



**THE NATIONAL CREDIT
REGULATOR**

JANUARY 2015

**TERMS OF REFERENCE
HOSTING, DEVELOPMENT,
MAINTENANCE/SUPPORT OF THE
NATIONAL CREDIT REGULATOR
WEBSITE**

RFP NUMBER: NCR 275/01/15

DUE DATE: 16 FEBRUARY 2015

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 of a Service provider to render services as detailed in section 2 of these terms of reference.

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, 2001 (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 1.5 below and Annexure B.1). Please read this document carefully prior to submitting your proposal.

1.1 The Proposal Format

- **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 Annexure.

- **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).

- **Number of proposals**

Each bid participant must provide **four (4)** hard copies and a **CD** of their entire proposal, including all the documentation referred to in 1.5 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.

1.2 Submission of proposals

1.2.1 Proposals must reach the offices of the NCR before 11:00 on 17 February 2015, and must be enclosed in a sealed envelope which must have clearly inscribed on the outside:

(a) RFP No: NCR 275/01/15

(b) TERMS OF REFERENCE: HOSTING, MAINTENANCE/SUPPORT AND DEVELOPMENT OF THE NATIONAL CREDIT REGULATOR WEBSITE

(c) CLOSING DATE: 11H00, 17 FEBRUARY 2015

1.2.2 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).

- 1.2.3 Please note that this RFP closes punctually at 11h00 on **17 February 2015**. No late submissions will be considered under any circumstances.
- 1.2.4 **All** the documentation referred to in Section 1.4 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.
- 1.2.5 If responses are not delivered as stipulated in this Section 1.3, such responses will be considered “**late**”, and will not be considered for evaluation.
- 1.2.6 The NCR shall not disclose any details pertaining to the responses received, to any other participant, as this is regarded as confidential information.
- 1.2.7 Envelopes must not contain documents relating to any RFP other than the one referred to in this RFP.
- 1.2.8 The responses to the RFP will be opened as soon as is practical after the expiry of the time advertised for receiving them.
- 1.2.9 Only the participants that are short-listed after the evaluation process will be informed of the results of the submission adjudication process.
- 1.2.10 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.

1.3 Timetable

Date	Activity
23.01.2015	Issue RFP document
17.02.2015	Closing date @11H00
19.02.2015	Functionality evaluations
20.01.2015	Consolidation and verification of scores
24.02.2015	Presentations by shortlisted bidders
25.02.2015	Consolidation and verification of scores
27.02.2015	Recommendation report
04.03.2015	Report project to adjudicators
06.03.2015	Appointment date

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.

1.4 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 – Ten) must be 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.

Part 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.

Part Two – Pricing Proposal

Please see Annexure A – SBD 3.1 (Pricing Schedule – Firm Prices). **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. 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.

Part Three – General Conditions and Procedures of the NCR

See Annexure B. Bid participants must indicate clearly that they have read this document, and have no objections to being bound by its contents. 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.

Part Four – Contract Form: Rendering of Services

See Annexure C - 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.

Part Five – Tax Clearance Certificate

See Annexure D - Please complete form SBD 2. **DO NOT RETYPE THESE FORMS.** They must be completed on the original and signed, all in black ink. Failure to submit a valid, original tax clearance certificate issued by SARS will result in a proposal being rejected.

Please note that the Tax Clearance Certificate submitted must be valid for at least one month after the closing date of the tender.

Part Six – Preference Points Claim Form

See 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.

Part Seven – Declaration of Interest

See 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.

Part Eight – Declaration of past Supply Chain Management Practices

See 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.

Part Nine – Non-Disclosure Agreement

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

Part Ten—Certificate of Independent Bid Determination

See 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.

Please note that a certified BBBEE certificate must also be attached to the bid documents. None submission will result in zero scoring in this competitive bidding process.

1.5 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
1	20	80
2	18	
3	16	
4	10	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	
Total maximum points	20	

Description

- Proposals should make clear the relevant skills, experience and capacity of the participant, in respect of this particular TOR
- 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.

1.6 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.

1.7 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.

1.8 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 and mramapala@ncr.org.za

1.9 State Security agency

The preferred and the reserve bidder shall be required to go under a security screening before a final appointment is finalised. The security screening contemplated in the Minimum Information Security Standards Policy, which shall be conducted by the State Security Agency on behalf of the NCR for the purposes of determining whether the Supplier has participated in or undertaken any conduct or activity that is deemed by the NCR, in its sole discretion, to be objectionable or unfavourable and that would consequently make the Supplier unsuitable or unfit to provide the Services. For the avoidance of doubt, objectionable or unfavourable conduct shall, for the purposes of this Agreement, include, without limitation.

TERMS OF REFERENCE/ SCOPE OF WORK

FOR HOSTING, DEVELOPMENT, MAINTENANCE/SUPPORT OF THE NATIONAL CREDIT REGULATOR WEBSITE

2. Introduction

The objective of this assignment is: “Host, Maintain/support and Develop NCR Website”, in accordance with specific processes and procedures as prescribed by the NCR.

3. 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.

4. Objective

Is hosting, development, maintenance or support of the NCR website timeously and accurately as requested by the NCR.

5. Scope of the project

The purpose of contracting the supplier is to host the NCR’s website, ensure that the website is dynamic and user friendly.

The successful bidder will:

Provide continuous maintenance and development of the NCR website, utilising the latest web and intranet software and techniques available (e.g. macromedia flash animation, sound and graphics. This entails, but is not limited to, ensuring that the

website is functional, dynamic, continuously updated and easy to navigate as required by the NCR and its stakeholders within defined turn-around times (turn-around times to be agreed upon between the appointed supplier and the NCR at contract stage).

This includes, but is not limited to:

- Hosting of website on the latest open source technology
- Archiving old content with the approval of the NCR
- Maintaining the content and functionality of the NCR TV screen at reception area;
- Ensure the website is secured
- Web design, layout and typesetting;
- Maintenance of, and adherence to, the NCR corporate identity standards;
- Web development and flash animation;
- Creating, maintaining and sustaining web security programming;
- Spelling checks and management of the NCR web site
- Immediately upload all approved NCR content onto the website when received
- Develop online calculator and budgeting tools
- Provide advice on social networking and development
- Supply stock photos and do photo editing as and when needed
- Provide overall website reports, on a monthly basis, as agreed with the NCR to include, but not limited to the following:
 - Number of pages visited;
 - New visitors;
- Be able to work under pressure and meet tight deadlines.
- Be available for progress meetings as requested by NCR
- The service provider will be required to be available for work at short notice and beyond normal working hours as may be applicable to any particular project or campaign throughout the contract period; and
- Regular innovation of site as agreed with the NCR.

6. Key Messages

Any updates done by the appointed service provider, will be done under the NCR's approval.

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. Training and skills transfer

Transfer skills to ensure that at the end of contract, NCR employees will be able to support and maintain the website.

9. Timeframe

The contract will endure for a period of 12 months.

10. Functionality will be evaluated in terms of section

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, development and maintenance/support of the NCR website.</p> <ul style="list-style-type: none">• The experience of the company in undertaking similar work or projects; and• Capacity and experience in operating at a strategic level.	20
<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 in relation to the scope of work and the outputs above;• Project Execution Plan or Framework;• Ability to meet tight deadlines and work schedules;• Ability to develop a clear and measurable project plan when appointed to undertake the project;	40

<ul style="list-style-type: none"> • Value additions for the NCR; • Creativity and innovation- bidder to provide evidence; and • Transfer skills and training proposed approach 	
<p>Proposals should clearly indicate whether or not bid participants have the internal capacity to meet the requirements of the TOR. This will include but not limited:</p> <ul style="list-style-type: none"> • The relevant skills level of the entire project team (Brief CV's of the team members); • Resources and personnel to be dedicated to the project. i.e. Project team leader etc. • The percentage of the work if any that will be outsourced to third parties; • Detailed on how the website will be hosted; and • Bidder to provide a capability statement relating all resources. 	30
<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 12 Months.</p> <ul style="list-style-type: none"> • Past and Current Clients: Service, Feedback, Ratings and References • Portfolio of past work 	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.

11. Additional information:

- Brief company profile, as relevant to the above mentioned terms of reference.
- Experience in the relevant areas.
- Clientele.
- A proposal including methodology
- Certification of all team members, highlighting experience relevant to this exercise. 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.