

Tel: +27(12)432 1300
 Info Centre: 086 00 65383
 web: www.nlcsa.org.za
 National Lotteries Commission (NLC)
 P.O. Box 1556
 Brooklyn Square 0083, Pretoria



NATIONAL LOTTERIES COMMISSION

THE TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER A RENEWAL OF MIMICAST LICENCES WITH MAINTENANCE AND TECHNICAL SUPPORT AND ADVISORY SERVICES FOR A PERIOD OF 5 YEARS.

BID PROCESS	BID REQUIREMENTS
Tender number	NLC/2024-004
Bid Advertisement Date	07 March 2024
Closing date and time	29 March 2024 @ 11:00 (South African Standard Time)
Tender validity period	120 from day of the closing date
Compulsory Briefing meeting	N/A
Submission instruction:	<p>The electronic bid document must be submitted ONLY via USB and be delivered to:</p> <p>Acting Senior Manager: Supply Chain Management National Lotteries Commission 333 Grosvenor Street Block D, HatfieldGardens Hatfield, Pretoria 0083</p> <p>Enquires ONLY can be emailed to: bids@nlcsa.org.za</p> <p>NO email or hardcopies submissions will be accepted.</p>

THE TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER A RENEWAL OF MIMICAST LICENCES WITH MAINTENANCE AND TECHNICAL SUPPORT AND ADVISORY SERVICES FOR A PERIOD OF 5 YEARS.

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION AND BACKGROUND

The National Lotteries Commission (NLC), established under the Lotteries Act No. 57 of 1997, plays a pivotal role in regulating the National Lottery and other lotteries, ensuring the equitable distribution of funds for social upliftment in line with South Africa's development goals. Transparency and openness in its operations are paramount, guided by the principles set out in the Lotteries Act.

Currently utilizing a Mimecast email security platform with an on-premise Microsoft Exchange 2016 platform, the NLC acknowledges the importance of robust email communication systems for its operations. Mimecast provides a comprehensive solution against various email threats, supporting the NLC's commitment to secure and efficient communication.

The NLC currently utilizes a Mimecast email security platform in conjunction with on-premise Microsoft 2016 Active Directory and Microsoft Exchange 2016 platforms, acknowledging the importance of robust email communication systems for its operations. Mimecast provides a comprehensive solution against various email threats, supporting the NLC's commitment to secure and efficient communication.

In line with its commitment to a secure and efficient email infrastructure, the NLC seeks to appoint a service provider to render the renewal of Mimecast licenses, including maintenance and support. This decision aligns with the Public Finance Management Act No. 1 of 1999 (PFMA) and Treasury Regulations, ensuring the continued protection against email-borne threats and uninterrupted email access.

2. OBJECTIVES

The NLC is seeking proposals from qualified and experienced service providers for the renewal of its current Mimecast licenses. The renewed licenses should cover 400 user mailbox licences with archiving and include maintenance and technical support over a five-year period. This renewal process is aimed at maintaining and supporting the NLC's email infrastructure, ensuring continued robust protection against digital threats and uninterrupted email service, in line with its commitment to operational excellence and adherence to regulatory standards.

3. SCOPE OF REQUIREMENTS

3.1 Mimecast License Renewal and Coverage:

- a. Renewal of all current Mimecast licenses held by the NLC Coverage for 400 users, accommodating the NLC's current and anticipated needs.
- b. Assurance that the renewed licenses include access to the latest Mimecast security features and updates.
- c. Provision of renewed licenses that cover all necessary Mimecast feature services, including anti-spam, anti-malware, archiving, large attachment file send and continuity services.
- d. Scalability of the license package to accommodate any increase in the number of users during the contract period, ensuring that additional users can be added without disruption to the service.

3.2 Mimecast Licence Maintenance and Technical Support:

- a. Assistance with managing Mimecast licenses, including activations, renewals, and adjustments to ensure coverage for 400 users and accommodate the NLC's evolving needs.
- b. Support for configuring Mimecast settings and policies to align with the NLC's security requirements and optimize email security performance.
- c. Provision of training sessions for NLC's ICT staff on Mimecast features and best practices, as well as ongoing consultation for leveraging Mimecast services effectively.
- d. Delivery of regular reports and analytics to monitor the effectiveness of the Mimecast email security solution, including insights into threat detection, system usage, and compliance status.
- e. Support for Mimecast continuity services to ensure uninterrupted email access during outages or disruptions, including regular testing and validation of continuity plans.

3.3 Future Strategic Advisory Services:

- a. The bidder must demonstrate an understanding of the NLC's medium to long-term plan to potentially migrate the current on-premise Microsoft Exchange 2016 platform to Microsoft 365 online Exchange solution.
- b. The bidder should also consider the NLC's plans to possibly migrate archives from Mimecast to a suitable alternative solution. The bidder should be capable of advising on and facilitating this archive migration process, ensuring data integrity and continuity.
- c. The maintenance and support services should be designed to not only address current needs but also to prepare and facilitate a smooth transition to the Microsoft 365 cloud in the future, if required.
- d. The bidder should provide insights and recommendations on best practices for MS 365 Exchange cloud migration, ensuring that the NLC is well-equipped for a seamless shift when the time comes.

3.4 Pricing:

- a. Transparent pricing for the renewal of the Mimecast licences with support maintenance for a period of 5 years is required. Bidders are required to outline the pricing schedule as '*Annexure B*'.

4. DELIVERABLES

4.1 Renewed Mimecast Licenses:

- a. Provision of renewed Mimecast licenses for a period of five years, covering 400 user mailboxes with the following features:
 - i. Archiving (with tracing and recovery)
 - ii. Data Leak Protection (DLP)
 - iii. Email Security (URL Protection, Anti-Spam, Anti-Malware, Anti-Phishing)
 - iv. Large Attachment file send (with attachment protection)
 - v. Continuity Services

4.2 Maintenance and Technical Support Services:

- a. Regular updates to the Mimecast solution, including stipulated features and security enhancements, to maintain optimal performance and protection against emerging threats.
- b. Records of all technical support incidents, including response times, resolution details, and any follow-up actions.
- c. Logs of all updates and patches applied to the Mimecast solution, including dates and descriptions of changes.

- d. Summaries of training sessions provided to NLC's ICT staff, including topics covered and feedback, as well as records of any consultation sessions.
- e. Access to a dedicated technical support team for immediate assistance with any issues or queries or configuration related to the Mimecast platform.

4.3 Future Strategic Advisory Deliverables

- a. Provision of ongoing advisory services to keep the NLC informed about emerging technologies and potential migration opportunities.
- b. Regular reviews of the NLC's email security and infrastructure setup to identify areas where future technologies could be integrated.
- c. An annual assessment of the Mimecast solution's flexibility and scalability to ensure that it can accommodate future growth and technological advancements.
- d. Recommendations for adjustments or enhancements to the Mimecast setup to maintain alignment with evolving needs.

5. Duration of the appointment

The envisaged licence renewal services, maintenance and support and associated SLA duration are to be rendered for a period of Five (5) Years from the date of formal activation of the service.

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Proposals (RFP)

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system.

- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Registration report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to bids@nlcsa.org.za.
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email addressed in 1.9.

2. General rules and instructions

2.1 News and press releases

- 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.

2.2 Precedence of documents

- 2.2.1 This RFP consists of a number of sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in section 217 of the constitution of the republic shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.

It remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the commission in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

- 2.3.1 The commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector

demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

2.4 Language

2.4.1 Bids shall be submitted in English.

2.5 Gender

2.5.1 Any word implying any gender shall be interpreted to imply all other genders.

2.6 Headings

2.6.1 Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

2.7 Occupational Injuries and Diseases Act 13 of 1993

2.7.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the commission reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the commission.

2.8 Processing of the Bidder's Personal Information

2.8.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the commission is compelled by law to provide such information. For example, where appropriate, the commission is compelled to submit information to National Treasury's Database of Restricted Suppliers.

2.8.2 All Personal Information collected will be processed in accordance with POPIA and with the commission Data Privacy Policy.

2.8.3 The following persons will have access to the Personal Information collected:

2.8.3.1 The commission personnel participating in procurement/award procedures; and

2.8.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:

- 2.8.3.2.1 contract description and bid number.
- 2.8.3.2.2 names of the successful bidder(s) and preference points claimed.
- 2.8.3.2.3 the contract price(s) (if possible).
- 2.8.3.2.4 contract period.
- 2.8.3.2.5 names of directors; and
- 2.8.3.2.6 date of completion/award.

2.8.4 The commission will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the commission PAIA manual.

2.8.5 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Formal Briefing Session

There will be no formal briefing session.

4. Validity Period

- 4.1 The Commission requires a validity period of 120 Business Days [from closing date] against this RFP.
- 4.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalised within the validity period.

5. National Treasury's Central Supplier Database

- 5.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 5.2 The Commission may not award business to a bidder who has failed to register on the CSD.
- 5.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

6. Confidentiality

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 6.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 6.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 6.4 The Bidder shall notify the NLC in writing of any unauthorized access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

7. Communication

- 7.1 Specific queries relating to this RFP should be submitted bids@nlcsa.org.za, before the closing date.
- 7.2 In the interest of fairness and transparency the NL C's response to such a query may be made available to other bidders.
- 7.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 7.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

8. SUPPLIER PERFORMANCE

- 8.1 The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review.

done for contracts longer than a year and a review at completion of contract for those contracts less than a year.

- 8.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 8.3 Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.
- 8.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

THE TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER A RENEWAL OF MIMICAST LICENCES WITH MAINTENANCE AND TECHNICAL SUPPORT AND ADVISORY SERVICES FOR A PERIOD OF 5 YEARS.

Section 3: EVALUATION CRITERIA

The six (6) phases evaluation criteria will be considered in evaluating the proposals, being:

Stage 1: Tender Closing and Opening

1.1 Tender closing details

The deadline for Tender submission is Standard South African Time. Any late tenders will not be accepted. Tenders are to be submitted to the NLC's tender box at the following physical address:

National Lotteries
Commission 333
Grosvenor Street
Block D, Hatfield
Gardens Hatfield,
Pretoria
0083

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Only electronically submission in a form of Universal serial bus (USB) will be accepted.

Bid submission guidelines:

Bidders are required to ensure that the bid submission is saved properly and accessible in the USB as blank/empty USB will be disqualified. The USB must be clearly marked with the name of the bidder and arranged and properly as follows:

- Mandatory Bid Compliance Documents, Standard Bidding Documents (SBD) Forms, Technical and Financial Proposals must be submitted in one (1) electronic (USB) submission.
- Bidders are requested that folders in the electronic submission be separated, properly named, and indexed as follows:
 - Folder 1: Mandatory Bid Compliance Documents and SBD Forms;
 - Folder 2: Technical Proposal; and

Folder 3: Financial (Price) Proposal.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Tender submissions received after submission date and time will be declared late and will not be accepted for consideration by the NLC.

The NLC will not be responsible for any failure or delay in the submission or receipt of the bid including but not limited to:

- Traffic.
- Struggling to find parking.
- Courier arriving late.

Stage 2: Administrative Compliance

All bid respondents must submit the relevant documents that comply with administrative compliance, which will include the following:

Evaluation Criteria	Supporting Document
---------------------	---------------------

• Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	Bid Proposal (SBD1, SBD 6.1.)
• Whether the Bid document has been duly signed by the authorised bidder official	Company resolution as proof of authorised individuals' delegation
• Whether the Bid contains a priced offer	Pricing and delivery schedule
• Whether Bidders have failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD	Proof of Central Supplier Database (CSD) registration reflecting Tax compliant status

Stage 2: Mandatory Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	JV Agreement
2. Bidders must submit a fully complete declaration of interest form (failure to declare honestly will lead to bidder being disqualified)	SBD 4
3. <i>Only bidders who are compliant with the requirements of this stage will proceed to stage 3.</i> All bidders must provide a valid Mimecast Partner Certification.	Please attach a valid Mimecast Partner Certification.

Note to Bidders:

Bidders may be requested, at the behest of the NLC, to submit via courier services to the SCM unit of the NLC, within a minimum of 3 working days from date of request hard copy certified qualifications, memberships certificates, COIDA etc. which may have been requested for mandatory or functionality assessment.

Failure to submit the information within the requested period shall render the bidder non-responsive.

Failure to comply with the above mandatory requirements will render your submission non-responsive and unacceptable.

STAGE 3: TECHNICAL EVALUATION

3.1 The following rating scale will be used to evaluate bid proposals:

Table 1: Rating Scale

Rating	Definition	Score
Excellent	Exceeds the requirement. Exceptional demonstration by the bidder of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	5
Good	Satisfies the requirement with minor additional benefits. Above average demonstration by the bidder of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	4
Acceptable	Satisfies the requirement. Demonstration by the bidder of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with supporting evidence.	3
Minor Reservations	Satisfies the requirement with minor reservations. Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	2
Serious Reservations	Satisfies the requirement with major reservations. Considerable reservations of the bidder's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	1
Unacceptable	Does not meet the requirement. Does not comply and/or	0

	insufficient information provided to demonstrate that the bidder has the ability, understanding, experience, skills, resource & quality measures required to provide the goods / services, with little or no supporting evidence.	
--	---	--

The table below indicates the criteria which the service provider is expected to demonstrate, and which will form the evaluation criteria during the evaluation of the prospective service providers' proposals.

The following weighting system will apply and only bidders scoring a minimum of 70 points or more will be eligible to migrate to the evaluation phase of this bid.

EVALUATION CRITERIA	Scoring Matrix	% Weight
1. Company Experience		
1.1. Written Reference Letters		15%
<p>Provide Five (5) written reference letters from contactable existing/ recent clients (public / private sector) within the past 5 years in Mimecast Licence renewal, delivery and maintenance and technical support services.</p> <p>Letters must include the company name, contact name, address, phone number, duration of contract, value of the contract, a brief description of the services that you provided.</p> <p>The date on the reference letter must not be older than 5 years (Letters from one client will be regarded as one reference). The reference letters must be on the client's letterhead and must be dated and signed.</p> <p>Appointment letters are not permissible.</p>	<ul style="list-style-type: none"> • No reference letters = 0 Points. • 1 reference letter = 1 Point. • 2 reference letters = 2 Points. • 3 reference letters = 3 Points. • 4 Reference letters = 4 Points. • 5+ reference letters = 5 Points. 	
1.2. Company Experience & Capability		15%
<p>Bidders are required to submit their company profile demonstrating that they have the capacity to render the required service for Mimecast license renewal, support and maintenance and technology advisory services.</p> <p>The profile must contain the entity's years of experience. Specific details must be given to indicate the extent to which these previous experiences relate to rendering</p>	<p>5+ Years experience = 5 Points.</p> <p>4 years' experience = 4 Points.</p> <p>3 years' experience = 3 Points.</p>	

EVALUATION CRITERIA	Scoring Matrix	% Weight
<p>services for Mimecast license renewal, support and maintenance and advisory services.</p>	<p>2 years' experience = 2 Points.</p> <p>1 year experience = 1 Points.</p> <p>No Experience Indicated = 0 Points.</p>	
2. Capacity and Ability to Implement		
2.1. Experience - Technical Lead/Manager		15%
<p>Kindly attach Abridged CV (not longer than one page) of the technical lead/manager.</p> <p>The CV must indicate projects related to the support of a Mimecast service and technology advisory services that meets the maintenance and support as outlined in the deliverables.</p>	<ul style="list-style-type: none"> • 5+ Years Experience = 5 Points • 4 Years Experience = 4 Points • 3 Years Experience = 3 Points • 2 Years Experience = 2 Point. • 1 year experience = 1 Point. • No Experience indicated = 0 points. 	
2.2. Experience – Account/Service Manager		10%
<p>Kindly attach Abridged CV (not longer than one page) of the project manager.</p> <p>The CV must indicate the account management experience as it relates to the scope of work.</p> <p>No points will be allocated if no CV is submitted.</p>	<ul style="list-style-type: none"> • 5+ Years Experience = 5 Points • 4 Years Experience = 4 Points 	

EVALUATION CRITERIA	Scoring Matrix	% Weight
	<ul style="list-style-type: none"> • 3 Years Experience = 3 Points • 2 Years Experience = 2 Point. • 1 year experience = 1 Point. • No Experience indicated = 0 points. 	
<p>3. Mimecast Licence Renewal, Maintenance and Technical Support and Future Strategic Advisory</p>		
<p>This section assesses the bidders' capabilities in renewing Mimecast licenses, providing maintenance and technical support, and advising on a future technology roadmap strategy. It focuses on the bidders' experience with Mimecast solutions, their approach to ensuring comprehensive license coverage, the effectiveness of their maintenance and technical support services, and their ability to develop a strategic plan for future technology migration and alignment.</p>		
<p>3.1. License Renewal and Coverage</p>		15%
<p>Assess the bidder's ability to efficiently renew Mimecast licenses for up to 400 users and ensure that the renewed licenses adequately cover all required features and services in line with the deliverables.</p>	<p>Exceptional ability to renew licenses for 400 users with full coverage of all features and services= 5 points.</p> <hr/> <p>Strong capability to renew licenses with most features and services covered = 4 points.</p>	

EVALUATION CRITERIA	Scoring Matrix	% Weight
	<p>Adequate renewal of licenses with basic coverage of features and services = 3 points.</p> <hr/> <p>Limited ability to renew licenses with significant gaps in coverage = 1-2 points</p> <hr/> <p>Inadequate renewal of licenses with insufficient coverage of features and services = 0 points.</p>	
3.2. Licence Maintenance and Support Strategy		20%
<p>Assess the bidder's ability to offer license maintenance and technical support plan tailored to the renewed Mimecast licenses, ensuring uninterrupted email security services and optimal performance.</p>	<p>Exceptional plan with comprehensive 24/7 support and proactive maintenance tailored to Mimecast licenses = 5 points.</p> <hr/> <p>Strong plan with good coverage of regular updates and responsive technical support = 4 points.</p> <hr/> <p>Adequate plan covering basic maintenance and support requirements, with</p>	

EVALUATION CRITERIA	Scoring Matrix	% Weight
	<p>some gaps = 3 points.</p> <hr/> <p>Limited plan with minimal updates and technical assistance, showing significant gaps = 2 points.</p> <hr/> <p>Inadequate plan lacking detail and responsiveness in maintenance and support = 1 point.</p> <hr/> <p>No maintenance and support plan = 0 points.</p>	
<p>3.3. Future Technology Roadmap - Strategic Advisory</p>		<p>10%</p>
<p>Assess the bidder's capability to advise on developing a future technology roadmap that aligns with strategic deliverables as outlined.</p>	<p>Comprehensive advisory service for developing a future technology roadmap aligned with strategic objectives = 5 Points.</p> <hr/> <p>Good advisory service with some alignment to strategic objectives = 4 Points.</p> <hr/> <p>Basic advisory service with limited alignment to strategic objectives = 3 Points.</p> <hr/>	

EVALUATION CRITERIA	Scoring Matrix	% Weight
	Minimal advisory service with unclear alignment to strategic objectives = 1- 2 Points. <hr/> No plan for providing future technology roadmap advisory services = 0 points	
Total:		100%

Stage 4: Pricing and special goals comparatives

Evaluation Criteria	Final Weighted Scores
<p>Price</p> <p>The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:</p> $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where:</p> <p>P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid</p>	80
	80

The evaluation for special goals will include the following:

#	Specific goals allocated points	Preference Points (80/20)	Required Evidence

1	HDI, percentage of black ownership <i>100% black ownership = 10 points</i> <i>and based on percentage pro rata for black ownership less than 100%</i> <i>eg: 67% = 6.7 points</i>	10	CSD Registration B-BBEE Certificate report NLC Company Registration
2	Percentage of women ownership <i>100% women ownership = 8 points</i> <i>and based on percentage pro rata for woman ownership less than 100%</i> <i>eg: 50% = 4.0 points</i>	8	CSD Registration B-BBEE Certificate report NLC Company Registration
3	Percentage of ownership persons with Disability <i>100% ownership = 2 points</i> <i>and based on percentage pro rata for persons with disability ownership less than 100%</i> <i>e,g: 50% = 1.0 points</i>	2	Confirmation of Disability Form as per SARS (ITRDD Form) Medical Certificate

Stage 5: Due Diligence

The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

- a) Physical inspection of the Bidder's offices, branches or other places
- b) Verification of accuracy, correctness and authenticity of information provided
- c) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team
- d) Inquiry and reference checking with National Treasury Restricted Suppliers
- e) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary;
- f) Financial Stability Assessments

Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery, or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiation.

THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER A RENEWAL OF MIMICAST LICENCES WITH MAINTENANCE AND TECHNICAL SUPPORT AND ADVISORY SERVICES FOR A PERIOD OF 5 YEARS.

INVITATION TO BID (SBD 1)

YOU ARE HEREBY INVITED TO BID FOR RFQ2023-087							
BID NUMBER:	NLC/2024-004	ISSUE DATE:	07/03/2024	CLOSING DATE:	29/03/2024	CLOSING TIME:	11:00
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER A RENEWAL OF MIMICAST LICENCES WITH MAINTENANCE AND TECHNICAL SUPPORT AND ADVISORY SERVICES FOR A PERIOD OF 5 YEARS.						
BID RESPONSE DOCUMENTS							
BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	SCM			CONTACT PERSON	ICT		
TELEPHONE NUMBER	012 432 1309			TELEPHONE NUMBER	012 432 1319		
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS				E-MAIL ADDRESS			
SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE				NUMBER		
CELLPHONE							

NUMBER					
FACSIMILE NUMBER	CODE			NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		O R	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No		B-BBEE STATUS LEVELSWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes No

RFP2023-007 – WORK STUDY

<p>1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES ENCLOSE PROOF]</p>	<p>2 ARE YOU A FOREIGNBASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES, ANSWER QUESTIONAIRE BELOW] <input type="checkbox"/></p>
---	---	---	--

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. TAX COMPLIANCE REQUIREMENTS

1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.

1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company

resolution)DATE: _____



BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,
employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?
YES/NO

2.2.1 If so, furnish particulars:

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

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, _____ the _____ undersigned,
(name).....in
submitting the accompanying bid, do hereby make the following
statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.

² 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.

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

.....

Signature

Date

.....

.....

...

Position

Name of bidder

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

(Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

#	Specific goals allocated points	Preference Points (80/20)	Required Evidence
1	HDI, percentage of black ownership <i>100% black ownership = 10 points and based on percentage pro rata for black ownership less than 100% eg: 67% = 6.7 points</i>	10	CSD Registration B-BBEE Certificate report NLC Company Registration
2	Percentage of women ownership <i>100% women ownership = 8 points and based on percentage pro rata for woman ownership less than 100% eg: 50% = 4.0 points</i>	8	CSD Registration B-BBEE Certificate report NLC Company Registration
3	Percentage of ownership persons with Disability <i>100% ownership = 2 points and based on percentage pro rata for persons with disability ownership less than 100% eg: 50% = 1.0 points</i>	2	Confirmation of Disability Form as per SARS (ITRDD Form) Medical Certificate

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company

- Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

.....

SECTION 6: CONSENT REQUEST FORM

SCM:

CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC'S SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 3.4 the biometric information of the person;
 - 3.5 the personal opinions, views or preferences of the person;
 - 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 3.7 the views or opinions of another individual about the person; and
 - 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART B

I, _____ (full names), duly authorized, hereby: Consent to the processing of my/our personal information for the application of procurement of goods and services, in line with the NLC supply chain management policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- Product Information
- Product Updates
- Industry Newsletters
- Price Changes

Method of Communication will be via: Email/Postal

- Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consent request Form:

-

Full Name: Date:

WITHDRAWAL OF CONSENT ONCE GIVEN

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal



ANNEXURE B: PRICING SCHEDULE

THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER A RENEWAL OF MIMECAST LICENCES WITH MAINTENANCE AND TECHNICAL SUPPORT AND ADVISORY SERVICES FOR A PERIOD OF 5 YEARS.

NLC/2024 - 004

Name of bidder.....

Please provide prices (VAT Inclusive) for the appointment of a service provider to render a renewal of Mimecast Licenses with Maintenance and technical support and advisory services. For comparative purposes, bidders are requested to quote on the yearly rate for the renewal of Mimecast Licenses as follows;

#	Description	Yearly/Monthly rate for Year 1 (Vat Inclusive)	Yearly/Monthly rate for Year 2 (Vat Inclusive)	Yearly/Monthly rate for Year 3 (Vat Inclusive)	Yearly/Monthly rate for Year 4 (Vat Inclusive)	Yearly/Monthly rate for Year 5 (Vat Inclusive)
A.	Renewal of Mimecast Licenses comprising of the following feature components as outlined in the terms of references:					

	<ul style="list-style-type: none"> • Email Security • Email Archiving • Email Continuity • Data Loss Prevention • DMARC Analyser for 2 domains • Large File Send 					
B	<p>Support:</p> <ul style="list-style-type: none"> • Maintenance support • Technical support • Training support • Advisory Services 					



NATIONAL LOTTERIES COMMISSION

a member of the dtic group



	Total price (A) for renewal of Mimecast Licenses for 5 years (Year 1+2+3+4+ 5): (VAT Inclusive)	R
2.	Total price (B) for maintenance & support for 5 years (year 1+2+3+4+5) (VAT Inclusive).	R
3.	Total bid price (A + B): VAT Inclusive.	R

.....

Signature

.....

Date