



Tender Ref #:	COGTA (T) 23/2024	Tender Description:	APPOINTMENT OF A SERVICE PROVIDER TO ASSIST THE DEPARTMENT OF COOPERATIVE GOVERNANCE (THE DEPARTMENT) WITH COMPLIANCE IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPI ACT) FOR THE PERIOD OF 12 MONTHS.
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PART A – BID DETAILS

1. The Department of Cooperative Governance (hereunder referred to as the Department or DCOG) invites qualifying service providers for appointment of a service provider to assist the DCOG with compliance in terms of the Protection of Personal Information Act 4 of 2013 (POPI ACT).

2. **Bid / Proposal format**

Package 1: The following should be submitted –:

- SBDs 1, 3.1 or 3.2 (SBD 3.1= Goods, SBD 3.2: Services), 4, and 6.1.
- National Treasury Central Suppliers Database (CSD) report, not older than 30 days (www.csd.gov.za).

Package 2: Pricing information. Separate envelope. Price proposals must include 15% VAT and must be fully inclusive to deliver all goods, services and outputs indicated in the terms of reference.

PART B –ADMINISTRATIVE REQUIREMENTS

General principle: In cases where bidders submitted insufficient evidence which does not affect the scoring, the SCM may request such information. However, the SCM will not request information which will affect the score after the closing date. Additional information submitted may only be used as evidence to substantiate what is already contained in the proposal. **The costing and content of proposals may not be amended under any circumstances.**

1. **BID DOCUMENTS**

Only bids that comply with all administrative requirements will be evaluated further onto the Mandatory Requirement stage.

SCM ADMINISTRATIVE COMPLIANCE		
#	Criteria	Yes / No
1.1	Supplier is registered on the National Treasury Central Suppliers Database (CSD) on or before the bid closing date.	
1.2	Supplier is Tax Compliant (as indicated on CSD) ¹ or verified through SARS ¹	
1.3	SBD 1 completed and submitted.	
1.4	SBD 3.1 or 3.2 completed and submitted.	
1.5	SBD 4 completed and submitted.	
1.6	SBD 6.1 completed and submitted	
1.7	Director(s)/Owner(s) have been convicted on charges related to fraud and corruption.	
	If so, furnish particulars:	

Note 1: Bidders that are not tax compliant on the closing date for bids or at any time after the closing date, must rectify their tax compliance status within 7 working days of being requested to do so. Bidders that remain tax non-compliant after 7 working days of being requested to rectify their tax status, will be disqualified.

2. VERIFICATION OF INFORMATION PROVIDED

No bids will be considered from:

1. Individuals in the service of the State.
2. Organisations with directors (whether remunerated or not) in the service of the State.

This clause does not apply to bidders that are government departments/entities.

NB: *The Department may request the bidder to provide information to engage banks, credit rating agencies and the relevant institutions to obtain information on credit records, criminal records, and pending court cases.*

3. MANDATORY REQUIREMENTS

Failure to submit the documents listed below will render your bid null and void and will not be considered or will be disqualified.

Mandatory Requirement		
#	Criteria	Yes / No
3.1	Summary of service provider's experience/Team member's experience in POPIA Implementation (Annexure A) attached.	
3.2	Proposed project team (Annexure B) attached – clearly indicating who will be the Team Leader and the Training Facilitator.	
3.3	Detailed proposal and project execution plan submitted.	
3.4	Pricing information (Cost Breakdown) attached.	
3.5	Comprehensive CV of a Team Leader supported by copies of qualifications. (At least NQF Level 6 - Diploma or Certificate).	
3.6	Comprehensive CV of a Training Facilitator supported by copies of qualifications. (At least NQF Level 5 accredited qualification).	
3.7	Signed and contactable references on letterhead from previous and/or current similar contracts awarded to the service provider or team members (i.e. Team Leader and Training Facilitator).	

Only bids that comply with the administrative and mandatory requirements will be evaluated further.

PART C – DETAILED REQUIREMENTS

Purpose of assignment

- 1.1 The purpose of these terms of reference (ToR) is to invite bids for appointment of a service provider to assist the Department with compliance in terms of the POPI Act.
- 1.2 The Department, in delivering on its mandate, must do so in compliance with applicable laws and regulations. The Department is made up of the following six (6) Branches:

Branch Name	Function
Local Government Operations and Support (LGOS)	The LGOS Branch facilitates and coordinate intergovernmental relations to support the development, implementation and monitoring of integrated plans and capacity building programmes.
Policy, Governance and Administration (PGA)	The PGA Branch provides support and direction on the establishment and maintenance of efficient and effective municipal governance and administration policies and systems.
National Disaster Management Centre (NDMC)	The NDMC Branch promotes an integrated and coordinated system of disaster management with special emphasis on prevention and mitigation by all role-players and stakeholders.
Corporate Services	The Corporate Services Branch provides integrated and innovative corporate management solutions and services to enable the Department to achieve its strategic and operational objectives.
Financial and Supply Chain Management (FSCM)	The FSCM Branch provides efficient and effective financial and supply chain management support services.
Community Work Programme (CWP)	The CWP Branch manages the implementation of the Community Work Programme.

Introduction and background

- 2.1 The Department, in delivering on its mandate, it must do so in compliance with applicable laws. The POPI Act places an obligation on the Department to ensure that whenever it processes personal information in does so in compliance with the provisions of the POPI Act.
- 2.2 If the Department fails to comply with the obligations imposed on it by the Act, it may be liable for a fine or imprisonment or it could face both as per the offences, penalties and administrative fines specified under Chapter 11 of the POPI Act.
- 2.3 On 22 June 2020, through Proclamation No. R. 21 of 2020 issued under section 115 of the POPI Act, the President of the Republic determined-
 - 1 July 2020 as the date on which sections 2 to 38; 55 to 109; 111; and 114(1), (2) and (3) shall commence; and
 - 30 June 2021 as the date on which sections 110 and 114(4) shall commence.
- 2.4 Since the proclamation was issued, all Responsible Parties (i.e. the Department) were granted one year grace period to set up their compliance infrastructure before 1 July 2021. From 1 July 2021, the Department has had to put in place measures to ensure lawful processing of personal information and meet its responsibilities in terms of the POPI Act.
- 2.5 The Department has taken steps to comply, however there is still a lot of work that needs to be done to ensure that it complies with POPI Act. The Department has so far done the following activities in an effort to comply with the POPI Act:
 - Registration of the Information Officer and Deputy Information Officers with the Regulator.
 - Put in place an approved PAIA And POPIA Manual.
 - Produced a draft Compliance Framework.
 - Appointed the POPIA Compliance Champions for all the branches in the Department.

- Developed a template, which has been completed by the Compliance Champions, aimed at determining the types of personal information it processes, scope, context and the purpose of collection.

Problem Statement

- 3.1 The POPI Act places an obligation on the Department to ensure that whenever it processes personal information it does so in compliance with the provisions of the POPI Act. Section 55(2) of POPI Act requires that the responsible party (i.e. Department) register its Information Officer with the Regulator before taking up his or her respective duties in terms of POPI Act and the Promotion of Access to Information Act 2 of 2000.
- 3.2 Regulation 4. (1) of the POPI Act, adds the following requirements and responsibilities of Information Officers in compliance with the POPI Act:
- a compliance framework is developed, implemented and monitored;
 - Personal information impact assessment is done to ensure that adequate measures and standards exists in order to comply with the conditions for the lawful processing of personal information;
 - a manual is developed, monitored, maintained, and made available as prescribed in sections 14 and 15 of Promotion of Access to Information Act;
 - Internal measures are developed together with adequate systems to process requests for information or access thereto; and
 - Internal awareness sessions are conducted regarding the provisions of the Act, regulations made in terms of the Act, codes of conduct, or information obtained from the Regulator.
- 3.3 The POPI Act further provides conditions that the Department must meet for processing of personal information to be lawful. To this end the Department is looking for a service provider to assist the Department with compliance in terms of the POPI Act and the review of the work already done by the Department in an effort to comply with the POPI Act.

Scope of the assignment

To this end the service provider must ensure the following outputs/deliverables:	
1. Project plan	The project plan must set: <ul style="list-style-type: none"> • the deliverables, milestones, effort, and resources required to complete the tasks. • short-, medium-, and long-term action plans on the implementation of the POPI Act, including a POPIA compliance roadmap for the Department. • project inception meeting and presentation of the project plan to the project steering committee.
2. Compliance Framework	<ul style="list-style-type: none"> • Review the draft Compliance Framework and provide inputs to ensure that it meets the required standards. • Develop policies and procedures. • Review and align of all policies in the Department.
3. PAIA and POPIA Manual	Review the approved PAIA and POPIA Manual and provide inputs to ensure that it meets the required standards.
4. Personal Information Impact Assessment (PIIA)	Using the information already gathered by the POPIA compliance champions, develop a PIIA for the Department, including the following: <ul style="list-style-type: none"> • engage with Staff for data collection and analysis of information. • identify processing that are likely to result in high risk to data subjects. • make recommendations on the adequate measures and standards to be developed to comply with the conditions for the lawful processing of personal information.
5. Internal awareness Training Sessions	Provide four (4) online awareness sessions to all Staff on the provisions of the POPI Act, Regulations, codes of conduct, guidelines and information obtained from the Regulator split between two (2) groups, namely- <ul style="list-style-type: none"> • Staff on salary levels between 13 and 16, and • Staff on salary levels between 3 and 12.

	<p>Each group will receive two (2) trainings, the first (1) set of trainings will be conducted at the beginning of the Project, and the last set of trainings will be conducted at the end of the Project.</p> <p>Develop and implement a change management plan on compliance with the POPI Act.</p> <p>The training to be conducted online via MS Teams</p>
Note: Should there be any visit to CoGTA offices, prior arrangement must be done with Project Manager.	

Deliverables and time frames

PHASE 1		
Output	Audience	Timelines
Project Inception Meeting	Project Steering Committee	Month 1
Development of the Project Plan	Project Steering Committee	Month 1
Internal awareness training session	Group 1 – Salary level 13 - 16	Month 1
Internal awareness training session	Group 2 – Salary level 3 - 12	Month 1

PHASE 2			
Output	Audience	Timelines	
1. Developing Personal Information Impact Assessment (PIIA). PIIA must determine and identify- <ul style="list-style-type: none"> what kind of impact the POPIA has on each Branch. whether it has adequate systems/measures and standards in place to comply with lawful processing of information. identify gaps in Branch's processes. 	Staff at Branch Level	Months 2 to 6	
2. Compliance Framework- <ul style="list-style-type: none"> review draft framework. existing policy review and development in alignment with POPIA requirements. 	Project Steering Committee	Month 2 to 6	
3. PAIA and POPIA Manual – <ul style="list-style-type: none"> review the approved PAIA and POPIA Manual and provide inputs to ensure that it meets the required standards 	Project Steering Committee	Months 2 to 6	

PHASE 3		
Output	Audience	Timelines
Produce a Draft PIIA Document.	Project Steering Committee	Months 7 and 8
Produce a Draft Compliance Framework	Project Steering Committee	Months 7 and 8
Produce a Revised PAIA and POPIA Manual	Project Steering Committee	Months 7 and 8

PHASE 4		
Output	Audience	Timelines
Final PIIA Document	Project Steering Committee	Months 9 and 10
Final Compliance Framework	Project Steering Committee	Months 9 and 10
Final PAIA and POPIA Manual	Project Steering Committee	Months 9 and 10

PHASE 5		
Output	Audience	Timelines
Internal awareness training session	Group 1 – Salary level 13 - 16	Month 11
Internal awareness training session	Group 2 – Salary level 3 - 12	Month 11
Develop and implement a change management on compliance with POPIA.	Project Steering Committee	Month 12
Detailed Report on the work done.	Project Steering Committee	Month 12

NOTE:

- Progress report must be submitted to the Project Manager monthly.
- The contract with the successful service provider will be for a period of Twelve (12) months.
- The project will commence upon date of signing of the Service Level Agreement (SLA) between the DCoG and the successful bidder/ service provider.

Skills, Knowledge and experience requirements

- 6.1 A Team Leader is required to assess and advise on adherence by the Department with the legal requirements set out in POPIA. Conduct an assessment on compliance with current relevant policies and procedures regarding POPIA. Develop a compliance management platform for monitoring of legal compliance with POPI Act.
- 6.2 A Training Facilitator is required to raise awareness amongst the employees through the POPI training sessions; and the development of awareness materials to give employees a solid understanding of the POPI Act and how it will affect them and their everyday work environment.

Form of proposal

- 7.1 Bidders are required to comply with a specific format when submitting their bids. The format specified in the ToR must correspond with the various elements of the bid evaluation system to effectively facilitate the evaluation and scoring of bids. Bidders must include a detailed work-plan/methodology, the detailed budget reflecting all costs and the implementation plan as per proposal in their bid, e.g.:
- (a) Functionality
- Project Plan Methodology, bidder's or team member's experience and client references, qualifications of the team members and approach on awareness training and skills transfer.
- (b) Pricing
- Project costing per phase (s) as indicated on deliverables on part C, paragraph 5, all costs inclusive of Value Added Tax (VAT), thus ceiling price (all-inclusive total tender price) or (where VAT applicable).
- 7.2 A bidder must include a detailed project/ implementation plan/ methodology with the detailed budget reflecting all costs as per the proposal in their bid aligned to deliverables and scope of work. Failure to submit the detailed project plan and budget containing cost-breakdown according to the deliverables (as per the proposal) together with the bid will result in the bidder's bid being invalidated and rejected.
- 7.3 The following information must be included in the project/ implementation plan:
- (a) Project implementation Plan that indicates the following:
- Clearly defined milestones that are 100% aligned to each of the key objectives and the expected outputs/ deliverables as outlined in the scope of work.
 - Well-defined timelines for each of the activities and deliverables.

- Allocation of Human Resources & Cost-breakdown of each activity and deliverables.
- (b) Proposed Governance Arrangements to support project implementation which may include but not limited to:
- The establishment of a project steering committee.
 - The establishment of a project management team inclusive of the service provider and the DCoG team.
 - Provision of secretariat support for the governance structures that will be established.
- (c) Skills Transfer Plan developed in line with the Terms of Reference.
- (d) Previous and current similar contracts awarded to the bidder or team members' experience (i.e. Team Leader and Training Facilitator) on POPIA Implementation.

Failure to include the above information together with the bid document on the closing date and time will invalidate the bid.

PART D – FUNCTIONAL EVALUATION – To be evaluated by the BEC

General principle: In cases where bidders submit insufficient evidence or where evidence is ambiguous, bidders may be requested to provide additional evidence and may be re-scored based on this information. Additional information submitted may only be used as evidence to substantiate what is already contained in the proposal. **The costing and content of proposals may not be amended under any circumstances.**

Each Bid Evaluation Committee (BEC) member will evaluate acceptable bids based on the proposals and bid documents submitted. The following scoring system will be applied to the evaluation of all functional criteria:

Scoring system
0- Does not meet any of the minimum requirements
1- Meet one of the minimum requirements
2- Meet two of minimum requirements
3- Meet three requirements
4- Exceeds three minimum requirements

The **Score obtained for each criterium** will be calculated by multiplying the score awarded by a BEC member by the weight for that criterium. The **overall score for a BEC member** will be expressed as a percentage (Total weighted score divided by the maximum possible score, then multiplied by 100). The **overall score obtained by a bidder** will be the average of overall scores awarded by BEC Members (rounded to the nearest whole number). Only Bidders that received **the indicated minimum overall scores** will proceed to Part E – Price Evaluation and Award.

Where functional evaluation is conducted in stages, bidders must meet the minimum overall score for a particular stage to proceed to the next stage and only bidders that met the minimum overall scores for all stages will proceed to Part E – Price Evaluation

The Bid Evaluation Committee may:

- Evaluate and score bids based on the bid documents and proposals submitted; or
- Provisionally evaluate and score bidders based on proposals submitted and then invite bidders that met all mandatory administrative requirements to present their bids.

The final evaluation and scoring of bids will be based on the proposals submitted, as well as on information provided by bidders during bid presentations (if applicable). Presentations can be used to summarise and clarify bids and may not substantially depart from the proposals submitted.

If a bidder cannot attend a bid presentation on the date requested by the Bid Evaluation Committee, the bidder must be afforded another opportunity within 5 working days. If a bidder is unable to attend a bid presentation for the second time, the bid must be evaluated based on the bid documents and proposals submitted only.

FUNCTIONAL EVALUATION

EVALUATION OF THE PROPOSAL AND PROJECT EXECUTION PLAN

1.1	<p>The proposal and project execution plan should outline -</p> <ul style="list-style-type: none"> • How the service provider will Implement the POPI Act across six (6) Branches of the Department including, a clear articulation on deliverables, timelines, milestones, effort, and resources to complete the project. • Change Management Plan to effectively prepare, equip and support Staff through change, focusing on change in mindsets, skills and knowledge that will be required to achieve POPI Act compliance in the Department. • How the Department should approach the management of POPIA risks by setting out the short-, medium-, and long-term action plans on the implementation of the POPI Act, including a POPIA compliance roadmap for the Department. • The training strategies to effectively impact knowledge and develop skills on senior Managers, Middle Managers, and Staff on low salary levels in terms the obligations imposed by the POPI Act. • Team Members who will form part of the Steering Committee to oversee and support this project. 	Weight	7.5
Evaluation			Score
Does not meet any of the elements listed above			0
Meet one (1) of the elements listed above			1
Meet two (2) of the elements listed above			2
Meet three (3) of the elements listed above			3
Meet four (4) or more of the elements listed above.			4
1.2	<p>Bidders with proven experience in conducting the implementation of POPI Act -</p> <ul style="list-style-type: none"> • No proven work experience undertaken relating to the implementation of POPI Act. • Reference letter(s) proving that the bidder has less than 3 years' experience in the implementation of POPI Act. • Reference letter(s) proving that the bidder has at least 3 years' experience in the implementation of POPI Act. • Reference letter(s) proving that the bidder has at least 4 years' experience in the implementation of POPI Act. • Reference letter(s) proving that the bidder has at least 5 or more years' experience in the implementation of POPI Act. <p>NOTE: The reference letter(s) of the previous and current similar work undertaken should be on the Organisation's letterhead, signed, and dated. Moreover, it must reflect the name of the Organisation, name of the training conducted, year, duration including the contactable reference's names and contact details.</p>	Weight	5
Evaluation			Score
No proven work experience undertaken relating to the implementation of POPI Act.			0
Reference letter(s) proving that the bidder has less than 3 years' experience in the implementation of POPI Act.			1
Reference letter(s) proving that the bidder has 3 years' experience in the implementation of POPI Act.			2
Reference letter(s) proving that the bidder has 4 years' experience in the implementation of POPI Act.			3
Reference letter(s) proving that the bidder has 5 or more years' experience in the implementation of POPI Act.			4

1.3	Team Leader’s qualification and experience ’s on POPI Act implementation – <ul style="list-style-type: none">• Certificate in Compliance Management.• At least 3 years’ experience in areas such as compliance project management, team leading, managing deliverables, achieving targets, monitoring, and evaluation, ensuring stakeholder satisfaction, managing project risks, and developing progress reports.• Knowledge and proven track record (experience) in POPI Act compliance management, implementation, and producing reports, project management, team leading, managing deliverables, achieving targets, monitoring, and evaluation, ensuring stakeholder satisfaction, managing project risks, and developing progress reports on deliverables set out on paragraph 5 (Part C).• Experience in change in management.	Weight	7.5
Description			Score
Does not meet any of the elements listed above			0
Meet one (1) of the elements listed above			1
Meet two (2) of the elements listed above			2
Meet three (3) of the elements listed above			3
Meet all four (4) of the elements listed above			4
1.4	Training Facilitator – <ul style="list-style-type: none">• Certificate as a Training Facilitator.• At least 3 years’ experience as a facilitator or trainer relating to the implementation of POPI Act requirements.• Knowledge and proven track record (experience) in facilitating or providing training on POPIA requirements and compliance.• Experience in awareness training for Staff and change in management.	Weight	5
Description			Score
Does not meet any of the elements listed above			0
Meet one (1) of the elements listed above			1
Meet two (2) of the elements listed above			2
Meet three (3) of the elements listed above			3
Meet all four (4) of the elements listed above			4

FUNCTIONAL EVALUATION SCORING SUMMARY

Criterion	Weight	Score	Weighted score	Maximum possible score
1.1	7.5		4	30
1.2	5		4	20
1.3	7.5		4	30
1.4	5		4	20
TOTAL		-		100
Overall Score (Total Weighted Score / 100)			%	--
Minimum qualifying score			70%	

PART E – PRICE EVALUATION AND AWARD– To be evaluated by the BEC

Only bids that meet all administrative requirements and the minimum functional requirements will be evaluated in terms of the provisions of the Preferential Procurement Framework Act and related regulations – see attached bid documents. The evaluation method (80/20) and preference points allocation applicable to this bid are indicated in the attached SBD 6.1.

SPECIFIC GOALS

Specific Goals	Points
	80/20
Black Ownership	7
Women Ownership	6
Youth Ownership	4
Disability Ownership	3

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Ownership (51% or more) a) (0%) b) (1% - 10%) c) (11% - 25%) d) (26% - 50%) e) (51% -100%)	7 a) 0 b) 1 c) 3 d) 5 e) 7	
Women Ownership (51% or more) a) (0%) b) (1% - 10%) c) (11% - 25%) d) (26% - 50%) e) (51% -100%)	6 a) 0 b) 1 c) 2 d) 4 e) 6	
Youth Ownership (51% or more) a) (0%) b) (1% - 10%) c) (11% - 25%) d) (26% - 50%) e) (51% -100%)	4 a) 0 b) 1 c) 2 d) 3 e) 4	
Disability (51% or more) a) (0%) b) (1% - 25%) c) (26% 50%) d) (51% 100%)	3 a) 0 b) 1 c) 2 d) 3	

PART F – SPECIAL CONDITIONS AND CONTRACT MANAGEMENTSPECIAL CONDITIONS APPLICABLE TO THIS BID

- 3.1. The Department may, at its sole discretion, cancel this bid.
- 3.2. The period of thirty days (30 days) referred to in the General Conditions of Contract paragraph 27.2 applies. If the service provider is found to have engaged in fraudulent activities or caused the Department to incur irregular expenditure, the Department reserves the right to cancel the bid and any subsequent SLA with immediate effect. Repercussions for the conduct of the Service Provider referred to above may include blacklisting of the Service Provider thus preventing them from doing business with government for 10 years.
- 3.3. The Department may, at its discretion, require that each employee of appointed service providers, each contractor or other participants, sign a code of conduct to promote ethical behaviour. The Department may, at its sole discretion, prohibit any person found to be in breach of such code of conduct from further participation or involvement in the project.
- 3.4. Additional conditions for an applicant who would like to apply as a Consortium / Joint Venture. It is recognised that applicants may wish to form consortia or joint ventures to respond to this bid. The following guidelines apply:
 - Bidders are prohibited from being part of more than one consortium / joint venture and to submit an individual bid and a bid as part of a consortium / joint venture.
 - One of the members shall be nominated by the others as authorised to be the lead applicant and this authorisation shall be included in the agreement entered between the consortium members.
 - The lead applicant in the Consortium or Joint Venture must satisfy all the administrative requirements contained in the ToR and submit all the relevant documents necessary to meet the minimum requirements of the applications.
 - Other members of a consortium or a joint venture must comply with the requirements in line with Service Provider Funding Policy prescripts for the respective Service Provider categories.
 - The consortium/joint venture submission must be signed-off by each institution/organisation to be legally binding on all consortium members.
 - The lead applicant shall be the only authorised party to make legal statements, communicate with the department, and receive instructions for and on behalf of all the members of the consortium.
 - The lead applicant shall be held responsible for the delivery of services and meeting conditions outlined in this bid.
 - A copy of the agreement entered into and signed by all members of the consortium or joint venture shall be submitted with the consortium proposal indicating the respective responsibilities of each party.
 - Indicate how the joint venture/ consortium will be managed in case of a dispute arising during the programme's implementation period (Provide a contingency plan of managing any possible conflicts).

CONTRACT MANAGEMENT

- 3.5. The successful bidder will be expected to enter into a service level agreement (SLA) with the Department of Cooperative Governance. The National Treasury General Conditions of Contract (GCC) will form part of the SLA to be concluded between DCOG and the successful bidder.
- 3.6. The SLA will include project assignments that will address each of the project deliverables. The SLA may further establish a Project Steering Committee to manage, monitor and oversee the project such as:
 - Ensure that services are rendered timeously;
 - render a quality assurance function; and
 - ensure that the project remains within the allocated budget.
- 3.7. The SLA will include a detailed payment schedule. Payments will therefore only be approved and processed based on the achievement of deliverables as per the implementation plan and/or project plan and related performed project tasks.
- 3.8. If the parties (the Department and the appointed service provider) are unable to reach agreement on the special conditions of contract (SLA) after 14 calendar days of the date on which the bid award is communicated to the service provider, then the Department reserves the right to cancel the award to the service provider and to appoint another service provider.

3.9. Bidders should note that:

- All information related to this bid, or information provided to the service provider after the award of this bid, must be treated as confidential and may not be disclosed in any way to third parties without the explicit written consent of DCOG.
- All rights, title and ownership of any Intellectual Property developed by or for the Service Provider or DCOG independently and outside of execution/production of the Deliverables related to this bid and provided during this project ("Background IP") shall remain the sole property of the party providing the Background IP.
- To the extent that the Service Provider utilises any of its Background IP in connection with the Deliverables, such Background IP shall remain the property of the Service Provider and DCOG shall acquire no right or interest therein. Service Provider shall grant DCOG a non-exclusive, royalty-free, non-transferable licence to use such Background IP strictly for purposes of making beneficial use of the Deliverables into which such Background IP has been incorporated.
- All Intellectual Property rights in Bespoke Deliverables are or will be vested in and owned by DCOG unless specifically agreed otherwise in writing. The Service Provider agrees that it shall not, under any circumstances, question or dispute the rights and ownership of DCOG in and to the Bespoke Deliverables. DCOG shall grant the Service Provider a non-exclusive, royalty free, non-transferable licence to use the Bespoke Deliverables to perform its obligations under this project.
- The Service Provider may not publish or sell, in whole or in part, any Bespoke Deliverables emanating from this project without the explicit written consent of DCOG.
- The Copyright of any Bespoke Deliverables shall vest in DCOG.

3.10. No amendments to the SLA or any variation, waiver, relaxation or suspension of any of the provisions thereof shall have any force or effect, unless reduced to writing and signed by both parties.

ANNEXURE A: BIDDER/ TEAM MEMBERS EXPERIENCE SUMMARY

Contracting party (Company/entity name)	Project title and description	Start date	End date	Budget

Bidders must ensure that their proposals contain details of how the projects listed above are relevant to the objectives.

Bidders must attach reference letters and/or contactable references for projects listed above.

ANNEXURE B: PROJECT TEAM SUMMARY

Role	Surname, Name	RSA ID Number	Highest Qualification	Current Employer	Total Year of Experience	Total Year of Experience in similar projects
Team Leader						
Training Facilitator						

Attach detailed CV as well as confirmation of availability for each person listed above.

Attach copies of qualifications for all the team members.

Information obtained from the CSD report will be used to verify the criminal records and credit status of directors/owners of the supplier, where applicable.

ANNEXURE C: PRICING INFORMATION

Deliverables and time frames

The following table reflects the key project areas and timeframes which should be adhered to for purposes of undertaking the whole project:

Milestones	Timeframes	Cost Per Phase (VAT Inclusive)
Phase 1 (as per Part C, par 5)	As per Part C, par 5	
Phase 2 (as per Part C, par 5)	As per Part C, par 5	
Phase 3 (as per Part C, par 5)	As per Part C, par 5	
Phase 4 (as per Part C, par 5)	As per Part C, par 5	
Phase 5 (as per Part C, par 5)	As per Part C, par 5	
Total Bid Price		