



science & innovation

Department:
Science and Innovation
REPUBLIC OF SOUTH AFRICA

(“The DSI”)

TERMS OF REFERENCE

**APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP AND RENDER
SUPPORT SERVICES FOR A PERFORMANCE MANAGEMENT SYSTEM
(PMS) WITH A PROJECT MANAGEMENT MODULE FOR A PERIOD OF
THREE YEARS**

N.B. : *By providing us with your Personal Information, you consent to the DSI processing your Personal Information, which the DSI undertakes to process strictly in accordance with the Protection of Information Act (POPIA)*

1. BACKGROUND

- 1.1 The vision of the Department of Science and Innovation (DSI) is to develop and utilise Science, Technology and Innovation (STI) to achieve inclusive and sustainable development in South Africa. The Science, Technology and Innovation White Paper proposes policy actions to achieve this vision through ensuring that STI significantly contributes to inclusive and sustainable development. The DSI aims to realise this vision, through partnerships between business, government, academia and civil society, in a manner that addresses socio-economic challenges facing the country. The DSI also recognises that the vision of an inclusive and sustainable South Africa will be realised through ensuring a whole-of-society STI agenda, and collaboration of all National System of Innovation (NSI) partners in the realisation of this vision, and for the NSI partners to regularly reflect and learn from the implementation of STI initiatives.
- 1.2 At an institutional level, the attainment of this vision requires that the DSI set in place a coherent institutional capacity and architecture to ensure effective coordination and collaboration in managing departmental projects across various units within the DSI.
- 1.3 In this context, the DSI has implemented a Liferay Portal Community Edition 6.1.0 CE from 2013 for the management of the DSI's Performance Information. The Liferay Portal (hereinafter referred to as the Performance Information Management System (PIMS) can be accessed via <http://www.pims.dst.gov.za/> and currently has a capability of approximately 500 DSI employees and DSI entities. The DSI developed a PIMS system to report on its performance to various stakeholders quarterly and annually. The performance information in these reports indicates the extent to which the DSI is meeting its performance targets.

- 1.4 The required Performance Management System (PMS) with a Project Management Module suitable for DSI must include all the phases of individual projects/ programme management i.e. identification, appraisal, preparation, execution, tracking and evaluation of KPIs, contract status, risk management and progress reporting.
- 1.5 The detailed user and business requirements for such required PMS, should be confirmed by the service provider during implementation. These could include an integrated PMS that can interface with other systems of the DSI such as financial management systems, contract management systems, GIS, etc. The system should provide real time data about the status of projects / programme performance i.e. performance against DSI's strategic objectives, annual performance targets, programmes annual outputs, risk management; financial performance, etc. The system should also allow entities and Project Management Units at DSI entities to submit project / progress report to the DSI. The PMS should have advanced data analytics functionality and reporting dashboards for one/ many programmes / projects cross a number of DSI's portfolio of interventions. It must be flexible and customizable. It should be scalable and have the capacity to add other modules unique to the DSI's business requirements such as consequence management; verification evidence of projects, audit queries, M&E functionality to evaluate the impact of projects.

2. PROBLEM STATEMENT

- 2.1 The current PIMS utilised by the DSI only focuses on the non-financial performance of the DSI. Budget spent on the Annual Performance Plan indicators is not reported on. It is therefore important to ensure that the new system reports on performance information as well as budget spent on those specific indicators, programmes and projects. Furthermore, the DSI implements various STI projects across the country through internal structures of the DSI, its partners, and its Project Management Units (PMUs) hosted in its implementing agencies.

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2.2 In addition, the DSI lacks the coherent institutional capacity and architecture to ensure effective coordination and collaboration in managing departmental projects across various internal Units within the DSI. At present, the projects implemented in various entities may not be easily tracked for alignment with the White Paper Policy intents, 5 Year Strategic Plan and the Decadal plan.

2.3 Other challenges include:

- a) Absence of a DSI project management information platform that enables timely, adequate and accurate reporting on projects.
- b) No project management system for the DSI to objectively identify, prioritize and select portfolios, programmes and projects for transfer funding.
- c) Most projects appear on operational plans of Programmes that are not consistently monitored. Furthermore, no basic guideline for minimum project management standards, leading to variations and inconsistencies in project management processes (planning, implementation, reporting and formative and summative evaluation processes) across DSI programmes and contracted implementing agencies. In the absence of standardized project management processes, quality assurance and progress monitoring across the DSI is inconsistent.
- d) Weak alignment amongst projects implemented across the DSI, including across the various PMUs. Such also limits efficiencies in profiling and communicating the benefits/impacts of DSI initiatives.
- e) Inconsistencies across PMU practices making it impossible to compare efficiencies across the DSI and entities wherein the PMUs are located.
- f) Inconsistencies and fragmented approach to project information management practices across the DSI e.g. different spreadsheets and databases, stand-alone information systems, etc., including manual processes. Engagements by the service provider with Programmes 1-5 regarding enterprise level project information management / dashboard are ongoing towards the creation of an enterprise level portfolio management information system.

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3. PURPOSE AND OBJECTIVE

- 3.1 The purpose and objective of the Terms of Reference is to appoint a suitably qualified and experienced Service Provider to:
- a) Develop and render support services for a Performance Management System with a Project Management module;

4. THE SCOPE OF THE PROJECT

- 4.1 The service provider will be required to execute the following:
- 4.1.1 Develop and render support services for a new PMS aligned with the DSI business process that:
- a) Is easy to navigate/user friendly.
 - b) Has a clean personalised dashboard design that allows users to see critical information when they log into the system.
 - c) Allocates different user rights to different categories of employees
 - d) Is able to re-allocate user rights to different people temporarily (for example, when the user is on leave and someone else is acting)
 - e) Should allow capturers to capture data and attach evidence in different formats such as PDF, JPEG, Microsoft Word, Excel, Access, etc.
 - f) Can import and export raw data from known sources such as excel and CSV
 - g) Has the ability to aggregate and disaggregate data.
 - h) Is designed to reject data entries that are not in line with selected profiles. For example, if the data is to be captured as numbers, and the capturer includes text, the system should not allow such entries.
 - i) Should be open on specific dates to allow data capturers to capture data and evidence, then close and open for reviewers/quality assurers to review the information.
 - j) Should cater for email alerts e.g. System is open for reporting, reports awaiting approval etc.

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- k) Is aligned with the BAS financial system to pull budget and expenditure information of indicators, programmes and projects.
 - l) Generates notifications and reminders to users of key deadlines
 - m) Produces data analytics from information inputs on the system
 - n) Has the ability to produce statistical reports such as producing frequencies and cross tabulation of the system
 - o) Produces system generated reports
 - p) Is customizable. The DSI is in a process in a process if changing its organizational structure. (It is important for the service provider to note that the DSI is in a process of revising the organizational structure. The ability to add or modify business units is essential).
- 4.1.2 Assess the current project management practices in the DSI and assess project management institutional arrangements and processes; (The current projects are located within the 5 Programmes of the DSI, where entities are used as implementing agents for the majority of projects and programmes)
- 4.1.3 The service provider shall ensure that the recommended portfolio management system aligns and conforms with the DSI IT infrastructure / environment and is operable for the duration of the system (refer to section 5 on technology stack)
- 4.1.4 Ensure the system is compatible with and can be operated on desktops, laptops, tablets and cellular phones.
- 4.1.5 Ensure information captured on the system is readily available and can be retrieved at any time for the entire duration of the contract.
- 4.1.6 Provide training to DSI employees and entities on how the system operates
- 4.1.7 Develop Standard Operating Procedures for new PMS
- 4.1.8 Provide dedicated support to DSI should assistance be required from the Service Provider. This means the service provider will allocate a person who will assist DSI as the DSI will not want to go through Switchboard or generic helpdesk e-mails to get the required assistance.
- 4.1.9 The system should be scalable and have the capacity to add other modules unique to the DSI's business requirements such as consequence management;

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verification evidence of projects, audit queries, M&E functionality to evaluate the impact of projects, data repository, etc.

4.1.10 The Service Provider must develop and produce a manual for the system

4.1.11 The system should cater for dashboards that will provide data visualization and analysis tool that presents easy to read information regarding this data.

4.1.12 Cloud Data services which will provide reporting of utilisation of the system in terms of users logged in, administrator activities, database monitoring activities, etc
Predictive Analytics – data from the system should be used to predict analysis of future usage

4.1.13 Disaster recovery – this is catered for in the cloud strategy of the DSI and will not form part of the service provider requirements.

4.1.14 The service provider must develop a Project Management module that:

- a) Acts as a centralised place for the management of all DSI projects that is easy to use
- b) Has a project planning component/capability that allocates resources, identifies dependencies, sets up deadlines, allocates tasks, create project deliverables, etc. (e.g. with Gantt charts, calendars, etc.)
- c) Has a dashboard that provides an easy way to visualise and to track the progress of projects.
- d) Allows designated users to update information on the module such as progress of the project as well as budget spent.
- e) Tracks projects in real time
- f) Is accessible every day and night
- g) Sends alerts or reminders to users at specified intervals to warn of possible non-achievement of milestones
- h) Allows for customisable system-generated reports to be produced
- i) Can produce data analytics

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4.2 Deliverables and payment schedules

4.2.1 The service provider will be expected to develop a new PMS aligned with the business process. Among others, the following modules are required:

- a) Organisation's strategic and operational performance management module
- b) Project/contract management module, with project tracking capabilities

4.3 PMS System Reporting

4.3.1 The service provider must develop and configure system analytics that sees, inter alia:

- a) Automated statistics of users that logon the system on specific dates: The system should allow for users to search for this information within specified date range;
- b) Statistics of user and stakeholder reporting (date submitted, total of submitted reports and outstanding reports); and
- c) Utilise DSI reporting requirements to configure the system.
- d) The user capacity must be expandable.
- e) Audit trail for user and system administrator activities.
- f) System generated logs for changes made to the database.
- g) The user passwords must expire after a certain period.
- h) User login functionality must be linked to active directory.
- i) Completed forms dashboard reporting capabilities
- j) The system must have https portal;
- k) The system should be implemented on a cloud-based server;

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4.4 **Maintenance and Support**

4.4.1 The service provider will be required to maintain the new system for the duration of the contract.

4.4.2 The service provider will be expected to develop a comprehensive system report that provides the status of the system, covering among other:

- a) System performance, vulnerability protection and future upgrade compatibility;
- b) Technology equipment and infrastructure;
- c) Disaster recovery procedure; and
- d) identifying challenges and implement best practices

4.4.3 In general the following is expected from the service provider:

- a) Continuous support for the duration of the contract;
- b) Third level support;
- c) Adaptive to cope with changes in software environment;
- d) Correct/fix any errors/bugs identified;
- e) Maintainability in the future;
- f) The system must run/be available 24/7;
- g) Corrective, adaptive and perfective maintenance.
- h) Ad-hoc reporting as and when required.

4.5 **Training**

- a) The service provider must train a minimum of 50 PMS users and provide ongoing training for the duration of the contract (minimum: twice a year);
- b) Must offer training for administrators (a train the trainer type of course);
- c) Must offer technical training to IT technicians;
- d) Must offer training onsite;

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- e) User friendly training material/manuals must be provided for participants during training;
- f) Training material must be available in electronic format (editable word/PowerPoint format and video);
- g) Create customised e-learning platform; and
- h) Training must be customised for DSI implementation.
- i) Service provider must cater for the DSI system administrator to be certified, should the solution be internationally recognized.

4.6 **Minimum Service Required**

- a) Provide business analysis and project management.
- b) Perform system analysis of the current environment, provide systems recommendations report and implement recommendations.
- c) To define a user requirements document and produce a project charter at the initiation of the project in order for the project to be successful. This will also enable the project team to know exactly what is required during the delivery of the project.
- d) To develop, deploy and implement PMS as per DSI requirements.
- e) Provide system documentation such as User requirement specification, Functional requirements specification, Technical requirements specification, Project plan, Test plans etc.
- f) Demonstrate an understanding of government processes and legislations on knowledge management.
- g) All licencing cost must be included for the duration of the contract period.

4.7 **Project Plan and Resource Plan**

- a) The service providers are required to provide a project plan, showing activities, time frames, milestones, risk and dependencies of the project.

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- b) The service provider must also demonstrate a clear methodology/ framework to be adopted in delivering the project.

5. TECHNOLOGY STACK

- 5.1 The DSI is using Microsoft dynamics and power applications and power automate for the development of inhouse systems and has an enterprise agreement with Microsoft for licenses. The required system should be built in line with the built in technology environment to ensure that issues of interoperability and skills transfer in this area are addressed.

6. BUDGET

- 6.1 A project budget, outlining a scheduled costs associated with the proposed project should be included. The bid proposal should clearly indicate the total price for the full term of the contract.
- 6.2 All monetary values quoted must be in South African Rand and must include Value Added Tax (VAT).
- 6.3 Service providers must ensure that the prices are fixed for the entire project duration of 3 years.

7. DURATION, TIMEFRAMES AND FORMAL CONTRACT

- 7.1 Successful service providers will be required to enter into a formal contract with DSI for a period of 36 Months.
- 7.2 The project is expected to be completed within a period of (36 Months) from the date of signature of the contract, and will be initiated by a meeting between the service provider and the DSI.

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7.3 This bid and all contracts will be subjected to the General Conditions of Contract (GCC) issued in accordance with the Treasury Regulations 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract prevail.

8. BRIEFING SESSION

8.1 An information session will be held on **11 December 2023** on an online platform, from 10:00 – 12:00. Prospective providers are therefore required to attend the session to get clarity on DSI's specifications. Bidders interested in attending the proposed briefing session must notify DSI Supply Chain Management via e-mail prior to **10 December 2023** (tenders@dst.gov.za).

9. SCREENING FOR COMPLIANCE

9.1 During this phase, a short list will be established and the shortlisted service providers will be evaluated further on functionality. **Service providers must meet all the below requirement to proceed further to functional evaluation; failure to submit the following will result in disqualification:**

9.1.1 Service provider is required to be registered on the Central Supplier Database (CSD) held by National Treasury.

9.1.2 Completed and signed Standard Bidding Document (SBD) forms.

9.1.3 Service provider's acceptance of terms of reference, (ToR) by placing service provider's initials on each page.

9.1.4 Service provider's acceptance of terms and conditions of the bid, by placing service provider's initials on each page of the General Conditions of Contract (GCC).

9.1.5 Submit a certified B-BBEE certificate or Sworn Affidavit.

9.1.6 **Latest Company registration documents (CIPC) with detailed**

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particulars of ownership, failure to submit will not invalidate your proposal but will score 0 points for strategic goals.

9.1.7 Submit an electronic version (1 USB) and 1 hardcopy.

10. EVALUATION PROCESS

10.1 The evaluation process will comprise of the following phases:

- a) Phase 1: Functional Evaluation;
- b) Phase 2: Compulsory Presentation and Demonstration;
- c) Phase 3: Price and Specific Goals Evaluation

10.2 The following rating values for evaluation will be used:

- a. Each panel member will rate each individual criterion on the score sheets as indicated for each phase, using the following scale:

Value	Description
5 – Excellent	Exceeds the functionality requirements
4 – Very Good	Above average compliance to the requirements
3 – Good	Satisfactory and meets the requirements
2 – Average	Partial compliance to the requirements
1 – Poor	Unacceptable, does not meet set criteria

- b. The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. These marks will be added and expressed as a fraction of the best possible score for all criteria.
- c. The scores will be converted to a percentage and **ONLY** service providers that have met or exceeded the minimum threshold for a phase will be evaluated in terms of the next phase.

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- d. Service providers must, as part of their bid documents, submit supporting documentation for all technical requirements. The panel responsible for scoring the respective bids will evaluate and score all bids based on their submissions and the information provided.
- e. Service providers will not rate themselves, but need to ensure that all information is supplied as required. The DSI panel members will evaluate and score all responsive bids and will verify all documents submitted by the service providers.

10.3 Phase 1: Functionality Evaluation

The below criteria is used as a guide therefore the project owner is required to remove/amend criteria to align them with the project.

10.3.1 Service providers' responses will be evaluated for functionality in this stage, based on achieving a minimum score of sixty percent (60%).

10.3.2 The DSI panel members will individually evaluate the responses received against the following criteria as set out below:

PHASE 3: PRESENTATION/DEMONSTRATION					
Rating: 1 = Poor 2 = Average 3 = Good 4 = Very good 5 = Excellent					
CRITERIA					WEIGHTS
1. Experience Proven professional experience in developing Performance Information, Project Management Systems and support services.					20
0-1 current or previous contract/project as evidenced by reference letter	2 current or previous contracts/projects as evidenced by reference letter/s	3 current or previous contracts/projects as evidenced by reference letter/s	4 current or previous contracts/projects as evidenced by reference letter/s	5 and above: current or previous contracts/projects as evidenced by reference letter/s	

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CRITERIA						WEIGHTS
	1	2	3	4	5	

CRITERIA						WEIGHTS
2. Experience of key developer(s) for the project Please provide summary as per the above section. An average of the years of experience will be used.						20
0-2 years of experience	3-4 years of experience	5-7 years of experience	8 years of experience	9 or more years of experience		
1	2	3	4	5		
3. Demonstration of knowledge of performance, project management systems and development approach a) be able to conduct business systems analysis, b) demonstrate an understanding of business process management, including workflows, c) ability to deliver on elicitation of user requirements, technical and functional specifications, as stipulated in section 4 of the document. above, d) ability to interpret business requirements and translate into system design,						30
Poor (1 of the above elements)	Average (2-3 of the above elements)	Good (all of the above elements)	Very Good (in addition to column 3, provide a change management plan)	Excellent (in addition to column 4, provide a PMS mobile app (android, IOS))		
1	2	3	4	5		
4. Project Plan and Methodology (milestones and timelines) Provide a clear project plan with milestones and target dates						20
Inappropriate design methodology and project plan submitted	Provided a project schedule	Provided a methodology and project schedule with clear milestones	Provided a methodology project plan, activities, time frames and dependencies of the project	In addition to 4, identified risks, issue management and a mitigation plans		
1	2	3	4	5		
5. Skills transfer plan Support, knowledge and skills transfer plan to DSI personnel that will						

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CRITERIA						WEIGHTS
allow them to support and maintain the system						10
Present a skills transfer plan	Skills transfer plan presented and methodology to be used described	In addition to 2, a relevant skills transfer material (refer to section 4.6 (f))	In addition to 3, a clear and detailed training approach for System users, Administrators and IT Technicians	In addition to 4, the outcomes of the skills transfer exercise and any possible post training support defined		
1	2	3	4	5		
TOTAL SCORE						100
MINIMUM THRESHOLD SCORE						60

10.3.3 Any proposal not meeting a minimum score of 60 percent on functional proposal will be disqualified and will not be considered for the next Phase.

10.4 Phase 2: Compulsory Presentation/Demonstration

10.4.1 Only service providers who scored 60 and above on functionality during the proposal evaluation (Phase 1), will be subjected to this phase of evaluation. Service providers are expected to score a minimum of 60 point and above in this phase of evaluation to be considered for the next phase.

10.4.2 Presentation: The short-listed bidders shall be expected to provide a compulsory presentation to the DSI team to clarify issues or questions that might arise during evaluation. Each presentation shall be for 10 minutes and shall not be scored but will be used to recommending a service provider.

10.4.3 Demonstration: The short-listed service providers shall be expected to provide a compulsory presentation as well as a demonstration of the system to the DSI team to clarify issues or questions that might arise during evaluation and to further give a practical presentation on how their system functions. Each presentation shall be for 20 minutes and shall be scored.

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10.4.4 The DSI panel members will individually evaluate and score short-listed bids using the following criteria:

PHASE 3: PRESENTATION/DEMONSTRATION					
Rating: 1 = Poor 2 = Average 3 = Good 4 = Very good 5 = Excellent					
CRITERIA					WEIGHTS
1. <u>Technological capability</u> Demonstration of the technological capability of the software solution for PMS which was previously developed. The service provider ability to design and develop process, product and upgrade a system. Deploy, utilise and integrate systems					30
Poor	Average	Good	Very Good	Excellent	
1	2	3	4	5	
2. User friendliness of the system					
a. Range of Modules i.e., user management module, reporting module project management module					30
Poor	Below	Average	Good	Excellent	
1	2	3	4	5	
b. Screen aesthetics – the screens should include tool tips and should include factors such as balance, colour, movement, pattern, scale shape and visual weight.					15
Poor	Below	Average	Good	Excellent	
1	2	3	4	5	
3. Support, Knowledge and Skills transfer Support, knowledge and skills transfer plan to DSI personnel that will allow them to support and maintain the system					25
Present a skills transfer plan	Skills transfer plan presented and methodology to be used described	In addition to 2, a relevant skills transfer material (refer to section 4.6 (f))	In addition to 3, a clear and detailed training approach for System users, Administrators and IT Technicians	In addition to 4, the outcomes of the skills transfer exercise and any possible post training support defined	
1	2	3	4	5	
TOTAL SCORE					100
MINIMUM THRESHOLD SCORE					60

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10.4.5 Any proposal not meeting the minimum threshold of 60 percent, for their presentation will not be considered for the next phase.

10.5 Phase 3: Price and Specific Goals Evaluation

10.5.1 Price inclusive of VAT will be evaluated as indicated below.

- a) In terms of regulation 4 of the Preferential Procurement Regulations, 2022 pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the DSI on the 80/20 preference point system in terms of which points are awarded to service providers on the basis of:
 - i. The bid price (maximum 80 points)
 - ii. Specific Goals mentioned below in Table1 (maximum 20 points)
- b) Service providers can only claim specific goal credentials, by providing a detailed company ownership certificate.
- c) The following formula will be used to calculate the points for price in respect of service providers with a rand value equal to or above R30 000.00 up to R50 000 000.00:

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

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration;

P_{\min} = Price of lowest acceptable tender.

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- d) A maximum of 20 points will be awarded to a tenderer for the specific goal (at least 51% ownership) specified for the tender, as per the table below:

Table 1 – Specific goals

The specific goals allocated points in terms of this tender:	Number of points allocated (80/20 system)
EMEs and QSEs	4
Companies owned by black people	4
Companies owned by women	4
Companies owned by youth	4
Companies owned by people with disabilities	4

- i. A bidder must submit proof of its Specific goals' status.
- ii. Bidder to claim points if their specific goal(s) ownership is at least 51 %.
- iii. A bidder failing to submit proof of Specific goals' status or failing to meet the Specific goals, may not be disqualified, but (a) may only score points out of 80 for price; and (b) score 0 points out of 20 for Specific goals.
- iv. The points scored by a bidder for Specific goals in accordance with the preceding sections 6.4(c) must be added to the points scored for price under section 6.4(b).
- v. The points scored must be rounded off to the nearest two decimal places.
- vi. If the price offered by a tenderer scoring the highest points is not market-related, the DSI may not award the bid to that tenderer.
 1. The DSI may negotiate a market-related price with the tenderer scoring the highest points or cancel the tender.

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2. If the tenderer does not agree to a market-related price, the DSI may negotiate a market-related price with the tenderer scoring the second highest points or cancel the tender.
 3. If the tenderer scoring the second highest points does not agree to a market-related price, the DSI may negotiate a market-related price with the tenderer scoring the third highest points or cancel the tender.
 4. If a market-related price is not agreed in all the aforementioned respects, the DSI must cancel the tender.
- vii. In the event that two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals. (2) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.
 - viii. A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

10.6 AWARDING OF THE BID

10.6.1 The DSI reserves the right to award the bid in whole to one service provider.

10.6.2 The service provider will have to be Compliant with tax matters as per CSD or e-Filling.

10.6.3 The service provider will have to sign a Non-Disclosure Agreement, as the work done will be confidential.

10.6.4 All staff members to be appointed by the service provider will require a positive security clearance from the security agencies of the State.

10.6.5 The DSI and the service provider will enter into a service level agreement (SLA).

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10.6.5.1 The SLA will be signed with a representative of the appointed service provider.

10.6.5.2 The agreed timelines, performance indicators and budget will form part of the SLA.

10.6.5.3 The original Terms of Reference and agreed amendments will be an annexure to the SLA.

10.6.5.4 The DSI will make payment as per the signed SLA.

10.7 The Service Provider must:

10.7.1 Conduct business in a courteous and professional manner.

10.7.2 Manage the internal disputes among his/her staff in such a way that DSI is not affected by those disputes.

10.7.3 Ensure that all staff working under this contract is in good health.

10.7.4 Comply with DSI policies, procedures and regulations.

10.7.5 Ensure that all staff working under this contract is adequately trained prior to the commencement of the contract. Even the relievers must be fully trained before they are deployed to DSI. DSI reserves the right to order the immediate removal of a staff member who is poorly performing.

10.7.6 Ensure that DSI is informed of any removal and replacement of staff. For security reasons, DSI reserves the right to vet all persons working under this contract.

10.7.7 The service provider will empower and transfer the skills to the DSI technicians to take over the support and maintenance of the system

10.7.8 **The onus is upon service provider to familiarize themselves with the project sites as well as the extent of the service to be rendered.**

10.8 DSI shall:

10.8.1 Manage the contract in a professional manner.

10.8.2 Provide appropriate information as and when required and only in situations where it is required by the service provider to fulfill their duties.

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- 10.8.3 Not accept any responsibility for any damages suffered by the service provider or their staff for the duration of the contract.
- 10.8.4 Not tolerate any unfair labour practices between service provider and their staff that happen during the execution of the project activities.
- 10.8.5 Not accept any responsibility for accounts/expenses incurred by the service provider that was not agreed upon by the contracting parties.
- 10.8.6 If necessary request the withdrawal of a staff member who poses a threat to DSI employees.
- 10.9 The service provider shall assume work upon the signing of the contract or upon approval by the DSI.
- 10.10 The service provider will be responsible for ensuring that the agreed deliverables are produced to a quality standard, on time and within the budget.
- 10.11 The service provider will work in close collaboration with a DSI team, so as to ensure that the objectives of the DSI are accommodated by this project.
- 10.12 The service provider will solely be responsible for all administrative issues related to the project.

11. FRONTING

- 11.1 DSI, in compliance with regulations, supports the spirit of Broad- Based Black Economic Empowerment and recognises that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the DSI condemns any form of fronting.

11.2 DSI, in ensuring that service providers conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine that accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry (DTI), be established during such enquiry/investigation, the onus will be on the service provider/contractor to prove that fronting does not exist. Failure to do so within 14 days from date of notification may invalidate the bid/contract and may also result in restriction of the service provider/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies DSI may have against the service provider/contractor concerned.

12. PROPRIETARY RIGHTS

12.1 The proprietary rights with regards to copyright, patents and other similar rights that may arise from the service provider carrying out the assignment belong to the DSI.

12.2 The DSI will have unrestricted access to all material, data and information.

12.3 The service provider shall deliver any or all such material, data and information to the DSI upon request.

12.4 The final product of all work done shall, on completion of the project belong to the DSI.

12.5 The service provider shall agree that all rights, to be acknowledged, understood and adhered to by the service provider on acceptance of bid including, without limitation, all intellectual and property rights in and any material, data or information including computer programmes, e- data and documentation related to the project belong to the DSI.

initiate:

13. PROHIBITION OF RESTRICTIVE PRACTICES

- 13.1 In terms of section 4(1) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a service provider(s) is (are) or a contractor(s) was/were involved in:
- a) Directly or indirectly fixing a purchase or selling price or any other trading condition
 - b) Dividing markets by allocating customers, suppliers, territories or specific types of goods or
 - c) services; or
 - d) Collusive bidding.
- 13.2 If a service provider(s) or contractor(s), in the judgement of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.
- 13.3 Any communication either by facsimile, letter or electronic mail or any other form of correspondence to any official or representative of DSI, other than SCM officials, in respect of this bid between the closing date and the award of the bid by the service provider is prohibited.
- 13.4 The Supplier shall not cede this Agreement without the written permission of DSI.
- 13.5 The Supplier shall not, without the prior written consent of DSI, subcontract the rendering of the Services to a third party.

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14. SUBMISSION OF PROPOSALS

- 14.1 All bids must be deposited in the Tender Box located at the reception area of the Department of Science and Innovation (DSI) at the following address:

DSI Building no 53,
Scientia Campus, (CSIR, South Gate Entrance)
627 Meiring Naude Road,
Brummeria, Pretoria, 0184

- 14.2 The proposal must be clearly marked as follows:

Bid No: **DSI06/2022-23**

Description: **Appointment of a service provider to develop and render support services for a Performance Management System (PMS) with a Project Management Module for a period of three years**

Bid Closing date and Time: **22 January 2024 at 11h00**

Name and Address of Service provider

NB: Please note that a proposal will not be considered for evaluation if it's submitted late. Late tenders will be returned; where applicable.

15. COMMUNICATION

- 15.1 Any questions are to be submitted not later than **05 Days** before the closing date of the Bid. Questions received after this date will not be entertained by DSI. All questions and answers will be published at www.dst.gov.za/tenders section.

- 15.2 After the closing date, only Supply Chain Management (SCM) Unit will communicate with service providers for, among others, where bid clarity is sought,

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to obtain information or to extend the validity period. See sub-par 14.3 for prohibited practice.

- 15.3 The results of a bid will be published in the same media as the advertisement and therefore communication will only be sent to successful service providers.
- 15.4 Enquiries related to the registration and submission of proposals must be directed to Supply Chain Management:

Demand & Acquisition Management

E-mail: tenders@dst.gov.za

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PART A-CLIENT BASE

Name of client / organization where contract is being executed/was executed		Description of Contract Services	Physical Address of the Client/ organization	Contact persons and telephone numbers of your client	Contract period (indicate start and end dates) e.g. 1 April 2012 to 31 March 2015	Is the contract Current or Past? (please indicate accordingly)
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

NB: DSI reserves the right to verify the contents of this list directly with the service providers' clients and also conduct site inspections.

initiate: