



**THE NATIONAL CREDIT  
REGULATOR**

**APRIL 2015**

**TERMS OF REFERENCE-  
REQUEST FOR PROPOSAL FOR  
THE PROVISION OF INTERNET  
LINE SERVICES, EMAILS LINE  
SERVICES, PRI MANAGEMENT  
AND LCR FOR THE NCR**

**RFP NUMBER: NCR290/04/2015**

**CLOSING DATE: 22 MAY 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 an RFP for the service as outlined 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, 2001 (PPR), Supply Chain Management Regulations issued by the National Treasury and BBEE 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.

#### **1.2 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 in a file of annexures.

- **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 1 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 initialed on each page.

### **1.3 Submission of proposals**

- 1.3.1 Proposals must reach the offices of the NCR before 11:00 on **22 MAY 2015** and must be enclosed in a sealed envelope which must have clearly inscribed on the outside:

**(a) RFP No: NCR 290/04/2015**

**(b) TERMS OF REFERENCE - RFP FOR INFRASTRUCTURE (INTERNET LINE SERVICES, EMAILS LINE SERVICES, PRI MANAGEMENT AND LCR) FOR THE NCR**

**(c) CLOSING DATE: 11H00, 22 MAY 2015**

- 1.3.2 Proposals are to be submitted in the marked tender box, in the reception area, National Credit Regulator, 127-15<sup>th</sup> 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).

- 1.3.3 Please note that this RFP closes punctually at 11h00 on **22 MAY 2015**. No late submissions will be considered under any circumstances.

- 1.3.4 All the documentation referred to in Section 1.5 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.
- 1.3.5 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.
- 1.3.6 The NCR shall not disclose any details pertaining to the responses received, to any other participant, as this is regarded as confidential information.
- 1.3.7 Envelopes must not contain documents relating to any RFP other than the one referred to in this RFP no. **NCR290/04/2015**.
- 1.3.8 The responses to the RFP will be opened as soon as is practical after the expiry of the time advertised for receiving them.
- 1.3.9 Only the participants that are short-listed after the evaluation process will be informed of the results of the submission adjudication process.
- 1.3.10 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.

**1.4 Timetable**

Date	Activity
24/04/2015	Issue RFP document – OPEN TENDER
29/04/2015	Briefing session @ 14h00
22/05/2015	Closing date @ 11h00
25/05/2015	Evaluations by the Evaluation Committee
29/05/2015	Presentation by the shortlisted bidders
04/06/2015	Adjudication committee meeting

<b>15/06/2015</b>	Appointment of the service provider and Contract finalisation
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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 process, and the right to change this timetable at any time without notice.

**1.5 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.
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**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 fulfill the requirements as set out in the TOR.

**Part Two – Pricing Proposal**

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 sealed envelope together with your submission. Bidders pricing proposal must be linked to the attached pricing schedule provided by the NCR. **All prices provided must be inclusive of Value-Added Tax (VAT).**

### **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.

### **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 BBEE certificate must also be attached to the bid documents. None submission will result in zero scoring in this competitive bidding process.***

## 1.6 Evaluation Criteria

Proposals will be evaluated on the 90/10 preference points scoring system: that is, 90 of the points awarded will be based on price, as indicated in the table below; and 10 of the points awarded will be based on B-BBEE codes system, allocated as indicated in the table below.

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>PRICE</b>
1	10	90
2	9	
3	8	
4	5	
5	4	
6	3	
7	2	
8	1	
Non-compliant contributor	0	
<b>TOTAL</b>	<b>10</b>	<b>90</b>

Price points will be allocated as detailed in the NCR pricing schedule.

## 1.7 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.

### **1.8 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.

### **1.9 Contact details**

The 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](mailto:procurement@ncr.org.za)

### **1.10 Vetting services**

The preferred service provider will be required to go through the vetting process by state security agency. The appointment is subject to the outcome of the vetting process.

## **PART 2**

### **TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE INTERNET LINE SERVICES, EMAILS LINE SERVICES, PRI MANAGEMENT AND LCR**

#### **2.1 Background**

One of the major requirements of the National Credit Regulator is the availability of Internet and email facility that has efficient capability to access electronic data and information from different sources.

Currently NCR is using fiber optic Telkom infrastructure to run Internet. The NCR is currently connected with two (2) Internet connections, one acting as the primary and the other as secondary. The secondary Internet connection (8 Mbps) serves as a redundant connection to supplement the primary internet connection while both links are simultaneously running and to maintain the availability of internet when either the primary or the secondary connections incurs downtime. The NCR emails runs on Telkom diginet line of 2MB that is manage by the service provider.

Considering the above, the National Credit Regulator deemed it necessary to invite service providers to provide Internet line connection, dedicated email services that shall provide NCR with efficient, reliable and cost effective Internet connection and email services, Management of PRI and LCR. The service provider should ensure a smooth transition of the existing services.

#### **2.2 Scope of Work**

The bidder shall provide the necessary hardware and other services required to setup the internet and email connections. The project covers the implementation of the internet connection and email services of the National Credit Regulator. It involves the following:

- Provision of dedicated Internet line and voice – 10Mbs
- Provision of dedicated email line - 10 Mbs

- Provision of failover line for both Internet and email lines – 10 Mbs to be split into 5Mbs Internet and 5Mbs for emails.
- Manage PRI (**ensure that NCR does not change the number**) and Provision of LCR
- Fully load balancing across both Internet and email lines
- Provision of diagnostic reports and updates in case of connection failure
- Provision of monthly utilization graphs or tool for monitoring of link quality and bandwidth utilization;
- Provision of 24x7 support services;
- Entering into a Service Level Agreement which defines parameters of rebates for non-performance, etc.
- The bidder must provide a cost estimation in case NCR decide to move to another premises which maybe in radius of 20KM from the current premises.

The bidders must disclose all associated costs vat inclusive to run this service this includes.

- Initial setup costs
- Escalation costs
- Any other additional charges.

Bidders are required to conduct site inspection. The successful bidder will be expected to sign a Service Level Agreement with the NCR for a period of **3 years for** the delivery of these services.

**2.3 The functionality criteria will be evaluated based on the following:**

Bidders should be a telecommunication company or owner of a network, have the expertise and five (5) year experience in internet service provisioning.	10
Provide detailed work plan specifying installation design, detailed activities, network diagram showing connectivity from end user's datacenter and timelines	20
Provide a detailed plan to on voice and Data line and connection of fail over line in case the primary line is disrupted.	20
Describe how to manage PRI will be managed (Without changing number) and how NCR will save cost on LCR	20
Provide a details work plan how to take over the current services from the current service provider without affecting operation	20
Bidders should submit copies of Client Satisfactory Certificates from at least three (3) clients each for the last three (3) years for similar contracts.	10

Bidders are required to achieve a minimum score of 70 points on functionality evaluations in to qualify to be evaluated on BBEE & Price. All supplier who do not score the minimum points will be disqualified.

## 2.4. Evaluation criteria

The Bid evaluation will be based on the following:

- Document Screening and Compliance
- Mandatory Evaluation Compliance
- Technical Functional Requirement (100 points)
  - Bid evaluation
  - Presentation by shortlisted bidders
- Price and BBBEE will be calculated out of 80/20 Preferential points
  - Price 90 points
  - BBBEE 10 points
  - Total **100 points**

## 2.4. Price Escalation

- All prices must be VAT inclusive and quoted in South African Rand (ZAR).
- If prices are not valid for three (3) years, provide details of yearly price escalation and the basis on which such adjustments shall be applied e.g. CPI, also, provide details of your cost breakdown.
- NCR would like to engage a service provider for a fixed cost for 3 years.

## 2.5 Additional information to be submitted by the bidders

- Brief company profile, as relevant to the above mentioned terms of reference.
- Experience in the relevant areas.
- Clientele.
- A need analysis confirmation for printing & photocopying requirements for the NCR becomes the responsibility of the bidder.
- CV/Resumes of the technicians, highlighting experience relevant to this exercise.
- **Work plan, showing tasks, timelines and other relevant factors pertaining to the provision of the services.**
- Contact details of at least three references from among recent clients with whom similar work has been conducted in the past 12 Months.
- Certificate of incorporation / legal status.

- Financial proposal.
- **Certified BBEE** certificate

## 2.6. Format of submission to the NCR

NO	DESCRIPTION	SBD NO
	Introduction letter with contact details	
0	Detailed Proposal addressing the TOR & evaluation criteria	n/a
1	INVITATION TO BID	SBD 1
2	TAX CLEARANCE CERTIFICATE	SBD 2
3	PRICING( detailed pricing to be in a separate envelope)	SBD 3.1
4	DECLARATION OF INTEREST	SBD 4
5	PREFERENCE POINTS CLAIM FORM	SBD 6.1
6	CONTRACT FORM	SBD 7.2
7	DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT	SBD 8
8	CERTIFICATE OF INDEPENDENT BID DETERMINATION	SBD 9
9	ACCEPTANCE OF GENERAL TERMS & CONDITIONS	ANNEXURE B1
10	NON DISCLOSURE AGREEMENT	ANNEXURE B2
11	DRAFT CONTRACT FOR BIDDER REVIEW- indicate if you have reviewed and you agree with the terms.	ANNEXURE B3