

THE NATIONAL CREDIT REGULATOR

FEBRUARY 2021

**TERMS OF REFERENCE FOR APPOINTMENT OF A
SERVICE PROVIDER TO HOST THE NCR DEBT HELP
SYSTEM (DHS) FOR A PERIOD OF TWO (2) YEARS.**

RFP NUMBER: NCR741.02.2021

**DUE DATE: 19 MARCH 2021 AT 11H00
CAT
HAND DELIVERY TO NCR OFFICES**

SECTION 1

GENERAL TERMS OF CONDITIONS

1. General Information for Bidders

The National Credit Regulator (NCR) was established in terms of Section 12 (1) of the National Credit Act (Act 34 of 2005) and came into being on 1 June 2006.

The NCR will determine which bidding organisation (“bid participant”), if any, is appointed in response to this request for submission as stipulated in section 2 of this document.

1.1. General Terms

This tender is issued in terms of the Public Finance Management Act 1 of 1999 (PFMA), the Preferential Procurement Policy Framework Act 5 of 2000 (PPPFA), the Preferential Procurement Regulations, 2017 (PPR), Supply Chain Management Regulations issued by the National Treasury and BBBEE Act.

Parties that wish to submit proposals are required to indicate that they are willing to accept the General Conditions and Procedures of the NCR (see Section 4 below and Annexure B.1). Please read this document carefully prior to submitting your proposal.

1.2. The Proposal Format

1.2.1. Economy of proposal preparation

The proposal should be prepared simply and economically, providing a straightforward and concise description of the bid participant’s ability to meet the requirements of the proposal request.

Clear factual responses are required. The content of the proposals shall determine the merit of each participant, not brochures or other marketing material. To facilitate the review of proposals, participants are required to organise their responses according to the format presented below. Should a participant wish to provide additional information, that information should be referred to, and provided for, in a file of Annexures.

1.2.2. Validity of proposals

The proposals must include a statement as to the period for which the proposal remains valid. The proposal must be valid for at least ninety (90) days from the due date for the submission of all bids. Refer to the quarters in the terms of reference (TOR).

1.2.3. Number of proposals

Each bid participant must provide **three (3) hard copies and 1 CD/Stick** of their entire proposal,

including all the documentation referred to in 4 below, in the format specified in that section. All submitted proposals will become the property of the NCR, and will not be returned. Receipt of all proposals will be recorded in a register at the point of receipt. One copy of the proposal must be signed and dated in black ink by the bidder or authorized representative of the bidder and initialled on each page.

2. Submission of proposals

2.1. Proposals must reach the offices of the NCR before **11:00 on 19 March 2021, @11H00am** and must be enclosed in a sealed envelope which must be clearly labelled/addressed on the outside:

(a) RFP No: NCR 741.02.2021

**(b) TERMS OF REFERENCE FOR HOSTING OF THE NATIONAL CREDIT
REGULATOR DEBT HELP SYSTEM (DHS)**

(c) CLOSING DATE: 19 March 2021 AT 11H00 SHARP

2.2. Proposals are to be submitted in the marked tender box, in the reception area, National Credit Regulator, 127-15th Road, Randjiespark, Halfway House, Midrand. The tender box will only be available for the depositing of proposals between 08h00 and 16h30 on weekdays (excluding public holidays).

2.3. Please note that this RFP closes punctually at 11h00 on **19 March 2021**. No late submissions will be considered under any circumstances.

2.4. All the documentation referred to in Section 4 below must be submitted. Failure to submit all the documentation referred to in this section may result in a submission being discarded, and not considered for evaluation.

2.5. If responses are not delivered as stipulated in this Section 2.1, such responses will be considered “late”, and will not be considered for evaluation.

2.6. The NCR shall not disclose any details pertaining to the responses received, to any other participant, as this is regarded as confidential information.

2.7. Envelopes must not contain documents relating to any RFP other than the one referred to in this RFP.

2.8. The responses to the RFP will be opened as soon as is practical after the expiry of the time advertised for receiving them.

2.9. Only the participants that are short-listed after the evaluation process will be informed of the results of the submission adjudication process.

2.10. After the evaluation process is completed, the Evaluation Committee may, prior to making a final selection, draw up a shortlist of participants and require them to make a detailed presentation to the Adjudication Committee. A minimum of 2 days' notice will be given to relevant participants in advance of the presentation date.

3. Timetable

Date	Activity
26/02/2021	Advertisement of the RFP
19/03/2021	Closing date @ 11h00
19/03/2021	Preliminary evaluation
23/03/2021	Evaluations by the Evaluation Committee
26/03/2021	Adjudication Committee meeting
30/03/2021	Appointment

The National Credit Regulator reserves the right to determine the structure of the process, the right to determine the number of short-listed participants, the right to withdraw from the proposal process, and the right to change this timetable at any time without notice.

4. Documentation to be submitted

Please Note

All of the documentation described below must be submitted, with no omissions whatsoever. Where a particular form or format of documentation is stipulated, this is the only form or format in which these documents must be submitted. Failure to adhere to these requirements may result in the rejection of the entire submission.

All of the documentation referred to below (in Parts One – Twelve) must be acknowledged and submitted. For ease of reference and to facilitate the evaluation process, you are requested to clearly mark each part of the submitted documentation as it is referred to below.

4.1. Table of content

Introductory letter by the bidder with authorized contact person and details for this specific tender

4.2. SBD 1 – should be the completed and inserted after the introductory letter

One – Proposal drafted in response to Terms of Reference

Section 2 of this document below, contains the terms of reference (TOR) for the above mentioned

tender. Bid participants are required to draft a proposal that will clearly indicate to the Evaluation Committee how they will fulfil the requirements as set out in the TOR.

Bid participants should include the following information when drafting their proposals:

- Proposals should make clear the relevant skills, experience and capacity of the participant, in respect of this particular TOR. This is an important evaluation criterion. Bid participants should ensure that their proposals focus on how they will address the requirements of this TOR, rather than on achievements.
- Proposals must contain the details of the proposed approach to be adopted in order to deliver the service in accordance with the TOR.
- Proposals should clearly indicate whether or not bid participants have the internal capacity to meet the requirements of the TOR.

4.3. Two – Pricing Proposal- SEPERATE ENVELOPE

SBD 3.1 Pricing Schedule together with signed off detailed pricing on the company's letter head. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected. Additional information may be added on a separate page if necessary.

The total price that the participant will charge to deliver services in accordance with the TOR must be clearly indicated. The pricing proposal should contain sufficient information to allow the Evaluation Committee to estimate the cost of the service, to a high degree of accuracy.

Please note that a financial proposal must be submitted in a separate sealed envelope together with your submission. The financial Proposal will be opened once all technical proposals have been evaluated. This appointment will be made in line with QBS. All prices provided must be inclusive of Value-Added Tax (VAT).

Please note that the prices contained in the pricing proposal are the only charges that may be levied if the participant's proposal is successful, unless explicitly agreed to in writing by the National Credit Regulator, and in terms of the General Conditions of Contract, no additional cost will be accepted after the bidding documents have been submitted and the tender closing date has expired. Any cost for additional parts and peripherals needed for the successful implementation of the project shall remain and form part of the bidding price.

4.4. Three – General Conditions and Procedures of the NCR

Annexure B and B1 - General Conditions and Procedures of the NCR. Bid participants must indicate clearly that they have read this document, and have no objections to being bound by its contents. In cases where any provisions of the General Conditions and Procedures conflict with this

General Information for Bidders and/or Terms of Reference, the latter will take precedence over the General Conditions of Contract.

4.5. Four – Contract Form: Rendering of Services

Annexure C - Contract Form: Rendering of Services. This will only be completed by the successful bidder once a selection has been made by NCR. Participants do not, therefore, need to complete this form at the bidding stage but their proposals must clearly indicate that they have read this form, and have no objections to signing it as is, if selected as the successful participant.

4.6. Five – Tax status

Annexure D - Please attach CSD showing Tax status

A CSD print out must also be attached.

4.7. Six – Preference Points Claim Form

Annexure E – form SBD 6.1. Bid participants must complete Sections 8 and 9 in full. DO NOT RETYPE THESE FORMS. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected. *## Please note that a **BBEE certificate/ sworn affidavit** must also be attached to the bid documents. None submission will result in zero scoring in this competitive bidding process*

4.8. Seven – Declaration of Interest

Annexure F – form SBD 4. DO NOT RETYPE THESE FORMS. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

4.9. Eight – Declaration of past Supply Chain Management Practices

Annexure G – form SBD 8. DO NOT RETYPE THESE FORMS. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

4.10. Nine – Non-Disclosure Agreement

Annexure H – Non-Disclosure Agreement. Participants must indicate clearly that they have read this agreement, and have no objections to signing it, as is.

4.11. Ten – Certificate of Independent Bid Determination

Annexure I – Certificate of Independent Bid Determination Participants. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

4.12. Eleven – SLA draft version for supplier review

Annexure K – SLA draft version for supplier review. The participants must indicate clearly that they have read this agreement, and have no objections to signing it, as is. If not objections should be outlined separately in a letter. NB: all the SBD documents can be downloaded from our website - <https://www.ncr.org.za/tenders-download/current-tenders>

5. Evaluation Criteria

Proposals will be evaluated on the 80/20 preference points scoring system: that is, 80% of the points awarded will be based on price, as indicated in the table below; and 20% of the points awarded will be based on B-BBEE codes system, allocated as indicated in the table below:

B-BBEE status level of contributor	Number of points	Price
Total maximum points	20	80

Functionality will be evaluated in terms of Section 2 point 10

6. Conflict of interest

Service providers are required to provide services that are professional, objective and impartial. Service providers must ensure that there is no conflict of interest between existing assignments, obligations and responsibilities to other clients and the services set out in the TOR. In the event of any uncertainty in this regard, full disclosure in the submitted proposal should be considered. Non-disclosure of a conflict of interest may be grounds for termination of any contract.

7. Confidentiality agreement

The successful service provider may have access to confidential data or information. The appointment of a successful bidder is subject to that bidder agreeing to the contents of, and signing, the NCR's standard Non-Disclosure Agreement.

8. Contact details

This no-contact policy does not apply to any information deemed to be in the public domain, or which is readily available from organs of State, which are repositories of such information. All communications and enquiries/requests for clarification relating to this proposal should be directed to procurement@ncr.org.za.

SECTION 2

TERMS OF REFERENCE FOR HOSTING OF THE NATIONAL CREDIT REGULATOR DEBT HELP SYSTEM (DHS)

1. Introduction

The objective of this assignment is: “To appoint a service provider to host the NCR Debt Help System (DHS)”, in accordance with specific processes and procedures as prescribed by the NCR.

2. Background

The National Credit Regulator is the regulatory authority established on 01 June 2006 in terms of the National Credit Act, 2005 with the mandate to promote and advance the social and economic welfare of South Africans, promote a fair, transparent, competitive, sustainable, responsible, efficient, effective and accessible credit market and industry, and to protect consumers.

3. NCR Debt Help System (DHS)

The Debt Help System serves as a system that communicates the debt counselling applications to the credit bureaus. The System consists of a .net web application available to the public which then connects to a SQL database server. Daily updates and use of the system is done by approximately 2000 users who concurrently access the system. There are three jobs that run daily:

- A daily file in the form of a .csv file and the job loads this file to an ftp and then SFTP site in the evening. All credit bureaus then connect to the SFTP site and download the data required for that day.
- Two .sql jobs that run every morning. These jobs provide consumer related information to the debt counsellors on the DHS application.

4. Objective

The hosting of the NCR Debt Help System (DHS) with proper and efficient security and backups. To provide the NCR with an affordable but up to date hosting solution that is scalable and has redundancy.

5. Scope of the project

The purpose of contracting the supplier is to host the NCR's Debt Help System (DHS), ensure that the hosted System is secured and backed up. The Internal NCR ICT will be responsible for support, maintenance and management of the system.

The successful bidder will:

- Provide continuous hosting of the Debt Help System (DHS). This should include scalability, redundancy and replication to ensure availability.
- Provide adequate security for the hosted system. These should include but not be limited to:
 - Secure firewall
 - Anti-virus protection
 - Secure VPN access for only the designated service provider and NCR personnel to be able to access the servers (database server and web server as described under **System requirements and specifications** below)
- Backup and Disaster recovery
 - Provide regular backups of the following:
 - DHS Application
 - Front end configurations of the system
 - Database
 - Monthly reports for the NCR DC department
 - Provide disaster recovery for the environment. Disaster recovery should include the following:
 - Regular testing – including a test plan, test results and analysis of the test results
 - Recovery Point Object (RPO) of no more than 1 hour & Recovery Time object (RTO) of no more than 2 hours, with the option to be able to amend it based on the needs of the NCR business at a particular time, at no additional cost to NCR.

- Provide NCR with a Disaster Recovery and Back-up policies, plans, schedules and logs
- Provide managed services. These managed services should at minimum include the following:
 - Patch management with deployment, tracking and reporting of the patches.
 - A robust incident management and support process, which should cater for 24x7x365 contactability and availability.
 - Monthly SLA sessions to report back to NCR on the environment status for the month including but not limited to:
 - Security
 - Patches
 - Infrastructure usage
 - Backups
 - Risks
 - Traffic
 - Monitoring and proactively managing the environment with the necessary system alerts and reports in place in order prevent errors and incidents on items including but not limited to space, workloads, threats, traffic, and bandwidth. Liaise with the NCR technical team in the management of such.
- Work with NCR and the current hosting service provider to take over from current hosting service provider.
- Work with NCR and NCR appointed service provider in data transfer exercises for the purposes of any NCR project-related testing.
- Create a handover plan to hand the hosting service over to the new service provider in the event that the contract comes to an end.

6. System requirements and specifications

Database Server Requirements:

Software:

- Windows server 2019 Standard
- SQL server Standard 2019

Hardware:

- CPU: 4.0 GHz Quad Core or higher
- Memory: 32 GB or higher
- Hard drive (storage): 500GB

Web Server requirements:

Software:

- Windows server 2019 Standard
- IIS version 10

Hardware:

- CPU: 4.0 GHz Quad Core or higher
- Memory: 16 GB or higher
- Hard drive (storage): 1 TB

Bandwidth Requirements: Minimum 16gigs per month

7. Target Audience

Target Audience includes, but is not limited to:

- Consumers and prospective consumers
- Parliamentarians and national and provincial government departments
- NCR Registrants:

- Credit Bureau
- Credit Providers
- Debt Counsellors
- Alternate Dispute Resolution Agents
- Payment Distribution Agents

- Consumer groups
- Ombud Schemes
- Provincial Consumer Affairs Offices
- Youth
- Industry Associations
- Media;
- Trade Unions and Chambers of Commerce
- NEDLAC
- Non-Governmental Organisations (NGO's)
- Tertiary institutions
- Research houses
- Other regulators

8. Timeframe

The contract will be for a period of **24** months. The bidder should cater for the possibility of the contract being terminated before the 24 month period due to the current DHS system undergoing a process of being replaced with a new one which will possibly include hosting services.

9. Functionality evaluation criteria

The bidder's information will be scored according to the below points system and scoring criteria:

1= Poor; 2= Does not meet the requirements; 3= partially meets the requirements; 4= Meets the requirements; 5= Exceeds the requirements

Description	Weights
<p>Understanding of the NCR requirements</p> <p>Does the proposal show bidder's understanding of the NCR requirements in relation to the TOR in regard to hosting, security and backing up of the NCR Debt Help System (DHS).</p>	25
<ul style="list-style-type: none"> • Detailed portfolio of past work: Has the bidder undertaken at least three similar projects in the past 5 years for environments similar to or larger than NCR? • Portfolios must indicate proven capacity and experience in hosting services as well as proven capacity, skill, technology and experience in hosting security. <p>Scoring:</p> <ul style="list-style-type: none"> • Bidder produces a detailed portfolio of more than three larger (than NCR project) successful past projects, outline of bidders 's personnel and technology capacity and hosting experience = 5 • Bidder produces a detailed portfolio of three similar past successful projects within entities similar to NCR, Proven bidders' personnel and technological capacity = 4 • Bidder produces a detailed portfolio of two similar past successful projects within entities smaller than NCR = 3 • Bidder produces a detailed portfolio of one similar past project = 2 • Bidder does not produce a portfolio OR does not produce portfolios with sufficient detail = 1 	

<p>Proposals must contain the details of the proposed approach to be adopted in order to deliver the service in accordance with the TOR.</p> <ul style="list-style-type: none"> • Proposed approach must be in relation to the scope of work and the outputs above. Proposed approach is required to include the roll out plan which indicates tasks, indicative timings, who is responsible for those tasks and prerequisites/predecessors for those tasks • Proposed approach is also required to show value additions for the NCR; • Bidders to indicate the takeover process of the backups previous done by the current supplier; Bidders to submit a takeover and handover plan Handover plan , • Provide adequate security for the hosted system to avoid hacking and unauthorised access <p>Scoring:</p> <ul style="list-style-type: none"> • Bidder must submit a detailed proposed approach taking into consideration all the requirements under the scope of work as well as the roll out plan as outlined above, must show elements of innovation & creativity, takeover and hand over plan , description on how the hosted system security will deal with unauthorized accesses = 5 • Bidder must submit a detailed proposed approach taking into consideration all the requirements under the scope of work as well as the roll out plan as outlined above, takeover and hand over plan , description on how the hosted system security will deal with unauthorized accesses = 4 • Bidder must submit a proposed approach taking into consideration some of the requirements under the scope of work as well as the roll out plan as outlined above, description on how the hosted system security will deal with unauthorized accesses =3 • Bidder does not produce a proposed approach OR the proposed approach omits any of the requirements under the scope of work and/or or the roll out plan as described above = 1 	40
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Proposals should clearly indicate whether or not bid participants have the **internal and technological capacity** to meet the requirements of the TOR. This must *at minimum* indicate the following:

- The relevant skills level of the personnel to be dedicated to the work (Brief CVs of the team members) – proposed ICT personnel must have at least 3 years of experience in the ICT hosting industry;
- The detail of the work if any that will be outsourced to third parties;
- Details on how the application will be hosted, secured and backed-up including the technologies to be used
- Details on the location of the premises where the hosting will take place as well as the security of the facilities

Scoring:

- Personnel with more than 3 years hosting experience; work entirely performed by the bidder (not outsourced); inclusion of details of how the application will be hosted accompanied by diagrams, detailed security and backup plan of the technology to be used. Location of the hosting site being not more than 30 km radius from NCR's current premises and inclusion of the description of the building security. Bidder produces detail with more than the minimum information that has been requested in relation to the internal and technological capacity = 5
- Personnel with 3 years hosting experience; work entirely performed by the bidder (not outsourced); inclusion of details of how the application will be hosted accompanied by diagrams, detailed security and backup plan of the technology to be used. Location of the hosting building being not more than 30 km radius from NCR's current premises and inclusion of the description of the building security. Bidder produces detail on the minimum information requested in relation to the internal and technological capacity = 4
- Personnel with less than 3 years hosting experience; some part of the work outsourced; inclusion of details of how the application will be hosted accompanied by diagrams, detailed security and backup plan of the technology to be used. Location of the hosting building being more than 30

25

<p>km radius from NCR's current premises and inclusion of the description of the building security = 3</p> <ul style="list-style-type: none"> • Personnel with less than 2 years hosting experience; work entirely outsourced; inclusion of details of how the application will be hosted with no diagrams, minimal details of the security and backup plan of the technology to be used. Location of the hosting building being more than 50 km radius from NCR's current premises and inclusion of the description of the building security = 2 • There is missing or no information on the internal and technological capacity in relation to the following: project personnel skills level and years of experience; if work will be outsourced or done by the bidder; details on how the application will be hosted, secured and backed-up including the technologies to be used; details on the location of the premises where the hosting will take place as well as the security of the facilities = 1 	
<p>References</p> <p>Contact details of at least three references from amongst recent clients with whom similar work has been conducted in the past 24 Months. Bidders must submit three contactable references with the letterhead and official stamp / signature of the client for whom the services were rendered. The letters should also have a clear indication of the year(s) that the services were rendered.</p> <p>Past and Current Clients: Service, Feedback, Ratings and References Scoring:</p> <ul style="list-style-type: none"> • Bidder produces more than three contactable references = 5 • Bidder produces three contactable references = 4 • Bidder produces two contactable references = 3 • Bidder produces one contactable references = 2 • Bidder does not produce any contactable reference OR the contactable references are missing required information OR the contactable references are not on the official letter head of the client and/or do not contain the stamp of the client = 1 	10

Bidders are required to score a minimum of 70% points on functionality to qualify to be evaluated in the next level (BBBEE and price). Bidders who do not score the minimum of 70% points on functionality will be disqualified and not be evaluated on price and BBBEE.

10. Additional information:

- Brief company profile, as relevant to the above mentioned terms of reference.
- Experience in the relevant areas.
- Clientele.
- A proposal including methodology
- Confirmation that the proposed team members will in fact be available to undertake this exercise at the appropriate time and meet the necessary deadlines.
- The proposal should contain a work plan, showing tasks, timelines etc.
- Contact details of at least three references from amongst recent clients with whom similar work has been conducted in the past 12 Months.
- Certificate of incorporation / legal status.
 - Company registration documents
 - Certified copy of directors identity documents
 - Certified BBBEE certificate
- Financial proposal.
 - Detailed pricing on the company letter head, the total cost must link to SBD 1 attached.
 - NCR prefers a fixed rate for two years.
 - All costs associated with the project should form part of the bidding proposal

-----End-----