



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

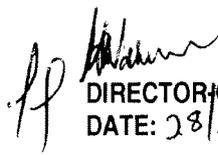
Private Bag X901, Pretoria, 0001
Tel No: (012) 312 7566
Fax No: (012) 312 7391

Sir/Madam

REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR RENEWAL OF LICENSE AND SUBSCRIPTION OF MCAFEE END-POINT PROTECTION SERVICES; PROVIDE TRAINING AND PRODUCT FOR THE 2011/12/13 PERIOD

1. Tender No: **SD04B/2012**
2. Tender for: **TO RENEW LICENSE AND SUBSCRIPTION OF MCAFEE END POINT PROTECTION SERVICES; PROVIDE TRAINING AND PRODUCT FOR THE 2011/12/13**
3. Required at: Department of Social Development
4. Closing Date: **19 OCTOBER 2012 at 11h00**
5. The General Conditions of Contract and the attached SBD1; SBD2; SBD3; SBD4; SBD6.1; Questionnaire; SBD8; SBD9 and the terms of reference, as well as any other conditions accompanying this request are applicable.
6. **All the documents accompanying this invitation must please be completed in detail, where applicable and returned with your proposal**
7. Please make sure that your bid reaches this office before the closing time.
8. When submitting your bid the following information must appear on the sealed envelope:
 - i. Name and address of the Bidder
 - ii. Bid number
 - iii. Closing Date
9. This envelope must be placed in the Bid box in the foyer at HSRC Building, 134 Pretorius Street, Pretoria

Kind regards


DIRECTOR GENERAL: DEPARTMENT OF SOCIAL DEVELOPMENT
DATE: 28/09/2012

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT OF SOCIAL DEVELOPMENT)

BID NUMBER: SD04B/2012 CLOSING DATE: 19 OCTOBER 2012 CLOSING TIME: 11:00

APPOINTMENT OF A SERVICE PROVIDER TO RENEW LICENSE AND SUBSCRIPTION OF MACAFEE END POINT PROTECTION SERVICES; PROVIDE TRAINING AND PRODUCT FOR THE 2011/12/13 PERIOD.

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT: HSRC Building (Ground Floor) 134 Pretorius Street Pretoria

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER
POSTAL ADDRESS
STREET ADDRESS
TELEPHONE NUMBER CODE.....NUMBER.....
CELLPHONE NUMBER
FACSIMILE NUMBER CODE NUMBER.....
E-MAIL ADDRESS
VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2) YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1) YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....
A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR.....
A REGISTERED AUDITOR
[TICK APPLICABLE BOX]

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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?
NO

YES or

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Kobus Watson
Tel: 012 312 7566
Fax: 012 312 7073
E-mail address:...KobusW@dsd.gov.za

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.



Application for a Tax Clearance Certificate

Purpose

Select the applicable option

Tenders

Good standing

If "Good standing", please state the purpose of this application

Particulars of applicant

Name/ Legal name
(Initials & Surname
or registered name)

Trading name
(if applicable)

ID/Passport no

Company/Close Corp.
registered no

Income Tax ref no

PAYE ref no 7

VAT registration no 4

SDL ref no L

Customs code

UIF ref no U

Telephone no

Fax
no

E-mail address

Physical address

Postal address

Particulars of representative (Public Officer/Trustee/Partner)

Surname

First names

ID/Passport no

Income Tax ref no

Telephone no

Fax
no

E-mail address

Physical address

Particulars of tender (If applicable)

Tender number

Estimated Tender amount R

Expected duration of the tender year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount
--------------	----------------	-----------	----------------	------------------	--------

Audit

Are you currently aware of any Audit investigation against you/the company? YES NO
If "YES" provide details

Appointment of representative/agent (Power of Attorney)

I the undersigned confirm that I require a Tax Clearance Certificate in respect of Tenders or Goodstanding

I hereby authorise and instruct to apply to and receive from SARS the applicable Tax Clearance Certificate on my/our behalf.

Signature of representative/agent Date
Name of representative/agent

Declaration

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer Date
Name of applicant/Public Officer

Notes:

1. It is a serious offence to make a false declaration.
2. Section 75 of the Income Tax Act, 1962, states: Any person who
(a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act; or
(b) without just cause shown by him, refuses or neglects to:
(i) furnish, produce or make available any information, documents or things;
(ii) reply to or answer truly and fully, any questions put to him ...
As and when required in terms of this Act ... shall be guilty of an offence ...
3. **SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.**
4. Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.



South African Revenue Service
Suid-Afrikaanse Inkomstediens
Uphiko lwezimali Ezingenayo eNingizimu Afrika
Tirelomatlotlo ya Afrika-Borwa

Tax Clearance Certificate Number
0064/1/2005/0001088683

Tax Clearance Certificate-Tender

Enquiries

0860 12 12 18

Approved Date
2005-10-05

Trading Name

SARS

Legal Name

SARS

Expiry Date
2006-10-05

Identity Number/ Passport Number

Company Registration Number

Income Tax Reference Number

VAT/Diesel Registration Number

PAYE Registration Number

SDL Registration Number

UIF Registration Number

It is hereby confirmed that, on the basis of the information at my disposal, the above-mentioned taxpayer has not contravened the provisions of Income Tax Act (1962), Value Added Tax Act (1991), Employees Tax (PAYE as contained within the Income Tax Act 1962), Skills Development Levies Act (1999) or Unemployment Insurance Contributions Act (2002), as at date of this certificate.

This Certificate is Valid for a period of 1 (One) Year from the date of approval

Verification of this certificate can be done at any SARS Revenue office nationwide.

Photo copies of this certificate are not valid.

SARS reserves the right to withdraw this certificate at any time should it prevail that any taxes, levies or duties are due and outstanding by the abovementioned taxpayer during the one year period for which the certificate is valid.

Name of Bidder:

for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL: R.....			

- 6. Period required for commencement with project after acceptance of bid
.....
- 7. Estimated man-days for completion of project
.....
- 8. Are the rates quoted firm for the full period of contract?
.....
- 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....

10. Any enquiries regarding bidding procedures may be directed to –
 Kobus Watson
 Tel No: (012) 312 7566
 Email: kobusw@dsd.gov.za

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:
.....

2.2 Identity Number:
.....

2.3 Position occupied in the Company (director, trustee, shareholder²):
.....

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;

- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

2.8 Did you or your spouse, or any of the company’s directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Reference Number	Tax	State Employee Number / Persal Number

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to be less than R1 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.3.1 The maximum points for this bid are allocated as follows:

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

2.1 “**all applicable taxes**” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

- 2.2 “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 “**B-BBEE status level of contributor**” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “**bid**” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 “**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 “**consortium or joint venture**” 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;
- 2.8 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “**EME**” means any enterprise with an annual total revenue of R5 million or less .
- 2.10 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “**functionality**” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “**non-firm prices**” means all prices other than “firm” prices;
- 2.13 “**person**” includes a juristic person;
- 2.14 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8

6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :.....

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) 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;
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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
- (e) forward the matter for criminal prosecution

WITNESSES:

1.

..... SIGNATURE(S) OF BIDDER(S)

2.

DATE:.....
ADDRESS:.....
.....
.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

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CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.

10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

P.O. Box X 901, Pretoria, 0001, 134 Pretoria Street, HSRC Building, Pretoria
Tel: (012) 312 7500

ANNEXURE “A”

TERMS OF REFERENCE

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR RENEWAL OF LICENSE AND SUBSCRIPTION OF MCAFEE END-POINT PROTECTION SERVICES, PROVIDE TRAINING AND PRODUCT FOR THE 2011/12/13 PERIOD

1. PURPOSE

The purpose of the terms of reference is to appoint an accredited service provider to provide the department with a proposal to renew the current McAfee endpoint security products for the period 2011/12/13.

2. PROJECT NAME

RENEWAL OF LICENSE AND SUBSCRIPTION OF MCAFEE END-POINT PROTECTION SERVICES, PROVIDE TRAINING AND PRODUCT FOR THE 2011/12/13 PERIOD

3. BACKGROUND

The Department of Social Development (DSD) have been using the McAfee suite of anti-virus and end-point protection products and have enjoyed a more uniformly managed and protected operating environment.

The agreement that the Department had entered into was for a period of one (1) year of updates, support and maintenance on the agreed Perpetual license model provided by McAfee. The period of validity is long since expired and the Department now have to renew its agreement for the term it was out of license compliance and renew for the further one (1) year period.

4. PROBLEM STATEMENT AND CURRENT SITUATION

The Department relies on an Anti-Virus package for the protection of its computer systems against malicious threats and virus attacks. The anti-virus package must remain current and up-to-date to provide the best possible levels of protection of the very valuable information on the computer systems. By any standard, anti-virus is deemed to be a critically important component for data security in any organisation.

Currently, the management tool, electronic Policy Orchestrator (ePO), that is used to centrally control and update the anti-virus program is not working effectively. It needs to be repaired / reconfigured with the assistance of McAfee professional services so that all compliance and quality assurance of the solution can be effectively achieved.

Additionally, the license count must be extended to include additional computer users that have been included on the network so that all software installations are accurately accounted for and the legal requirements for the licensing of the software are complied with.

The licensed use term has expired as of 2011. The renewal of licensing must allow for the honouring of the anti-virus licensing for the past term as well as allow for the next term.

5. SCOPE OF WORK

The department will require that the service provider must perform the following scope of work to deliver the necessary product and service:

- 5.1. Provide subscription and license renewal as relates to the McAfee Perpetual license model for the Enterprise end-point security for seven hundred and fifty-three (753) devices which may be composed of servers, workstation, desktops and laptop/notebook devices that are configured with Microsoft Windows XP, VISTA or 7 operating systems as well as protect the mail environment which may be Microsoft Exchange 2003 and 2010 supporting Microsoft Outlook 2003, 2007 and 2010 clients on the end-points.
- 5.2. Provide subscription and license renewal as relates to the McAfee Perpetual license model for the Enterprise end-point security for two (2) devices which are composed of Linux server installations.
- 5.3. Engage with DSD to deliver planning, configuration and deployment services and work in conjunction with DSD to ensure the proper deployment and on-going management and support of the environment for DSD.
- 5.4. Provide the department with a Service Level agreement (SLA) adhering to an 8x5xNBD response time for a period of one (1) year with a minimum of 2 two hours monthly support and configuration services included for the duration of the SLA.

6. GENERAL CONDITIONS

- 6.1. The general conditions of contract as prescribed by National Treasury will be applicable in all instances.
- 6.2. The DSD reserves the right to enter into a service level agreement. As the early commencement date of this project is of critical importance to the DSD, it is expected of the successful service provider to be available and commence the project within 5 days after the conclusion of the contract, failing to enter into a contract would result in the awarding of the bid to another prospective service provider.

- 6.3. The DSD reserve the right to award the project to a service provider that meets the criteria.
- 6.4. The DSD reserves the right to contact the service provider to seek clarity on any matter included in the contract to be entered into with the DSD.
- 6.5. The service provider will be bidding for a fixed amount during the contract period.
- 6.6. The service provider shall complete all relevant documents, forms and pricing of the bid. Bid price must be inclusive of all projects cost such as professional, disbursement, material, travel and subsistence, Value Added Tax and other related costs.
- 6.7. The DSD reserves the right to cancel the contract and seek remedies should the service provider not conform or adhere to contractual responsibilities as specified in the contract.
- 6.8. All documentation complied by the service provider shall be subjected to quality control by the DSD prior to it being accepted by the DSD. Unsatisfactory work will be referred to the services provider for rectification before payment is effected.
- 6.9. All information, documents, programmes and reports must not be made available to any unauthorized person or institution without the written consent of the Accounting Officer or his delegate.
- 6.10. The project is restricted to time frames as agreed with the DSD. The DSD must approve any deviation from the set time frame.

6.11. Prospective service providers are requested to submit their bid in two envelopes in the following manner:

6.11.1. One envelop with technical proposal (response to the terms of reference).

6.11.2. The other envelop with financial proposal (completed and signed bid forms, Tax clearance certificate, cost breakdown and other relevant information).

7. OUTPUTS

The service provider is expected to:

7.1. Provide the subscription and license renewals for the required licenses as per the Bill of Materials in section

7.2. Work with DSD to deliver the required services of planning, configuration and deployment and work in conjunction with DSD to ensure the proper deployment and on-going management and support of the environment.

7.3. Enter into a Service Level agreement (SLA) adhering to an 8x5xNBD response time for a period of one (1) year with a minimum of two (2) hours monthly support and configuration services included for the duration of the SLA and be present at DSD's offices for the minimum two (2) hours monthly to perform support and configuration and health check services.

7.4. Provide a report of the work done, the configuration and operational state of the system and any identified issues for each service interval as outlined in item 7.3.

8. TIME FRAMES

The provider will be expected to start work within one (1) weeks of the order being awarded and the SLA being signed.

The project is expected to be conducted over a period of one (1) month and the provider will be required to have completed in that timeframe and must ensure that all necessary resources be available to ensure completion in that timeframe.

9. SKILLS, KNOWLEDGE AND EXPERIENCE REQUIRED

The provider is required to be an accredited service provider of McAfee and must provide proof of McAfee Elite Partner status certification.

10. BID PROPOSAL

The comprehensive proposal submission should include:

- 10.1. A detailed plan reflecting project time frames, costing and outputs.
- 10.2. Profile of company including a description of similar work undertaken.
- 10.3. Number, names and resumes (abbreviated CVs) of the person assigned to the project.
A summary of the roles, responsibilities and time spent by each Person.
- 10.4. The cost structure should be inclusive and as detailed as possible.
- 10.5. The service provider is expected to enter into a contract with the DSD based on the proposal.
- 10.6. A work plan indicating time frames should be provided with the proposal.

10.7. Progress will be monitored monthly based on the work plan and time frames provided by the service provider approved by the DSD..

11. PROPRIETARY RIGHT

11.1. The DSD shall become the owner of all information, documents, advice and reports collected and compiled by the service provider to be appointed.

11.2. The copyrights of all documents and reports compiled by the service provider will vest in the DSD and may not be reproduced, distributed or made available without the written consent and approval of the DSD.

11.3. All information, documents and reports must be regarded as confidential until made public by the DSD.

12. EVALUATION OF BIDS

12.1. The evaluation of the bids will be conducted in two stages:

12.1.1. Firstly, the proposals will be evaluated on functionality. An evaluation panel will allocate points (scale of 1 - 5) in respect of functionality according to the criteria set out in paragraph 13.5. Proposals scoring less than 60% in respect of functionality will be disqualified and not be evaluated further.

12.1.2. Thereafter, only the qualifying bids will be evaluated in terms of the 80/20 preference point system as contemplated in the Preferential Procurement Regulations 2011, issued in terms of the Preferential Procurement Policy Framework Act (Act 5 of 2000).

12.2. The 80 points will be used to calculate points for price only and the 20 points will be used to calculate points for BBBEE status level of contribution (SBD6.1)

12.3. The points for price will be calculated on the ceiling price for the project (including Value Added Tax).

12.4. A point out of 20 will be allocated for BEE based on the level of accreditation of the service provider.

12.5. Technical proposals will be evaluated on a scale of 1–5 in accordance with the criteria below. The rating will be as follows:

1 = Very Poor

2 = Average

3 = Good

4 = Very Good

5 = Excellent

ELEMENTS	Rating					WEIGHTING
	1	2	3	4	5	
Demonstrable past experience and skills of the project team relevant to the stated requirements of the project .This include previous successful project in similar work.						20
A project plan that demonstrates an understanding of the assignment including a proposed methodology and approach that is aligned to the department's required outputs, time frames and realistic costing.						20
Demonstrable assurance that all items listed in the Bill of Materials in section 19 will be provided to ensure that the required outputs, scope of work and compliance with McAfee Perpetual license model will be achieved.						20
Acceptability of the schedule provided						10
Functionality						70

13. DISQUALIFYING CRITERIA.

The proposal will be disqualified and not considered further if:

- 13.1. The provider does not provide proof of McAfee Elite Partner certification.
- 13.2. As part of the 2 envelope response, does not provide the project plan that demonstrates an understanding of the assignment and its deliverables in the technical proposal envelope.

14. FACILITIES TO BE PROVIDED BY THE DSD

- 14.1. During the project the DSD officials will make themselves available for clarity, reporting processes, discussions and meetings. The service provider will also have access to required documents and other records available within the Department that may assist in executing the project.

15. REPORTING ARRANGEMENT

- 15.1. All deliverables should be submitted to the DSD. Any deliverable submitted and not accepted must be reworked and resubmitted at no additional cost.
- 15.2. The service provider will provide a single overall project manager.
- 15.3. A comprehensive monthly report will be submitted by the service provider.
- 15.4. The service provider must also submit monthly statistics to the DSD.

16. TARRIFS AND PAYMENT

- 16.1. Payment will be effected within 30 days after receipt of a satisfactory detailed invoice from the successful service provider.
- 16.2. Payment will be made in accordance with the completion of work to the satisfaction of the DSD based on the milestone for the project agreed to and signed off as part of the implementation plan.
- 16.3. A 10% retention fee will be paid after the acceptance of the final close out report by the DSD in agreement with the Accounting officials or his delegates.

17. SUBMISSION OF BIDS

- 17.1. Prospective bidders must submit their bid proposals in two envelopes:
- 17.2. One envelope with the technical proposal outlining in detail a realistic work- break schedule indicating different milestones to be achieved, and response to the terms of reference and evaluation criteria including other supportive documents, completed bid forms, tax clearance certificate issued by SARS and legal entity registration certificate.
- 17.3. One other envelope with the financial proposal (pricing schedule (SBD 3.3) with all cost related items, cost breakdown).
- 17.4. The entire proposal should be placed on disc in a PDF format
- 17.5. The following information must be endorsed on each envelope:
 - Bid number:
 - Closing date:
 - Name of the Bidder:
 - Technical Proposal or Financial Proposal

17.6. The closing date for the submission of bid is 11h00 on 19 October 2012.

17.7. Failure to comply with these conditions will result in a bid being disqualified.

17.8. The Bids may be:

Deposited in the
Tender Box in the Foyer of the
HSRC Building
134 Pretorius Street
Pretoria

17.9. Bids received after the closing date and time will be regarded as late and will not be evaluated.

18. CONTACT PERSONS

Enquiries may be directed to:

Mr K Watson

Tel No: (012) 312 7566

Email: kobusw@dsd.gov.za

19. Bill of Materials

19.1. Current Entitlement that must be considered for the renewal process

Entitlement Number	Grant Number	Quantity/ Nodes	SKU	Product Description	Start Date	End Date	Status
<u>62212058</u>	3997851-NAI	100	EPAZFM-BA	EPA 1Yr GL for PERP Bundle - BA	7/28/2010 12:00:00 AM	7/27/2011 12:00:00 AM	Expired
<u>60596646</u>	3997851-NAI	2	LXSYCM-AB	MFE Virus Scan Ent for Linux 1Yr GL	12/15/2009 12:00:00 AM	12/14/2010 12:00:00 AM	Expired
<u>62212057</u>	3997851-NAI	653	EPAZFM-DA	EPA 1Yr GL for PERP Bundle - DA	12/15/2009 12:00:00 AM	12/14/2010 12:00:00 AM	Expired

19.2. Bill of Materials required to be provided

Qty	SKU	Start Date	End Date	Co-Term SKU	Start Date	End Date	Term
100	EPAYKM-AA	27/7/2011	27/7/2013	EPAYFM-AA	27/7/2013	14/12/2013	5 months
653	EPAYFM-AA	15/12/2010	14/12/2013				
2	LXSYCM-AB	14/12/2010	14/12/2011				
2	LXSYCM-AB	14/12/2011	14/12/2012				
2	LXSYCM-AB	14/12/2012	14/12/2013				