



NAME OF BID	PROVISION OF DATA GOVERNANCE TOOL (SOLUTION)
BID NO.	FSCA2022/23-T004
CLOSING DATE	25 OCTOBER 2022
CLOSING TIME	11h00 (South African Standard Time, obtained from Telkom SA SOC Limited by dialling 1026)

BIDDER NAME			
ID/REGISTRATION NUMBER			
CSD NUMBER			
B-BBEE LEVEL		EXPIRY DATE	
CONTACT PERSON			
EMAIL ADDRESS			
TELEPHONE NUMBER			

Riverwalk Office Park, Block B; 41 Matroosberg Road
(Corner Garsfontein and Matroosberg Roads)
Ashlea Gardens, Extension 6
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Executive Committee:

Commissioner: U. Kamlana | **Deputy Commissioners:** A. Ludin | K. Gibson | F. Badat

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A. INTRODUCTION TO BID

1. Introduction

- 1.1 The Financial Sector Conduct Authority (FSCA) was established in terms of the Financial Sector Regulation Act No. 9 of 2017. It is responsible for market conduct regulation and supervision of the financial services industry. The objectives of the FSCA are to enhance and support the efficiency and integrity of financial markets, to protect financial customers by promoting their fair treatment by financial institutions, as well as providing financial customers with financial education. The FSCA is a Schedule 3A Public Entity, in terms of the Public Finance Management Act (PFMA).
- 1.2 The vision of the FSCA is to ensure an efficient financial sector where customers are informed and treated fairly, and its mission is to ensure a fair and stable financial market, where consumers are informed and protected, and where those that jeopardize the financial well-being of consumers are held accountable. Visit the FSCA website, www.fsc.co.za for further information about the FSCA.
- 1.3 The FSCA operates from offices in Pretoria at Riverwalk Office Park; 41 Matroosberg Road; Ashlea Gardens Extension 6; Menlo Park; Pretoria.
- 1.4 All information, including personal information collected during this process will be treated as confidential, and processed in line with the FSCA Privacy Policy. For more information on how your personal information is processed and how you can exercise your rights in term of applicable information privacy laws, please visit the Privacy Policy on www.fsc.co.za
- 1.5 Bidders are hereby invited to supply, install, and configure a Data Governance Tool (Solution) which must meet, and if necessary, be customised to meet the business requirements of the FSCA, including support and maintenance for a period of 3 (three) years. The contract will commence on 01 January 2023 or earlier.
- 1.6 This bid is subject to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations, 2017, Broad-Based Black Economic Empowerment Act, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.

2. Briefing session

- 2.1 A **non-compulsory briefing** session will be held on **11 October 2022** at **11H00** for a maximum of 1 hours. Microsoft Teams link will be provided on the FSCA website.

3. Bid enquiries and questions

- 3.1 Enquiries relating to minor administrative issues with reference to the bid may be directed to:
- Nobusi Mazwai/Jessie Myanga
Supply Chain Management Unit
Tel no.: (012) 367 7847 / 7159
E-mail: tenders@fsc.co.za
- 3.2 All questions relating to the contents of the bid (conditions, rules, terms of reference etc.) must be forwarded in writing via email to tenders@fsc.co.za by not later than 14 October 2022. Questions received after this date will not be entertained.
- 3.3 All questions must reference specific paragraph numbers, where applicable.
- 3.4 All enquiries (received on or before the closing date for enquiries) will be consolidated and the FSCA will publish one response document on the FSCA website (www.fsc.co.za) within three (3) working days after the date in indicated in paragraph 3.2.
- 3.5 No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

4. Bid submission

- 4.1 Bid documents may either be posted (preferably by registered mail) or placed in the bid box or couriered to the physical address. Bids submitted by means of e-mail, telex facsimile, electronic or similar means shall not be considered.
- 4.2 Complete documents with supporting annexures shall be packaged, sealed, clearly marked and submitted strictly as follows:

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- 4.3 The FSCA requires two (2) printed copies, one (1) original and one (1) copy and one electronic copy (in electronic storage media, preferably a CD or flash drive/memory stick) in PDF format all bound in a sealed envelope marked as stated in paragraph 4.2.
- 4.4 Bids must be properly packaged and deposited on or before the closing date and before the closing time in the bid box situated at the reception area of the FSCA. The physical address of the FSCA is as follows:

Financial Sector Conduct Authority

Riverwalk Office Park, Block B
 41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)
 Ashlea Gardens, Extension 6
 Menlo Park
 Pretoria, 0081

GPS Coordinates	
Latitude	-25.7843344
Longitude	28.268365

4.5 Bid documents may also be posted (preferably by registered mail) to:

PO Box 35655
 Menlo Park
 Pretoria
 0102

4.6 Bid documents will only be considered if received by the FSCA on or before the closing date and time, regardless of the method used to send or deliver such documents to the FSCA.

4.7 **Late submissions will not be accepted.**

4.8 Bidders must initial each page of the bid document on the bottom right hand corner.

5. Pricing schedule

5.1 Only fixed prices will be accepted.

5.2 A pricing schedule must be submitted on a separate sheet from the technical proposal for ease of evaluation. The pricing schedule must be submitted adjacent to the SBD3.1 form in the bid proposal.

B. DEFINITIONS

6. Definitions

- 6.1 Unless inconsistent with or expressly indicated otherwise by the context.
- 6.1.1 **FSCA** shall mean the Financial Sector Conduct Authority or any successor in title.
- 6.1.2 **Contractor** shall mean the successful bidder whose bid has been accepted by the FSCA and shall include the bidder's personal representatives.
- 6.1.3 **Contract** shall include the General Conditions of Contract and Special Conditions of Contract, the specifications including any schedules attached to the specifications, and any agreement entered into in terms of these Special Conditions of Contract.
- 6.1.4 **Service** shall mean the supply, installation, and configuration of a Data Governance solution which must meet, and if necessary, be customised to meet the business requirements of the FSCA, including support and maintenance for a period of three (3) years.
- 6.1.5 **Person** includes any company incorporated or registered as such under any law, any body of persons corporate or unincorporated, any trust. Person, firm or company shall include an authorised employee or agent of such person.
- 6.2 Except where the context indicates otherwise, in this document the singular includes the plural, and with reference to gender, the one includes the other.

C. BID RULES

7. Capabilities and experience of bidders

- 7.1 Bidders are required to provide all information as necessary to demonstrate their capabilities and experience with regard to the requested services.

8. Form of bid

- 8.1 The bid shall be signed and witnessed on the form of bid incorporated herein. The schedule of services shall be fully priced in South African Rand to show the total amount of the bid and shall be signed. The certificates, schedules and forms contained in this document shall be completed and signed by the bidder in blue or black ink.
- 8.2 **Please note:** No correction fluid such as Tippex or similar product is allowed. All changes must be scratched out and a signature next to each change
- 8.3 Where the space provided in the bound document is insufficient, separate schedules may be drawn up in accordance with the prescribed formats. These schedules shall be bound with a suitable contents page and submitted with the bid documents.

9. Signing of bid

- 9.1 The bid must be signed by a person who is duly authorised to do so.

10. Bid all inclusive

- 10.1 The bidder must provide an all-inclusive fee statement in the bid.

11. Alterations to bid documents

- 11.1 No unauthorised alteration or addition shall be made to the form of bid, to the schedule of quantities of services to be rendered or to any other part of the bid documents. If any such alteration or addition is made or if the schedule of quantities of services to be rendered, or other schedules or certificates are not properly completed, such submission may be disqualified.

12. Qualifications on bid

- 12.1 Bids submitted in accordance with this bid document shall be without any qualifications.

13. FSCA'S rights

- 13.1 The FSCA is entitled to amend any bid conditions, bid validity period, bid specifications, or extend the bid's closing date, all before the bid closing date.

The FSCA reserves a right to extend the bid validity period before its expiry period. All bidders, to whom the bid documents have been issued and where the FSCA have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the FSCA's website under the relevant bid information. All prospective bidders should, therefore, ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 13.2 The FSCA reserves the right not to accept the lowest priced bid or any bid in part or in whole.
- 13.3 The FSCA reserves the right to award this bid as a whole or in part.
- 13.4 The FSCA reserves the right to conduct site visits at bidder's corporate offices and/or at client sites if so required.
- 13.5 The FSCA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the National Treasury Instruction Note 02 of 2016/2017: Cost Containment Measures, where relevant.
- 13.6 The FSCA reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the FSCA to conduct background checks on the bidding entity and any of its directors/trustees/shareholders/members.

14. Undertaking by bidder

- 14.1 By submitting a bid in response to this bid, the bidder will be taken to have offered to render all or any of the services described in the bid response submitted by it to the FSCA on the terms and conditions and in accordance with the specifications stipulated in this bid document.
- 14.2 The bidder shall prepare for a possible presentation should the FSCA require such and the bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this bid.
- 14.3 The bidder agrees that the offer contained in its bid shall remain binding upon him and receptive for acceptance by the FSCA during the bid validity period indicated in this document and calculated from the bid closing date. Its acceptance shall be subject to the terms and conditions contained in this bid document read with the bid.
- 14.4 The bidder furthermore confirms that they have satisfied themselves as to the correctness and validity of their bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all their obligations under a resulting contract

for the services contemplated in this bid; and that they accepts that any mistakes regarding price(s) and calculations will be at their risk.

- 14.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on them under the supply agreement and Service Level Agreement (SLA) to be concluded with the FSCA, as the principal(s) liable for the due fulfilment of such contract.
- 14.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with this bid will become FSCA property unless otherwise stated by the bidder/s at the time of submission.

15. Central supplier database

- 15.1 The FSCA will not award any bid to a supplier who is not registered as a prospective supplier on the Central Supplier Database (CSD) as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury SCM Instruction Note 4 of 2016/2017.
- 15.2 The supplier is responsible to continuously update their information, including personal information on the CSD to ensure that it is complete, accurate and not misleading.

16. Supplier performance management

- 16.1 Supplier Performance Management is viewed by the FSCA as a critical component in ensuring it acquires value for money and maintains good supplier relations between the FSCA and all its suppliers.
- 16.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude an SLA with the FSCA (where applicable), which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to the FSCA's business.
- 16.3 The successful bidder will be required to comply with the above conditions, and also provide a scorecard on how their product/service offering is being measured to achieve the objectives of this condition.

17. Cancellation of contract

- 17.1 If the FSCA becomes aware or is satisfied that any person (including an employee, partner, director or shareholder of the bidder or a person acting on behalf of or with the knowledge of the bidder), firm or company; amongst others:

- 17.1.1 is executing a contract with the FSCA unsatisfactorily,
- 17.1.2 has in any manner been involved in a corrupt act or provided a gift or remuneration in relation to any officer or employee of the FSCA, in connection with obtaining or executing a contract,
- 17.1.3 has acted in bad faith, in a fraudulent manner or committed an offence in obtaining or executing a contract,
- 17.1.4 has in any manner influenced or attempted to influence the awarding of an FSCA's bid,
- 17.1.5 has when advised that his bid has been accepted, given notice of his inability to execute or sign the contract or to furnish any security required,
- 17.1.6 has engaged in any anti-competitive behaviour, including having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from bidding for this contract, or relating to the bid price to be submitted by either party,
- 17.1.7 has disclosed to any other person, any information relating to this bid, except where disclosure, in confidence, was necessary to obtain quotations required for the preparation of the bid,

the FSCA may, in addition to any other legal recourse, which it may have, cancel the contract between the FSCA and such a person, firm or company and/or resolve that no bid from such a person will be favourably considered for a period, as prescribed by the National Treasury.

- 17.2 Any restriction imposed upon any person shall apply to any other person with which such a person is actively associated.

18. Applicable laws

- 18.1 The laws of the Republic of South Africa shall be applicable to each contract created by the acceptance of a bid and each bidder shall indicate an address in the Republic and specify it in the bid as his domicilium citandi et executandi where any legal process may be served on him.
- 18.2 Each bidder shall accept the jurisdiction of the courts of the Republic of South Africa.

19. Reasons for disqualification of bid

- 19.1 The FSCA reserves the right to disqualify any unacceptable bid as defined in the PPPFA Act and such disqualification may take place without prior notice to

the offending bidder. The grounds for disqualification amongst others could include the following:

- 19.1.1 bidders who submit incomplete information and documentation as specified in the requirements of this bid document;
- 19.1.2 bidders who submit information that is fraudulent, factually untrue or inaccurate;
- 19.1.3 bidders who receive information not available to other potential bidders through any means;
- 19.1.4 bidders who do not comply with mandatory requirements, if stipulated in the bid document;
- 19.1.5 bidders who fail to attend a compulsory briefing session and sign bid register, if stipulated in the bid advert and/ or in this bid document; and/or
- 19.1.6 bidders who fail to comply with FICA (Financial Intelligence Centre Act) requirements (where applicable).

20. Delegation of authority

- 20.1 The FSCA may delegate any power vested in it by virtue of these Terms of Reference to an officer or employee of the FSCA.

21. Bid rules are binding

- 21.1 The bid rules as well as the instructions given in the official bid notice shall be binding on all bidders submitting bid applications for the service or services set out in the bid document.

22. Language of contract

- 22.1 The bid documents are drafted in English and any contract, which originates from the acceptance of the bid, will be interpreted and construed in English.

D. TERMS OF REFERENCE

23. Objectives

23.1 The broad objectives of this bid include:

23.1.1 To provide bidders with adequate information to understand and respond to the FSCA's requirements to appoint a service provider to supply, install, and configure Data Governance Tool (Solution) which must meet, and if necessary, be customised to meet the business requirements of the FSCA, including support and maintenance for a period of 3 (three) years.

23.1.2 To ensure uniformity in the responses received from each prospective service provider.

23.1.3 To provide a structured framework for the evaluation of proposals.

24. Pre-qualification criteria for preferential procurement

24.1 In terms of Regulation 4 of the Preferential Procurement Policy Framework Act Regulations of 2017, the FSCA requires that bidders must have a minimum B-BBEE contributor status level of 4 or better and submit proof of B-BBEE Status Level of contributor to qualify.

24.2 Bidders who do not meet the pre-qualification criteria stipulated in paragraph 24.1 of the bid document will be disqualified from further evaluation.

25. Bid Conditions

25.1 The bidders must be able to comply to response times set in Appendix D relating to support and maintenance.

25.2 Failure to comply in terms of the above set bid condition will result in the bidder's proposal being eliminated.

26. Contract Condition

26.1 Installation and configuration of the Data Governance Tool (Solution) should be limited to a maximum of 12 months.

26.2 Failure to comply in terms of the above set contract condition will result in the contract being terminated.

27. Background

27.1 The FSCA was established in April 2018 through the Financial Sector Regulation Act (FSR Act) with a mandate to regulate the financial sector. The

objective of the mandate is to enhance the efficiency and integrity of financial markets; promote fair customer treatment by financial institutions; provide financial education, promote financial literacy and assist in maintaining financial stability.

27.2 In response to this mandate, the FSCA has adopted a Data-Driven Digital strategy to enhance the FSCA's business model through evidence-based decision making. Thus, the FSCA intends to implement a solution that will enable the efficient management of the data lifecycle in line with the five (5) key components of data governance namely, data ownership; policies, standards and processes; data quality; data prioritisation and metadata definition.

27.3 The Data Governance Tool (Solution) will also provide governed inventory of data, and support discovery and curatorship of data.

28. Purpose of the request for bid

28.1 The purpose of this bid is to appoint a contractor to supply, install, and configure data governance tool (Solution) which must meet, and if necessary, be customised to meet the business requirements of the FSCA including support and maintenance for a period of 3 (three) years.

29. Scope of work

29.1 The contractor will be required to:

29.1.1 Supply a solution that have the functionality to support, at a minimum, the key technical requirements outlined in **Annexure A** with a clear licensing model.

29.1.2 Supply a solution that have the functionality to support, at a minimum, the key data governance components and functional requirements outlined in **Annexure B** with a clear licensing model.

29.1.3 Install and configure the solution in the Development, UAT and Production environments.

29.1.4 Configure the solution for the FSCA's environment and do initial data take-on after installation.

29.1.5 Support and maintain the data governance solution for a period of three (3) years.

29.1.6 Provide training and comprehensive user guides to **20** users, adopting the train the trainer approach.

29.1.6.1 Training will be held at the premises of the FSCA in Pretoria at Riverwalk Office Park; Block B; 41 Matroosberg Road;

Ashlea Gardens Extension 6; Menlo Park; Pretoria; South Africa; or where feasible, hold a Microsoft Teams online session.

30. Solution Requirements

30.1 The proposed solution must provide the following minimum key functionalities (which are detailed in **Annexure B**):

30.1.1 Access Management – Who can access what data.

30.1.2 Active metadata – Scanning for data assets rather than manually recording data assets.

30.1.3 Analytics – On meta data such as the list of data sources, data locations, user access behavior etc.

30.1.4 Business glossary – List of terms and descriptions used in the business.

30.1.5 Connectivity/integration – how to connect to data sources as well as data movement.

30.1.6 Data catalog – List of data assets and metadata.

30.1.7 Data classification – Recording of classifications of data assets to assist with access rights and governance.

30.1.8 Data dictionary – Detail meta data about the structure of data and attributes such as format and size.

30.1.9 Data lineage – Data source and history.

30.1.10 Impact analysis – Impact data assets on other data assets such as usage mapping.

30.1.11 Information policy representation (high level) – Policy applicability on data assets.

30.1.12 Matching, linking and merging – Meta data on what data can be matched, linked or merged.

30.1.13 Orchestration/automation – Automation of the process of keeping metadata up to date.

30.1.14 Profiling – Measures and rules for data quality.

30.1.15 Rules management (low-level) – List of rules per field and the management thereof.

30.1.16 Tag management – The ability to tag data assets and data elements for grouping such as finance data.

30.1.17 User interface (as support for all governance related roles) – Easy to use applications to navigate functionality.

30.1.18 Workflow management – Management of activities to collect, store and update metadata.

30.1.19 Task management – Related metadata management activities.

30.1.20 Model management – the management of data models.

30.1.21 Security – on the platform itself.

30.1.22 Organisation and role models – the recording/reading of access rolls.

31. Bid evaluation

31.1 The proposals will be evaluated as follows.

31.1.1 Evaluation Stage One: Compliance

Compliance with administrative requirements stated in the Standard Bidding Documents and the mandatory requirements as listed in paragraph 35 below. In this evaluation stage, all bidders that fail to provide the required information and documentation, will be disqualified from further evaluation.

31.1.2 Evaluation Stage Two: Technical evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 100 out of 100 points to proceed to the next evaluation stage. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation stage.

31.1.3 Evaluation Stage Three: Functional evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation stage.

31.1.4 Evaluation Stage Four: Preference Point System

The 80/20 preference point system shall be applicable to this phase, where 80 points represent maximum obtainable points for the lowest acceptable price, and 20 points represents the B-BBEE level status. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table as listed in the bid documentation.

31.1.5 Evaluation Stage Five: Site Inspection

At the FSCA's discretion, a site inspection may be conducted at this stage. The FSCA will visit the selected bidders' premises with the objective of verifying information as contained in their respective bid documents. Should it be discovered during a site inspection or presentation that the information submitted by the bidder is inconsistent with what is on their current premises of business, such bidders will be disqualified.

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32. Technical (Functional requirements) evaluation

32.1 The bid/proposal will be evaluated for functionality and be rated as follows:

32.1.1 Values: 0=Poor 1=Below average, 2-3=Average, 4=Good, 5=Very good

Table 1

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	SUB-WEIGHT	WEIGHT
A.	<p>A.1. The bidder must comply with all the minimum functionality requirements as standard or customised as specified in Annexure A.</p> <p>Additionally, the bidder must indicate additional capabilities available in the proposed system</p>	A.1.1. Annexure A completed, and all minimum requirements fully met.	0 or 5	100	100
Total					100

33. Functional evaluation (Desktop)

33.1 The proposal will be evaluated for functionality and be rated as follows:

33.1.1 Values: 0=Poor 1=Below average, 2-3=Average, 4=Good, 5=Very good

Table 2

ITEM	REQUIREMENT	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
A.	Detail Proposal	A.1. The bidder must submit a detailed proposal to demonstrate understanding of the FSCA's requirements in terms of the scope of work (excluding requirements set in Annexure A) and suitability of the proposed solution. A.2. All aspects of Annexure B must also be covered on the bidder's proposal.	A.2.1. No proposal submitted.	0	45
			A.2.2. Bidder submitted a proposal which does not meet all the requirement of the FSCA.	1-3	
			A.2.3. Bidder submitted detailed proposal which meets or exceeds all the requirements of the FSCA	4-5	
B.	Implementation Plan	B.1. The bidder must provide detailed implementation plan with timelines. The FSCA will only allow a maximum of 12	B.1.1. No implementation plan provided	0	10
			B.1.2. The bidder provided high-level implementation plan which meets all the requirement of the FSCA.	1-3	

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ITEM	REQUIREMENT	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
		months to implement the project.	B.1.3. The bidder provided detailed implementation plan which meets or exceeds all the requirement of the FSCA.	4-5	
C.	Project Team Experience	C.1. Bidder must provide detailed CV's of project team and support and maintenance team, including CV's of the project manager and technical leads that will be implementing this project with contactable references. The proposed team members must have experience of more than four (4) years each.	C.1.1. CVs of the proposed project team not provided	0	30
			C.1.2. The bidder provided CVs that did not meet all the requirement of the FSCA.	1-3	
			C.1.3. The bidder provided detailed CVs that all meets and exceeds requirements of the FSCA.	4-5	
D.	Reference Letters	D.1. The bidder must provide reference letters that demonstrate experience in implementing similar solution projects by providing details of at least three (3) projects of medium to large enterprises. The letters must contain the following:	D.1.1. Bidder did not provide reference letters	0	15
			D.1.2. Bidder provided less than three (3) reference letters which meets all the requirements	1-3	
			D.1.3. Bidder provided three (3) or more reference letters which meets all the requirements	4-5	

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ITEM	REQUIREMENT	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
		a) Name of organisation where the solution was implemented b) Nature of the project (services provided) c) Project objective d) Project duration (start and end dates) e) Project outcome (deliverables and current project status) f) Contact person's name; g) Contact person's telephone numbers and e-mail address; h) Contract duration; and i) Nature of project implemented.			
TOTAL					100

34. Preference point system

34.1 The formula below will be used to calculate the preference procurement points for price:

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

34.2 Where

P_s = Points scored for comparative price of bid under consideration
P_t = Comparative price of bid or offer under consideration
P_{min} = Comparative price of lowest acceptable bid

34.3 Depending on the bidder's level of broad-based black empowerment contribution, a maximum of 20 points may be allocated to a bidder. The points scored by a bidder for broad-based black economic empowerment contribution will be added to the preference procurement points allocated for price.

34.4 The table below reflects the number of points to be allocated to a bidder based on broad-based black economic empowerment contribution:

Table 3

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

34.5 Bidders are required to submit proof of B-BBEE Status Level of contributor. Proof includes valid B-BBEE Status Level Verification Certificates or certified copies of sworn affidavits together with their bidders or price quotations, to substantiate their B-BBEE rating claims

34.6 Bidders who did not submit their B-BBEE Status Level Verification Certificates/certified copies of sworn affidavits or who are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE but

should not be disqualified from the bidding process unless if the FSCA has stipulated a specific B-BBEE Status Level as pre-qualification criteria in terms of Regulation 4; and the bidder does not meet this requirement. In this instance, the FSCA must disqualify such bidder as having submitted an unacceptable bid.

34.7 A consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid

34.8 Bidders must ensure that their B-BBEE Status Level Verification Certificates submitted are issued by the following agencies:

34.8.1 Bidders who qualify as Exempted Micro Enterprise (EMEs):

34.8.1.1 Verification agencies accredited by SANAS; or

34.8.1.2 Sworn affidavit signed by the EME representative and attested by a Commissioner of oaths.

35. Standard bidding documents

35.1 The following compulsory additional information are required. Failure to complete, and supply any of these documents might lead to disqualification from this bid:

Table 4

Invitation to bid	SBD 1
Pricing Schedule	SBD 3.1
Declaration of Interest	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2017 (including a valid B-BBEE Status Level Verification Certificate) Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for B-BBEE.	SBD 6.1

36. Timeline of the bid process

36.1 The period of validity of the bid and the withdrawal of offers, after the closing date and time are 120 days, expiring 21 January 2023. The project timeframes of this bid are set out below:

Table 5

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
1.	Advertisement of bid on Government e-tender portal / print media / Tender Bulletin	30 September 2022
2.	Briefing session	11 October 2022
3.	Questions relating to bid from bidder(s)	14 October 2022
4.	Bid closing date	25 October 2022
5.	Compliance: Bid Evaluation Committee	28 October 2022
6.	Functional Evaluation: (Desktop evaluation)	01 November 2022
7.	Preference Point System: Bid Evaluation Committee	08 November 2022
8.	Bid Adjudication: Bid Adjudication Committee	01 December 2022
9.	Notification of the outcome to the bidders	08 December 2022

36.2 All dates and times in this bid are South African Standard Time.

36.3 Any time or date in this bid is subject to change at the FSCA's discretion. The establishment of a time or date in this bid does not create an obligation on the part of the FSCA to take any action or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if the FSCA extends the deadline for bid submission (the Closing Date) for

any reason, the requirements of this bid otherwise apply equally to the extended deadline.

E. ANNEXES

F. ANNEXURE A: MINIMUM TECHNICAL REQUIREMENTS

The solution provided must meet the following mandatory technical requirements:

Please indicate with an 'X' whether you Fully Comply, Require Customisation or Do Not Comply. Where you require customisation, provide comments including the time estimates for each requirement in the comment's column. Bidders that do not comply fully or with customisation will be eliminated from further evaluation. Please choose only one option.

Table 6

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
1. <u>Employee activation and deactivation</u>				
1.1. User access to the system should be controlled by the user's account's status in Microsoft Active Directory. Users should not be allowed access to the system if their account in Microsoft Active Directory is not active.				
1.2. There should be a single sign-on to the network allowing already logged on users to access the system without having to log on again				
2. <u>User management and system administration</u>				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
2.1. User management integration through Microsoft Active Directory.				
2.2. The system must provide the FSCA with the functionality to perform system administration functions throughout the various modules.				
3. <u>Information security</u>				
3.1. The system must ensure that data, information, and documents are classified according to the confidentiality levels.				
3.2. The proposed solution must be implemented on-premises with a hybrid functionality and the option of migrating to the cloud.				
3.3. Any Hybrid setup should be in a South African geographic region.				
3.4. The service provider must have local (South African) support available.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

<u>INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)</u>	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
3.5. Access Authorisation to the systems should also be provided through role-based access mechanism.				
4. <u>Architectural requirements</u>				
4.1. The solution should be compatible with Microsoft windows operating systems, Windows Server 2019 up to latest and Windows 10 to latest.				
4.2. The solution should use Microsoft SQL server as its Database management system. The minimum requirements should be Microsoft SQL 2019 up to the latest.				

G. ANNEXURE B: MINIMUM FUNCTIONAL REQUIREMENTS

(THIS SECTION TO BE COMPLETED BY ALL BIDDERS)

Please indicate with an 'X' whether you Fully Comply, Require Customisation or Do Not Comply. Where you require customisation, provide comments including the time estimates for each requirement in the comment's column. Bidders that do not comply fully or with customisation will be eliminated from further evaluation. Please choose only one option.

Table 7

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
1. Access management	1.1. Ability to setup and assign roles, organisation relationships and user access privileges				
2. Active metadata	2.1. Ability to utilisation includes the capability of operationalising data assets analytic outputs in the form of operational alerts and generated recommendations				
	2.2. Ability to use AI assisted functionalities that utilise active Metadata to reconfigure data and operations				
3. Analytics	3.1. Provides analytics capability for model management including versioning				
4. Business glossary	4.1. The ability to develop and use a glossary in support of policy analysis and development.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	4.2. The ability to support taxonomies and ontologies to address semantic variations.				
5. Connectivity/integration	5.1. Capability to provide facilities for loading (import) and exporting metadata, including roles, in a fast, efficient, and accurate manner with other third-party tools.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	5.2. Capabilities to harvest metadata from the following sources: a) Extraction, transformation and loading (ETL). Specifically, Data Stage and SQL Integrations Services b) Business intelligence (BI) and reporting tools. Specifically, PowerBI and SQL Server Reporting Services 2019 c) Data Modelling tools (SSAS 2019) d) Database management system (DBMS) Specifically, SQL Server 2019 e) XML formats f) Office 365 - Microsoft Excel spreadsheets/Word documents g) PDF documents h) File Servers				
	5.3. The solution should support interoperability between several different metadata standards in combination and in a single software system. Harmonisation of metadata.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	5.4. Ability to provide support for multiple data sources languages.				
6. Data catalog	6.1. Ability to store and curate data assets				
	6.2. machine learning enabled capabilities to automatic detection relationships with other data assets.				
	6.3. Utilise user-augmented process to validating and resolve any ambiguity in an automated Data inventory.				
7. Data classification	7.1. Ability to organise data by relevant categories in line with FSCA's classification categories, e.g., public, internal-only, confidential, and restricted to be able to support risk management, compliance, and data security.				
8. Data dictionary	8.1. Ability to collection of names, definitions and attributes about data elements (technical metadata) that are being used or captured in different databases and information sources				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	8.2. Has a dictionary to publish information about reusable assets, which will enable users to browse metadata during life cycle activities such as design, testing and release management.				
9. Data lineage	9.1. Ability to read data lineage from a broad set of tools				
	9.2. Ability to audit steps of applications, and transformations that data element has gone through from its original source to all the possible endpoints				
	9.3. Ability to inferred data lineage through machine learning to bridge possible gaps in the metadata.				
10. Impact analysis	10.1. The solution must be able to identify the impact of a change on any metadata element.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
11. Information policy representation (high level)	11.1. Provide a place to capture, model, store and access a business representation of the governance policies being enforced, with integration and links to business rules enumerated in the various applications.				
	11.2. The solution must enable the FSCA to align and support the processes that will ensure compliance with the provisions of the Protection of Personal Information Act 4 of 2013 (POPI Act) and the General Data Protection Regulation (EU)				
12. Matching, linking and merging	12.1. Ability to matching, linking and merging of related data entries within or across diverse datasets using a variety of traditional and new approaches such as rules, algorithms, metadata and machine learning.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
13.Orchestration/automation	13.1. Ability to automate various activities, including data quality, data integration, workload management, data catalog, data preparation, insight discovery, model development and insight sharing.				
	13.2. Ability to use ML automation and AI techniques to improve human tasks and contextual awareness.				
14.Profiling	14.1. Ability to give business users insight into the quality of data and enable them to identify data quality issues.				
	14.2. The system must have inbuilt capabilities to execute data profiling including but not limited to: Identify blanks and null values. Report Minimum, Maximum, Average Values etc. Identify character patterns for character fields. Value frequency distribution				
	14.3. The tool should have capability for users to preview data objects				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
15. Rules management (low-level)	15.1. Ability to Automates the enforcement of business rules that are tied to data elements and associated metadata.				
	15.2. The solution must have an interface for the creation of, and the order of execution and links with, information stewardship for effective governance.				
16. Tag management	16.1. The solution should possess enrichment capabilities through user tagging of content or automatic detection, such as personally identifiable information/data (PII or PID).				
	16.2. The solution should provide context (such as tagging and rating) to enable data analysts, data scientists, data stewards and other data consumers to identify and integrate access to additional relevant datasets for the purpose of enhancing business value.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
17. User interface (as support for all governance related roles)	17.1. The ability for the solution to support the skills and needs of a variety of roles — such as data architects, data engineers, data stewards and data analysts — and provide them with collaborative workflows.				
	17.2. The ability to address a variety of users with an interface that is easy to use and engaging to interact with.				
	17.3. It should also create a collaborative experience.				
18. Workflow management	18.1. The solution should have Workflow management capabilities include business process modeling, data flow modeling and documentation.				
19. Task management	19.1. Ability to set up, assign and reassign tasks across the organisational roles involved in policy setting, enforcement, and external roles/users.				
	19.2. Provide management tools such as dashboards and work-to lists to monitor status of tasks. Exception lists.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
20. Model management	20.1. Ability to review, edit, explore and otherwise interrogate various models (data, policy, rule, organisational, etc.) and various states and conditions over time.				
21. Security (on the platform itself)	21.1. Provision of data security policies through data risk assessment and orchestration of data security controls				
	21.2. There should be a single sign-on to the network allowing already logged on users to access the system without having to log on again				
	21.3. User management integration through Microsoft Active Directory.				
	21.4. Ability to audit or monitoring to enable certain levels of security provision				
22. Organisation and role models	22.1. Ability to set up organisational models and associated user IDs with key roles across the various workflows				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	22.2. Access Authorisation to the systems should also be provided through role-based access mechanism.				
	22.3. The service provider must have local (South African) support available.				
	22.4. The proposed solution must be implemented on-premises with a hybrid functionality and the option of migrating to the cloud.				
	22.5. Any Hybrid setup should be in a South African geographic region.				
	22.6. The solution should be compatible with Microsoft windows operating systems, Windows Server 2016 up to latest and Windows 10 to latest.				
	22.7. The solution should be compatible with Microsoft windows operating systems, Windows Server 2016 up to latest and Windows 10 to latest.				

PROVISION OF DATA GOVERNANCE TOOL SOLUTION

CAPABILITY	DETAIL DESCRIPTION	FULLY COMPLY	REQUIRE CUSTOMISATION	DO NOT COMPLY	COMMENTS
	22.8. The solution should use Microsoft SQL server as its Database management system. The minimum requirements should be Microsoft SQL 2019 up to the latest.				

H. ANNEXURE C: MINIMUM PROPOSAL REQUIREMENTS

The Proposal submitted must include information that is requested on table below: (in Word/PDF)

Table 8

1. Solution Architecture			
1.1. Solution Components: i. Provide an architecture diagram showing the components of the data governance solution that shall meet FSCA's requirements, as detailed in the Annexures A and B. For each component, bidder must provide the following information: <ul style="list-style-type: none"> • A brief description of the component in the solution • Licensing requirements per each component ii. Provide a functional architecture diagram showing the main functions of the proposed solution.			
1.2. Web Browsers			
i. If the solution requires a Web Browser component, then fill in the template response table below.			
Web Browser Software	Versions which can be used	Versions which are certified for use	Names and versions of plug-ins, if required
MS Edge			
MS Internet Explorer			
Google Chrome			
Mozilla Firefox			
1.3. Technical Details (List the following):			
i. Version of the proposed solution ii. Supported Application Servers iii. Supported JDK iv. Supported OS			

v. Supported Databases vi. Supported Containers, if any. (e.g. Docker) vii. Hosting details (can it be hosted on the cloud or only on premise)
1.4. Hardware and Software requirements i. Provide the hardware and software requirements.
2. Version / Release of Solution
i. What version / release of the solution is proposed for the FSCA? ii. Is the version / release proposed the latest version / release of the solution? iii. What is the average frequency at which a major version / release of the solution is made available to customers? iv. How customers are informed of the general availability of a new version / release? v. What dictates that a customer should upgrade to a major version / release?

I. ANNEXURE D: EXPECTED RESPONSE TIME FOR SUPPORT

Table 9


Priority	Definition	Response	Resolution Time
Critical	This affects production systems and many employees and demands immediate attention. Normal service has been disrupted. The business risk is high.	Immediately	4 Hours
High	This affects production systems and several employees and demands immediate attention. Normal service has been partially disrupted. The business risk is high to medium.	Immediately	8 Hours
Medium	This issue affects production or the test systems. Service has been disrupted for one or a few employees. The business risk is medium to low.	Within 2 hours	1 working day
Low	The customer or service has not been affected. The business risk is low. Affects one person.	Within 4 hours	Next Business day

J. STANDARD BIDDING DOCUMENTS

Standard Bidding Document (SBD 1)

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL SECTOR CONDUCT AUTHORITY					
BID NUMBER:	FSCA2022/23-T004	CLOSING DATE:	25 OCTOBER 2022	CLOSING TIME:	11H00
DESCRIPTION	PROVISION OF DATA GOVERNANCE TOOL (SOLUTION)				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Riverwalk Office Park, Block B					
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)					
Ashlea Gardens, Extension 6, Menlo Park					
Pretoria, South Africa, 0081					
BIDDING PROCEDURE AND TECHNICAL ENQUIRIES MAY BE DIRECTED TO					
DEPARTMENT	Supply Chain Management Department				
FACSIMILE NUMBER	Not applicable				
E-MAIL ADDRESS	tenders@fsca.co.za				
TELEPHONE NUMBER	(012) 367 7847 / 7159				
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					

FSCA2022/23-T004		 Financial Sector Conduct Authority
PROVISION OF DATA GOVERNANCE TOOL (SOLUTION)		

FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS				
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> 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

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. 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.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS


- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 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.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 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.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:.....
(Proof of authority must be submitted e.g. company resolution)

DATE:

ISSUE DATE	Friday, 30 September 2022			PAGE 45 OF 59
	TITLE	FSCA202223-T004 PROVISION OF DATA GOVERNANCE TOOL (SOLUTION) [PUBLISHED]	INITIAL HERE →	BIDDER'S INITIALS

Standard Bidding Document (SBD 3.1)

PRICING SCHEDULE – FIRM PRICES (Purchases)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

NAME OF BIDDER:.....	BID NO.: FSCA2022/23-T004
CLOSING TIME 11:00	CLOSING DATE: 25 OCTOBER 2022

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
		<u>R.....</u>
<hr/>		
-	Required by:
-	At:
-	Brand and model
-	Country of origin
-	Does the offer comply with the specification(s)?	*YES/NO
-	If not to specification, indicate deviation(s)
-	Period required for delivery *Delivery: Firm/not firm
-	Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

**** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

*Delete if not applicable

standard Bidding Document (SBD 4)

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.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ 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 institution	State

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

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.

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**

2.3.1 If so, furnish particulars:

.....

3 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 consortium² will not be construed as collusive bidding.

3.4 In 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.

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.

3.6 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

Standard Bidding Document (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

1.1 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).

1.2

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

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 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

1.5 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.

1.6 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.

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2017 (continuation)**

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“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;
- (c) **“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;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“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;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“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;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2017 (continuation)**

Where

Ps = Points scored for price of bid under consideration
P_t = Price of bid under consideration
P_{min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 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

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2017 (continuation)**

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 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.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
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v) 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		

SBD 6.1

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2017 (continuation)**

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.6 Total number of years the company/firm has been in business:.....

8.7 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:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

- iii) 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;
- iv) 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 –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) 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;
 - (d) 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
 - (e) forward the matter for criminal prosecution.

WITNESSES 1. 2. SIGNATURE(S) OF BIDDERS(S) DATE: ADDRESS.....
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THIS IS AN EXAMPLE OF THE SWORN AFFIDAVIT HOWEVER THE FORM CAN STILL BE USED BY THE BIDDERS IN THE RELEVANT CATEGORY

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop	
Nature of Business:	
Definition of “Black People”	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <p>i. before 27 April 1994; or</p> <p>ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;”</p>

Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <ul style="list-style-type: none"> (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas;
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3. I hereby declare under Oath that:

- The Enterprise is ___% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = ___%
 - Black Disabled % = ___%
 - Black Unemployed % = ___%
 - Black People living in Rural areas % = ___%
 - Black Military Veterans % = ___%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of __, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp

K. ADMINISTRATIVE CHECKLIST

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/ NO
1.	SBD 1	Invitation to bid	Is the form duly competed and signed?	
2.	SBD 3.1	Pricing Schedule	Is the form duly competed and signed?	
3.	SBD 4	Declaration of Interest	Is the form duly competed and signed?	
4.	SBD 6.1	Preference Points Claim Form for Preferential Procurement Regulations 2017	Is the form duly competed, B-BBEE points claimed and form signed?	
5.	B-BBEE status level verification certificate		Is proof of B-BBEE Status level of contributor attached?	
6.	Tender submission		<i>Two (2) printed copies (One (1) original copies) submitted?</i>	
			One (1) electronic copy submitted?	

I, the undersigned (name)
certify that the information furnished on this checklist is true and correct.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder