



National Empowerment Fund

RFP No: NEF 01/2020/21

REQUEST FOR PROPOSAL: Microsoft Open Value Subscription (OVS)

CLOSING DATE: 30 June 2020

TIME: 14H00

1. Proprietary Information:

The National Empowerment Fund (NEF) considers this Tender and all related information, either written or verbal, which is provided to the respondent, to be proprietary to NEF. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this specification or related information in part or as a whole to any third party without the prior written consent of NEF.

2. Enquiries

All communication and attempts to solicit information of any kind relative to this Tender should be channeled to the officials named below:

Contact persons (all questions should be in writing)

Technical

Name: Mr. Moyahabo Mohlabeng

Manager: Information, Systems
and Technology Department

Email address: mohlabengm@nefcorp.co.za

Commercial

Name: Ms Kedibone Mboweni

Head: Supply Chain Management

Email address: mbowenik@nefcorp.co.za

Telephone Number Office: +27 11 305 8000 Fax Number: +27 11 305 8001

3. Medium of Communication

All the documentation submitted in response to this tender must be in English.

4. Verification of Documents

Tenderers should check the numbers of pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by the NEF in regard to anything arising from the fact that pages are missing or duplicated.

CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

5. Validity Period

Responses to this tender received from tenderers will be valid for a period of **150** days counted from the closing date of the tender.

6. Submission of Tenders

- 6.1. Tenders should be submitted in duplicate in a sealed envelope endorsed, "(TENDER RFP NEF 01/2021/21, Provision of Microsoft Open Value Subscription)". The sealed envelope must be placed in the tender box at the Main Reception area of the NEF West Block, 187 Rivonia Road, Morningside by no later than **14h00** on **30 June 2020**.
- 6.2. The RFP number, closing date, firm name and return address must also be endorsed on the envelope.
- 6.3. If a courier service company is used for delivery of the tender document, the tender description must be endorsed on the delivery note/courier packaging to ensure that documents are delivered into the tender box.
- 6.4. No tender received by telegram, telex, email, facsimile or similar medium will be considered.
- 6.5. Where a tender document is not in the tender box at the time of the tender closing, such a tender document will be regarded as a late tender. Late tenders will not be considered.
- 6.6. Amended tenders may be sent in an envelope marked "Amendment to tender" and should be placed in the tender box before the closing time.
- 6.7. The tenderer is responsible for all the costs that shall be incurred in relation to the preparation and submission of the tender document.
- 6.8. A list of all references (minimum 3) with contact details must be included in the tender document.

CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

- 6.9. Copies of qualifications, identity documents (IDs) and the curricula vitae (CVs) of persons who will be involved in the execution of this tender should the tenderer be successful must be attached to the proposal.
- 6.10. The following information also needs to be provided with the tender document:
- Names and details of senior management
 - Employment equity details of employees at an operational level
 - Percentage of ownership by number of:
 - Black ownership
 - Black women ownership
 - White women ownership
- 6.11. An original valid Tax Clearance certificate must be included in the tender document. Failure to submit a certificate would render your tender invalid.
- 6.12. Copy/ies of any affiliations that you may have must be attached to the response to this tender.
- 6.13. Kindly note that the NEF is entitled to amend any tender conditions, validity period, specifications, or extend the closing date of tenders before the closing date. All tenderers, to whom the tender documents have been issued, will be advised in writing of such amendments within reasonable time after they are made.
- 6.14. The NEF reserves the right not to accept the lowest tender or any tender in part or in whole.
- 6.15. The NEF reserves the right to award this tender to a black empowered firm.
- 6.16. The NEF also reserves the right to award this tender to any party whom it decides as a whole or in part without furnishing reasons. The NEF reserves the right to withdraw this tender at any stage with or without giving reasons.

CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

- 6.17. The tenderer hereby offers to render all or any of the services described in this tender document to the NEF on the terms and conditions and in accordance with the specifications stipulated in this tender document. This tender document and the tenderer's response thereto shall form part of any service level agreement that may be concluded between the NEF and the tenderer. In the event of conflict between such documents, the service level agreement shall take precedence over all other documents.
- 6.18. Tenders submitted by juristic persons or partnerships must be signed by a person or persons duly authorized thereto by a resolution of a board of such juristic person, a copy of which resolution, duly certified be submitted with the tender.
- 6.19. The tenderer shall prepare for a possible presentation should NEF require such and the tenderer shall be notified thereof no later than 4 (four) days before the actual presentation date.
- 6.20. The tenderer hereby agrees that the offer herein shall remain binding upon him/her and will be open for acceptance by the NEF during the validity period indicated herein.
- 6.21. The tenderer furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her tender response, that the price(s) and rate(s) quoted cover all the work/item(s) specified in the tender response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 6.22. The tenderer hereby accepts full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on him/her under this tender as the principal(s) liable for the due fulfillment of this tender and any contract that might be concluded pursuant hereto.

CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

6.23. The NEF will treat your personal information as confidential and take all necessary steps to protect your information as required by the Protection of Personal Information Act of 2013. The NEF will only process your information (which involves but is not limited to collecting, collating, organising, disseminating and destroying) in the following circumstances:

- where you have granted the necessary consent;
- where we are required to do so by law;
- where processing is necessary to protect our legitimate interests;
- where it is necessary for the conclusion or performance of a contract to which you are party; or
- where it is in the public interest to do so.

By signing this tender document (RFP), the bidder hereby consents to the use of their personal information which forms part of the tender process and as may be discovered by the NEF and confirm that the information is supplied voluntarily without undue influence from any party. Tenderers acknowledge that they are aware of their right to access the information at a reasonable time for purposes of rectification or object to the processing of the information.

6.24. **Bidders are required to register on the National Treasury Database as per National Treasury Circular No 3 of 2015/2016 – Central Supplier Database (CSD).**

CONDITIONS AND UNDERTAKINGS BY BIDDERS IN RESPECT OF THIS TENDER

Name of your Company (in block letters)	
Signature(s) of the Bidders	
Name of person signing (in block letters)	
Capacity	
Are you duly authorized to sign this tender?	
Company Registration Number	
VAT Registration Number	
Postal address (in block letters)	
Physical address (in block letters)	
<i>Domicillium citandi et executandi</i> in RSA	(full) street address) (in block letters)
Contact Person	
Telephone Number	
Fax Number	
Cell Number	
E-mail	

***Failure to comply with any of the terms and conditions as set out above will invalidate the tender.**

7. EVALUATION CRITERIA

Tenders shall be evaluated in terms of the following parameters and shall be scored on the weightings stated below.

Phase 1: Technical: Bidders will need to score a minimum of **70 points** in technical to qualify for the shortlist.

Technical	100
<p>Bidder's company profile demonstrating experience in the provisioning of Microsoft Open Value Subscription:</p> <p>References: (Provide a minimum of three reference letters with contactable references from clients). The reference letters must in the client's letterhead, dated and signed.</p> <ul style="list-style-type: none"> • More than 3 references (40 points) • 3 references (30 points) • 2 references (20points) • 1 reference (10 points) • 0 reference (0 points) <p>Experience:</p> <ul style="list-style-type: none"> • More than 3 years (30 points) • 3 years (20 points) • 2 years (15points) • 1 year (5 points) • 0 years (0 points) 	70
<p>Supporting evidence of partnership with Microsoft licenses must be provided, i.e Microsoft Reseller Certificate/confirmation:</p> <ul style="list-style-type: none"> • Reseller confirmation (30 points) • No Reseller confirmation (0 points) 	30

Phase 2: 80/20 Preference Point System

All tenders that will achieve the minimum qualifying score for technical will be evaluated further in terms of the preference point system as follows:

CRITERIA	POINTS
Price	80
BEE	20
TOTAL	100 points

SECTION: 2

TERMS OF REFERENCE /

SCOPE OF SERVICE

2.1 Preamble

The National Empowerment Fund Act No.105 of 1998 established the National Empowerment Fund Trust (NEF), for the purpose of promoting and facilitating economic equality and transformation, by providing development finance for Black Empowered South African businesses and by designing investment products in promoting savings and investment activity amongst Black South Africans. The NEF is an agency of the Department of Trade and Industry (**the Dti**) and is committed to the implementation of the Broad Based Black Economic Empowerment Act, Act 55 of 2003, and the Codes of Good Practice.

2.2 BACKGROUND AND PURPOSE

The National Empowerment Fund (NEF) seeks to engage the services of a Service Provider for the renewal of Microsoft Licenses for annual Open Value Subscription (OVS):

1. SQL Server Enterprise	X	002
2. Core Client Access Licenses (Incl. Endpoint)	X	180
3. Office Professional Plus	X	005
4. Visio Professional	X	005
5. Project Professional	X	005
6. System Centre 2012	X	001
7. Windows Server Std.	X	160 (per core)
8. Office 365 Licenses	X	200

SECTION: 3

PRICING

**Pricing (Attach a price schedule,
stating all pricing information)**

SECTION: 4

**BROAD-BASED BLACK ECONOMIC
EMPOWERMENT**

B-BBEE Supplier Assessment Form

Trading name of entity _____

Contact person _____

Physical Address _____

Contact telephone number _____

Fax number _____

Cell phone _____

Email address _____

Percentage black shareholding _____

Percentage black women shareholding _____

Percentage white women shareholding _____

Do you fall within a gazetted industry
charter? _____

Are you a Qualifying Small Enterprise?
(Annual turnover between R10 million
and R50 million) _____

Are you an Exempt Micro Enterprise?
(Annual turnover less than R10 million) _____

If you are in possession of a B-BBEE rating or scorecard, please attach the certificate.

I, the undersigned, certify that the information contained in this document is accurate and correct. I am fully responsible for all representations in this document and am aware of the repercussions that may arise as a result of any misrepresentation.

Name: _____ ID/Passport Number: _____

Signed: _____ Date: _____

Position: _____

LIST OF TENDER RETURNABLES

- Original valid Tax Clearance Certificate
- Declaration of Interest form
- Declaration of tenderer's past supply chain management practices
- BEE credentials / rating certificate
- Completed and signed tender document
- The following information also needs to be provided with the tender document:
 - Names and details of Senior Management.
 - Shareholders Certificate.
 - Details of employees at an Operational Level.
 - Percentage of ownership by:
 - Black Shareholders
 - Black Women
 - White Women

Failure to submit the required documents will result in the proposal being non compliant and will be disqualified.

Declaration of tenderer's past supply chain management practices

- 1 This tender may be disregarded if the tenderer, or any of its directors have:
 - Abused the institutions supply chain management systems;
 - Committed fraud or any other improper conduct in relation to such a system; or
 - Failed to perform on any previous contract

- 2 In order to give effect to the above, the following questionnaire may be completed and submitted with the tender

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).		
4.1.1	If so, furnish particulars		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasuy.gov.za . click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 326 5445		
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?		
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?		
4.4.1	If so, furnish particulars		

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

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state*, 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 and/or take an oath declaring his/her interest, 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 Firm (director, shareholder etc):
.....

2.4 Firm Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....

* "State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

2.7.1 If so, furnish the following particulars:
Name of person / director / shareholder/ member:
.....
Name of state institution to which the person is connected:
.....
Position occupied in the state institution:
.....
Any other particulars:
.....
.....
.....

2.8 Did you or your spouse, or any of the firm's directors / 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?

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 the bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars
.....
.....

2.11 Do you or any of the directors /shareholders/ members of the firm have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars
.....
.....
.....

DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.11.1 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE/NEF MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT ISSUED BY NATIONAL TREASURY SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder