

NATIONAL LOTTERIES COMMISSION

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR IMPLEMENTATION OF A DISASTER RECOVERY AS A SERVICE AND BACKUP AS A SERVICE FOR A PERIOD OF THREE YEARS.

BID PROCESS	BID REQUIREMENTS
Tender number	NLC2026-002
Bid Advertisement Date	17/ April 2026
Closing date and time	12/ May 2026 at 11:00 (<i>South African Standard Time</i>)
Tender validity period	120 days <i>from the closing date</i>
Compulsory Briefing meeting	<i>Date & Time: 28 April 2026 @ 10:30</i> <i>Venue: 333 Grosvenor Street, Block D Hatfield Gardens, Hatfield, 0028</i>
Submission instruction:	All submissions Must be addressed to Supply Chain Management, NLC Submission of proposals through (online submission on e-tender). Enquires ONLY can be emailed to: lucky@nlcsa.org.za

1. BACKGROUND

The National Lotteries Commission (NLC) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.

The NLC has a dual mandate, namely “regulation of National Lottery and other Lotteries” and “administration of the NLDTF”. The Distributing Agencies (DAs), appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.

The National Lotteries Commission (NLC) operates across nine provinces, with its Head Office located in Hatfield, Pretoria. Each provincial office is connected to the Head Office through a Software-Defined Wide Area Network (SD-WAN). The central server room at the Hatfield office hosts the organisation’s core ICT infrastructure.

The National Lotteries Commission (NLC) operates critical ICT systems that support business operations. To ensure business continuity in the event of system failure, cyberattacks, or outage of the in-house data centre, the NLC seeks to appoint a suitable service provider to render fully managed *Disaster Recovery (DR) as a Service* and *Backup as a Service*.

This TOR outlines the technical, functional, and operational requirements for the implementation of a DR and Backup solution capable of ensuring operational resilience allowing for rapid recovery.

2. PURPOSE OF THE TERMS OF REFERENCE

The purpose of this bid is to appoint a qualified service provider to render *DR as a Service and Backup as a Service* to enhance business continuity and resilience in alignment with NLC’s ICT governance framework.

3. CURRENT TECHNOLOGY LANDSCAPE

1. Oracle Engineered Systems/Applications

Oracle Component	Hardware Stack	Software Stack	Notes
Oracle Fusion Applications	Oracle ODA X5-2	Fusion Middleware, WebLogic, SOA Suite, Oracle Database	HCM, FIN, SCM GMS
Oracle EBS Payroll	Oracle ODA X5-2	Oracle E-Business Suite (Payroll), Oracle Database	Core payroll system

Oracle Storage Appliance	ZFS	ZFS Storage	N/A	Storage Fusion/EBS backups	tier for and
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2. Oracle Core Databases and Storage

Oracle Component	Database / Storage Size	Notes
Oracle Fusion Database	11.7 TB	Core Fusion database (FIN, HCM, SCM GMS)
Oracle EBS Payroll Database	571.49 GB	Payroll database
Oracle IDM Database	39.81 GB	Identity & Access Management database
Oracle ZFS Storage Appliance	147 TB	Total usable storage capacity for Oracle workloads and backups

- FIN: Finance
- GMS: Grant Management System
- HCM: Human Capital Management
- ODA: Oracle Database Appliance
- SCM: Supply Chain Management
- ZFS: Zettabyte File System

3. VMWare Hosted Workloads:

- Version 12

Name	Provisioned Space	Used Space	Memory Size	CPUs	Host CPU
A1001	1.14 TB	1.14 TB	16 GB	8	83 MHz
A1002	1.96 TB	1.96 TB	4 GB	8	83 MHz
A1003	416.2 GB	416.2 GB	16 GB	4	3.08 GHz
A1004	408.19 GB	408.19 GB	8 GB	4	671 MHz
A1005	3.9 TB	3.69 TB	24 GB	16	1.7 GHz
A1006	3.71 TB	3.47 TB	24 GB	16	3.19 GHz
A1007	2.15 TB	1.52 TB	8 GB	4	2.58 GHz
A1008	128.2 GB	34.87 GB	8 GB	4	0 Hz
A1009	128.14 GB	128.14 GB	8 GB	4	524 MHz
A1010	166.14 GB	114.64 GB	16 GB	4	503 MHz
A1011	2.49 TB	1.1 TB	16 GB	2	83 MHz
A1012	266.22 GB	250 GB	16 GB	8	0 Hz
A1013	931.56 GB	334.64 GB	16 GB	4	146 MHz
A1014	289.81 GB	289.81 GB	10 GB	2	125 MHz

Name	Provisioned Space	Used Space	Memory Size	CPUs	Host CPU
B1001	451.5 GB	133.48 GB	7.99 GB	4	252 MHz
B1002	125.28 GB	35.83 GB	4 GB	1	0 Hz
B1003	1.61 TB	1.61 TB	16 GB	8	2.43 GHz
B1004	1.48 TB	1.47 TB	7.89 GB	8	68 MHz

B1005	584.08 GB	135.19 GB	2 GB	2	137 MHz
B1006	3 TB	3 TB	4 GB	2	45 MHz
B1007	50.02 GB	42.15 GB	2 GB	1	45 MHz
B1008	92.16 GB	92.16 GB	8 GB	4	68 MHz
B1009	106.48 GB	52.08 GB	992 MB	2	779 MHz
B1010	132.17 GB	132.17 GB	32 GB	4	114 MHz
B1011	104.18 GB	34.67 GB	4 GB	4	114 MHz
B1012	512.19 GB	512.19 GB	12 GB	8	711 MHz
B1013	266.23 GB	266.23 GB	16 GB	4	1.31 GHz
B1014	528.17 GB	512 GB	16 GB	8	0 Hz

Name	Provisioned Space	Used Space	Memory Size	CPUs	Host CPU
C1001	455.68 GB	100.6 GB	4 GB	4	0 Hz
C1002	112.12 GB	112.12 GB	12 GB	2	314 MHz
C1003	516.12 GB	516.12 GB	16 GB	4	20 MHz
C1004	308.2 GB	300.01 GB	8 GB	1	0 Hz
C1005	116.12 GB	116.12 GB	16 GB	4	41 MHz
C1006	532.12 GB	532.12 GB	32 GB	4	712 MHz
C1007	258.2 GB	54.95 GB	8 GB	2	0 Hz
C1008	434.13 GB	434.13 GB	24 GB	4	4.97 GHz
C1009	22.12 GB	22.12 GB	2 GB	1	0 Hz
C1010	860.12 GB	860.12 GB	60 GB	8	796 MHz
C1011	412.12 GB	412.12 GB	12 GB	8	1.03 GHz

4. Microsoft Hyper-V hosted Workloads:

- Windows 2019

Name	Provisioned Space	Used Space	Memory Size	CPUs	Host CPU
D1001	500 GB	40 GB	4 GB	1	2.20GHZ
D1002	200 GB	50 GB	32 GB	1	2 GHZ
D1003	130 GB	40 GB	32 GB	1	2 GHZ
D1004	130 GB	40 GB	32 GB	1	2 GHZ
D1005	200 GB	92 GB	16 GB	2	3 GHZ

5. Backup Tools/Services

- Veeam: Backup of non-Oracle Fusion applications and databases
- Oracle: Backup of Oracle Fusion applications and databases

6. WAN Network Connectivity

- SD-WAN Primary internet link: 10Gb
- SD-WAN Failover link: 10GB
- Firewall: FortiGate

4. Location of NLC Server Room

Province	Town/City	Physical Address
Gauteng	Hatfield	333 Grosvenor Street Block D, Hatfield Gardens, Hatfield, Pretoria, Gauteng Province

5. DATACENTRE SPECIFICATIONS

These specifications serve overall guidelines of the datacentre:

- The data centre must be located within the borders of South Africa.
- Radius in kilometres away from the NLC Hatfield office: greater than 40 km and less than 120 km.
- At a minimum, the data centre must have a minimum of Tier III rating with a minimum service uptime of 99.9%.
- The data centre must comply with industry standards such as ISO/IEC 27001 for Information Security and ISO 22301 for Business Continuity.

6. SCOPE OF WORK

1. Implementation of the Solution

The actual implementation of the envisaged solution entails provisioning of the actual DR and Backup infrastructure including deployment of the various resources for approved workloads based on the accepted in the solution design phases.

NLC strategy of migrating on-prem workloads to DR site:

- VMWare workloads to Microsoft Hyper V
- Veeam backup to a Veeam based solution

2. Backup Capabilities

2.1. Data Immutability

This entails ensuring that backup data cannot be modified, be it through encryption or deletion for a period to be specified. This also covers ability for detection and isolation of ransomware and related malware.

2.2. Operational RTO/RPO Assumptions

Workload Type	RTO	RPO	Workload Systems
Business – Critical	1 – 3 hours	15 minutes – 1 hour	ERP, GMS, CRM

Workload Type	RTO	RPO	Workload Systems
Business - Important	3 – 6 hours	1 hour - 4 hours	Payroll, customer portals
Important / Operational	6 – 36 hours	4 – 24 hours	File services, collaboration tools, internal applications
Non-Critical / Archival	36 – 72+ hours	24 – 72+ hours	Test/DEV systems, archives, historical data

- CRM: Customer Relationship Management
- DEV: Development
- ERP: Enterprise Resource Planning
- RPO: Recovery point objective
- RTO: Recovery Time Objective

3. Disaster Recovery Failover Tests

The failover tests entail simulation and actual testing of a failover scenario of identified workloads in the event of an actual outage of the on-prem datacentre. Failover tests are required to be conducted twice a year.

4. Backup and Restoration Tests

The backup tests concern the validation that the identified on-prem workloads are backed up in accordance with the proposed solution. Backup and Restoration tests are required to be performed quarterly in a year.

The recovery tests concern performing restoration tests of the backed-up data to validate accessibility, readability and integrity thereof.

Impromptu backup and restoration tests may be requested by NLC in line with the bidder's approval procedures.

5. Failback to Primary Production Site

In the event of a disastrous outage of the primary site leading to operation continuing on the cloud infrastructure, operations are required to be restored at the primary production site.

6. Data Security and Compliance

The envisaged solution must include measures to enable policy-based data protection techniques to safeguard transmission and storage of data (in-transit and at-rest).

The bidder is to align with prevailing South African laws and regulations governing information in terms of POPIA and public sector data sovereignty provisions.

7. Documentation and Handover

- Deliver complete technical and operational documentation, including architecture diagrams, backup configurations, security controls, and recovery procedures.

8. Managed Service and Support

The service provider shall deliver Managed Services Support for a hosted *Cloud Disaster Recovery and Cloud Backup* solution, providing continuous operational oversight and proactive management. This shall include 24x7 monitoring of backup, replication, and recovery processes; verification of backup integrity; alert management; and timely incident response. The provider shall be responsible for routine operational tasks such as backup policy management, capacity and performance monitoring, patch coordination, and regular health checks to ensure service availability and reliability.

The service provider shall also provide ongoing operational and support services, including assisted restorations, support for DR testing and failover exercises, and regular reporting on service performance and compliance. A clearly defined support and escalation model, service-level objectives, and access to experienced cloud support engineers shall be provided. The objective of these requirements is to minimise operational risk and internal administrative effort while ensuring the hosted cloud backup and DR services remain secure, resilient, and aligned with business continuity objectives

9. Account Management

The service provider is required to conclude a Service Level Agreement (SLA) with the NLC and report regularly as proposed by the Senior Manager ICT or delegated personnel with regards to the performance of the SLA.

The service provider will be expected to engage regularly with the NLC as per the schedule and deliverables that will be agreed between the parties.

7. REPORTING REQUIREMENTS

The service provider will report to the Information and Communications Technology (ICT) Division.

8. DURATION OF THE PROJECT

The expected duration of the contract is three (3) years which may be effective on the date of appointment, the date of signing of a service level agreement (SLA), or directed and at the discretion of the NLC

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Proposals (RFP)

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Registration report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to lucky@nlcsa.org.za.
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email addressed in 1.9.

2. General rules and instructions

- 2.1 News and press releases
 - 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.
- 2.2 Precedence of documents
 - 2.2.1 This RFP consists of several sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
 - 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in section 217 of the constitution of the republic shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.

It remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the commission in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

2.3.1 The commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

2.4 National Industrial Participation Programme

2.4.1 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

2.5 Language

2.5.1 Bids shall be submitted in English.

2.6 Gender

2.6.1 Any word implying any gender shall be interpreted to imply all other genders.

2.7 Headings

2.7.1 Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

2.8 Occupational Injuries and Diseases Act 13 of 1993

2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the commission reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the

Compensation Fund, or similar proof acceptable to the commission.

2.9 Processing of the Bidder's Personal Information

2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the commission is compelled by law to provide such information. For example, where appropriate, the commission is compelled to submit information to National Treasury's Database of Restricted Suppliers.

2.9.2 All Personal Information collected will be processed in accordance with POPIA and with the commission.

2.9.3 Data Privacy Policy.

2.9.4 The following persons will have access to the Personal Information collected:

2.9.4.1 The commission personnel participating in procurement/award procedures; and

2.9.4.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:

2.9.4.2.1 contract description and bid number.

2.9.4.2.2 names of the successful bidder(s) and preference points claimed.

2.9.4.2.3 the contract price(s) (if possible).

2.9.4.2.4 contract period.

2.9.4.2.5 names of directors; and

2.9.4.2.6 date of completion/award.

2.9.5 The commission will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the commission PAIA manual.

2.9.6 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Compulsory Briefing Session

Date & Time: 28 April 2026 @ 10:30

**Venue: 333 Grosvenor Street, Block D Hatfield Gardens,
Hatfield, 0028**

Bidders are advised to arrive early; doors will open at 10:00 to the venue

4. Validity Period

4.1 The Commission requires a validity period of 120 Days against this RFP.

4.2 Bidders are to note that they may be requested to extend the validity period of their

bids, on the same terms and conditions, if the internal evaluation process are not finalized within the validity period.

5. National Treasury's Central Supplier Database

- 5.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 5.2 The Commission may not award business to a bidder who has failed to register on the CSD.
- 5.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

6. Confidentiality

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding;
- 6.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 6.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 6.4 The Bidder shall notify the NLC in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

7. Communication

- 7.1 Specific queries relating to this RFP should be submitted lucky@nlcsa.org.za, before the closing date.
- 7.2 In the interest of fairness and transparency the NL C's response to such a query may be made available to other bidders.
- 7.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 7.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

8. Supplier Performance

- 8.1 The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use

of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.

8.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.

8.3 Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.

8.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

SECTION 3 EVALUATION CRITERIA

The below phases evaluation criteria will be considered in evaluating the proposals, being:

Phase 1: Tender Closing and Opening

1.1 Tender closing details

The closing date for tender submission is on **12 May 2026 at 11:00 am** Standard South African Time. Any late tenders will not be accepted. Submission of bids must be done on e-tender portal

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in **a separate attachment** from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

The NLC will not be responsible for any failure or delay in the submission or receipt of the bid including but not limited to:

- Power Network
- Struggling to use E -tender portal
- Power cut (Loads shedding)

Phase 2: Administrative Compliance

All bid respondents must submit the relevant documents that comply with administrative compliance, which will include the following:

Evaluation Criteria	Supporting Document
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<ul style="list-style-type: none"> All Returnable Documents and/or schedules [where applicable] must be completed and returned by the closing date and time 	SBD Form 1 SBD Form 6.1
<ul style="list-style-type: none"> The Bid document has been duly signed by the authorized bidder official 	Company resolution as proof of authorized individuals' delegation
<ul style="list-style-type: none"> Whether Bid contains a priced/financial offer 	Pricing and delivery schedule
<ul style="list-style-type: none"> Whether the Bidder tax affairs in order 	Valid Tax Compliance System Pin
<ul style="list-style-type: none"> Bidders must register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD 	Proof of Full Central Supplier Database (CSD) registration
<ul style="list-style-type: none"> In the event of the bidder being in a joint venture (JV), a jointed BEE must be submitted. 	Valid Joint BEE Certificate/Affidavit

Phase 3: Mandatory Compliance

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. The mandatory Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	JV Agreement
2. Declaration of Interest (SBD 4)	Fully Completed SBD 4
3. Original Equipment Manufacturer (OEM) Certificate	The bidder must provide proof of accredited certification from Original Equipment Manufacturer (OEM). Please note that NLC reserves the right to confirm your registration/accreditation with the OEM.
4. Proof of ownership or a lease agreement for the Disaster Recovery center or facility	Proof of address and/or lease of agreement
5. Proof that the bidder attended the compulsory briefing session	Briefing Session Certificate

Note to Bidders:

Bidders may be requested, at the behest of the NLC, to submit via courier services to the SCM unit of the NLC, within a minimum of 3 working days from date of request hard copy certified qualifications, memberships certificates, COIDA etc. which may have been requested for mandatory or functionality assessment. Failure to submit the information within the requested period shall render the bidder non-responsive.

Phase 4: Technical Evaluation

The evaluation for the Technical and Functional threshold will include the following:

Rating	Definition	Score
Excellent	Exceeds the requirement. Exceptional demonstration of ability, understanding, experience, skills, resources, and quality measures. Adds clear value.	5
Good	Satisfies the requirement with minor additional benefits. Above average demonstration with supporting evidence.	4
Acceptable	Meets the requirement. Adequate demonstration with supporting evidence.	3
Minor Reservations	Does not meets the requirement with minor reservations. Limited supporting evidence.	2
Serious Reservations	Does not meets the requirement with major reservations. Considerable concerns and minimal evidence.	1
Unacceptable	Does not meet the requirement. Insufficient information or non-compliance.	0

EVALUATION CRITERIA		Scoring Matrix	Reference to Section in Proposal	% Weight
1.	Company Experience			
1.1	Written Reference Letters (Disaster Recovery as a Service)			15%
	<p>Bidders are required to submit at least three (3) reference letters and up to a maximum of 5 as part of their proposal, demonstrating their relevant experience within the past 10 years. The reference letters must specifically pertain to the Scope of Services outlined in the Terms of Reference.</p> <p>Each reference letter should:</p> <ol style="list-style-type: none"> Be issued on official letterhead from clients for whom similar services were provided. Include the company name, contact name, address, and phone 	<ul style="list-style-type: none"> No reference letters = 0 points. One reference letter = 1 point. Two reference letters = 2 points. Three reference letters = 3 points. Four reference letters = 4 points. Five reference letters = 5 points. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
<p>number of the client.</p> <p>3. Provide a brief description of the services rendered.</p> <p>4. Clearly indicate how the previous experience relates to the current project.</p> <p>Please note:</p> <ul style="list-style-type: none"> Reference letters must relate to implementations completed within the last ten (10) years, with the reference letters themselves dated no earlier than five (5) years prior to the closing date of this submission. Each reference letter must explicitly state the implementation date of the Cloud-Based DR solution to confirm the recency and relevance of the bidder's experience. Multiple reference letters from the same client, even for different appointments of the same services and solution, will be considered as one reference. <p>Appointment letters will not be accepted.</p>			
<p>1.2 Written Reference Letters <i>(Backup as a Service)</i></p>			<p>15%</p>
<p>Bidders are required to submit at least three (3) reference letters and up to a maximum of 5 as part of their proposal, demonstrating their relevant experience within the past 10 years. The reference letters must specifically pertain to the Scope of Services outlined in the Terms of Reference.</p> <p>Each reference letter should:</p> <p>1. Be issued on official</p>	<ul style="list-style-type: none"> No reference letters = 0 points. One reference letter = 1 point. Two reference letters = 2 points. Three reference letters = 3 points. Four reference letters = 4 points. Five reference letters = 5 points. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
<p>letterhead from clients for whom similar services were provided.</p> <p>2. Include the company name, contact name, address, and phone number of the client.</p> <p>3. Provide a brief description of the services rendered.</p> <p>4. Clearly indicate how the previous experience relates to the current project.</p> <p>Please note:</p> <ul style="list-style-type: none"> Reference letters must relate to implementations completed within the last ten (10) years, with the reference letters themselves dated no earlier than five (5) years prior to the closing date of this submission. Each reference letter must explicitly state the implementation date of the <i>Backup as a Service</i> solution to confirm the recency and relevance of the bidder's experience. Multiple reference letters from the same client, even for different appointments of the same services and solution, will be considered as one reference. <p>Appointment letters will not be accepted.</p>			
2.	Capacity and Ability to Implement		
2.1 Experience – Lead Project Manager			10%
<p>An abridged CV (not longer than five pages) that clearly stipulates:</p> <ul style="list-style-type: none"> The name and surname of the lead project manager. Number of years in the position as a project 	<ul style="list-style-type: none"> No experience indicated = 0 points. Experience > 0 and =< 1 year = 1 point. Experience > 1 and =< 2 years = 2 points. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
<p>manager with relevant experience in the implementation and/or design of DR and backup solutions.</p>	<ul style="list-style-type: none"> • Experience > 2 and =< 3 years = 3 points. • Experience > 3 and =< 4 years = 4 points. • Experience >= 5 years = 5 points. 		
3.	Technology Solution		
3.1. Disaster Recovery as a Service			15%
<p>Bidders are required to submit a comprehensive Company Technical Profile demonstrating their capacity, capability, and suitability to deliver the services specified in this ToR.</p> <p>This Company Technical Profile must include the following information, with emphasis on the recency and relevance of experience:</p> <ol style="list-style-type: none"> 1. Total years of operational experience of the bidding entity. 2. Demonstrate experience in the delivery, deployment, implementation, and support of <i>Cloud DR</i> solutions, limited to projects executed within the last ten (10) years. 3. Detailed description of relevant past projects, including: <ul style="list-style-type: none"> • The nature and scope of the services rendered; • The implementation dates of the solutions; • Clear articulation of how each project is directly relevant to the requirements of this ToR. 	<ul style="list-style-type: none"> • No of the four key information points provided = 0 points. • One of the four key information points provided = 1 point. • Two of the four key information points provided = 2 points. • Three of the four key information points provided = 3 points. • All four key information points provided = 4 points. • All four key information points provided plus evidence of implementation in a public sector institution= 5 points. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
<p>4. Evidence presented in the Company Technical Profile must align with and support the reference letters submitted, ensuring consistency in project dates, scope, and capabilities claimed.</p> <p>Experience or project references older than ten (10) years will not be considered for purposes of demonstrating technical capability or compliance with this ToR.</p>			
3.2. Backup as a Service			15%
<p>Bidders are required to submit a comprehensive Company Technical Profile demonstrating their capacity, capability, and suitability to deliver the services specified in this ToR.</p> <p>This Company Technical Profile must include the following information, with emphasis on the recency and relevance of experience:</p> <ol style="list-style-type: none"> 1. Total years of operational experience of the bidding entity. 2. Demonstrate experience in the delivery, deployment, implementation, and support of <i>Cloud Backup</i> solutions, limited to projects executed within the last ten (10) years. 3. Detailed description of relevant past projects, including: <ul style="list-style-type: none"> • The nature and scope of the services rendered; • The implementation dates of the solutions; • Clear articulation of how each project is directly 	<ul style="list-style-type: none"> • No of the four key information points provided = 0 points. • One of the four key information points provided = 1 point. • Two of the four key information points provided = 2 points. • Three of the four key information points provided = 3 points. • All four key information points provided = 4 points. • All four key information points provided plus evidence of implementation in a public sector institution = 5 points. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
<p>relevant to the requirements of this ToR.</p> <p>4. Evidence presented in the Company Technical Profile must align with and support the reference letters submitted, ensuring consistency in project dates, scope, and capabilities claimed.</p> <p>Experience or project references older than ten (10) years will not be considered for purposes of demonstrating technical capability or compliance with this ToR.</p>			
<p>4. Project Management Framework</p>			<p>10%</p>
<p>Bidders must submit a comprehensive Project Plan Framework demonstrating their capability to effectively manage the delivery of the <i>Cloud DR and Cloud Backup SaaS</i> oriented solutions. The framework must be current, fit-for-purpose, and based on methodologies applied within the last ten (10) years.</p> <p>Project plans that are generic, outdated, or not demonstrably aligned to <i>Cloud DR and Cloud Backup</i> implementations executed within the last ten (10) years may be scored down or deemed non-responsive.</p> <p>scoring Guide (1–5 Points)</p> <p>Evaluators shall assess the bidder’s Project Plan Framework against the required elements using the following scoring scale:</p>	<ul style="list-style-type: none"> • No Project Plan Framework provided = 0 points. <p>5 Points – Excellent</p> <ul style="list-style-type: none"> • Fully comprehensive, well-structured, and addresses all required elements. • Demonstrates current (≤10 years) Cloud-Based DR implementation experience using recognised best-practice methodologies. • Very low delivery risk. <p>4 Points – Very Good</p> <ul style="list-style-type: none"> • Addresses all required elements with minor gaps. • Clearly relevant to current (≤10 years) <i>Cloud DR and Cloud Backup</i> implementations. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
<ul style="list-style-type: none"> • The Project Plan Framework must, at a minimum, address the following elements, with sufficient detail and supporting content: <ul style="list-style-type: none"> ▪ Project Definition – including project objectives, scope, assumptions, dependencies, governance structures, and roles and responsibilities. ▪ Project Planning – detailing the project schedule, milestones, resource allocation, quality assurance approach, and change control mechanisms. ▪ Project Monitoring and Control – describing performance measurement, progress reporting, issue escalation, and corrective action processes. ▪ Project Risk Overview – outlining the risk management approach, key delivery and operational risks, mitigation strategies, and risk ownership. ▪ Project Sign-off and Handover – including acceptance criteria, handover deliverables, knowledge transfer, and transition to operations. <p>Delivery, Deployment,</p>	<ul style="list-style-type: none"> • Low delivery risk. <p>3 Points – Adequate</p> <ul style="list-style-type: none"> • Addresses most elements but lacks depth or clarity. • Relevance is evident but not consistently substantiated. • Moderate delivery risk. <p>2 Points – Weak</p> <ul style="list-style-type: none"> • Limited coverage of required elements and weak relevance. • Approach is poorly articulated or outdated. • High delivery risk. <p>1 Point – Poor</p> <ul style="list-style-type: none"> • Incomplete or non-responsive submission. • No credible project delivery approach. • Unacceptable delivery risk. 		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
Implementation, and Support Plan – detailing rollout approach, cut-over strategy, post-implementation support, and service stabilisation			
5. Service Level Agreement			20%
<p>The bidder must submit a Service Level Agreement (SLA) Management Framework demonstrating their capability to regulate, manage, and monitor contractual service outputs throughout the duration of the engagement including data handover, secure deletion and transitioning support at contract end.</p> <p>The SLA Management Framework must address the following areas:</p> <ol style="list-style-type: none"> Roles and Responsibilities Clearly define roles and responsibilities for the administration, management, and support of the services being rendered. Fault and Support Request Logging Describe the procedures and tools to be used for logging, tracking, escalating, and resolving support and fault requests. Response and Resolution Times Provide response and resolution time commitments aligned to defined ticket prioritisation and severity levels. Account Management and Service Review Outline the approach to account 	<p>Scoring Allocation (cumulative):</p> <ul style="list-style-type: none"> No SLA Framework = 0 Points Definition of Roles and Responsibilities – 1 Point. Fault Logging and Support request procedures – 1 Point. Response and resolution time schedule – 1 Point. <p>Account management and service review process – 1 Point.</p> <p>Completed, comprehensive SLA AND the Service Provider can provide evidence of a similar SLA in the public Sector = 1 Point</p> <p>Maximum points = 5</p>		

EVALUATION CRITERIA	Scoring Matrix	Reference to Section in Proposal	% Weight
management, including service review meetings, performance reporting, escalation mechanisms, and continuous improvement processes			
Total:			100
Total Weighting:			100
Minimum qualifying score required:			70

Phase 5: Pricing and Specific Goals

5.1 The evaluation for Pricing and Specific Goals will include the following:

Pricing Schedule: Please refer to Annexure A: The evaluation for Pricing and Specific Goals will include the following:

Evaluation Criteria	Final Weighted Scores
<p>PRICE</p> <p>The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:</p> $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where:</p> <p>P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid</p>	80

SPECIFIC GOALS In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specificgoals.	20
TOTAL SCORE:	100

A maximum of 20 points to be awarded to a tender for the specific goals specified for this bid is as follows: -

1. Procurement from entities who are black Owned	Sub – points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who has 100% black Ownership	8	8	Copies of ID's/ CIPC Report Recent Full CSD Report
Tenderer who has 51% to 99% black ownership	4		
Tenderer who has less than 51% Black ownership	0		
2. Procurement from entities who are women owned			
Tenderer who has 100% women ownership	4	4	B-BBEE Certificate / B-BBEE/ Sworn Affidavit
Tenderer who has 30% to 99% women ownership	2		
Tenderer who has less than 30% women ownership	0		
3. Black Youth Ownership			
Tenderer who has 100% youth ownership	4	4	B-BBEE Certificate / B-BBEE/ Sworn Affidavit
Tenderer who has 30% to 99% youth ownership	2		
Tenderer who has less than 30% youth ownership	0		
4. Procurement from Disabilities			
Tenderer who has 20% or more owners with disability	4	4	Letter from the Doctor confirming disability
Tenderer who has less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		
Total points for specific goals		20	

The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Final appointment to be awarded to the bidder scoring the highest points.

Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery, or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiation.

ANNEXURE A: CV TEMPLATE

Proposed role in the project:

Name:

First name:

Date of birth:

Nationality:

Education

Institution (Date from- Date to)	Degree(s) or Diploma(s) obtained

Membership of Professional Bodies:

Other skills (e.g. computer literacy, etc.):

Present position

Years within the organisation:.....

Key qualifications (relevant to project):.....

Professional experience

Date (From -To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

Date (From -To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

Date (From -To) (mm/yy)	
Organisation	
Location	
Description of duties	

SCM CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC'S SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.2 dissemination by means of transmission, distribution or making available in any other form; or

- 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. “Personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
- 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
- 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 3.4 the biometric information of the person;
- 3.5 the personal opinions, views or preferences of the person;
- 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 3.7 the views or opinions of another individual about the person; and
- 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART A

INVITATION TO BID

SBD1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NATIONAL LOTTERIES					
BID NUMBER:	NLC2026-002	CLOSING DATE	12 May 2026	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR IMPLEMENTATION OF A <i>DISASTER RECOVERY AS A SERVICE AND BACKUP AS A SERVICE</i> FOR A PERIOD OF THREE (3) YEARS.				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Supply Chain Management		CONTACT PERSON	Supply Chain Management	
TELEPHONE NUMBER	012 432 1308		TELEPHONE NUMBER	012 432 1309	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	lucky@nlcsa.org.za		E-MAIL ADDRESS	Innocent.Tshakela@nlcsa.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	<input type="checkbox"/> TICK APPLICABLE BOX] <div style="display: flex; justify-content: space-around;"> Yes No </div>		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> TICK APPLICABLE BOX] <div style="display: flex; justify-content: space-around;"> Yes No </div>	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					

- | | |
|---|--|
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | <input type="checkbox"/> YES <input type="checkbox"/> NO |

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members/ partners or any person having a controlling interest¹ in the enterprise, employed by the state?
YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct **the** course and decisions of the enterprise.

Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.1.2 If so, furnish particulars:

.....
.....

2.2 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name).....in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the

bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

2 Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{80/20} \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{90/10}$$

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmin = Price of lowest acceptable tender

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.) Please complete this table for claiming of points.

1. Procurement from entities who are black Owned	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
Tenderer who have 100% black Ownership	8	8	Copies of ID's/ CSD Recent Report	
Tenderer who have 51% to 99% black ownership	4			
Tenderer who have less than 51% black ownership	0			
2. Procurement from entities who are women Owned		4	B-BBEE Certificate / B-BBEE Sworn	
Tenderer who has 100% women ownership	4			
Tenderer who has 30% to 99% women ownership	2			
Tenderer who has less than 30% women ownership	0		Affidavit	
3. Youth Ownership		4	B-BBEE Certificate / B-BBEE/ Sworn Affidavit	
Tenderer who has 100% youth ownership	4			
Tenderer who has 30% to 99% youth ownership	2			
Tenderer who has less than 30% youth ownership	0			
4. Procurement from Disabilities		4	Letter from the Doctor confirming disability and CSD report	
Tenderer who has 20% or more owners with disability	4			
Tenderer who has less than 20% but more than 10% owners with disability	2			
Tenderer who has less than 10% owners with disability	0			
Total points for specific goals		20		

4. DECLARATION WITH REGARD TO COMPANY/FIRM

4.1 Name of Company/firm.....

4.2 Company registration number:

4.3 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.4 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- The information furnished is true and correct;
- The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have disqualify the person from the tendering process;
- recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

ANNEXURE A: PRICING SCHEDULE

APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DISASTER RECOVERY AS A SERVICE AND BACKUP AS A SERVICE FOR A PERIOD OF THREE (3) YEARS

NLC2026-002

#	Solution Component	Service Description	Service Type	Qty	Rate	Annual Amount (Year 1)	Annual Amount (Year 2)	Annual Amount (Year 3)	Total
1		Oracle Fusion Applications	Subscription	1	Annually	-	-	-	-
2		Oracle EBS Payroll	Subscription	1	Annually	-	-	-	-
3		Oracle Fusion Database	Subscription	1	Annually	-	-	-	-
4		Oracle EBS Database	Subscription	1	Annually	-	-	-	-
5		Oracle IDM Database	Subscription	1	Annually	-	-	-	-
6		Oracle ZFS Storage	Subscription	1	Annually	-	-	-	-
7		A1001	Subscription	1	Annually	-	-	-	-
8		A1002	Subscription	1	Annually	-	-	-	-
9		A1003	Subscription	1	Annually	-	-	-	-
10		A1004	Subscription	1	Annually	-	-	-	-
11		A1005	Subscription	1	Annually	-	-	-	-
12		A1006	Subscription	1	Annually	-	-	-	-
13		A1007	Subscription	1	Annually	-	-	-	-
14		A1008	Subscription	1	Annually	-	-	-	-
15		A1009	Subscription	1	Annually	-	-	-	-
16		A1010	Subscription	1	Annually	-	-	-	-
17		A1011	Subscription	1	Annually	-	-	-	-
18		A1012	Subscription	1	Annually	-	-	-	-
19		A1013	Subscription	1	Annually	-	-	-	-
20		A1014	Subscription	1	Annually	-	-	-	-
21		B1001	Subscription	1	Annually	-	-	-	-

22	Disaster Recovery Services	B1002	Subscription	1	Annually	-	-	-	-
23		B1003	Subscription	1	Annually	-	-	-	-
24		B1004	Subscription	1	Annually	-	-	-	-
25		B1005	Subscription	1	Annually	-	-	-	-
26		B1006	Subscription	1	Annually	-	-	-	-
27		B1007	Subscription	1	Annually	-	-	-	-
28		B1008	Subscription	1	Annually	-	-	-	-
29		B1009	Subscription	1	Annually	-	-	-	-
30		B1010	Subscription	1	Annually	-	-	-	-
31		B1011	Subscription	1	Annually	-	-	-	-
32		B1012	Subscription	1	Annually	-	-	-	-
33	B1013	Subscription	1	Annually	-	-	-	-	
34	B1014	Subscription	1	Annually	-	-	-	-	
35	C1001	Subscription	1	Annually	-	-	-	-	
36	C1002	Subscription	1	Annually	-	-	-	-	
37	C1003	Subscription	1	Annually	-	-	-	-	
38	C1004	Subscription	1	Annually	-	-	-	-	
39	C1005	Subscription	1	Annually	-	-	-	-	
40	C1006	Subscription	1	Annually	-	-	-	-	
41	C1007	Subscription	1	Annually	-	-	-	-	
42	C1008	Subscription	1	Annually	-	-	-	-	
43	C1009	Subscription	1	Annually	-	-	-	-	
44	C1010	Subscription	1	Annually	-	-	-	-	
45	C1011	Subscription	1	Annually	-	-	-	-	

46		D1001	Subscription	1	Annually	-	-	-	-
47		D1002	Subscription	1	Annually	-	-	-	-
48		D1003	Subscription	1	Annually	-	-	-	-
49		D1004	Subscription	1	Annually	-	-	-	-
50		D1005	Subscription	1	Annually	-	-	-	-
51	Cloud Backup Services	Oracle Stack	Once-Off	1	Each	-	-	-	-
52		Non Oracle Stack	Once-Off	1	Each	-	-	-	-
53	Services	Installation and Configuration	Once-Off	1	Each	-	-	-	-
54		Level 2 support technical support on the solution including at 88 hours per month.	Annually	1	Each	-	-	-	-
55		DR Fail Over Tests	Twice a Year	2	Each	-	-	-	-
56		Backup and Restoration Tests	Quarterly	4	Each	-	-	-	-
		Impromptu Backup and Restoration Tests	On-request	4	Each	-	-	-	-
57		Self-Service Management Portal	Subscription	1	Annually	-	-	-	-
58	Project Management	ICT Project Governance and Documentation	Once-Off	1	Each	-	-	-	-
Annual Total						-	-	-	-

Grand Total -

Service Type	
Annual Subscription	Annual fee for software licence/Product subscription
Once-Off	A once-off fixed cost pricing over the 5 year contract term.
Fixed Annual	Annual fixed cost
Variable	As and when requirements