

REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER	RFQ202223-R0048							
DATE ISSUED	21 September 2023							
PROJECT NAME/ DESCRIPTION OF GOODS/SERVICES	PROVISION OF MICROSOFT LICENSES							
PHYSICAL ADDRESS:	Menlyn Central Office Building, 125 Dallas Avenue, Waterkloof Glen, Pretoria 0010							
RFQ'S CLOSING DATE AND TIME	09 October 2023				16h30			
RFQ VALIDITY PERIOD	30 days							
NAME OF FAIS OMBUD SCM REPRESENTATIVE								
FAIS OMBUD SCM EMAIL ADDRESS	supplychain@faisombud.co.za							
BIDDER TO COMPLETE THE BELOW INFORMATION								
NAME OF A BIDDER/TENDERER								
TELEPHONE NUMBER								
EMAIL ADDRESS								
FULL NAME OF BIDDER OR HIS/HER REPRESENTATIVE								
NATIONAL TREASURY-CENTRAL SUPPLIER DATABASE (CSD) NUMBER: MAAA	MAAA:							
CSD OVERALL TAX STATUS <i>(Please tick the appropriate box)</i>	TAX COMPLIANT				NON-TAX COMPLIANT STATUS FOUND			
	Yes		No		Yes		No	
POSITION OCCUPIED IN THE COMPANY (DIRECTOR, TRUSTEE, SHAREHOLDER)								
COMPANY REGISTRATION NUMBER								
VAT REGISTRATION NUMBER <i>(If applicable)</i>								

PREFERENCE POINTS

In this request for quotation, the applicable preference point system envisaged is 80/20 preference point.

TABLE 1: SPECIFIC GOALS FOR THE RFQ AND POINTS

THE SPECIFIC GOALS ALLOCATED POINTS IN TERMS OF THIS RFQ	80/20 PREFERENCE POINTS ALLOCATED	PROOF OF CLAIM FOR A SPECIFIC GOAL
≥ 51% black owned	10	BEE Certificate/Sworn Affidavit/Latest CSD report
≥ 31 % black women owned	6	BEE Certificate/Sworn Affidavit/Latest CSD report
QSE or EME	4	BEE Certificate/Sworn Affidavit/Latest CSD report
Total	20	

A. MANDATORY REQUIREMENTS		
ELIGIBILITY/MANDATORY REQUIREMENT	Comply	Not Comply
(i) Proof of registration on the National Treasury Central Supplier Database with a compliant tax status		
(ii) B-BBEE certificate		
(iii) Submission of completed SBD 4		
(iv) Submission of completed SBD 6.1		
(v) Submission of quotation		
(vi) The service provider/organization must furnish proof that they are Microsoft Certified Partner		
(vii) The bidder must submit three (3) testimonial letters from clients where they have successfully provided support and assistance on Microsoft license renewals within the last three (3) years from the closing date of the quotation. The year in which support and assistance on Microsoft license renewals was provided, must be indicated in the testimonial letters to be submitted. <i>(In case where testimonial letter does not indicate the date as to when support and assistance on Microsoft license renewal were provided, the award letter or purchase order must be provided together with the testimonial letter).</i>		

B. SCOPE OF WORK/ TERMS OF REFERENCE (TOR)

1. Background

- 1.1 The Office of the Ombud for Financial Services Providers ('FAIS Ombud') was established by the Financial Advisory and Intermediary Services Act 37 of 2002 ('FAIS Act'). The FAIS Ombud's role is to resolve disputes between financial services providers and their clients in a procedurally fair, informal, economical, and expeditious manner and by reference to what is equitable in all circumstances.
- 1.2 The FAIS Ombud is a public entity with less than 100 employees that utilizes Microsoft Windows as its operating system and various Microsoft Office products as its application systems.
- 1.3 The FAIS Ombud currently has Microsoft E3 licenses that will expire on 31 October 2023 and must be renewed annually before the expiry date.
- 1.4 The FAIS Ombud has the following active Microsoft licenses:

Table 2

PRODUCT	LICENSES NUMBER
Office 365 E3	70
Project P3 Open ALng Sub OLV D 1M AP	5
Win Enterprise Device ALng Upgrade SA OLV D 1Y En	5
Core CAL ALng LSA OLV D 1Y Enterprise UCAL	5
Win Server Standard Core ALng LSA OLV 16L D 1Y AP	5
Visio P2 Open ALng Sub OLV D 1M AP	5

- 1.5 The FAIS Ombud has 55 employees as of 30 June 2023, all of whom are housed at the FAIS Ombud office in Pretoria.
- 1.6 Through the ICT Department, the FAIS Ombud is mandated to ensure its Microsoft licenses are valid for the various applications being implemented and comply with the requirements of Microsoft. In this regard, there is a need for all FAIS Ombud computers (including servers) to have the latest and licensed Microsoft Software readily available for the various applications.
- 1.7 The FAIS Ombud requires the services of a Microsoft Certified Partner, who will be the responsible partner for supplying and activating Microsoft licenses.

2. Scope of work

- 2.1 The successful service provider is required to:
- 2.1.1. Supply, activate, and support Microsoft Enterprise licenses to the FAIS Ombud. The proposed Microsoft Enterprise licenses must meet the specified minimum criteria or include the following:

Table 3

PRODUCT	LICENSES NUMBER
Office 365 E3	70
Project P3 Open ALng Sub OLV D 1M AP	3
Win Enterprise Device ALng Upgrade SA OLV D 1Y En	5
Core CAL ALng LSA OLV D 1Y Enterprise UCAL	5
Win Server Standard Core ALng LSA OLV 16L D 1Y AP	5
Visio P2 Open ALng Sub OLV D 1M AP	3

- 2.2 Renew the Microsoft Enterprise licenses under the proposed Licensing Agreement with Microsoft.
- 2.3 Assist with all licensing queries for the duration of the renewed license period.
- 2.4 Assist with additional requests for licenses for the duration of the renewed license period.

3. Pricing

- 3.1 Bidders are required to provide a detailed pricing schedule for the required licenses. The quotation must align with the table below.

ITEM DESCRIPTION	TOTAL COST (INCLUDING VAT)
Supply and activation of licenses (as proposed) for year 1	
Implementation fee, if any (including support for year 1)	
TOTAL BID PRICE (INCLUDING VAT)	

- 3.2 Only fixed prices will be accepted

TERMS AND CONDITIONS

- All goods or services purchased will be subject to FAIS OMBUD conditions, policies, and procedures.
- It is the responsibility of the bidder to ensure that the tax status on the National Treasury Supplier database is always compliant. The FAIS Ombud will not be doing business with bidders who have a non-compliant tax status.
- All purchases will be made through an official order form; therefore, no goods or services must be delivered or rendered before an official order has been received.
- Payments are effective within 30 days after receipt of the invoice.
- Successful bidder must be able to deliver the specified goods/services in full. None delivery will result in the cancellation of the purchase order.
- The appointed bidder is required to sign the SBD document truthfully.
- When a bidder responds to this request, accept FAIS Ombud's condition and confirm that should he/she is successful, will be able to offer and deliver quality service/goods.
- Evaluation of quotation received will be based on 80/20 Preference points.**

NAME AND SURNAME OF BIDDER

SIGNATURE OF BIDDER

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 State 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.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? .. **YES/NO**

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.

3.5 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.

3.6 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

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.

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.

- 3.7 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

.....
Date

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for price and specific goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. Points Awarded For Price

3.1.1. The 80/20 Preference Point Systems

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

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. Points Awarded For Specific Goals

- 3.2.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 3.2.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or

- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state:

Where 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers:

The tenderer must indicate how they claim points for each preference point system.)

THE SPECIFIC GOALS ALLOCATED POINTS IN TERMS OF THIS TENDER	NUMBER OF POINTS ALLOCATED (80/20 SYSTEM)	NUMBER OF POINTS CLAIMED (80/20 SYSTEM) (TO BE COMPLETED BY THE TENDERER)	PROOF OF CLAIM FOR A SPECIFIC GOAL
≥ 51% black owned	10		BEE Certificate/Sworn Affidavit/Latest CSD report
≥ 31 % black women owned	6		BEE Certificate/Sworn Affidavit/Latest CSD report
QSE or EME	4		BEE Certificate/Sworn Affidavit/Latest CSD report
Total	20		

4. DECLARATION WITH REGARD TO COMPANY/FIRM

4.1 Name of company/firm.....

4.2 Company registration number:.....

4.3 TYPE OF COMPANY/ FIRM

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

- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.4 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

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