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### **Special Conditions of Contract**

**NT011-2025:**

**APPOINTMENT OF A CHECK POINT CERTIFIED SUPPORT PARTNER FROM SITA  
RFB 1183 TO RENEW CHECK POINT FIREWALLS SOFTWARE LICENSES, SUPPORT  
AND MAINTENANCE FOR THE NATIONAL TREASURY (NT) INFORMATION AND  
COMMUNICATION TECHNOLOGY (ICT) FOR A PERIOD OF THREE (3) YEARS**

**CLOSING DATE: 04 JULY 2025 AT 11:00 AM**

**VALIDITY PERIOD: 90 DAYS**

<p><b>S U P P L Y   C H A I N   M A N A G E M E N T</b></p>
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## **A LEGISLATIVE AND REGULATORY FRAMEWORK**

This bid and all contracts will be subject to the General Conditions of Contract issued in accordance with of the Treasury Regulations 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999), Preferential Procurement Policy Framework Act (PPPFA), NT SCM policy and any other applicable legislation. The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are against the General Conditions of Contract, the Special Conditions of Contract takes precedence.

## **B. EVALUATION PROCESS AND CRITERIA**

### **1. EVALUATION PROCESS**

- 1.1. All bids will be evaluated in terms of functionality and preference point system which comprises of the following:

#### **1.1.1 Stage 1: Initial screening process**

- a) In terms of National Treasury Instruction No. 4A of 2016/2017 regarding the National Central Supplier Database (CSD), all bidders must register on the CSD to provide the following information to be verified through the CSD:

- Business registration, including details of directorship and membership.
- Bank Account holder information.
- In the service of the State status.
- Tax compliance status.
- Identity number.
- Tender default and restriction status; and
- Any additional and supplementary verification information communicated by National Treasury.

- b) **Administrative compliance**

Duly completed and signed.

- Invitation to bid – SBD 1
- Pricing schedule SBD 3.3
- Declaration of interest–SBD 4
- Preference Point Claim Form – SBD 6.1
- Provide ID copies for all managing Directors.
- CIPC

### 1.1.2 Stage 2: Functionality evaluation as per attached Terms of Reference

- Bids will be evaluated strictly according to the bid evaluation criteria stipulated in the terms of reference.
- Bidders must, as part of their bid documents, submit supportive documentation for all technical requirements as indicated hereunder. The panel responsible for scoring the respective bids will evaluate and score all bids based on their submissions and the information provided.
- Bidders will not rate themselves but need to ensure that all information is supplied as required. The Bid Evaluation Committee (BEC) will evaluate and score all responsive bids and will verify all documents submitted by the bidders.
- The panel members will individually evaluate the responses received against the following criteria as set out below:
- Individual value scores will be multiplied with the specified weighting for the criterion to obtain the marks scored for all elements. These marks will be added and expressed as a fraction of the best possible score for all criteria.
- The technical proposal will be scored out of 100 points, with a minimum threshold of 60% required. Bidders that do not meet the minimum functionality threshold of 60% will not be considered for further evaluation. Bidders will be evaluated on the functionality evaluation criteria in a table below:

**Table 1:** Summary of functional/Technical Evaluation Criteria

EVALUATION CRITERIA		WEIGHT	SCORING CRITERIA
1.	<b>1. Company Experience</b> <ul style="list-style-type: none"> <li>• The bidder is required to provide a company profile that includes the solution. They must have performed the required services (Check Point Licenses and Support) within the past 5 years.</li> </ul>	60	<p>5= Attached company profile with 5 or more years' experience in implementing Check Point License and Support.</p> <p>4 = Attached company profile with 4 - years' experience in implementing Check Point License and Support.</p> <p>3 = Attached company profile with 3 years' experience in implementing Check Point License and Support.</p> <p>2 = Attached company profile with 2years' experience.</p> <p>1 = 1 Year or less experience in implementing Check Point License</p>

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			and Support or No company profile attached.
2.	<p><b>The company must have at least five (5) years track record in providing software licenses for the Check Point Firewalls</b></p> <ul style="list-style-type: none"> <li>The company must provide a minimum of three (3) reference letters from previous and current clients where similar projects of work have been done (contactable references that will be verified). Letters should be on referral client letterhead and signed.</li> <li>The letters must address either active and/or successfully completed project/s including the following information: <ul style="list-style-type: none"> <li>Description of the project: Client's name and contact details (i.e., email and office number).</li> <li>Project start date, project end date.</li> </ul> </li> </ul> <p><b>NB: Letter that does not reflect all required items will be allocated the lowest score.</b></p>	40	<p>5= Attached five (5) or more reference letters from the client on the letter head and signed.</p> <p>4 = Attached four (4) reference letters from the client on the letter head and signed.</p> <p>3 = Attached three (3) reference letters from the client on the letter head and signed.</p> <p>2 = Attached two (2) reference letters from the client on the letter head and signed.</p> <p>1 = Attached one (1) reference letter from the client on the letter head and signed or no reference letters provided.</p>
	<b>Maximum Technical Score</b>	<b>100</b>	
	<b>Threshold</b>	<b>60</b>	

- Individual value scores will be multiplied with the specified weighting for the criterion to obtain the marks scored for all elements. These marks will be added and expressed as a fraction of the best possible score for all criteria. This score will be converted to a percentage and only bidders that have met or exceeded the minimum threshold of 60% during functionality will be considered part of the panel.

- The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. These marks will be added and expressed as a fraction of the best possible score for all criteria.

## **TERMS AND CONDITIONS**

- Successful bidder(s) must be able to commence work as soon as the letter of appointment is issued.
- National Treasury reserves the right to screen and vet shortlisted service providers before appointment.
- The successful service provider(s) and its employees or consultants will have to undergo a mandatory security clearance process. The National Treasury reserves the right to cancel, terminate or, not award the contract to a company that either doesn't avail itself for security clearance or fails such. The successful Supplier will also enter into a non-disclosure agreement with the National Treasury.
- The National Treasury has the right to terminate the contract as and when the services are no longer required or as soon as the allocated funds are depleted.
- The service provider must undertake to conclude an agreement(s) which must consist of, but is not limited to the following:
  - A clear description of the required services and deliverables
  - Defined payment terms for the service.
  - Agreement that the successful service provider shall be a single point of contact for the service. In a case where the service provider outsourced services, the service provider will manage the National Treasury outsourced company directly.
  - Agreement that the successful service provider must provide qualified personnel who have undergone necessary training and certification to provide the required service. Should the skill/s not be available in-house, this must be specified.
- National Treasury reserves the right to communicate with the service providers pertaining to information submitted on the closing date and time.

## **2. EVALUATION CRITERIA**

- a) In terms of regulation 4 (1) of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 80/20-preference point for Specific goals in terms of which points are awarded to bidders on the basis of:
  - The bid price (maximum 80 points)
  - Specific goals (maximum 20 points)

- b) The following formula will be used to calculate the points for price in respect of bidders with a Rand value up to R50 000 000:

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

Where

$P_s$  = Points scored for price of tender under consideration;

$P_t$  = Price of tender under consideration; and

$P_{\min}$  = Price of lowest acceptable tender.

A maximum of 20 points may be awarded to a tenderer for the specific goals specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

- c. The State reserves the right to arrange contracts with more than one contractor.

## 2.1 POINTS

The Preferential Procurement Regulations 2022 were gazetted on 4 November 2022 (No. 47452) with effect from 16 January 2023. The 80/20 preference points systems will be applied in accordance with the formula and applicable points provided for in the respective status level contributor tables in the Regulations.

***Note to organs of state: 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

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

**Table 2: Specific Goals Criteria**

#	Specific goals	Score	Required proof/documents to be submitted for evaluation purposes
1.	<p>The company owned by people who are Youth.</p> <ul style="list-style-type: none"> <li>100% company owned by youth (blacks) = 5 points</li> <li>75% - 99% company owned by youth = 3 points</li> <li>60% - 74% company owned by youth = 2 points</li> <li>51%- 59% company owned by youth = 1 point</li> </ul>	5 points	<p>Proof of claim as declared on SBD 6.1 (one or more of the following will be used verifying the tenderer's status:</p> <ul style="list-style-type: none"> <li>Company Registration Certification / document (CIPC)</li> <li>Company Shareholders certificate</li> <li>Certified identification documentation of company director/s</li> <li>CSD report/ CSD registration number (MAAA number)</li> </ul>

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#	Specific goals	Score	Required proof/documents to be submitted for evaluation purposes
	<ul style="list-style-type: none"> <li>0 - 50% company owned by youth = 0 point</li> </ul>		<ul style="list-style-type: none"> <li>B-BBEE Certificate of the tendering company.</li> <li>Consolidated B-BBEE certificated if the tendering company is a Consortium, Joint Venture, or Trust (Issued by verification agency accredited by the South African Accreditation System).</li> <li>Agreement for a Consortium, Joint Venture, or Trust.</li> </ul>
2.	<p>The company owned by Historically Disadvantaged Individuals (HDI) (Black).</p> <ul style="list-style-type: none"> <li>100% company owned by people who are Black (HDI) = 5 points</li> <li>75% - 99% company owned by people who are Black (HDI) = 3 points</li> <li>60% - 74% company owned by people who are Black (HDI) = 2 points</li> <li>51%- 59% company owned by people who are Black (HDI) = 1 point</li> <li>0 - 50% company owned by people who are Black (HDI) = 0 point</li> </ul>	5 points	
3.	<p>The company owned by HDI (Women).</p> <ul style="list-style-type: none"> <li>100% company owned by people who are women (HDI) = 5 points</li> <li>75% - 99% company owned by people who are women (HDI) = 3 points</li> <li>60% - 74% company owned by HDI = 2 point</li> <li>51%- 59% company owned by HDI = 1 point</li> <li>0 - 50% company owned by people who are women (HDI) = 0 point</li> </ul>	5 points	
4.	<p>The company owned by people who are disabled.</p> <ul style="list-style-type: none"> <li>100% company owned by people who are disabled = 5 points</li> </ul>	5 points	

#	Specific goals	Score	Required proof/documents to be submitted for evaluation purposes
	<ul style="list-style-type: none"> <li>• 75% - 99% company owned by people who are disabled = 3 points</li> <li>• 60% - 74% company owned by people who are disabled = 2 point</li> <li>• 51%- 59% company owned by people who are disabled = 1 point</li> <li>• 0 - 50% company owned by people who are disabled = 0 point</li> </ul>		

**\*NB: Points will be allocated based on % ownership to the Company (main tendering entity). Please attach proof/ required documents.**

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.

The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

- The points scored by a bidder in respect of points indicated above will be added to the points scored for price.
- Bidders are requested to complete the various specific goals forms in order to claim points.
- Only a bidder who has completed and signed the declaration part of the preference claim form will be considered for specific goals.
- The National Treasury may, before a bid is adjudicated or at any time, require a bidder to substantiate claims made with regard to their specific goals.
- Points scored will be rounded off to the nearest 2 decimals.
- In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for the bid. Should two or more bids be equal in all respects, the award shall be decided by drawing of lots.
- A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

### 3. MANDATORY REQUIREMENTS

**3.1** An administrative evaluation will be carried out on all the bids received and if the under mentioned documentation is not signed and/or attached such a bid will be eliminated from any further evaluation.

- The supplier must be a certified Check Point Support Partner and provide proof of such. .



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- b) An OEM letter or proof of the reseller agreement/authorization must accompany the proposal.
- c) Should the reseller authorization be from a distributor, then a proof of authorization authorizing the distributor to resell and/or to authorize others by the OEM, must be submitted.
- d) Documentary evidence that the supplier is listed on SITA Contract RFB 1183. In cases where the bidder is part of a partnership, consortium, or joint venture, each participating partner must also provide independent proof of registration on the same SITA Contract RFB 1183.
- e) Proof of registration on Central Supplier Database (CSD).
- f) In case of Joint Venture, Consortium, Trust, or Partnership, a signed teaming agreement is required with the partner also being part of the same SITA Contract RFB 1183.
- g) In case of Joint Venture, Consortium, Trust, or Partnership a Consolidated Central Supplier Database Registration (CSD) or separate CSDs for both companies are required.
- h) In case of Joint Venture, Consortium, Trust, or Partnership a Valid Tax Clearance Certificate and/or SARS issued pin code for both companies must be submitted and will be verified.

**FAILURE TO ADHERE TO THE CONDITIONS STATED ABOVE WILL LEAD TO DISQUALIFICATION**

**NOTE: Additional Required Documents (Not for elimination)**

- i) Proof of valid registration with Compensation for Occupational Injuries and Disaster (COIDA).

**4. TAX COMPLIANCE STATUS**

Bids received from bidders with a non-compliant tax status may be disqualified with failure to update the Tax Status within 7 days.

**5. VALUE ADDED TAX**

All bid prices must be inclusive of 15% Value-Added Tax where applicable.

**6. CLIENT BASE**

- 6.1** National Treasury reserves the right to contact references during the evaluation and adjudication process to obtain information.

**7. LEGAL IMPLICATIONS**

Successful service providers will enter into a service level agreement with National Treasury

## 8. COMMUNICATION

National Treasury may communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by letter or electronic mail or any other form of correspondence to any government official, department or representative of a testing institution or a person acting in an advisory capacity for the National Treasury in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

## 9. SUBMISSION OF BIDS

### 9.1 ONLINE BID SUBMISSION

- 9.1.1 Bidders must submit their bids online through the e-Tender Publication portal.
- 9.1.2 Manual or hardcopy bids are **NOT** acceptable.
- 9.1.3 The online e-Tender publication portal can be accessed on the following link:  
<https://www.etenders.gov.za/>
- 9.1.4 The link for online bid submission tutorial is attached as <https://youtu.be/B7pNseNJYHM>
- 9.1.5 Bidders must ensure that bids are uploaded onto the system by the stipulated date and time.
- 9.1.6 If a bid is late and or loaded incorrectly by the closing date, it will not be accepted and receive further consideration.
- 9.1.7 Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth, or the size of the number of uploads they are submitting. National Treasury will not be held liable for any challenges experienced by bidders as a result of their technical challenges. Please do not wait for the last hour to submit. Queries sent on the closing date will not be considered, queries should be sent at least a day before the closing date to prevent issues of not receiving assistance and National Treasury will not be held liable resulting in non-submission.
- 9.1.8 Bidders to adhere to all the rules for the online bid submission.

## 10. LATE BIDS

Bids received after the closing date and time will **NOT** be accepted for consideration.

## 11. COUNTER CONDITIONS

Bidders' attention is drawn to the fact that amendments to any of the Special Conditions by bidders will result in such bids being disqualified.

## **12. PROHIBITION OF RESTRICTIVE PRACTICES**

- a. In terms of section 4(1) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder(s) is/ are or a contractor(s) was/were involved in:
  - directly or indirectly fixing a purchase or selling price or any other trading condition;
  - dividing markets by allocating customers, suppliers, territories or specific types of goods or services; or
  - collusive bidding.
- b. If a bidder(s) or contractor(s), in the judgment of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

## **13. FRONTING**

- a. The National Treasury supports the spirit of broad-based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Against this background the National Treasury condemns any form of fronting.

The National Treasury, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct, or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry/investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the National Treasury may have against the bidder/contractor concerned.

## **14. TIMEFRAMES AND FORMAL CONTRACT**

Successful bidder(s) will enter into a formal contract with the National Treasury.

## **15.1 FUNCTIONALITY/TECHNICAL PROPOSAL**

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Bid closing date and time: **04 JULY 2025 AT 11H00AM**

## **15.2 PRICE/ FINANCIAL PROPOSAL**

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## **17. CONTACT DETAILS**

Physical address: 40 Church Street, Pretoria

For General enquiries: [NTAdministrativeTenders@Treasury.gov.za](mailto:NTAdministrativeTenders@Treasury.gov.za)