

YOU ARE HEREBY INVITED TO BID FOR REQUIRMENTS OF THE MEDIA INFORMATION AND COMMUNICATIONS TECHNOLOGIES SECTOR EDUCATION AND TRAINING AUTHORITY

REQUEST FOR BIDS REF: MICT/SETA/E-LEARNING/14/2021

REQUIREMENT DESCRIPTION:

APPOINTMENT OF A SERVICE PROVIDER FOR IMPLEMENTATION, SUPPORT AND MAINTENANCE OF AN E-LEARNING SOLUTION FOR A PERIOD OF 5 YEARS

BID CLOSING DATE: 27 OCTOBER 2021 at 11:00 AM

REQUIREMENT DESCRIPTION:
**APPOINTMENT OF A SERVICE PROVIDER FOR IMPLEMENTATION, SUPPORT AND MAINTENANCE AN
E-LEARNING SOLUTION FOR A PERIOD OF 5 YEARS.**

Bid Reference Number	MICT /SETA/E-LEARNING/14/2021
Supplier Briefing Session	15 October 2021 @ 11:00 am South African Time Due to the covid-19 pandemic, we opt to have the compulsory briefing session virtually through Microsoft Teams. Service providers who wish to attend the compulsory briefing session must send an e-mail with the subject line " MICT/SETA/E-LEARNING/14/2021 " to bidqueries@mict.org.za before end of business day 13 October 2021 @ 16:00 . Bidders take note that <u>No late request will be attended to.</u>
Bid Closing date & time	27 October 2021 @ 11:00 am South African Time. <i>*Note: A bid will not be considered if it arrives a second after 11:00 am or any time thereafter. Bidders are therefore strongly advised to ensure that bids are dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.</i>
Instruction for submission of Bid	Bid must be received in a sealed envelope (1 hard copy) marked with this RFB reference number deposited in a tender box at the location indicated hereunder.
Location for Bid submissions	MICT SETA Head Office: Reception 19 Richards Drive, Gallagher Convention Centre West Wing, level 3 Midrand
Bid Validity Period	Bids received shall remain valid for acceptance for a period of 120 counted from the closing date of the bid.

CLARIFICATION AND COMMUNICATION

- a. All enquiries relating to this bid must be addressed in writing to bidqueries@mict.org.za three days **before the closing date and time**. Queries received after this period will not be entertained.
- b. The bid reference number must be mentioned in all correspondences.

Note: Bidders are advised that a response will be disqualified should any attempt be made by a bidder either directly or indirectly to canvass any officer(s) or employees of **MICT- SETA** in respect of the RFB, between the closing and award date of the business.

SUPPLIER REGISTRATION ON CSD

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.

Description	Number of pages
CONTENTS	
Returnable Documents checklist	1
SBD 1: Part A: invitation to bid	1
SBD 1: Part A: Terms and Conditions for bidding	1
MICT SETA -bid conditions	1
Bidding structure	1
Bid Conditions	1
Pricing Schedule	1
Terms of Reference	1
Introduction	1
Scope of the Project/ Services	1
Site inspection	1
Evaluation Criteria	1
Pre-Qualification	1
Mandatory Criteria	1
Evaluation Criteria weight	1
SBD 6.1: Preference points claim	4
SBD 4: Declaration of interest	3
SBD: 8 Declaration of Bidder's Past Supply Chain Management Practices	1
SBD 9: Declaration of interest	3
Sworn Affidavit B-BBEE Qualifying Small Enterprise	2
Sworn Affidavit B-BBEE Qualifying Exempted Micro Enterprise	2

RETURNABLE DOCUMENTS CHECKLIST

Bid invitation document must be completed, signed and submitted as a whole by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFB submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
SBD 1 - Fully completed with required proof (Where applicable)		
Pricing Schedule		
Annexure A to Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by SARS / and or SARS issued verification pin		
Designated Sectors: Local production and content (Where applicable)		
SBD 4 - Declaration of interest		
SBD 6.1 - Preferential Procurement Claim form and copy of the B-BBEE Verification Certificate(s) for a bidder and its subcontractor (s) issued by an authorised body or person, or a sworn affidavit prescribed by the B-BBEE Codes of Good Practice.		
Copy of joint venture/ consortium or sub-contracting agreement duly signed by all parties. (Where applicable)		
SBD 8: Declaration of Bidder's Past Supply Chain Practices		
SBD9: Certificate of Independent Bid Determination		

Note: This BID must be completed and signed by the authorised company representative

SBD 1: PART A: INVITATION TO BID

SUPPLIER INFORMATION			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
COMPANY REGISTRATION NUMBER			
DATE OF REGISTRATION			
VAT REGISTRATION NUMBER			
TCS PIN:		OR	CSD No:
<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	<input type="checkbox"/>	A REGISTERED AUDITOR NAME:	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.			
TOTAL NUMBER OF ITEMS OFFERED	Refer to pricing schedule/costing	TOTAL BID PRICE (ALL INCLUSIVE)	Refer to pricing schedule/costing

PART B: TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

TAX COMPLIANCE REQUIREMENTS:

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

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

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

BIDDING STRUCTURE

Bidding structure

Indicate the type of bidding structure by marking with an 'X':

Individual bidder	
Joint Venture	
Consortium	
Subcontractors	
Other	

If the bid is submitted as a Consortium or Joint Venture or Sub Contracting Arrangement list the members of such Consortium or Joint Venture and Sub Contractors below:

Bidder's Information (includes bids submitted Individual or as a Consortium or Joint Venture)

Supplier size type (Large or QSE or EME)	
First time business with MICT SETA (Yes/No)	
Number of existing running contracts and total value	
Total number of Employees	

Entity ownership

Ownership category	% of ownership
Black or historically disadvantage individual owned	
Black women owned	
Black youth owned	
People living with disability	
Military veteran	
Other ownership	
Total (100%)	

MICT SETA -BID CONDITIONS

1. BID CONDITIONS

NOTE: Bids for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFB, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFB.
- c. No RFB shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

1.1 **MICT SETA** reserves the right to:

- a. Not evaluate and award RFB that do not comply strictly with the requirements of this RFB.
- b. Make a selection solely on the information received in the RFBs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFB.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders and no change in the content of the RFB shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFB at any stage
- f. Accept a separate RFB or any RFB in part or full at its own discretion.
- g. Cancel this RFB or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations on the basis of the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

2. COST OF BIDDING

The bidder shall bear all costs and expenses associated with preparation and submission of its RFB or RFB, and the MICT SETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

PRICING SCHEDULE

Name of bidder _____

Bid number: _____

Closing date _____

Bid shall remain valid for acceptance for a period of **120 days** counted from the closing date.

#	Project Phase	Key Deliverable / Milestone	Delivery Date	Amount by Phase	% of the Project Cost
1	Planning	Requirements gathering and Project Charter development		R	%
2	Implementation	Solution development, implementation, User Acceptance Testing (UAT), and Training.		R	%
3	Project Closeout	Project Closeout Report and commission into production		R	%
4	Hosting, support and maintenance	Solution hosting, support and maintenance of the system broken down into different years for the duration of the project; i.e.: - Year 1 – Hosting, training, support, maintenance and enhancements. - Year 2 – Hosting, training, support, maintenance and enhancements. - Year 3 – Hosting, training, support, maintenance and enhancements. - Year 4 – Hosting, training, support, maintenance and enhancements. - Year 5 – Hosting, training, support, maintenance and enhancements.		R	%
5	Contract Termination	Project termination and handover.		R	%
				R	100%

NB: Bidders must submit this pricing schedule and related Annexure on a Separate envelope

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above;

Authorised Company Representative:

Capacity under which this bid is signed.....

Signature:

Date:

TERMS OF REFERENCE

APPOINTMENT OF A SERVICE PROVIDER FOR IMPLEMENTATION, SUPPORT AND MAINTENANCE OF AN E-LEARNING SOLUTION FOR A PERIOD OF 5 YEARS

1. INTRODUCTION

The Media, Information and Communication Technologies Sector Education and Training Authority (MICT SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act (Act No. 97 of 1998). The MICT SETA plays a pivotal role in achieving South Africa's skills development and economic growth within the 5 distinct sub-sectors it operates in; i.e. Advertising, Film and Electronic Media, Electronics, Information Technology, and Telecommunications.

2. PURPOSE AND OBJECTIVES

2.1. Background

The MICT SETA seeks to adopt innovative ICT solutions to enable collaboration with its stakeholders and facilitation of skills development as most of its processes are conducted manually. This impacts negatively on the organisation as learning and training are currently conducted manually using traditional methods of physical classroom setting. These manual processes were totally disrupted during the hard lockdown which was necessitated by the Covid-19 pandemic.

Some of the skills development providers have already moved to online delivery methods for learning and training. In order to promote inclusion and transformation of the sector, the MICT SETA seeks to implement an e-Learning solution which will be used by skills development providers and allow learners access to learning materials and courses at the pace which is to their comfort depending on circumstances.

In line with the vision of the MICT SETA of "*a global leader in the development and delivery of revolutionary ICT skills*", the organisation seeks to implement a world class e-Learning solution that will place it on global map with its learning and training innovative solution.

The MICT SETA is looking to appoint a suitably qualified and experienced service provider for the implementation, support and maintenance of an e-Learning solution for a period of five (5) years. The project and system should address the above-mentioned challenges and enable the organisation to achieve project objectives as detailed below.

2.2. Project Purpose

The primary purpose of the project is to appoint a service provider to implement a world-class e-Learning solution for a period of 5 years.

2.3. Project Objectives

The following are identified as objectives of the project:

- a) Eradication of manual paper-based classroom setting for learning and training;
- b) Improvement in turnaround times for provision of learning and training;
- c) Availability of learning and training material;
- d) Affordability of learners and training providers to conduct training;
- e) Submission of Portfolio of Evidence (PoE) required for learning and training;
- f) Conducting of assessment and moderation processes;
- g) Conducting monitoring and evaluation processes; and
- h) Improvement of MICT SETA stakeholder user experience.

3. PROJECT SCOPE AND REQUIREMENTS

3.1. Overview

3.1.1. Key Users of the Solution

The following key users of the system are identified. This is without limitation:

Internal

- Sector Skills Planning (SSP)
- Learning Programmes Division (LPD)
- Education and Training Quality Assurance (ETQA)
- 4IR Division
- Monitoring and Evaluation (M&E)

External

- Quality Council for Trades and Occupations (QCTO)
- Department of Higher Education and Training (DHET)
- Other Sector Education and Training Authorities (SETAs)
- South African Qualifications Authority (SAQA)
- Learners
- Skills development providers
- Assessors and Moderators
- Employers
- TVET Colleges

3.1.2. Scope

- The scope of the project includes all requirements listed under Section 3.2 (Technical Requirements). Any bid proposal which does not meet the minimum requirements (Technical Requirements) will be categorised as “Non-Responsive”.
- The proposed bid solutions may consist of other functionalities which should be additional to the minimum requirements as articulated herein.
- It is a requirement of the MICT SETA that bidders responding to this bid have the necessary expertise and experience on implementation, support, and maintenance of e-Learning solutions. Accordingly, bidders are expected to implement a fully-functional turnkey solution.

3.2. Technical Requirements

At a minimum, the system must comply with the specification as articulated below:

FUNCTIONAL REQUIREMENTS

No.	Functional Category	Detailed Requirements Specifications
1	About the system	<ul style="list-style-type: none">• Technical specifications including platform, version, hosting requirements, amongst others.• The system must be hosted in the bidder's cloud within the borders of the Republic of South Africa.• The system must be available nationally.
2	Skills Development Provider should be able to:	<ul style="list-style-type: none">• Access the system• Upload learners• Upload learning materials• Link learners to modules and unit standards• Access and administer learner POE (Portfolio of Evidence)• Update learner assessment results• Conduct facilitation, assessments and moderation• Upload assessor and moderator report• Send a request for verification
3	Workplace based Mentorship	<ul style="list-style-type: none">• Employer organisations must be able to access the system and provide workplace mentorship through qualified mentors.• The e-Learning system must allow for workplace learning and allow learners to complete log books (electronically) on the system
4	ETD Practitioners: facilitator, assessor, moderator	The solution must allow providers to link multiple ETD Practitioners to their profile
5	Learners must be able to:	<ul style="list-style-type: none">• Attend online classes• Submit work content and allow for assessments that will include producing assessments and PoEs• Have access to electronic subject matter material, podcasts and other recorded material to support their learning• Participate interactively on live sessions with facilitators• Gain exposure to online assessment methods prior to final summative assessments

		<ul style="list-style-type: none"> • Be granted at least more than one summative assessment attempt on the system • Obtain immediate feedback on programs or assessments must be provided to learners • Must be able to interact with other learners • Have access to pre-recorded lessons
6	<p>MICT SETA, SETAs, QCTO, DHET and / or other State entity of the Republic of South Africa</p>	<ul style="list-style-type: none"> • MICT SETA or any other SETA; QCTO, DHET or any other state entity must be able to access the system and conduct verifications which will include monitoring and evaluation • ETQA & LPD should be able to: <ul style="list-style-type: none"> ○ To monitor learner progress ○ Have access to formative and summative assessments ○ Have access to integrated PoE evidence submitted ○ View progress of work and activity schedules ○ Populate verification comments on the online tool for submission ○ Endorse or disapprove the assessments ○ Lodge queries where applicable
7	Attendance	<ul style="list-style-type: none"> • Electronic signature for assessments and attendance registration • Login Details of Learners and other relevant stakeholders • Maintain date and time stamps for attendance
8	Technical requirements	<ul style="list-style-type: none"> • System should allow for a minimum of 30 000 concurrent learners. • System should enable user login and be role based. A learner must land on their workspace for the relevant learning material. Security features must allow Sign Up / Sign in; it must be able to protect learner data, including name, student/ learner number or ID, geolocation information, and photos, videos, or audio files containing a student's face or voice for assessment.

		<ul style="list-style-type: none"> • Archiving, saving, backup and exporting data. The platforms used for hosting a tool should reliably ensure adequate protection against data loss. • Allow for online and offline access. It should offer an offline mode to expand access for those who have limited access. • It must allow learners to have the flexibility to determine what, where, and when to learn based on a given timeline. Learners should be able to repeat learning units as often as required and control the duration of learning sessions. • A compatible mobile app with access to the solution is required. • The system must maintain an audit trail of key activities.
9	Learning material	<ul style="list-style-type: none"> • Online POE • The solution must have a robust multi-media content management system with support for video, audio, pdf, Word, PowerPoint, gamification, etc. • The solution should allow for simulation. • The solution must protect the Intellectual Property of the skills development providers. • Create graphics / videos / animations / diagrams / notes / photos to improve course effectiveness and user interface. • Populate / importing online courses with the material. • Extract and setup effective and applicable questions to test knowledge of end users.
10	System enhancements	<ul style="list-style-type: none"> • Make custom changes and improvements to the user interface (theme / layout, colour, fonts etc.) • Write and implement custom code modifications / plugins when needed • Manage and maintain dedicated development, test and production server environments
11	Communication	<ul style="list-style-type: none"> • Learners should be able to interact through the system; e.g. chat bots, etc.

		<ul style="list-style-type: none"> • Will have an e-communication module which will be used for sending emails to categorized users and have the ability to report on communication • Inform all stakeholders of new courses loaded • Notifications within the dashboard
12	Quality assurance	<ul style="list-style-type: none"> • Manage a test server environment, with a Quality Assurance process before courses are to be released for production • Deployment of new courses to the live system • Maintenance and updating of existing courses • Handle correspondence and feedback from end users as well as Training Officers with regards to material • Establish merit of suggested changes / updates / corrections from end users • Ensure that courses are up to date by applying corrections / improvements as needed
12	Integration	<ul style="list-style-type: none"> • Using highly secure platforms, the system must allow for integration as follows: <ul style="list-style-type: none"> ◦ Internal systems of the MICT SETA (incl. Skills Web, & the ERP system for a full solution) for information on learners, training, courses, etc. ◦ Other external parties, which might be integrated to the e-Learning solution.
14	Data Migration	<ul style="list-style-type: none"> • Migration of current / active learning programmes' learning material. • Conversion of MICT SETA registered programmes into the e-Learning platform. This is currently manual.
15	Solution Hosting	<ul style="list-style-type: none"> • The solution must be hosted in the bidder's cloud within the boundaries of South Africa for the duration of the contract. • Bidders must submit an architecture of the hosting platform. • The hosting architecture must clearly depict the primary, and failover (the continuity) sites, inclusive of network and server infrastructure.

		<ul style="list-style-type: none"> • Bidders must submit a backup solution architecture. Systems will be backed up according to MICT SETA's Backup Operations Procedure.
16	Support and maintenance	<ul style="list-style-type: none"> • Technical support throughout the lifecycle of the contract is required. • SLA to determine minimum uptime of the solution will be signed with the successful bidder. • Support and maintenance to include upgrades, updates, and enhancements driven by the business and legislative requirements. • Regular SLA monitoring meetings will be required. • Training of the solution must be provided to all key resources including the train the trainer model and user training. The scope for this shall include reasonable means. • The successful bidder will be required to provide "Over the Shoulder" training to MICT SETA's ICT personnel • The bidder must provide a call logging system with stats of call logs for the period and reports on resolutions. • Ensure the core / themes and plugins of e-Learning are up to date and secure • Create and manage a stable and adaptable solution to accommodate growth • Do regular system maintenance tasks such as upgrades, system health checks, and storage performance, amongst others. • Establish, manage, implement and maintain a backup and disaster recovery / continuity system of the system and perform regular drills and provide assurance to the MICT SETA that continuity of this system is guaranteed. • Monitor system for traffic spikes or any irregularities such as security. • Handle any technical issues that may occur with the hosting architecture

17	Reporting	<ul style="list-style-type: none"> • Performance reports to be submitted on a monthly basis as part of performance monitoring and evaluation • Develop and manage ever-changing business intelligence reports.
18	End of contract processes in an event a bidder is appointed	<ul style="list-style-type: none"> • The following processes shall apply during expire / termination of the contract: <ul style="list-style-type: none"> ○ MICT SETA will retain full Intellectual Property rights of the system, all enhancements, modifications, code, and data as a result of the contract resulting from this bid. ○ The bidder will not claim any ownership of the system and its data resulting from this bid as such shall remain the sole property of the MICT SETA. ○ The bidder will be required to extract a database of all data, system configurations, documentation, etc. arising from this bid.
19	Change Management	<ul style="list-style-type: none"> • All system changes, enhancements, etc. should follow the MICT SETA Change Management SOP • The system must maintain an audit trail of activities by engineers or administrators.
20	Time and attendance and ownership of work	<ul style="list-style-type: none"> • Demonstrate how the system is able to monitor time and attendance of learners. • Demonstrate how Artificial Intelligence / Proctoring tools are used to monitor participants and capture photographic identification to provide date and time restrictions, lockdown or browser for several question types, and algorithm for secure online assessments.
21	Other functional areas proposed: - Bidder to further detail other areas on strength of their system.	

4. PROJECT DELIVERABLES / MILESTONES

To a minimum, the Project Plan shall consist of the key deliverables listed below. Furthermore, the Payment Schedule should link to these key deliverables.

4.1. Project Planning / Conceptualisation Phase

The Project Planning / Conceptualisation Phase shall be Phase 1 of the Project. This phase shall follow successful appointment of the Service Provider subsequent to concluding procurement processes.

This Phase shall include formulation of the Project Charter which should cover key elements as listed below. However, the below list is not exhaustive as the Project Charter should be developed with professionalism according to best practices.

- Finalisation of the Project Plan
- Project Operating Model
- Project Capacitation and responsibilities
 - Constitution of the Project Steering Committee
 - Composition of the Project Implementation Team
- Format and frequency of reports
- Scheduling and preparation of Project Team's meetings
- RACI Model
- Project Scope Management
- Out of Scope
- Project Communication
- Formal and informal communication
- Escalations
- Project Risk Management and Risk Registers
- Project Assumptions
- Project Success Factors
- Change Control

4.2. Implementation Phase

- This phase shall comprise of solution implementation, delivery, User Acceptance Testing (UAT) and training.
- Other activities of this phase include:
 - Data migration

- Solution testing
- Recovery / continuity site establishment.
- The successful bidder will be required to ensure that the solution is running within a period of 3 – 6 months from date of appointment of the successful bidder.

4.3. Project Closeout

- This phase shall follow successful UAT processes and training. This phase shall mark completion of system implementation and enable the next phase of support, maintenance and continuous improvement
- Completion of this phase shall produce a Project Closeout Report which must be accepted by the Project Manager and the Project Steering Committee.
- The Project Closeout Report shall include the following information, amongst others:
 - Executive summary;
- Summary of the project plan and the final completion dates of the phases as originally signed off;
 - Project cost performance summary;
 - Summary of challenges encountered;
 - Lessons learned;
 - Success factors;
 - Measurement of project delivery against project objectives;
 - Summary / list of the deliverables of the project;
 - Status on Mitigation Plans of the Project Risk Register;
 - Register of Project Snag List identified during UAT and training;
 - Quality assurance;
 - Future considerations;
 - Recommendations; and
 - Sign-off.

4.4. Solution Hosting, Support and Maintenance

- This phase shall commence immediately after Project closeout.
- Some of the activities (hosting and enhancements) of this phase may have commenced during the previous phases.
- The activities of this phase include:
 - Hosting;
 - Ongoing refresher training;

- Support and maintenance of the system for the duration of the contract;
- System enhancements for the duration of the project contract. A reasonable bucket of hours should be reserved monthly enhancements of the system.
- Disaster Recovery / ICT Service Continuity maintenance and performance of regular drills, and
- Solution enhancements to improve user experience and increase efficiencies for the duration of the project.

4.5. Contract Termination

This phase marks the end of the contract. The phase includes system and data handover (including configurations and documentations).

5. COSTING MODEL

- The solution objectives together with scope of work should be considered when compiling the pricing for the delivery of the services.
- Costing must be done inclusive of any applicable travel or allowances of any kind, and should therefore be inclusive of all foreseeable costs to achieve the project objectives.
- Any unit costs (e.g. costs for additional user licenses or additional desktop support) must be explicitly quoted.
- A fixed fee associated with the delivery of the services shall be submitted by using the Costing Model in a separate sealed envelope:

6. EVALUATION CRITERIA

Bids received will be evaluated against the following set evaluation criteria.

6.1. PRE-QUALIFICATION CRITERIA (Regulation 4)-PPPFA

- a. Bidder shall have a minimum BBBEE status of level 2 or better (Generic companies will not be considered.)

Proof of compliance

Bidder must submit a valid proof of BBBEE status (BBBEE verification certificate issued by a SANAS accredited agency verification agency or CIPC B-BBEE certificate or B-BBEE affidavit duly sworn and commissioned).

Bidders please take note:

The duly sworn and commissioned BBBEE affidavits must be based on the Audited Financial Statements/Financial Statements and/or other information available on the latest financial year-end. Kindly contact the DTI / BBBEE Commission for more information with regards to latest financial year end.e.g [28 February 2021](#)

Note: Bidders that do not meet the requirements of set pre-qualification criteria will be eliminated from further evaluation process,

6.2. MANDATORY CRITERIA

- a) The bidder must comply to all elements as listed in the **Functional Compliance Form** (Annexure A)

Evidence Required

Bidders **MUST** complete and **sign** the Functionality Compliance Form (Annexure A).

Note: Bidders that do not meet the requirements of set mandatory criteria will be eliminated from further evaluation process,

6.3. FUNCTIONAL CRITERIA

6.3.1. Technical Evaluation

Only bidders that have met the set pre-qualification criteria will be considered for functionality evaluation. Bids submitted will be evaluated on technical functionality out of a maximum of **100 points**. A threshold of **70** out of the **100 points** has been set.

Only bidders that have met or exceeded the qualification threshold on technical functionality of 70 points will qualify for further evaluation on Price and B-BBEE according to the 80/20 preference point system in terms of the PPPFA Regulations 2017, where 80 points will be for Price and 20 points will be for B-BBEE status level of contribution.

Note: All bidders achieving less than the set threshold will be declared non-responsive. Assessment of evaluation of the functional/ technical criteria will be based on the table below:

#	Functional Evaluation Criteria	Weight
1	<p>The bidders' proposed solution must meet all the requirements stipulated below by providing a detailed and comprehensive proposal of their E-Learning solution, indicating how the proposed solution will meet/satisfy each requirement [40]:</p> <ul style="list-style-type: none"> • Training Providers • Workplace based Mentorship • ETD Practitioners: facilitator, assessor, moderator • Learners • MICT SETA, SETAs, QCTO, DHET and / or other State entity of the Republic of South Africa • Attendance • Technical requirements • Learning material • System enhancements • Communication • Quality assurance • Integration • Data Migration • Solution Hosting • Support and maintenance • Reporting • End of contract processes <p><i>Non-compliance with all of the above = 0 points</i></p>	40
2	<p>Experience & References:</p> <p>Reference letters required with contactable references for similar completed projects on (E-Learning). Reference letters must be for bidder's clients within Republic of South Africa (RSA) on the implementation and support of an E-Learning solution. The reference letters must be on company letterhead signed by company representative of the bidder's client [10]</p> <ul style="list-style-type: none"> • Four or above signed reference letters from different clients submitted = 10 points • Three signed reference letters from different clients submitted = 5 points • Less than 3 reference letters from bidder's client submitted = 0 points <p>Contactable references must include name of company, contact details, project description and project period.</p> <p>Important: In the event of sub-contracting, the bidder must furnish the above reference letters of the main contractor and the main contractor's certificate confirming the bidder's involvement in each project.</p> <p>MICT SETA reserves the right to contact references prior to award.</p>	10

3	<p>Project Implementation and Approach Bidders are required to submit a project implementation plan and approach which clearly articulates how the project will be delivered:</p> <p>Project Execution Plan with Milestone Based [20] A detailed project plan with implementation processes, approach, resources and tools allocation, timelines and deliverables handholding, and support and maintenance must be submitted. The project should follow a methodology for implementation of the solution. Non-compliance with all of the above = 0 points</p> <p>Training [10] Provide a training plan and approach for the MICT SETA staff and ICT administrators.</p>	30
4	<p>Project Team (Profiles or CVs of key project team members to be attached: Project Manager and Technical Lead).</p> <p>3.1. Relevant experience of Project Manager in managing similar projects. Profile or CV should clearly indicate the completed projects, project duration and names of clients.</p> <ul style="list-style-type: none"> • 5 years and above = 10 points • 2 to 4 years = 5 points • Less than 2 years = 0 points <p>3.2. Relevant experience of Project Technical Lead. Profile or CV should clearly indicate the projects, project duration and names of clients.</p> <ul style="list-style-type: none"> • 5 years and above = 10 points • 2 to 4 years = 5 points • Less than 2 years = 0 points 	20
TOTAL		100

NB: Bidders that meet the above functional requirements will be invited for further presentation of the solution.

7. PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- b. In the event that two or more tenderers have scored equal total points, the successful tenderer must be the one that scored the highest points for B-BBEE.
- c. If two or more tenderers have equal points, including equal preference points for B-BBEE, the successful tenderer must be the one scoring the highest score for functionality, if functionality is part of the evaluation process.
- d. In the event that two or more tenderers are equal in all respects, the award must be decided by the drawing of lots

7.1. POINTS AWARDED FOR PRICE

Maximum 80 points for price will be allocated as per paragraph 3.1 of Preferential Procurement Regulations 2011, refer to Preferential Procurement Claim form on **SBD 6.1**.

7.2. POINTS AWARDED FOR B-BBEE

Maximum 20 points for B-BBEE will be allocated as per paragraph 4.1 of Preferential Procurement Regulations 2011, refer to Preferential Procurement Claim form on **SBD 6.1**.

- a. Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information, constitutes a criminal offence.
- b. Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.
- c. 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.
- d. 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.
- e. 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.
- f. A Bidder 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 capacity and the ability to execute the sub-contract.
- g. A Bidder awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

PREFERENTIAL PROCUREMENT CLAIM FORM SBD 6.1

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, 2017.

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

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.2 Points for this bid shall be awarded for:

Price; and B-BBEE Status Level of Contributor.

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

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

1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor 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

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"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 goods or services, through price Bid, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic

Empowerment Act;

- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3 POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5 BID DECLARATION

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

6 B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: =(maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7 SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 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 or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8 DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number.....

8.3 Company registration number.....

8.4 TYPE OF COMPANY/ FIRM

- | | |
|-----------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Partnership/Joint Venture / Consortium | <input type="checkbox"/> One person business/sole propriety |
| <input type="checkbox"/> Close corporation | <input type="checkbox"/> Company |
| <input type="checkbox"/> (Pty) Limited | |
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- | | |
|--------------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Manufacturer | <input type="checkbox"/> Supplier |
| <input type="checkbox"/> Professional service provider transporter, etc. | <input type="checkbox"/> Other service providers, e.g. |
- [TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 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 contributor indicated in paragraphs 1.4 and 6.1 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 paragraphs 1.4 and 6.1, 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 contributor 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) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (b) 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;
 - (c) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and forward the matter for criminal prosecution.

WITNESSES	
1.
2.

..... SIGNATURE(S) OF BIDDERS(S)	
DATE:
ADDRESS

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 Parliament.

²" 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 tax reference number	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

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 of Restricted Suppliers as companies or persons prohibited from doing business with the public sector Companies or person who are listed on this database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied. The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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. disregards 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 Bid, 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.

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: **MICT SETA**

(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

Sworn Affidavit – B-BBEE Exempted Micro Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of "Black People"	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <p style="margin-left: 40px;">i. before 27 April 1994; or</p> <p style="margin-left: 40px;">ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>
Definition of "Black Designated Groups"	<p>"Black Designated Groups means:</p> <p>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black people living in rural and under developed areas;</p> <p>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</p>

3. I hereby declare under Oath that:

- The Enterprise is ___% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = %
 - Black Disabled % = _____%
 - Black Unemployed % = ___%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%

- Based on the Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of _____ DD/MM/YYYY the annual Total revenue did not exceed R10,000,000.00 (Ten Million Rends)
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:

Deponent Designation:

Date:

.....

Commissioner of Oaths

Signature & stamp

Date:.....

Sworn Affidavit – B-BBEE Qualifying Small Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of "Black People"	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <p>(c) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(d) who became citizens of the Republic of South Africa by naturalisation-</p> <p style="margin-left: 20px;">i. before 27 April 1994; or</p> <p style="margin-left: 20px;">ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>
Definition of "Black Designated Groups"	<p>"Black Designated Groups means:</p> <p>(f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(g) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(h) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(i) Black people living in rural and under developed areas;</p> <p>(j) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</p>

3. I hereby declare under Oath that:

- The Enterprise is ___% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = %
 - Black Disabled % = _____%
 - Black Unemployed % = ___%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%

- Based on the Audited Financial Statements/ Financial Statements and other information available on the latest financial year-end of _____ DD/MM/YYYY, the annual Total Revenue did not exceed R50,000,000.00 (Fifty Million Rands).
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:

Deponent Designation:

Date:

.....

Commissioner of Oaths
Signature & stamp

Date:.....