cooperative governance Department: Cooperative Governance REPUBLIC OF SOUTH AFRICA

TERMS OF REFERENCE

Tender	COGTA (T)	Tender	Appointment of a service provider to upgrade the existing NDMC nimble
Ref #:	15/2023	Description:	storage with additional 21TB raw capacity with installation, support and
			maintenance.

PART A - BID DETAILS

- 1. The Department of Cooperative Governance (hereunder referred to as the Department or DCOG) invites an accredited vendor to upgrade the existing NDMC nimble storage with additional 21TB raw capacity with installation, support and maintenance.
- 2. **Closing Date:** The bid closing date and time are indicated in the tender advertisement and bid documents (SBD-1). **Bids received after the closing date and time will not be accepted.**
- 3. **Briefing Session**: The briefing session date and time (if applicable) are indicated in the tender advertisement and bid documents. The Department cannot physically accommodate the expected number of bidders and the briefing will therefore be conducted online. Interested bidders must contact the SCM officials indicated below for the MS Teams link.
- 4. Contact information: Prospective bidders may not under any circumstances contact or engage any DCOG officials other than the officials indicated below on any matter related to this tender. Enquiries <u>must</u> be directed to all the officials below. Enquiries sent to the DCOG officials below will be routed to the relevant employees and responses will be coordinated and provided by the officials indicated below.

ENQUIRIES			
Name:	Ms. Kgaugelo Tselana	Mr. Mogoma Sekgothe	
e-mail:	t15.2023@cogta.gov.za		

The Department reserves the right to disqualify any bidder that makes contact with or directly engages any other DCOG employee on matters / enquiries / questions related to this tender.

5. **Project duration**: Successful bidders will be appointed for a period of two weeks.

6. Bid / Proposal format

Package 1: The following must be submitted

- A detailed **proposal and project execution** plan addressing the scope and requirements indicated in Part F of this ToR. The proposal and project execution plan must contain all the information required to evaluate the bid against the requirements stipulated in these terms of reference.
- **Summary of Bidder Experience (Annexure A)**. <u>Must complete attached summary sheet</u> and provide reference letters with contact details of referees,
- **Proposed project team (Annexure B)**. <u>Must complete attached summary sheet</u> and provide detailed CVs that clearly indicate experience and qualifications as well as written confirmation of availability for this project.

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

Package 3:

- SDBs 1, 3.3, 4, and 6.1 and all other required SCM documents.
- National Treasury Central Suppliers Database (CSD) report, not older than 30 days (www.csd.gov.za).
- Valid B-BBEE certificate issued by a SANAS accredited verification agency or affidavit.

PART B -ADMINISTRATIVE REQUIREMENTS AND SPECIFIC GOALS

General principle: In cases where bidders submitted insufficient <u>evidence</u> or where <u>evidence</u> is ambiguous, bidders <u>may</u> be requested to provide additional <u>evidence</u> and <u>may</u> 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.**

1. BID DOCUMENTS - To be verified by SCM

Only bids that comply with <u>all</u> mandatory administrative requirements and that submitted all required bid documents (**acceptable bids**) will be considered during the functional evaluation phase. Only <u>acceptable bids</u> will therefore be scored by the Bid Evaluation Committee against the functional criteria indicated in Part C

SCM A	SCM ADMINISTRATIVE COMPLIANCE CHECKLIST				
#	Criteria	Yes / No			
1.1	Supplier is registered on the National Treasury Central Suppliers Database (CSD) on or before bid closing date.				
1.2	Supplier is Tax Compliant (as indicated on CSD) ¹ or verified through SARS ¹				
1.3	Supplier has a valid B-BBEE certificate issued by a SANAS accredited verification agency or a sworn affidavit ² .				
1.4	SBD 1 completed and submitted.				
1.5	SBD 3.3 completed and submitted.				
1.6	SBD 4 completed and submitted.				
1.7	SBD 6.1 completed and submitted.				
1.8	Summary of Bidder Experience (Annexure A) attached.				
1.9	Proposed project team (Annexure B) attached.				

Note 1: Bidders that are not tax compliant on the closing date for bids or at any time subsequent to 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.

Note 2: Failure to submit a valid B-BBEE certificate issued by a SANAS accredited verification agency or a sworn affidavit will not disqualify the bidder. Consortia or joint ventures must take note of the relevant sections of SBD 6.1 regarding requirements for B-BEEE certificates.

2. VERIFICATION OF INFORMATION PROVIDED - To be verified by SCM

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.

Where exceptions are allowed in terms of the applicable legislation, the bidder must attach an approved and valid Remunerative Work Outside of the Public Service (RWOPS). This clause does not apply to bidders that are government departments/entities.

The Department reserves the right to use the information provided by bidders to engage banks, credit rating agencies and the relevant government institutions to obtain information on credit records, criminal records, pending court cases, etc. Suppliers that show a history of poor financial/credit management and/or criminal behaviour will not be considered. The same will apply to the key team members as well as all directors / owners. The Department reserves the right to apply the following criteria only to shortlisted / recommended bidders. Bidders must meet all four criteria below:

SCM ADMINISTRATIVE COMPLIANCE CHECKLIST			
#	Criteria	Yes / No	
2.1	Team members, Director(s)/Owner(s) have not been convicted on charges related to fraud, corruption or violent/abusive behaviour.		
2.2	Bidder and team members, Director(s)/Owner(s) do not have a history of poor financial / credit management.		
2.3	No team members, Director(s)/Owner(s) in the service of the state, or approved RWOPS attached where in the service of the state. This clause does not apply to bidders that are government departments/entities.		
2.4	SBD forms or subsequent enquiries did not reveal any information or past practices that prohibits the supplier from conducting business with the state.		

3. MANDATORY REQUIREMENT

Failure to submit the below listed documents 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 Bidder Experience (Annexure A) attached.	
3.2	Proposed project team (Annexure B) attached.	
3.3	Detailed proposal and project execution plan submitted	
3.4	Pricing information (Price Breakdown) attached 3.	
3.5	Detailed pricing information (Cost Breakdown) ³	
3.6	SITA RFB Contract No: 2003/2014 Accreditation certificate in Gauteng Province	

Note 3: Bidders must submit a detailed pricing breakdown.

4. SPECIFIC GOALS

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)
BEE Compliance Based on	8	
Section 10 of the BBBEE Act (Act 53 of 2003 as amended by Act 46 of 2013	Level 1= 8 pts Level 2 = 7 pts Level 3=6 pts Level 4= 5 pts Level 5= 4 pts Level 6= 3 pts Level 7= 2 pts Level 8= 1 pt Non-compliant contributor= 0	
Black ownership (51% or more)	4	
Women ownership (51% or more)	4	
Youth	3	
Disability	1	

PART C - FUNCTIONAL EVALUATION - To be evaluated by the BEC

General principle: In cases where bidders submitted insufficient <u>evidence</u> or where <u>evidence</u> is ambiguous, bidders <u>may</u> be requested to provide additional <u>evidence</u> and <u>may</u> 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 <u>acceptable bids</u> 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 the minimum requirements
3- Meet three of the minimum requirements
4- Exceeds three minimum requirements

The **Score obtained for each criterium** will be calculated my 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 D – 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 D – 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 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 is unable to attend a bid presentation on the date requested by the Bid Evaluation Committee, then the bidder must be afforded another opportunity within 5 workings days. If a bidder is for a second time unable to attend a bid presentation, then the bid must be evaluated based on the bid documents and proposals submitted only.

1. FUNCTIONAL EVALUATION STAGE 1

STAGE 1 CRITERIA

1.1	Experience and certification for implementation of the solution based on the technology required.	Weight	15
Evaluat	Evaluation		
The tea	m has no certification (HP – certification) and does not have implementation experience.		0
The team has the necessary certification (HP – certification) and less than one year implementation experience.		1	
The team has the necessary certification (HP – certification) with more than one year, but has less than two years implementation experience.		2	
The team has the necessary certification (HP – certification) with more than two years, but less than five years implementation experience.		3	
The team has the necessary certification (HP – certification) and more than five years implementation experience.		4	

1.2	Capacity of the service provider to deliver the project with confirmation (in writing) of team members availability.	Weight	10
Evalua	tion		Score
No tea	No team members in developing and implementing HPE related storage upgrades.		0
1 team	1 team member in developing and implementing HPE related storage upgrades.		1
2 team	2 team members in developing and implementing HPE related storage upgrades.		2
3 team members in developing and implementing HPE related storage upgrades.		3	
More than 3 members in developing and implementing HPE related storage upgrades.		4	

STAGE 1 SCORING SUMMARY

Criterium	Weight	Score	Weighted score	Maximum possible score
1.1	15			60
1.2	10			40
TOTAL	25	-		100
Overall Score (Total Weighted Score / 100)			%	-
Minimum qua	lifying overall so	70%		

2. FUNCTIONAL EVALUATION STAGE 2

STAGE 2 CRITERIA

2.1	Organization's experience in the in public sector with similar projects and solution deployment (Signed and contactable references relating to similar projects)	Weight	15
Descrip	otion		Score
No similar projects in the public sector.		0	
1 to 3 similar projects in the public sector.		1	
4 similar projects in the public sector.		2	
5 similar projects in the public sector.		3	
More than 5 similar projects in the public sector.		4	

2.2	Bidder's understanding of Terms of Reference and quality of the proposed solution. Project plan detailing scope of work. Project plan with Gantt Chart. Project plan with human resources and skills. Risk mitigation plans.	Weight	10
Description		Score	
Does n	Does not meet any of the minimum requirements.		0
Meet one of the minimum requirements.		1	
Meet two of minimum requirements.		2	
Meets three of the minimum requirements.			3
Exceeds three of the minimum requirements.			4

STAGE 2 SCORING SUMMARY

Criterium	Weight	Score	Weighted score	Maximum possible score
2.1	15			60
2.2	10			40
TOTAL	25	-		100
Overall Score (Total Weighted Score / 100)			%	
Minimum qua	lifying score	70%		

PART D - PRICE EVALUATION AND AWARD- To be evaluated by the BEC

Only bids that met 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

PART E -SPECIAL CONDITIONS AND CONTRACT MANAGEMENT

1. SPECIAL CONDITIONS APPLICABLE TO THIS BID

- 1.1. The Department may, at its sole discretion, cancel this bid.
- 1.2. 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 a period of 10 years.
- 1.3. The Department may, at its own discretion, require that each employee of appointed services providers as well as each contractor or other participant, 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.
- 1.4. Additional conditions for an applicant who would like to apply as a Consortium / Joint Venture. It is recognized 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 for meeting conditions outlined in this bid.
 - A copy of the agreement entered 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 the event of a dispute arising during the implementation period of the programme (Provide a contingency plan of managing any possible conflicts).

2. CONTRACT MANAGEMENT

- 2.1. The successful bidder will be required 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.
- 2.2. 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.

- 2.3. 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.
- 2.4. If the parties (the Department and the appointed service provider) are unable to reach agreement on the special conditions of contract (SLA) after a period of 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.

2.5. Bidders should note that:

- All information related to this bid, or information provided to the service provider subsequent to 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 the course of 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
 for the purpose of performing 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.
- 2.6. 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.

PART F - DETAILED REQUIREMENTS

1. Purpose of assignment

The purpose of this Terms of Reference (ToR) is to appoint a service provider to upgrade the existing NDMC nimble storage with additional 21TB raw capacity with installation, support and maintenance.

2. Introduction and background

In 2021 the NDMC purchased a new Storage Area Network (SAN) using nimble technology as the backend storage. Due to new business demands, this system has now reached end of capacity. The current configuration uses three datastores with 20TB in each datastore.

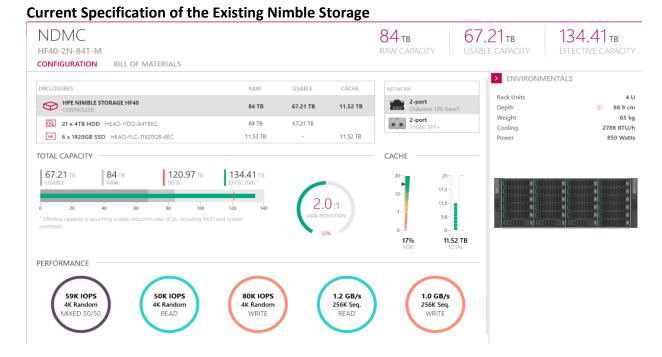
3. Problem Statement

The NDMC is unable to create additional virtual machines due to storage constraints.

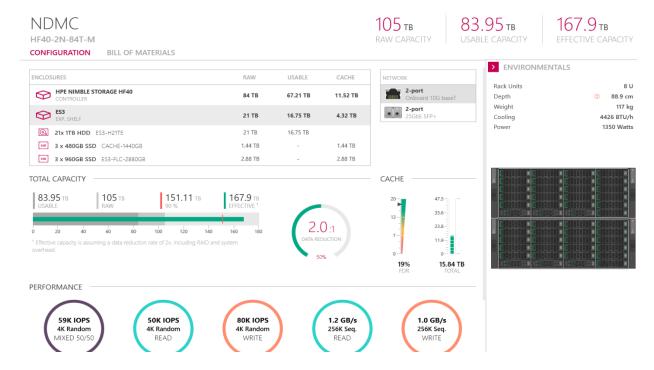
4. Scope of the assignment

The scope of work consists of:

- HARWARE AND SOFTWARE: The provision of the requisite Hardware for the Nimble Storage upgrade solution and software where applicable.
- INSTALLATION AND CONFIGURATION: Complete end-to-end configuration and installation of the Nimble Storage upgrade system.
- SUPPORT AND MAINTENANCE: The provision of supplied Hardware and Software maintenance and support for a period of 3 years



New Specification of the Existing Nimble Storage with added capacity (Sizer Diagram for the Nimble Upgrade)



5. Deliverables (Solution Components)

The solution consists of the following:

- HPE Nimble HF40 Upgrade with 21Tb
 - O HPE Nimble Storage HF40/60 Adaptive ES3 21TB (21x1TB) HDD 1.44TB Cache CTO Expansion Shelf
 - HPE Nimble Storage HF Adaptive ES3 Expansion Shelf 2.88TB (3x960GB) FIO Cache Bundle
 - HPE Nimble Storage C13 to C14 250V 10Amp 1.8m Universal FIO Power Cord
- 3yrs Tech Care Essential Support
- HPE Technical Installation Startup SVC

Solution Specification - Technical Specifications for Nimble Storage Upgrade with 21TB Raw Capacity

Qty	Product #	Product Description	Pricing
1	Q8H33A	HPE Nimble Storage HF40/60 Adaptive ES3 21TB (21x1TB) HDD 1.44TB Cache CTO Expansion Shelf	
1	Q8C25B	HPE Nimble Storage HF Adaptive ES3 Expansion Shelf 2.88TB (3x960GB) FIO Cache Bundle	
2	Q8J27A	HPE Nimble Storage C13 to C14 250V 10Amp 1.8m Universal FIO Power Cord	
1	HA124A1	HPE Technical Installation Startup SVC	
1	HA124A1 5MS	HPE Tier 1 Storage Array Upg Startup SVC	
1	HU4A6A4	HPE 3Y Tech Care Essential Service	
1	HU4A6A4 ZF9	HPE NS HF40/60 2.88TB Cache Supp	
1	HU4A6A4 ZFP	HPE NS HF4/60 ES3 21TB 1.4TB Shelf Supp	
		Configuration and installation and other costs	
		Price excluding VAT	
		Price including VAT	

- The entire project should entail complete documentation of the solution (Test, sign-off and handover)
- Solution Installation and Configuration
 - Onsite Installation and start up services for Storage Upgrade as per the design.
 - o Configuration of the Nimble Storage with the Upgraded storage.

- o Installation and configuration as per solution specification.
- o Setup, configure and test of the Storage Upgrade.
- 3yrs Tech Care Essential Support (for hardware failures, swop out new replacement)

6. Skills, Knowledge and experience requirements:

The successful service provider should possess the required skills, technical knowledge and the associated proprietary HP accreditation to deploy the solution provide and maintenance support for a period of 36 months. Bidders must have the ability to populate the necessary compliance documentation to indicate compliance of their proposed infrastructure.

7. Form of proposal

Bidders should be requested in the TOR to comply with a specific format when submitting their bids. It is suggested that the format specified in the TOR corresponds with the various elements of the bid evaluation system to facilitate the evaluation and scoring of bids.

Bidders must include a detailed work-plan/methodology with the detailed budget reflecting all costs and the implementation plan as per proposal in their bid. Failure to submit the detailed work-plan with implementation plan and budget containing cost-breakdowns according to the deliverables (as per the proposal) together with the bid will result in the bidder's bid to be viewed as invalid and therefore rejected.

The following information must be included in the work plan:

- (a) Project implementation Plan that indicates the following:
 - Clearly defined milestones that are 100% aligned to each of the key objectives as well as each of 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 of the activities 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 as well as client references for similar work performed in the last three years.

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