

THE PUBLIC SERVICE SECTOR EDUCATION TRAINING AUTHORITY

Terms of Reference: Request for Quotations

RFP NUMBER: RFP/2021/001063

CLOSING DATE: 30 AUGUST 2024

CLOSING TIME: 11:00

**APPOINTMENT OF A LEGAL SERVICE PROVIDER
TO PROVIDE LEGAL ADVISORY SERVICES TO PSETA**

No late applications will be accepted

Board Members: Mr T Tshefuta (Chairperson) | Ms C Brink | Mr L Nzimande
Mr NN Maesela | Mr PB Makhafane | Mr MI Napo
Ms T Molefe-Sefanyatso | Mr PB Moopelwa | Ms L Dludla | Ms N Nzimande
Mr N Mahala | Mr OJ Dingake | Mr N Bodiba | Ms O Sidumane

CEO: Ms B Lerumo

Table of Contents

1.	INTRODUCTION	3
2.	BACKGROUND & CONTEXT	3
3.	RATIONALE AND PURPOSE	3
4.	SCOPE OF WORK.....	4
5.	COMPETENCY AND EXPERTISE REQUIREMENTS	4
6.	TIMELINES OF THE APPOINTMENT.....	5
7.	QUALITY AND REPORTING REQUIREMENTS.....	5
8.	PRICING	5
9.	EVALUATION PROCESS.....	5
10.	FORMAT OF THE BID SUBMISSION.....	10
11.	IMPORTANT INFORMATION FOR BIDDERS.....	11

1. INTRODUCTION

The Public Service Sector Education and Training Authority (PSETA) is a Sector Education and Training Authority (SETA) established in terms of section 9(1) of the Skills Development Act 97 of 1998 as amended and is classified as a National Public Entity under schedule 3A of the Public Finance Management Act, 1 of 1999.

2. BACKGROUND AND CONTEXT

- 2.1. The PSETA seeks to strengthen its information security management systems and data protection within the Organisation. This entails complying with data privacy frameworks and assessing the controls currently in place for information security within the PSETA.
- 2.2. In order to improve its information security management systems and data protection, PSETA needs to procure a service provider that will conduct an assessment of its information security systems in terms of the International Organisation for Standardisation (“ISO”) 27001:2022 standard.
- 2.3. Prospective bidders are invited to submit a detailed proposal to act as service providers for providing the envisaged services on behalf of PSETA on an on-going basis for a period not exceeding 06 months commencing from the date of signing the contract.

3. RATIONALE AND PURPOSE

- 3.1. The purpose is to appoint a suitable, qualified, and competent service provider to assist PSETA in conducting an assessment of its information security systems in terms of the ISO/IEC 27001:2022 standard.
- 3.2. In order to manage risk, improve its controls for information management, and align the systems to international best practices, the PSETA needs to conduct an assessment of its information management security systems in accordance with the ISO 27001:2022 standard.

3.3. The appointed service provider will assist the PSETA with assessing PSETA's information security needs in terms of the ISO/IEC 27001:2022 standard.

4. SCOPE OF WORK

The scope of work covers the following:

- 4.1. Conduct an assessment of PSETA's information management security needs in line with the ISO 27001:2022 standards.
- 4.2. Assessing the controls that PSETA has currently set up for information management systems and determining whether the controls comply with the ISO 27001:2022 standards.
- 4.3. A gap analysis of PSETA's information security management systems, where the assessment indicates that PSETA's systems do not meet the ISO 27001:2022 Standard.
- 4.4. Assisting the PSETA to achieve ISO 27001:2022 standard certification.

5. COMPETENCY AND EXPERTISE REQUIREMENTS

The Service Provider should meet the following requirements:

- 5.1. The service provider should have an excellent and proven track record in conducting assessments of clients' information management security systems in accordance with the ISO 27001:2022 standards.
- 5.2. Assisting clients to achieve ISO 27001:2022 standard certification.
- 5.3. Providing training in information security management systems and how to improve the adequacy and effectiveness of such systems.

6. TIMELINES OF THE APPOINTMENT

The appointed service provider's services will be required a period of 06 months from the date of appointment.

7. QUALITY AND REPORTING REQUIREMENTS

The project manager of the appointed Service Provider will report directly to the PSETA Deputy Information Officer, or any other delegated representative, as and when required.

8. PRICING

- 8.1. The proposed total pricing must be inclusive of VAT. The PSETA reserves the right to negotiate the selection/prioritization of deliverables in line with the contract price.
- 8.2. PSETA may require a breakdown/ fee narration on any of the services items that are priced and service providers are required to provide same.
- 8.3. Bidders should quote their rates on an hourly basis for the services, for each level of professional in their proposals, if applicable.

9. EVALUATION PROCESS

The bids will be evaluated based on the 80/20 principle, with 80 points being allocated for price and 20 points being allocated for B-BBEE, once the minimum functionality criteria are met.

Phase 1: Functionality Evaluation	
Phase 2: Preferential Point System	Points
Price	80
Special goals	20
Black owned company	8
Women	4
Youth	5
Disability	3
Total	100

9.1. PHASE 1- FUNCTIONALITY EVALUATION

Bids must meet the minimum eligibility criteria in respect of functionality of 70 points out of 100 points that will be awarded for functionality before they are considered further. Any bid that does not meet the minimum eligibility threshold will not be evaluated further on Price.

The functionality criteria together with the maximum points to be awarded are set out below:

CRITERIA	EVALUATION GUIDE	SCORE GUIDE	WEIGHT
Company Profile and Experience	Please provide company profile and signed reference letters for services related to conducting an assessment of client's information security systems in terms of the ISO 27001:2022 standard, on client's letter head. (public sector or private sector clients)	1 = no reference letter and company profile; 2 = one reference letter and company profile; 2 = two reference letters and company profile; 3 = three reference letters and company profile; 4 = four to six reference letters and company profile; 5 = seven or more reference letters and company profile.	05
Project Plan indicating readiness to implement and complete	Please submit a detailed project plan for the implementation of the project. The project must, at a	1 = Non submission of project plan; 2 = Project plan addresses 1-2 requirements in evaluation guide;	15

within required timeframes	minimum, contain the following: • Detailed activities; • Clear deliverables with timeframes for completing the deliverables; • Roles and responsibilities allocated for the envisaged deliverables; • The proposed timeframes must be within the overall duration of the project.	3 = Project plan addresses 2-3 requirements in evaluation guide; 4 = Project plan addresses 4 requirements in evaluation guide 5 = Project plan addresses 5 or more requirements in the evaluation and includes more proposed activities.	
Knowledge and experience of the Project Manager/Lead Professional	Qualification(s) of Lead Professional/Project Manager who will be deployed to provide the envisaged service. The Lead Professional/Project Manager must:	1 = Non submission of CV and/or certified copies of qualifications; 2 = CV, certified copies of qualifications and less than 5 years of experience; 3 = CV, certified copies of qualifications and 5 - 7 years of experience;	30

	• Have an appropriate academic qualification and at least 5-10 years of work experience regarding providing services pertaining to successfully assisting public sector and/or private sector organizations in conducting assessments of client's information security systems in terms of the ISO 27001:2022 standard. • Attach a CV and certified copies of qualifications. Proof of SAQA evaluation must be provided in the case of foreign qualifications.	4 = CV, certified copies of qualifications and 8 - 10 years of experience; 5 = CV, certified copies of qualifications and more than 10 years of experience.	
--	---	---	--

History of successful implementation of similar projects.	Sample of report(s) done on behalf of clients wherein service provider conducted an assessment on behalf of client in public or private sector and outcomes and/or recommendations from the assessment. Sample report of ISO 27001:2022 assessment conducted should be of assessments previously done within the last seven (7) years on behalf of public or private sector clients. (the document may be abridged) (the identity of clients may be blacked out in order	1 = no sample policy or framework documents of similar projects previously done; 2 = 1 sample policy or framework document of similar projects previously done; 3 = 2-4 sample policy or framework documents of similar projects previously done; 4 = 3-6 sample policy or framework documents of similar projects previously done; 5 = 7 or more sample policy or framework documents of similar projects previously done.	50
---	---	---	-----------

	to protect personal information of such clients).		
TOTAL			100%

9.2. PHASE 2: PREFERENTIAL POINTS SYSTEM SCORING

Bids must score a minimum of 70 points in the functionality evaluation phase 1 to proceed to phase 2 of the evaluation. Applicants meeting the minimum functionality criteria, will then be scored on the 80/20 principle, based on their price and specific goals ratings respectively. The applicant with the highest total number of points will be awarded the contract.

10. FORMAT OF THE BID SUBMISSION

Technical Proposal

- 10.1. Proposals must be submitted in 3 copies, 1 original and 2 copies.
- 10.2. Letter of Application.
- 10.3. Company Profile.
- 10.4. Proposal with project plans and other specified requirements in the functionality section.
- 10.5. Reference letters.
- 10.6. Team member names and roles and certified copies of qualifications and CVs.
- 10.7. Sample documents of previous work done in conducting assessments of client's information security systems in terms of the ISO 27001:2022 standard.
- 10.8. Any other information or documentation specified in the functionality section.
- 10.9. Submission of all applicable documents as indicated below:
 - 10.9.1. Valid SARS Tax Compliance Status (TCS) verification/pin or Proof of exemption from SARS.

10.9.2. Consortium/Joint Ventures must submit their, Joint Venture agreement, tax Compliance Status (TCS) PIN or Proof of exemption form SARS, and other relevant documents to qualify.

10.9.3. Submission of the following documents is compulsory and failure to submit will lead to disqualification of the proposal:

- The completed and signed Standard Bidding documents (SBD):
 - ❖ SBD 1
 - ❖ SBD 4
 - ❖ SBD 6.1
- Proof of registration with the National Treasury Central Supplier Database. (CSD) A CSD Registration report with all information verified.
- General Conditions of Contract (each page must be signed and initialed)

Financial Proposal

The Proposal should include a Financial Proposal, which includes a pricing schedule, setting out the total pricing for the envisaged services including the hourly rate for such services, if applicable.

11.IMPORTANT INFORMATION FOR BIDDERS

11.1. Bid proposals must be submitted to:

Ms Ursula Mathonsi

Manager: Supply Chain Management

The PSETA

Ground Floor, Woodpecker Building, Hillcrest Office Park, Lynwood, Pretoria

No late applications will be accepted.

No electronic bid applications will be accepted.

- 11.2. The validity period of the bids is 90 days from the closing date. Please direct all queries to Ms. Ursula Mathonsi via email on ursulam@pseta.org.za or telephonically on 012-4235700
- 11.3. The PSETA reserves the right to terminate the request for proposals and any subsequent purchase order.



8/07/2024