

# APPOINTMENT OF A SERVICE PROVIDER FOR THE DEVELOPMENT AND IMPLEMENTATION OF A BUSINESS CONTINUITY MANAGEMENT PROGRAMME

**Briefing Session:** 14 February 2019 at 14H00

**RFP No.:** RFP 68/2018

**Closing Date:** 08 March 2019, 11h00

# Table of Contents

- 1. Welcome and Introduction**
- 2. RFP Timelines**
- 3. Background and Scope of Work**
- 4. Bid Evaluation Process**
- 5. Price & B-BBEE**
- 6. Draft Services Agreement**
- 7. RFP submission and contact details**
- 8. Q&A**

# Bid Evaluation Committee

## Procurement

Sourcing Lead: Professional Services – Project Oversight

Governance, Compliance & Risk Specialist – Audit

Contract Specialist

Tender Office – Pre-Qualification

Value Delivery Planning – Price Evaluator

Financial Analysis team

B-BBEE Evaluator

## SARS Business Unit

Bid Specification Committee

Technical Evaluators

## Corporate Legal Services

Legal Specialist

# Table of Contents

1. Welcome and Introduction
- 2. RFP Timelines**
3. Background and Scope of Work
4. Bid Evaluation Process
5. Price & B-BBEE
6. Draft Services Agreement
7. RFP submission and contact details
8. Q&A

# RFP Timelines

ACTIVITY	DUE DATE
RFP Advertisement in Government Tender Bulletin	08 February 2019
Tender documents on SARS website	08 February 2019
<b>Non-compulsory briefing session</b>	14 February 2019 at 14H00
Questions relating to RFP	08 February 2019 – 22 February 2019
RFP Closing Date	08 March 2019, 11h00
Notice to bidders	April / May 2019

# Table of Content

1. Welcome and Introduction
2. RFP Timelines
- 3. Background and Scope of Work**
4. Bid Evaluation Process
5. Price & BBBEE
6. Draft Services Agreement
7. RFP submission and contact details
8. Q&A

# Background

Business Interruption at an enterprise level has been identified as one of SARS' Top Risks, mainly due to the lack of a coordinated, integrated and standardised approach to managing business continuity in the event of a disaster or major business interruption event. SARS therefore, requires the services of a service provider to conduct business impact analysis, recovery strategies, design and implement a Business Continuity Management Programme for the entire organisation which comprises ten (10) Divisions.

SARS has in the past managed Business Continuity Management (BCM) in an informal decentralised process that focuses on locality, functionality and specific scenarios. This has been an uncoordinated manner that lacks standardisation. The requirement is to standardise and formalise the process at the enterprise level, and to ensure the coordination of structure lower down in the organisation.

# Background

The solution must take into account the complexities and diversities in terms of infrastructure and the national footprint. This picture is further complicated by the existence of large campuses, specific scenarios and seasonal implications.

SARS is an industry leader in its ability to leverage technology to achieve its business objectives. An efficient technology disaster recovery plan requires a clear understanding of the output of the assessments and analysis used to confirm the SARS business critical applications, the SARS Recovery Point Objective (RPO) as well as the SARS Recovery Time Objective (RTO), which were previously used as input to the design for the existing SARS Disaster Recovery Landscape and IT Disaster Recovery Plans. Since the last update, SARS application landscape has changed substantially.

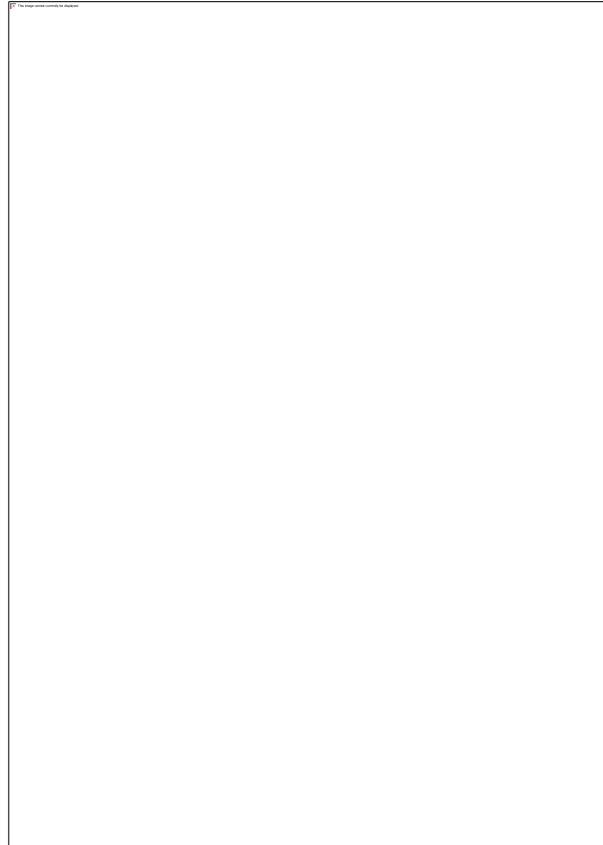
## Core outcome of the Business Continuity Management Programme (BCMP)

BCMP must ensure that should an interruption occur, the following continues to be achieved:

- SARS' mandate of collecting revenue continues unhindered;
- SARS complies with all relevant Tax, Customs and Excise legislation;
- Public trust and credibility of SARS is retained;
- Employees are safe and have trust in SARS;
- The reputation of SARS is protected and improved; and
- SARS information (including Taxpayer Information) is protected, as per applicable legislation.

# Scope of work

Refer to section 9.2 - 9.5 of the RFP document (page 14 - 18).



# Table of Contents

1. Welcome and Introduction
2. RFP Timelines
3. Background and Scope of work
- 4. Bid Evaluation Process**
5. Price & B-BBEE
6. Draft Services Agreement
7. RFP submission and contact details
8. Q&A

# Bid Evaluation Process: Refer to paragraph 12 of the RFP document

## Gate 0

Pre-Qualification

- Invitation to Bid SBD 1
- Central Registration Report (Central Database System) from NT
- GCC
- SARS Oath / Affirmation of Secrecy
- Declaration of interest SBD 4
- Preference Point Claim form- SBD 6.1
- Declaration of Bidder's Past SCM Practices – SBD 8
- Certificate of Independent Bid Determination – SBD 9
- Supplier cost and risk assessment questionnaire

## Gate 1

Technical Evaluation

100 points

Achieve overall score of 70 out of 100 points to proceed to Gate 2

- Company profile
- Methodology / Technical Approach
- Resources
- Capability
- Testimonials
- Skills Transfer Plan

Annexure A1 – Technical Evaluation Criteria

## Gate 2

BBBEE = 20

100 points

Price = 80

# Technical Requirements

Bidders are required to complete Annexure A2 to assist the evaluators to locate technical responses.

Section No	Technical Criteria	Compliant	Partially Compliant	Non-Compliant	Reference page in Proposal	Comments
1.2	<b>Experience of the bidder</b>	Yes			Page 9 to 12 - exhibit 2	
2.1	<b>Provide the approach, processes and methodology that will be applied by demonstrating the alignment to the SARS requirements and scope of work.</b>	<b>EXAMPLE</b>	Yes		Page 13 to 15 - exhibit 2	Bidder to state reason for partial compliance
2.2	<b>Demonstrate the capability and capacity to deliver the service</b>			No	Page 17 to 20 - exhibit 5	Bidder to state reason for non-compliance

# Table of Content

1. Welcome and Introduction
2. RFP Timelines
3. Background & Scope of work
4. Bid Evaluation Process
- 5. PRICE & B-BBEE**
- 6. Draft Services Agreement**
- 7. RFP submission and contact details**
- 8. Q&A**

## Bid Evaluation Process - Gate 2 (Price & B-BBEE)

### PRICING

# 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

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  
 $P_t$  = Price of Bid under consideration  
 $P_{\min}$  = Price of lowest acceptable Bid

## Bid Evaluation Process: Gate 2 – Price

Bidders are required to consider the following prior to completion of the pricing schedule - Annexure B:

- Bidders should note that SARS reserves the right to accept part of a Bid (as per the pricing template) rather than the whole bid proposal;
- The Bidder's pricing must be all cost inclusive. No cost escalations will be considered once the Successful Bidder has been appointed. Furthermore, a Bidder must note that it will not be entitled to recover accommodation, travel or subsistence costs from SARS; and
- According to National Treasury Instruction No. 03 of 2017/2018 paragraph 4.3 of Cost Containment Measures: *“Accounting officers and accounting authorities must adopt a fair and reasonable remuneration framework for consultants, taking into account –*
  - a) ...*
  - b) The “Guide on Hourly Fee Rates for Consultants”, as issued by the Department of Public Service and Administration (DPSA)”.*



# Bid Evaluation Process Gate 2 (Price & B-BBEE)

## B-BBEE

## B-BBEE = 20 points

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

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

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

# B-BBEE Requirements

The table below indicates the specific B-BBEE certification documents that must be submitted for this tender. Failure to submit the required certification documents will also result in Bidders being disqualified.

Classification	Turnover	Submission Requirement
<b>Exempted Micro Enterprise (EME)</b>	Below R10 million p.a.	A DTI Affidavit; Certificate from CIPC; or Certified copy of B-BBEE Rating Certificate from a SANAS Accredited rating.
<b>Qualifying Small Enterprise (QSE)</b>	Between R10 million and R50 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS Accredited rating; or A DTI Affidavit – Only 51% BO and above.
<b>Large Enterprise (LE)</b>	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.**

# 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)

# BEE requirements cont.

## 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 regulation 12(3) of the Preferential Procurement Regulations, 2017 with regard to sub-contracting:
- *“A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the sub-contract.”*

# BEE requirements cont.

## **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.

# Bid Evaluation Process Gate 2 (Price & B-BBEE)

## FINANCIALS

# Financial Evaluation

- Financially Stable
- Financially Viable
- Identify Financial Risks
- Apply Appropriate Mitigating Strategies

# Financial Evaluation

- **Complete Sets of Audited/ Independently Reviewed Annual Financial Statements**

- ✓ Signed Auditors / Accounting Officers Opinions
- ✓ Statement of Comprehensive Income (*Income Statement*)
- ✓ Statement of Financial Position (*Balance Sheet*)
- ✓ Statement of Cash Flows (*Cash Flow Statement*)
- ✓ Accompanying Unabridged Notes for ALL of the above documents

- **Less than 3 Financial Periods**

Explanatory Letter

- **Joint Ventures**

Unincorporated JVs must submit separate F/S for each party to the JV.  
Signed JV legal agreement.

- **Financial statements in Bidding Companies Name**

Subsidiary submitting holding company's F/S must also furnish a Performance Guarantee.

# Table of Content

1. Welcome and Introduction
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- 6. Draft Services Agreement**
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# Services Agreement

- Upon award, SARS and the Successful Bidder will conclude an agreement regulating the specific terms and conditions applicable to the services being procured by SARS, more or less in the format of the draft Services Agreement included in this tender pack. SARS will not accept any “standard terms and conditions” or other contract that may be presented to it by the Successful Bidder.
- SARS reserves the right to vary the proposed terms and conditions of the draft Services Agreement upon the award of this RFP.
- Bidders are not required to sign the draft Services Agreement when submitting the proposal.

# Table of Contents

1. Welcome and Introduction
2. RFP Timelines
3. Background & Scope of Work
4. Bid Evaluation Process
5. Price & B-BBEE
6. Draft Services Agreement
- 7. RFP submission and contact details**
- 8. Q&A**

# Bid Submission

Bidders must submit copies of each file (Original and Duplicate) and a USB with content of each file by the **08 March 2019 at 11:00**.



## TENDER BOX

SARS Brooklyn Bridge, 570 Fehrsen Street, Linton House, Brooklyn

Any enquiries must be referred, in writing via email:

[tenderoffice@sars.gov.za](mailto:tenderoffice@sars.gov.za) cc and [rft-professionalservices@sars.gov.za](mailto:rft-professionalservices@sars.gov.za)  
(08 February 2019 – 22 February 2019)

# File 1: Original / Duplicate

## Exhibit 1

- Pre-qualification documents (SBD documents and other)



## Exhibit 2

- Bidder Compliance Checklist – Annexure A2
- Response to Technical Requirements – Annexure A1
- Supporting documents for technical responses



## Exhibit 3

- General Conditions of Contract
- Draft Services Agreement



## File 2: Original / Duplicate

Exhibit 1

- B-BBEE Certificate
- SBD 6.1



Exhibit 2

- Pricing Schedule



Exhibit 3

- Financial Statements



**NB!** Each file must be marked correctly and sealed separately for easy reference during the evaluation process. USB marked with the Bidder's name.

# Table of Content

1. Welcome and Introduction
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3. Background & Scope of work
4. Bid Evaluation Process
5. B-BBEE
6. Draft Services Agreement
7. RFP submission and contact details
- 8. Q&A**

