



TERMS OF REFERENCE

INVITATION TO SERVICE PROVIDERS FOR PROPOSALS:

REQUEST FOR PROPOSALS FROM SERVICE PROVIDERS TO COLLABORATE WITH THE NCC TO COMPLEMENT THE NCC OPT-OUT REGISTRY SYSTEM (OORS)

REFERENCE NUMBER: NCC/RFP/01/2026/2027

Date issued: 08 September 2026

Non-Compulsory Briefing Session: 18 September 2026 at 11h00.

Microsoft Teams meeting

Join: <https://teams.microsoft.com/meet/376084384847872?p=tNB4yf50KUivfxEmiT>

Meeting ID: 376 084 384 847 872

Passcode: ct26bj3k

Closing date and time for questions: 25 September 2026 at 16h00.

Closing date and time: 9 October 2026 at 14h00.

Bid validity period: 90 calendar days after closing date

ADDRESS FOR SUBMISSION OF BIDS:

National Consumer Commission

SABS Campus, Building C,

1 Dr. Lategan Road,

Groenkloof,

Pretoria

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1. PURPOSE

- 1.1. The purpose of the Request for Proposal (RFP) is to invite suitable service providers to partner with the National Consumer Commission (NCC) to augment or complement or supplement the National Opt-Out Registry System (OORS).

2. BACKGROUND

- 2.1. The NCC is a juristic person established in terms of section 85 of the Consumer Protection Act No 68 of 2008 (CPA), as an organ of the state within the public administration but as an institution outside the public service. The NCC has been operational since 1 April 2011. The main objective of the NCC is, amongst other things, to promote and advance the social and economic welfare of consumers in South Africa by:
- 2.1.1. Establishing a legal framework for the achievement of a consumer market that is fair, accessible, efficient, sustainable, and responsible;
 - 2.1.2. Reducing and ameliorating any disadvantages experienced by vulnerable consumers in accessing goods or services;
 - 2.1.3. Promoting fair business practices and protecting consumers from improper conduct;
 - 2.1.4. Improving consumer awareness and encouraging choice;
 - 2.1.5. Promoting consumer confidence and empowerment;
 - 2.1.6. Providing a consistent, accessible, and efficient system of consensual resolution of disputes; and
 - 2.1.7. Providing an accessible, consistent, harmonised, effective, and efficient system of redress for consumers.
- 2.2. The NCC seeks to implement the OORS in terms of section 11 (3) of the Consumer Protection Act No 68 of 2008 (CPA), which will allow both consumers and direct marketers to register profiles, consumers to opt-out and direct marketers to cleanse the consumers' contact information prior to engaging with consumers in any form of communication as stipulated by the CPA.
- 2.3. The opt-out activities are expected to have high traffic volumes since the majority of the population that owns a mobile device is targeted.
- 2.4. The Direct Marketers are expected to register and cleanse their lists against the OORS before contacting consumers for direct marketing purposes.
- 2.5. The cleansing process is expected to have high volumes due to the number of consumers that are targeted by direct marketers.
- 2.6. The OORS is a national solution, as such there is an opportunity for collaboration with both public and private parties to ensure a successful implementation and operational efficiencies.
- 2.7. The NCC is inviting interested service providers for a collaboration to ensure an open, seamless and cost-effective solutions for consumers and direct markers to interface with the OORS.

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- 2.8. This collaboration must make provisions for various methods or channels for the consumers and direct marketers to access the OORS. As a result, the proposals should contain various methods or possible channels that can be used by consumers and direct marketers to access the OORS.

3. THE NCC OPT-OUT REGISTRY SYSTEM (OORS)

3.1. eService and Opt-Out Registry System Portal Current Design or Specification

3.1.1 In the year 2021, the NCC engaged a service provider to spearhead the development of the eService and Opt-Out Registry System (OORS) portal. This portal was developed, leveraging a sophisticated and comprehensive technology stack, encompassing:

- a) MS SQL for robust and scalable database management.
- b) Implementation of the Model-View-Controller (MVC) architecture with N-tier structure, seamlessly integrating Web, WEB API, and database components for enhanced scalability, maintainability, and modular development.
- c) Harnessing the power of the C# programming language, ensuring a robust and efficient codebase.
- d) Utilisation of Visual Studio as the Integrated Development Environment (IDE), providing a collaborative and streamlined development environment.
- e) Adoption of the cutting-edge .NET Core framework to incorporate the latest advancements in application development, enhancing performance, and ensuring compatibility with modern standards.
- f) Integration of JavaScript, HTML, CSS, and Bootstrap to create an intuitive and responsive user interface, guaranteeing an optimal and user-friendly experience.
- g) Implementation of Azure DevOps as the central source control platform, facilitating efficient versioning, collaborative development, and streamlined deployment processes.

3.1.2 Additionally, the development process adhered to industry best practices, incorporating rigorous testing methodologies, security measures, and compliance with relevant standards to ensure the portal's reliability, security, and seamless functionality. The chosen technology stack reflects a forward-looking approach, poised to adapt to future technological advancements and evolving organisational needs. The result is a robust, feature-rich portal that aligns with the NCC's vision and commitment to excellence in service delivery.

3.1.3 The eService functionality, which entails the NCC complaints handling process, is live and being used by the South African public.

3.1.4 The Opt-Out Registry functionality is expected to be live in 2026.

3.1.5 The system is Cloud-based (Azure).

4. FINANCIAL AND COMPLIANCE REQUIREMENTS

- 4.1. Potential collaborators are expected to run independently with their own operational costs, and at no cost to the NCC and consumers.

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- 4.2. Potential collaborators must propose detailed revenue generation or monetisation models and a revenue-sharing framework with the NCC.
 - 4.3. Potential collaborators must provide assurances that any consumer information collected through the OORS will be stored in servers located in South Africa to comply with the Protection of Personal Information Act (POPIA.)

5. REQUEST FOR PROPOSAL (RFP) SCOPE

- 5.1. Service providers are invited to provide the high-level Solution Architecture, to augment, supplement, and complement the existing OORS.
- 5.2. The solution of services includes, but not limited to, the following components:
 - 5.1.1. A multi -channel accessibility for consumer and Direct Marker registration.
 - 5.1.2. AI Chatbot Design and Implementation.
 - 5.1.3. A multi-channel evidence collection of consumer opt-out violations.
 - 5.1.4 Any other value adding solution.
- 5.3. Proposed solutions must also have real time consumer and Direct Marketer verification as they register.

6. MANDATORY REQUIREMENTS

- 6.1. The service provider must provide the information requested in the table below.

Zero financial impact on the NCC and consumers. Service providers must attach a signed letter of such confirmation.	Confirmation indicating that the Service Provider seeks to collaborate without any cost implications to the NCC. Service Providers should run with their own operational costs.
Data Sovereignty, Data Privacy, and Protection Service providers must attach a signed letter of such confirmation.	The hosting of ICT Infrastructure and ICT Data Center must be within the South African Jurisdiction. Service Provider must comply with the Protection of Personal Information Act (POPIA) in terms of data privacy and protection. The NCC may conduct a site visit for confirmation.

7. LEGISLATIVE FRAMEWORK OF THE RFP

- 7.1. Technical Legislation and/or Standards
 - 7.1.1 Service provider(s) should be cognisant of the legislation and/or standards specifically applicable to the services required.

8. DURATION OF THE CONTRACT

- 8.1. Successful service provider(s) shall be accredited for a period of 10 years.

9. EVALUATION

9.1. The NCC may accredit more than one successful service provider, based on functionality and ranking.

9.2. The NCC has set minimum criteria which service provider(s) must meet for possible accreditation. The minimum criteria consist of the following:

Table 1.

Pre-qualification Criteria (Phase 1)	Technical Evaluation Criteria (Phase 2)	Presentation and/ demonstration (Phase3)
Service providers must submit all documents as outlined in table 2 below. Only service providers that comply with mandatory requirements will proceed to phase 2.	Service provider(s) are required to achieve a minimum of 70 points out of 100 points to proceed to phase 3.	Presentation and/ or demonstration will be based on the proposed solution, scored using a scale of 1-5 and service providers must score minimum of 3 out of 5.

EVALUATION CRITERIA

9.3. PHASE 1: ADMINISTRATIVE AND MANDATORY COMPLIANCE:

9.3.1. Without limiting the generality of the NCC's other critical requirements for this RFP, service providers must submit the documents listed in Phase 1 below. All documents must be completed and signed by the duly authorised representative of the prospective service providers. During this phase, service providers' responses will be evaluated based on compliance with the listed administration and mandatory RFP requirements. The service providers' proposals may be disqualified for non-submission of some of the documents.

Table 2

Administrative Compliance Documents	Guideline	Consequence of Non-submission of Information:
		Disqualification?
Invitation to RFP – SBD 1	Complete, sign, and submit the provided pro forma document.	NO

Service provider's Disclosure SBD 4	Complete and sign the supplied pro forma document.	NO
Registration on the Central Supplier Database (CSD)	The Service Provider must be registered as a service provider on the Central Supplier Database (CSD). If not registered, the service provider must visit https://secure.csd.gov.za/ to register on the CSD. service provider	NO
Zero financial impact on the NCC and consumers. Service providers must attach a signed letter of such confirmation.	Confirmation indicating that the Service Provider seeks to collaborate without any financial implications. Service Provider should run with their own operational costs.	YES
Data Sovereignty, Data Privacy, and Protection Service providers must attach a signed letter of such confirmation.	The hosting of ICT Infrastructure and ICT Data Center must be within the South African Jurisdiction. Service Provider must comply with the Protection of Personal Information Act (POPIA) in terms of data privacy and protection. The NCC may conduct a site visit for confirmation.	YES

9.4. PHASE 2: TECHNICAL EVALUATION

9.4.1. Service provider(s) are required to achieve a minimum of 70 points out of 100 points to proceed to phase 3.

#	TECHNICAL EVALUATION CRITERION	WEIGHT
DESKTOP EVALUATION		100
1.	The service provider's proposal on how NCC AI chatbot would be developed and implemented	10
	A detailed proposal on how the NCC AI chatbot would be developed and implemented in relation to the NCC OORs. The proposal must at least have the following elements:	

#	TECHNICAL EVALUATION CRITERION	WEIGHT
	- Configure a multilingual, conversational chatbot capable of handling both generic and specific transactional queries. - Implement Natural Language Understanding (NLU) to interpret user intent, informal speech, and multiple South African languages. - Enable contextual awareness to maintain conversational continuity. - Include no-code or low-code tools for NCC staff to update content independently.	
	A proposal with all the elements listed above.	10
	A proposal without all the elements listed above.	0
2.	Revenue generation models and Revenue Sharing framework	20
	A detailed proposal should have the following elements: - Revenue generation or monetisation model(s). - Revenue-sharing framework.	
	A proposal with all the elements listed above	20
	A proposal without all the elements listed above.	0
3.	A Multi-channel accessibility for consumers and Direct Marketers registration	20
	A detailed proposal for a multi-channel accessibility for consumer and Direct Marketers registration should have the following elements: - Development and implementation of a mobile APP with the potential of registering a profile, view and update information. (The service provider may provide a proposal of an assisting APP with similar capabilities). - Implementation of a WhatsApp channel\chatbot. - Implementation of SMS\MMS thorough USSD registration. - Implementation of SMS short code for opting out.	
	A proposal with all the elements listed above.	20
	A proposal including three of the elements listed above.	15
	A proposal including two of the elements listed above.	10
	A proposal including one of the elements listed above.	5
	No proposal.	0

#	TECHNICAL EVALUATION CRITERION	WEIGHT
4.	Any other Value add feature not covered by any of the technical criteria A service provider must provide a proposal on any value-add feature which is not covered by any of the technical criteria.	10
	Value add proposal provided.	10
	No value-add proposal.	0
5.	Multi-channel evidence collection of consumer opt-out violations	10
	Implement a multi-channel evidence collection for opt out violations with AI capability to collect AI metadata.	
	Detailed proposal for evidence collection for consumer violation.	10
	No detailed proposal for evidence collection for consumer violation.	0
6.	Project Management: The project implementation plan must assume a project start date 1 October 2026. NCC will assess the service provider's delivery methodology, project governance, timelines, risk management, quality assurance, and approach to testing, rollout, and support.	30
	• Service provider to provide methodology on delivery, project governance, timelines, risk management, quality assurance, and approach to testing, rollout, and support. The project plan should include the following elements to meet the criteria: • A detailed project plan with milestones, deliverables, and dependencies, • Demonstrates a proven agile or hybrid project management approach with clear governance and communication structures. • Risk management strategy, quality assurance, and testing plans that are clearly defined. • Demonstrates readiness for pilot rollout, change management, and post deployment support. • Demonstrate understanding of the OORS operating environment and interdependencies with existing systems.	
	A proposal with all the elements listed above	30
	A proposal without all the elements listed above.	0

9.5. PHASE 3: PRESENTATION AND/OR DEMONSTRATION CRITERIA

9.5.1. The presentation will be scored using the following scale and the service provider must score a minimum 3 out of 5:

1 = Poor, 2 = Below Expectations, 3 = Meets Expectations, 4 = Exceeds Expectations, 5 = Outstanding

1	Presentation and /or demonstration in line with the proposal	
	Is the service provider presentation and /or demonstration in line with its proposal? 1 = The presentation and/ or the demonstration is not a representation of the submitted proposal. 2 = The presentation and/ or the demonstration loosely followed the proposal but lacked alignment in critical areas. 3 = The presentation and/ or the demonstration directly matched the proposal, successfully covering all areas. 4 = The presentation and/ or the demonstration perfectly aligned with the proposal and provided helpful information beyond the basic requirements. 5 = The presentation and/ or the demonstration exceptionally aligned with the proposal, adding other unexpected beneficial value.	

10. THE NCC REQUIRES SERVICE PROVIDER(S) TO DECLARE THE FOLLOWING

10.5. By submitting the proposal, potential service providers acknowledge that they:

- i. will act honestly, fairly, and with due skill, care, and diligence, in the interests of the NCC;
- ii. have and will employ the resources, procedures, and appropriate technological systems effectively for the proper performance of the services;
- iii. act with circumspection and treat the NCC fairly in a situation of conflicting interests;
- iv. comply with all applicable statutory or common law requirements applicable to the conduct of business;
- v. make adequate disclosures of relevant material information, including disclosures of actual or potential own interests, in relation to dealings with the NCC;
- vi. avoid acting fraudulently and avoid providing misleading information in respect of advertising, canvassing, and marketing;

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- vii. conduct their business activities with transparency and consistently uphold the interests and needs of the NCC as a client before any other consideration; and
 - viii. ensure that any information acquired by the service provider(s) from the NCC will not be used or disclosed unless the written consent of the client has been obtained to do so.

11. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

- 11.5. The service provider should note that the terms of the proposal will be incorporated in the proposed contract by reference and that the NCC relies upon the service provider's proposal as a material representation in making its decision, and in concluding an agreement with the service provider.
- 11.6. It follows therefore that misrepresentations in the proposal may give rise to service termination and a claim being instituted by the NCC against the service provider. In the event of a conflict between the service provider's proposal and the Service Level Agreement concluded between the parties, the Service Level Agreement will prevail.

12. INDEMNITY

- 12.5. If a service provider breaches the conditions of this RFP and, and as a result of that breach, the NCC incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the RFP process and/or enforcement of intellectual property rights or confidentiality obligations), then the service provider indemnifies and holds the NCC harmless from any and all such costs which the NCC may incur and for any damages or losses the NCC may suffer.

13. LIMITATION OF LIABILITY

- 13.5. Participation in this process is entirely at the cost and risk of the service provider. The NCC shall not be liable to compensate a service provider on any grounds whatsoever for any costs incurred or any damage suffered as a result of the Service provider's participation in this process.

14. CONFIDENTIALITY

- 14.5. Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this RFP or a service provider's tender(s) will be disclosed by any service provider or other person not officially involved with the NCC's examination and evaluation of a RFP.
- 14.6. No part of the RFP may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part

except for the purpose of preparing a RFP. This RFP and any other documents provided by the NCC remain proprietary to the NCC and must be promptly returned to the NCC upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived therefrom.

- 14.7. Throughout this RFP process and thereafter, service provider(s) must secure the NCC's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this RFP relates; or (ii) the process which follows this RFP. Failure to adhere to this requirement may result in disqualification from the RFP process and civil action.

15. COMMUNICATION DETAILS

- 15.1. A nominated official of the service provider(s) can make enquiries in writing, to the specified personnel, for technical enquiries Mr. J Mulaudzi via email J.Mulaudzi@thencc.org.za and/or 012 065 1947; for SCM enquiries Ms. M Moropene M.Moropene@thencc.org.za and/or 012 065 1995.
- 15.2. Service provider(s) must reduce all telephonic enquiries to writing and send to the abovementioned email address.
- 15.3. The delegated office of the NCC may communicate with service provider(s) where clarity is sought on the RFP proposal.
- 15.4. Any communication to an official or a person acting in an advisory capacity for the NCC in respect of the RFP between the closing date and the award of the RFP by the Service provider(s) is discouraged, unless it is for purposes of providing clarity in respect of the legitimate questions pertaining to the RFP. The NCC reserves the right not to answer questions which it considers to be inappropriate.
- 15.5. All communication between the Service provider(s) and the NCC must be done in writing.
- 15.6. If Service provider(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the NCC (other than minor administrative matters), the Service provider(s) must promptly notify the NCC in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the NCC an opportunity to consider what corrective action to take if necessary.
- 15.7. Any actual discrepancy, ambiguity, error or inconsistency in the RFP or any other information provided by the NCC shall, if possible, be corrected and be provided to all service provider(s) without attributing such discrepancy, ambiguity, error or inconsistency to the service provider(s) who provided the written notice of such matters.

16. SUBMISSION OF PROPOSALS

- 16.1. All proposals must be clearly marked: “For attention: **The Manager: Supply Chain Management**, with the proposal reference number included and delivered at the reception, in the NCC’s tender box, at the following address:

**The National Consumer Commission
SABS Campus, Building C,
1 Dr. Lategan Road,
Groenkloof,
Pretoria**

- 16.2. RFP documents shall only be considered when received by the NCC before the closing date and time.
- 16.3. The service provider(s) are required to submit three (3) copies, being one (1) original and two (2) duplicate and electronically accessible proposal packaged similar to the physical copies, submit on or before **the closing date 09 October 2026 at 14h00**. Each submission must be marked correctly and sealed separately for ease of reference during the evaluation process,