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NOTICE TO SERVICE PROVIDERS

REQUEST FOR PROPOSAL (RFP): Support and Maintenance of a Backup Power and Green Energy Solution for Local and Provincial Offices for a period of five (5) years.

Date of Issue	08 July 2024
Closing Date:	19 August 2024
Compulsory Briefing Session	30 July 2024 @ 10:00am via MS Teams https://t.ly/RsQ0l
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1. DISCLAIMER

- 1.1. The information contained in this Request for Proposal document (“**RFP**”) 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 South Africa 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 South Africa. Legal Aid South Africa reserves the right to provide such additional information at its sole discretion.
- 1.3. Legal Aid South Africa 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 South Africa 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 South Africa 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 South Africa is bound to select a bidder or to appoint the selected bidder, as the case may be, for the Request for Proposal herewith, Legal Aid South Africa 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 South Africa 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 South Africa 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. BACKGROUND AND 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 persons 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-performance organisation and is certified a Top Employer in South Africa.
- 2.2. Legal Aid SA has 68 remote offices and national office Data Centre requiring upgrade of the backup power solution.
- 2.3. Each remote office has been installed with UPS as per the current specification provided in annexure A.
- 2.4. Legal Aid SA is seeking proposals from suitably qualified and reputable service providers for UPS replacement and installation of green energy solution with 5 years support and maintenance.
- 2.5. Seven of the sixty-eight remote offices are owned by Legal Aid SA and will require green energy solution.
- 2.6. All other 61 offices will require replacement of the existing UPS.

3. OBJECTIVE

- 3.1. The main objective of this project includes but is not limited to:
 - a) provide power during power outages for the computers and network devices
 - b) provide lighting for the office during power outages
 - c) ensure that the office can sustain power outages for a minimum of four hours
 - d) provide green energy solution for Legal Aid SA's owned offices

4. PROJECT SCOPE

4.1 The appointed contractor shall undertake to provide Legal Aid SA with services of a high and acceptable standard, which shall include but are not limited to:

4.1.1 Replacement of UPS in 61 Local and Provincial Offices

- a) Supply and delivery of UPS, batteries and required consumables.
- b) Minimum specification is as per annexure A.
- c) Decommissioning of the existing UPS
- d) Installation and testing
- e) Integrating lights circuit breaker in the UPS
- f) Supply Certificate of Compliance

4.1.2 Installation of green energy solution for seven Local Offices

- a) Supply and delivery of UPS, solar panels and required consumables.
- b) Minimum specification is as per annexure A.
- c) Decommissioning of the existing UPS
- d) Installation and testing
- e) Integrating other circuit breakers in the UPS
- f) Supply Certificate of Compliance

4.1.3 National Office Data Centre UPS Replacement

- a) Decommissioning and removal of the existing UPS machine;
- b) Supply, installation and commissioning of an 80 KVA UPS as per the specification including, battery cabinet/ stand, cable between UPS & DB and all accessories required to complete the installation and ensure new UPS is connected and integrated to existing systems (generator and others) without disruptions.
- c) It is the bidder's responsibility to remove all items from the site. The batteries and battery rack can be removed for recycling. Bidders are to indicate on the pricing schedule if they offer a **buy-back / discount** for acquiring the existing 80 kVA UPS. Legal Aid SA reserves the right to exercise this option or to keep the UPS for future use.

4.1.4 Quarterly proactive maintenance for a period of five years

- a) Ensure cleanliness of equipment & surrounding area
- b) Check input Voltage & current if required
- c) Check output voltage & current if required
- d) Check Battery voltage if required
- e) Check Battery terminals
- f) Check & ensure operation of UPS cooling Fans
- g) Check for any fault alarm / indication
- h) Current in AMPS - R/Y/B
- i) Check for any abnormal noise from the UPS.

5. DELIVERABLES

5.1 This should provide but is not limited to:

6.1.1 All hardware and consumables required to complete the project

6.1.2 Decommissioning of old UPSs

6.1.3 Solution design

6.1.4 Installation and commissioning

6.1.5 User acceptance testing per office

6.1.6 Project sign-off certificate per office

6.1.7 Certificate of Compliance per office

6.1.8 The service provided must provide a handover document/documentation for the overall setup of the Legal Aid SA backup solution as part of the project signed off.

6. TECHNICAL SPECIFICATION

6.1 Hardware Minimum Specification for UPS Replacement (61 Offices)

6.1.1 Offices are classified as Medium (22 offices), Large (29) and Extra Large (10 offices) based on the number of users and number of dedicated plugs installed.

6.1.2 This classification influenced the minimum specification provided in Table 1 below. Annexure A provides specification configuration per office.

6.1.3 Bidders are required to specify all consumables required to successfully deliver the project.

Office Classification	Number of Offices	Minimum UPS Specification	Minimum Battery Specification
Medium	22	5kw UPS or Inverter	10.2kWh Lithium battery
Large	29	5kw UPS or Inverter	20.4kWh Lithium battery
X Large	10	6kw UPS or Inverter	20.4kWh Lithium Battery

Table 1: UPS replacement minimum specification for LO and PO

6.2 Hardware Minimum Specification for Green Energy Solution (7 Offices)

Office	Inverter	Batteries	Solar Panels
Welkom LO	24kw Inverter	24kWh Lithium Battery	45 x 550w Solar panels
Krugersdorp LO	24kw Inverter	24kWh Lithium Battery	45 x 550w Solar panels
Witbank LO	24kw Inverter	24kWh Lithium Battery	45 x 550w Solar panels
Middelburg LO	24kw Inverter	24kWh Lithium Battery	45 x 550w Solar panels
Germiston LO	24kw Inverter	24kWh Lithium Battery	45 x 550w Solar panels
Lichtenburg LO	12kw Inverter	12kWh Lithium Battery	18 x 460w Solar Panels
Port Elizabeth LO	24kw Inverter	24kWh Lithium Battery	45 x 550w Solar panels

Table 2: Green energy solution minimum specification

6.3 National Office Data Centre UPS Replacement

- 6.3.1. 80KVA 380/220 VAC (Input and Output)- 3 phase on-line double conversion UPS system. Bidders are to specify or disclose the brand to be supplied.
- 6.3.2. SNMP (Simple Network Management Protocol) compatibility for network monitoring and management including network management card
- 6.3.3. Battery stand/Cabinet
- 6.3.4. VC-1200, 12.8V DC, 200Ah Lithium-ion batteries for above UPS with a back-up rating for 2 hours- Extended battery life with high cycle count (10-year/ 5000 cycle design @ 80%).
- 6.3.5. Battery fused isolator.
- 6.3.6. DC cable work for above UPS

7. SUPPORT AND MAINTENANCE

7.1. MAINTENANCE AND SUPPORT FOR LOCAL AND PROVINCIAL OFFICES

- 7.1.1 The Contractor will be responsible for ensuring that the backup power solution is fully functional throughout the contract period.
- 7.1.2 Maintenance of backup power solution shall include:
 - a. Remote Support to all Legal Aid SA Offices (only offices in scope) to resolve or diagnose all Faults
 - b. Response and resolution of backup solution within two (2) business/working day for all Legal Aid SA offices from reporting of any defective and faulty equipment by Legal Aid SA as per the SLA.
 - c. Quarterly proactive maintenance for UPS installed.
 - d. Monitoring of entire system and ensuring all UPS are fully operational.

7.2. MAINTENANCE AND SUPPORT FOR NATIONAL OFFICE DATA CENTRE

7.2.1 Quarterly UPS Service

The Service provider is required to ensure that the following activities are undertaken on the UPS:

- a) Estimated back-up time at current load
- b) Transfer load from inverter to Bypass
- c) Remove covers and blow out unit
- d) Check operation of all fans and replace if necessary
- e) Check all AC and DC connections
- f) Check condition of all AC and DC capacitors
- g) Check condition of all chokes and transformers
- h) Check condition of PCBs
- i) Check operation of all meters/displays and calibrate if necessary
- j) Transfer load from Bypass to Inverter
- k) Return system to Normal mode
- l) Simulate Main Failure to verify batteries
- m) Ensure no alarms are presents
- n) Replace all batteries when due for replacement
- o) Check input and output voltage phase to neutral
- p) Check input and output current
- q) Check phase rotation
- r) Check elevated neutral voltage (between Earth and Neutral)
- s) Check DC voltage
- t) Check battery discharge current

- u) Check Voltage at the end of discharge
- v) Check DC voltage
- w) Check battery discharge current
- x) Check Voltage at the end of discharge
- y) Provide a service report.

7.2.2 Day to day – As and when required/Ad-Hoc

- a) Supply and Install controllers, spares and parts
- b) Supply and replace batteries
- c) Provide a 24 hour call out service 365 days of the year

8. SUPPORTING DOCUMENT CHECKLIST

No.	Document	(√) Tick applicable box				Reference Page
		Yes		No		
1.	Company profile – this must also indicate national geographical footprint, company experience, existing clients and recent projects.					
2.	CV and qualification certificate of Project Leader. The CV must be accompanied by a valid PMP certification or equivalent diploma or degree					
3.	CV and qualification/certifications of installation technical resources. The CVs must be accompanied by valid and up to date certifications in related fields.					

No.	Document	(V) Tick applicable box				Reference Page
		Yes		No		
4.	Project implementation plan: provide an overview of the project management methodology to be used and the phases included in the methodology in line with the delivery of this project. Detailed project plan on how these systems will be implemented. A detailed project implementation plan (including but not limited to work breakdown structure (WBS), resource allocation and timelines) with respect to operational readiness within a six (6) months period must be provided					
5.	At least 5 reference letters from previous/current clients on the company's letterhead with an authorized signature. Letters must be dated and not older than five (5) years. Any unsigned letter and any letter not on company letter head will not be considered for evaluation purpose					
6.	Detailed SLA as per the tender requirement. The SLA must clearly indicate the response and restore time as outlined under "Maintenance and Support" section					
7.	Proposed solution outlining the architecture and functionality					

No.	Document	(V) Tick applicable box				Reference Page
		Yes		No		
8.	OHSA (Occupational Health and Safety) file. Bidder must have allowed for all costs in compliance					
9.	The bidder must be registered and active with the CIDB in the following category: <u>Grade 5 EB or EP or Higher. The bidder must provide proof of registration as part of their bid response</u>					
10.	Bidders must provide certified proof of accreditation and/or registration of the company with the Department of Labour as an Electrical Contractor					
11.	Valid letter of good standing from the Compensation Commissioner					

Table 3: Supporting document list

9. FUNCTIONALITY EVALUATION CRITERIA

- 9.1. **Pre-qualification Stage:** All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

Bidders must indicate their compliance/non-compliance to the following requirements and to substantiate as required.

Required document	Compliance/non-compliance	Comments
1) The bidder must be registered and active with the CIDB in the following category: <u>Grade 5 EB or EP or Higher. The bidder must provide proof of registration as part of their bid response</u>		
2) Bidders must provide certified proof of accreditation and/or registration of the company with the Department of Labour as an Electrical Contractor		

Table 4: Mandatory Requirements

- 9.2. **Functionality Evaluation Stage:** functionality will be scored against the following criteria. Please note that bidders will be disqualified where the minimum score of 80 points is not achieved.

Max Points	Criteria	Points
	A. Company Experience	
20	A company profile with more than five (5) years of industry experience relevant to the RFP is provided. The profile clearly outlines the company's national geographical footprint, relevant client list, and projects completed.	20
	Company Industry Experience Years	5

Max Points	Criteria	Points
	More than five (5) years' industry experience	5
	4 - 5 years' industry experience	4
	2 – less than 4 years' industry experience	3
	1 – less than 2 years' industry experience	2
	Less than 1 years' industry experience	1
	No industry experience	0
	Company National Geographical Footprint	5
	Offices in all 9 Provinces	5
	Offices in 7 - 8 Provinces	4
	Offices in 5 - 6 Provinces	3
	Offices in 3 - 4 Provinces	2
	Offices in 1 - 2 Provinces	1
	No office	0
	Client list on contracts awarded for similar services in the past 5 years.	5
	More than 5 Clients provided	5
	4 - 5 Clients provided	4
	2 - 3 Clients provided	3
	1 Client provided	2
	No Clients provided	0
	Number of projects successfully completed in the past 5 years. (written references will be used to measure the successful completion of past projects)	5
	More than 5 projects completed successfully	5
	4 - 5 projects completed successfully	4
	2 - 3 projects completed successfully	3
	1 project completed successfully	2
	No projects completed successfully	0
	B. Written references	
10	The service provider must provide reference letters from contactable references for the provision of similar services which are not older than 5 years. Reference Letter must include, but not limited to, the following minimum information to be accepted:	10
	Name of Referee	
	Contract Start & End date	
	Contact Person (Full Names)	
	Titles	
	Email Address /Telephone Numbers	
	Signature	

Max Points	Criteria	Points
	5 or more positive letters and not older than 5 years.	10
	3 to 4 positive letters not older than 5 years	6
	1 to 2 positive letters not older than 5 years	2
	No reference letter attached	0
	C. Quality of project leader	
10	Certified Project Leader with project management, IT or Engineering certificate, National Diploma or Degree with 5 or more years' experience in similar projects (bidders must clearly assign/designate the Project Leader in the submission)	10
	Certified Project Leader with project management, IT or Engineering certificate, National Diploma or Degree with less than 5 years' experience in similar projects	8
	Project Leader without a qualification with 10 or more years' experience in similar projects	6
	Project Leader without a qualification with less than 10 years' experience in similar projects	2
	Project leader CV not attached	0
	D. Quality of project technical team (collective experience will be measured)	
10	More than 5 certified technical resources with more than five (5) years' experience on similar projects	10
	4 - 5 certified technical resources with 4 to 5 years' experience on similar projects	8
	2 - 3 certified technical resources with more than five (5) years' experience on similar projects	6
	Less than 2 certified technical resources with less than five (5) years' experience on similar projects	2
	Technical resources CVs not attached	0
	E. Project Implementation Plan	
15	The service provider must provide an implementation plan on this project that should be complete not later than six (6) months from the contract start date. The plan must be detailed and must include, but not limited to, the following activities and tasks:	
	• Timeframes	
	• Deliverables	
	• Project Initiation Document	
	• Work Break Down Structure	

Max Points	Criteria	Points
	• Project Risk Assessment	
	Project management methodology and a well-presented detailed project implementation plan with the above 5 tasks addressed in detail.	15
	Project management methodology and an average project implementation plan with three to four of the above tasks addressed in detail.	10
	Partially detailed project management methodology with one to two of the above tasks addressed	5
	No project implementation plan	0
F. Technical requirements		
25	1. Backup Power Solution for 61 Offices	25
	Proposed UPS/Inverter 5Kw or higher for Medium and Large offices (51)	
	Proposed UPS/Inverter 6Kw or higher for X Large offices (10)	
	20.4kWh or higher Lithium battery for Large and X Large office	
	10.2kWh or higher Lithium battery for Medium Offices	
	2. Backup Power for National Office Data Centre	
	Proposed UPS 80Kw or higher	
	20.4kWh or higher Lithium battery	
	3. Green Energy Solution for Seven (7) Offices	
	Inverter proposed conforms with the minimum specification	
	Batteries proposed conforms with the minimum specification	
	Solar panels proposed are as per minimum specification	
	Decommissioning, installation, commissioning and testing for each of the three above sections	
	Certificate of compliance stated in the proposal for each of the above three sections	
	Proposed solution complies with all the requirements above	
	Proposed solution doesn't comply with 1 or more of the above	0
G. Service Level Agreement for Support and Maintenance		
10	The service provider must provide a proposed Service Level Agreement. The SLA must be detailed and must include, but not limited to, the following:	
	• Outline Responsibilities of the Service Provider	
	• Outline Responsibilities of the Legal Aid SA	
	• Service Schedule for the duration of the contract	
	• Billable work and Rates of services	
	• Operating Hours of the Service Provider	
	• Limitations of the service Provider	

Max Points	Criteria	Points
	• Penalties Clause	
	SLA complies with the minimum specification	10
	SLA does not comply with minimum requirements	0
TOTAL		100

Table 5: Functional evaluation

10. PRICING & PREFERENTIAL POINTS SYSTEM EVALUATION

- 10.1. Qualifying bidders from the functionality evaluation will be evaluated on price (as per par. 10.11) and preferential points system (80/20) using the specific goal of B-BBEE whereby price = 80 points and preference points = 20 points.
- 10.2. A detailed costing that breaks down by line item the procurement, installation, relocation, transportation, maintenance and support as per the attached pricing schedule.
- 10.3. Once-off costs and recurring monthly fees for a period of five years must be clearly indicated inclusive of the applicable escalation rate (percentage per year to be indicated).
- 10.4. Costing must be indicated clearly and unambiguously. All costs submitted should be VAT inclusive, if you are a VAT vendor.
- 10.5. The number of units (e.g. Inverters) must be specified if they are limited in any way. Any unit costs (e.g., costs for additional user licenses or server or additional desktop support, installation and configuration, migrating existing data from current solution to new, training, support and maintenance) must be explicitly quoted.
- 10.6. Costing must be in South African Rands.
- 10.7. Quotes must be valid for a duration of six months (180 days) from the closing date of the RFP.
- 10.8. Costing must account for all potential expenses associated with supporting and maintaining the power backup infrastructure, including but not limited to:
 - 10.8.1. Once-off Supply of Hardware

- 10.8.2. Removal of existing UPS equipment and Installation of new UPS equipment including all cabling and miscellaneous material required for installation as per Annexure A
- 10.8.3. Support and Maintenance for five (5) years
- 10.8.4. Ad-Hoc Service Rates
- 10.8.5. Relocation of Devices Rates per Office
- 10.8.6. Transport/Travel (if applicable)

10.9. Once-off Supply of Hardware

- 10.9.1. Detailed pricing per office must be supplied using pricing schedule attached.
- 10.9.2. The tables below contain the summary of once-off supply of hardware required as part of the support and maintenance contract:

No	Item Description	Total Price
1	Backup Power Solution for Medium Offices (22)	R
2	Backup Power Solution for Large Offices (29)	R
3	Backup Power Solution for X Large Offices (10)	R
4	Green Energy Solution for seven offices	R
5	National Office Data Centre UPS Replacement	R
Grand Total		R

Table 6: Once-off pricing summary

Ad-Hoc Service Rates

NB: All repairs and relocation will be conducted on an *ad hoc* basis. Rates quoted below by the bidder will be applicable **after** the expiry of the warranty for the duration of the contract.

Rates **shall not** be included in the Pricing structure above but will form part of the SLA.

General Call Out Rate

	Description	Unit	Qty	Rate
1.	Call Out	hr	1	

Fault Repair Rates

	Description	Unit	Qty	Rate
1.	UPS fault troubleshooting and repair	Per/h	N/A	

Relocation of Devices Rates per Office

	Description	Unit	Qty	Rate
1.	Removal of UPS and other reusable components	Lot	1	R
2.	Re-installation of UPS	Lot	1	R

Transport/Travel

	Description	Unit	Qty	Rate
1.	Transport	Km/hr	1	R

10.10. Support and Maintenance for 60 months

No	Item Description	Total Price
1	Year 1	R
2	Year 2	R
3	Year 3	R
4	Year 4	R
5	Year 5	R
	Total for support and maintenance	R

Table 7: Support and maintenance

10.11. Pricing summary

The grand total of all the above item (excluding ad-hoc pricing) descriptions should be written in the table below.

No	Item Description	Total Price
1	Backup Power Solution for 61 offices	R
2	Green Energy Solution for seven offices	R
3	National Office Data Centre UPS Replacement	R
4	Maintenance and support 60 months	R
	Grand Total	R

Table 8: Pricing Summary

11. Local CONTENT REQUIREMENTS

11.1 The following should be considered as per the Supply Chain Management requirements:

11.2 All items on table below with Local Content percentage must be locally produced or manufactured with the threshold stipulated below.

No	Item Description	Designated Products	Specified Local Content %
1	Cable per meter	Electrical and telecoms cables	90%

Table 9: Local Content Declaration

11.3 If the quantity of materials and/or products required cannot be wholly sourced from South African based manufacturers and/or at the designated local content threshold at any particular time, bidders should obtain written approval from the dti to supply the remaining portion at a lower local content threshold. Such requests for approval should be submitted and approval be obtained prior to the closure of the bid(s) concerned. The dti, in consultation with Legal Aid SA, will grant such approvals on a case-by-case basis and will consider the following:

- 11.3.1. required volumes in the particular bid;
- 11.3.2. available collective South African industry manufacturing capacity at that time;
- 11.3.3. delivery times;
- 11.3.4. availability of input materials and components;
- 11.3.5. technical considerations including operating conditions;
- 11.3.6. materials of construction; and
- 11.3.7. security of supply and emergencies.

11.4 Bidders must clearly indicate in their bids the quantities of material and products to be supplied and the level of local content for each product.

11.5 Requirements for Bid Invitations and Documents are as follows:

11.6 The exchange rate to be used for the calculation of local production and content must be the exchange rate published by the South African Reserve Bank (SARB) on the date of the advertisement of the bid. These will be verified

for accuracy. Only the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content.

- 11.7 Local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the following formula which must be disclosed in the bid documentation:

$$LC = (1-x/y) * 100$$

Where:

x = the imported content in Rand

y = the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the SARB on the date of advertisement of the bid.

- 11.8 Bid documentation must clearly stipulate that the SABS approved technical specification number SATS 1286:2011 and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)] are accessible to all potential bidders on the dti's official website: <http://www.thedtic.gov.za/sectors-and-services-2/industrial-development/industrial-procurement/> at no cost.
- 11.9 For the purpose of the above-mentioned paragraphs Annexure C (Local Content Declaration: Summary Schedule) must be completed, duly signed and form part of the bid documentation.
- 11.10 Legal Aid SA must ensure that reasonable or market related prices are secured for all products under the designated sectors being procured, considering factors such as benchmark prices, value for money and economies of scale. The dti may be approached for assistance in this regard.

12. TECHNICAL PROPOSAL ORGANISATION GUIDELINES

- 12.1. Table 11: Technical Proposal Organisational Guidelines contains the organisation guidelines for proposal responses.

Proposal Tab No.	Technical Proposal Section
Tab 1	Company Introduction and Relevant Experience
Tab 2	Software Solution
Tab 3	Project Implementation Methodology
Tab 4	Key Personnel Resumes, Qualifications/Certificates and Team Organisation
Tab 5	Project Schedule
Tab 6	Service Level Agreement for Support and Maintenance
Tab 7	Price Schedule
Tab 8	References
Tab 9	Sample Contracts, Warranty and Escrow
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

Table 10: Technical Proposal Organisational Guidelines

13. RIGHTS TO SUBMITTED MATERIAL

13.1 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 with regard to 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.

14. CONFIDENTIAL INFORMATION

14.1 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.

- 14.2 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.

15. PAYMENTS

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

16. BID CONDITIONS

- 16.1. 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
 - e) Local content declaration documents (Annexure C, D & E)
- 16.2. 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.

- 16.3. Bidders are required to provide a valid B-BBEE status level verification certificate or a sworn affidavit where preference points are claimed as per SBD 6.1;
- 16.4. The proposals must be valid for a minimum period of 180 days from the date of issuing and must include VAT where applicable;
- 16.5. The full costs must be disclosed and no variances will be entertained.
- 16.6. The closing date of submission is 19 August 2024 at 11h00. Submissions received after the closing date and time will not be considered.
- 16.7. The bidders are required to submit one printed copy of the entire proposal and pricing as a separate file, accompanied by the exact same electronic copy of the entire submission and the pricing on a USB flash drive.
- 16.8. USB Flash Drive must include a protective cover and be labeled with Proposer's name and RFP number. Should the information on the USB not be consistent and identical to the hard copy, the hard copy shall prevail for purposes of evaluation.
- 16.9. Both printed submission and USB must be placed in the tender box on or before the closing date and time at the following delivery address:

Legal Aid House
29 De Beer Street
Braamfontein
Johannesburg
2017

- 16.10. All the questions or queries relating to the specifications should be forwarded in writing to JoeK@legal-aid.co.za by no later than 14:00pm on 02 August 2024. The questions or queries should reference a specific paragraph from the RFP.
- 16.11. An email with responses of all questions or enquiries will be emailed to all bidders who forwarded the questions or queries on the 02 August 2024. No questions received after 14:00 on 02 August 2024 will be responded to.

- 16.12. If a bidder discovers any 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 on section 16.15.
- 16.13. Legal Aid SA will sign the service level agreement (SLA) with the successful bidder 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 service level agreement will include the Legal Aid SA's Special Conditions of Contract.
- 16.14. The successful Bidder shall not increase its prices for the duration of the Service Provider Agreement. Any increase in the Service Provider's costs of production or in any other aspect may not be passed on to Legal Aid SA by way of an increase in the awarded price or a change in the goods and/or services to be provided.
- 16.15. All enquiries must be directed to:
Joe Khosa
Tel: 011 877 2000
Email address: JoeK@legal-aid.co.za
- 16.16. The mandatory briefing session will take place on the 30th of July 2024 at 10:00 am on the MS Teams virtual platform, accessible via the <https://t.ly/RsQ0l>

17. OBJECTIVE CRITERIA:

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 Legal Aid SA's operations. 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/operational risk, Legal Aid SA will investigate any negative and positive news on the particular supplier/contractor/consultant before conducting any business and make an informed decision about association. Should the above due diligence process produce a negative outcome which may harm the rights and interests of Legal Aid SA, the bidder's proposal will be non-responsive and will be disqualified in line with section 2(1)(f) of the Preferential Procurement Policy Framework Act no. 5

of 2000 and another qualifying bidder may be appointed with same bid conditions applied.

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 QUOTATIONS.

END OF THE REQUEST FOR PROPOSAL DOCUMENT

7. **ANNEXURES**

- 18.1 Annexure A: List of devices
- 18.2 Annexure B1: Pricing Schedule
- 18.3 Annexure C: Local Content Declaration Forms