

TERMS OF REFERENCE

CIPC BID NUMBER 11/2015/2016

DISCRIPTION: REQUEST TO GO OUT ON TENDER FOR
PROCUREMENT OF PROFESSIONAL SERVICES
TO ASSIST WITH CIPC ADVERTISING AND
EDUCATIONAL CAMPAIGN FOR A PERIOD OF
12 MONTHS

CONTRACT PERIOD: 12 MONTHS

TERMS AND CONDITIONS OF REQUEST FOR TENDER (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 RFQ specification is based on a specific brand must inform CIPC before BID 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 RFQ. 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 provided by 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(s) will be made. CIPC will pay within the prescribed period as per the PFMA.
10. All price quoted must be inclusive of Value Added Tax (VAT)
11. The successful Service Provider must at all times comply with CIPC's policies and procedures as well as maintain a high level of confidentiality of information.
12. 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 Commissioner or her delegate.
13. 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.
14. CIPC will enter into Service Level Agreement with the successful Service Provider.
15. All prices must be valid for 90 days.
16. **CIPC reserves the right not to award this bid to any prospective bidder or to split the award**

17. Fraud and Corruption:

The Service Provider selected through this Terms of Reference 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 misrepresentation 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. CIPC 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. CIPC shall declare a Service Provider ineligible, either indefinitely or for a stated period of time, for awarding the contract, if it at any time it determines that the Service Provider has been engaged in corrupt, fraudulent and unfair trade practice including but not limited to the above in competing for, or in executing, the contract.

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

I have read and understood the conditions of this Request for Tender (RFT).

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

.....
Signature

.....
Date

1. Purpose

The purpose of this document is to outline the terms of reference (TOR) for the invitation of Professional Service Providers to roll out an advertising and educational campaign in the form of billboard advertising, taxi wrap, community radio and educational exhibitions at certain shopping complexes around the country.

2. Introduction:

The Companies and Intellectual Property Commission (CIPC), herewith referred to as 'the Commission' was formed by the amalgamation of the Office of Companies and Intellectual Property Enforcement (OCIPE) and the Companies and Intellectual Property Registration Office (CIPRO), and is mandated by the Companies Act, 2008 (Act 71 of 2008). CIPC is an organ of state, outside the public service but within the public administration.

Main functions of Commission:

- Registration of Companies, Co-operatives and Intellectual Property Rights and maintenance thereof
- Disclosure of Information on its register
- Promotion of education and awareness of Company and Intellectual Property Law
- Promotion of compliance with relevant legislation
- Efficient and effective enforcement of relevant legislation
- Monitoring compliance with and contraventions of financial reporting standards, and making recommendations thereto to Financial Reporting Standards Council (FRSC)
- Licensing of Business rescue practitioners
- Oversight role of Independent Review professional bodies
- Report, research and advice Minister on matters of national policy relating to company and intellectual property law.

CIPC's customer engagement model has changed completely. CIPC has modernized various channels for customer interaction and transacting and the organization has to continuously inform and educate CIPC

CIPC requires the services of an advertising service provider for:-

- **20** (5x 8 meter) billboards at different shopping complexes or municipalities especially in townships for a **12 month period** rotating key messages.
- Utilize municipalities or small shopping complexes for exhibition and educational campaign and also arrange local community radio for airtime during the education campaign to communicate key messages
- **12** Brand local long distance taxis commuting between provinces covering all 9 provinces for a period of 6 months – negotiating with local taxi association. This is for brand awareness.
- **National Newspaper (2 Sunday newspaper, weekly papers -Sowetan, Businessday, Beeld, Business Connect** advertisement displaying important messages and specific Business magazines such as SOE, Safika Media/JSE etc)



Companies and Intellectual
Property Commission
a member of the dti group

3. Specification:

No	Item
1	Positioning of selected billboards (20): High visibility at shopping complexes/ taxi ranks/ municipality offices on rotational basis for all provinces. Agency to recommend based on demographics and reach.
2	Print: Highest quality, colour consistent and minimum size of 3mX8m Minimum of 360dpi UV digital printed and welded on outdoor specified flex face. Material size will depend on site but needs to be strong, all weather and specific for outdoor. NB: Prints to be 5 meter wide or smaller if needed and be printed continuous without any welds (one continuous print).
3.	Flighting/ installation/ maintenance by service provider
4.	12 Mobile billboards in the form of taxi wrap, countrywide moving in different locations especially long distance taxis commuting between two provinces.
5.	Secure community radio slots for interviews
6.	Design a mobile exhibition stand to be used during educational campaigns either in municipalities/shopping complexes or taxi ranks. It will be the responsibility of the service provider to erect and dismantle the stand at every location
7.	This should also include monthly campaign plan which will be reviewed regularly
8.	Do analysis per channel every 3 months to ensure maximum impact and also enhance the CIPC stakeholder engagement strategy

5. Pricing Schedule:

The service provider must provide costing based on the pricing schedule table below. Service providers must endeavor to structure their pricing in terms of milestone payments. These milestones must be structured in such a way that the deliverables are achievable and measurable. These milestones will be used as payment milestones once the deliverables have been signed off by the responsible owner. It will be in the bidder's best interest to structure the payment milestones in such a way that regular payments can be achieved. The services provider should provide a clear project plan, with very clear activities, time frames, relevant deliverables and relevant costing.

Note: Service providers will be responsible for all costs; e.g. design and production of materials, third party payments, transportation and other disbursements for ALL activities/ meetings associated with this quote and must include this cost in the pricing for this quote.



Quotation must provide for the following costs:

No	Item and description	Quantity/ No of estimated hours	Cost (Inclusive of VAT)
1	Project management		
2	Design, formatting and artwork related matters		
3	Production costs		
4	Securing of site, contract management for Flighting and maintenance		
5	Buying of community radio station airtime for interviews by CIPC and getting space in National newspapers and local business magazines for advertising major messages		
6	Miscellaneous (All other costs such as travel, shipment, overtime hours, etc.)		
	Total All Inclusive Cost		

6. Service provider appointment – service level agreement:

The successful service provider will be required to enter into a Service Level Agreement (SLA) with CIPC within 14 working days after receiving official confirmation of being awarded.

7. Contractual Period:

The contract will be valid for a period not exceeding 12 months.

8. Responsiveness Criteria:

8.1 Failure to provide the following might result in a quote not being considered: (minimum requirements):

- Proposals must be properly received on the closing date and time specified on the invitation, fully completed and signed in ink.
- Submission and completion of the Total Pricing Schedule 'SBD3.3', Declaration of Interest "SBD4", Declaration of Bidder's Past Supply Chain Management Practices 'SBD8' and Certificate of Independent bid determination "SBD9"
- Submission of an original and valid Tax Clearance Certificate
- Submission of the company's registration certificate from the Register of Companies (CIPC).

9. Validity of Proposals :

The prospective service provider (Bidder) is required to confirm that it will hold its proposal valid for 90 days from the closing date of submission of proposals, during which time it will maintain without change, the personnel proposed for the services together with their proposed rates.

6. Functional evaluation

Functional evaluation will be conducted based on the following:

- Demonstrated expertise with advertising and coordinating educational campaign (three examples of displayed such).
- Provide three contactable references with the examples displaying securing advertising space in terms of billboards and also buy airtime from specific community radio stations.
- Deliver a quality Proposal (clearly outlining the approach on how deliverables will be achieved, the time frame, etc.)

The functional evaluation will be rated out of 100 points and will be determined as follows:

EVALUATION CRITERIA	Rating					Weight	Total
	1	2	3	4	5	%	
Demonstrated expertise with coordinating educational campaign in the form of exhibitions and media advertising.						20	
Provide three contactable references with the examples displaying securing advertising space in terms of billboards and also buy airtime from specific community radio stations. The following will be verified with references and they may be contacted to verify this information <ul style="list-style-type: none"> ✓ service provided professionally and of a high standard ✓ Was the service provided professionally and of a high standard ✓ The service provided in line with the Service provider's proposal and within budget ✓ The Service provider deliver high quality and on time ✓ Would the company make use of the service provider's services again 						20	
Examples of billboards conceptualized and designed by the service providers for the three references provided above illustrating the service provider's ability to produce, install and maintenance thereof						20	
Examples of : Taxi/bus branding Mobile exhibition stand that can be reused in all provinces						20	
Provide constant quality feedback in terms of analysis of each channel, how effective it is and what needs to be changed						20	
Total						100	

NB: Prospective bidders are requested to address the above criterion and failure to submit the information will result in the offer not evaluated further. A company profile will NOT be sufficient.

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

Only service providers scoring higher than 60% will be considered for price.

10. Copyright

Copyright in all documentation, electronic data/programme source codes, manuals and documentation produced or prepared for the CIPC (any training material included) by or on behalf of the Contractor or emanating from this Contract shall vest in the CIPC which shall have the right to adopt them for other projects. Any base systems, programme source codes, technical manuals or adaptations developed by the Contractor or its supplier prior to this contract will be excluded. The contractor shall not, without the written consent of the CIPC, granted by a duly authorised official, use, copy or communicate to any person such documents or information, except as strictly necessary for the purposes of the Contract. In addition and without limiting the foregoing, the Contractor shall deliver such documentation to the CIPC, immediately upon the expiry or termination of the Contract.

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

ENQUIRIES

A. Supply Chain Enquiries

Mr Solomon Motshweni OR Ms Ntombi Maqhula
Contact No: (012) 394 5233 /45344
E-mail: SMotshweni@cipc.co.za OR Nmaqihula@cipc.co.za

B. Technical Enquiries

Tshiamo Zebediela: Communications Specialist
Tel: 012 394 3345
E-mail: tzebediela@cipc.co.za