



Companies and Intellectual  
Property Commission

a member of **the dti** group

## **ANNEXURE “H”**

### **TERMS OF REFERENCE (“TOR”)**

**CIPC BID NO: 24/2017/2018**

**DESCRIPTION: INVITATION TO SERVICE PROVIDERS TO SUBMIT PROPOSALS,  
FOR THE SUPPLY, MAINTENANCE AND SUPPORT OF 2X BASIC  
DOCUMENT SCANNERS**

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TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

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**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. PURPOSE

The purpose of this document is to source proposals from Service Providers for the supply, maintenance and support of 2X DOCUMENT SCANNERS.

## 2. BACKGROUND

CIPC seeks to appoint a service provider with the necessary skills and experience for the provision of scanners for use in back-office operations. CIPC is currently using MPS printer solution and it is important for all scanner hardware to be integrate with the MPS printer solution in use.

## 3. OBJECTIVE / SCOPE OF WORK

The scope of work is for bidders to provide **2 scanners** with maintenance and support as follows:

The contract should include standard **Hardware Maintenance and Onsite Support** covering:

- Hardware Problem Diagnosis
- Three years on-site maintenance and onsite support
- Parts and Material
- 4 Hr Onsite Response
- 24 Hrs Std Office Days
- 24 hrs, Day 6
- 24 hrs, Day 7
- Holidays Covered
- Swop out machine if not fixed on first visit
- Operator training

**NB: CIPC wishes to purchase the scanners. Bidders should NOT provide proposals for lease or rental options. Non-compliant bidders will be disqualified.**

## 4. SERVICE PROVIDER COMPETENCIES

Prospective service provider must have at least **3 years** demonstrative experience and competence in the support and maintenance of scanners.

## 5. REPORTING

The appointed service provider will report to the Senior Manager: Infrastructure Services Management who will evaluate all work undertaken by the service provider and approve subsequent payments accordingly.

The main CIPC office is situated at **the dti** Campus, 77 Meintjes Street, Sunnyside.

## 6. DURATION OF CONTRACT

- Three years on-site maintenance and onsite support



## 7. COMPETENCY AND EXPERTISE REQUIREMENTS

The following competencies and expertise are required for this role:

### 7.1 Exposure and experience

The successful bidder must have relevant exposure and experience in the installing, maintenance and support of scanners

As per experience and accreditation provided by the OEM

### 7.2 Soft Skills

The following soft skills are essential:

- Communication
- Report writing
- Relationship management

## 8. WORKING CONDITIONS

### 8.1 Equipment

- All necessary tools must be provided by the service provider.

### 8.2 Proprietary rights

- The proprietary right with regard to copyright, patents and any other similar rights that may result from the service rendered by the resource belong to CIPC.
- The final product of all work done by the resource, shall at the end of service period, be handed over to CIPC.
- The resource may not copy documents and/or information of the relevant systems for any other purpose than CIPC specific.

### 8.3 Indemnity / Protection / Safeguard

- The resources safeguard and set CIPC free to any losses that may occur due to costs, damage, demands, and claims that is the result of injury or death, as well as any damage to property of any or all contracting personnel, that is suffered in any way, while delivering a service to CIPC.
- The resources safeguard and set CIPC free to any or all further claims for losses, costs, damage, demands and legal expenses as to the violation on any patent rights, trade marks or other protected rights on any software or related data used by the resources.

### 8.4 Government Safety

- The resources attention is drawn to the effect of government Safety Legislation. The resources must ensure (be sure) that relevant steps are taken to notify the person(s) of this requirement.
- The resource must at all times follow the security measures and obey the rules as set by the organization.

### 8.5 Quality

- The Senior Manager: Infrastructure Management will subject the quality and standard of service rendered by resources to quality control.
- Should CIPC, through the Senior Manager: Infrastructure Management, be of the opinion that the quality of work is not to the required level, the service provider will be requested to provide other resources. The service provider will carry all the costs related to these changes.



## 9. COSTING

The onus is upon the prospective bidders to take into account all costs for the duration of the 36 months period and to CLEARLY indicate the price. **NB: CIPC wishes to purchase the scanners. Bidders should NOT provide proposals for lease or rental options. Non-compliant bidders will be disqualified.**

## 10. SPECIAL CONDITIONS

- 10.1.1 The bidder must provide assurance/guarantee to the integrity and safe keeping of the information (that it will not amended/corrupted/distributed/permanently stored/copied by the service provider) for the duration of the contract and thereafter. .
- 10.1.2 CIPC reserves the right to negotiate with the successful bidder on price.
- 10.1.3 The service provider must ensure that their work is confined to the scope as defined.
- 10.1.4 Travel between the consultants home, place of work to the dti (CIPC) vice versa will not be for the account of this organization, including any other disbursements.
- 10.1.5 Government Procurement General Conditions of contract (GCC) as issued by National Treasury will be applicable on all instances. The general conditions is available on the National Treasury website ([www.treasury.gov.za](http://www.treasury.gov.za))
- 10.1.6 No advance payment would be made. Payment would be made in terms of the deliverables or other unless otherwise agreed upon by CIPC and the successful bidder. CIPC will pay within the prescribed period according to PFMA.
- 10.1.7 The price quoted by the prospective service provider must include Value Added Tax (VAT).
- 10.1.8 The successful bidder must at all times comply with CIPC's policies and procedures as well as maintain a high level of confidentiality of information.
- 10.1.9 The successful bidder must ensure that the information provided by CIPC during the contract period is not transferred/copied/corrupted/amended in whole or in part by or on behalf of another party.
- 11. Further, the successful bidder may not keep the provided information by way of storing/copy/transferring of such information internally or to another party in whole or part relating to companies and/or close corporation.
- 12. As such all information, documents, programs and reports must be regarded as confidential and may not be made available to any unauthorized person or institution without the written consent of the Commissioner or his/her delegate.
- 13. The service provider will therefore be required to sign a declaration of secrecy with CIPC. At the end of the contract period or termination of the contract, all information provided by CIPC will become .The property of CIPC and the service provider may not keep any copy /store/reproduce/sell/distribute the whole or any part of the information provided by CIPC unless authorized in terms of the declaration of secrecy.
- 14. The service provider will be required to sign a service level agreement with CIPC prior to the commencement of the contract.
- 15. As the commencement of this contract is of critical importance, it is imperative that the prospective contractor is available immediately. Failing to commence with this contract immediately from date of notification by CIPC would invalidate the prospective service provider's proposal.

## 16. EVALUATION PROCESS (Criteria)

The evaluation process will be done on accordance with the following criteria:

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

**Responsiveness Criteria: Failure to provide the following might 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) National Treasury CSD report/ Supplier number and Unique number
- f) The supplier must have certificate of accreditation (OEM) from manufactures of recommended scanners for the maintenance and support. **Failure to submit the accreditation certificate from manufactures will invalidate / DISQUALIFY the bidders proposal**

## 17. EVALUATION PROCESS (Phases)

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

The evaluation will be completed in 3 phases:

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

### Phase 1: Compliance to minimum requirements

- During Phase 1 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.
- The supplier must have certificate of accreditation (OEM) from manufactures of recommended scanners for the maintenance and support. **Failure to submit the accreditation certificate from manufactures will invalidate / DISQUALIFY the bidders proposal**

Accreditation Required	Attached / Not Attached (please specify)
The supplier must have certificate of accreditation (OEM) from manufactures of recommended scanners for the maintenance and support	

- All bidders that comply with the minimum requirements will advance to Phase 2.





## Phase 2: Functional evaluation

### SPECIFICATION / REQUIREMENTS

GENERAL		(BIDDERS TO STATE) COMPLY / NOT COMPLY
<b>TYPE</b>	Document scanner-desktop	
Manufacture	-	
<b>POWER DEVICE</b>		
Nominal Voltage	AC 120/230 V	
Power Consumption Operational	150 Watt	
Type	Internal Power Supply	
<b>MEDIA HANDLING</b>		
Max Document Size	11.7 in 17 in	
Feeder Capacity	350 sheets	
Document Feeder Type	Automatic	
<b>POWER</b>		
Power Consumption Standby / Sleep	4 Watt	
<b>SOFTWARE/SYSTEM REQUIREMENTS</b>		
Software must include	Drivers & Utilities, Kofax VitalRescan Basic, Nuance OmniPage Professional, Visioneer OneTouch	
<b>SYSTEM REQUIREMENTS</b>		
OS Required	Microsoft windows XP / VISTA/7/8/10	
<b>SCANNER</b>		
Optical Resolution	600 dpi	
Automatic Duplexing	Yes	
Scanner Speed Details	112 ppm- black & white- 224 dpi 200 ipm- duplex- black & white -200 dpi	
Interface Type	USB 2.0	
Form Factor	Desktop	
Input Type	Color	
Scan Element Type	Dual CIS	
Document Size Class	-	
Max Supported Document Size	11.7 in x 17 in	
Max H-Document Size	11.7 m	
Max V-Document Size	17 m	
Grayscale Depth(External)	8-bit(256 gray levels)	
Color Depth(External)	24-bit(16.7 million colors)	
Max H-Optical Resolution	600 dpi	
Lamp/Light Source Type	Cold cathode fluorescent lamp	
Document Feeder Type	Automatic	
Feeder Capacity	350 sheets	
Duty Cycle	40000 scans per day	
Scanner Features	Multi Color Dropout, Triple Ultrasonic Double Feed Detection	
Compliant Standards	ISIS, TWAIN, WIA	
<b>INTERFACES</b>		
Interface	USB 2.0	
<b>HEADER</b>		
Compatibility	PC/Laptops	
<b>CABLES DETAILS</b>		
Type	USB cable	



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<b>SCANNER SPEED DETAILS</b>		
Speed	112 ppm, 200 ipm	
Duplex	Duplex	
Mode	Black & white	
Image Resolution	200 dpi, 224 dpi	
<b>SOFTWARE</b>		
Software included	Kofax VirtualRescan Basic, Nuance Omnipage Professional, Visioneer Onetouch, drivers & Utilities	
<b>SYSTEM REQUIREMENTS DETAILS</b>		
Operating system	Windows 7/Vista, Windows	
Processor Type	Pentium 4	
Min RAM Size	1GB, 512 MB	
Min Hard Drive Space	350 MB	
<b>DIMENSIONS &amp; WEIGHT</b>		
Width	18.7 in	
Depth	23 in	
Height	13 in	

**NB: The solution for the scanners must be compatible with entire CIPC MPS environment to allow integration in terms of management of all printing/scanning solution**

Please provide details for all the above mentioned specification/requirements to enable proper evaluation

**BIDDERS WHO FAIL TO COMPLY WITH THE ABOVE SPECIFICATION SHALL IMMEDIATELY BE DISQUALIFIED AND WILL NOT PROCEED TO THE NEXT PHASE (PRICE)**

**BIDDER TO COMPLETE THE SPECIFICATION BY STATING COMPLY OR NOT COMPLY.**

### **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).

Description	Total
Price	80
BBBEE	20
<b>Total</b>	<b>100</b>

#### **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.

The price must include the following:

- 2 x scanners
- Three years on-site maintenance and onsite support
- Parts and Material
- Hardware Problem Diagnosis
- Traveling expenses
- Handling expenses
- 4 Hr Onsite Response
- 24 Hrs Std Office Days
- 24 hrs, Day 6
- 24 hrs, Day 7
- Holidays Covered
- Swop out machine if not fixed on first visit
- Operator training

**NB: CIPC wishes to purchase the scanners. Bidders should NOT provide proposals for lease or rental options. Non-compliant bidders will be disqualified. The bidder with the highest score will be recommended as the successful vendor.**

### 13. 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

**Supply Chain enquiries**

Ms Ntombi Maqhula OR Mr Solomon Motshweni

E-mail: [Nmaqhula@cipc.co.za](mailto:Nmaqhula@cipc.co.za) / [smotshweni@cipc.co.za](mailto:smotshweni@cipc.co.za)

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