To:	**Acting Chief Executive Officer: Bontle Mokoena**	**From:**	**Chief Financial Officer: Mthenjwa Mseleku**
		My reference:	**Contract Deviation & Expansion- Development of Learning Material – RFQ/MICT/67/2025.**
		Date:	**22 June 2026**
		Enquiry:	**Khathutshelo Ramavhoya 011 207 2620**

SUBJECT: REQUEST FOR DEVIATION FROM NORMAL COMPETITIVE BIDDING PROCESS FOR THE APPOINTMENT OF THE LEARNING STUDIO (PTY) LTD FOR THE PROVISION OF A MOODLE LEARNING MANAGEMENT SYSTEM (LMS) HOSTING ENVIRONMENT TO ADMINISTER EXTERNAL INTEGRATED SUMMATIVE ASSESSMENTS (EISAS) ACCOMMODATING OVER 1000 REGISTERED LEARNERS AND EXPAND THE CURRENT CONTRACT REFERENCE NO: RFQ/MICT/67/2025 – APPOINTMENT OF A LEARNING MATERIAL DEVELOPMENT EXPERT TO DEVELOP LEARNING MATERIALS FOR APPROVED OCCUPATIONAL PROGRAMMES WITHIN THE MEDIA SUB-SECTOR.

1. PURPOSE

The purpose of this submission is to obtain approval from MICT SETA Acting Chief Executive Officer to deviate from the normal competitive bidding process and appoint The Learning Studio (Pty) Ltd for the provision of a Moodle learning management system (LMS) hosting environment to administer External Integrated Summative Assessments (EISAS) accommodating over 1000 registered learners and expand the current contract for appointment of a learning material development expert to develop learning materials for approved occupational programmes within the media sub-sector.

2. BACKGROUND

The MICT SETA ETQA Division is mandated to ensure the quality assurance of education and training in accordance with the QCTO Occupational Qualifications Sub-Framework (OQSF) policies. To fulfil this mandate, the Division develops, coordinates, and administers External Integrated Summative Assessments (EISAs) and ensures compliance with approved standards to enable credible certification of competent learners

In line with this responsibility, on 11 February 2026, following the RFQ process for RFQ RFQ/MICT/67/2025, the MICT SETA appointed The Learning Studio (Pty) Ltd for the provision of a learning material development expert to develop learning materials for approved occupational programmes within the Media subsector at an amount of R1 780 000.00 (including VAT).

Subsequent to the appointment of The Learning Studio (Pty) Ltd, and during execution, it was identified that the completion of these services requires support for the administration of statutory External Integrated Summative Assessments (EISAs) for learner certification under the QCTO Occupational Qualifications Sub-Framework (OQSF), which is necessary for the scheduled EISA window from 22 to 26 June 2026 for in excess of 1 000 registered learners across multiple occupational programmes through a secure, stable, and scalable digital environment. Accordingly, a Moodle Learning Management System (LMS) online hosting environment provides a fit-for-purpose platform for structured assessment delivery, monitoring, and secure data management.

3. MOTIVATION / REASONS FOR CONTRACT DEVIATION/EXPANSION

This request to deviate and expand the contract for the for the provision of a learning material development expert to develop learning materials for approved occupational programmes within the Media subsector with The Learning Studio (Pty) Ltd is due to the following reasons:

3.1. **Programme and EISA Alignment:** The services are intrinsically linked to the approved occupational programme delivery within the Media subsector and are critical to ensuring alignment between learning material development and External Integrated Summative Assessment (EISA) requirements.

3.2. **Continuity and Risk Mitigation:** The expansion of the existing contract ensures operational continuity, reduces implementation risk, and leverages the existing service provider's familiarity with the programme scope and requirements, as engaging an alternative service provider at this stage would likely result in delays, duplication of work, increased costs, and potential disruption to programme implementation and statutory assessment obligations.

3.3. **Integrated Implementation Approach:** The integration between learning material development and EISA preparation necessitates a coordinated approach to avoid duplication, misalignment, or delays that could compromise programme delivery timelines.

3.4. **Statutory Imperative and Learner Rights:** The statutory assessment obligations of the MICT SETA, combined with the rights of over 1 000 learners to be assessed within the scheduled window, constitute a compelling basis for the appointment of the service provider to render the required services, requiring timeous finalisation to support learner readiness and assessment administration.

3.5. **Learner Impact and Compliance Risk:** Learner Impact and Compliance Risk: Postponing the EISA window would constitute a prejudice to those learners and a failure by the MICT SETA to discharge its obligations under the Skills Development Act and the NQF Act

3.6. **Statutory EISA Compliance:** The administration of External Integrated Summative Assessments (EISAs) is not a discretionary function but a legislatively mandated quality assurance obligation, and any non-implementation or postponement of scheduled EISAs may constitute non-compliance with the MICT SETA's obligations as an ETQA Body and Assessment Quality Partner (AQP).

- It is prudent that the above-mentioned reasons be considered and permit the appointment of the service provider to render the required services.

4. LEGISLATIVE REQUIREMENTS

The NATIONAL TREASURY SCM INSTRUCTION NOTE NO. 3 OF 2021/2022 ENHANCING COMPLIANCE, TRANSPARENCY, AND ACCOUNTABILITY IN SUPPLY CHAIN MANAGEMENT, paragraph 4.1 to 4.2 and 5.1. states:

DEVIATIONS FROM NORMAL BIDDING PROCESS

If in a specific case it is impractical to invite competitive bids, the AO/AA may procure the required goods or services by other means, provided that the reasons for deviating from inviting competitive bids must be recorded and approved by the AO/AA.

(a) limited bidding;

(b) written price quotations within the threshold determined by National Treasury Instruction;

(c) procurement that occurs in emergency situations and urgent cases.

EXPANSION AND VARIATIONS OF CONTRACTS

The AO/AA may, in accordance with this paragraph –

(a) Expand a contract by increasing the scope of work; or

(b) Vary a contract by changing the scope of work.

Construction-related goods or services or both, is expanded or varied by more than 20% or R20 million (including all applicable taxes), whichever is the lesser: and

All other goods or services or both is expanded or varied by more than 15% or % R15 million (including all applicable taxes), whichever is the lesser.

5. FINANCIAL IMPLICATIONS

The scope of services in the current contract for learning material development expert to develop learning materials for approved occupational programmes within the media sub-sector and The Learning Studio (Pty) Ltd shall be expanded to include the provision of Moodle learning management system (LMS) hosting environment to administer external integrated summative assessments (EISAs) which is proposed with the Financial Implications at a value of **R40 609.44** VAT inclusive

ESTIMATED VALUE

☒ **R0M – R500k** ☐ **R500k – R1M** ☐ **R1M – R10M** ☐ **more than R10M** ☐

- This request has an impact on the current award value of **R1 780 000.00,** and the overall request is due to the absence of an online hosting environment, which would result in disruption of assessment delivery for over 1 000 learners and consequent delays in learner certification. Below is the projection of the financial implications resulting from this deviation expansion variation request.

FINANCIAL IMPLICATION TABLE

Current award value	**R1 780 000.00**
Variation amount	**R 40 609.44**
Contract value after 2.28% of this variation	**R 1 820 609.44**

- No previous deviation, expansion or extension were done on these services.

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6. COMMUNICATION IMPLICATIONS

Contract expansion or variation including reasons for the expansion or variation will be reported to the National Treasury and AGSA. Monthly reports regarding the expansion or variation will be submitted to the National Treasury and AGSA. The expansion or variation will be recorded in the MICT SETA annual report and MICT SETA variation register.

7. REQUEST FOR APPROVAL

In conclusion and in line with section 5.4, 5.5, and 5.6 of the National Treasury Instruction No. 3 of 2021/2022: Enhancing Compliance, Transparency, and Accountability in Supply Chain Management, approval is sought from the Chief Executive Officer to deviate from a normal competitive bidding process to appoint Learning Studio (Pty) Ltd for the provision of a Moodle learning management system (LMS) hosting environment to administer External Integrated Summative Assessments (EISAS) accommodating over 1000 registered learners and vary the current appointment reference number no: RFQ/MICT/67/2025, f for the provision of a learning material development expert to develop learning materials for approved occupational programmes within the Media subsector at a variation amount of **R40 609.44 VAT Inc** which increases the current total appointment value from **R 1 780 000.00** to **R1 802 609.44 VAT Inc** at the variation of **2.28%**.

Compiled by:

Khathutshelo Ramavhoya
SCM Manager

23 June 2026
Date

Recommended by:

Mthenjwa Mseleku
Chief Financial Officer

23 June 2026
Date

Approved by:

Bontle Mokoena
Acting Chief Executive Officer

23 June 2026
Date