

NATIONAL LOTTERIES COMMISSION

REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A REVIEW OF THE ICT POLICY FRAMEWORK FOR THE NATIONAL LOTTERIES COMMISSION

BID PROCESS	BID REQUIREMENTS
Tender number	RFP/2022 – 046
RFP Issue Date	09 September 2022
Closing Date and Time	16 September 2022 @ 11h00
RFPs are to be delivered to the following address on the stipulated closing date and time:	<p>The original bid document must be submitted via email to bids@nlcsa.org.za/ tshepisom@nlcsa.org.za or via CD/USB</p> <p>Senior Manager Supply Chain Management National Lotteries Commission 333 Grosvenor Street Block D, Hatfield Gardens Hatfield, Pretoria 0083</p> <p>Bids can also be emailed to: bids@nlcsa.org.za</p>

REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A REVIEW OF THE ICT POLICY FRAMEWORK FOR THE NATIONAL LOTTERIES COMMISSION

SECTION 1: INTRODUCTION AND BACKGROUND AND SCOPE OF REQUIREMENTS

1. Introduction and Background

The National Lotteries Commission is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.

The Distributing Agencies (DA's) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations. The Company Secretariat (CS) is the custodian of Corporate Governance in the NLC that ensures that the Board and the Commission fulfils its statutory obligations as well as adopted Best Practices, in the best interest of the organisation.

The CS division is responsible for policy management of the NLC. This includes, amongst other things, development of new policies, review and monitoring of current policies to ensure alignment with legislative, best practice, and operational requirements. The primary objective of policy management is to ensure that organisational policies are aligned to Board's approved policy framework, legal requirements, rules, regulations and non-binding codes of good practice/governance requirements.

The NLC invites suitably qualified and experienced bidders to submit quotations for the review of NLC's ICT policies to ensure alignment with recognized ICT laws and standards as well as acceptable ICT governance practices.

2. Scope of Requirements

The NLC hereby requests a proposal for the review of its ICT policy framework. ICT is responsible for; amongst other things; ensuring that there is integration of people, technologies, information, and processes across the NLC. This includes integration of technology and information risks into organisation-wide risk management processes and proactive monitoring of intelligence to identify and respond to incidents, including cyber-attacks and adverse social media events.

Policies and procedures ensure that an organisation can fulfil its legal obligations whilst maintaining consistency and uniformity in the application of its designated functions, roles, responsibilities, and general instructions on how activities are achieved. The objective of this review is to conduct an analysis and assessment of the adequacy of all ICT policies and Standard Operating Procedures (SOPs). The preferred bidder will be required to review all policies and SOPs to provide the NLC with practical recommendations that will assist in addressing any gaps identified.

3. Deliverables

As a minimum, the NLC expects the following deliverables; amongst other things:

- Assurance on the adequacy of current policies and SOPs as to whether they are line with ICT laws, rules, standards, guidelines, governance, and best practices;
- Detailed report defining the extent of gaps identified and practical recommendations thereto; and
- Assist with development of policies and procedures identified as gaps.

4. Reporting Requirements

The service provider will report to the Company Secretariat Division.

5. Duration of the Project

The expected duration of the project is three (3) months after the countersigning of the SLA.

6. RFP Validity Period

The RFP will have a validity period of 60 days from the closing date.

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Proposals (RFP)

- 1.1 This document may contain confidential information that is the property of the Commission.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in

part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the Commission.

- 1.3 All copyright and intellectual property herein vests with the Commission.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official Commission Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act of 2000.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to bids@nlcsa.org.za, no later than within 24 hours of the RFP closing date.
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the Commission via the email addressed in 1.9.

2. General rules and instructions

2.1 News and press releases

- 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the Commission.

2.2 Precedence of documents

- 2.2.1 This RFP consists of several sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the Commission may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the Commission.
- 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It, however, remains the exclusive domain and election of the Commission as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the commission in this regard is final and binding. The onus to enquire and obtain clarity in

this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

2.3.1 The commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the commission insists that the private sector demonstrates its commitment and track record to B- BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

2.4 National Industrial Participation Programme.

2.4.1 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

2.5 Language

2.5.1 Bids shall be submitted in English.

2.6 Gender

2.6.1 Any word implying any gender shall be interpreted to imply all other genders.

2.7 Headings

2.7.1 Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

2.8 Occupational Injuries and Diseases Act 13 of 1993

2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the commission reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the commission.

2.9 Processing of the Bidder's Personal Information

2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA and NLC SCM Policy.

The Bidder is advised that Bidder Personal Information may be passed on to third

parties to whom the commission is compelled by law to provide such information. For example, where appropriate, the commission is compelled to submit information to National Treasury's Database of Restricted Suppliers.

2.9.2 All Personal Information collected will be processed in accordance with POPIA and with the commission Data Privacy Policy.

2.9.3 The commission will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the commission PAIA manual.

2.9.4 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Formal Briefing Session

3.1 There will be no briefing session for this RFP.

4. National Treasury's Central Supplier Database

4.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.

4.2 The Commission may not award business to a bidder who has failed to register on the CSD.

4.3 Only foreign suppliers with no local registered entity need not register on the CSD.

4.4 The CSD can be accessed at <https://secure.csd.gov.za/>

5. Confidentiality

5.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding;

5.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.

5.3 The Bidder acknowledges that it will obtain and have access to personal information of The Commission and agrees that it shall only process the information disclosed by the Commission in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.

5.4 The Bidder shall notify the Commission in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such

6. Communication

- 6.1 Specific queries relating to this RFP should be submitted bids@nlcsa.org.za, before the closing date.
- 6.2 In the interest of fairness and transparency the Commission's response to such a query may be made available to other bidders.
- 6.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the Commission in respect of this RFP between the closing date and the date of the award of the business.
- 6.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

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SECTION 3: EVALUATION CRITERIA

The Commission will evaluate all proposals in terms of the Preferential Procurement Regulation of 2017 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being:

Stage 1: RFP Closing and Opening

RFP Closing Details

The deadline for RFP submission is 16/09/2022 at 11:00 Standard South African Time. Any late RFP will not be accepted. Tenders are to be submitted to the commissions tender box at the following physical address:

National Lotteries Commission
333 Grosvenor Street
Block D, Hatfield Gardens
Hatfield, Pretoria
0083

Bids can also be emailed to: bids@nlcsa.org.za

1.1. Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely

Bidder's Name, Tender No and Tender Title.

Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email

Tender submission emails received after submission date and time will be declared late bid submissions and will not be accepted for consideration by the Commission.

The Commission will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:

- ☐ Receipt of incomplete bid
- ☐ File size (must not exceed 30mb)
- ☐ Delay in transmission or receipt of the bid
- ☐ Failure of the Bidder to properly identify the bid
- ☐ Illegibility of the bid; or
- ☐ Security of the bid data.

Stage 2: Administrative Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Administrative Compliance Evaluation will include the following: -

Evaluation Criteria	Supporting Document
<ul style="list-style-type: none">Original signed standard bidding documents (SBD Forms). It is required that the bidder must provide correct information and declaration in the SBD Forms.	Fully Completed Standard Bidding Documents
<ul style="list-style-type: none">Original signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA)	POPIA Consent Form
<ul style="list-style-type: none">BBBEE Certificate in terms of Codes of Good Practice	BEE Certificate/Sworn Affidavit

Stage 3: Mandatory Requirements (Compliance)

Evaluation Criteria	Supporting Document
<ul style="list-style-type: none">Original signed standard bidding documents (SBD 4). It is required that the bidder must provide correct information and declaration in the SBD4.	Fully Completed Standard Bidding Document (SBD4)
<ul style="list-style-type: none">Registered with the Central Supplier Database (CSD). Recent Central Supplier Database (CSD) Summarized	Proof of Central Supplier Database (CSD) Registration With Tax Compliance Status

Report with SARS Tax Compliance Status	
• CIPC Registrations Documents	CK Documents

Stage 4: Technical Evaluation

The evaluation for the Technical and Functional threshold will include the following: -

Category	Criteria Description	Weightings(%)	Scoring matrix (0 to 5)
Company Relative Experience	<p>The bidder must provide details of work of a similar nature undertaken by the bidder within the previous 5 years. Specific details must be given to indicate the extent to which these previous experiences relate to the work described in the TOR. Bidders are required to submit their company profile that contains the entity's organizational structure, its size, staff complement, infrastructure, location, experience and achievements.</p> <p>The bidder must demonstrate that they have the capacity to render the required service by submitting a company profile detailing core staff, their experience in ICT policy framework review and achievements that were successfully completed within the past 5 years.</p>	20%	<ul style="list-style-type: none"> • 5 years or more – 5 points • 3 – 4 years – 4 points • 2 - 3 years – 3 points • 1 - 2 years – 2 points • Up to 1 year – 1 point <p>Less than 1 year – 0 points</p>
Key Personnel Experience/Capabilities	<p>Provide key personnel's proof of expertise with regards to the requirements of the services required as per the RFP.</p> <p>Abbreviated Curriculum Vitae (CV's) of key personnel two(2) and two (2) project team members to be involved on the implementation of the project not longer than one page each, shall be included in your proposal.</p> <p>NB: Key personnel should be indicated in the proposal</p>	20%	<p>Experience of the Team/Project Leader:</p> <p>More than 10 years – 5 points</p> <p>Between 6 to 10 years – 4 points</p> <p>Between 4 to 6 years – 3 points</p> <p>Between 1 - 4 years – 2 points</p> <p>Up to 1 year – 1 point</p> <p>Less than 1 year – 0 points</p>
Project Management & Methodology	<p>The bidder must demonstrate knowledge of the key requirements and expectations mentioned in this document. A project implementation strategy detailing how the service will be delivered and the project plan must include deliverables, timelines, as well as project</p>	40%	<p>No plan provided = 0</p> <p>The bidder provides with the project plan including 1 factor = 1 point</p>

Category	Criteria Description	Weightings(%)	Scoring matrix (0 to 5)
	<p>monitoring and reporting.</p> <p>Consider the responsiveness to the TOR, the level of detail in the proposal, attention to project management and innovative approaches and ideas. Respondent's responsiveness to and understanding of the assignment (methodology and proposed work plan).</p> <p>The bidder is required to provide a detailed plan depicting how the services will be delivered to the NLC. The bidder must provide a detailed project plan that specifically addresses the following 5 factors:</p> <ul style="list-style-type: none"> - Needs analysis; - Research on policies; - Draft findings and recommendations; - Consultations and reporting; - Reporting and implementation plan. <p>Bidders are also required to submit a proposal of no longer than 5 pages (Minimum of 3 pages & Maximum of 5 pages) setting out a recommended approach in how the ICT policy framework review will be carried out.</p>		<p>The bidder provides with the project plan including 2 – 3 factors = 2 points</p> <p>The bidder provides with the project plan including 3 factors = 3 points</p> <p>The bidder provides with the project plan including 4 factors = 4 points</p> <p>The bidder provides with the project plan including 5 factors = 5 points</p>
Contactable References	<p>Bidders must provide contactable client references where their services can be verified. References should be presented in a form of a written letter on an official letterhead from clients where similar services have been provided and may not be older than five (5) years. The reference letters will be assessed based on experience of similar work done as required by the TOR.</p> <p>No appointment letters from clients will be accepted.</p>	20%	<p>5 and more reference letters - 5 points</p> <p>4 reference letters - 4 points</p> <p>3 reference letters - 3 points</p> <p>2 reference letters - 2 points</p> <p>1 reference letters - 1 point</p> <p>No reference letters – 0 points</p>
Total Weighting:		100	
Minimum qualifying score required:		75 %	

Stage 5: Due Diligence

The Commission reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction, the validity of the information provided by the Bidder.

Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery, or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiations.