



Independent and within reach.

Closing Date:	Thursday 28 th September 2023 12:00
Compulsory Briefing Session:	Tuesday, 12 th September 2023 at 11:00 Meeting Link https://bit.ly/3spyldc
Contact Person:	Gontse Mpshe
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1. SPECIFICATION – PROVISION FOR CLOUD-BASED ELECTRONIC BOARD AND COMMITTEE MEETING MANAGEMENT SOFTWARE AND OPERATIONAL SUPPORT FOR THE PERIOD OF FIVE YEARS.

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1. DISCLAIMER

- 1.1 The information contained in this Request for Proposal (“RFP”) document or subsequently provided to Bidders, whether verbally or in documentary or any other form by or on behalf of Legal Aid South Africa, is provided to Bidders on the terms and conditions set out in this RFP and such other terms and conditions subject to which such information is provided. The information contained in this document is confidential in nature. The bidders shall not share this information with any other party not connected with responding to this RFP.
- 1.2 This RFP is not an agreement or an offer by Legal Aid SA to the prospective Bidders or any other person. The purpose of this RFP is to provide interested parties with information that may be useful to them in the formulation of their proposals pursuant to this RFP. Though this RFP has been prepared with sufficient care to provide all required information to the potential bidders, they may need more information than what has been provided. In such cases, the potential bidder is solely responsible to seek the information required from Legal Aid SA. Legal Aid SA reserves the right to provide such additional information at its sole discretion.
- 1.3 Legal Aid SA and its employees make no representation or warranty and shall have no liability to any person including any bidder under any law, statute, rules or regulation, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this RFP or otherwise, including the accuracy, adequacy, correctness, reliability or completeness of the RFP and any assessment, assumption, statement or information contained therein or deemed to form part of this RFP or arising in any way in this selection process.
- 1.4 Legal Aid SA also accepts no liability of any nature whether resulting from negligence or otherwise however caused arising from reliance of any bidder upon the statements contained in this RFP.
- 1.5 Legal Aid SA may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumption contained in this RFP.
- 1.6 The issue of this RFP does not imply that Legal Aid SA is bound to select a bidder or to appoint the selected bidder for the Request for Quotation herewith, Legal Aid SA reserves the right to reject all or any of the proposals without assigning any reasons whatsoever.
- 1.7 The bidder shall bear all its costs associated with or relating to the preparation and submission of its proposal including but not limited to

preparation, copying, postage, delivery fees, USB and labelling, expenses associated with any demonstrations or presentations which may be required by Legal Aid SA or any other costs incurred in connection with or relating to its proposal. All such costs and expenses will remain with the bidder and Legal Aid SA shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by a bidder in preparation or submission of the proposal, regardless of the conduct or outcome of the selection process.

2. INTRODUCTION

2.1 Legal Aid South Africa (abbreviated as "Legal Aid SA") is a national public entity established by the Legal Aid South Africa Act 39 of 2014. Its aim is to render legal aid or make available legal advice, provide legal representation to people at state expense, and provide education and information concerning legal rights and obligations, as envisaged in the Constitution of the Republic of South Africa. Legal Aid SA is a high-performing organization and is certified as a Top Employer in South Africa.

3. BACKGROUND

3.1 Legal Aid SA embrace a coordinated approach to governance, underpinned by the principles of openness, integrity and accountability and an inclusive approach that recognizes the importance of all stakeholders with respect to the viability and sustainability of Legal Aid SA. Legal Aid SA maintained full compliance with the Legal Aid SA Act and the King IV Principles and other related Codes. The board is comprising of ten (10) non-executive board members, three (3) alternate board members, six (6) Co-opted board members, four (4) executive directors supported by three (3) board secretariat staff members and (6) executive members. Therefore, an estimated number of between 33 and 35 licenses will be required. The Legal Aid SA board conducts full board meeting and several committee level meetings at least quarterly.

3.2 Currently the organization makes use of the internally developed electronic board portal, administered by internal staff members to diarizes all the board meetings with all the board packs and supplementary documents and send the email notifications to all active board members whenever the new board pack documents has been updated.

4 PURPOSE

- 4.1 The primary objective of this Request for Proposal (RFP) is to identify a suitable cloud-based board administration software solution with operational support for the period of five (5) years, that meets our organisation's specific requirements. We aim to modernize and automate our board management practices, enabling efficient document management, meeting scheduling, agenda creation, and communication within our board of directors;
- 4.2 Streamline and enhance the management of board-related activities and processes within an organization.
- 4.3 Improved Governance and Compliance: The software promotes good governance practices by ensuring compliance with relevant regulations, policies, and standards. It facilitates transparency, accountability, and adherence to data protection and privacy requirements.

5 SCOPE OF WORK

- 5.1** The scope of work will encompass implementation of a comprehensive cloud-based board administration software, maintenance, and support for the period of 5 years on 24/7 basis. The selected board administration software should include, but is not limited to the following key features:

5.2 FUNCTIONAL REQUIREMENTS

5.2.1 Board Document Management

- A. Upload up to 100MB per documents size board pack of various document file types (i.e., pdf, word, excel, etc.) with minimum effort.
- B. Secure document repository for storing and sharing board-related documents, such as meeting agendas, minutes, reports, and policies.
- C. Version control and document revision history.
- D. Role-based access control to ensure appropriate document access for board members and administrators.
- E. Approve documents using e-signature online or offline.

5.2.2 Meeting Management

- A. Easy creation and management of meeting schedules, including automated notifications and reminders.
- B. Ability to generate and distribute professional meeting agendas and minutes.
- C. Collaboration tools to facilitate real-time note-taking, annotation, and decision tracking during meetings.
- D. Integration with popular calendar applications for easy scheduling and synchronization.

5.2.3 Communication and Collaboration

- A. Secure communication channels for board members to exchange messages, share documents, and discuss important matters.
- B. Announcement and notification capabilities to inform board members about upcoming meetings, deadlines, and updates.
- C. Discussion forums or chat features to facilitate virtual collaboration and promote engagement among board members.
- D. Self-help chatbot to assist board members and board administrators to navigate around the system.

5.2.4 Survey Administration Functionality

- A. User-friendly survey creation and customization options.
- B. A wide range of survey question types (multiple-choice, open-ended, Likert scale, etc.).
- C. Survey distribution mechanisms (email invitations, website embedding, etc.).
- D. Survey response management, tracking, and analytics.
- E. Data visualization and reporting features.

5.3 NON-FUNCTIONAL REQUIREMENT

5.3.1 Security and Compliance

- A. Robust security measures to protect sensitive board information from unauthorized access.
- B. Keeping all the board portal software components up to date.
- C. Keeping the artefacts up-to-date and submitting a quote for annual license renewal if any three months before their expiration.
- D. Compliance with relevant data protection and privacy regulations.
- E. Strong user authentication mechanisms to verify the identity of users accessing the software. This can include username/password authentication, and two-factor authentication (2FA), or multi-factor authentication (MFA).
- F. Ensure that sensitive data, such as user credentials, documents, and communications, are encrypted both in transit and at rest. Encryption protocols like SSL/TLS and data encryption algorithms like AES can be used to secure the data.
- G. The software should be highly reliable, minimizing downtime and ensuring access to critical board information. It should have backup and recovery mechanisms to protect against data loss or system failures.

6 DELIVERABLES

The board administration software should provide but not limited to the following:

6.1 Software Installation and Configuration: The board administration software should be installed and configured to suit the organization's specific requirements and infrastructure. This includes setting up the necessary databases, user accounts, and system settings.

6.2 User Interface and Access Control: The software should provide a user-friendly interface for board members, administrators, and other authorized users. It should include role-based access control, allowing different levels of access and permissions based on user roles.

6.3 Document Management Module: A fully functional document management module should be delivered, allowing users to upload, store, organize, and manage board-related documents securely. The module should support file versioning and provide access controls for document security.

6.4 Meeting Management Module: The meeting management module should enable users to schedule board meetings, create meeting agendas, record meetings and generate transcripts. It should facilitate automated notifications and reminders for meeting participants.

6.5 Communication and Collaboration Features: The software should provide communication tools such as messaging, chat, and discussion forums for board members to collaborate and share information securely within the platform.

6.6 Mobile Accessibility: Deliver the software with mobile-friendly interfaces or mobile applications, enabling board members to access meeting materials and collaborate on-the-go using their smartphones or tablets.

6.7 Security and Compliance Measures: Ensure that the software meets industry-standard security practices and complies with relevant data protection and privacy regulations (i.e., POPIA). Provide documentation on security features implemented and guidelines for ensuring compliance.

6.8 Reporting and Analytics: Deliver reporting capabilities that allow administrators and board members to generate reports on meeting attendance, decision outcomes, action items, and other relevant data. These reports should be customizable and exportable.

6.9 Training and Support: Provide training materials, user guides, and tutorials to

assist board members and administrators in effectively using the software. Provide the self-help chatbot to assist with the FAQ and offer ongoing technical support to address any issues or questions that may arise during implementation and usage.

- 6.10 **Data Migration:** Ensure smooth integration with existing systems, such as document management platforms or calendar applications. Provide data migration services to transfer existing board-related data to the new software.
- 6.11 **Customization Options:** Offer customization options to tailor the software to the organization's specific needs. This may include branding, interface customization, and additional features requested by the organization.
- 6.12 **Regular Updates and Maintenance:** Commit to providing regular software updates, bug fixes, and maintenance to ensure the software's continued functionality, security, and compatibility with evolving technology. Provide 24/7 support for a period of 5 years.
- 6.13 **User Acceptance Testing (UAT):** Conduct UAT sessions with key stakeholders to validate the software's functionality and usability before final deployment.
- 6.14 **Documentation:** Provide comprehensive documentation, including user manuals, technical specifications, system requirements, and any other relevant documentation to assist with the software's administration and usage.

7 TECHNICAL PROPOSAL ORGANISATIONAL GUIDELINES

7.1 Table 2: Technical Proposal Organisational Guidelines below contains the organisational guidelines for proposal responses.

Table 2: Technical Proposal Organisational Guidelines

Proposal Tab No.	Technical Proposal Section
1	Company Introduction and Relevant Experience
2	Detailed Proposal addressing the Scope of Work
3	Project Implementation Methodology
4	Project Schedule
5	Migration Plan
6	Personnel Resumes, Qualifications/Certificates and Team Organisation
7	Service Level Agreement for Implementation Security, Hosting, Support and Maintenance
8	References
9	Sample Contracts, Warranty and Escrow
10 - Supplements	Any proposer-submitted materials or documentation not specifically requested through this RFP may be included as Supplements to the proposal in a separately marked "Supplements" tab of the proposal
11 - Annexure A	The bidders are required and mandated to complete all annexures included in the specifications. The annexures provided as part of this RFP will take precedence over any additional documents that may be attached. Annexure A will be used for evaluation and scoring, and failure to submit a fully-filled Annexure A will result in no points being awarded.
12	Bidders are required and mandated to complete all annexures provided in detail. Supplementary documents may be annexed by the bidder, however Annexure B: Implementation, Support and Maintenance for a period of five years price schedule should be completed. It is the bidder's responsibility to ensure that the prices are vat inclusive, and totals are accurate. Price Schedule

8 FUNCTIONAL EVALUATION CRITERIA

The criterion for evaluation of proposals is detailed on the section below. Bidders who score less than 80% of the 100 points for functionality will be disqualified, and will not be evaluated further.

Max Points	Criteria	Points
	Company Experience	
15	A company profile with more than five (5) years of industry experience relevant to the RFP is provided.	15
	Company Industry Experience Years	5
	5 or more years' industry experience	5
	4 years' industry experience	4
	3 years' industry experience	3
	2 years' industry experience	2
	1 year' industry experience	1
	No industry experience	0
	Client list on contracts awarded for similar services in the past 5 years. The bidder must complete the client list template provided on the Annexure 2—Functional Requirements worksheet.	5
	5 or more than Clients provided	5
	4 Clients provided	4
	3 Clients provided	3
	2 Clients provided	2
	1 Clients provided	1
	No Clients provided	0
	Number of similar projects successfully completed in the past 5 years.	5
	5 projects completed successfully	5
	4 projects completed successfully	4
	3 projects completed successfully	3
	2 projects completed successfully	2
	1 projects completed successfully	1
	No projects completed successfully	0
	Written references	
5	The service provider must provide reference letters from contactable references for the provision of similar services which are not more than 5 years. Reference Letter should be dated and signed, and not older than 5 years.	5
	5 positive, dated, and signed reference letters attached and not older than 5 years.	5
	4 positive, dated, and signed reference letters attached and not older than 5 years.	4
	3 positive, dated, and signed reference letters attached and not older than 5 years.	3

Max Points	Criteria	Points
	2 positive, dated, and signed reference letters attached and not older than 5 years.	2
	1 positive, dated, and signed reference letters attached and not older than 5 years.	1
	No reference letter attached	0
	Quality of project technical team	
5	The service provider must provide the CV of a Project Leader who will be assigned to this project, indicating the experience, qualifications, and/or certificates relevant for this project. The CVs must be accompanied by qualifications or valid and up-to-date certifications in related fields.	5
	Resume of a Project Leader with ND or Degree in IT (Related field) with more than 5 years' experience in similar projects	5
	Resume of a Project Leader with Certificate, ND, or Degree in IT (Related field) with less than 5 years' experience in similar projects	4
	Resume of a Project Leader without qualification or certificates but more than 10 years' experience in similar projects	3
	Resume of a Project Leader without qualification or certificates but more than 5 years' experience in similar projects	2
	Resume of a Project Leader without qualification or certificates and less than 5 years' experience in similar projects	1
	Project Leader CVs not attached	0
	Project Implementation Plan	
15	The service provider must provide a project implementation plan on this project that should be complete not later than 6 months from the contract start date. The plan must be detailed and must include, but not limited to, the following activities and tasks:	15
	• Timeframes	
	• Deliverables	
	• Project Initiation Document	
	• Work Break Down Structure	
	• Project Risk Assessment	
	• Project Resources	
	Project management methodology and a well-presented detailed project implementation plan with the above 6 tasks addressed in detail.	15
	Poor or no project management methodology and sub-standard or no project implementation plan	0
	Functional requirements	

Max Points	Criteria	Points
	Refer to annexure A: Functional and Technical Requirement	50
	Non-Functional Requirements	
10	Software Installation and Configuration	
	The service provider must be able to install and configure the board administration software to suit the organisation needs and requirements. This includes setting up the necessary components of the software. Furthermore, this should be preceded by a well-documented installation and configuration guide document	4
	Installation and configuration of the board administration software.	2
	Full documentation and the installation guide of the software and other artifacts of the software.	2
	Security and Compliance Measures	10
	The service provider must make sure that the software is user friendly and can be early navigated by the board member, administrators, and authorized users. The service provider must make sure that the board administration software supports role-based access control. Full documentation showing the roles and permissions is also required	
	The service provider shall be responsible for ensuring the board portal is secure and resilience against all cyberthreats and vulnerabilities, including but not limited to the following:	2
	Keeping all the board portal software components up to date.	
	Keeping the artefacts up-to-date and submitting a quote for annual license renewal if any three months before their expiration.	2
	User Authentication: Strong user authentication mechanisms to verify the identity of users accessing the software. This can include username/password authentication, and two-factor authentication (2FA), or multi-factor authentication (MFA).	2
	Data Encryption: Ensure that sensitive data, such as user credentials, documents, and communications, are encrypted both in transit and at rest. Encryption protocols like SSL/TLS and data encryption algorithms like AES can be used to secure the data.	2
	Reliability and Availability: The software should be highly reliable, minimizing downtime and ensuring access to critical board	2

Max Points	Criteria	Points
	information. It should have backup and recovery mechanisms to protect against data loss or system failures.	
	Service Level Agreement for Support and Maintenance	
5	The service provider must provide a proposed Service Level Agreement. The SLA must be detailed and must include, but not limited to, the following:	5
	• Outline Responsibilities of Service Provider	
	• Outline Responsibilities of Legal Aid SA	
	• Service Schedule	
	• Billable work and Rates of services	
	• Operating Hours of the Service Provider	
	• Limitations of service Provider	
	• Penalties Clause	
	SLA complies with the minimum specification	5
	SLA partially complies with the minimum specification	2.5
	SLA does not comply with minimum requirements	0
TOTAL		100

The bids that achieve 80% or more for the Functionality Evaluation will be further evaluated on the 80/20 points system where 80 points are for pricing, and 20 points are for preferential procurement requirements.

RIGHTS TO SUBMITTED MATERIAL

It shall be understood that all proposals, responses, inquiries, or correspondence relating to or in reference to this RFP, and all reports, charts and proposals referencing information submitted in response to this RFP, shall become the property of Legal Aid SA and will not be returned. Legal Aid SA will use discretion regarding disclosure of proprietary information contained in any response but cannot guarantee information will not be made public. As a government entity, Legal Aid SA is subject to making records available for disclosure.

9 CONFIDENTIAL INFORMATION

9.1 Any written, printed, graphic, electronic, or magnetically recorded information furnished by Legal Aid SA for the respondent's use is the sole property of Legal Aid SA. This proprietary information includes, but is not

limited to, customer requirements, customer lists, marketing information and information concerning Legal Aid SA employees, products, services, prices, operations, security measures and subsidiaries.

- 9.2 The respondent and its employees shall keep this confidential information in the strictest confidence and will not disclose it by any means to any person except with Legal Aid SA's approval, and then only to the extent necessary to perform the work under the contract. These confidentiality obligations also apply to the respondent's employees, agents and subcontractors, and the respondent shall be liable for a breach of the confidentiality obligations by any such party. On termination of the contract, the respondent, its employees, agents, and subcontractors will promptly return any confidential information in its possession to Legal Aid SA.

10 PAYMENTS

- 10.1 No payment will be made by Legal Aid SA before a service has been fully rendered and signed off by Legal Aid SA.
- 10.2 Payment will be made within 30 days of receipt of the original or certified invoice from the supplier, provided that Legal Aid SA is satisfied with the quality and standard of the supplier's performance.

11 BID CONDITIONS

- 11.1 The following documents must be completed and returned together with the quotation:
- a) SBD 1
 - b) SBD 3.1
 - c) SBD 4
 - d) SBD 6.1
- 11.2 The bidder must provide proof of registration on National Treasury's Central Supplier Database (CSD) which should reflect that the bidder is an active supplier, is tax compliant and is not a restricted supplier.
- 11.3 Legal Aid SA SCM Policy on preferential procurement: Specific goals will be evaluated using the Preferential Points System Evaluation: 80/20: Price = 80 points and B-BBEE status level of contribution = 20 points
- 11.4 Bidders are required to provide a valid B-BBEE status level verification certificate or an affidavit where preference points are claimed.
- 11.5 The proposals must be valid for a minimum period of 120 days from the date of issuing and must include VAT where applicable.
- 11.6 The full costs must be disclosed and no variances will be entertained.
- 11.7 The bidders must send their proposals, along with the proposal, to the addresses listed on the RFP's cover page, along with fully completed Annexures A and B and other required bidding documents.
- 11.8 All the questions or queries relating to the specifications should be forwarded in writing to contact listed on the cover page no later than **21st**

September 2023. The questions or queries should reference a specific paragraph from the RFP.

- 11.9 If a bidder discovers an ambiguity, conflict, discrepancy, omission, or other error in this RFP, notice should be provided with the tender number and reference to the RFP to the contact person stated in the cover page. Legal Aid SA is not responsible for and has no liability for or obligation to correct any errors or omission in this RFP.
- 11.10 Legal Aid SA will sign the SLA with the successful bidder, considering the objective criteria under par. 12 below has been met, prior to commencement of any work, which will form the contractual basis for the delivery of the services and provide a mechanism to measure the quality of the services. The SLA will include Legal Aid SA's Special Conditions of Contract.
- 11.11 All enquiries must be directed to:
Name: Gontse Mpshe
Email address: gontsem@legal-aid.co.za
- 11.12 The mandatory briefing will take place on the 12th of September 2023 at 11 am on the MS Teams virtual platform, accessible via the link <https://bit.ly/3spyldc>

12 Objective Criteria

- 12.1.1 Legal Aid SA, like any other business, relies greatly on suppliers for most services, therefore, the interaction with suppliers/contractors/consultants can have a substantial impact on a Legal Aid SA operation. Legal Aid SA can be negatively impacted by a supplier who does not have a good reputation or has been implicated in unethical activities, by association. To mitigate this reputational risk, Legal Aid SA will investigate any negative and positive news on the supplier/contractor/consultant before doing any business and make an informed decision about association.
- 12.1.2 In the event a bidder is found to not satisfy/meet the conditions or requirements set under par. 12.1 above, Legal Aid shall exercise its right in awarding the bid using applicable prescripts as provided for under the PPFA (sec. 2(f), which states, *"the contract must be awarded to the tenderer who scores the highest points, unless objective criteria in addition to those contemplated in paragraphs (d) and (e) justify the award to another tenderer;"*

LEGAL AID SOUTH AFRICA RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THE PROPOSALS.

END OF THE REQUEST FOR PROPOSAL DOCUMENT