



Tender Ref #:	CoGTA (T) 02/2024	Tender Description:	APPOINTMENT OF A SERVICE PROVIDER TO ASSIST THE DEPARTMENT OF COOPERATIVE GOVERNANCE (THE DEPARTMENT) WITH COMPLIANCE IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 of 2013 (POPI ACT)
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PART A – BID DETAILS

1. The Department of Cooperative Governance (hereunder referred to as the Department or DCOG) invites qualifying bidders for appointment of a service provider to assist the DCOG with compliance in terms of the Protection of Personal Information Act 4 of 2013 (POPI ACT).
2. **Closing Date:** The bid closing date and time are indicated in the tender advertisement and bid documents (SBD-1). **Bids received after the closing date and time will not be accepted.**
3. **Briefing Session:** The briefing session will be held on **03 May 2024** on MS Teams. The briefing session is not compulsory.
4. **Contact information:** Prospective bidders **may not under any circumstances** contact or engage any DCOG officials other than the officials indicated below on any matter related to this tender. Enquiries must be directed to all the officials below. Enquiries sent to the DCOG officials below will be routed to the relevant employees and responses will be coordinated and provided by the officials indicated below.

ENQUIRIES	
Name:	Siviwe Ndaliso Olivia Thobejane
e-mail:	T02.2024@cogta.gov.za

The Department reserves the right to disqualify any bidder that contacts with or directly engages any other DCOG employee on matters / enquiries / questions related to this tender.

5. **Project duration:** Successful bidders will be appointed for a period of twelve (12) months.
6. **Bid / Proposal format**

Package 1: The following must be submitted – 1 copy:

- A detailed **proposal and project execution** plan addressing the scope and requirements indicated in Part F of this Terms of Reference (ToR). The proposal and project execution plan must contain all the information required to evaluate the bid against the requirements stipulated in these terms of reference.
- **Summary of Bidder Experience (Annexure A).** Must complete attached summary sheet and provide reference letters with contact details of referees,
- **Proposed project team (Annexure B & D).** Must provide detailed CVs that clearly indicate experience and qualifications as well as written confirmation of availability for this project.

Package 2: Pricing information (SBD 3.2 and SBD 3.3). Price proposals must include 15% VAT and must be fully inclusive to deliver all goods, services and outputs indicated in the terms of reference.

Package 3:

- SDBs 1,3.2, 3.3, 4 and 6.1 and all other required SCM documents.
- National Treasury Central Suppliers Database (CSD) report, not older than 30 days (www.csd.gov.za).
- Valid B-BBEE certificate issued by a SANAS accredited verification agency or sworn affidavit.

PART B –ADMINISTRATIVE REQUIREMENTS AND SPECIFIC GOALS

General principle: In cases where bidders submitted insufficient evidence or where evidence is ambiguous, bidders may be requested to provide additional evidence and may be re-scored based on this information. Additional information submitted may only be used as evidence to substantiate what is already contained in the proposal. **The costing and content of proposals may not be amended under any circumstances.**

1. BID DOCUMENTS – To be verified by SCM

Only bids that comply with all mandatory administrative requirements and that submitted all required bid documents (**acceptable bids**) will be considered during the functional evaluation phase. Only acceptable bids will therefore be scored by the Bid Evaluation Committee against the functional criteria indicated in Part C

SCM ADMINISTRATIVE COMPLIANCE CHECKLIST		
#	Criteria	Yes / No
1.1	Supplier is registered on the National Treasury Central Suppliers Database (CSD) on or before bid closing date.	
1.2	Supplier is Tax Compliant (as indicated on CSD) ¹ or verified through SARS ¹	
1.3	Supplier has a valid B-BBEE certificate issued by a SANAS accredited verification agency or a sworn affidavit ² .	
1.4	SBD 1 completed and submitted.	
1.5	SBD 3.2 completed and submitted	
1.6	SBD 4 completed and submitted.	
1.7	SBD 6.1 completed and submitted.	

Note 1: Bidders that are not tax compliant on the closing date for bids or at any time subsequent to the closing date, must rectify their tax compliance status within 7 working days of being requested to do so. Bidders that remain tax non-compliant after 7 working days of being requested to rectify their tax status, will be disqualified.

Note 2: Failure to submit a valid B-BBEE certificate issued by a SANAS accredited verification agency, or a sworn affidavit will not disqualify the bidder. Consortia or joint ventures must take note of the relevant sections of SBD 6.1 regarding requirements for B-BBEE certificates.

2. VERIFICATION OF INFORMATION PROVIDED – To be verified by SCM

No bids will be considered from:

1. Individuals in the service of the State.
2. Organisations with directors (whether remunerated or not) in the service of the State.

Where exceptions are allowed in terms of the applicable legislation, the bidder must attach an approved and valid Remunerative Work Outside of the Public Service (RWOPS). This clause does not apply to bidders that are government departments/entities.

The Department reserves the right to use the information provided by bidders to engage banks, credit rating agencies and the relevant government institutions to obtain information on credit records, criminal records, pending court cases, etc. Suppliers that show a history of poor financial/credit management and/or criminal behaviour will not be considered. The same will apply to the key team members as well as all directors / owners.

The Department reserves the right to apply the following criteria only to shortlisted / recommended bidders. Bidders must meet all four criteria below:

SCM ADMINISTRATIVE COMPLIANCE CHECKLIST		
#	Criteria	Yes / No
2.1	Team members, Director(s)/Owner(s) have not been convicted on charges related to fraud, corruption, or violent/abusive behaviour.	
2.2	Bidder and team members, Director(s)/Owner(s) do not have a history of poor financial / credit management.	
2.3	No team members, Director(s)/Owner(s) in the service of the state, or approved RWOPS attached where in the service of the state. This clause does not apply to bidders that are government departments/entities.	
2.4	SBD forms or subsequent enquiries did not reveal any information or past practices that prohibits the supplier from conducting business with the state.	

3. MANDATORY REQUIREMENTS

Failure to submit the below listed documents will render your bid null and void and will not be considered or will be disqualified.

Mandatory Requirement		
#	Criteria	Yes / No
3.1	Summary of Bidder Experience (Annexure A) attached.	
3.2	Detailed proposal and project execution plan submitted	
3.4	Fully completed and signed SBD 3.2	
3.5	CV of Compliance Manager/Team Leader including copies of qualifications	
3.6	CV of Training Facilitator including copies of qualifications	
3.7	References from previous and current similar contracts awarded to the bidder.	

4. SPECIFIC GOALS

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
BEE Compliance Based on Section 10 of the BBBEE Act (Act 53 of 2003 as amended by Act 46 of 2013)	8 Level 1= 8 pts Level 2 = 7 pts Level 3=6 pts Level 4= 5 pts Level 5= 4 pts Level 6= 3 pts Level 7= 2 pts Level 8= 1 pt Non-compliant contributor= 0	
Black ownership (51% or more)	4	
Women ownership (51% or more)	4	
Youth	3	
Disability	1	

PART C – FUNCTIONAL EVALUATION – To be evaluated by the BEC

All bids duly lodged will be evaluated to determine compliance with bid requirements and conditions. Bids with obvious deviations from the bid requirements/ conditions of bid and not acceptable to the evaluation committee will be eliminated from the adjudication process (i.e. will not be shortlisted).

All bid proposals submitted will be evaluated in accordance with the 80/20 principle and the evaluation criteria should be as follows:

Stage 1: Compliance with mandatory/minimum requirements of the bid

- All bids duly lodged will be evaluated to determine compliance with requirements and conditions of the bid.
- All proposals that do not comply with the administrative requirements/conditions of the bid will be disqualified.
- All bids that comply with the mandatory/minimum requirement/conditions of the bid will be evaluated in two stages.

Stage 2A: Functionality will be assessed to determine whether the bids comply or do not comply as indicated below.

Stage 2B: The criteria indicated below will be applied for functionality to assess all bidders who complied with minimum requirements.

Stage 3:

- The qualifying bidders in the Stage 2 will be evaluated further on price and BEE Contributor Level using 80/20 preference point system as prescribed in Preferential Procurement Policy Framework Act 2000, Preferential Procurement Regulations 2022 and approved DCOG Supply Chain Management Policy 2023.

The evaluation will be done as follows:

The system comprises the following elements:

- (i) **Functionality.....100**
- (ii) **Price.....80**
- (iii) **B-BBEE Contributor level and Specific Goals.....20**

FUNCTIONAL EVALUATION: STAGE 2A

The following criteria will be applied for functionality to assess all the bidders who complied with the requirements. Bidders must comply with all four (4) requirements for each team member to be evaluated further. Bidders that did not meet these requirements will be eliminated.

- **Compliance Manager/Team Leader**

Requirements	Comply	Do not comply
1. Certificates or Qualification in Compliance Management, and Project Management		
2. At least 3 years’ experience in areas such as compliance management, compliance assessment, project management, team leading, managing deliverables, achieving targets, monitoring, and evaluation, ensuring stakeholder satisfaction, managing project risks, and developing progress reports.		
3. Knowledge and proven track record (experience) in POPIA compliance management, assessment and producing reports, project management, team leader, managing deliverables, achieving targets, monitoring, and evaluation, ensuring stakeholder satisfaction, managing project risks, and developing progress reports on work set out in Part F Par 5.		

4. Signed Contactable references as Compliance Manager/Team Leader in projects with proven reference letters that specifies similar work undertaken as per Part F Par 5		
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• **Training Facilitator**

Requirements	Comply	Do not comply
1. At least 1 certified facilitator or trainer		
2. At least 3 years' experience as a certified facilitator or trainer.		
3. Knowledge and proven track record (experience) in facilitating or providing training on POPIA requirements and compliance.		
4. Signed Contactable references as Facilitator or Trainer with proven reference letters that specifies similar work (POPIA requirements and compliance).		

FUNCTIONAL EVALUATION: STAGE 2B

SCORECARD FOR FUNCTIONALITY:

- (a) **The following criteria will be applied for functionality to assess all the bidders who complied with minimum requirements:**

Bids will be rated in respect of each criterion on a scale of 1 – 5 where 1 = poor, 2 = acceptable, 3 = good, 4 very good and 5 = excellent. The possible score that can be achieved for functionality is 70.

- (b) The following formula will be utilised to convert the functionality scores:

$\sqrt{Ps} = So/Ms \times 100$ where:

- Ps = percentage scored for functionality by bid/proposal under consideration
- So = total score of bid/proposal under consideration
- Ms = maximum possible.

- (c) The average score is calculated for each bid by adding the individual scores awarded by the members of the bid evaluation committee and dividing the total by the number of the members. Bids that do not achieve the score of 70 (out of 100) for functionality will not be evaluated further and will not pass to STAGE 3 of this Bid.

Scoring System Guide
0 – Does not comply with the requirements.
1 – Compliance with less than three (3) requirements.
2 – Compliance with three (3) requirements.
3 – Compliance with four (4) requirements.
4 – Compliance with all five (5) requirements.

(c)(i) Project plan and methodology

The proposal and project execution plan should outline, but not limited to – 1) How bidders will implement the POPI Act across six (6) Branches of the Department Should include a clear articulation on deliverables and timelines, milestones, effort and resources required to complete the project. 2) Should include a clear articulation on deliverables and timelines, milestones, effort and resources required to complete the project. 3) Change management plan to effectively prepare, equip and support Staff through change. This management plan should focus on changes in mindsets, skills and knowledge that will be required to achieve POPI Act compliance. 4) Set out how the Department should approach the management of POPIA risks by setting out the short-, medium-, and long-term action plans on the implementation of the POPI Act, including a POPIA compliance roadmap for the Department. 5) Should indicate how the bidders will engage Staff in the implementation of POPIA.	Weight	10
Description		
0 = Addresses none of the elements listed above.		0
1 = Adequately addressed less than three (3) of the elements listed above.		1
2 = Adequately addressed three (3) of the elements listed above.		2
3 = Adequately addressed four (4) of the elements listed above.		3
4 = Adequately addressed all five (5) of the elements listed above.		4
TOTAL		

(c)(ii) Bidders’ experience and client reference on POPI Act Implementation

Proven number of years’ experience the bidders’ rendered services as contained in the ToR, including POPIA compliance management and assessment. 1) No similar project undertaken. 2) Two (2) POPI Act Implementation projects undertaken with two (2) contactable references and proof of references attached. 3) Three (3) POPI Act Implementation projects undertaken with three (3) contactable references and proof of references attached. 4) Four (4) POPI Act Implementation projects undertaken with four (4) contactable references and proof of references attached. 5) Five (5) POPI Act Implementation projects undertaken with five (5) contactable references and proof of references attached.	Weight	10
Description		
0 = Complies with none of the elements listed above.		0
1 = Adequately complies with less than three (3) elements listed above.		1
2 = Adequately complies with three (3) of the elements listed above.		2
3 = Adequately complies with four (4) of the elements listed above.		3
4 = Adequately complies with all five (5) of the elements listed above.		4
TOTAL		

(c)(iii) Bidders experience in conducting POPI Act awareness training and change management

Bidders should provide proof and contactable references relating to approach on POPI Act training, skills transfer and change management.	Weight	5
1) No contactable references and proof of references on POPI Act training, skills transfer and change management attached.		
2) Two (2) contactable references and two (2) proof of references on POPI Act training, skills transfer and change management attached.		
3) Three (3) contactable references and three (3) proof of references on POPI Act training, skills transfer and change management attached.		
4) Four (4) contactable references and proof of references on POPI Act training, skills transfer and change management attached.		
5) Five (5) contactable references and proof of references on POPI Act training, skills transfer and change management attached.		
Description		
0 = No similar project undertaken		0
1 = Adequately complies with two (2) elements listed above		1
2 = Adequately complies with three (3) of the elements listed above		2
3= Adequately complies with four (4) of the elements listed above		3
4 = Adequately complies with all five (5) of the elements listed above		4
TOTAL		

Bidders who meet all the mandatory/minimum requirements for stage 1, stage 2 A and stage 2 B will be evaluated further to stage 3.

PART D – PRICE EVALUATION AND AWARD– To be evaluated by the BEC.

Only bids that met all administrative requirements and the mandatory/minimum functional requirements will be evaluated in terms of the provisions of the Preferential Procurement Framework Act and related regulations – see attached bid documents. The evaluation method (80/20) and preference points allocation applicable to this bid are indicated in the attached SBD 6.1 and on Annexure C.

The bids must contain a price breakdown per deliverable as per Annexure C and the price will be fixed for the duration of the contract.

PART E –SPECIAL CONDITIONS AND CONTRACT MANAGEMENT

1. SPECIAL CONDITIONS APPLICABLE TO THIS BID

- 1.1. The Department may, at its sole discretion, cancel this bid.
- 1.2. The period of thirty days (30 days) referred to in the General Conditions of Contract paragraph 27.2 applies. If the service provider is found to have engaged in fraudulent activities or caused the Department to incur irregular expenditure, the Department reserves the right to cancel the bid and any subsequent SLA with immediate effect. Repercussions for the conduct of the Service Provider referred to above may include blacklisting of the Service Provider thus preventing them from doing business with government for a period of 10 years.
- 1.3. The Department may, at its own discretion, require that each employee of appointed services providers as well as each contractor or other participant, sign a code of conduct to promote ethical behaviour. The Department may, at its sole discretion, prohibit any person found to be in breach of such code of conduct from further participation or involvement in the project.
- 1.4. Additional conditions for an applicant who would like to apply as a Consortium / Joint Venture. It is recognized that applicants may wish to form consortia or joint ventures to respond to this bid. The following guidelines apply:
 - Bidders are prohibited from being part of more than one consortium / joint venture and to submit an individual bid and a bid as part of a consortium / joint venture.

- One of the members shall be nominated by the others as authorised to be the lead applicant and this authorisation shall be included in the agreement entered between the consortium members.
- The lead applicant in the Consortium or Joint Venture must satisfy all the administrative requirements contained in the ToR and submit all the relevant documents necessary to meet the minimum requirements of the applications.
- Other members of a consortium or a joint venture must comply with the requirements in line with Service Provider Funding Policy prescripts for the respective Service Provider categories.
- The consortium/joint venture submission must be signed-off by each institution/organisation to be legally binding on all consortium members.
- The lead applicant shall be the only authorised party to make legal statements, communicate with the department, and receive instructions for and on behalf of all the members of the consortium.
- The lead applicant shall be held responsible for the delivery of services and for meeting conditions outlined in this bid.
- A copy of the agreement entered and signed by all members of the consortium or joint venture shall be submitted with the consortium proposal indicating the respective responsibilities of each party.
- Indicate how the joint venture/ consortium will be managed in the event of a dispute arising during the implementation period of the programme (Provide a contingency plan of managing any possible conflicts).

2. CONTRACT MANAGEMENT

- 2.1. The successful bidder will be required to enter into a service level agreement (SLA) with the Department of Cooperative governance. The National Treasury General Conditions of Contract (GCC) will form part of the SLA to be concluded between DCOG and the successful bidder.
- 2.2. The SLA will include project assignments that will address each of the project deliverables. The SLA may further establish a Project Steering Committee to manage, monitor and oversee the project such as:
 - Ensure that services are rendered timeously;
 - render a quality assurance function; and
 - ensure that the project remains within the allocated budget.
- 2.3. The SLA will include a detailed payment schedule. Payments will therefore only be approved and processed on the basis of the achievement of deliverables as per the implementation plan and/or project plan and related performed project tasks.
- 2.4. If the parties (the Department and the appointed service provider) are unable to reach agreement on the special conditions of contract (SLA) after a period of 14 calendar days of the date on which the bid award is communicated to the service provider, then the Department reserves the right to cancel the award to the service provider and to appoint another service provider.
- 2.5. Bidders should note that:
 - All information related to this bid, or information provided to the service provider subsequent to the award of this bid, must be treated as confidential and may not be disclosed in any way to third parties without the explicit written consent of DCOG.
 - All rights, title and ownership of any Intellectual Property developed by or for the Service Provider or DCOG independently and outside of execution/production of the Deliverables related to this bid and provided during the course of this project ("Background IP") shall remain the sole property of the party providing the Background IP.
 - To the extent that the Service Provider utilises any of its Background IP in connection with the Deliverables, such Background IP shall remain the property of the Service Provider and DCOG shall acquire no right or interest therein. Service Provider shall grant DCOG a non-exclusive, royalty-free, non-transferable licence to use such Background IP strictly for purposes of making beneficial use of the Deliverables into which such Background IP has been incorporated.
 - All Intellectual Property rights in Bespoke Deliverables are or will be vested in and owned by DCOG unless specifically agreed otherwise in writing. The Service Provider agrees that it shall not, under any circumstances, question or dispute the rights and ownership of DCOG in and to the Bespoke Deliverables. DCOG shall grant the Service Provider a non-exclusive, royalty free, non-transferable licence to use the Bespoke Deliverables for the purpose of performing its obligations under this project.

- The Service Provider may not publish or sell, in whole or in part, any Bespoke Deliverables emanating from this project without the explicit written consent of DCOG.
 - The Copyright of any Bespoke Deliverables shall vest in DCOG.
- 2.6. No amendments to the SLA or any variation, waiver, relaxation, or suspension of any of the provisions thereof shall have any force or effect, unless reduced to writing and signed by both parties.

PART F – DETAILED REQUIREMENTS

1. PURPOSE OF ASSIGNMENT

The purpose of these terms of reference (tor) is to invite bids for appointment of a service provider to assist the Department with compliance in terms of the POPI Act.

2. INTRODUCTION AND BACKGROUND

2.1 The Department, in delivering on its mandate, must do so in compliance with applicable laws. The Department is made up of six branches such as:

- Local Government Operations and Support.
- Policy, Governance and Administration.
- National Disaster Management Centre.
- Corporate Services.
- Financial and Supply Chain Management.
- Community Work Programme.

2.1.1 Local Government Operations and Support (LGOS)

- The LGOS Branch facilitates and coordinate intergovernmental relations to support the development, implementation and monitoring of integrated plans and capacity building programmes.

2.1.2 Policy, Governance and Administration (PGA)

- The PGA Branch provides support and direction on the establishment and maintenance of efficient and effective municipal governance and administration policies and systems.

2.1.3 National Disaster Management Centre (NDMC)

- The NDMC Branch promotes an integrated and coordinated system of disaster management with special emphasis on prevention and mitigation by all role-players and stakeholders.

2.1.4 Corporate Services

- The Corporate Services Branch provides integrated and innovative corporate management solutions and services to enable the Department to achieve its strategic and operational objectives.

2.1.5 Financial and Supply Chain Management (FSCM)

- The FSCM Branch provides efficient and effective financial and supply chain management support services.

2.1.6 Community Work Programme (CWP)

- The CWP Branch manages the implementation of the Community Work Programme.

2.2 The POPI Act places an obligation on the Department to ensure that whenever it processes personal information it does so in compliance with the provisions of the POPI Act.

2.3 On 22 June 2020, through Proclamation No. R. 21 of 2020 issued under section 115 of the POPI Act, the President of the Republic determined-

- 1 July 2020 as the date on which sections 2 to 38; 55 to 109; 111; and 114(1), (2) and (3) shall commence; and
- 30 June 2021 as the date on which sections 110 and 114(4) shall commence.

- 2.3 Since the proclamation was issued, all Responsible Parties (i.e. the Department) were granted one year grace period to set up their compliance infrastructure before 1 July 2021. From 1 July 2021, the Department has had to put in place measures to ensure lawful processing of personal information and meet its responsibilities in terms of the POPI Act.
- 2.4 The Department has taken steps to comply, however there is still a lot of work that needs to be done to ensure that it complies with POPI Act. The Department has so far done the following activities in an effort to comply with the POPI Act:
- Registration of the Information Officer and Deputy Information Officers with the Regulator.
 - Put in place an approved PAIA And POPIA Manual.
 - Produced a draft Compliance Framework.
 - Appointed the POPIA Compliance Champions for all the branches in the Department.
 - Developed a template, which has been completed by the Compliance Champions, aimed at determining the types of personal information it processes, scope, context and the purpose of collection.

3. PROBLEM STATEMENT

- 3.1 Section 55(2) of POPI Act requires that the responsible party (i.e. Department) register its Information Officer with the Regulator before taking up his or her respective duties in terms of POPI Act and the Promotion of Access to Information Act 2 of 2000.
- 3.2 Regulation 4. (1) of the POPI Act, adds the following requirements and responsibilities of Information Officers in compliance with the POPI Act:
- (a) a compliance framework is developed, implemented and monitored;
 - (b) Personal information impact assessment is done to ensure that adequate measures and standards exists in order to comply with the conditions for the lawful processing of personal information;
 - (c) a manual is developed, monitored, maintained, and made available as prescribed in sections 14 and 15 of Promotion of Access to Information Act;
 - (d) Internal measures are developed together with adequate systems to process requests for information or access thereto; and
 - (e) Internal awareness sessions are conducted regarding the provisions of the Act, regulations made in terms of the Act, codes of conduct, or information obtained from the Regulator.
- 3.3 The POPI Act further provides conditions that the Department must meet for processing of personal information to be lawful. To this end the Department is looking for a service provider to assist the Department with compliance in terms of the POPI Act and the review of the work already done by the Department in an effort to comply with the POPI Act.

4. SCOPE OF THE ASSIGNMENT AND DELIVERABLES

- 4.1 To this end the service provider must ensure the following outputs/deliverables:
- (a) Project Plan
 - The project plan must set out:
 - the deliverables, milestones, effort and resources required to complete the tasks.
 - Short, medium, and long term action plans on the implementation of the POPI Act, including a POPIA compliance roadmap for the Department.
 - Project inception meeting and presentation of the project plan to the project steering committee
 - (b) Compliance Framework
 - Review the draft Compliance Framework and provide inputs to ensure that it meets the required standards.
 - Develop policies and procedures.
 - Reviewal and alignment of all policies in the Department.
 - (c) PAIA And POPIA Manual

- Review the approved PAIA and POPIA Manual and provide inputs to ensure that it meets the required standards.
- (d) Personal Information Impact Assessment (PIIA)
- Using the information already gathered by the POPIA compliance champions, develop a PIIA for the Department, including the following:
 - Engage with Staff for data collection and analysis of information.
 - Identify processing that are likely to result in high risk to data subjects.
 - Make recommendations on the adequate measures and standards to be developed to comply with the conditions for the lawful processing of personal information.
- (e) Four online awareness sessions to the Department on the provisions of the POPI Act
- Provide four awareness/training sessions to all Staff on the provisions of the POPI Act, regulations made in terms of the POPI Act, codes of conduct, and guidelines and information obtained from the Regulator, which will be split between two different groups, consisting of Staff on salary levels between 13 – 16 and the other group will be Staff on salary levels between 3 – 12.
 - Each group will receive two trainings, the first training will be conducted at the beginning of the Project, and the last training will be conducted at the end of the Project.
 - Develop and implement a change management plan on compliance with the POPI Act.

4.2 Project timeline is as follows:

PHASE 1

Name of the output	Audience	Project Timeline
Project Inception Meeting	Project Steering Committee	Month 1
Development of the Project Plan	Project Steering Committee	Month 1
2 (Two) Internal awareness sessions with Staff split into 2 groups	<ul style="list-style-type: none"> - 1st group – salary levels 13 – 16 - 2nd group – salary levels 3 – 12 	Month 1

PHASE 2

Name of the output	Audience	Project Timeline
1. Developing Personal Information Impact Assess (PIIA)	Staff engagement at Branch level	Within months 2,3, 4, 5,6
PIIA must determine and identify- <ul style="list-style-type: none"> - What kind of impact the POPIA has on each Branch - Whether each Branch meets some of the functions required by POPIA 	Staff engagement at Branch level	Within month 2,3, 4, 5,6

<ul style="list-style-type: none"> - Whether each Branch has adequate measures and standards in place to comply with lawful processing of information. - Whether each Branch's processing activities comply with POPIA - Gaps in each Branch's processes. 		
2. Compliance Framework	Project Steering Committee	Within months 2,3, 4, 5,6
<ul style="list-style-type: none"> - Review draft framework. - Existing policy review and development in alignment with POPIA requirements. 	Project Steering Committee	
3. PAIA and POPIA Manual	Project Steering Committee	Within months 2,3, 4, 5,6

PHASE 3

Name of the output	Audience	Project Timeline
Produce a Draft PIIA Document	Project Steering Committee	Month 7
Produce a Draft Compliance Framework	Project Steering Committee	Month 8
Produce a Revised PAIA and POPIA Manual	Project Steering Committee	Month 8

PHASE 4

Name of the output	Audience	Project Timeline
Final PIIA Document	Project Steering Committee	Month 9
Final Compliance Framework	Project Steering Committee	Month 10
Final Revised PAIA and POPIA Manual	Project Steering Committee	Month 10

PHASE 5

Name of the output	Audience	Timeline
2 (Two) Internal awareness sessions with Staff split into 2 groups	<ul style="list-style-type: none"> - 1st group – salary levels 13 – 16 - 2nd group – salary levels 3 – 12 	Month 11
Develop and implement a change plan on compliance with POPIA	Project Steering Committee	Month 12
Detailed Report on the work done.	Project Steering Committee	Month 12

PLEASE NOTE: Progress report must be submitted to the Project Manager monthly.
Change management in terms of the implementation of the POPI Act requirements must be applied throughout the duration of the project.

4.3 The contract with the successful service provider will be for a period of Twelve (12) months to complete.

4.4 The project will commence upon date of signing of the Service Level Agreement (SLA) between the DCoG and the successful bidder/ service provider.

5. Skills and knowledge requirements

5.1 Service providers must have:

- knowledge and demonstratable experience in information and data security.
- demonstratable experience in the implementation of the POPI Act.

- demonstratable experience in Compliance Management.
- demonstrate experience in the POPI awareness training.

5.2 Compliance Manager/Team Leader

A Compliance Manager/Team Leader is required to assess and advise on adherence by the Department with the legal requirements set out in POPIA. Conduct an assessment on compliance with current relevant policies and procedures regarding POPIA. Develop a compliance management platform for monitoring of legal compliance with POPIA.

5.3 Training Facilitator

A Training Facilitator is required to raise awareness amongst the employees through the POPI training sessions; and the development of awareness materials to give employees a solid understanding of the POPI Act and how it will affect them and their everyday work environment.

6. Performance measurement/ reporting

6.1 To facilitate the performance of the successful service provider and monitor its scope of work, the Department will:

- Enter into a Service Level Agreement (SLA) that will govern the relationship between Department and the service provider.
- The SLA will include project assignments that will address each of the project deliverable.
- Establish a Project Steering Committee to manage, monitor and oversee the project. This committee will ensure that:
 - Services are rendered timeously;
 - Timeframes as far as possible are not extended;
 - Will render a quality assurance function; and
 - Will ensure that additional costs are not incurred unnecessarily.

6.2 The service provider will be expected to table progress reports for each deliverable contained in the project/ implementation plan as agreed to and as per the SLA.

6.3 Monitor the payment schedule that will be attached to the SLA. Payments will therefore only be approved and processed on the basis of the achievement of deliverables as per the project/ implementation plan and related performed project activities.

6.4 These deliverables and related payments will be recommended by the Project Manager and approved by the Project Steering Committee.

7. Form of proposal

7.1 Bidders are required to comply with a specific format when submitting their bids. The format specified in the ToR must correspond with the various elements of the bid evaluation system to facilitate the evaluation and scoring of bids, e.g.:

7.1.1 Functionality

- Project Plan and methodology.
- Bidder's experience and client references.
- Qualifications (team members).
- Approach on awareness, training, and skills transfer.

7.1.2 Pricing

- Methodology project implementation plan aligned to deliverables.
- Project costing per deliverables on paragraph 5 in Part F, include admin costs (offices, computers, telecom, travelling, etc.)
- Admin costs (offices, computers, telecom, travelling, etc.)

- (d) Any other costs (to be specified by bidder)
- (e) Value Added Tax
- (f) Ceiling price (all-inclusive total tender price)

7.2 A bidder must include a **detailed project/ implementation plan/ methodology** with the **detailed** budget reflecting all costs as per the proposal in their bid aligned to deliverables and scope of work.

Failure to submit the detailed project plan and budget containing cost-breakdown according to the deliverables (as per the proposal) together with the bid will result in the bidder' bid being invalidated and rejected.

7.3 The following information must be included in the project/ implementation plan:

- (a) Project implementation plan that indicates the following:
 - (i) Clearly defined milestones that are 100% aligned to each of the key objectives as well as each of the expected outputs/ deliverables as outlined in the scope of work.
 - (ii) Well defined timelines for each of the activities and deliverables.
 - (iii) Allocation of human resources and cost-breakdown for each of the activities and deliverables.
- (b) Proposed governance arrangements to support project implementation which may include but not limited to:
 - (i) The establishment of a project steering committee.
 - (ii) The establishment of a project management team inclusive of the service provider and the DCoG team.
 - (iii) Provision of secretariat support for the governance structures that will be established.
- (c) Awareness Sessions Plan developed in line with the Terms of Reference.

Failure to include the above stated information together with the bid document on the closing date and time will invalidate the bid.

7.4 The following information must be included in the work plan:

- (a) Project implementation Plan that indicates the following:
 - (i) Clearly defined milestones that are 100% aligned to each of the key objectives as well as each of the expected outputs/ deliverables as outlined in the scope of work.
 - (ii) Well defined timelines for each of the activities and deliverables.
 - (iii) Allocation of Human Resources & Cost-breakdown of each of the activities and deliverables.
- (b) Proposed Governance Arrangements to support project implementation which may include but not limited to:
 - (i) The establishment of a project steering committee.
 - (ii) The establishment of a project management team inclusive of the service provider and the DCoG team.
 - (iii) Provision of secretariat support for the governance structures that will be established.
- (c) Awareness Sessions Plan developed in line with the Terms of Reference.
- (d) Previous and current similar contracts awarded to the bidder as well as client references.

Failure to include the above information together with the bid document on the closing date and time will invalidate the bid.

ANNEXURE A: BIDDERS EXPERIENCE SUMMARY

Contracting party (Company/entity name)	Project title and description	Start date	End date	Budget

Bidders must ensure that their proposals contain details of how projects listed above are relevant to the objectives of this project.

Bidders must attach reference letters and/or contactable references for projects listed above.

ANNEXURE B: PROJECT TEAM SUMMARY

Role	Surname, Name	RSA ID Number	Highest Qualification	Current Employer	Total Year of Experience	Total Year of Experience in similar projects
Compliance Manager/Team Leader						
Training Facilitator						
Team member 1						
Team member 2						

Attach detailed CV as well as confirmation of availability for each person listed above. The CV must cover the following minimum requirements:

- Personal details
- Qualifications and duration of the qualification
- Experience indicating the employer, role (position), description of duties and number of years for each role. The experience should focus on those relevant to the project.

Attach copies of qualifications for the Compliance Manager/Team Leader, Training Facilitator and other members. Information obtained from the CSD report will be used to verify the criminal records and credit status of the Compliance Manager/Team Leader, Training Facilitator, where applicable.

ANNEXURE D

Item	Details
Full Name	
Surname	
ID Number	
Qualification	<p>Qualification 1: (Attache certified copy) Name of Qualification: Institution: Year Obtained:</p> <p>Qualification 2 (Attach certified copy) Name of Qualification: Institution: Year Obtained:</p>
Experience	<p>Name of Organisation: Period from and to: Total Experience: Position: Brief Description of the role linked to the Implementation of POPIA</p>
Experience	<p>Name of Organisation: Period from and to: Total Experience: Position: Brief Description of the role linked to the Implementation of POPIA</p>
Experience	<p>Name of Organisation: Period from and to: Total Experience: Position: Brief Description of the role linked to the Implementation of POPIA</p>
Experience	<p>Name of Organisation: Period from and to: Total Experience: Position: Brief Description of the role linked to the Implementation of POPIA</p>

If the template does not allow more information, you are at liberty to add more blocks to accommodate entire information.

