Companies and Intellectual Property Commission

a member of **thedti** group

CIPC BID NUMBER: 02/2017/2018

INVITATION TO SERVICE PROVIDERS TO SUBMIT PROPOSALS   FOR THE APPOINTMENT OF   (3) SENIOR SOFTWARE DEVELOPERS FOR THE MODERNISATION OF ICT SERVICES

DURATION : TWENTY FOUR (24) MONTHS

Contents

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 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 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 80/20 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:

18. 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 RFT is true and correct.

………………………………..   ……………………………………..
Signature   **Date**

1. 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 advise Minister on matters of national policy relating to company and intellectual property law

2. BACKGROUND

The ICT unit at CIPC is currently modernizing its software applications, that is, migrating from the technology systems that are running out of life technologies into modern efficient systems. It thus seeks to procure the services of 3 senior software engineers to implement and perform ground work implementation of this modernization. The CIPC business has evolved over the years and the technologies it utilizes can no longer meet CIPC business demands. For this reason, the organization is implementing a project to modernize, entailing among others the rewrite of all its legacy based ICT systems.

Traditionally, robust implementations in ICT are preceded by excellent planning and creation of technical reference models. Therefore, to expedite the development of the modernization, CIPC needs the services of three (3) very senior developers for the development and setting up of the technology framework upon which 'modernization will be implemented.

3. SCOPE OF WORK

CIPC is running mainly on legacy systems which are due for rewrite, because of their limited capability to meet business needs. The resources will primarily assist the existing technical team with the modernisation of ICT services. Expected also from them will be creative implementation of solutions that take advantage of current technology trends including but not limited to web, mobile and database technologies. The CIPC has defined a set of capabilities that it seeks to implement within the organisation, the senior technicians therefore will be expected to participate in architecting such and to participate in the implementation of same.

4. TECHNICAL REQUIREMENTS AND DELIVERABLES

The three (3) resources will fulfil the following roles, depending on their appointment:

1.   **Integration specialist.**
2.   **.NET/Java Solutions Architect.**
3.   **Database development specialist**

All the resources will be expected to deliver the following in line with the CIPC governance standards:

a.   Translation of business requirements into technical solution design specification.
b.   Level 4 functional design documentation.
c.   Level 4 software design documentation.
d.   Develop Architectural reference models for data, applications, technology and security domains.
e.   Translate all solution designed into technical ICT services.
f.   Standardise and model database entities.
g.   Data migration, extraction and transformation models and routines.
h.   Model data for analytical reporting.

In addition to the above mentioned deliverables, the Integration specialist, will be expected to deliver (in line with CIPC governance standards):

i.   Integration service security models and implementation thereof.

Technology proficiencies:

a.   Development Frameworks (any two): MS.NET, Spring and Android.
b.   Development Languages (any two): C#.NET, Java and Android advantageous.
c.   Scripting Languages (any four): HTML5, Javascript, JQuery, AJAX, XML and CSS, JSON and BSON, Bootstrap.
d.   Development Environments (any two): Visual Studio, Xamarin and Eclipse, any Mobile SDK, Oracle, MS SQL.
e.   Database Scripting: SQL, XQuery and PL/SQL.
f.   Technology concepts (any): Internet of Things, Internet of Nano Things, BlockChain and NFC.
g.   Web services Development with both REST & SOAP architectures.

The integration specialist will have over the above:

h.   Experience of designing and developing integration solutions (ESB/middleware and Web Services)
i.   Significant experience with one or more of the following: IBM WPS/BPM, webMethods ESB, JBoss ESB, Mule ESB, Talend ESB and general SOA concepts.

5. **TRAINING & SKILL TRANSFER**

The Service Provider(s) appointed shall be required to provide training, support and impart the necessary expertise to CIPC resources who will be shadowing them.

6. **DURATION OF THE CONTRACT**

The duration of the contract will be for a period of 24 months.

Please Note:

7. **SPECIAL CONDITIONS**

a. The Service Provider/candidate must ensure that their work is confined to the scope as defined and agreed.

b. Government Procurement General Conditions of contract (GCC) as issued by National Treasury will be applicable on all instances. The general conditions are available on the National Treasury website (www.treasury.gov.za)

c. No advance payment will be made. Payment will be made in terms of the completed deliverables unless otherwise agreed upon by other parties (CIPC and the contractor). CIPC will pay within the prescribed period according to PFMA.

d. The price quoted for the services must include Value Added Tax (VAT).

e. The Service Provider/candidate shall be expected to sign a Non-Disclosure Agreement

f. Tender offers must be received on the tender closing date and time specified on the invitation, fully completed and signed in ink as per Standard Conditions of Tender.

g. Completion and submission of the Declaration of Interest.

h. CIPC reserves the right not to make this appointment.

i. Service Provider/candidate shall provide CIPC with all the license documentation that CIPC is entitled to as per the costing of the licenses.

j. The Service Provider/candidate shall be required to provide training & skills transfer for the services as per paragraph 3 of this document.

k. **Resources provided shall be subjected to reference verification interviews and a competency test prior to commencement of tasks.**

l. **CIPC reserves the right to request replacement of resource/s should they not meet the competency requirements.**

8. EVALUATION CRITERIA

Bids will be evaluated in accordance with the 80/20 preference point system contemplated in the Preferential Procurement Policy Framework Act 5 of 2000.

The evaluation will be completed in Four (4) phases:

- Phase 1: Compliance to minimum requirements
- Phase 2: Functional evaluation
- Phase 3: Pricing and Preferential procurement policy

Phase 1: Compliance to minimum requirements

Responsiveness Criteria: Failure to provide the following shall result in a bid not to be considered: (minimum requirements)

a) Bid offers must be properly received on the tender closing date and time specified on the invitation, fully completed and signed in ink as per Standard Conditions of Tender.

b) Submission and completion of the Declaration of Interest

c) Submission of an original and valid Tax Clearance Certificate

d) Submission of the company's registration certificate from the Register of Companies (CIPC).

e) Submission of proof of registration with the National Central Supplier Database

NB

- ✓ **Bidders to attach CVs for each consultant wi**th clearly stating **contactable references** (**Maximum of 2 CV's for each position**). **Only referees who can give testimony only on the sought skills (as per Section 4 above) are required**.
- ✓ **CVs should be *properly marked for each position* as indicated above in paragraph 4. Only best (2) two CVs to be submitted for each post)**
- ✓ 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:

Phase 2: Functionality: Evaluation criteria

CRITERIA	RATING					WEIGHT	TOTAL SCORE
	1	2	3	4	5		
Demonstrate architecting experience for each resource						15	
Demonstrate experience and knowledge of Development Frameworks for each resource						10	
Demonstrate experience and knowledge of Development Languages for each resource						10	
Demonstrate experience and knowledge of Scripting Languages for each resource						10	
Demonstrate experience and knowledge of Development of Environments for each resource						10	
Demonstrate experience and knowledge of Database Environments for each resource						15	
Web services Development knowledge and experience						10	
Demonstrate knowledge and experience of Designing and developing of integration solutions for each resource						10	
Demonstrate Proficiency with integration tools						10	
TOTAL						100	

Please provide detailed information including CVs of resources for each resource.

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

Scale for the criteria above				
1 = very poor	2 = poor	3 = good	4 = very good	5 = excellent
Experience less than or equal to 2 years.	**Experience** greater than 2 years, but not more than 4 years.	**Experience** greater than 4 years, but not more than 6 years.	**Experience** greater than 6 years, but not more than 8 years.	**Experience** greater than 8 years.

Note:

✓ Functionality will count out of 100 points. Each individual (specialist) must achieve a minimum score of 60 out of 100 on the functionality evaluation to proceed to the next phase.

✓ **Individuals that achieve less than 60% on functionality will be disqualified for further evaluation.**

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

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 80/20 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	80
BBBEE	20
Total	**100**

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

9. **ENQUIRIES**

   Supply Chain enquiries

   Ms Ntombi Maqhula OR Mr Solomon Motshweni

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   Technical enquiries

   Mr Deane Nkuna

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