



RFP 03/2021 – Provision of Professional Services Related to the POPI Act No. 4 of 2013

Non-compulsory Briefing Session



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2. RFP Timelines
3. Background and Scope of Work
4. Bid Evaluation Process
5. Price & B-BBEE
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9. Q&A

Bid Evaluation Committee

Procurement

Sourcing Lead: Professional Services – Project Oversight

Governance, Compliance & Risk Specialist – Audit

Contract Specialist

Tender Office – Tender Queries

Value Delivery Planning – Price Evaluator

B-BBEE Evaluator

SARS Business Unit

Bid Specification Committee

Technical Evaluators

Corporate Legal Services

Legal Specialist

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RFP Timelines

ACTIVITY	DUE DATE
RFP Advertisement in NT e-Tender	14 September 2021
Tender documents on SARS website	14 September 2021
Non-compulsory briefing session	20 September 2021 at 14H00
Questions relating to RFP	20 September 2021 to 30 September 2021
RFP Closing Date	07 October 2021, 11H00
Notice to bidders	*December 2021

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Background and Scope of work

Refer to sections 9.1 and 9.2. of the RFP document (page 07 - 09).



2. RFP 03-2021 - Main RFP Document.pdf

Bidders Responses/ Documentation Required

Refer to sections 9.3 of the RFP document (page 09 - 12).



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Evaluation and Selection Criteria: Gate 0 & 1 & 2

Refer to paragraph 11 of the RFP document (page 14 - 20).

- Gate 0 – Prequalification
Mandatory
- Gate 1 - Technical
- Gate 2 – Price & BBBEE



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Bid Evaluation Process: Gate 2 – Price

The Price and B-BBEE points will be added together to determine each bidder's overall score out of 100 points.

Stage 1: Price Evaluation (80 points)

Bidders must refer to Annexure B – Pricing Template



**Annexure B –
Pricing Schedule**

Adjudication Criteria	Points
Price Evaluation	80

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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

Bid Evaluation Process: Gate 2 B-BBEE

B-BBEE points may be allocated to Bidders on submission of documentation or evidence as follows:

IMPORTANT COMPLIANCE TO B-BBEE REQUIREMENTS

- : Mandatory requirement – Minimum level 4 (ie. Level 1,2,3 and 4)
Disqualification – Bidder does not proceed to technical evaluation
- : Points allocated and added to points derived from pricing to determine bidder recommended for award

ADJUDICATION CRITERIA	POINTS
A duly completed Preference Point Claim Form: SBD 6.1 and a B-BBEE Certificate or Sworn affidavit.	20

Bidders **MUST** complete and sign the SBD 6.1 form to claim the Bidder's B-BBEE preference points.

Bid Evaluation Process: Gate 2 B-BBEE

The table below indicates the specific B-BBEE certification documents that must be submitted for this tender:

Classification	Turnover	Submission Requirement
Exempted Enterprise (EME)	Micro Below R10 million p.a.	Sworn affidavit or a certified copy of a B-BBEE Rating Certificate from a SANAS accredited rating agency or a certificate from the Companies and Intellectual Property Commission ("CIPC").
Qualifying Enterprise (QSE)	Small Between R10 million and R50 million p.a.	Sworn affidavit – Only 51% Black Owned (BO) and above, or certified copy of a B-BBEE Rating Certificate from a SANAS accredited rating agency.
Large Enterprise (LE)	Above R50 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS Accredited rating agency.

Use and Acceptance of Affidavits

Section 1.6 of the SBD 6.1 form states, *“The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.”*

SARS reserves the right to request that bidders submit their Black ownership and turnover information in support of their Affidavits.

- Affidavits must be sworn or affirmed before a person authorized to administer the oath or take the affirmation.
- The deponent must then sign the affidavit in the presence of Commissioner of Oaths
- It is not permissible to backdate or postdate an affidavit. The backdating or postdating makes the affidavit misleading and irregular
- The date on the affidavit is the date on which the deponent is saying that the information stated in the affidavit is true.

The signature of the deponent and the Commissioner of Oaths must be on the same day

The Commissioner must give their details on the affidavit.(Usually the commissioner stamp)

B-BBEE KEY SECTIONS TO COMPLETE IN SBD 6.1

BID DECLARATION

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

(i) what percentage of the contract will be subcontracted?%

(ii) the name of the sub-contractor?

(iii) the B-BBEE status level of the sub-contractor?

(iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

JOINT VENTURES AND SUB-CONTRACTING

JOINT VENTURES

Incorporated JVs must submit the B-BBEE status of the entity. Unincorporated JVs must submit a consolidated B-BBEE certificate as if they were a group structure for every separate Bid.

SUB-CONTRACTING

- Bidders who want to claim preference points will have to comply fully with regulations 11(8) and 11(9) of the Preferential Procurement Regulations, 2011 with regard to sub-contracting:
- A person must not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for, unless the intended sub-contractor is an Exempted Micro Enterprise that has the capability and ability to execute the sub-contract.

JOINT VENTURES AND SUB-CONTRACTING

Proof of Existence: Joint Ventures and/or Sub-Contracting

- Bidders must submit concrete proof of the existence of joint ventures and/or sub-contracting arrangements. SARS will accept signed agreements as acceptable proof of the existence of a joint venture and/or sub-contracting arrangement.
- The joint venture and/or sub-contracting agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or sub-contracting party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or sub-contracting arrangement.

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Financial Evaluation

Bidders are required to submit complete sets of audited or reviewed annual financial statements for the three (3) most recent financial periods in the name of the bidding entity.

The financial statement analysis will be conducted on the bidders that proceeded to Gate 2.

The annual financial statements must contain:

- Statement of Profit and Loss and Other Comprehensive Income;
- Statement of Financial Position;
- Statement of Cash Flows; and
- Accompanying Notes.

Refer to sections 11.4 of the RFP document (page 20 - 21).

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Refer to sections 12.2 of the RFP document (page 22).



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Bid Submission

Bidders must submit copies of each file (Original and Duplicate) and a USB with content of each file by the **07 October 2021 at 11:00am**. (Refer to section 10 of the main RFP document)



TENDER BOX

LeHae La SARS, Pretoria Head Office ; 299 Bronkhorst Street,
Nieuw Muckleneuk, Pretoria; 0181

Any enquiries must be referred, in writing via email:

tenderoffice@sars.gov.za cc and rft-professionalservices@sars.gov.za

File 1: Original / Duplicate

Exhibit 1

Pre-qualification documents (as per table 11 A)

- SBD documents and other
- Financial Statements (3 years audited annual statements)



Exhibit 2

Technical Responses

- Service Provider's Compliance Checklist for the Technical Evaluation
- Response to Technical Requirements as per paragraph 9.3 of the RFP document.
- Supporting documents for the technical responses as per paragraph 9.3 of the RFP document.



Exhibit 3

Agreements

- General Conditions of Contract (GCC)
- Draft Services Agreement



File 2: Original / Duplicate

Exhibit 1

- B-BBEE Certificate or Sworn Affidavit
- SBD 6.1



Exhibit 2

- Pricing Schedule



NB! Bidders are required to mark their files correctly as indicated above. USB must be marked with the Bidder's name.

Thank you
Re a leboha
Re a leboga
Ndza Khensa
Dankie
Ndi a livhuwa
Ngiyabonga
Enkosi
Ngiyathokoza

