



760 Dr. James Moroka Drive
Gaabomotho Building
Private Bag X90
Mmabatho 2735

DIRECTORATE

Tell: +27 (0) 18 388 2693

SUPPLY CHAIN MANAGEMENT

E-Mail: goodwin@nwpg.gov.za

BID NUMBER: ACSR 126/2022 NW

VALIDITY PERIOD: 90 DAYS

CLOSING TIME: 11:00

CLOSING DATE: 22 MARCH 2023

SUBJECT: - PROVISION OF DIGITAL LENDING LIBRARY (E- BOOKS) SUBSCRIPTION SERVICES FOR A PERIOD OF THREE (3) YEARS.

- 1 You are invited to submit a bid for the provision of digital lending library (e-books) subscription for a period of three (3) years.
- 2 The conditions contained in the General Conditions of Contract (GCC), the attached Terms of Reference, any other conditions accompanying the bid document and the conditions in the advertisement of this bid are applicable.
- 3 The work procedure the bidder proposes to follow in order to obtain the required result must be clearly outlined and its terms may not conflict with those contained in the General Conditions of Contract
- 4 **Bid validity period is a period of 90 days.**
- 5 No late, faxed and emailed bids will be considered. Bids received after the closing date and time is not acceptable for consideration.
- 6 It is imperative that the bid document be read carefully, completed in full and be signed. Queries can be directed to Ms. Sebolelo Pitso: 018 388 4136 (Supply Chain) or **Mr Levy Segone: 018 388 3962** (for specifications)
- 7 The Department is not bound to accept any of the bids submitted and reserves the right to call for presentations from shortlisted bidders before final selection
- 8 A non-refundable fee of R150.00 (cash) is payable for this document at Office no.30 Ground Floor, contact details 018 388 2663 - Gaabomotho Building. The non-refundable fee does not apply to bidders who can download tender documents and can be found on the e-tender publication portal website www.etenders.gov.za

- 9 All the documents accompanying this invitation to bid must be completed in detail and signed where applicable, be sealed in an envelope and be deposited in the bid box before the closing date and time. The bid box is situated at:

**760 DR JAMES MOROKA DRIVE
DEPARTMENT OF ARTS, CULTURE, SPORTS & RECREATION,
GAABOMOTHO BUILDING,
MMABATHO 2735.**



INVITATION TO BID FOR PROVISION OF DIGITAL LENDING LIBRARY (E- BOOKS) SUBSCRIPTION SERVICES FOR A PERIOD OF THREE (3) YEARS

REF NUMBER: ACSR 126/2022NW

ADDRESS

Head of Department
Department of Arts, Culture, Sports & Recreation
Gaabomotho Building
760 Dr. James Moroka Drive
Private Bag X90
Mmabatho 2735

ENQUIRIES

Sebolelo Pitso
018 388 4136



Stage 1: Mandatory Requirements

- ✓ Cover page
- ✓ Signed SBD 1: Invitation to bid
- ✓ SBD 3.3 Pricing schedule – Professional Services
- ✓ Fully completed and signed commitment and declaration of interest (SBD 4)
- ✓ Fully completed, witnessed and signed preference points claim form of the Preferential Procurement Regulations 2022 (SBD 6.1)
- ✓ General Conditions of Contract (initial each page)
- ✓ CSD report reflecting compliant tax status, successful bank verification, ownership information and other companies involved in, etc.
- ✓ Fully completed and signed SBD forms attached to the bid document
- ✓ CIPC Certificate indicating Directors
- ✓ ID Copies of shareholders
- ✓ Valid B-BBEE Certificate/ Sworn Affidavits
- ✓ Company profile
- In case of a joint venture the following documents to be submitted
 - ✓ Valid joint venture agreement signed by all parties and witnessed
 - ✓ Consolidated B-BBEE Certificate (if not consolidated preference points will be 0)
 - ✓ Valid Tax Clearance Certificate of all parties
 - ✓ Company profile of all parties

Regards

MS. S.G. PITSO**ACTING DIRECTOR: SCM**

DATE

RETURNABLE DOCUMENTS

SHOULD ANY OF THE RETURNABLE DOCUMENTS NOT BE COMPLETED AND ATTACHED, YOUR BID WILL BE DISQUALIFIED (where documents submitted please indicate with yes)

RETURNABLE DOCUMENT	Attached (to be completed by the bidder)	Checked by ACSR official	Verified by ACSR official
1. Cover page			
2. SBD 1: Invitation to bid			
3. SBD 3.3 Pricing schedule – Professional Services (fully completed reflecting the total bid price)			
4. SBD 4: Bidders Declaration			
5. SBD 6.1: Preference points claim form in terms of the Preferential Procurement Regulations 2022			
6. Valid Full CSD Report			
7. Valid B-BBEE Certificate or sworn affidavit			
8. Annexure A: Terms of reference			
9. Joint Venture to submit <ul style="list-style-type: none"> • copy of the Joint Venture Agreement • a consolidated joint venture B-BBEE certificate 			
10. Company profile reflecting the previous work done relevant to the project			
11. General Conditions of Contract			



PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	ACSR 126/2022NW	CLOSING DATE:	22 MARCH 2023	CLOSING TIME:	11H00
DESCRIPTION	DIGITAL LENDING LIBRARY (E – BOOKS) SUBSCRIPTION FOR A PERIOD OF THREE (3) YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
DEPARTMENT OF ARTS, CULTURE, SPORTS AND RECREATION					
760 DR JAMES MOROKA DRIVE					
MMABATHO					
2735					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms. S. Pitso		CONTACT PERSON	Mr. L. Segone	
TELEPHONE NUMBER	018 388 4136		TELEPHONE NUMBER	018 388 3962	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	sgpitso@nwpg.gov.za		E-MAIL ADDRESS	ilsegone@nwpg.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.: **ACSR 126/2022NW**

CLOSING TIME **11:00**

CLOSING DATE: **22 MARCH 2023**

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
1.	The accompanying information must be used for the formulation of proposals.		
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.	R.....	
3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
	.....	R.....	.....
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	.....	R.....	..... days
	.....	R.....	..... days
	.....	R.....	..... days
	.....	R.....	..... days
5.1	Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.		
	DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY AMOUNT
	.....	.....	R.....
	.....	.....	R.....
	.....	.....	R.....
	.....	.....	R.....
		TOTAL: R.....	

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

Name of Bidder:

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

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

TOTAL: R.....

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

Any enquiries regarding bidding procedures may be directed to the –

DEPARTMENT OF ARTS, CULTURE, SPORTS AND RECREATION
760 DR JAMES MOROKA DRIVE
GAABOMOTHO BUILDING
MMABATHO 2735

Ms. S.G. Pitso
Tel: 018 388 4136

Or for technical information –

Mr. L. Segone
Tel: 018 388 3962

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship

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

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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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

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 systems are applicable to invitations to tender:

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

1.2 **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 tender (even in the case of a tender for income-generating contracts) shall be awarded for:

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

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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 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.

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) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“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 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

Where

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest 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, 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 as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 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.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises owned by black people		B-BBEE status level 1 = 10		
		B-BBEE status level 2 = 09		
		B-BBEE status level 3,4,5,6,7 & 8 = 0		
Enterprises located in a specific area		Rural / Township / Village = 04		
		Local Municipality = 02		
		District Municipality = 01		
Enterprises owned by women		02		
Enterprises owned by people with disability		02		
Enterprises owned by youth		02		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. 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]

- 4.6. 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.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	.....
DATE:	.....
ADDRESS:	.....



**arts, culture,
sports & recreation**

Department:
Arts, Culture, Sports and Recreation
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



“Terms of Reference”

DIGITAL LENDING LIBRARY (E-BOOKS) SUBSCRIPTION SERVICES FOR A PERIOD OF THREE(3) YEARS

CLOSING DATE: 22 MARCH 2023

TIME: 11H00

BID NUMBER: ACSR 126/2022NW



Head Office: GAABOMOTHO BUILDING

Physical Address : 760 Dr James

Moroka Drive

Gaabomotho Building

Telephone

Contact: Levy Segone

Email: ilsegone@nwpg.gov.za

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1. INTRODUCTION

- 1.1 The Department seeks to appoint a service provider for the digital lending period of three (3) years.

2. BACKGROUND

As per Schedule 5 (a) of the Constitution of the Republic of South Africa, libraries, other than national libraries, are a provincial competency. The Constitution therefore mandates the Department of Arts, Culture, Sports and Recreation (ACSR) to provide library services to communities of the North West Province through local municipalities.

The Directorate of Library, Information and Archives Services in the Department renders library and information services to the community libraries in the local municipalities of the North West Province. One of the key responsibilities of the Directorate is the provision of library materials which include books and other formats which are purchased and processed at Head Office and dispatched to District libraries for further distribution to community libraries.

A digital library is an electronic version of a regular library containing printed and audio books. The intention of this kind of a library is to increase access to library material, i.e books, audio books, periodicals and magazines. Publications such as books and periodicals are stored and accessed electronically.

Community members will register for the service online and remotely access the database through the internet or an application (APP) to browse, select and borrow and return books. The digital library must be accessed by using smartphones, eReader, tablet, laptop or a desktop computer and will require a network connection to read or download electronic books.

A digital library should enable Users/Patrons to read downloaded material and only require network connection when browsing, borrowing, renewing and returning items to the library.

3. SPECIFIC REQUIREMENTS

STANDARD SPECIFICATION FOR DIGITAL LENDING LIBRARY (eBooks) SUBSCRIPTION

The following minimum specifications must be adhered to:

3.1. Digital Lending Library Subscription for Library Users

The Department requires provision of a subscription services to a digital/electronic lending library, offering e-books, digital audiobooks and any other electronic media to all community members that are registered as Users/Patrons of the e-Lending in the North West Provincial Library Service.

Services required include:

- i. Application licence
- ii. Hosting,
- ii. Maintenance,
- iii. Support and training.

3.2. Application service

- The digital lending library must be accessible to all community members who will register as Users/Patrons of the e-lending library of the North West Provincial Library Service.
- The digital lending library must be accessible through a virtual library, set up as the North West Provincial Library Service.
- The virtual library should be accessible through the use of the Internet.
- The website/APP should be North West Provincial Library Services branded.
- The digital lending library must be available to Users/Patrons with compatible devices and network connection

3.3. Collection Requirements

The service provider must be able to provide access to e-books, digital audiobooks and any other electronic media that will satisfy the educational, informational and recreational needs of the Users/Patrons.

- The Catalogue offered must be comprehensive and suitable for the reading needs of the community in various categories (for adults, juvenile and children)
- The Catalogue must provide materials from a wide range of publishers including South African publishers.
- The Catalogue should be updated regularly with new publications.
- The Catalogue should provide and maintain a minimum of 600,000 titles to select from.

3.4. Technology

- Support all major mobile and desktop devices.
- Digital Rights Management-DRM (copyright protection)
- Relevant applications for e-books, audiobooks, music and video.

3.6. Management

- Administrator function (with levels of controls)
- Reporting module which includes statistics

3.7. Pricing

- Breakdown of the cost should include annual subscription rates for a three (3) years period.
- The subscription cost should allow for an annual credit of new publications.

4. SCOPE OF WORK

Provide subscription services for a digital lending library service which should include the following:

- hosting, maintenance and renewal of services (licencing)
- training and support to library staff
- secondary level user support (where necessary)
- customizable marketing resources to promote the service.

5. OUTCOME AND PERFORMANCE STANDARDS

- The outcome is to provide access to e-books, digital audiobooks and any other electronic media to all registered users of the e-lending library of the North West Provincial Library Service.
- The service APP portal must be compatible, accessible, uninterrupted services on digital e-lending and must be available to Users/ Patrons at all times.

6. DELIVERABLES

Provide and maintain a subscription service to the Department to establish and render digital library services to community of North West Province to access ebooks, audiobooks, magazines and periodicals.

7. TERM OF CONTRACT

- The successful bidder will enter into a three (3) year contract with the Department.
- The contract is to be effected upon the date of the signatures on the contractual agreement between the Head of Department and the Service Provider and will run for a period of three (3) years from the date of awarding.

8. PAYMENTS AND PENALTIES

- Successful bidders will enter into a Service Level Agreement (SLA) with the Department which will detail payments and penalties.

9. CONTRACTUAL TERMS AND CONDITIONS

Contractual terms and conditions for the project will be in a form of a Service Level Agreement (SLA) which will detail the obligations of the both parties and other contractual agreements with the Department in the delivery of digital library.

10. AWARD PROCESS

All invitations to bid will undergo Supply Chain Management (SCM) processes before the successful service provider is awarded the contract with a letter signed by the Head of the Department.

11. EVALUATION CRITERIA

11.1 The evaluation process will be conducted in three (3) phases as follows

Phase 1	Phase 2	Phase 3
Administration requirements	Functionality	80/20 Preference Point System
Compliance with mandatory and other bid requirements	Bids will be assessed to verify bidders capability and ability to execute the contract Testing minimum of 60 points	Bids evaluated in terms of the 80/20 Preferential Point System

Phase 1: ADMINISTRATIVE/ MANDATORY REQUIREMENT

- 11.1.1 Cover page
- 11.1.2 SBD 1: Invitation to bid
- 11.1.3 SBD 4: Bidder's Declaration
- 11.1.4 SBD 6.1: Preference points claim form of the Preferential Procurement
- 11.1.5 CSD report reflecting compliant tax status, successful bank verification and ownership information
- 11.1.6 Company Profile (mandatory)
- 11.1.7 In bids where joint ventures / sub-contractors are involved, each party must submit a separate proof of Tax Compliance Status (TCS) or PIN / CSD number.
- 11.1.8 Joint Ventures, Consortiums and Trusts

- A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- A joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- Bidders must submit a valid signed joint venture agreements as acceptable proof of the existence of a joint venture.
- The joint venture agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture. The agreement must also clearly identify the Lead Partner, with the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.

11.2 Phase 2: FUNCTIONALITY

Testing minimum criteria: 60 points will be based on the capacity of the company to deliver digital lending library subscription service to public libraries (e-lending)

Criteria	Weight	Scoring guideline	Value
1. Relevant experience of the company in digital lending library subscription service to public libraries (e-lending) Signed clients' letters not older than five (5) years' experience in the provision of digital library services (e- lending) or similar projects	30%	Company experience of 5 years or more	5
		Company experience of 4 years	4
		Company experience of 3 years	3
		Company experience of 2 years	2
		Company experience of 1 year	1

2. Organisation and staffing Provide CVs of key Internet Technologies (IT) staff involved in providing maintenance and support in digital library services (e-lending)	30%	Key personnel experience of 5 years or more	5
		Key personnel experience of 4 years	4
		Key personnel experience of 3 years	3
		Key personnel experience of 2 years	2
		Key personnel experience of 1 year	1
3. Catalogue	25%	Provide a web link of the latest catalogue available to access	5
		No catalogue	0
4. Bank rating - letter from the bank reflecting the code (Confirmation letter of bank account holder not acceptable)	15%	Rating A	5
		Rating B	4
		Rating C	3
		Rating D	2
		Rating E	1

11.2.1 For purposes of comparison and in order to ensure meaningful evaluation, service providers are requested to furnish detailed information in substantiation of compliance to the evaluation criteria.

11.2.2 A service provider that scores less than 60 out of 100 in respect of “functionality” will be regarded as submitting a non-responsive bid and will be disqualified.

11.2.3 Only qualifying bids scoring a minimum of 60 points on functionality will be further evaluated in terms of 80/20 Preferential Points System.

11.3 Phase 3: 80/20 PREFERENTIAL POINTS SYSTEM

PRICE	80
B-BBEE STATUS LEVEL/ SPECIFIED GOALS: -	20
TOTAL POINTS FOR PRICE, B-BBEE/SPECIFIC GOALS	= 100

12. CONTRACTUAL ARRANGEMENTS

- a. The appointed service provider will enter into a Service Level Agreement with the Department of Arts, Culture, Sports and Recreation to perform all functions as set out in the project Specification or Terms of Reference.

13. CONFIDENTIALITY

- a. No information or documentation may be used for any other purpose other than providing for a tender proposal to the Department (POPI Act), and no copies of any document may be made, except with prior written approval from the Department.
- b. *Section 14 of the Constitution of the Republic of South Africa. 1996, provides that everyone has the right to privacy; the right to privacy includes a right to protection against the unlawful collection, retention, discrimination and use of personal information; the state must respect, protect, promote and fulfil the rights in the Bill of Rights...*

14. PACKAGING OF BID

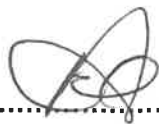
- 14.1 Bidders to arrange the Standard Bidding Documents (SBDs) in their respective submissions in a numerically and orderly manner.

15. SUBMISSION OF BID DOCUMENTS

- 15.1 Bidders are advised to ensure that their bids are submitted on time.
- 15.2 Bidders should deposit their sealed and clearly marked (tender number) documents into the tender box available on the Ground Floor reception area by 11H00 at the address below:

Department of Arts, Culture, Sports and Recreation, Gaabomotho Building,
760 Dr. James Moroka Drive, MMABATHO, 2735.
- 15.3 Bids received after the closing date and time will not be accepted for consideration. Bid documents should be submitted before 11H00 on the closing date.
- 15.4 There will be no briefing session
- 15.5 The Department reserves the right to approve or not to approve the appointment of the service provider.

SUBMITTED BY



.....
MR. T.A. MABE
CHIEF DIRECTOR: ACLA
DATE: 24/02/2023

RECOMMENDED



.....
MR. S. SEBOLECWE
CHAIRPERSON: BID SPECIFICATION COMMITTEE
DATE: 24/02/2023

APPROVED / NOT APPROVED



.....
MR. I. S. MOGOROSI
HEAD OF DEPARTMENT
DATE: 24/02/2023

