



TENDER 52/2022 TECHNICAL REQUIREMENTS

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1. Overview

Legal Aid SA is a national public entity established in terms of section 2 of the Legal Aid South Africa Act 39 of 2014; a key contributor to South Africa's constitutional democracy, providing quality legal services to indigent and vulnerable persons. The organisation has a national footprint and its culture is rooted in leadership, driven by the value and advancement of human rights.

Legal Aid SA has 135 offices nationally which are categorised as National Office (located in Braamfontein), six (6) Provincial Offices, 64 Local Offices and 64 Satellite Offices. All offices currently have UPS units, excluding Satellite Offices.

Legal Aid SA invites reputable and suitably qualified service providers to supply, deliver, install and maintain UPS systems at 63 Legal Aid SA Satellite Offices for a period of 60 months.

2. Technical Requirements

Supply, deliver, install and maintain 5kVA UPS Units at 63 Legal Aid SA Satellite Offices.

The installation must include:

- The 5kVA UPS should have the following features:
 - o Floor standing
 - o Communications: RJ-45 10/100 Base-T
 - o IPv4/IPv6 SNMP cards for each UPS unit
 - o Control panel: multi-function LCD status and control console
 - o Audible and visible alarms
 - o Flash upgradeable firmware
 - o Emergency Power Off (EPO)
 - o Operating environment: indoor
 - o 230V input 230V output
 - o 1150K 100Ah deep Cycle battery (105Ah-12V), sealed battery
 - o Batteries cabinet
 - o Batteries must be protected by an internal battery isolator
 - o Include battery circuit breaker box
 - o Include battery string fuses
- Electrical work.
- Installation of the surge protection unit.
- SNMP card and all required cabling for network connectivity.

- Supply cabling and connect one IT network cabinet, user's PC as per Annexure A and one multi-functional device with single red socket power outlet.
- DIN Rail PVC or Metal DB dimensions 25cm x 36cm.

NB:

- IP address for the SNMP cards will be provided by Legal Aid SA.
- Circuit breakers – SINGLE phase.
- Electrical Certificate of Compliance (CoC) must be provided on completion for each office (compulsory), signed off by a qualified technician (Electrical Tester for Single Phase/Installation Electrical/Master Installation Electrician).
- No existing trunking.
- No existing UPS.

3. Warranty

3.1 The supplier warrants that the goods supplied under the contract are new, unused, of the most recent or current models, and that they incorporate all recent improvements in design and materials unless provided otherwise in the contract. The supplier further warrants that all goods supplied under this contract shall have no defect, arising from design, materials, or workmanship (except when the design and/or material is required by the purchaser's specifications) or from any act or omission of the supplier, that may develop under normal use of the supplied goods in the conditions prevailing in the country of final destination.

3.2 This warranty shall remain valid for twelve (12) months after the goods, or any portion thereof as the case may be, have been delivered to and accepted at the final destination indicated in the contract, or for eighteen (18) months after the date of shipment from the port or place of loading in the source country, whichever period concludes earlier, unless specified otherwise.

3.3 The purchaser shall promptly notify the supplier in writing of any claims arising under this warranty.

3.4 Upon receipt of such notice, the supplier shall, within the period specified and with all reasonable speed, repair or replace the defective goods or parts thereof, without costs to the purchaser.

3.5 If the supplier, having been notified, fails to remedy the defect(s) within the period specified, the purchaser may proceed to take such remedial action as may be necessary, at the

supplier's risk and expense and without prejudice to any other rights which the purchaser may have against the supplier under the contract.

4. Maintenance and Support

4.1 Satellite Offices

The contractor will be responsible for ensuring that UPS units, batteries and software are fully functional throughout the contract period of 60 months.

Maintenance of UPS units shall include:

- a. Four-hour response time for the tickets logged by Legal Aid SA representative and resolution time of UPS units within two (2) business/working days or reasonable period from reporting of any defective and faulty equipment by Legal Aid SA at agreed rates.
- b. Defective or faulty UPS units are to be replaced with similar working equipment within two (2) business/working days or reasonable period agreed on the final SLA to be negotiated by winning bidder and Legal Aid SA.
- c. Quarterly proactive maintenance of UPS units to ensure they are in good working condition.

5. Local Content Evaluation

The following should be considered as per the Supply Chain Management requirements:

5.1 All items on table below with Local Content percentage must be locally produced or manufactured with the threshold stipulated below.

Minimum Stipulated Local Content

	Item Description	Designated Products	Specified Local Content %
1.	1223012V 26Ah UPS Battery	Industrial lead acid	50%
2.	1150K 100ah Deep Cycle Battery (105ah 12V)	Batteries	50%

5.2 If the quantity of materials and/or products required cannot be wholly sourced from South African based manufacturers and/or at the designated local content threshold at any particular time, bidders should obtain written approval from the dti to supply the remaining portion at a lower local content threshold. Such requests for approval should be submitted and approval be obtained prior to the closure of the bid(s) concerned. The dti, in consultation with Legal Aid SA, will grant such approvals on a case-by-case basis and will consider the following:

- 5.2.1 required volumes in the particular bid;
- 5.2.2 available collective South African industry manufacturing capacity at that time;
- 5.2.3 delivery times;
- 5.2.4 availability of input materials and components;
- 5.2.5 technical considerations including operating conditions;
- 5.2.6 materials of construction; and
- 5.2.7 security of supply and emergencies.

5.3 Bidders must clearly indicate in their bids the quantities of material and products to be supplied and the level of local content for each product.

5.4 Requirements for Bid Invitations and Documents are as follows:

The exchange rate to be used for the calculation of local production and content must be the exchange rate published by the South African Reserve Bank (SARB) on the date of the advertisement of the bid. These will be verified for accuracy.

Only the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content.

5.5 Local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the following formula which must be disclosed in the bid documentation:

$$LC = (1-x/y) * 100$$

Where, x = the imported content in Rand

y = the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the SARB on the date of advertisement of the bid.

5.6 Bid documentation must clearly stipulate that the SABS approved technical specification number SATS 1286:2011 and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)] are accessible to all potential bidders on the dti's official website: <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost.

5.7 For the purpose of the above-mentioned paragraphs the Declaration Certificates for Local Production and Content (SBD 6.2), together with Annexure C (Local Content Declaration:

Summary Schedule) must be completed, duly signed and form part of the bid documentation.

5.8 Legal Aid SA must ensure that reasonable or market related prices are secured for all products under the designated sectors being procured, considering factors such as benchmark prices, value for money and economies of scale. The dti may be approached for assistance in this regard.

5.9 Evaluation of Bids

5.9.1 First stage: Evaluation in terms of the stipulated minimum threshold for local production and content

5.9.1.1 Bids must be evaluated in terms of the minimum threshold stipulated in the bid documents. Legal Aid SA must ensure that the Declaration Certificate for Local Content (SBD 6.2) and Annex C (Local Content Declaration: Summary Schedule) are received as part of the bid documentation.

5.9.1.2 The Declaration Certificate for Local Content (SBD 6.2) and Annex C (Local Content Declaration: Summary Schedule) must be used for evaluation purposes. If the bid is for more than one product, the local content percentages for each product contained in the Declaration C must be used.

5.9.1.3 Legal Aid SA must verify the accuracy of the rates of exchange quoted by the bidder against the following prohibited practices:

5.9.1.4 Bid matching

- a. Bid matching will not be allowed under any circumstances

5.9.1.5 Co- bidding

- a. Co-bidding is prohibited

5.9.1.6 Order–splitting

- a. The sub-division of procurement transactions into smaller parts, each of which smaller parts falls into a lower authorization level will not be allowed under any circumstances.

5.9.1.7 Fronting

- a. When it is established that a tenderer has misrepresented facts to benefit from Preferential Procurement, such tenderer shall be eliminated immediately and any punitive measures if necessary, must be considered and instituted, including blacklisting for a period as appropriate and verify accuracy against the SBD 6.2 form.

5.9.1.8 The amendment of the stipulated minimum threshold for local production and content is not allowed.

5.9.1.9 The dti has the right to request for auditor's certificates confirming the authenticity of the declarations made in respect of the local content.

5.9.2 Functionality Evaluation

- 5.9.2.1 Only bids that achieve the minimum stipulated threshold for local production and content may be evaluated further for functionality. The normal functionality evaluation based on the criteria set out in the bid documentation must be followed.
- 5.9.2.2 Evaluation in terms of the 80/20 or 90/10 preference points system
- 5.9.2.3 Only bids that pass the functionality evaluation stage may be evaluated further.
- 5.9.2.4 Legal Aid SA must ensure that contracts for products under these designated sectors are awarded at prices that are market related, considering, amongst others, the dti's pre-determined benchmark prices, value for money and economies of scale.

5.10 Post Award and Reporting Requirements

- 5.10.1 Once an award has been made, Legal Aid SA must ensure that the following is done:
 - 5.10.1.1 The dti must be notified of the successful bidder and the value of the contract.
 - 5.10.1.2 The dti must be provided with copies of the contract, the SBD 6.2 certificate and the Declaration C submitted by the successful bidder within 30 days of the award.
- 5.11 The purpose of the abovementioned requirements is for the dti to, amongst others, conduct compliance audits with a view to monitor implementation of the industrial development strategies.
- 5.12 Contractors may not be allowed to sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the minimum threshold as stipulated in regulation 8 of the Preferential Procurement Regulations, 2017.

6. Supporting Documents Checklist

No.	Document	(√) Tick applicable box				Reference Page
1.	Company Profile – this must also indicate company experience in similar projects, completed project list of a similar nature, technical staff complement and existing clients in UPS and Backup power projects. The profile must also include the national footprint of the organisation.	Yes		No		

No.	Document	(√)Tick applicable box				Reference Page
2.	<p>CV and Qualification of Project Manager. The CV must include experience in UPS and Backup power installation projects. The CV must be accompanied by proof of qualification:</p> <ul style="list-style-type: none"> - ND or Degree in Electrical Engineering - Wireman licence - Project Management Certificate 					
3.	<p>CV and Qualification/Certifications of installation technical resources. The CVs must be accompanied by valid certifications/licences.</p>					
4.	<p>Project Implementation Plan: Provide an overview of the project management methodology to be used and the phases included in the methodology in line with the delivery of the project methodology provided. Detailed Project Plan on how these installations will be implemented. A detailed Project Implementation Plan (including but not limited to Work Breakdown Structure (WBS), Resource Allocation and Timelines) with respect to operational readiness within a three (3) months' period must be provided together with a Project Risk Assessment.</p>					
5.	<p>At least five (5) reference letters from previous/current clients on the</p>					

No.	Document	(√)Tick applicable box				Reference Page
	company's letterhead. The letter must reflect the following: <ul style="list-style-type: none"> - Type of work completed (only UPS and Backup power projects) - Duration of the contract - Client's name and contact details - The position of the person writing the letter - Client stamp or signature (must be dated) - Letters must not be older than five years 					
6.	Detailed SLA as per Section 5 (Support and Maintenance)					
7.	Proposed solution outlining the architecture and functionality					
8.	OHSA (Occupational Health and Safety) form					
9.	The bidder must be registered and active with the CIDB in the following category: <u>Grade 5 EB or EP or Higher.</u> <u>The bidder must provide proof of registration as part of their bid response</u>					
10.	Bidders must provide certified proof of accreditation and/or registration of the company with the Department of Labour as an Electrical Contractor					

7. Functionality Evaluation

7.1 Pre-qualification Stage: 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.

Bidders must indicate their compliance/non-compliance to the following requirements and to substantiate as required.

Required document	Compliance/non-compliance	Comments
The bidder must be registered and active with the CIDB in the following category: <u>Grade 5 EB or EP or Higher. The bidder must provide proof of registration as part of their bid response</u>		
Bidders must provide certified proof of accreditation and/or registration of the company with the Department of Labour as an Electrical Contractor		

7.2 Functionality Evaluation Stage: functionality will be scored against the following criteria. Please note that bidders will be disqualified where the minimum score of 80 points is not achieved.

7.3

Focus Area	Max Points	Criteria	Points
Company Experience	20	Company profile provided spanning more than five (5) years' in UPS and Backup Power systems with existing client base.	20
		Company profile provided spanning more than three (3) to five (5) years' in UPS and Backup Power systems with existing client base	15
		Company profile provided spanning less than three (3) years' in UPS and Backup Power systems with existing client base	10
		Company profile provided spanning less than one (1) year in UPS and Backup Power systems	0

Focus Area	Max Points	Criteria	Points
Written References	10	≥ 5 positive reference letters	10
		3 - 4 positive reference letters	6
		1 - 2 positive reference letters	2
		No reference letters	0
Quality of Project Manager	10	Project Manager with ND or Degree in Electrical Engineering, Wireman Licence, certificate in project management and more than five (5) years' experience in UPS and Backup Power Projects	10
		Project Manager with ND or Degree in Electrical Engineering, Wireman Licence, certificate in project management and less than five (5) years' experience in UPS and Backup Power Projects	8
		Project Manager without qualification but >10 years' experience in UPS and Backup Power Projects	6
		Project Manager without qualification but <10 years' experience in UPS and Backup Power Projects	2
		No CV for the Project Manager	0
Quality of Project Technical Team	10	More than 5 certified electricians with more than five (5) years' experience in UPS and Backup Power Projects	10
		4 - 5 certified technical electricians with more than five (5) years' experience in UPS and Backup Power Projects	8
		2 - 3 certified technical electricians with more than five (5) years' experience in UPS and Backup Power Projects	6
		< 2 certified technical electricians with less than five (5) years' experience in UPS and Backup Power Projects	2
		No CV for Technical Team	0

Focus Area	Max Points	Criteria	Points
Project Implementation Plan	15	Project management methodology and a well-presented detailed Project Implementation Plan including the following four aspects: <ul style="list-style-type: none"> - Project schedule (project to be completed within three months) - Work breakdown structure - Project risk assessment - Resource allocation based on technical experience 	15
		No project management methodology or Project Implementation Plan does not cover all requested topics	0
Functional Requirements	25	Solution offered considered all the key technical functionalities as required under Technical Requirements (Section 2)	25
		Non-compliance with technical functionalities as required under Technical Requirements (Section 2)	0
After Sales Support (spares for maintenance)	10	SLA complies with the minimum specification <ul style="list-style-type: none"> - Punitive measures - Geographic footprint - Service performance matrix 	10
		No SLA provided or SLA does not comply with minimum requirements	0
TOTAL	100		

Note: Bidders who score less than 80 points of the 100 points for functionality will be disqualified and will not be evaluated further.

7.4 The bids that would have achieved 80 points or more from the Functionality Evaluation will be further evaluated on the 80/20 points system where 80 points are for Pricing, and 20 points are for preferential procurement requirements.

7.5 Preferential points will be awarded in terms of the B-BBEE Status level of contribution which must be substantiated as follows (please refer to Form SBD 6.1 for more details).

- 7.6 Bidders must submit a valid B-BBEE status level verification certificate, which must be issued by a Verification Agency accredited by SANAS or a sworn affidavit for EME's and QSE's.

8. Pricing Schedule

- Pricing must be summarised as per the table below.
- Detailed pricing must be provided using Annexure A.
- All pricing must be VAT inclusive.

Item	Description	Quantity	Unit Amount	Total Amount
1.	5kVA UPS with 5 hours battery autonomy @ 5kVA load	63		
2.	1150K 100Ah deep cycle battery set (105Ah-12V) – 16 batteries per set	63		
3.	Supply of 16A blue single socket outlet with cover	329		
4.	2.5mm Cable (100m) per site	63		
5.	Circuit breaker 60A	63		
6.	Circuit breaker 20A	146		
7.	IPv4/IPv6 Mini SNMP interface card	63		
8.	Certificate of Compliance (CoC)	63		
9.	Installation and commissioning per office	63		
10.	Maintenance fee	60 months		
			Subtotal	
			VAT	
			Total	

Note: Refer to Annexure A for office sites to inform pricing.

9. Call Out Rates

NB: All repairs and relocation will be conducted on an *ad hoc* basis. Rates quoted below by the bidder will be applicable **after** the expiry of the warranty for the duration of the contract.

Rates **shall not** be included in the Pricing structure above.

General Call Out Rate

	Description	Unit	Qty	Rate
1.	Call Out	hr	1	

Fault Repair Rates

	Description	Unit	Qty	Rate
1.	UPS fault troubleshooting and repair	Per/h	N/A	

Relocation of Devices Rates per Office

	Description	Unit	Qty	Rate
1.	Removal of UPS and other reusable components	Lot	1	R
2.	Re-installation of UPS	Lot	1	R

Transport/Travel

	Description	Unit	Qty	Rate
1.	Transport	Km/hr	1	R

10. Bid Conditions

- 10.1 Bidders must submit a hard copy and soft copy using a USB (no CD/DVD allowed).
- 10.2 Bidders may be requested to attend a meeting where they will be given the opportunity to present their proposal to the Bid Evaluation Committee.
- 10.3 Bids must be submitted in line with any attached Annexure and detailed specifications. Failure to bid accordingly shall invalidate the bid.
- 10.4 Legal Aid SA reserves the right to award the bid to one or more service providers.
- 10.5 Legal Aid SA reserves the right to award the bid in whole or only partially.

10.6 The General Conditions of Contract as stipulated by the National Treasury will be applicable.

Annexure A



Annexure A.xlsx