

No	Criteria	Bidder's Response	
1.	Provides all required items in line with the specifications <b>(paragraph 3: Standard required items)</b> ?	Yes	No
2.	Service provider has at least three (3) years' experience?	Yes	No
3.	Is the Database accessible daily?	Yes	No

**Tick or cross the relevant response**

## **6. RFP TERMS AND CONDITIONS**

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### **4.1 The following conditions will apply:**

- 4.1.1 The response to the RFQ must include a company's a letter of resolution authorizing a particular person to sign documents including an SLA;
- 4.1.2 Prices quoted must be **firm** prices and VAT inclusive;
- 4.1.3 Quotations must be valid for **30 days**;
- 4.1.4 All prospective service providers must be registered on National Treasury's Central Supplier Database (CSD) prior to submission of quotations;
- 4.1.5 Tax PIN or CSD registration number must be submitted;
- 4.1.6 The 80/20 Preference points system will apply in terms of Preferential Procurement Regulations 2017;
- 4.1.7 The following documents must be submitted with the quotation:
  - SBD 4;
  - Complete the SBD 6.1 form and further substantiate points claimed by submitting a valid B-BBEE Status Level Certificate issued by an authorized body or person; or a sworn affidavit prescribed by the B-BBEE Codes of Good Practice in cases of EMEs and QSEs;
  - A company resolution authorising a particular person to enter into a contractual agreement with the NGB.

### **4.2 Evaluation criteria**

All quotations will be evaluated on the following criteria indicated below.

Each quotation will be evaluated in two stages, which includes functionality:

**Stage 1** – submission of statutory documents listed in paragraph 6.1.7 above.

**Failure to submit any of the documents as requested in 6.1.7 above will result in your quotation not being considered for further evaluation**

**(disqualification).**

**Stage 2** – Functionality checklist indicated in paragraph 6 above. Quotations that answer no to any of the questions outlined on the attached functionality checklist will be eliminated from the evaluation process.

**Stage 3** – Pricing and B-BBEE.

#### **Price and BBEE Status level of contribution**

##### **Points awarded for price**

The 80 preference points system for price would be utilized.

The following formula would be applied:

$$P_s = 80[1 - P_t - P_{min} / P_{min}]$$

Where:

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Rand value of bid under consideration

$P_{min}$  = Rand value of lowest acceptable bid

##### **Points awarded for B-BBEE status level of contributor**

**A maximum of 20 points will be awarded for B-BBEE Status Level of Contributor.**

<b>B-BBEE Status Level Of Contributor</b>	<b>Number of Points</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

## **7. DISCLAIMER**

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7.1 The NGB reserves the right not to appoint a service provider and is also not obliged to provide reasons for the rejection of any quotation. The NGB reserves the right to:

7.1.1 Award the contract or any part thereof to one or more service providers.

7.1.2 Reject all quotations.

- 7.1.3 Decline to consider any quotation that does not conform to any aspect of the bidding process.
- 7.1.4 Request further information from any service provider after the closing date, for clarity purposes.

## **8. NOTES TO BIDDERS**

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- 8.1 The NGB will not be liable to reimburse any costs incurred by the bidder during the quotation process.
- 8.2 Evaluation of quotations will be carried out by the NGB. The NGB may, if necessary, contact bidders to seek clarity on any aspect of the quotation.
- 8.3 Payments shall be made promptly by the NGB, but in no case later than thirty (30) days after submission of an invoice or claim by the supplier provided that services have been satisfactorily rendered.
- 8.4 The supplier shall furnish the NGB with an invoice upon fulfillment of obligations to the satisfaction of the NGB.
- 8.5 Prices charged by the service provider for services rendered under the contract shall not vary from the prices quoted by the supplier.

## **9. ENQUIRIES**

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- 9.1 Supply Chain Management: Contact Mr. R. Gcaba: 010-003 3498 or e-mail to [scm@ngb.org.za](mailto:scm@ngb.org.za)

## **10. DEADLINE FOR SUBMISSION OF QUOTATIONS**

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- 10.1 A quote has to be submitted to the Supply Chain Management of the NGB: Mr. Robert Gcaba Tel: 010 003 3498, E-mail: [scm@ngb.org.za](mailto:scm@ngb.org.za)
- 10.2 The deadline for the submission of quotations with required documentation is **09 December 2022 at 16H00 CAT.**