

TERMS OF REFERENCE

CIPC BID NUMBER: 01/2016/2017

**DISCRIPTION: INVITATION TO SERVICE PROVIDERS TO
TERMS OF REFERENCE FOR THE
MAINTENANCE & SUPPORT OF CIPC IP
BUSINESS SYSTEMS**

**(PTOLOMY, ACSEPTO, IP ONLINE, E-
JOURNAL AND RELATED IP
APPLICATIONS.)**

CONTRACT PERIOD: 12 Months

TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFT)

1. CIPC's standard conditions of purchase shall apply.
2. Late and incomplete submissions will not be accepted.
3. Any bidder who has reasons to believe that the RFT specification is based on a specific brand must inform CIPC before RFT closing date.
4. Bidders are required to submit an original Tax Clearance Certificate for all price quotations exceeding the value of R30 000 (VAT included). Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of this RFT. Certified copies of the Tax Clearance Certificate will not be acceptable.
5. No services must be rendered or goods delivered before an official CIPC Purchase Order form has been received.
6. This RFT will be evaluated in terms of the **90/10** system prescribed by the Preferential Procurement Regulations, 2001
7. The Government Procurement General Conditions of contractors (GCC) will apply in all instances.
8. As the commencement of this project is of critical importance, it is imperative that the services of the service provider are available immediately. Failing to commence with this project immediately from date of notification by CIPC would invalidate the prospective service provider's proposal.
9. No advance payment would be made. CIPC will pay within the prescribed period as according to PFMA.
10. All price quoted must be inclusive of Value Added Tax (VAT)
11. All prices must be valid for 90 days
12. The successful contractor must at all times comply with CIPC's policies and procedures as well as maintain a high level of confidentiality of information.
13. All information, documents, programmes and reports must be regarded as confidential and may not be made available to any unauthorised person or institution without the written consent of the Chief Executive Officer or his delegate.
14. The service provider is restricted to the time frames as agreed with CIPC for the various phases that will be agreed to on signing of the Service Level Agreement.
15. CIPC will enter into Service Level Agreement with the successful service provider.
16. Prospective bidders are required to respond in chronological order to each element of the evaluation criteria in not more than four (4) pages per element, as eluded paragraph 6 (VI). You may include annexure, however for the purposes of the evaluation; focus would be on the four (4) page response to each element. Failing to comply with this condition will invalidate your proposal.
17. Fraud and Corruption:
 - 16.1 The Service Provider selected through this TOR must observe the highest standards of ethics during the performance and execution of such contract. In pursuance of this policy, CIPC:

Defines, that for such purposes, the terms set forth will be as follows:

- i. "Corrupt practice" means the offering, giving, receiving or soliciting of anything of value to influence the action of CIPC or any personnel of Service Provider(s) in contract executions.
- ii. "Fraudulent practice" means a mis-presentation of facts, in order to influence a procurement process or the execution of a contract, to CIPC, and includes collusive practice among bidders (prior to or after Proposal submission) designed to establish Proposal prices at artificially high or non-competitive levels and to deprive CIPC of the benefits of free and open competition;
- iii. "Unfair trade practices" means supply of services different from what is ordered on, or change in the Scope of Work
- iv. "Coercive practices" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the execution of contract.
- v. Shall reject a proposal for award, if it determines that the bidder recommended for award, has been engaged in corrupt, fraudulent or unfair trade practices.
- vi. Shall declare a Service Provider ineligible, either indefinitely or for a stated period of time, for awarding the contract, if it at any time determines that the Service Provider has been engaged in corrupt, fraudulent and unfair trade practice in competing for, or in executing, the contract.

I, the undersigned (NAME).....certify that :

I have read and understood the conditions of this RFT.

I have supplied the required information and the information submitted as part of this RFQ is true and correct.

.....
Signature

.....
Date



Companies and Intellectual
Property Commission

a member of **the dti** group

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1. INTRODUCTION

CIPC's mandate is the registration of companies, close corporations, cooperatives and intellectual property rights. Related services include the disclosure of information as well as dispute resolution arising out of infringements to these rights. In order to execute its mandate effectively, CIPC requires the integrity and efficiency of its processes and reliability of information and services provided to all its stakeholders.

CIPC requires the services of a service provider who can provide Maintenance and Support for Ptolemy, Accepto, IP Online, E-Journal and related IP applications referred to in this document as CIPC IP Systems.

2. SCOPE OF APPLICATION SUPPORT SERVICES

The required Maintenance and Support is for the following business systems and applications;

- Ascepto Version 9.4
- Ptolemy
- E-filing
- E-Journal
- E-searching
- IP patents searches and
- All related other related software.

The contractor shall provide the skilled resources required to ensure adequate onsite technical support for the applications to be supported. Onsite systems' Technical back-end server application service, maintenance and support. The service includes system configuration, integrations, application server, inter-operability and related core back-end operations. The service provider shall provide at least one technical resource for this function. Onsite core transactional service and support as per the implemented modules of Computron in CIPC as well as the related business processes. This includes end-to-end transactional and user support for daily business operations. The service provider shall provide at least one technical resource for this function.

Business Systems require support as follows:

1. Onsite support during normal business hours, Monday to Friday 07:30 to 16:30;
2. After hours support is required for scheduled changes, testing and maintenance, outside normal business hours, on weekends and public holidays;
3. Standby support, for production application, outside normal business hours, on weekends and public holidays;
4. Atleast one DR test support

In rendering the service the following specific responsibilities will be applicable:

- CIPC will supply all access to offices, staff, external parties and systems as required to render the service.
- The contractor shall provide support for the applications in terms of the targeted service levels agreement:
- A monthly Service Management Meetings will be held.
- A table of service levels to be drafted during SLA discussions
- There may be additional meetings required weekly and/or as and when requested by CIPC
- All support and system administration functions provided must be managed in accordance on a recognised service management methodology.

3. TRAINING & SKILL TRANSFER

The service provider shall be required to provide training, support and the required expertise to identified CIPC resources with regards other areas of IP Business systems.

4. DURATION OF THE CONTRACT

The duration of the contract will be for a period of 12 months.

5. EVALUATION CRITERIA

Bids will be evaluated in accordance with the 90/10 preference point system contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000).

The evaluation will be completed in phases:

- Phase 1: Compliance to minimum requirements
- Phase 2: Functional evaluation
- Phase 3: Pricing and Preferential procurement policy
 - ✓ All bidders will be evaluated to ensure compliance to minimum document requirements (ex. Tax Clearance Certificates), ensuring all documents have been completed and that the specified documentation has been submitted in accordance to the bid requirements.
 - ✓ All bidders will be evaluated by a panel of evaluators, to determine compliance to the functional requirements of the bid.
 - ✓ The functional evaluation will be rated out of 100 points and will be determined as follows:

Functionality: Evaluation criteria

CRITERIA	RATING					WEIGHT	TOTAL SCORE
	1	2	3	4	5		
Service provider's Asceopto & Ptolemy support experience in organizations similar to CIPC. (provide 1 contactable reference with a testimonial letter)						50	
Service provider's support experience on web applications processing Intellectual Property related transactions in organizations similar to CIPC. (provide 1 contactable reference with a testimonial letter)						30	
Support team experience as per the scope of the required services. (provide CVs per scope of work)						20	
TOTAL						100	

The Bids will be evaluated on a scale of 1 – 5 in accordance with the criteria below. The rating will be as follows:

1 = Very poor, 2 = Poor, 3 = Good, 4 = Very good, 5 = Excellent

Note:

- Functionality will count out of 100 points. Bidders must achieve a minimum score of 60 out of 100 on the functionality evaluation to proceed to the next phase.
- Bidders that achieve less than 60% on functionality will be disqualified for further evaluation.

Phase 3: Preferential Procurement Policy and Pricing

Please Note: CIPC 6.1 Preference Points Claim Form in terms of the PPPFA is attached for claiming above mentioned points, if not completed the company will automatically score 0 points

Preferential Procurement Policy

The bidders that have successfully progressed through to Phase 2 will be evaluated in accordance with the 90/10 preference point system contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000).

Pricing

Pricing will be calculated using the lowest price quoted as the baseline, thus the lowest price quoted will achieve full marks, while all other quotes will achieve a weighted average mark based on the lowest price.

Description	Total
Price	90
BBBEE	10
Total	100

The bidder with the highest score will be recommended as the successful vendor.

11. SUBMISSION OF PROPOSALS

Sealed proposals will be received at the:

Tender Box at the Reception,

77 Meintjies Street,

Sunnyside

the dti campus, Block F.

Proposals should be addressed to:

Manager (Supply Chain Management)

Companies and Intellectual Property Registration Office

Block F, **the dti** Campus,

77 Meintjies Street,

Sunnyside

PRETORIA

12. ENQUIRIES

a. **SUPPLY CHAIN QUERIES TO BE ADDRESSED TO**

Mr Solomon Motshweni OR Ms Ntombi Maqhula

Contact No: (012) 394 3971 /45344

E-mail: SMotshweni@cipc.co.za OR Nmaqula@cipc.co.za

b. **TECHNICAL QUERIES TO BE ADDRESSED TO**

Mr. Samson Sekgobela

Contact No: (012) 394 5272

Email: Ssekgobela@cipc.co.za