

**PART A**

**INVITATION TO BID**

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| **YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (STATE SECURITY AGENCY)** |
| BID NUMBER: | SSA/23/2022-23 | CLOSING DATE:  | **07 October 2022** | CLOSING TIME: | **11:00** |
| DESCRIPTION | **PROVISION OF ONLINE LEARNING MANAGEMENT SYSTEM FOR A PERIOD OF FIVE (5) YEARS** |
| **BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*** |
| **SSA Headquarters Reception** |
| **Musanda Complex** |
| **R50 Delmas Road** |
| **1 Joe Nhlanhla Street 377-JR, Rietvlei, PRETORIA** |
| **BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:** |
| CONTACT PERSON | **Mr. Monnapule Johannes BOTILO** |
| TELEPHONE NUMBER | **+27 (18) 386 4202 / +27 (73) 100 3232** |
| E-MAIL ADDRESS  | **JohannesB@Ssa.gov.za** |
| BRIEFING SESSION | **THERE IS NO BRIEFING SESSION FOR THIS TENDER** |
| **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 |  |
| TOTAL BID PRICEInc. VAT |  |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: |  | **OR** | CENTRAL SUPPLIER DATABASE No:  | MAAA |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | [TICK APPLICABLE BOX][ ]  Yes [ ]  No | B-BBEE STATUS LEVEL SWORN AFFIDAVIT  | [TICK APPLICABLE BOX][ ]  Yes [ ]  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? | [ ] Yes [ ] No [IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?** | [ ] Yes [ ] No[IF YES, ANSWER THE QUESTIONNAIRE BELOW ] |
| **QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS** |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? [ ]  YES [ ]  NODOES THE ENTITY HAVE A BRANCH IN THE RSA? [ ]  YES [ ]  NODOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? [ ]  YES [ ]  NODOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? [ ]  YES [ ]  NOIS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? [ ]  YES [ ]  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**

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| --- |
| 1. **BID SUBMISSION:**
 |
| * 1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
	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.**
	3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
	4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
 |
| 1. **TAX COMPLIANCE REQUIREMENTS**
 |
| 1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
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.
3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://www.sars.gov.za).
4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
6. WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
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**.

NAME OF THE BIDDER: ……………………………………………………………………..

SIGNATURE OF BIDDER: ……………………………………………………………………

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……………………………………………

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

DATE: …………………………………………....................................

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**DEFINITIONS**

The rules of interpretation and defined terms contained in the General Conditions of Contract (GCC) shall apply to this invitation to bid unless the context requires otherwise.

In addition the following terms used in this invitation to bid shall, unless indicated otherwise, have the meanings assigned to such terms in the table below.

|  |  |
| --- | --- |
| **SSA** | State Security Agency. |
| **Invitation to bid** | Invitation to bid comprising* The cover page and the table of content and definitions
* Part 1 which details the Conditions of Bid
* Part 2 which details the Terms of Reference relating to the service
* Part 3 which contains all the requisite bid forms and certificates; As read with GCC – General Conditions of Contract
 |
| **Services** | Defined services on the cover page of this invitation to bid and described in detail in the Terms of Reference; |
| **Specifications/Terms of Reference** | Specifications or terms contained in Part 2 of this invitation to bid; |

**Part 1**

**Conditions of Bid**

1. **BACKGROUND AND INTRODUCTORY PROVISIONS**

Refer to Part 2 of this invitation to bid for background and introductory information relating to the Services and this invitation to bid.

1. **OFFER AND SPECIAL CONDITIONS**
	1. Without detracting from the generality of clause below, bidders must submit a completed and signed and requisite bid forms attached as Part 3 with its bid. Bidders must take careful note of the conditions of award.
	2. **All bids submitted in reply to this invitation to bid should incorporate all the forms, parts, certificates and other documentation forming part of this invitation to bid, duly completed where required.**
	3. **It is a requirement that Tax matters of a service provider must be complaint with SARS when submitting, during and at the award of this tender**.
	4. In the event that any form or certificate provided in Part 3 of this invitation to bid does not have adequate space for the bidder to provide the requested details, the bidder should attach an annexure to such form or certificate on which the requested details should be provided and the bidder should refer to such annexure in the form or certificate provided.
2. **CLOSING TIME OF BIDS AND PROVISIONS RELATING TO SUBMISSION OF BIDS**
	1. The closing date and time for the receipt of bids in response to this invitation to bid is detailed on the cover page of this invitation to bid.
	2. All bids must be submitted in a sealed envelope bearing the bid number, bid description and closing date.
	3. All bids must be deposited before the closing time and date stipulated above in the bid box at the address detailed on the cover page of this invitation to bid.
3. **ENQUIRIES**

Should any bidder have any enquiries relating to this invitation to bid, such enquiries may only be addressed to the person/s detailed on the cover page to this invitation to bid at the number/s stipulated. Bidders are given until two (2) days before the closing date to forward enquiries regarding the tender.

1. **COMPULSORY BID BRIEFING/SESSION**

A compulsory briefing meeting will be stipulated in the cover page of the Invitation to bid. All details such as venue, date and time of the briefing meeting will be provided in the cover page of this bid. If a bidder misses out on a compulsory briefing meeting, it is regrettable that the bid will not be considered.

There is no compulsory briefing session for this tender.

1. **TAX CLEARANCE**

The bidder should have compliant tax matters with SARS when submitting bid documentation. A pro forma application for Tax Clearance Certificate (SBD 2) is attached as Part 3 – Schedule B. Bidder must take specific note of the conditions stipulated in SBD 2. Tax clearance certificate and B-BBEE certificate must be renewed every 12 months and must be submitted to Supply Chain Management.

1. **PRICING**
	1. The bidder(s) must submit details regarding the bid price for the Services on the Pricing Schedule form/s attached as Part 3 – Schedule C which completed form/s must be submitted together with the bid documents.
	2. Pricing stipulated must be **INCLUSIVE OF VALUE ADDED TAX.**
	3. It is an express requirement of this invitation to bid that the bidders provide some transparency in respect to their pricing approach. In this regard, bidders must indicate the basis on which they have calculated their pricing by completing all aspects of the Pricing Schedule form Part 3 – Schedule C.
	4. The total price including VAT should be transferred to SBD1. The bidder may use its company quotation in its company letterhead for pricing of the requirements.
2. **DECLARATION OF INTEREST**

 The bidder should submit a duly signed declaration of interest (SBD 4) together with the bid. The declaration of interest is attached as Part 3 – Schedule D.

1. **QUALIFICATIONS OF BIDDERS**

Bidders must submit detailed information together with their bid and disclose the experience in the relevant trade together with present contracts. These details should be submitted together with the bid on the form attached as Part 3 – Schedule E.

1. **PARTNERSHIPS AND LEGAL ENTITIES**

In the case of the bidder being a partnership, close corporation or a company all certificates reflecting the names, identity numbers and address of the partners, members or directors (as the case may be) must be submitted with the bid. These details should be submitted on the form attached as Part 3 – Schedule F.

1. **CONSORTIUM / JOINT VENTURE**
	1. It is recognized that bidders may wish to form consortia to provide the Services.
	2. A bid in response to this invitation to bid by a consortium shall comply with the following requirements: -
	3. It shall be signed so as to be legally binding on all consortium members;
	4. One of the members shall be nominated by the others as authorized to be the lead member and this authorization shall be included in the agreement entered into between the consortium members;
	5. The lead member shall be the only authorized party to make legal statements, communicate with the SSA and receive instructions for and on behalf of any and all the members of the consortium;
	6. A copy of the agreement entered into by the consortium members shall be submitted with the bid.
	7. Each party to the Consortium must submit a BBBEE Status Level Verification certificate.
	8. Each party to the Consortium must be tax compliant with SARS.
	9. Preference points will only be awarded when a consolidated BBBEE Certificate is submitted.
	10. Parties should be registered on the Central Supplier Database or be willing to register on such a database.
2. **ORGANISATIONAL PRINCIPLES**

The bidder should submit a clear indication of the envisaged authorized organizational principles, procedures and functions for an effective delivery of the required Service. These details should be submitted on the form attached as Part 3 – Schedule G.

1. **DETAILS OF THE PROSPECTIVE BIDDERS’ NEAREST OFFICE TO THE LOCATION OF THE CONTRACT**

The bidder should provide full details regarding the bidders nearest office base in the province (see Part 3 of this invitation to bid). These details should be provided on the form attached as Part 3 – Schedule H which completed form must be submitted together with the bid.

1. **FINANCIAL PARTICULARS**

Bidder must provide full details regarding its financial particulars and standing, which particulars should be submitted together with the bid on the form attached as Part 3- Schedule I.

1. **PREFERENCE POINTS CLAIM FORMS**

Part 3 – Schedule J contains the Preference Points Claim Forms in terms of Preferential Procurement Regulations, 2017 to be completed and signed by the bidder to the extent applicable and returned with this bid.

1. **VALIDITY**

Bid documentation submitted by the bidder will be valid and open for acceptance for a period of **(150) one hundred and fifty** calendar days from the closing date and time stipulated on the front cover of this invitation to bid.

1. **ACCEPTANCE OF BIDS**
	1. The SSA does not bind itself to accept either the lowest or any other bid and reserves the right to accept the bid which it deems to be in the best interest of the Department.
	2. The SSA reserves the right to award the bid in wholly or in part thereof. The SSA also reserves a right to increase or decrease quantities when deemed necessary.
2. **NO RIGHTS OR CLAIMS**
	1. Receipt of the invitation to bid does not confer any right on any party in respect of the Services or in respect of or against the SSA. The SSA reserves the right, in its sole discretion, to withdraw by notice to bidders any Services or combination of Services from the bid process, to terminate any party’s participation in the bid process or to accept or reject any response to this invitation to bid on notice to the bidders without liability to any party. Accordingly, parties have no rights, expressed or implied, with respect to any of the Services because of their participation in the bid process.
	2. The SSA, nor any of their respective directors, officers, employees, agents, representatives or advisors will assume any obligations for any costs or expenses incurred by any party in or associated with any appraisal and/or investigation relating to this invitation to bid or the subsequent submission of a bid in response to this invitation to bid in respect of the Services or any other costs, expenses or liabilities of whatsoever nature and howsoever incurred by bidders in connection with or arising out of the bid process.
3. **NON-DISCLOSURE, CONFIDENTIALITY AND SECURITY**
	1. The invitation to bid and its contents are made available on condition that they are used in connection with the bid process set out in the invitation to bid and for no other purpose. All information pertaining to this invitation to bid and its contents shall be regarded as restricted and divulged on a “need to know” basis with the approval of the SSA.
	2. In the event that the bidder is appointed pursuant to this invitation to bid such bidder may be subject to security clearance prior to commencement of the Services.
4. **ACCURACY OF INFORMATION**
	1. The information contained in the invitation to bid has been prepared in good faith. The SSA nor any of their respective directors, advisors, officers, employees, agents, representatives make any representation or warranty or give any undertaking express or implied, or accept any responsibility or liability whatsoever, as to the contents, accuracy or completeness of the information contained in the invitation to bid, or any other written or oral information made available in connection with the bid and nothing contained herein is, or shall be relied upon as a promise or representation, whether as to the past or the future.
	2. This invitation to bid may not contain all the information that may be required to evaluate a possible submission of a response to this invitation to bid. The bidder should conduct its own independent analysis of the operations to the extent required to enable it to respond to this bid.
5. **COMPETITION**
	1. Bidders and their respective officers, employees and agents are prohibited from engaging in any collusive action with respect to the bidding process which serves to limit competition amongst bidders.
	2. In general, the attention of bidders is drawn to Section 4(1)(iii) of the Competition Act 1998 (Act No. 89 of 1998) (the Competition Act) that prohibits collusive bidding.
	3. If bidders have reason to believe that competition issues may arise from any submission of a response to this bid invitation, they are encouraged to discuss their position with the competition authorities before submitting response.
	4. Any correspondence or process of any kind between bidders and the competition authorities must be documented in the responses to this invitation to bid.
6. **RESERVATION OF RIGHTS**
	1. Without limitation to any other rights of the SSA (whether otherwise reserved in this invitation to bid or under law), the SSA expressly reserves the right to: -
	2. Request clarification on any aspect of a response to this invitation to bid received from the bidder, such requests and the responses to be in writing;
	3. Amend the bidding process, including the timetables, closing date and any other date at its sole discretion.
	4. Reject all responses submitted by bidders and to embark on a new bid process.

**23. SECURITY REQUIREMENTS**

23.1 **Security clearances:** The bidder’s (principal or joint venture contractor) employees and Sub-Bidders are required at all times during the contract period to be in possession of valid security clearances to the level determined by SSA commensurate with the nature of the project activities they are involved in. The cost of obtaining suitable clearances is for the account of the bidders.

23.2 The vendors shall supply and maintain a list of personnel involved on the account indicating their clearance status. Negative or failure of security clearance or vetting by the bidder’s employees or partners at any stage during the contracting or contract period and lack of or inability to obtain acceptable replacements by the contractor may lead to the cancellation of the contract. The Bidders and their sub-Bidders will be re-vetted for every event during the period of contracting (3 years).

**PART 2**

**OPEN TENDER**

**TENDER DESCRIPTION: SUPPLY AND DELIVERY OF AN ELEARNING SOLUTION TO THE SSA FOR A PERIOD OF FIVE (05) YEARS**

1. **INTRODUCTION**

1.1 The rapid change in technology and the recent events of the COVID-19 pandemic has compelled the SSA to shift from the traditional way of teaching and learning to e-learning. There is an urgent need for a secure e-Learning solution, i.e. the use of electronic technologies to access educational curriculum outside of a traditional classroom. The IA is requesting an eLearning Solution that would satisfy the needs of the SSA.

**2. BACKGROUND**

2.1The SSA currently makes use of the traditional, in-class, in-person environment to deliver training to its members and government entities. However, the rapid change in technology and the recent events of the COVID-19 pandemic compels the IA to shift from the traditional way of teaching and learning to e-learning, where teaching and learning are aided by Information and Communication Technologies (ICT). For the SSA to be relevant, dynamic, flexible, and to stay current, the SSA must adapt to this digital phenomenon by adopting the use of ICT to achieve its mandate

2.2 The SSA seeks a solution that will be hosted on a secure and private cloud infrastructure, meaning that resources should be securely stored in a virtual environment, accessed from various forms of web-based devices. The key features should be:

* Cost-efficient
* Aligned to business objectives
* Enterprise-scalable
* Variety of learning modalities
* Quickly deployed
* Automatically maintained

**3. SCOPE**

* 1. Service providers are invited to bid for an eLearning Solution that will ensure that eLearning is delivered to members irrespective of where they are located geographically, and on any platform (PC, tablets, etc.).

3.2 Service providers should ensure that resources are stored in a secure and private virtual environment (cloud), which can be accessed from various forms of web-enabled devices.

3.3 The service provider is expected to provide a Software as a Service (SaaS) service model where the complete operating environment with applications, management, and infrastructure is solely the service provider’s responsibility.

**4. OBJECTIVE**

4.1The client expects the project to address the following as outlined below:

* Must enable synchronous and asynchronous collaboration and communication
* System must be a blended solution (facilitator-led classrooms and online learning)
* Must be accessible, in the broadest sense of the word. Access should be from any location and at anytime
* Ease of use from the system (System should support the use of any device, be it a laptop, tablet, cell, etc)
* Increased reporting functionality
* The network/the system must be secure and reliable (security, privacy and stability)
* Productivity – the system should have the capacity to serve a minimum of 20 simultaneous (concurrent) sessions.
* Scalability and flexibility – the system should be able to expand and serve up to 200 concurrent users, and to allow for additional settings

**5.** **SPECIFICATIONS**

5.1 **E-LEARNING SOLUTION MANDATORY SPECIFICATIONS**

5.1.1 **System Administration Module**

The administration of the system should include a full range of functions for the management and configuration of system parameters and attributes, data, users and courses. The following basic functions should be included, which cover: authentication, management of rights and roles, user management, import and export of users and resources, customizable view, management of language packs and log and report.

5.1.2 **Course Management Module**

This module should provide tools for synchronous and asynchronous e-learning, creating, editing, saving and deleting e-learning courses, encouraging learner participation in the learning process and ensuring better interactivity within the teaching process. The platform should provide an opportunity to post news and announcements. It should also provide an opportunity to test, assess and oversee the learner and facilitator performance.

5.1.3 **Content Management Module**

This module should store and manage learning content of all users on the platform to facilitate work with the learning material

5.1.4 **Collaboration and Videoconferencing Module**

This module should provide a virtual environment resembling the actual learning environment and containing the required functionality for online learning, such as videoconferencing, in addition to facilitating the work on group projects within the class and encouraging interaction between learners.

5.1.5 **Learner Module**

This module should store and manage all learner information. All data stored should conform with current legislation and the requirements of the Data Protection Act and the POPI Act for personal data shall be required. This module should handle portfolios, scheduling, tracking, attendance, etc.

5.1.6 **Electronic Register Module**

It stores the results and marks from various examinations, tests, assignments and group projects. The system should be able to generate various reports on learner performance to help analyze their performance and attendance.

5.1.7 **Reporting**

The proposed eLearning system should provide a large variety number of usage system statistics to monitor system usage. There must be available statistics of courses, educational materials, tests, questions, teachers, students, organizational structure, statistics, facilitating optimal allocation of internal resources in training process. The system should audit user actions such as connecting / disconnecting, creating courses, attending lectures.

5.1.8 **Integration**

The system should be SCORM compliant

5.1.9 **White Labelling & Customization**

The system must be configurable to have its own branding, logo’s and customization.

5.1.10 **System Security (User and Product (Content))**

The system must provide security for user identification and product (content) to be shared by both the facilitators / assessors and the learners.

**5.2** **COSTING**

 The following items should be addressed as part of the pricing section of the bid costs:

* Licence Costs for 200 (two hundred) CONCURRENT users
* Software as a Service (SaaS) Cost (software, hosting and maintenance)
* Implementation and Consultancy Cost (inclusive of travelling costs for consultants to the SSA’s Headquarters in Rietvlei, Pretoria East
* Training Costs
* Maintenance and support costs for five (5) years

**5.3** **SOFTWARE MAINTENANCE, SUPPORT AND TRAINING**

The following items should be addressed as part of maintenance and support:

* Service Provider must provide proof that they can provide support on a 24/7 basis.
* 24-hour availability to the solution
* Reduced downtime
* Efficient and effective monitoring of data access
* Data security
* Skills transfer and technical training provision.

**6. EVALUATION CRITERIA**

All bids will be evaluated in terms of compliance and preference point system which comprises of the following:

**Phase 1: Administrative Compliance** of the bid documents as per paragraph 24. Bidders
who do not comply with the requirements of paragraph 24 will be disqualified.

 **Phase 2: Mandatory Requirements**: Bidders will be expected to provide the system that
 meets all mandatory requirements. Bidders who do not comply with all mandatory
 requirements will be disqualified.

**Phase 3: Responsiveness and Functionality Requirements**: Bidders will be subjected to
scrutiny to check whether the proposals received are compliant to the specifications of the bid. Bidders who do not comply with the specification or Terms of Reference will be disqualified.

 **Phase 4:** Price and B-BBEE stage evaluation in terms of the 80/20 preference point systems

**6.1 ADMINISTRATIVE COMPLIANCE**

|  |  |
| --- | --- |
| **No.** | **Bid Document (All pages must be completed, initialed and signed by Bidder)** |
|  | Invitation to bid (SBD 1) |
|  | Schedule A - General Conditions of Contract |
|  | Schedule B - Original and valid Tax Clearance Certificate as stipulated (SBD 2)  |
|  | Schedule C - Pricing Schedules (SBD3.1)  |
|  | Schedule D - Declaration of Interest (SBD 4) |
|  | Schedule E - Schedule - Qualifications and Experience  |
|  | Schedule F - Organizational Type |
|  | Schedule G - Organizational Structure |
|  | Schedule H - Details of Bidder’s nearest office (Schedule J) |
|  | Schedule I - Financial Particulars latest audited financial statements |
|  | Schedule J - Preferential Claim form (SBD 6.1) B-BBEE Certificate |
|  | Schedule K - Security Clearance Requirements (SBD0) |
|  | Company profile and technical proposal |
|  | CSD Registration |

**6.2 MANDATORY REQUIREMENTS**

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **E-Learning System Module** | **Included** | **Not Included** |
| 1. | System Administration Module |  |  |
| 2. | Course Management Module |  |  |
| 3. | Content Management Module |  |  |
| 4. | Collaboration and Videoconferencing Module |  |  |
| 5. | Learner Module |  |  |
| 6. | Electronic Register Module |  |  |
| 7. | Reporting |  |  |
| 8. | Integration |  |  |
| 9. | White Labelling & Customization |  |  |
| 10. | System Security (User and Product (Content)) |  |  |

 **NB: Bidder whose system that does not include any of the above requirements will be disqualified**

**6.3 RESPONSIVENESS AND FUNCTIONALITY**

1. The quality of technical offers reaching this stage will be evaluated in accordance with the award criteria and the associated weighting as detailed in the evaluation grid below.
2. Bids will be evaluated in terms of the evaluation criteria as indicated below. The amendment of this evaluation criterion, weights, applicable values and/or the minimum score for functionality after the closing date of the bid is not allowed as this may jeopardize the fairness process.
3. Bidders must demonstrate in their bid document proposals all of the capabilities of the functionality in line with bid evaluation criteria below
4. Bidders or shortlisted bidders will then be required to demonstrate and /or present their solutions in accordance with their bid proposals in line with the criteria below

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Criteria** | **Scoring (for whole or each sub-element where applicable)** | **Maximum points** |
| **Technical Proposal** |  |  |
| **1.** | **Business: Minimum functionalities and requirements:** **Core Modules****Demonstrate:** * Use of System Admin Module

- Use of Course and Content Modules - Use of Learner Module- Electronic Register Module- Anti-Plagiarism functionality - Use of Collaboration and Videoconferencing  | 10 points per demonstrated function*Non-Compliance with any = 0**Compliance to 1 Demo = 10**Compliance to 2 Demos = 20**Compliance to 3 Demos = 30**Compliance to 4 Demos = 40**Compliance to 5 Demos = 50**Compliance to All Demos = 60* | **60** |
| **2.** | **Business: Minimum functionalities and requirements:** **Management Reporting****Demonstrate:*** dashboard functionality
* audit trail functionality
* workflow functionality
* automated report generation
 | 2.5 points per demonstrated function*Non-Compliance with any = 0**Compliance to 1 Demos = 2.5**Compliance to 2 Demos = 5**Compliance to 3 Demos = 7.5**Compliance to all Demos = 10* | **10** |
| **3.** | **Business: Minimum functionalities and requirements:** **Search and Other Functionality****Demonstrate:*** filtering of results according to access roles and security rules of underlying databases and systems
* Simple and advanced search functionality
* Gamification: For purposes of simulation exercises and assessments
* White Labelling/Branding
* Integration - The system must be SCORM compliant and must be able to be integrated with other existing applications such as Microsoft Teams, Turnitin, Microsoft Note, etc.
 | 2 points per demonstrated function*Non-Compliance with any = 0**Compliance to 1 Demo = 2**Compliance to 2 Demos = 4**Compliance to 3 Demos = 6**Compliance to 4 Demos = 8**Compliance to all Demos = 10* | **10** |
| **4.** | **Software Maintenance, Support and Training**Service Provider must provide proof that they can provide support on a 24/7 basis. Skills transfer and technical training provision.Cloud solution:* 24 hour access to infrastructure and content
* Data security
* Reduced cloud downtime
* Efficient and effective monitoring of data access
* Support for teaching and learning
 | Non Compliance with any = 0Compliance with 1 = 3Compliance with 2 = 5Compliance with all 3 = 10 | **10** |
| **5.** | **Key Personnel**Tenderer to provide details of key personnel’s experience (CV’s) aligned to required functionality | * No CV’s provided = 0
* CVs provided partially match required functionality = 5
* CVs provided match all required functionality = 10
 | **10** |
| **TOTAL Technical points** | **100** |
| **Minimum Qualifying Score** | **70** |

 **NB: Bidders who score below 70 in terms of functionality will be disqualified**

**6.4 Price and B-BBEE stage evaluation in terms of the 80/20 preference point systems**

The bid will be evaluated in terms of the 80/20-point system as stipulated in the Preferential Procurement Regulations, 2017. 80 points will be allocated for price and 20 points for attaining the B-BBEE status level of contributor**.**

The following formulae will be used in calculating points scored for price as follows:

 Ps = 80 **

 Where

 Ps = Points scored for comparative price of tender or offer under

 Consideration

 Pt = Comparative price of tender or offer under consideration; and

 Pmin = Comparative price of lowest acceptable tender or off

 • Points scored must be rounded off to the nearest 2 decimal places.

Total points scored will be calculated by adding points scored for price and B-BBEE Contributor Level.

Bidders are required to, together with their bids submit original and valid B-BBEE status level verification certificates or certified copies to substantiate their B-BBEE rating claims. A bid will not be disqualified from the bidding process if the bidder does not submit a certificate substantiating the B-BBEE status level of contribution nor is a non-compliant contributor. Such a bidder will score 0 out of maximum of 20 points for B-BBEE.

Point allocation will be done as per the below table: -

|  |  |
| --- | --- |
| B-BBEE Status Level of Contributor | Number of Points (80/20) |
| 1 | 20 |
| 2 | 18 |
| 3 | 14 |
| 4 | 12 |
| 5 | 8 |
| 6 | 6 |
| 7 | 4 |
| 8 | 2 |
| Non-compliant contributor | 0 |

**Part 3**

**Schedule A**

 **General Conditions of Contract and Special Conditions of Contracts**

|  |
| --- |
| **NOTES**The purpose of this document is to:1. Draw special attention to certain general conditions applicable to government bids, contracts and orders; and
2. To ensure that clients be familiar with regard to the rights

and obligations of all parties involved in doing business with government.In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.* The General Conditions of Contract will form part of all bid documents and may not be amended.
* Special Conditions of Contract (SCC) relevant to a specific bid, should be compiled separately for every bid (if applicable) and will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.
 |

**NB: SEE ATTACHED GENERAL CONDITIONS OF CONTRACT**

**Part 3**

**Schedule B**

**Application for Tax Clearance Certificate**

**TAX CLEARANCE REQUIREMENTS IT IS A CONDITION OF BIDDING: -**

1. It is an absolute requirement that the taxes of the successful bidder **must** be in order or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her obligations.
2. The attached form, Application for Tax Clearance Certificate (in respect of bids), must be completed by the bidder in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. That Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for 6 months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit an **original** and valid Tax Clearance Certificate at the time of submission of the bid **shall** invalidate the bid.
3. In bids where Consortia/ Joint Ventures /Sub-Contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificate are available at any Receiver’s Office.

**APPLICATION FOR TAX CLEARANCE CERTIFICATE (IN RESPECT OF OFFERORS)**

1. Name of taxpayer / bidder: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Trade name:

3. Identification number:

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |  |  |

1. Company / Close Corporation registration number:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |

1. Income tax reference number:

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |

1. VAT registration number (if applicable):

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |

1. PAYE Employer’s registration number

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |

(If applicable)

Signature of contact person requiring Tax Clearance Certificate**: ………………………………..**

Name:

Telephone Number: Code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE: / /

|  |
| --- |
| **PLEASE NOTE THAT THE COMMISSIONER OF THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND/OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE OR UNDER PAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION OF RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.** |

**Part 3**

**Schedule C**

**SBD 3.3**

**PRICING SCHEDULE**

**(Professional Services)**

|  |
| --- |
| NAME OF BIDDER: ………………………………………………………………………………………………BID NO.: …………………………………… CLOSING TIME 11:00 CLOSING DATE…………………………... |

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

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Deliverables** | **Amount per Item incl. VAT** | **Total Amount incl. VAT** |
| 1. | Licence Costs for 200 (two hundred) CONCURRENT users |  |  |
| 2. | Software as a Service (SaaS) Cost (software, hosting and maintenance) |  |  |
| 3. | Implementation and Consultancy Cost (inclusive of travelling costs for consultants to the SSA’s Headquarters in Rietvlei, Pretoria East (Breakdown: List and number of professionals, level and expertise. Provide disbursements as a percentage of the professional fees. Note: SSA reserves a right to pay these according to AA or SSA disbursement policy) |  |  |
| 4. | Training Costs (List and number of professionals, level and expertise) |  |  |
| 5. | Maintenance and support costs for five (5) years (Breakdown per year) |  |  |
| **Total Incl. VAT** |  |  |

 \***[Delete if not applicable]**

Any enquiries regarding bidding procedures may be directed to the –

Monnapule Johannes Botilo

State Security Agency

Tel: 073 100 32 32

**Schedule D**

**SBD4**

**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.

1. **Bidder’s declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest[[1]](#footnote-1) 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** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

 **SBD4**

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

* + 1. If so, furnish particulars:

…………………………………………………………………………….

…………………………………………………………………………….

1. **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 consortium[[2]](#footnote-2) will not be construed as collusive bidding.

**SBD4**

3.4In 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 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.

* 1. 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

**Part 3**

**Schedule E**

**Qualification and Experience**

1. **Details of the extent of the company activities and business, e.g. branches etc:**
2. **A list of existing and/previous contracts relating to similar services:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description of work and value** | **Period** | **Organization** | **Contact Person** | **Contact No** |
|  |  |  |  |  |
|  | **Start date** | **End date** |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

1. **Details of Qualifications of the Project Manager and the Key Personnel:**

|  |  |  |
| --- | --- | --- |
| **Name** | **Designation** | **Qualifications** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**SIGNATURE OF (ON BEHALF OF) COMPANY**

**Part 3**

**Schedule F**

**Organization Type**

**PARTNERSHIP/CLOSED CORPORATION/COMPANY**

**(Delete which is not applicable)**

**The bidder comprises of the following partners/members/directors:**

* 1. NAME

ADDRESS :

ID NUMBER:

* 1. NAME :

ADDRESS :

ID NUMBER:

* 1. NAME :

ADDRESS :

ID NUMBER:

* 1. NAME :

ADDRESS :

ID NUMBER:

* 1. NAME :

ADDRESS :

ID NUMBER:

 **SIGNATURE OF (ON BEHALF OF) BIDDER**

**Part 3**

**Schedule G**

**Organizational Structure**

1. **Provide full details of the organizational structure which will be utilized in the provision of the Services (including where appropriate an organogram)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**………………………………………………………**

**SIGNATURE OF (ON BEHALF OF) BIDDER**

In the presence of:

1.

2.

**Part 3**

**Schedule H**

**Details of Supplier’s Office**

* + 1. Physical address of supplier’s office
		2. **Telephone No of office:**
		3. **Time period for which such office has been used by supplier: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **SIGNATURE OF (ON BEHALF OF) BIDDER**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **NAME IN CAPITAL LETTERS**

In the presence of:

1.

2.

**Part 3**

 **Schedule I**

**Financial Particulars**

This schedule must be completed by the bidder and submitted together with the bid. **Documentary proof confirming availability of financial resources to execute the contract from the bidder’s financial institution and /or Audited Financial Statements must be submitted with the bid.** If this requirement is not complied with in full the bid will be considered invalid

Nature of Service:

Name of bidder:

Bid Number:

|  |  |
| --- | --- |
|  | **FINANCIAL POSITION OF BIDDER**I/we hereby certify that I/we have the necessary financial capacity and resources to execute the above contract successfully for the bid amount. I / we hereby attach letter confirming availability of financial resources from the financial institution. I / we give the SSA permission to contact the financial institution below to confirm the information provided.In the absence of the above, a letter confirming that the bidder has applied for financial assistance from any financial institution and that the institution is willing to favourably consider such application in the event that the bidder is successful, will also satisfy the Department. |
| **NAME OF FINANCIAL INSTITUTION** |  |
| **ADDRESS** |  |
| **TEL.NO** |  |
| **FAX NO** |  |
| **CONTACT PERSON** |  |

##### …………………………………………………….

##### SIGNATURE OF (ON BEHALF OF) BIDDER

**Part 3**

**Schedule J**

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

1. **GENERAL CONDITIONS**
	1. The following preference point systems are applicable to all bids:
* 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).

a) The value of this bid is estimated not to exceed **R50 000 000** (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

* 1. Points for this bid shall be awarded for:
1. Price; and
2. B-BBEE Status Level of Contributor.
	1. The maximum points for this bid are allocated as follows:

|  |  |
| --- | --- |
|  | **POINTS** |
| **PRICE** | 80 |
| **B-BBEE STATUS LEVEL OF CONTRIBUTOR** | 20 |
| **Total points for Price and B-BBEE must not exceed** | **100** |

* 1. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
	2. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.
1. **DEFINITIONS**
2. **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
3. “**B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
4. **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
5. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
6. **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
7. **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
8. **“prices”** includes all applicable taxes less all unconditional discounts;
9. **“proof of B-BBEE status level of contributor”** means:
10. B-BBEE Status level certificate issued by an authorized body or person;
11. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
12. Any other requirement prescribed in terms of the B-BBEE Act;
13. **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
14. **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
15. **POINTS AWARDED FOR PRICE**
	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:

 **80/20 or 90/10**

 **** or ****

 Where

 Ps = Points scored for price of bid under consideration

 Pt = Price of bid under consideration

 Pmin = Price of lowest acceptable bid

1. **POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**
	1. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

|  |  |  |
| --- | --- | --- |
| **B-BBEE Status Level of Contributor** | **Number of points****(90/10 system)** | **Number of points****(80/20 system)** |
| 1 | 10 | 20 |
| 2 | 9 | 18 |
| 3 | 6 | 14 |
| 4 |  5 | 12 |
| 5 | 4 | 8 |
| 6 | 3 | 6 |
| 7 | 2 | 4 |
| 8 | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

1. **BID DECLARATION**
	1. Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
2. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**
	1. B-BBEE Status Level of Contributor: . = ………(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

1. **SUB-CONTRACTING**
	1. Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

|  |  |  |  |
| --- | --- | --- | --- |
| YES |  | NO |  |

* + 1. If yes, indicate:
1. What percentage of the contract will be subcontracted............…………….…………%
2. The name of the sub-contractor…………………………………………………………..
3. The B-BBEE status level of the sub-contractor......................................……………..
4. Whether the sub-contractor is an EME or QSE

***(Tick applicable box***)

|  |  |  |  |
| --- | --- | --- | --- |
| YES |  | NO |  |

1. Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

|  |  |  |
| --- | --- | --- |
| **Designated Group: An EME or QSE which is at last 51% owned by:** | **EME****√** | **QSE****√** |
| Black people |  |  |
| Black people who are youth |  |  |
| Black people who are women |  |  |
| Black people with disabilities |  |  |
| Black people living in rural or underdeveloped areas or townships |  |  |
| Cooperative owned by black people |  |  |
| Black people who are military veterans |  |  |
| **OR** |
| Any EME  |  |  |
| Any QSE |  |  |

1. **DECLARATION WITH REGARD TO COMPANY/FIRM**
	1. Name of company/firm:…………………………………………………………………………….
	2. VAT registration number:……………………………………….…………………………………
	3. Company registration number:…………….……………………….…………………………….
	4. TYPE OF COMPANY/ FIRM

 Partnership/Joint Venture / Consortium

 One person business/sole propriety

 Close corporation

 Company

 (Pty) Limited

[Tick applicable box]

* 1. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..

* 1. COMPANY CLASSIFICATION

 Manufacturer

 Supplier

 Professional service provider

 Other service providers, e.g. transporter, etc.

[*Tick applicable box*]

* 1. Total number of years the company/firm has been in business:……………………………
	2. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:
1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
4. If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
	1. disqualify the person from the bidding process;
	2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
	3. 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;
	4. recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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
	5. forward the matter for criminal prosecution.

……………………………………….

SIGNATURE(S) OF BIDDERS(S)

DATE: …………………………………..

ADDRESS …………………………………..

 …………………………………..

 …………………………………..

WITNESSES

1. ……………………………………..
2. …………………………………….



**Part 3**

**Schedule K**

**SECURITY CLEARANCE REQUIREMENTS**

**DECLARATIONS SBD0**

1. **Does the business meet the government’s Black Economic Empowerment requirements as per the relevant industry charter?**

 **Yes: ……… No: …….**

**If YES Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

1. **Do you declare that the business is NOT a BEE front company?**

 **Yes: ……… No: …….**

**If NO Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

1. **Does the business have any associated family? Friends or business associates in the employ of the Ministry of Intelligence?**

 **Yes: ……… No: …….**

**If YES Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

**CONFIDENTIAL**

1. **Do any of the above mentioned in Declaration C have any financial interest in the business?**

 **Yes: ……… No: …….**

**If YES Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

1. **Do you declare that the company is currently in a stable and sustainable financial position?**

 **Yes: ……… No: …….**

**If YES Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

1. **Has the business done any work for a foreign government institution intelligence agency?**

 **Yes: ……… No: ………….**

**If YES Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

1. **Has the business or any of its principals/ employees obtained a security clearance from any foreign or local governmental institution?**

 **Yes: ……… No: …….**

**If YES Explain:**

**………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….**

**CONFIDENTIAL**

**THE CONTENTS OF THIS DECLARATION FORM MUST BE CERTIFIED AS CORRECT**

Hereby the undersigned certifies that:

1. Note is taken that the completed declaration is for official use only and will be treated as strictly

**CONFIDENTIAL.**

1. The information stated in this declaration is accurate and true and note is taken

that false information will have a negative effect on the security clearance of the company and its principals.

1. The signatory will be held immediately responsible for any fraudulent or incorrect information provided.

**Company: …………………………………………………………………………………**

**Respondents name: …………………………………………………………………………..**

**I.D. number: …………………………………………………………………………………..**

**Position: ………………………………………………………………………………………**

**Date: …………………………………………………………………………………………...**

**Signature: ……………………………………………………………………………………..**

**SECURITY CLEARANCE REQUIREMENTS**

It is a condition of bid that the successful bidder obtains a positive security clearance by undergoing and co-operating with the vetting officers who will conduct a vetting process on both the company and the individuals who will be involved in the project.

1. In order to meet these requirement bidders are required to complete in full the attached forms:
	1. Declarations
	2. Security Questionnaire for Security Clearance Purposes
2. The bidder must supply all documents as outlined in “Company document requirements” with the proposal on or before the closing date or when called upon to do so within a specified period determined by the State Security Agency (SSA).
3. The level of security clearances will be determined by SSA commensurate based on the nature of the project activities the employee will be involved in.
4. The cost of obtaining suitable clearances is for the account of the vendors.
5. The vendors shall supply and maintain a list of personnel involved on the project indicating their clearance status.
6. The default requirement on security clearance is “confidential”. Any other environment specified will have a “secret” security clearance requirement.
7. Non-cooperation with the vetting officers may result in a Vendor being disqualified from the bidding and/or appointment process.
8. I/We agree that any action arising from this contract may in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me/us as a result of such action.

I, THE UNDERSIGNED (NAME)………………………………………………………………………

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT. I ACCEPT THAT THE PRINCIPAL MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 7 ABOVE SHOULD THIS DECLARATION PROVE TO BE FALSE OR FAIL TO COOPERATE DURING THE VETTING PROCESS.

………………………………….. ……………………………………

Signature Date

………………………………… ……………………………………

Position Name of bidder



***Security Clearance: Documentation Requirement for Companies***

1. In terms of The National Strategic Intelligence Act 39 of 1994 as amended by the National Strategic Intelligence Act 67 of 2002 section 2A, members of the SSA may, in a prescribed manner, gather information relating to criminal records, financial records, personal information or any other information which is relevant to determine your security competence.
2. Please submit certified copies of the following documentation:
* **Audited Financial Statements (To include Income Statement ,Balance Sheet,**

**& Cash Flow Statements for a period of two years)**

* **Bank statements of all accounts held, covering the last six (6) months.**
* **Company Registration Certificate**
* **Name Change Certificate / Amended Founding Statement (If Applicable)**
* **List of Employees /Contractors who require access to the premises AND Identity Documents**
* **Name & Contact details of Auditing / Accounting Firm**
* **List of 5 major creditors and contact details**
* **Letters declaring Members or director’s involvement in associated businesses (Names and registration numbers of all companies associated with the Members / Directors)**
* **Three (3) Letters of Recommendation**
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. [↑](#footnote-ref-1)
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. [↑](#footnote-ref-2)