

## BID DOCUMENT

|   |  |
|---|--|
| BID NUMBER:                             | FIC/RFB/eDISCOVERY SOLUTION/13/2024/25   |
| DATE OF ISSUE:                          | 28 FEBRUARY 2025   |
| COMPULSORY VIRTUAL<br>BRIEFING SESSION: | 10 MARCH 2025 AT 12h00   |
| CLOSING DATE FOR THE BID:               | 24 MARCH 2025  |
| CLOSING TIME FOR THE BID:               | 11:00  |
| DESCRIPTION FOR THE BID:                | THE ACQUISITION AND CONFIGURATION OF AN<br>eDISCOVERY SOLUTION FOR THE FINANCIAL<br>INTELLIGENCE CENTRE  |
| SUBMITTING BIDS:                        | ONE (1) ORIGINAL AND AN ELECTRONIC COPY OF THE<br>RFB DOCUMENT MUST BE HANDED IN / DELIVERED TO:<br><br>TENDER BOX<br>FINANCIAL INTELLIGENCE CENTRE<br>BYLSBRIDGE OFFICE PARK<br>CNR JEAN AVENUE & OLIEVENHOUTBOSCH<br>(13 CANDELA STREET, HIGHVELD EXT 73)<br>HIGHVELD<br>CENTURION |

Bidders are required to request an ACCESS PIN CODE from [Kamogelo.Rathebe@fic.gov.za](mailto:Kamogelo.Rathebe@fic.gov.za) at least **48 hours before** delivering the tender document and present their identity documents and/or valid driver's license at the main gate in order to gain entry within the FIC offices.

**CSD NUMBER**

.....

**DOCUMENTS IN THIS BID DOCUMENT PACK**

**Contents**

|   |           |
|---|-----------|
| <b>PART A: SBD 1 INVITATION TO BID</b>                                    | <b>3</b>  |
| <b>PART B: TERMS AND CONDITIONS FOR BIDDING</b>                           | <b>4</b>  |
| <b>PART C: SPECIAL CONDITIONS OF CONTRACT</b>                             | <b>5</b>  |
| <b>PART D: TERMS OF REFERENCE/MINIMUM SPECIFICATION FOR THE WORK</b>      | <b>7</b>  |
| <b>8.5 PREFERENTIAL POINT SYSTEM - PRICE AND B-BBEE EVALUATION: .....</b> | <b>23</b> |
| <b>8.6 ADJUDICATION .....</b>   | <b>23</b> |
| <b>PART G: STANDARD BIDDING DOCUMENTS (OVERLEAF)</b>                      | <b>35</b> |

**PART A: SBD 1 INVITATION TO BID**

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL INTELLIGENCE CENTRE   |   |                                     |  |  |       |
|---|---|-------------------------------------|--|--|-------|
| BID NUMBER:   | FIC/RFB/eDISCOVERY SOLUTION/13/2024/25  | CLOSING DATE:                       | 24 MARCH 2025  | CLOSING TIME:  | 11:00 |
| DESCRIPTION   | THE ACQUISITION AND CONFIGURATION OF AN eDISCOVERY SOLUTION FOR THE FINANCIAL INTELLIGENCE CENTRE |                                     |  |  |       |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT  |   |                                     |  |  |       |
| RECEPTION, FINANCIAL INTELLIGENCE CENTRE  |   |                                     |  |  |       |
| BYLS BRIDGE OFFICE PARK, CNR JEAN AVENUE & OLIEVENHOUTBOSCH (13 CANDELA STREET, HIGVELD EXT 73 CENTURION)   |   |                                     |  |  |       |
| HIGHVELD EXT 73   |   |                                     |  |  |       |
| CENTURION   |   |                                     |  |  |       |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO  |   |                                     | TECHNICAL ENQUIRIES MAY BE DIRECTED TO:                                  |  |       |
| CONTACT PERSON  | Kamogelo Rathebe  |                                     | CONTACT PERSON   | Kamogelo Rathebe   |       |
| TELEPHONE NUMBER  | 012 641 6018  |                                     | TELEPHONE NUMBER   | 012 641 6018   |       |
| FACSIMILE NUMBER  | N/A   |                                     | FACSIMILE NUMBER   | N/A  |       |
| E-MAIL ADDRESS  | <a href="mailto:Kamogelo.rathebe@fic.gov.za">Kamogelo.rathebe@fic.gov.za</a>                      |                                     | E-MAIL ADDRESS   | <a href="mailto:Tenders@fic.gov.za">Tenders@fic.gov.za</a>   |       |
| 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:  |                                     | CENTRAL SUPPLIER DATABASE No:  | MAAA   |       |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE  | TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No                  | B-BBEE STATUS LEVEL SWORN AFFIDAVIT |  | [TICK APPLICABLE BOX]<br><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]  |   |                                     |  |  |       |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF]                |                                     | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW] |       |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS  |   |                                     |  |  |       |
| <p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>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.</p> |   |                                     |  |  |       |

**PART B: TERMS AND CONDITIONS FOR BIDDING**

|  |
|--|
| <b>1. BID SUBMISSION:</b>  |
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.   |
| 1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED - (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>  |
| 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. |
| 1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD 7).</b>  |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>  |
| 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:

.....

## **PART C: SPECIAL CONDITIONS OF CONTRACT**

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

The General Conditions of Contract (GCC) will form part of this BID documents and may not be amended.

Special Conditions of Contract (SCC) relevant to this BID, compiled separately for this BID (if applicable) will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

Copies of the GCC are available from the website

<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>

### **SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO TAKE NOTE OF:**

#### **1 FRAUD AND CORRUPTION**

- 1.1 All service providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

#### **2 NEGOTIATION**

- 2.1 The Financial Intelligence Centre has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.
- 2.2 The Financial Intelligence Centre shall not be obliged to accept the lowest of any bid, offer or proposal in part or in whole.
- 2.3 All respondents will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of the Financial Intelligence Centre is the Supply Chain Manager or his/her written authorised delegate.

### **3 REASONS FOR REJECTION**

- 3.1 The Financial Intelligence Centre shall reject a proposal for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 3.2 The Financial Intelligence Centre may disregard the BID of any bidder if that bidder, or any of its directors:
  - 3.2.1 Have abused the SCM system of the Financial Intelligence Centre.
  - 3.2.2 Have committed proven fraud or any other improper conduct in relation to such a contract.
  - 3.2.3 Have failed to perform on any previous contract and the proof exists.
- 3.3 Such actions shall be communicated to the National Treasury.

### **4 PAYMENTS**

- The Financial Intelligence Centre (FIC) will pay the service provider the Fee as set out in the final contract. No additional amounts will be payable by the FIC to the Contractor.
- 4.1 The Contractor shall from time to time during the currency of the contract invoice The Financial Intelligence Centre for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to the FIC.
  - 4.2 Payment shall be made into the bidder's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this BID is awarded).
  - 4.3 The service provider shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other amounts of money required to be paid in terms of applicable law.

### **5 PRESENTATION / DEMONSTRATION**

- 5.1 The FIC reserves the right to request site visit/presentations/demonstrations from the short-listed bidder/s if needed.

**PART D: TERMS OF REFERENCE/MINIMUM SPECIFICATION FOR THE WORK****1 BACKGROUND TO THE FIC**

- 1.1. The Financial Intelligence Centre (FIC) is South Africa's national centre for the receipt of financial data, analysis and dissemination of financial intelligence to the competent authorities.
- 1.2. The FIC was established by the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) and has the mandate to identify the proceeds of crime, combat money laundering and terror financing. It does this by seeking to:
- Supervise and enforce compliance with the FIC Act
  - Facilitate effective supervision and enforcement by supervisory bodies
  - Receive financial data from accountable and reporting institutions
  - Share information with law enforcement authorities, intelligence services, the South African Revenue Service, international counterparts and supervisory bodies
  - Formulate policy regarding money laundering and the financing of terrorism
  - Provide policy advice to the Minister of Finance, and
  - Uphold the international obligations and commitments required by the country in respect of anti-money laundering and combating financing of terrorism (AML/CFT).
- 1.3. The FIC Act introduces a regulatory framework of measures requiring certain categories of business to take steps regarding client identification, record-keeping, reporting of information and internal compliance structures. The Act obliges all businesses to report to the FIC various suspicious and certain other transactions. The FIC uses this financial data and available data to develop financial intelligence, which it is able to make available to the competent authorities and supervisory bodies for follow-up investigations or administrative action.
- 1.4. All accountable and reporting institutions are required to register with the FIC. The FIC and supervisory bodies have the authority to inspect and impose administrative penalties on non-compliant businesses. The Act also introduced an appeal process and an appeal board.
- 1.5. South Africa is a member of the Financial Action Task Force, the international body which sets standards and policy on anti-money laundering and for combating the financing of terrorism (AML/CFT). In addition, it is also a member of the Eastern and Southern Africa Anti-Money Laundering Group, a regional body of the FATF which aims to support countries in the region to implement the global AML/CFT standards.
- 1.6. The FIC is a member of the Egmont Group, which is made up of financial intelligence units from 166 countries. The primary aim of the organisation is to facilitate co-operation and sharing of financial intelligence information among its members.

## 2 BACKGROUND OF THE REQUIREMENT

**2.1** The Anti-Corruption Task Team (ACTT), now known as the National Priority Crime Operational Committee (NPCOC), approved in August 2022, the establishment of the Shared Forensic Capability (SFC) Division which will function as a shared services capability within the Financial Intelligence Centre (FIC). The SFC's mandate is to provide essential forensic analytical resources to law enforcement agencies within the NPCOC.

**2.2** Its primary focus will be on high-end, complex financial crime cases involving money laundering and terrorist financing. The Division's core mission is to produce forensic evidence derived from the analysis of financial transactions, thus supporting law enforcement agencies (LEAs) in disrupting and prosecuting criminal networks. The provision of forensic evidence through financial transactions is required as per recent amendments to the FIC Act. The Division needs to produce forensic reports or affidavits and support exhibits, annexures which will be used by law enforcement agencies (LEAs) in judicial or court processes. To assist in this process, an electronic discovery(eDiscovery) solution is required to create efficiencies in the identification, preservation, collection, processing, review, analysis, production and presentation of evidence material.

**2.3** Electronic discovery (eDiscovery) is a relatively new practice area in law involving people, processes, technology, data, legal and regulatory requirements, and project management.

## 3 BUSINESS CHALLENGES

**3.1** The table below summarises the challenges being explored as part of this project. They form the basis for the required proposed solution.

| No.   | Challenge   | Current Solution                                      | Proposed Solution   |
|-------|---|---|---|
| 3.1.1 | Gathering information from several data sources is time-consuming | Data is manually extracted from various sources       | The solution must be able to collect data from internal data sources  |
| 3.1.2 | Manual processing of data   | Data is manually processed using different techniques | The solution must be able to automatically process data from various formats  |
| 3.1.3 | Manual analysis of processed data                                 | Data is manually analysed to confirm the correctness  | The solution must be able to automatically analyse data to detect and correct anomalies   |
| 3.1.4 | Manual review of data   | Data is manually reviewed to confirm the completeness | The solution must be able to automatically review data to separate relevant data from irrelevant data and ensure completeness to flag |



| No.   | Challenge   | Current Solution   | Proposed Solution  |
|-------|---|--|--|
|       |   |  | possible gaps in the data/information.   |
| 3.1.5 | Interpretation of data is manually intensive        | Data is interpreted from various sources                 | The solution must be able to present simplified data for analysis                    |
| 3.1.6 | There is no central repository for case information | Case information is stored in separate locations/folders | The solution must have a secure central repository that stores case data/information |

## 4 PROJECT OBJECTIVE

**4.1** The FIC consumes and produces data and information as part of carrying out its mandate which is to ensure compliance with the FIC Act. This makes data and information a key asset to the organisation.

**4.2** The FIC is looking to acquire an eDiscovery Solution. Key deliverables of the project include configuration, customisation and deployment of the required functionality. The main goal of this requirement is to ensure that SFC can effectively get insights from using the solution.

## 5 SPECIFICATIONS / SCOPE OF WORK

The scope of work covers the configuration, implementation, and rollout of an eDiscovery solution, with a matching design of security, and infrastructure including related storage components. The bidder is expected to provide a proposal and costing for a complete solution. The diagram below outlines the conceptual architecture diagram of the required solution:

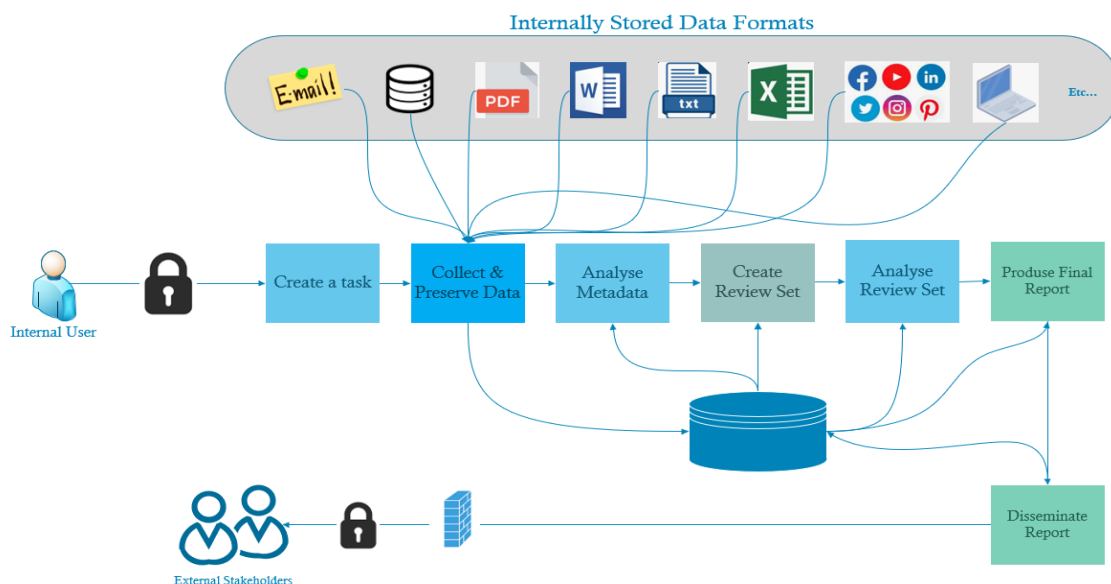


Figure 1: Conceptual architecture diagram of the required solution

Below is a high-level description of the requirements based on the components. There will be a detailed Business Requirements Specification (BRS) document provided to interested bidders after attendance of the virtual compulsory briefing session:

## **5.1 Internally Stored Data Formats**

**5.1.1** The required solution should support the ingestion and processing of diverse data formats including financial transactions, documents, emails, and other electronic records to mention a few. The data formats indicated in the diagram (*Figure 1*) are there to provide an initial definition of the type of data that will be ingested into the solution. The bidder should indicate all the data formats (inclusive of the initial definition) that can be processed by their proposed solution. In addition, the bidder should indicate the extent to which their solution can process the data. Examples of the processing can be inclusive of the following as a minimum:

- Identification
- Metadata extraction
- Content searching/reading/analysis

The data will be provisioned from a Common Data Platform (cloud-based – Azure platform).

## **5.2 Internal User Experience**

### **5.2.1 Create a Task**

The solution is expected to:

- Integrate with the FIC's Active Directory for user access management for all users of the solution. If not, the bidder should indicate how this can be achieved from their solution. This FIC works will be working with external stakeholders on the tasks created. The bidder should indicate if users external to the FIC can be provided access to the solution.
- Allow for the creation of a task with the required parameters, and allow customisation, where applicable, to fit the FIC's use case.
- Allow for the addition of other users involved in the processing or completion of the task.

### **5.2.2 Collect and preserve data**

The solution is expected to recognise and analyse various file formats. The conceptual architecture diagram (*Figure 1*) gives an initial definition on the types of formats that will be included, depending on the task at hand. The bidder must provide a list of the formats that are in alignment with their proposed solution.

The bidder must provide a view of how their solution collects and preserves the data. It is very critical for the data to be preserved in its original format. The bidder should indicate if data can be collected via the back-end as an option that can be used in addition to the front-end. The bidder must provide all requirements for the back-end loading of data if this is possible with the proposed solution.

As an estimation, the following is a scenario of the data volumes to be ingested per task:

- A task can utilise between 20 and 100 GB (Gigabytes) depending on the complexity and scope of work involved. 50 GB on average.
- An estimate of 40 tasks per year are expected to be processed in the eDiscovery solution.
- An estimated annual growth of between 10% and 15% is expected.

### **5.2.3 Analyse metadata**

The analysis of metadata is an early data assessment process. This requirement will enable the analyst to have a view on what data is involved in the processing of the task before they start analysing the content contained in the data. The bidder should indicate the type of metadata that can automatically be extracted from the different data formats. An automated early data assessment will be an advantage as it reduces the time required by the analyst to get to know what data is involved in the task. The bidder should indicate if this requirement is readily available or if it's a function that will require development. Possible customisation options should be indicated for this function.

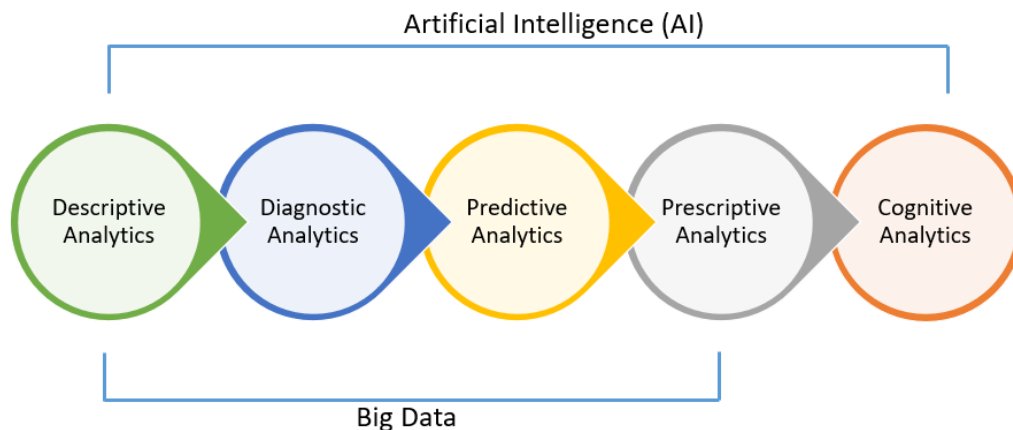
The bidder must indicate the extent of use in graphical representation or views on data to assist in the interpretation of complex information, trends, patterns and typologies offered by the solution.

### **5.2.4 Create a review set**

After or as part of the metadata analysis, the solution should identify duplicate data and allow the user of the solution to take the necessary action. The requirement is that this function will allow the user to tag or select data that is relevant to the task at hand.

### **5.2.5 Analyse Review Set**

At this stage, the user will analyse the content and context of the data contained in the Review Set for relevance and inclusion. For this function, the bidder is expected to give a view on the type of analysis offered (*in addition to keyword search*) by the proposed solution. There is no prescriptive on the type of analysis required. However, preference is in the use of Artificial Intelligence (*Figure 2* below) as this is expected to create efficiencies in the process. Customisation offered by the solution should also be indicated as part of the types of analysis.



*Figure 2: Artificial Intelligence*

The bidder must indicate the extent of use in graphical representation or views on data to assist in the interpretation of complex information, trends, patterns and typologies offered by the solution.

### 5.2.6 Produce a Report

Upon finalisation of the Analysis, a report will be generated based on the outcome of the analysis. The report is template based. Some or all the data from the final review set will need to be integrated into this report depending on the outcome of the analysis process. The bidder must indicate how the results of the analysis can be incorporated into the report. Should this not be an automated process, the bidder must propose options for consideration in alignment with their solution offering.

The availability of workflow to assist with the report review process and addition of comments and suggestions must be indicated.

## 5.3 Solution Data Store

The bidder should provide details of the ability of their database to enable the following:

- Migration of data from other similar solutions.
- Uploading of data for a task at the back end.
- Usage of API's to integrate with other solutions to pull required data into a task.
- Integrate with the FIC's existing data lake hosted on Azure cloud

The Bidder should provide information on the location of their data centre for all Cloud Service offerings. The bidder must indicate how their solution caters for the following data store related requirements:

- The Safeguarding of data during the collection, processing, and storage phase of the proposed solution

- The data is protected by comprehensive enterprise compliance and security controls.
- Protection of all data from surveillance and cybercrime.
- List the data protection and security legislation that their proposed solution adheres to.

#### 5.4 Report dissemination

Upon approval, the solution must allow for the secure dissemination of the report to users with the right access privileges. The solution must allow downloading of the report together with the audit log indicating all activities carried out within the task.

#### 5.5 Technical Aspects

This section provides a view on the technical aspects of the solution. The bidder must indicate how their solution can cater for the requirements listed below:

- **The solution storage should be** scalable, secure, maintaining data integrity and accessibility **with backup and disaster recovery options.**
- Data Security options should be inclusive of encryption, access control, and secure data transfer protocols to a granular level. Enable secure remote access for authorized users, facilitating "work from anyplace" capabilities.
- Automated audit trail function for all functionality to ensure accountability are crucial to the solution.
- The solution should ensure compliance with South African legal standards, including data protection regulations and chain of custody requirements.
- The use of APIs to enable integration with existing systems used internally or external to the FIC environment.
- Migration of data from tasks created in systems used prior to the use of the eDiscovery solution. Bidder must provide pre-requisites for this requirement.
- Cloud-based or on-premises solutions with options for hybrid deployments.
- Web-based interface with support for mobile devices.
- License structure – Is it user-based or size of the data. The structure should indicate if there are variations from a user-type perspective (super user, viewer, technical user) if this forms part of the license structure.

#### 5.6 Project Plan

The bidder must compile a complete and detailed project plan indicating how the proposed solution is going to be delivered. The project is expected to deliver value earlier to ensure buy-in from stakeholders. The project plan should allow delivery of milestones that can be moved to production once they are signed off and approved. The following must be included as part of the documentation that will be consolidated into a Project Charter:

- A detailed work breakdown structure (WBS) or similar depending on methodology.
- Tasks, Milestone, and Deliverables for all involved stakeholders.

- Testing tasks to be carried out by the bidder team.
- Supporting tasks to be carried out by the bidder and the FIC if this is applicable

The finalisation and construction of the project plan will be a collaboration between the successful bidder and the FIC to ensure that it is inclusive of all tasks involved in the project.

### **5.7 Solution Testing**

FIC has functional testing capacity which will come into the plan once the bidder testing teams have completed their testing and hand it over to FIC for final User Acceptance testing. The successful bidder is expected to draw up their own test specification documentation which is used to conduct related testing.

FIC will execute performance and security testing for the project after deployment. All concerns raised as part of this process will be shared with the successful bidder and will require resolutions to severe findings.

### **5.8 Solution Configuration and Customisation**

The following documentation is expected as part of the outputs of the Solution configuration and customisation stage of the solution:

- Matrix to map Business Requirements to the Configuration Specification
- Configuration Specification
- Quality Assurance Review.
- Completed functional testing - Testing carried out by the Bidder team.

### **5.9 Support and Maintenance**

The bidder is expected to provide support and maintenance services for the milestone deliverables as and when they are moved into the FIC's production environment and for a period of 12 months after the deployment and acceptance of the full solution. The bidder must include their support and maintenance methodology as part of the proposal. These tasks could include:

- Management of active job schedules
- Manage usage, licences and related resources.
- Manage hand-over to ICT, Line of Business or FIC appointee.
- Perform daily support tasks
- User training

. The bidder must indicate if they have presence within the boundaries of South Africa

### 5.10 Project Management Services

Project Management services are applicable to all stages.

- The Service Provider will report to the assigned FIC Project Manager in the FIC's Project Management Office.
- The Service Provider must set up a project organisation, with a Project Manager, to interface to the FIC Project Team, with the FIC Project Manager as the entry point for project execution.
- A Project Steering Committee will be established, meeting once a month, allowing reporting and risk/issue mitigation to be addressed and directed by the FIC Project Sponsor and Business Owner.
- Project progress meetings will be scheduled every week, and the Service Provider is expected to compile and submit weekly progress reports, plus a monthly Steering Committee progress report. The FIC project management methodology defined templates may be utilised for these reports.
- The CVs of the Project manager and project team members assigned to the project must be included with the bidder's proposal. Certified copies of the qualifications as identified in the evaluation criteria (section 10 of this TOR) must be included. The FIC reserves the right to vet the project team members should there be a change from what was submitted as part of the proposal.
- The proposed project team must have at least one (01) Certified eDiscovery Professional.

### 5.11 Training Services

- The Service Provider is expected to compile the training plan, Super User Manual and Normal User Manual.
- The Service Provider is expected to provide training for technical users, Super User as well as the Normal user of the system.
- The training services must be in line with the preferred delivery methodology.

## 6 RESPONSE REQUIREMENTS

- 6.1** The response to this TOR should include a detail definition of the service provider experience, the proposed solution, the approach proposed to deliver the solution and the completion of a detail compliancy statement to each of the TOR functional requirements stating "Full or Partial or None" compliance where applicable. The tables attached in Annexure A MUST be used for the response to this tender. In addition, the service provider must complete the Delivery Schedule template under **Annexure C**.

## 7 FINANCIAL PROPOSAL

- 7.1** The service provider is expected to provide and complete the pricing proposal for the main items as defined in this TOR using the table in **Annexure B**.

## **8 LOGISTICS SUPPORT**

- 8.1** Access to the required solution and data will be provided to the service provider from the terminals at the FIC's Centurion Head Office. Where specific software is required to be used, the software will need to be installed and run on FIC infrastructure. No service provider devices will be permitted to connect to the FIC network. The resources of the service provider will be expected to utilise FIC laptops and software to prepare reports and project management functions.

## **9 LOCATION WHERE THE SERVICES ARE REQUIRED**

- 9.1** The services will be required at the FIC's Centurion Head Office.

## **10 DURATION OF THE CONTRACT**

- 10.1** The timeframe for the engagement of the service provider is envisaged to be for a period of twenty-four (24) months for the delivery of the eDiscovery solution.

- 10.2** FIC uses the following Microsoft technologies:

| Product                                   | Purpose                                     |
|---|---|
| Microsoft Office 365                      | Document creation                           |
| HP Quality Centre                         | Functional testing and defect management    |
| Azure Synapse Analytics                   | Data Lake pipeline management               |
| Azure Databricks                          | Data Insights in the warehouse and big data |
| Power BI                                  | Business Intelligence                       |
| Microsoft SQL Database Server (2016,2019) | Database Management                         |
| Azure platform                            | Form Recognizer and various APIs            |
| Windows Server 2022, 2019                 | Operating System                            |

## **11 ASSUMPTIONS**

- 11.1** The service provider will have access to the personnel of the FIC when required;
- 11.2** The service provider will inform and instal all required software and infrastructure required by their solution in line with the FIC's standards and protocols; and
- 11.3** The service provider will project manage its own team, to ensure delivery of the required output on time and within budget.
- 11.4** The service provider will work with and participate in the people change management activities that form part of project implementation.

## **12 COMMENCEMENT OF THE SERVICE**

- 12.1** The FIC require the solution to be delivered within the time frame as stipulated in the contract.



**13 TECHNICAL QUESTIONS**

- 13.1** 15.1 Any technical questions regarding the above requirement can be forwarded to [Kamogelo.Rathebe@fic.gov.za](mailto:Kamogelo.Rathebe@fic.gov.za).

**PART E: EVALUATION PROCESS****14 EVALUATION PROCESS**

**Compliance with minimum requirements and response requirements:**

**14.1 Pre-selection:**

- 14.1.1** The Supply Chain Management business unit will do **pre-selection** on the following requirements:

| NO. | DESCRIPTION   | REQUIREMENTS:<br>MANDATORY<br>OR<br>NON-<br>MANDATORY | COMMENTS   |
|-----|---|---|--|
| 1   | Central Supplier Database (CSD) Report                          | <b>MANDATORY</b>                                      | Bidders must be registered on the Central Supplier Database (CSD) on the National Treasury Website – <a href="http://www.csd.gov.za">www.csd.gov.za</a> prior to submitting a bid. |
| 2   | Valid B-BBEE Certificate OR Sworn Affidavit                     | <b>NON-MANDATORY</b>                                  | Failure of a bidder to provide a valid B-BBEE certificate/sworn affidavit will forfeit preference points.  |
| 3   | Completed and duly Signed Invitation to Bid Form- SBD 1         | <b>MANDATORY</b>                                      | Non-submission as well as incomplete SBD 1 form will result in disqualification.   |
| 4   | Completed and duly Signed Bidder's Disclosure Form- SBD 4       | <b>MANDATORY</b>                                      | Non-submission as well as incomplete SBD 4 form will result in disqualification.   |
| 5   | Completed and duly Signed Preference Points Claim Form- SBD 6.1 | <b>NON-MANDATORY</b>                                  | Failure of a bidder to provide a completed and duly signed SBD 6.1 form will forfeit preference points.  |
| 6   | Attendance of Virtual Compulsory Briefing session               | <b>MANDATORY</b>                                      | Bidders who did not attend the virtual compulsory briefing session will be disqualified.   |
| 7   | Compliance Matrix   | <b>MANDATORY</b>                                      | Completed compliance matrix in accordance with the provided format in <b>Annexure A</b> .  |

| NO. | DESCRIPTION   | REQUIREMENTS:<br>MANDATORY<br>OR<br>NON-<br>MANDATORY | COMMENTS   |
|-----|---|---|--|
| 8   | Pricing Proposal  | <b>MANDATORY</b>                                      | Completed pricing proposal in accordance with the provided format in Annexure B.   |
| 9   | Delivery Schedule   | <b>MANDATORY</b>                                      | Completed delivery schedule in accordance with the provided format in <b>Annexure C</b> .  |
| 10  | Special Conditions  | <b>MANDATORY</b>                                      | Bidders must comply fully with all the Special Conditions outlined in <b>Annexure D</b> .  |
| 11  | Certified e-Discovery Specialist (CEDS) Valid Certification | <b>MANDATORY</b>                                      | The bidder must have at least one member with a CEDS certification as part of their team. Proof of valid certification must be provided. |

**Note:**

- a) A bidder who fails to comply with **mandatory** requirements No. **1, 3, 4, 6, 7, 8, 9, 10, and 11** will be disqualified from the evaluation process.
- b) A bidder who fails to comply with mandatory requirement No. **2** and **5** will forfeit preference points for specific goals or B-BBEE points.

**14.2 FUNCTIONAL EVALUATION CRITERIA**

**14.2.1** The bid will receive further consideration if they score a minimum of **65** out of **100** points on functionality criteria.

**14.2.2** Functionality will be evaluated as follows:

- i. **Desktop Technical Evaluation** – Bidders will be evaluated out of **75** points and are required to achieve a minimum threshold of **50** points out of **75** points.
- ii. **Presentation and system demonstration** – Bidders will be evaluated out of **25** points and are required to achieve a minimum threshold of **15** points out of **25** points.

**14.2.3** Bidders who fail to meet the minimum threshold will be disqualified and will not be evaluated further for price and B-BBEE status level of contribution.

**14.2.4** The functionality evaluation (detailed, practical, fair, and measurable) will consist of a desktop assessment as well as a formal presentation by the prospective bidders.

**14.2.5** The table below explains the rating guideline for the evaluation of functionality criteria:

| CRITERIA  | POINTS ALLOCATED |
|---|------------------|
| <b><u>DESKTOP TECHNICAL EVALUATION</u></b>  |                  |
| 1.The Project Manager assigned by the bidder must have relevant experience in the management of ICT projects.   | 10               |
| 2.The certified eDiscovery professional should have a track record of projects where they implemented eDiscovery solutions as part of their CV.   | 15               |
| <p>3.The bidder must have implemented, configured and customised a minimum of three eDiscovery Solution projects that are aligned with the requirements listed in this document in the last seven (7) years.</p> <ul style="list-style-type: none"> <li>• Proof of this must be indicated by the provision of relevant contactable reference letters. It is important for the reference letters to clearly indicated the type of relevant work done in alignment with the requirements (refer to Section 5). The experience of the bidder will be determined based on the reference letter information and period that the services were provided.</li> </ul> <p>The reference letters from the clients must include:</p> <ul style="list-style-type: none"> <li>- Company name</li> <li>- Company letter head</li> <li>- Contactable person</li> <li>- Contactable telephone numbers or email.</li> <li>- Signed and dated</li> <li>- Short description and period of the professional services and/or resources provided</li> </ul> <p><b><i>Please note: Letters of appointment, purchase orders, and emails confirming work done will not be accepted as reference letters.</i></b></p> | 20               |
| <p><b>4.Project Plan</b></p> <ul style="list-style-type: none"> <li>- A detailed Project plan as outlined in Section 5.6 of this document: <ul style="list-style-type: none"> <li>• A detailed work breakdown structure (WBS) or similar depending on methodology.</li> </ul> </li> </ul>   | 10               |

| CRITERIA  | POINTS ALLOCATED |
|---|------------------|
| <ul style="list-style-type: none"> <li>• Tasks, Milestone, and Deliverables for all involved stakeholders.</li> <li>• Testing tasks to be carried out by the bidder team.</li> </ul> <p>Supporting tasks to be carried out by the bidder and the FIC first and second line of support.</p>  |                  |
| <p><b>5. Technical Proposal</b></p> <p>Provide a complete technical proposal which is referenced by a compliant response for the delivery of the required deliverables as defined in <b>Annexure A</b>.</p>   | 20               |
| <b><u>PRESENTATION AND SYSTEM DEMONSTRATION</u></b>   |                  |
| <p>Bidders will be required to present their proposed response to the evaluation committee outlining their approach and technical proposal for the proposed solution and confirming their understanding of the FIC requirements. Online meetings will be scheduled with shortlisted bidders.</p> <p>Guideline:<br/>PPT\PDF or other presentation format. Bidder's presentation must cover the following:</p> <ul style="list-style-type: none"> <li>• Company Experience - In the delivery of eDiscovery solutions as part of their service offering (3)</li> <li>• Solution Functionality – Ability to apply textual, financial and node analysis to data through the deployment of artificial intelligence capabilities (5)</li> <li>• Solution Functionality – Ability to do Graphical displays and/or outputs of analysed data and metadata (5)</li> <li>• Solution Functionality – Ability to insert or reference (original and processed data during final report production (5)</li> <li>• High level view of the solution – Data Security &amp; infrastructure (5)</li> <li>• High level delivery plan (2)</li> </ul> | 25               |
| <b>TOTAL</b>  | <b>100</b>       |

**14.2.6** The table below explains the rating guideline for the evaluation of Desktop evaluation functional criterion:

| Criteria  | POINTS = 0   | POINTS = 1  | POINTS = 2  | POINTS = 3  | POINTS = 4  | POINTS = 5   |
|---|--|---|---|---|---|--|
| The Project Manager assigned by the bidder must have relevant experience in the management of ICT projects.   | No CV or irrelevant attached.  | 1-year relevant experience.   | 2 years' relevant experience.   | 3 years' relevant experience.   | 4 years' relevant experience.   | 5 or more years' relevant experience.  |
| The certified eDiscovery professional should have a track record of projects where they implemented and supported eDiscovery solutions as part of their CV.   | No CV or irrelevant attached.  | 1 year experience in assisting organisations to implement and support eDiscovery Solution | 2 years' experience in assisting organisations to implement and support eDiscovery Solution | 3 years' experience in assisting organisations to implement and support eDiscovery Solution | 4 years' experience in assisting organisations to implement and support eDiscovery Solution | 5 or more years' experience in assisting organisations to implement and support eDiscovery Solution. |
| The bidder must have implemented, configured and customised a minimum of three eDiscovery Solution projects that are aligned with the requirements listed in this document in the last seven (7) years. | No relevant references attached.                                     | 1 relevant compliant reference letter provided.   | 2 relevant compliant reference letters provided.  | 3 relevant compliant reference letters provided.  | 4 relevant compliant reference letters provided.  | 5 or more relevant compliant reference letters provided.   |
| Project Plan:<br>A detailed Project plan as outlined in Section 5.6 of this document.   | Project plan not provided or not in accordance with the requirements |   |   |   |   | Project plan provided in accordance with the requirements  |
| Proposal:<br>A compliant response for the delivery of the required deliverables as defined in Annexure A.   | None compliance with any of the requirements as per Annexure A.      |   |   |   |   | Full Compliance with all of the requirements as per Annexure A.                                      |

**14.2.7** The table below explains the rating guideline for the evaluation of Desktop evaluation functional criterion:

| Criteria   | POINTS = 0   | POINTS = 1 | POINTS = 2 | POINTS = 3   | POINTS = 4   | POINTS = 5   |
|--|--|------------|------------|--|--|--|
| Bidder's presentation must cover the following:<br><br>Company Experience - In the delivery of eDiscovery solutions as part of their service offering. | Bidder does not have experience in the delivery of eDiscovery solutions as part of their service offering. |            |            | Company has 5 years' experience in the delivery of eDiscovery solutions as part of their service offering. | Company has 6 years' experience in the delivery of eDiscovery solutions as part of their service offering. | Company has 7 years' experience in the delivery of eDiscovery solutions as part of their service offering. |
| Solution Functionality – Ability to apply textual, financial and node analysis to data through the deployment of artificial intelligence capabilities  | Required functionality not presented.  |            |            |  |  | Demonstrated functionality   |
| Solution Functionality – Ability to do Graphical displays and/or outputs of analysed data and metadata   | Required functionality not demonstrated.   |            |            |  |  | Demonstrated functionality   |
| Solution Functionality – Ability to insert or reference (original and processed data during final report production                                    | Required functionality not demonstrated.   |            |            |  |  | Demonstrated functionality   |
| High level view of the solution – Data Security & Solution Infrastructure  | Data Security & Solution Infrastructure not demonstrated.  |            |            |  |  | Demonstrated functionality   |
| High level delivery plan   | High level delivery plan not presented   |            |            |  |  | High level delivery plan presented   |

### 14.3 PREFERENTIAL POINT SYSTEM - PRICE AND B-BBEE EVALUATION:

**14.3.1** Only qualifying bids will be evaluated further in terms of the 80/20 preference points system, whereby 80 points will be for price only and 20 points for preference points based on specific goals as set out in the preference point claim form.

- a) The percentage scored for price shall be calculated as follows:
- b) A maximum of 80 points is allocated for price on the following basis:

#### 80/20

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

Where

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

$P_t$  = Rand value of quotation under consideration

$P_{\min}$  = Rand value of lowest acceptable quotation

**14.3.2** Awarding of points for broad-based black economic empowerment (B-BBEE) status level of contribution:

- a) Preference points for B-BBEE status level of contribution will be awarded according to the table indicated in the preference points claim form- SBD 6.1.

### 14.4 ADJUDICATION

**14.4.1** The relevant award structure will consider the recommendations and make the final award. The successful respondent will usually be the service provider scoring the highest number of points or it may be a lower scoring provider on justifiable grounds or no award at all.

### 15 VALIDITY PERIOD

**15.1** Validity period from date of closure is 90 days.

**15.2** Bidders must hold their tenders valid for acceptance by the FIC at any time within the requested validity period after the closing date of the tender.

**15.3** Bidders may be requested to extend their validity period for a specified additional period. In such instances, bidders will not be allowed to change any aspect of their tender, unless they are able to

demonstrate that the proposed change(s) is as a direct and unavoidable consequence of FIC's extension of the validity period.

## 16 COMPULSORY VIRTUAL BRIEFING SESSION

16.1 A **virtual** compulsory briefing session will be held under the following details:

|                   |   |
|-------------------|---|
| Date:             | 10 March 2025   |
| Time:             | 12h00- 13h30  |
| Venue / Platform: | Microsoft Teams   |
| Link to meeting:  | <a href="https://teams.microsoft.com/l/meetup-join/19%3ameeting_N2U5N2ZkMjgtMGUzMy00YThhLTgzNjktYzNhYzA1ODBmMmM0%40thread.v2/0?context=%7b%22Tid%22%3a%221c5235b3-a463-4a01-96a7-dc2634b2aa74%22%2c%22Oid%22%3a%22440644e2-a809-4179-9639-6d7f4fb9f659%22%7d">https://teams.microsoft.com/l/meetup-join/19%3ameeting_N2U5N2ZkMjgtMGUzMy00YThhLTgzNjktYzNhYzA1ODBmMmM0%40thread.v2/0?context=%7b%22Tid%22%3a%221c5235b3-a463-4a01-96a7-dc2634b2aa74%22%2c%22Oid%22%3a%22440644e2-a809-4179-9639-6d7f4fb9f659%22%7d</a> |

## 17 TECHNICAL QUESTIONS

17.1 Any technical questions regarding the above requirements can be forwarded to Kamogelo.Rathebe@fic.gov.za.



## 18 ANNEXURE A – COMPLIANCE STATEMENT

**18.1** 18.1 Bidders must complete the table below as per the instructions in the headlining column. If the table is not completed as per the instructions in the heading row, this will result in non-compliance. **Refer to Section 5.**

| eDiscovery Solution TOR Requirements   | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|--|--|--|
| 5. SPECIFICATIONS/ SCOPE OF WORK   | Heading  | Heading  |
| 5.1 Internally Stored Data Formats   | Heading  | Heading  |
| - The bidder should indicate all the data formats (inclusive of the initial definition) that can be processed by their proposed solution   |  |  |
| - In addition, the bidder should indicate the extent to which their solution can process the data  |  |  |
| 5.2 Internal User Experience   | Heading  | Heading  |
| 5.2.1 Create a Task  | Heading  | Heading  |
| - Integrate with the FIC's Active Directory for user access management for all users of the solution. If not, the bidder should indicate how this can be achieved from their solution. |  |  |
| - The bidder should indicate if users external to the FIC can be provided access to the solution.  |  |  |
| - Allow for the creation of a task with the required parameters, and allow customisation, where applicable, to fit the FIC's use case.   |  |  |
| - Allow for the addition of other users involved in the processing or completion of the task.  |  |  |
| 5.2.2 Collect and preserve data  | Heading  | Heading  |
| - The bidder must provide a view of how their solution collects and preserves the data.  |  |  |

| eDiscovery Solution TOR Requirements   | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|--|--|--|
| - The bidder should indicate if data can be collected via the back-end as an option that can be used in addition to the front-end.   |  |  |
| - The bidder must provide all requirements for the back-end loading of data if this is possible with the proposed solution.  |  |  |
| <b>5.2.3 Analyse Metadata</b>  | Heading  | Heading  |
| - The bidder should indicate the type of metadata that can automatically be extracted from the different data formats  |  |  |
| - The bidder should indicate if this requirement is readily available or if it's a function that will require development.   |  |  |
| - Possible customisation options should be indicated for this function.  |  |  |
| - The bidder must indicate the extent of use in graphical representation or views on data to assist in the interpretation of complex information, trends, patterns and typologies offered by the solution. |  |  |
| <b>5.2.4 Create a Review Set</b>   | Heading  | Heading  |
| - The solution should identify duplicate data and allow the user of the solution to take the necessary action  |  |  |
| - The solution should allow the user to tag or select data that is relevant to the task at hand.   |  |  |
| <b>5.2.5 Analyse Review Set</b>  | Heading  | Heading  |
| - For this function, the bidder is expected to give a view on the type of analysis offered ( <i>in addition to keyword search</i> ) by the proposed solution.  |  |  |
| - The use of Artificial Intelligence   |  |  |
| <b>5.2.6 Produce a Report</b>  | Heading  | Heading  |

| eDiscovery Solution TOR Requirements  | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|---|--|--|
| - The configuration of templates  |  |  |
| - The bidder must indicate how the results of the analysis can be incorporated into the report.   |  |  |
| - Should this not be an automated process, the bidder must propose options for consideration in alignment with their solution offering. |  |  |
| - The availability of workflow to assist with the report review process and addition of comments and suggestions must be indicated      |  |  |
| <b>5.3 Solution Data Store</b>  | Heading  | Heading  |
| The bidder should provide details of the ability of their database to enable the following:   |  |  |
| - Migration of data from other similar solutions.   |  |  |
| - Uploading of data for a task at the back end.   |  |  |
| - Usage of API's to integrate with other solutions to pull required data into a task.   |  |  |
| - Integrate with the FIC's existing data lake hosted on Azure cloud   |  |  |
| - The Bidder should provide information on the location of their data centre for all Cloud Service offerings                            |  |  |
| The bidder must indicate how their solution caters for the following data store related requirements:                                   |  |  |
| - The Safeguarding of data during the collection, processing, and storage phase of the proposed solution                                |  |  |
| - The data is protected by comprehensive enterprise compliance and security controls.   |  |  |
| - Protection of all data from surveillance and cybercrime   |  |  |
| - List the data protection and security legislation that their proposed solution adheres to.  |  |  |
| <b>5.4 Report Dissemination</b>   | Heading  | Heading  |

| eDiscovery Solution TOR Requirements   | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|--|--|--|
| <ul style="list-style-type: none"> <li>- The solution must allow for the secure dissemination of the report to users with the right access privileges</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- The solution must allow downloading of the report together with the audit log indicating all activities carried out within the task.</li> </ul>   |  |  |
| <b>5.5 Technical Aspects</b>   | Heading  | Heading  |
| <ul style="list-style-type: none"> <li>- The solution storage should be scalable, secure, maintaining data integrity and accessibility with backup and disaster recovery options</li> </ul>  |  |  |
| <ul style="list-style-type: none"> <li>- Data Security options should be inclusive of encryption, access control, and secure data transfer protocols to a granular level. Enable secure remote access for authorized users, facilitating "work from anyplace" capabilities.</li> </ul> |  |  |
| <ul style="list-style-type: none"> <li>- Automated audit trail function for all functionality to ensure accountability are crucial to the solution.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- The solution should ensure compliance with South African legal standards, including data protection regulations and chain of custody requirements.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- The use of APIs to enable integration with existing systems used internally or external to the FIC environment.</li> </ul>  |  |  |
| <ul style="list-style-type: none"> <li>- Migration of data from tasks created in systems used prior to the use of the eDiscovery solution. Bidder must provide pre-requisites for this requirement.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- Cloud-based or on-premises solutions with options for hybrid deployments.</li> </ul>  |  |  |
| <ul style="list-style-type: none"> <li>- Web-based interface with support for mobile devices.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- License structure – Is it user-based or size of the data. The structure should indicate if there are variations from a user-type perspective (super user, viewer, technical user) if this forms part of the license structure.</li> </ul>     |  |  |

| eDiscovery Solution TOR Requirements  | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|---|--|--|
| <ul style="list-style-type: none"> <li>- System not to be developed from scratch baseline of solution should be available and customisable to suit user needs.</li> </ul>   |  |  |
| <b>5.6 Project Plan</b>   | Heading  | Heading  |
| <p>The following must be included as part of the documentation that will be consolidated into a Project Charter:</p> <ul style="list-style-type: none"> <li>- A detailed work breakdown structure (WBS) or similar depending on methodology.</li> </ul>                 |  |  |
| <ul style="list-style-type: none"> <li>- Tasks, Milestone, and Deliverables for all involved stakeholders.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- Testing tasks to be carried out by the bidder team.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- Supporting tasks to be carried out by the vendor/bidder and the FIC first and second line of support.</li> </ul>   |  |  |
| <b>5.7 Solution Testing</b>   | Heading  | Heading  |
| <ul style="list-style-type: none"> <li>- The successful bidder is expected to draw up their own test specification documentation which is used to conduct related testing.</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- All concerns raised as part of this process will be shared with the successful bidder and will require resolutions to severe findings.</li> </ul>  |  |  |
| <b>5.8 Solution Configuration &amp; Customisation</b>   | Heading  | Heading  |
| <p>The following documentation is expected as part of the outputs of the Solution configuration and customisation stage of the solution:</p> <ul style="list-style-type: none"> <li>- Matrix to map Business Requirements to the Configuration Specification</li> </ul> |  |  |
| <ul style="list-style-type: none"> <li>- Configuration Specification</li> </ul>   |  |  |
| <ul style="list-style-type: none"> <li>- Quality Assurance Review.</li> </ul>   |  |  |

| eDiscovery Solution TOR Requirements |  | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|--------------------------------------|--|--|--|
|                                      | - Completed functional testing - Testing carried out by the Bidder team.   |  |  |
| 5.9                                  | <b>Support and Maintenance</b>   | Heading  | Heading  |
|                                      | - Management of active job schedules   |  |  |
|                                      | - Manage usage, licences and related resources.  |  |  |
|                                      | - Manage hand-over to ICT, Line of Business or FIC appointee.  |  |  |
|                                      | - Perform daily support tasks  |  |  |
|                                      | - The bidder must also provide a cost estimate for annual refresher training that will be required by the FIC for new employees or refreshers for as and when there are upgrades. The cost estimates provided for the annual refresher training are for information purposes.  |  |  |
|                                      | - The bidder must indicate if they have presence within the boundaries of South Africa.  |  |  |
| 5.10                                 | <b>Project Management Services</b>   |  |  |
|                                      | - The CVs of the Project manager and project team members assigned to the project must be included with the bidder's proposal. Certified copies of the qualifications as identified in the evaluation criteria (section 10 of this TOR) must be included. The FIC reserves the right to vet the project team members should there be a change from what was submitted as part of the proposal. |  |  |
|                                      | - The proposed project team must have at least one (01) Certified eDiscovery Professional.   |  |  |
| 5.11                                 | <b>Training Services</b>   |  |  |

| eDiscovery Solution TOR Requirements  | Compliance Statement<br>(Bidders must indicate Full/None-compliance) | Description of compliance statement (Bidders must refer the compliance statement to the relevant part/section of the technical proposal description) |
|---|--|--|
| <ul style="list-style-type: none"> <li>- The Service Provider is expected to compile the training plan, Super User Manual and Normal User Manual.</li> </ul>  |  |  |
| <ul style="list-style-type: none"> <li>- The Service Provider is expected to provide training for technical users, Super User as well as the Normal user of the system.</li> </ul>  |  |  |
| <b>6. Response Requirements</b>   | Heading  | Heading  |
| The response to this TOR should include a detailed definition of the bidder's experience, the proposed solution, the delivery model and the completion of a detail compliancy statement to each of the TOR functional requirements stating "Full or Partial" compliance where applicable. |  |  |

## 19 ANNEXURE B – FINANCIAL PROPOSAL

**19.1** The financial proposal should include Value Added Tax (VAT), and any other cost involved.

**19.2** The service provider is expected to provide and complete the pricing schedule as defined below. The bidder must also submit a detailed cost break down of all the costs reflected in the Pricing Schedule and grouped into a number milestones which will align with the payment schedule.

| ITEM NO | ITEM DESCRIPTION   |                               | CLASSIFICATION | UNIT COST | TOTAL COST INCLUDING VAT |
|---------|--|-------------------------------|----------------|-----------|--------------------------|
| 1.      | Implementation and Professional Services for all project milestones                    |                               | Mandatory      |           |                          |
| 2.      | Software/Platform Licenses*<br>*Over a period of three (3) years, show amount per year | Year 1                        | Mandatory      |           |                          |
|         |  | Year 2                        |                |           |                          |
|         |  | Year 3                        |                |           |                          |
| 3.      | Support & Maintenance  | During project implementation | Mandatory      |           |                          |
|         |  | For 12 months after go-Live   |                |           |                          |
| 4.      | End-User Training (Up to 30 individuals)   |                               | Mandatory      |           |                          |
| 5.      | Technical / Super -User Training (Up to 10 users)                                      |                               | Mandatory      |           |                          |
| 6.      | Change Management (Project Awareness)  |                               | Mandatory      |           |                          |
|         | <b>TOTAL</b>   |                               |                |           |                          |

**Note:** The FIC reserves the right to exclude any of the items in the above table during contracting. Furthermore, the FIC reserves the right to discontinue the services of the selected service provider based on a checkpoint done on completion of each milestone of the project.



## 20 ANNEXURE C - MILESTONE DELIVERY AND PAYMENT SCHEDULE

- 20.1** The service provider is expected to provide and complete a delivery schedule according to their project structure / plan. Note the milestone amounts assigned to the milestone definition must follow a neutral cashflow in line with the effort to deliver the project. The service provider must define the milestones definitions in accordance with their proposed scope delivery and associated costs. Please note that the FIC requires that the final milestone amount must have a value of at least 15% of the total contract value to ensure complete and successful delivery of the approved solution.

| MILESTONE NO. | ITEM DESCRIPTION | PROPOSED DELIVERY DATE - MONTHS AFTER ORDER PLACEMENT | MILESTONE DELIVERABLE DESCRIPTION | MILESTONE AMOUNT |
|---------------|------------------|---|-----------------------------------|------------------|
| 1.            |                  |   |                                   |                  |
| 2.            |                  |   |                                   |                  |
| 3.            |                  |   |                                   |                  |
| 4.            |                  |   |                                   |                  |
| 5.            |                  |   |                                   |                  |
| 6.            |                  |   |                                   |                  |
| 7.            |                  |   |                                   |                  |

| CONDITION   | COMPLY / NOT<br>COMPLY | COMMENTS |
|---|------------------------|----------|
| The bidder will be subject to security requirements including:  |                        |          |
| 1.The bidder's project team members assigned to the project will be required to take an oath of secrecy and sign non-disclosure agreements.   |                        |          |
| 2.The bidder's project team members assigned to the project will be required to consent and undergo a security and background check by the FIC.   |                        |          |
| 3.In the event that the CV's for the roles proposed by the bidder is not available to work on the project, the bidder must ensure to provide a resource with similar experience.                        |                        |          |
| 4.The successful bidder will be expected to complete and sign a Non-Disclosure Agreement (NDA),on behalf of the company and for each project resource, an Oath of Secrecy must be completed and signed. |                        |          |

## **PART G: STANDARD BIDDING DOCUMENTS (OVERLEAF)**

1. Standard Bidding Document (SBD) 4 Form: Bidder's Disclosure
2. Standard Bidding Document (SBD) 6.1 Form: Preference Points Claim Form

## 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 interest<sup>1</sup> 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

---

<sup>1</sup> 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.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

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 consortium<sup>2</sup> 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

---

<sup>2</sup> 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.

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

|           |                |
|-----------|----------------|
| .....     | .....          |
| Signature | Date           |
| .....     | .....          |
| Position  | Name of bidder |

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

### 1. GENERAL CONDITIONS

- 1.1 The following preference point system is applicable to invitations to this tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included);

### 1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.

- 1.3 Points for this shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

- 1.4 The maximum points for this tender are allocated as follows:

|  | POINTS     |
|--|------------|
| PRICE  | 80         |
| SPECIFIC GOALS                                   | 20         |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b> |

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The FIC requires of a tenderer to substantiate any claim in regards to preferences, by submitting their current/valid B-BBEE certificate or a sworn affidavit as prescribed by the B-BBEE codes of good practice.

## 2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**Rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**The Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80/20 points is allocated for price on the following basis:

**80/20**

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

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

## 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations 2022, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below that shall be supported by proof / documentation as stated in the conditions of this tender:



**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

| The specific goals allocated points in terms of this tender                          | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|--|--|--|
| The B-BBEE Certificate is used as a measurement instrument for FIC's specific goals: | 20 Maximum   |  |
| B-BBEE Status level of contributor: 1  | 20   |  |
| B-BBEE Status level of contributor: 2  | 18   |  |
| B-BBEE Status level of contributor: 3  | 14   |  |
| B-BBEE Status level of contributor: 4  | 7  |  |
| B-BBEE Status level of contributor: 5  | 4  |  |
| B-BBEE Status level of contributor: 6  | 2  |  |
| B-BBEE Status level 7 – 8 and non-compliant contributors                             | 0  |  |

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.2. Name of company/firm.....

4.3. Company registration number: .....

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

|                                    |       |
|------------------------------------|-------|
| .....                              |       |
| <b>SIGNATURE(S) OF TENDERER(S)</b> |       |
| <b>SURNAME AND NAME:</b>           | ..... |
| <b>DATE:</b>                       | ..... |
| <b>ADDRESS:</b>                    | ..... |
|                                    | ..... |
|                                    | ..... |
|                                    | ..... |