

TERMS OF REFERENCE (TOR)

PROVISION FOR INTERNET SERVICES FOR A PERIOD OF TWELVE (12) MONTHS

1. Purpose

The Ports Regulator of South Africa (PRSA) invites suitably qualified Internet Service Providers (ISP) to submit quotations for Managed Internet services (DIA Fibre).

2. Background

The PRSA site is currently using 20 Meg Managed business connect internet solution (20 meg up and 20 Meg down):

- 24/7 Proactive Monitoring
- 1:1 Contention
- 99% uptime guaranteed
- SLA included
- Full back up support manager (24/7)

PRSA has recently migrated to Microsoft 365 cloud services.

The PRSA offices are based 11th Floor, The Marine Building, 22 Dorothy Nyembe Street, Durban, 4001.

The successful bidder must be able to have their services up and running within 30 days of award or provide an alternative solution in that period.

3. Scope Work

The Internet Service Provider (ISP) will provide fully managed TCP/IP Internet Service Provision for the PRSA offices. The service is expected to be highly available and reliable, with overall uptime of no less than 99.5%. The bidder shall provide the necessary hardware and other services required to provide the internet connection.

The requirements for the scope of work are as follows:

- 100Mbps DIA Fibre (1:1 Contention ratio).
- 100Mbps Microwave Failover (1:1 Contention ratio) (Active Passive Failover).
- Dual entry via 2 different routes.
- 16 Static IP's.
- 99.5% Uptime SLA (4 hours mean Time to Repair).
- Twelve (12) month contract.

• A dedicated DIA fibre connection with a minimum bandwidth of 100Mbps internet breakout from bidder's network, complete with relevant backup route. This connection will primarily be used for Microsoft 365 services, web browsing, email access, research, hosted VoIP PBX solution calling, video conferencing, cloud backups etc.

- For redundant connection, the bidder should provide a separate connection with a different entry via a different route than primary connection, preferably microwave.
- 16 public static IP addresses.
- No limitations on traffic/ports; bandwidth capacity should be ensured through direct IP connection. 1:1 contention ratio on both links.
- Fixed prices for the services, no additional costs or limitation based on amount of traffic or usage.
- All necessary hardware, cabling and software (if required for Internet service) should be provided and set up costs should be included in the offer.
- Reporting on usage statistics and faults/downtime affecting PRSA on a monthly basis.
- Notify PRSA IT department prior to any planned down time.
- Industry standards should be adhered and ICASA registration is compulsory. (Licence to be attached to the bid).
- Prioritization of network traffic according to PRSA business requirements.
- 24/7 technical support and active network management.
- Scalability as business requirements change

PRSA requires a twelve (12) months contract for Internet services from ISP's.

4. Service Level Agreement (SLA)

Calculation of SLA

Link uptime: the guaranteed uptime of 99.5% will be calculated on a monthly basis.

Uptime penalty in % of total monthly payment:

Uptime Penalty

>= 99	=0
> 98 to < 99.5	=10
> 97 to < 98.5	=20
> 95 to < 97	=30
> 90 to <95	=70
< 90	=100

Note: The successful bidder will enter into a contract with the PRSA which shall be reviewed after the initial three (3) months to ensure alignment with PRSA's requirements, which review shall become effective from the project sign off date, after which the contract will be reviewed based on network performance, network availability, reliability amongst others.

5. Expected Deliverables/Timelines

- The appointed Internet Service Provider must be prepared to commence delivery of the service from immediately after the issuing of the purchase order or the signing of the Service Level Agreement (SLA), whichever comes first.
- The deliverables must be completed, tested, reviewed and approved within thirty (30) days of commencing the project.

6. Evaluation Criteria

This bid shall be evaluated in the following stages:

- SCM Compliance
- Compulsory/Mandatory documents
- Price and BBEE

6.1 SCM Compliance (Phase 1)

- The bidder must submit completed SBD 4 Forms.
- The bidder must be registered on the National Treasury Central Supplier Database (CSD) and proof thereof must be furnished (MAAA Number / CSD Report).
- The bidder must submit completed SBD 6.1 Preference Points Claim Form in Terms of The Preferential Procurement Regulations 2017

NB: Failure to adhere to the following conditions will disqualify the bidder's proposal and will not be considered for further evaluation.

6.2 Mandatory Criteria (Phase 2)

The following compulsory requirements must be provided.

- The bidder/s must provide a minimum of one (1) reference letter for providing the Managed Internet Services, reference letter must be on client's letterhead, dated and signed.
- The bidder/s must provide a proof that they have fibre lines within this building or provide a confirmation letter stating that they will lease fibre line from other service provider who have fibre cable within the building.
- The bidder/s must provide proof of ICASA registration (Licence) or infrastructure providers' certificate.

Failure to provide the all of the above mandatory information/documents will lead to bidder's proposal not being considered further on price and BBEE.

6.3 Price & B-BBEE (Phase 3)

Evaluation based on price and BBEE in line with the provisions of the Preferential Procurement Policy Framework Act of 2017. BBEE and Price. As the RFQ price is estimated

to be between R 30 000.00 and R 1 000 000.00, therefore RFQ responses will be evaluated on the 80/20 Price & BBEE preference point system.

Pricing Schedule Monthly

Items	Description Unit	Quantity	Unit Price	Total Cost
i.	Once-off Internet Services Configuration	1	R	R
ii.	Monthly Internet Services	12 Months	R	R
iii.	Fibre Relocation Setup (Once-Off)	1	R	R
iv.	Training (Once-Off)			R
v.	Sub - Total			R
vi.	VAT @ 15%			R
vii.	Total Including VAT			R

NB: Tax matter for the recommended bidder will be verified on Central Supplier Database (CSD) or SARS eFiling prior to awarding. If the bidders' tax matters are non-compliant in terms of clause 4.2 & 4.3 will be exercised from National Treasury Instruction No. 09 of 2017/2018 (Tax Compliance Status Verification).

7. ADJUDICATION USING A POINT SYSTEM

- The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

8. COMMUNICATION

- All enquiries relating to this RFQ should be sent via email: quotations@portsregulator.org

9. CONDITIONS TO BE OBSERVED WHEN RFQING

No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of award / order form is prepared and executed. Quotation shall remain open for acceptance by the Ports Regulator for a period of **90 days** from the closing date of the RFQ Enquiry.

10. COST OF BIDDING

The bidder shall bear all costs and expenses associated with preparation and submission of its RFQ, and the Ports Regulator of South Africa shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

END OF TOR DOCUMENT

Annexed to this document for completion and return with the document:

- Quotation on a letterhead
- Completed Declaration of Interest (SBD 4),
- Completed SBD 6.1. Preference Points Claim Form in Terms of The Preferential Procurement Regulations 2017
- One (1) Reference Letter
- Proof that the bidder/s have fibre lines within this building or provide a confirmation letter stating that they will lease fibre line from other service provider who have fibre cable within the building.
- The bidder/s must provide proof of ICASA registration (Licence) or infrastructure providers' certificate.
- Copy of Sworn Affidavit and / or BBBEE Certificate
- Copy of CSD Report or MAAA Number (National Treasury)