



NATIONAL CONSUMER COMMISSION

**TERMS OF REFERENCE**

**MICROSOFT LICENSES.**

NCC\_\_\_/\_\_\_/\_\_\_

The National Consumer Commission invites interested service providers to provide the NCC with quotations for only year two (2) of the three (3) years for the existing Microsoft Agreement.

**Microsoft Agreement number: V2388732**

**1. PURPOSE**

To appoint a suitable service provider to provide:

- A quotation for year two (2) of three (3) of the Microsoft Open Value Subscription agreement.
- Additional Windows Server Standard Core (the quantities under the scope of work includes the additional licenses plus the current)
- SQL server and users CALS, plus Microsoft 365 E3
- 1 x MS Project license

**2. BACKGROUND**

The National Consumer Commission (NCC), herein referred to as the Commission, is a juristic person established as an organ of the state within the public administration but as an institution outside the public service in terms of section 85 of the Consumer Protection Act; No 68 of 2008 ("Act"). The NCC has been operational since 1 April 2011. The main objective of the NCC is to, amongst other things, promote and advance the social and economic welfare of consumers in South Africa by: -

- Establishing a legal framework for the achievement of a consumer market that is fair, accessible, efficient, sustainable, and responsible.
- Reducing and ameliorating any disadvantages experienced by vulnerable consumers in accessing goods or services.
- Promoting fair business practices & protecting consumers from improper conduct.
- Improving consumer awareness and encouraging choice.
- Promoting consumer confidence and empowerment.
- Providing a consistent, accessible, and efficient system of consensual resolution of disputes; and
- Providing an accessible, consistent, harmonized, effective, and efficient system of redress for consumers.

### 3. REASON FOR THE NEED:

The Commission is housed at SABS premises in Groenkloof. It occupies two floors at block C buildings. The Commission has systems and infrastructure hosted in the house at the SABS data center. The systems comprise at least of:

- VMWare 7.0x Platform
- Windows Server 2022 & 2019
- HPE SimpliVity
- SQL 2019
- Windows end-user devices
- Hybrid exchange (on-premise and 365 Exchange Server)

The NCC intends to make the payment of year two (2) of three (3) of the existing Microsoft agreement competitive, as a result, requests the service providers to quote as per the scope of work below. The scope of work includes a combination of existing licenses and add-ons:

### 4. SCOPE OF WORK

#### 4.1. The service provider is expected to:

- Quote for year two (2) anniversary for agreement number **V2388732**.  
**\*\* This is for an existing agreement, not a new agreement, only quotations for year (2) of three (3) are required.**
  - ✓ MicrosoftWindowsServerSTDCORE SoftwareAssurance OLV 16Licenses LevelD  
AdditionalProduct CoreLic 1Year Acquiredyear1 quantity increase from 10 to 15.
  - ✓ MicrosoftSQLServerStandardEdition SoftwareAssurance OLV 1License LevelD  
AdditionalProduct 1Year Acquiredyear1 quantity increase from 1 to 2.
- Bidders must quote for the existing license SKUs. The exception is for Office 365 E3 which **must** be changed to Microsoft 365 E3 as an annual subscription for 1 year.

Product Code	Description	Quantity
359-04623	MicrosoftSQLCAL SoftwareAssurance OLV 1License LevelD AdditionalProduct UsrCAL 1Year Acquiredyear1	20
9EM-00425	MicrosoftWindowsServerSTDCORE SoftwareAssurance OLV 16Licenses LevelD AdditionalProduct CoreLic 1Year Acquiredyear1	15
228-07274	MicrosoftSQLServerStandardEdition SoftwareAssurance OLV 1License LevelD AdditionalProduct 1Year Acquiredyear1	2
77D-00055	MicrosoftVisualStudioProSubMSDN SoftwareAssurance OLV 1License LevelD AdditionalProduct 1Year Acquiredyear1	1

Microsoft 365 E3	Microsoft 365 E3 annual subscription (replaces the existing O365 E3 in the agreement)	95
MS Project Plan 3	MS Project – annual subscription for one year	1

- The anniversary date for the agreement is **31 March 2023** with O365 E3 expiring on **5 April 2023**. Bidders will be expected to load the M 365 E3 (replacing O365 E3) in advance at least 24 hours before the expiry date to minimize disruption on the NCC side when reassigning licenses

#### 4.2. Duration

- 12 months (year 2 renewal for Open Value and one year for M 365 E3 and MS Project).

#### 5. MANDATORY REQUIREMENTS.

- Proof of Original Equipment Manufacturer (OEM) partner certification.

#### 6. EVALUATION CRITERIA

- In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders on the basis of:
  - The bid price (maximum 80 points)
  - Specific Goals (maximum 20 points)

##### Stage 1 - Price Evaluation (80 Points)

Criteria	Points
<b>Price Evaluation</b>  $P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80

The following formula will be used to calculate the points for price:

Where

- $P_s$  = Points scored for comparative price of bid under consideration  
 $P_t$  = Comparative price of bid under consideration  
 $P_{\min}$  = Comparative price of lowest acceptable bid

## Stage 2 – Specific Goals Evaluation (20 Points)

### Specific Goals Points allocation

A maximum of 20 points may be allocated to a bidder for attaining the specific goals in accordance with the table below:

Specific Goals	Number of Points
100% Black owned	6
51-99% Black owned	4
100% women owned	6
51% to 99% women owned	4
5% Youth Ownership	2
2% Owned by persons with disabilities	1
Exempt Micro Enterprise (EME)	5
Qualifying Small Enterprise (QSE)	3
Large Enterprise	0

Specific Goal points may be allocated to bidders on submission of the following documentation or evidence:

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1)
- B-BBEE Certificate
- CSD Report

## 7. GENERAL CONDITIONS OF THE CONTRACT

- Any award made to a bidder(s) under this bid is conditional upon the bidder(s) accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which National Consumer Commission is prepared to enter into a contract with the successful Bidder(s).

## 8. ENQUIRIES

### For SCM inquiries:

Name: Margery Mouton  
 Contact: 012 428 7730  
 Email: [m.mouton@thencc.org.za](mailto:m.mouton@thencc.org.za)

### For Technical enquiries

Name: Lindani Ngema  
 Contact: 012 428 7745  
 Email: [l.ngema@thencc.org.za](mailto:l.ngema@thencc.org.za)