

**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/LMS/15/2021**

---

**REQUIREMENT DESCRIPTION:**

**APPOINTMENT OF A SERVICE PROVIDER FOR CUSTOMISATION, IMPLEMENTATION, SUPPORT AND MAINTENANCE OF THE LEARNER MANAGEMENT SYSTEM (LMS) OF THE MICT SETA FOR A PERIOD OF FIVE (05) YEARS.**

**BID CLOSING DATE: 14 DECEMBER 2021 at 11:00 AM**

**REQUIREMENT DESCRIPTION:**

**APPOINTMENT OF A SERVICE PROVIDER FOR CUSTOMISATION, IMPLEMENTATION, SUPPORT AND MAINTENANCE OF THE LEARNER MANAGEMENT SYSTEM (LMS) OF THE MICT SETA FOR A PERIOD OF FIVE (05) YEARS.**

|  |   |
|--|---|
| <b>Bid Reference Number</b>              | <b>MICT /SETA/LMS/15/2021</b>   |
| <b>Supplier Briefing Session</b>         | <p><b>Compulsory Supplier Briefing Session 01 December 2021 @ 11:00 am South African Time</b></p> <p>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 "<b>MICT/SETA/LMS/15/2021</b>" to <a href="mailto:bidqueries@mict.org.za">bidqueries@mict.org.za</a> before end of business <b>day 29 November 2021 @ 16:00pm</b>. Bidders take note that <u>No late request will be attended to.</u></p> <p><b>NB: Non-attendance of the compulsory bidders conference by the bidder will lead to the disqualification of bidder's proposal.</b></p> |
| <b>Bid Closing date &amp; time</b>       | <p><b>14 December 2021 @ 11:00 am South African Time.</b></p> <p><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></p>  |
| <b>Instruction for submission of Bid</b> | <p><b>Bid must be received in a sealed envelope (1 hard copy and USB) marked with this RFB reference number deposited in a tender box at the location indicated hereunder.</b></p> <p><b>Bidders are requested to submit well-articulated and structured bids with clear section referencing.</b></p>   |
| <b>Location for Bid submissions</b>      | <p><b>MICT SETA Head Office: Reception</b><br/> <b>19 Richards Drive, Gallagher Convention Centre</b><br/> <b>West Wing, level 3</b><br/> <b>Midrand</b></p>  |
| <b>Bid Validity Period</b>               | <p><b>Bids received shall remain valid for acceptance for a period of 120 counted from the closing date of the bid.</b></p>   |

**CLARIFICATION AND COMMUNICATION**

- a. All enquiries relating to this bid must be addressed in writing to [bidqueries@mict.org.za](mailto:bidqueries@mict.org.za) before **08 December 2021**. 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 |
|--|-----------------|
| <b>CONTENTS</b>  |                 |
| Returnable Documents checklist   | 1               |
| <b>SBD 1: Part A: invitation to bid</b>                                      | 1               |
| <b>SBD 1: Part A: Terms and Conditions for bidding</b>                       | 1               |
| <b>MICT SETA -bid conditions</b>   | 1               |
| <b>Bidding structure</b>   | 1               |
| Bid Conditions   | 1               |
| Pricing Schedule   | 1               |
| <b>Terms of Reference</b>  | 1               |
| Introduction   | 1               |
| Scope of the Project/ Services   | 1               |
|  |                 |
|  |                 |
| <b>Evaluation Criteria</b>   | 1               |
| Pre-Qualification  | 1               |
| Mandatory Criteria   | 1               |
| Evaluation Criteria weight   | 1               |
| <b>SBD 6.1: Preference points claim</b>                                      | 4               |
| <b>SBD 4: Declaration of interest</b>  | 3               |
| <b>SBD: 8 Declaration of Bidder's Past Supply Chain Management Practices</b> | 1               |
| <b>SBD 9: Declaration of interest</b>  | 3               |
| <b>Sworn Affidavit B-BBEE Qualifying Small Enterprise</b>                    | 2               |
| <b>Sworn Affidavit B-BBEE Qualifying Exempted Micro Enterprise</b>           | 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 |
|---|-----|----|
| <b>CSD</b> Central Supplier Database (CSD) Registration Report  |     |    |
| <b>SBD 1</b> - Fully completed with required proof (Where applicable)   |     |    |
| Pricing Schedule  |     |    |
| Annexure A Functionality Compliance Form  |     |    |
| Valid Tax Clearance Certificate(s) and or proof of application endorsed by <b>SARS</b> and/or <b>SARS</b> issued verification pin   |     |    |
| CIPC registration documents   |     |    |
| <b>Designated Sectors:</b> Local production and content <b>(Where applicable)</b>   |     |    |
| <b>SBD 4</b> - Declaration of interest  |     |    |
| <b>SBD 6.1</b> - 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>B-BBEE</b> Codes of Good Practice |     |    |
| Copy of joint venture/ consortium or sub-contracting agreement duly signed by all parties <b>(Where applicable)</b> and consolidate B-BBEE verification certificate(s) for joint ventures   |     |    |
| <b>SBD 8:</b> Declaration of Bidder's Past Supply Chain Practices   |     |    |
| <b>SBD9:</b> 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**

| <b>SUPPLIER INFORMATION</b>  |   |  |   |
|--|---|--|---|
| 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:  |  | <b>OR</b> CSD No: <input type="text"/>  |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT  | <input type="checkbox"/> Yes<br><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<br>NAME: <input type="text"/>                                 |   |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b> |   |  |   |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?  | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><b>[IF YES ENCLOSE PROOF]</b> | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?           | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><b>[IF YES ANSWER PART B:3 BELOW]</b> |
| 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)

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

### 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                                     |                |
| <b>Total (100%)</b>                                 |                |

## 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.
- b. 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. Select 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, 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.

The costing model provided below shall guide bidders on how their costing shall be indicated. The below model is for illustration purpose only. Bidders may include all deliverables required for this project, which must be linked to the project deliverables:

| Item                               | Description   | Qty | Costing<br>(VAT Excl.) |       |
|------------------------------------|---|-----|------------------------|-------|
|                                    |   |     | Unit                   | Total |
| 1                                  | YEAR 1  |     |                        |       |
|                                    | Hosting   |     |                        |       |
|                                    | Customisation / configuration   |     |                        |       |
|                                    | Data Migration  |     |                        |       |
|                                    | Professional services (Project Management, maintenance and support). Give details |     |                        |       |
|                                    |   |     |                        |       |
| 2                                  | YEAR 2  |     |                        |       |
|                                    | Hosting   |     |                        |       |
|                                    | Professional services (maintenance and support). Give details                     |     |                        |       |
|                                    |   |     |                        |       |
| 3                                  | YEAR 3  |     |                        |       |
|                                    | Hosting   |     |                        |       |
|                                    | Professional services (maintenance and support. Give detail                       |     |                        |       |
|                                    |   |     |                        |       |
| 4                                  | YEAR 4  |     |                        |       |
|                                    | Hosting   |     |                        |       |
|                                    | Professional services (maintenance and support. Give detail                       |     |                        |       |
|                                    |   |     |                        |       |
| 5                                  | YEAR 5  |     |                        |       |
|                                    | Hosting   |     |                        |       |
|                                    | Professional services (maintenance and support. Give detail                       |     |                        |       |
|                                    |   |     |                        |       |
|                                    |   |     |                        |       |
|                                    | TOTAL COSTS (VAT Excl.)   |     |                        |       |
|                                    | VAT   |     |                        |       |
|                                    | TOTAL COSTS (VAT Incl.)   |     |                        |       |
| <b>TOTAL PRICE (INCLUDING VAT)</b> |   |     |                        |       |

**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**

**TERMS OF REFERENCE FOR CUSTOMISATION,  
IMPLEMENTATION, SUPPORT AND MAINTENANCE OF  
THE LEARNER MANAGEMENT SYSTEM (LMS) OF THE  
MICT SETA FOR A PERIOD OF FIVE (05) 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 intends to modernise its value chain by introducing technology solutions that provide and improve management and processing of learner and training provider information, provide instant and accurate reporting and reduce manual processes in its value chain. The lack on digital platforms impact negatively on the organisation's ability to provide specific focused reports in terms of interventions according to its desire.

In line with the vision of the MICT SETA of "*a global leader in the development and delivery of revolutionary ICT skills*", the MICT SETA seeks to rollout a new Learner Management System (LMS) with Learner Management functionality that is able to provide information and dashboards for its internal and external stakeholders on the MICT SETA interventions. The LMS will serve as a CRM (Customer Relationship Management) system and will replace the current system.

The MICT SETA is looking to appoint a suitably, qualified and experienced service provider the customisation, implementation, support and maintenance of open source LMS solutions for a period of five (5) years. The project and system should address challenges and enable the organisation to achieve project objectives as detailed herein under.

The MICT SETA obtained a source code for an open source Odoo community version from one of the SETAs. The system is currently working and in production at the other SETA. The MICT SETA intends to customise the system to meet its business processes requirements and branding. As part of the requirements, the service provider will be required to upgrade the system to the latest versions of the software when the project starts and on an ongoing basis.

### **2.2. Purpose**

To invite service providers with the necessary expertise and experience to submit proposals for customisation, implementation, support and maintenance of the MICT SETA LMS solution for a period of five (5) years.

## 2.3. Project Objectives

The following are identified as objectives of the project:

- 2.3.1. Enhanced data processing and analytics;
- 2.3.2. Improved turnaround times in reporting;
- 2.3.3. Improved accurate in monitoring and reporting of performance information;
- 2.3.4. Increased transparency to MICT SETA stakeholders;
- 2.3.5. Increased accuracy and focus in MICT SETA interventions through geospatial system;
- 2.3.6. Improved integration with other internal and external systems;
- 2.3.7. Improved customer platforms; and
- 2.3.8. Increase digitisation in business processes and systems.

## 3. PROJECT SCOPE AND REQUIREMENTS

### 3.1. Overview

#### 3.1.1. Organisational Functional Structure

The MICT SETA functional structure is comprised of the programmes listed below. Programme 1 is the Administration functions while Programmes 2 – 4 are core functions. The solution will be used mainly by the core functions with other integration with other systems used by admin functions such as Finance for Grants and Levies, and processing of payments and invoices.

| Programme | Business Unit   |
|-----------|---|
| 1         | Administration <ul style="list-style-type: none"><li>• Office of the CEO<ul style="list-style-type: none"><li>○ Risk and Compliance</li><li>○ Internal Audit</li><li>○ Monitoring &amp; Evaluation (M&amp;E)</li></ul></li><li>• Board Office</li><li>• Finance<ul style="list-style-type: none"><li>○ Financial Management</li><li>○ Supply Chain Management</li></ul></li><li>• Information and Communication Technology (ICT)</li><li>• Corporate Services<ul style="list-style-type: none"><li>○ Human Resource Management (HR)</li><li>○ Marketing &amp; Communication</li></ul></li></ul> |
| 2         | Sector Skills Plan (SSP)  |
| 3         | Learning Programmes Division (LPD)  |

According to the approved structure, the MICT SETA staff compliments is around 120 employees. In addition, there will be +/- 20 members of the Accounting Authority and its committees.

### **3.1.2. Key Users of the Solution**

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

#### **3.1.2.1. Internal**

- Sector Skills Planning (SSP)
- Learning Programmes Division (LPD)
- Education and Training Quality Assurance (ETQA)
- Finance
- Internal Audit
- Chief Executive Officer
- Monitoring and Evaluation (M&E)
- Accounting Authority

#### **3.1.2.2. External**

- a) Learners
- b) Skills Development Facilitators (SDFs)
- c) Assessors and Moderators
- d) Skills Development Providers (SPDs)
- e) External Auditors
- f) Quality Council for Trade and Occupation (QCTO)
- g) Department of Higher Education and Training (DHET)
- h) Other Sector Education and Training Authorities (SETAs)
- i) South African Qualifications Authority (SAQA)
- j) Employers
- k) Department of Planning, Monitoring and Evaluation

### **3.1.3. Duties of the Service Provider**

The service provider must be able to provide services in terms of this bid and in the following areas:

- 3.1.3.1. LMS solution customisation, implementation, support and maintenance, including updates and upgrades.
- 3.1.3.2. Database management.
- 3.1.3.3. Solution and database hosting.
- 3.1.3.4. Disaster Recovery (DR) implementation and integration with the MICT SETA ICT service continuity.
- 3.1.3.5. Rigorous data cleansing and migration.

## **3.2. Technical Requirements**

It is expected that bidders must possess the necessary skills and competencies to comply with and be able to perform the services as listed below:

### **3.2.1. Sector Skills Plan (SSP)**

The system must provide the following functionality:

#### **3.2.1.1. Internal Users**

- a) Evaluation and approval of Skills Development Facilitators (SDFs) registrations.
- b) Evaluation and approval of WSPs/PTPs and ATRs/PTRs submissions.
- c) Provide information on users who approved, queried, or initiated or rejected submissions.
- d) Linking and delinking of SDFs from companies.
- e) Allow for linking and de-linking of secondary SDFs.
- f) Acknowledgement and confirmation of WSPs/PTPs and ATRs/PTRs submissions, status of application, and response in PDF format communicated via e-mail.
- g) History of linking and de-linking of SDFs.
- h) Allow for opening of a submitted WSP for modification.
- i) Download reports, including WSPs/PTPs and ATRs/PTRs and levy information / report from system. Internally and Externally.
- j) Transfer of T-numbers to SDL numbers by internal users.
- k) System generated letters e.g. approval letters, Query letters, acknowledgement letters etc.
- l) Inter-Seta transfers.
- m) Default the closing time for the submission.

#### **3.2.1.2. External Users**

- a) SDF Registration.

- b) SDF Dashboard/ Documents.
- c) Capturing of Organisation details.
- d) Capturing of Training committee details (Employers with more than 50 employees).
- e) Submission of WSPs/PTPs and ATRs/PTRs by SDFs.
- f) Upload of organisation profile and training data and information from excel spreadsheet.
- g) Allow for bulk uploads.
- h) Upload Proof of training in a form of Invoices and attendance registers.
- i) Printing of WSP report by external users.
- j) Download reports, including WSPs/PTPs and ATRs/PTRs and levy information / report from system.
- k) Download excel template, populate your WSPs/PTPs and ATRs/PTRs and upload back into system. CSV or Excel Template.

### **3.2.2. Learning Programmes**

The system must provide functionality for:

#### **3.2.2.1. Discretionary Grants (DG)**

##### **External Users** (Employers, SDFs, other entities)

- a) New Letter of Intent (LoI) Application
- b) Create or update profile and company details on the system.
- c) Application process.
- d) Stakeholder to select province, region, and municipality of implementation.
- e) Stakeholder to select type of Learning Programmes Indicator.
- f) Upload supporting documents as stated on the advert.
- g) Employer to indicate number of learners applied for.
- h) Acknowledgement and confirmation of LoI submissions, status of application, and response in PDF format communicated via e-mail.
- i) Upon receipt of an approved SLA, stakeholder must sign and uploads SLA within prescribed period.
- j) Upload learner information.
- k) Upload learner supporting documents.
- l) Upload supporting documents as per Grants Disbursement Schedule of the SLA.

##### **Internal Users**

- a) Receive notification of submitted application

- b) Review and verify application and documentation for completeness.
- c) Generate a report of compliant and non-compliant applications and submit to the DG committee.
- d) DG committee conducts evaluations and does preliminary allocation of numbers to be allocated to the stakeholder by considering the Annual Performance Plan (APP) and Commitment Register.
- e) DG committee approves / declines the application and submit a report to the relevant manager.
- f) Stakeholder receives feedback with status of application.
- g) The Manager allocates Advisor for vetting.
- h) Advisor conducts site vetting and recommends learner numbers based on observed capacity.
- i) Advisor submits vetting report for approval by manager.
- j) Manager approves the vetting report and submit to the DG committee.
- k) DG committee review and approve application with vetting report.
- l) DG minutes, vetting report and supporting documents are submitted to the administrator for SLA generation.
- m) SLA is generated for Senior Manager: Learning Programmes and CEO approval.
- n) Senior Manager: Learning Programmes reviews the SLA.
- o) CEO reviews and approves the application. If there are any queries, they are referred to the DG committee.
- p) SLA is sent to the Stakeholder for signature.
- q) Advisor is allocated to the programme.
- r) SLA data is included into the Commitment Register.
- s) Verify learner documents and be able to send feedback to the stakeholders.
- t) Process first disbursement.
- u) Ongoing programme implementation and monitoring according to the Grants Disbursement Schedule until programme closeout.

#### **3.2.2.2. Appeal Process:**

- a) Stakeholder submits letter of appeal within 14 days of having received feedback of the application.
- b) If Appeals Committee considers the appeal, then the following occurs:
  - o Appeals committee makes decision within 14 working days of appeal.



- The Appeals Committee makes final decision. If the DG Committee's decision is overruled, then then DG Committee accept the decision of the Appeals Committee.
- Appeals Committee minutes submitted to the DG Committee. DG Committee implements the decision of the Appeals Committee.
- Senior Manager: Learning Programmes reviews the SLA.
- CEO reviews and approves the application. If there are any queries, they are referred to the DG committee.
- SLA is sent to the Stakeholder for signature.
- Advisor is allocated to the programme.
- SLA data is included into the Commitment Register.
- Verify learner documents and be able to send feedback to the stakeholders.
- Process first disbursement.
- Ongoing programme implementation and monitoring according to the Grants Disbursement Schedule until programme closeout.
- If Appeals Committee maintain the decision of the DG Committee, the final feedback is communicated to the stakeholder.

#### **3.2.2.3. Commitment Register**

- a) Create or update Commitment Register according to the DHET SLA.
- b) Update Commitment Register according to SLAs committed.
- c) Monitor and report on the Commitment Register.

#### **3.2.2.4. Payment Process**

- a) Stakeholders must be able to upload and track invoices and the necessary PoE.
- b) LPD to process invoice for processing by Finance and track status of invoices.
- c) All approval processes of invoices must be processed in the system.
- d) Financial to process all invoices and interface with the ERP system and the bank.
- e) The system must notify the next in line for processing of invoices.
- f) The system should be able to notify stakeholders if resubmission or corrections is required.

### **3.2.3. Education and Training Quality Assurance (ETQA)**

#### **3.2.3.1. Assessor and Moderator registration**

##### **External User**

The system must allow assessors and moderators to:

- a) Apply and submit an application for new assessor and / or moderator.
- b) Allow an assessor and / or moderator to apply for extension of scope.
- c) Allow an assessor and / or moderator to apply for re-registration (notification to be send within 6 months of expiry).
- d) Complete or update personal details.
- e) Select qualification.
- f) Upload required certified documents (not older than 3 months).
- g) Sign declaration (PoPI Act and Code of Conduct).
- h) Submit application.
- i) System must send acknowledgement of receipt of application.
- j) Download letter of registration.

##### **Internal Users**

The system must allow internal users to:

- a) Receive notification of submitted application
- b) Review and verify application and documentation for completeness.  
Request additional documents / information to the applicant if necessary.
- c) Allocate application for Evaluation.
- d) Recommend for approval.
- e) Approve / decline application.
- f) Generate feedback, including registration letter if application is approved.

### **3.2.4. Provider Scope**

##### **External Users**

New Application, Learning Programme Approval, Extension of Scope (addition of qualification(s) / unit standard(s)), Re-accreditation, Workplace Approval & Addition of Site(s) (limited to a certain number)

- a) Complete or update provider details.
- b) Select qualification / unit standards.
- c) Upload all accreditation requirements as per specified fields.
- d) Sign declaration.
- e) Submit application.
- f) System must be send acknowledgement of receipt of application.

- g) Link Workplace Mentors (ETD Staff) against the qualification, including specifying primary SETA, and upload SLA and MICT SETA registration letter.
- h) Employer details linked to the qualification and SDP.
- i) Upload Memorandum of Understanding (MoU) with the host employer into the system.

#### **Internal Users**

- a) Receive notification of submitted application
- b) Evaluate application and documentation submitted (system checklist of documents submitted).
- c) If compliant, add to list of SDPs waiting for site visits.
- d) Allocate application to ETQA Advisor for a site visit.
- e) Send feedback for remedial (if any).
- f) Upload signed report by Skills Advisor, with recommendations.
- g) Evaluation by the QA Committee.
- h) Recommend to approve / award or decline application for accreditation to ETQA Senior Manager by the QA committee.
- i) Send feedback for remedial action (if any).
- j) ETQA Senior Manager reviews and recommends for approval.
- k) CEO approves for accreditation.
- l) Generate accreditation letter.
- m) System sends accreditation letter to the applicant and the ETQA Official.

### **3.2.5. Learner Upload**

#### **External Users**

- a) Log in on the accredited profile.
- b) Create learner groups for the intervention (Qualification / USD / Learnerships / Skills Program).
- c) Group reference numbers generated by the system (each number will be distinctive for each intervention type).
- d) Add projected start and completion dates for each intervention (these must be editable by SDPs).
- e) Capture learner details.
- f) Link learners to ETD staff.
- g) Send request for induction by MICT SETA.
- h) Conduct assessments.
- i) Send request for monitoring by MICT mid program.

- j) Finalise assessments per recommendations of the monitoring.
- k) Upload Assessor Reports.
- l) Upload Moderator Report.
- m) Send request for verification.

### **3.2.6. Verification and Certification**

#### **Internal Users (ETQA)**

##### **3.2.6.1. Verification**

- a) Receive notification for verification.
- b) Allocate ETQA advisor for verification.
- c) Advisor to conducts verification and upload report
- d) ETQA receives notification for exit moderation
- e) Allocate ETQA Advisor for exit moderation
- f) Advisor conducts exit moderation and upload report
- g) Recommend exit moderation report for certification. If not recommended, ETQA advisor corrects the issues with SDP.
- h) Senior Manager ETQA approves report.

##### **3.2.6.2. Certification**

- a) Search provider
- b) Search Groups by reference number
- c) Verify exit moderation report
- d) Send notification to Senior Manager ETQA for approval of certificate
- e) Senior Manager send notification to Office of the CEO for approval of certificate.
- f) ETQA receives notification of approved certificates
- g) Generate and print Learner Certificate and / Statement of Results (SoR).
- h) Notification is sent to SDP to download SoR, Part Qualification and Transcript.

##### **3.2.6.3. Qualification and Unit Standards**

#### **Internal Users**

- a) Maintenance qualification and unit standards library according to SAQA qualification and unit standards.
- b) Auto update of MICT SETA qualification and unit standards library according to SAQA updates.

### **3.2.7. Grants & Levies integration**

#### **Internal Users**

The system must be able to provide the following functionality:

- 3.2.7.1.** Loading levy file for different periods
- 3.2.7.2.** Summary of levy file loaded
- 3.2.7.3.** Automated calculation of the revenue journal
- 3.2.7.4.** Seamless integration with the financial system to load the revenue journal
- 3.2.7.5.** Reload of data sets
- 3.2.7.6.** Viewing of previously loaded data
- 3.2.7.7.** Calculate Mandatory Grant for all employees on the approved WSP list
- 3.2.7.8.** Automated calculation of the Mandatory Grant expenditure journal
- 3.2.7.9.** Seamless integration with the financial system to load the Mandatory Grant expenditure journal
- 3.2.7.10.** Import FNB payment success file to load to the system

#### **External Users**

- 3.2.7.11.** Viewing and downloading of levy reports by employers
- 3.2.7.12.** Levy report
- 3.2.7.13.** Mandatory Grant statement/remittance advice.

### **3.2.8. Migration of Legacy Data**

- 3.2.8.1.** The appointed service provider will be required to migrate data (manual and / or electronic) from any legacy system.
- 3.2.8.2.** The service provider must work with the business to establish business rules around legacy data, cleansing and migration.
- 3.2.8.3.** Due to failures of the current system being phased out, migration might require serious amount of effort, which shall be carried out by the service provider.
- 3.2.8.4.** The service provider will be required to reconcile data from the system that was used before the system that is being phased out, inclusive of data from the system being phased out, and any other data that may exists in physical documents. Further, the service provider must work with the business to verify the data with the actual data subjects.
- 3.2.8.5.** The service provider must work with the business to conduct data cleansing and sign-off prior to migration.
- 3.2.8.6.** The service provider must document and correct all exceptions from data migration to achieve 100% accuracy of the migrated data.
- 3.2.8.7.** Data Migration must be included as one of key phases of the Project Plan.
- 3.2.8.8.** Due to the current state of data, the data migration phase will require proper implementation plan and execution.

### **3.2.9. Document Management**

- 3.2.9.1.** The service provider must build and maintain a document repository for all stakeholder documents processed by the LMS.
- 3.2.9.2.** The system must have capability to preview documents before downloading.
- 3.2.9.3.** Historic data must remain available in the system.
- 3.2.9.4.** System must be able to maintain confidentiality of stakeholder documents.
- 3.2.9.5.** System must have an intelligence to auto generate documents names.

### **3.2.10. Reporting**

The system must be able to generate files / reports that fit the specifications of below platforms, but not limited to:

- 3.2.10.1.** Operational Reports
- 3.2.10.2.** National Learners Records Database (NLRD)
- 3.2.10.3.** Sector Education and Training Management Information System (SETMIS)
- 3.2.10.4.** Annual Performance Plan (APP) report

### **3.2.11. Audit Trails**

- 3.2.11.1.** The system must maintain an audit trail of all activities within the system.
- 3.2.11.2.** MICT SETA authorised users should be able to access and extract audit trail activity reports.

### **3.2.12. Workflows**

- 3.2.12.1.** The system must be able to issue e-mail notification on status updates to the relevant stakeholders as defined by the business.
- 3.2.12.2.** Workflows should be aligned to business processes.

### **3.2.13. Integration**

The system must integrate with other systems of the MICT SETA or other business stakeholders, including but not limited to the following:

- 3.2.13.1.** E-Learning
- 3.2.13.2.** Geographic Information System (GIS)
- 3.2.13.3.** SETMIS reporting against DHET SLA
- 3.2.13.4.** SAQA
- 3.2.13.5.** NLRD
- 3.2.13.6.** ERP system

### **3.2.14. Mobile app**

Development and provision of mobile application that will be integrated with the LMS platform for learners, providers, and assessors.

### **3.2.15. Chat bot**

Development of a chat bot functionality for automation of some key functions of the Learner Management System for improved turnaround times and stakeholder relations.

### **3.2.16. System Administration and Performance**

- 3.2.16.1.** The service provider will be required to sign an SLA for system uptime and availability to measure performance.
- 3.2.16.2.** The system uptime should be guaranteed at 98% for the duration of the contract.

## **3.3. Project Governance**

### **3.3.1. Project Management**

- 3.3.1.1.** The parties must establish a Project Management Office (PMO) comprising of a project manager from the MICT SETA and the service provider.
- 3.3.1.2.** Both parties must allocate a resource to provide admin functions to the project.
- 3.3.1.3.** The MICT SETA shall provide technical leads from all key divisions of the business.
- 3.3.1.4.** The project managers, project admins and technical leads will serve as the project team of the project.
- 3.3.1.5.** The service provider shall work with the project team to develop the Project Charter for approval by the Project Steering Committee.
- 3.3.1.6.** The project team shall be responsible for the delivery and implementation of the project under the oversight of the Project Steering Committee.

### **3.3.2. Functional Requirements Specification (FRS) / on-boarding**

- 3.3.2.1.** Upon appointment, the service provider will work with the MICT SETA to document and determine detailed functional requirements specification (FRS) of each module of the system.
- 3.3.2.2.** The FRS must be signed by all business parties involved in the documentation, namely, heads of business units of the MICT SETA, and the CIO.
- 3.3.2.3.** The FRS shall serve as a blueprint of the system.
- 3.3.2.4.** In order to manage project scope and deliver on timelines, all additional requirements by the business after sign-off of the FRS shall be processed in terms of Change Management processes.



### **3.3.3. Project Steering**

- 3.3.3.1.** The service provider will work with the MICT SETA to establish a Project Steering Committee comprising of the most senior officials of both parties.
- 3.3.3.2.** The Project Steering Committee will meet regularly to monitor implementation and provide oversight of the project.
- 3.3.3.3.** A senior official of the MICT SETA, the CEO or his delegate will chair the Project Steering Committee.
- 3.3.3.4.** The Project Steering Committee shall approve all milestones of the project, including the Project Charter.

### **3.4. Change Management**

- 3.4.1.** Additional changes as a result of new information, changes in business requirements for any reason whatsoever, shall be controlled and monitored in terms of change management processes.
- 3.4.2.** All change request shall be documented and approved prior to implementation.
- 3.4.3.** The service provider will be required to provide a role of a Change Specialist to stimulate user demand of the system and maximise acceptance and adoption.

### **3.5. Service Requests / Incidents and Problem Management**

- 3.5.1.** The successful service provider must provide an automated system of all calls and service requests regarding the system.
- 3.5.2.** The system must comply with the IT best practice on service management; i.e. ITIL.
- 3.5.3.** The system will be used to report on the performance of the service provider in terms of attending to all service requests, incidents and problems.

### **3.6. Training and Skills Transfer**

In order to maximise adoption of the system, the service provider will be required to provide training as follows:

- 3.6.1.** Initial training to internal and external users of the system.
- 3.6.2.** Train the trainer.
- 3.6.3.** Handholding for a period of 12 months.
- 3.6.4.** On the job training for all current and new users of the system.

### **3.7. Project Management**

- 3.7.1.** The successful bidder shall work in conjunction with key business units of the MICT SETA on the planning of the various phases on service delivery, wherein all objectives and deadlines will be indicated, and while reporting to the Chief Information Officer.
- 3.7.2.** The successful bidder accepts all financial responsibility regarding the deviation from the set objectives and milestones, which cannot be ascribed to the actions of the MICT SETA and / or defective equipment.
- 3.7.3.** The successful bidder shall ensure that deviations from the set objectives and milestones, which cannot be ascribed to the actions of the MICT SETA, be made up in non-recoverable time.

## **4. PROJECT DELIVERABLES / MILESTONE**

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 practice:

- 4.1.1. Finalisation of the Project Plan
- 4.1.2. Project Operating Model
- 4.1.3. Project Capacitation and responsibilities
- 4.1.4. Constitution of the Project Steering Committee
- 4.1.5. Composition of the Project Implementation Team
- 4.1.6. Format and frequency of reports
- 4.1.7. Scheduling and preparation of Project Teams Meetings
- 4.1.8. RACI Model
- 4.1.9. Project Scope Management
- 4.1.10. Out of Scope
- 4.1.11. Project Communication
- 4.1.12. Formal and informal communication
- 4.1.13. Escalations
- 4.1.14. Project Risk Management and Risk Registers
- 4.1.15. Project Assumptions
- 4.1.16. Project Success Factors
- 4.1.17. Change Control

## **4.2. Implementation Phase**

- 4.2.1. This phase shall comprise of solution implementation, delivery, User Acceptance Testing (UAT), and training.
- 4.2.2. Other activities of this phase include:
  - 4.2.2.1. Data migration
  - 4.2.2.2. Solution testing
  - 4.2.2.3. Recovery / continuity site establishment.
- 4.2.3. The successful bidder will be required to ensure that the solution is running within a period not exceeding 6 months from date of appointment.

### **4.3. Project Closeout**

**4.3.1.** 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

**4.3.2.** Completion of this phase shall produce a Project Closeout Report which must be accepted by the PMO and the Project Steering Committee.

**4.3.3.** The Project Closeout Report shall include the following information, amongst others:

**4.3.3.1.** Executive summary;

**4.3.3.2.** Summary of the project plan and the final completion dates of the phases as originally signed off;

**4.3.3.3.** Project cost performance summary;

**4.3.3.4.** Summary of challenges encountered;

**4.3.3.5.** Lessons learned;

**4.3.3.6.** Success factors;

**4.3.3.7.** Measurement of project delivery against project objectives;

**4.3.3.8.** Summary / list of the deliverables of the project;

**4.3.3.9.** Status on Mitigation Plans of the Project Risk Register;

**4.3.3.10.** Register of Project Snag List identified during UAT and training;

**4.3.3.11.** Quality assurance;

**4.3.3.12.** Future considerations;

**4.3.3.13.** Recommendations; and

**4.3.3.14.** Sign-off.

### **5. SUPPORT AND MAINTENANCE**

**5.1.** Whereas some of the activities (hosting, and enhancements) of this phase may commence during previous phases, this phase shall commence immediately after Project closeout.

**5.2.** The activities of this phase include:

**5.2.1.** Hosting;

**5.2.2.** Ongoing refresher training;

**5.2.3.** Support and maintenance of the system for the duration of the contract;

**5.2.4.** System enhancements for the duration of the contract. A reasonable bucket of hours should be reserved monthly for enhancements of the system;

**5.2.5.** Disaster Recovery / ICT Service Continuity maintenance and performance of regular drills;

**5.2.6.** Solution enhancements to improve user experience and increase efficiencies for the duration of the project.

## **6. SOLUTION HOSTING**

- 6.1.** Bidders must submit an architecture of the hosting platform that will be implemented as part of the services.
- 6.2.** The proposed solution must depict the primary and secondary sites for high availability.
- 6.3.** Bidders must submit a solution architecture (network & server infrastructure) as part of this section of the bid.
- 6.4.** The solution architecture must clearly depict the following:
  - Primary (production and failover server)
  - Secondary (continuity) site
- 6.5.** Demonstrate frequency of synchronisation between the sites for continuity.
- 6.6.** In addition, the architecture must depict the duration it takes to failover from the primary to the secondary.
- 6.7.** Bidders must submit a backup solution architecture. Systems will be backed up according to MICT SETA's Backup Operations Procedure.
- 6.8.** Production environment must be protected from external access, e.g through DMZ, or reverse proxy.
- 6.9.** Bidders to provide adequate network connectivity and server capacity at all times for acceptable performance. This includes storage and memory which must be optimised from time to time to accommodate growth and scalability.

## **7. DURATION OF THE CONTRACT**

- 7.1.** The project duration shall be aligned with the final Project Plan to be defined in the Project Charter. The contract shall not exceed 5 years.
- 7.2.** Implementation of the project shall be concluded within 12 months of signing the contract.
- 7.3.** The first 12 months following completion of implementation shall serve as the Initial Period of the contract wherein all system defects are identified and resolved.
- 7.4.** Following the conclusion of the initial period, the remainder of the project shall be allocated for Project Deliverable 4.4 (Solution Hosting, Support and Maintenance) as defined above.
- 7.5.** Project deliverables and billing milestones will be aligned to the Statement of Work (SoW), which will be agreed upon during the project initiation phase. Failure to deliver as per the SoW alignment may lead to contract termination.
- 7.6.** The following processes shall apply during expire / termination of the contract:
  - 7.6.1.** MICT SETA will retain full Intellectual Property rights of the system, all enhancements, modifications, code, and data at the end of the contract.
  - 7.6.2.** 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.
  - 7.6.3.** The bidder will be required to extract a database of all data, system configurations, documentation, and handover to MICT SETA.

## 8. COSTING MODEL

- 8.1. The solution objectives together with scope of work should be considered when compiling the proposal and pricing for the delivery of the services.
- 8.2. All costing must be projected inclusive of any applicable taxes. These costs should consider projected number of learners as indicated.
- 8.3. 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.
- 8.4. Any unit costs (e.g. costs for additional user licenses or additional desktop support) must be explicitly quoted.
- 8.5. The final bidder's costing must include a bucket of hours for ad-hoc requests limited to 40 hours a month. Bidders must indicate costs per hour for all ad-hoc requests upfront. The bucket hours must be accounted for on a monthly basis and carried forward if not utilised. This will be applicable post implementation.
- 8.6. The costing model provided below shall guide bidders on how their costing shall be indicated. The below model is for illustration purposes only. Bidders may include all deliverables required for this project, which must be linked to the project deliverables and milestones.

## 9. EVALUATION CRITERIA

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

### 9.1. PRE-QUALIFICATION CRITERIA (Regulation 4)-PPFA

- a. Bidder shall have a minimum B-BBEE status of level 2 or better.

#### **Proof of compliance**

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

*Bidders please take note:*

*The duly sworn and commissioned B-BBEE 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 / B-BBEE Commission for more information with regards to latest financial year end e.g. [28 February 2021](#).*

### 9.2. MANDATORY CRITERIA

- a) The bidder must comply to all elements as listed in the Functionality 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 pre-qualification and mandatory criteria will be eliminated from further evaluation process.

### **9.3. FUNCTIONAL CRITERIA**

#### **9.3.1. 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 CRITERIA WEIGHING

| Category                       | Description   | Maximum points |
|--------------------------------|---|----------------|
| <b>1. System functionality</b> | <p>The bidders proposed solution must meet all the requirements stipulated below by providing a detailed and comprehensive proposal of their LMS solution, indicating how the proposed solution will meet/satisfy each user requirement:</p> <ul style="list-style-type: none"><li>• Sector Skills Planning processes</li><li>• Learning Programmes Divisions processes</li><li>• Education and Training Quality Assurance processes</li><li>• Grants and Levies processes</li><li>• Migration of legacy data</li><li>• Document Management</li></ul> <p><b><i>Non-compliance with any of the above requirements = 0 points</i></b></p> | <b>40</b>      |



|  |  |                  |
|--|--|------------------|
| <p><b>2. Project Plan/ Methodology</b></p> | <p><b>Project Plan/ methodology</b></p> <p>Bidders are required to submit a Project Plan or Methodology that clearly articulates how the project will be delivered. This Project Plan should demonstrate how data migration process and security will be handled using the process flow to be implemented and maintenance of the Learner Management System:</p> <p>2.1. The project plan should indicate milestones, activities and time frames including all the four phases, i.e. <b>Planning; Implementation; Project closeout and Hosting.</b></p> <ul style="list-style-type: none"> <li>• Project Plan with all the above-mentioned phases = <b>30 points</b></li> <li>• Project plan highlighting three phases = <b>15 points</b></li> <li>• No Project plan or a Project plan with less than three phases = <b>0 points</b></li> </ul> <p>2.2. Bidders to indicate how they will do data migration = <b>10 points</b></p> <p><b>Non- Compliance with the above is = 0 points</b></p> | <p><b>40</b></p> |
|--|--|------------------|

|  |  |           |
|--|--|-----------|
| <b>3. Reference letters and experience</b> | <p>Provide reference letters with contactable references for successfully implemented similar projects (<b>Learner Management System</b>). Reference letters must be for bidder's clients within RSA. Reference letters must be on company letterhead signed by a representative official of the bidder's client</p> <ul style="list-style-type: none"> <li>• Four (04) and above signed reference letters from different clients submitted = <b>10 points</b></li> <li>• Less than four (04) signed reference letters from different clients submitted = <b>05 points</b></li> <li>• No reference letters submitted = <b>0 points</b></li> </ul> <p>Contactable references must include name of company, contact details, project description, and project period.</p> <p><b>Important:</b> 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><b>MICT SETA reserves the right to contact references prior to award.</b></p> | <b>10</b> |
| <b>4. Bidder's Capabilities</b>            | <p>Bidder should elaborate on its capabilities to provide all of the below:</p> <ul style="list-style-type: none"> <li>• Training to MICT SETA staff addressing key users, Administrators, Super users and other stakeholders (including external) = <b>05 points</b></li> <li>• Relevant expertise of maintenance and support resources = <b>05 points</b></li> </ul>   | <b>10</b> |
| <b>TOTAL</b>                               | <b>100</b>   |           |

#### 9.4. 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

##### 9.4.1 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**.

#### **9.4.2 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:

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

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<br>(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                            |     |     |
| <b>OR</b>   |     |     |
| 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

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Professional service provider transporter, etc.
- Supplier
- 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 state<sup>1</sup>, 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, shareholder<sup>2</sup>):  
.....

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.

<sup>1</sup>"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.

<sup>2</sup>" 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 **YES / NO**  
presently employed by the state?

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 **YES / NO** the appropriate authority to undertake remunerative work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid **YES / NO** document? (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<br><br>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.<br><br><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b> | Yes<br><input type="checkbox"/> | No<br><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)?<br><br><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>  | Yes<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><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 bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price Bid, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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 consortium<sup>3</sup> 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.

**<sup>3</sup> 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,

|                              |  |
|------------------------------|--|
| <b>Full name and Surname</b> |  |
| <b>Identity number</b>       |  |

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:

|  |  |
|--|--|
| <b>Enterprise Name:</b>                        |  |
| <b>Trading Name</b>                            |  |
| <b>Registration Number:</b>                    |  |
| <b>Enterprise Address:</b>                     |  |
| <b>Entity Type (CC, (Pty) Ltd,</b>             |  |
| <b>Nature of Business:</b>                     |  |
| <b>Definition of "Black People"</b>            | 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 –<br>(a) who are citizens of the Republic of South Africa by birth or descent; or<br>(b) who became citizens of the Republic of South Africa by naturalisation-<br>i. before 27 April 1994; or   |
| <b>Definition of "Black Designated Groups"</b> | "Black Designated Groups means:<br>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;<br>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;<br>(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; |

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          | <b>Level One</b> (135% B-BBEE procurement recognition level)  |  |
| At least 51% Black Owned  | <b>Level Two</b> (125% B-BBEE procurement recognition level)  |  |
| Less than 51% Black Owned | <b>Level Four</b> (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,

|                              |  |
|------------------------------|--|
| <b>Full name and Surname</b> |  |
| <b>Identity number</b>       |  |

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:

|  |  |
|--|--|
| <b>Enterprise Name:</b>                        |  |
| <b>Trading Name</b>                            |  |
| <b>Registration Number:</b>                    |  |
| <b>Enterprise Address:</b>                     |  |
| <b>Entity Type (CC, (Pty) Ltd,</b>             |  |
| <b>Nature of Business:</b>                     |  |
| <b>Definition of "Black People"</b>            | 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 –<br>(c) who are citizens of the Republic of South Africa by birth or descent; or<br>(d) who became citizens of the Republic of South Africa by naturalisation-<br>i. before 27 April 1994; or   |
| <b>Definition of "Black Designated Groups"</b> | "Black Designated Groups means:<br>(f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;<br>(g) Black people who are youth as defined in the National Youth Commission Act of 1996;<br>(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; |

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         | <b>Level One</b> (135% B-BBEE procurement recognition) | <input type="checkbox"/> |
| At Least 51% black owned | <b>Level Two</b> (125% B-BBEE procurement recognition) | <input type="checkbox"/> |

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:**.....