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## TERMS OF REFERENCE:

**BID NO: CT/001/ (20/21)**

### **BID DESCRIPTION:**

**THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE BUSINESS CONTINUITY SOLUTION TO COMPANIES TRIBUNAL FOR A PERIOD OF TWO (2) YEARS**

Closing date: **04 September 2020 @ 11h00am**

No briefing session to be held

Bid Validity period: **120 days**

**NB: On the last page of this document the bidder needs to declare and indicate that they have read and understood the document in full.**

**Due to Covid19 restrictions, emailed bids, as well as hand delivery and courier where possible will be accepted.**

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## 1. BACKGROUND

The Companies Tribunal (CT) which is an agency of the Department of Trade and Industry is looking for a service provider to provide CT with a service of a Cloud Disaster Recovery and Backup Solution for the purposes of Offsite Backups and Business Continuity for a period of two (2) years. **The Service Provider must have the expertise in IT infrastructure and have 10 or more years specializing in cloud and backup solutions.** The successful service provider should ensure that the following services are always available should a disaster strike the Tribunal on premises datacentre and CT should also be able to restore any data type at any given time and be to remotely access services available to the cloud secondary datacentre efficiently.

## 2. SCOPE OF WORK

**Service Provider should also ensure the following:**

- Have their datacentre hosted locally (SA)
- Have their services uptime of 99.9% at any given time
- The proposed solution should incorporate simple and efficient data backup & restore solution
- Have an alternative backup datacentres in case of major technical issues on the primary one
- Provide simple and efficient DR testing solution
- Solution proposed should be able to backup all types of data files
- Simple and swift re-routing of services to DR site in case of disaster
- Provide efficient remote access to services available to the cloud secondary datacenter
- All services subscribed to are accessible and recoverable in minimal time
- Synchronization to DR site should be settable/adjustable for any date and time
- Must provide high bandwidth connection for remote access

## 3. DELIVERABLES

**Specifications of servers on premises that needs to be sync'd to DR site**

### Physical Servers

Domain Controller Server	Requirement (Minimum)
RAM	16 GB
Processor	64-bit, 4 cores
Operating System Hard Drive	80 GB
Storage Hard Drive	200 GB
SQL Server	Requirement (Minimum)
RAM	16 GB
Processor	64-bit, 4 cores
Operating System Hard Drive	80 GB
Database Hard Drive	100 GB

### Virtual Servers

CMS SharePoint Server	Requirement (Minimum)
RAM	8 GB
Processor	64-bit, 4 cores
Operating System Hard Drive	80 GB
Storage Hard Drive	100 GB

<b>CMS K2 Server</b>	<b>Requirement (Minimum)</b>
RAM	16 GB
Processor	64-bit, 4 cores
Hard Drive	100 GB
<b>CMS Online Portal</b>	<b>Requirement (Minimum)</b>
RAM	8 GB
Processor	64-bit, 4 cores
Hard Drive	80 GB
<b>Pastel Server</b>	<b>Requirement (Minimum)</b>
RAM	8 GB
Processor	64-bit, 2 cores
Hard Drive	100 GB
<b>VIP Server</b>	<b>Requirement (Minimum)</b>
RAM	8 GB
Processor	64-bit, 2 cores
Hard Drive	100 GB

#### 4. GENERAL REQUIREMENTS

- a) The bidders must submit a detailed company profile, detailing the history and background.
- b) Clientele – Provide a list of clients for whom similar services were rendered on a regular basis in the past 5 years.
- c) CV/Resumes of the account manager to be responsible to handle the Tribunal portfolio and the service team.
- d) A Contingency plan for any instances when identified team members may not be available for a specific requirement at a specific time.
- e) Contact details of at least five references from among recent clients with whom a similar work has been conducted.
- f) Provide an infrastructure setup overview and how it works
- g) Provide a procedure to seamlessly and efficiently reroute connection to DR site
- h) Provide surety about privacy and security of our information.

#### 5. EVALUATION PROCESS

CT will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). 4 phase evaluation criteria will be considered in evaluating the bid as follows:

##### a. Phase 1: Pre-Qualification Criteria (Mandatory requirements)

This stage checks and validates the bidder's compliance with legal requirements to conduct business with the government of South Africa.

All proposals duly lodged will be examined to determine compliance with bidding requirements and conditions (completion and attachment of compulsory documents). NB: No points will be allocated to this stage; however bidders that do not comply with the Mandatory requirements below will be disqualified and will not advance to the next stage of evaluation.

<b>Pre-Qualification Requirements</b>		<b>Check list</b> √ Tick each box
SBD 1:	Completed, attached and signed	
SBD 2:	Completed, attached and signed	
SBD 3.1:	Completed, attached and signed	
SBD 4:	Completed, attached and signed	
SBD 6.1:	Completed, attached and signed	
SBD 8:	Completed, attached and signed	
SBD 9:	Completed, attached and signed	
Terms of Reference document: Completed, attached and signed		
General Conditions of Contract: Initialled and attached		
Proof of registration on Central Supplier Database (managed by National Treasury)		

**Note: All SBD forms must be submitted (signed) noting where it is not applicable. If any specific SBD form is not submitted, documentary proof clearly stating the reasons must be attached.**

Bidders must also supply the following documents (where applicable).

<b>Other Requirements</b>	<b>Check list</b> √ Tick each box
Valid B-BBEE Certificate or affidavits (attach certified copy)	
Company Registration documents	

## b. Phase 2: Functional/Technical Evaluation

Only bidders that have met the pre-qualification criteria will be evaluated for functional evaluation. In this phase the evaluation will be based on the bidder's responses in respect of the bid proposal. Prospective bidders who score a minimum of 60 points or more will be considered for the next phase 3 (Functionality – Site Visit).

All proposals will be evaluated for functionality as follows:

<b>Technical (Functionality) proposal</b>		<b>Maximum points to be awarded</b>
<b>1.</b>	<b>Company Information and relevant experience:</b> <ul style="list-style-type: none"> <li>History/background of the bidder including the number of years in operation specializing of IT infrastructure and Cloud Technologies. 1 – 4 years = 5 points 5 – 10 years = 15 points 11 years and above = 20 points</li> </ul>	<b>20</b>
<b>2.</b>	<b>Competency requirements:</b> <ul style="list-style-type: none"> <li>Provide evidence of similar projects undertaken at other organizations.</li> </ul>	<b>20</b>
<b>3.</b>	<b>Technical:</b> <ul style="list-style-type: none"> <li>Service provider must have experience in providing support and monitoring at all times (24x7x365).</li> </ul>	<b>15</b>
	<ul style="list-style-type: none"> <li>Service provider is expected to be in conformation of scope of work. (point 1 - background and 2 - scope)</li> </ul>	<b>30</b>
<b>4.</b>	<b>Reference:</b> <ul style="list-style-type: none"> <li>Written and contactable reference letters from clients where a similar service has been rendered. 1-3 reference letters – 2 points 4 -5 reference letters – 5 points 6 and above reference letters – 10 points</li> </ul>	<b>10</b>
<b>5.</b>	<b>Supply:</b> <ul style="list-style-type: none"> <li>Ability to commence with setup within two (2) weeks of appointment.</li> </ul>	<b>5</b>
<b>Total technical points</b>		<b>100</b>
<b>Minimum threshold for technical (functionality)</b>		<b>60</b>

A point scoring system would be utilized as follows:

Score	Description
1	Does not meet requirements, or no information supplied.
2	Meet some of the requirements
3	Almost meet all requirements
4	Fully meet all requirements
5	Exceeds all requirements

### c. Phase 3: SITE VISIT TO THE DATACENTRE

Bidders that have passed Phase 2 stage of evaluation will proceed to Phase 3 of evaluation which is site visit to the datacenter. Prospective bidders who score a minimum of 60 points or more will be considered for the next phase 4 (Price and B-BBEE Status level of contributor).

	Functionality (Site Visit)	Maximum points to be awarded
1	Datacenter must be fully equipped with: <ul style="list-style-type: none"> <li>• Air Conditioner (Cooling system)</li> <li>• Fire Suppression System</li> <li>• Smoke detector</li> <li>• Security door</li> <li>• Elevated floor and plugs</li> <li>• Fire distinguishers</li> <li>• Fireproof and waterproof walls</li> <li>• UPS</li> </ul>	40
2	Datacenter must have backup/failover site and secondary power supplies	30
3	Datacenter must be highly secured with: <ul style="list-style-type: none"> <li>• Tight building and facility access</li> <li>• Surveillance camera</li> <li>• Secured cabinets</li> <li>• Network and remote access monitoring</li> </ul>	30
<b>Total technical points</b>		100
<b>Minimum threshold for technical (functionality)</b>		60

A point scoring system would be utilized as follows:

Score	Description
1	Does not meet requirements, or no information supplied.
2	Meet some of the requirements
3	Almost meet all requirements
4	Fully meet all requirements
5	Exceeds all requirements

**d. Phase 4: Price and B-BBEE Status level of contributor**

**Points awarded for price**

The 80-preference points system for price would be utilized for procurement with a contract of up to R50 000 000.00 (VAT inclusive).

The following formula would be applied:

$$P_s = 80[1 - P_t - P_{min} / P_{min}]$$

Where:

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Rand value of bid under consideration

$P_{min}$  = Rand value of lowest acceptable bid

**Points awarded for B-BBEE status level of contributor**

**A maximum of 20 points will be awarded for B-BBEE Status Level of Contributor.**

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0



## 6. VALIDITY OF PROPOSALS

- The Supplier is required to confirm that it will hold its proposal valid for **120 days** from the closing date of the submission of proposals.
- In exceptional circumstances, CT may solicit the bidder's consent to an extension of the period of the validity of the bid. The request and responses thereto shall be made in writing.

## 7. BID DOCUMENTS

Bid documents are available on the website ([www.companiestribunal.org.za](http://www.companiestribunal.org.za)) at no cost. No staff member will download bid documents for the bidders.

## 8. SUBMISSION OF PROPOSALS

- a. Two (2) enveloped system must be utilised with one envelope containing the functionality and the other envelope containing Price and B-BBEE certificate, same process to be followed when submitting by email, separate emails should be send with one containing information on functionality and the other email containing information on Price and B-BBEE
- b. Proposals must be submitted in two (2) copies clearly marked with the tender number description and address. This is applicable for hard copy and courier delivery.
- c. All bid proposals submitted should include a number index.
- d. All pages of the bid proposal should be numbered sequentially.
- e. Bid proposals must be deposited in the tender box situated at the reception of the Tribunal at the address below:

**Companies Tribunal,  
Block E, 3<sup>rd</sup> Floor, the dtic Campus,  
77 Meintjies Street,  
Sunnyside, Pretoria**

Or emailed to [scm@companiestribunal.org.za](mailto:scm@companiestribunal.org.za)

- *Bidders must submit their proposals at the above address on/before the closing date.*

## **9. PRICING**

- Only a firm pricing schedule will be accepted for this tender (Completed form SBD 3.1)
- The quoted price should be in South African Currency and must include all taxes.
- The quoted price must be valid for a period of 120 days from the closing date of the bid.
- The Tribunal will not be liable for any cost incurred in the preparation of proposals.
- Payment will be made within 30 days after receipt of the valid original tax invoice.

## **10. DISCLAIMER**

The Tribunal reserves the right to

- Award the contract or any part thereof to one or more service providers
- Reject all bids
- Decline to consider any bids that do not conform to any aspect of the bidding process
- Request further information from any service provider after the closing date, for clarification purpose
- The Tribunal reserves the right at any time to visit the premises of the bid proposer if deemed necessary to ensure security of the information.
- Any false declaration of information will result in the exclusion of the bid proposal from consideration.

## **11. NOTES TO BIDDERS**

This section outlines basic requirements that must be met. Failure to meet these requirements or part thereof may result in your proposal being excluded from the evaluation process

- Proposal documents must be submitted to the Tribunal
- The Tribunal will not be liable for any cost incurred by the bidder in the preparation of proposals
- Evaluation of proposals will be carried out by the Tribunal. The Bid Evaluation Committee will, if necessary, contact bidders to seek clarification on any aspect of the proposals.
- Service providers must sign the register at the reception when the proposal is submitted

**12 . ENQUIRIES**

Technical: Kaykay Sebokoane (012) 394 3587 OR e-mail to [ksebokoane@companiestribunal.org.za](mailto:ksebokoane@companiestribunal.org.za)

Supply Chain Management: Rofunwa Ligege (012) 394 3680 OR email [SCM@companiestribunal.org.za](mailto:SCM@companiestribunal.org.za)

**13. DECLARATION**

I, the undersigned (full name).....Certify that the information provided is true and correct, and understood the above document in full.

.....  
SIGNATURE

.....  
DATE