

THE NATIONAL CREDIT REGULATOR

JANUARY 2023

**TERMS OF REFERENCE FOR APPOINTMENT OF
SERVICE PROVIDER FOR THE DESIGN, PRINTING AND
DELIVERY OF WINDOW DECALS “AS & WHEN
REQUIRED” FOR A PERIOD OF 36 MONTHS**

RFP NUMBER: NCR 839.01.2023

**DUE DATE: 20 FEBRUARY 2023 AT 11H00
SHARP CAT
HAND DELIVERY TO NCR OFFICES**

SECTION 1

GENERAL TERMS OF CONDITIONS

1. General Information for Bidders

The National Credit Regulator (NCR) was established in terms of Section 12 (1) of the National Credit Act (Act 34 of 2005) and came into being on 1 June 2006.

The NCR will determine which bidding organisation (“bid participant”), if any, is appointed in response to this request for submission as stipulated in section 2 of this document.

1.1. General Terms

This tender is issued in terms of the Public Finance Management Act 1 of 1999 (PFMA), the Preferential Procurement Policy Framework Act 5 of 2000 (PPPFA), the Preferential Procurement Regulations, 2017 (PPR), Supply Chain Management Regulations issued by the National Treasury and BBBEE Act.

Parties that wish to submit proposals are required to indicate that they are willing to accept the General Conditions and Procedures of the NCR (see Section 4 below and Annexure B.1). Please read this document carefully prior to submitting your proposal.

1.2. The Proposal Format

1.2.1. Economy of proposal preparation

The proposal should be prepared simply and economically, providing a straightforward and concise description of the bid participant’s ability to meet the requirements of the proposal request.

Clear factual responses are required. The content of the proposals shall determine the merit of each participant, not brochures or other marketing material. To facilitate the review of proposals, participants are required to organise their responses according to the format presented below. Should a participant wish to provide additional information, that information should be referred to, and provided for, in a file of Annexures.

1.2.2. Validity of proposals

The proposals must include a statement as to the period for which the proposal remains valid. The proposal must be valid for at **least ninety (90) days** from the due date for the submission of all bids. Refer to the quarters in the terms of reference (TOR).

1.2.3. Number of proposals

Each bid participant must provide **two (2) hard copies and 1 memory stick (this must be a complete replica of the hard copy document)** of their entire proposal, including all the documentation referred to in 4 below, in the format specified in that section. All submitted proposals will become the property of the NCR, and will not be returned. Receipt of all proposals will be recorded in a register at the point of receipt. One copy of the proposal must be signed and dated in black ink by the bidder or authorized representative of the bidder and initialled on each page.

2. Submission of proposals

2.1. Proposals must reach the offices of the NCR before **11:00 on 20 February 2023 @11H00am** and must be enclosed in a sealed envelope which must be clearly labelled/addressed on the outside:

(a) RFP No: NCR 839.01.2023

(B) TERMS OF REFERENCE (TOR) FOR THE DESIGN, PRINTING AND DELIVERY OF WINDOW DECALS “AS & WHEN REQUIRED” FOR A PERIOD OF 36 MONTHS

(c) CLOSING DATE: 20 February 2023 AT 11H00 SHARP

2.2. Proposals are to be submitted in the marked tender box, in the reception area, National Credit Regulator, 127-15th Road, Randjiespark, Halfway House, Midrand. The tender box will only be available for the depositing of proposals between 08h00 and 16h30 on weekdays (excluding public holidays).

2.3. Please note that this RFP closes punctually at 11h00 on **20 February 2023**. No late submissions will be considered under any circumstances.

2.4. All the documentation referred to in Section 4 below must be submitted. Failure to submit all the documentation referred to in this section may result in a submission being discarded, and not considered for evaluation.

2.5. If responses are not delivered as stipulated in this Section 2.1, such responses will be considered “late”, and will not be considered for evaluation.

2.6. The NCR shall not disclose any details pertaining to the responses received, to any other participant, as this is regarded as confidential information.

2.7. Envelopes must not contain documents relating to any RFP other than the one referred to in this RFP.

2.8. The responses to the RFP will be opened as soon as is practical after the expiry of the

time advertised for receiving them.

- 2.9.** Only the participants that are short-listed after the evaluation process will be informed of the results of the submission adjudication process.
- 2.10.** After the evaluation process is completed, the Evaluation Committee may, prior to making a final selection, draw up a shortlist of participants and require them to make a detailed presentation. A minimum of **2 days' notice** will be given to relevant participants in advance of the presentation date.

3. Timetable

Date	Activity
20/01/2023	Advertisement of the RFP
20/02/2023	Closing date @ 11h00
22/02/2023	Preliminary evaluation
23/02/2023	Evaluations by the Evaluation Committee
27/02/2023	Adjudication Committee meeting
30/03/2023	Appointment

The National Credit Regulator reserves the right to determine the structure of the process, the right to determine the number of short-listed participants, the right to withdraw from the proposal process, and the right to change this timetable at any time without notice.

4. Documentation to be submitted

Please Note

All of the documentation described below must be submitted, with no omissions whatsoever. Where a particular form or format of documentation is stipulated, this is the only form or format in which these documents must be submitted. Failure to adhere to these requirements may result in the rejection of the entire submission.

All of the documentation referred to below (in Parts One – Twelve) must be acknowledged and submitted. For ease of reference and to facilitate the evaluation process, you are requested to clearly mark each part of the submitted documentation as it is referred to below.

4.1. Table of content

Introductory letter by the bidder with authorized contact person and details for this specific tender

4.2. SBD 1 – should be the completed and inserted after the introductory letter

One – Proposal drafted in response to Terms of Reference

Section 2 of this document below, contains the terms of reference (TOR) for the above mentioned tender. Bid participants are required to draft a proposal that will clearly indicate to the Evaluation Committee how they will fulfil the requirements as set out in the TOR.

Bid participants should include the following information when drafting their proposals:

- Proposals should make clear the relevant skills, experience and capacity of the participant, in respect of this particular TOR. This is an important evaluation criterion. Bid participants should ensure that their proposals focus on how they will address the requirements of this TOR, rather than on achievements.
- Proposals must contain the details of the proposed approach to be adopted in order to deliver the service in accordance with the TOR.
- Proposals should clearly indicate whether or not bid participants have the internal capacity to meet the requirements of the TOR.

4.3. Two – Pricing Proposal- SEPERATE ENVELOPE

SBD 3.1 Pricing Schedule together with signed off detailed pricing on the company’s letter head. This SBD document must be completed and accompanied by the detailed pricing on the letter head of the bidder. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected. Additional information may be added on a separate page if necessary.

The total price that the participant will charge to deliver services in accordance with the TOR must be clearly indicated. The pricing proposal should contain sufficient information to allow the Evaluation Committee to estimate the cost of the service, to a high degree of accuracy.

Please note that a financial proposal must be submitted in a separate sealed envelope together with your submission. The financial Proposal will be opened once all technical proposals have been evaluated. This appointment will be made in line with QBS. All prices provided must be inclusive of Value-Added Tax (VAT).

Please note that the prices contained in the pricing proposal are the only charges that may be levied if the participant’s proposal is successful, unless explicitly agreed to in writing by the National Credit Regulator, and in terms of the General Conditions of Contract, no additional cost will be accepted after the bidding documents have been submitted and the tender closing date has expired. Any cost for additional parts and peripherals needed for the successful implementation of the project shall remain and form part of the bidding price.

4.4. Three – General Conditions and Procedures of the NCR

Annexure B and B1 - General Conditions and Procedures of the NCR. Bid participants must indicate clearly that they have read this document, and have no objections to being bound by its contents. In cases where any provisions of the General Conditions and Procedures conflict with this General Information for Bidders and/or Terms of Reference, the latter will take precedence over the General Conditions of Contract.

4.5. Four – Contract Form: Rendering of Services

Annexure C - Contract Form: Rendering of Services. This will only be completed by the successful bidder once a selection has been made by NCR. Participants do not, therefore, need to complete this form at the bidding stage but their proposals must clearly indicate that they have read this form, and have no objections to signing it as is, if selected as the successful participant.

4.6. Five – Tax status

Annexure D - Please attach CSD showing Tax status , *CSD print out must also be attached.*

4.7. Six – Preference Points Claim Form

Annexure E – form SBD 6.1. Bid participants must complete Sections 8 and 9 in full. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected. *## Please note that a **BBBEE certificate/ sworn affidavit** must also be attached to the bid documents. None submission will result in zero scoring in this competitive bidding process*

The following pointers are key in determining the **validity of a sworn affidavit**:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management account.
- Financial year end as per the enterprise’s registration documents, which was used to determine the total revenue.
- B-BBEE Status level. An enterprise can only have one status level.
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.

- Date deponent signed and date of Commissioner of Oath must be the same.
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

4.8. Seven – Declaration of Interest

Annexure F – form SBD 4. DO NOT RETYPE THESE FORMS. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

4.9. Eight – Declaration of past Supply Chain Management Practices

Annexure G – form SBD 8. DO NOT RETYPE THESE FORMS. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

4.10. Nine – Non-Disclosure Agreement

Annexure H – Non-Disclosure Agreement. Participants must indicate clearly that they have read this agreement, and have no objections to signing it, as is.

4.11. Ten – Certificate of Independent Bid Determination

Annexure I – Certificate of Independent Bid Determination Participants. They must be completed on the original and signed, all in black ink. Forms with photocopies and/or other reproductions of signatures may be rejected.

4.12. Eleven – SLA draft version for supplier review

Annexure K – SLA draft version for supplier review. The participants must indicate clearly that they have read this agreement, and have no objections to signing it, as is. If not objections should be outlined separately in a letter. NB: all the SBD documents can be downloaded from our website - <https://www.ncr.org.za/tenders-download/current-tenders>

4.13. Pre-qualification Criteria

Without limiting the generality of the NCR's other critical requirements for this Bid, bidders must submit the documents listed in **Table 1** below. All documents must be completed and signed by the duly authorised representative of the prospective bidders. During this phase, Bidders' responses will be evaluated based on compliance with the listed administration and mandatory bid requirements. The bidders' proposals may be disqualified for non-submission of any of the documents.

Table 1: Documents that must be submitted for Pre-qualification

Document that must be Submitted	Guideline		Consequence of Non-submission
Invitation to Bid – SBD 1	Yes	Complete and sign the supplied pro forma document	Disqualification from process
Tax status SBD 1	Yes	Written confirmation that SARS may on an ongoing basis during the tenure of the contract disclose the bidder's tax compliance status. Proof of Registration on the Central Supplier Database Vendor number	Disqualification from process
Declaration of Interest – SBD 4	Yes	Complete and sign the supplied pro forma document	Disqualification from process
Preference Point Claim Form – SBD 6.1	Yes	Non-submission will lead to a zero (0) score on BBBEE	Zero points awarded for B-BBEE
Declaration of Bidder's Past Supply Chain Management Practices – SBD 8	Yes	Complete and sign the supplied pro forma document	Disqualification from process
Certificate of Independent Bid Determination – SBD 9	Yes	Complete and sign the supplied pro forma document	Disqualification from process
Registration on Central Supplier Database (CSD)	Yes	The Service Provider must be registered as a service provider on the Central Supplier Database (CSD). If not registered, to complete the registration of company prior to submitting the proposal. Visit https://secure.csd.gov.za/ to obtain your vendor number starting with MAAA. Submit proof of registration.	Disqualification from process
Pricing Schedule SBD 3.1	Yes	Submit full details of the pricing proposal in a separate envelope	Disqualification from process
General terms and conditions	Yes	Bidders are required to read and accept the terms as outlined	Disqualification from process

The points system is outlined for the 80/20 and 90/10 to address the preferential procurement as followed:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

The points above will be allocated based on the evidence of the sworn affidavit and BBEE certificate as per the prescripts of the BBEE commission. The BBEE certificate is valid when issued by the accredited BEE verification agency SANAS and the sworn affidavits is valid when it meets the following criteria:

- Name/s of deponent as they appear in the identity document and the identity number
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage black ownership, black female ownership and whether they fall within a designated group.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.
- Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue.
- B-BBEE status level. An enterprise can only have one status level.
- Date deponent signed and date of Commissioner of Oath must be the same.
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

Minister of Finance, as well as the National Treasury and the Government, remain wholly committed to transformation and empowerment as envisioned in the Constitution. In fact, organs of state must comply with the BBBEE Act when developing their procurement policies.

1.1 80/20 preference points system for tenders for income-generating contracts with Rand value equal to or below R50 million. The following formula must be used to calculate the points for price in respect of an invitation for tender for income-generating contracts, with a Rand value equal to or below R50 million, inclusive of all applicable taxes:

$$Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where-

Ps = Points scored for price of tender under consideration;

Pt = Price of tender under consideration; and

Pmax = Price of highest acceptable tender.

A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender.

1.2 90/10 preference point system for tenders for income-generating contracts with Rand value above R50 million. The following formula must be used to calculate the points for price in respect of a tender for income-generating contracts, with a Rand value above R50 million, inclusive of all applicable taxes:

$$Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where-

Ps = Points scored for price of tender under consideration;

Pt = Price of tender under consideration; and

Pmax = Price of highest acceptable tender.

A maximum of 10 points may be awarded to a tenderer for the specific goal specified for the tender.

5. Evaluation Criteria

Proposals will be evaluated on the 80/20 preference points scoring system: that is, 80% of the points awarded will be based on price, as indicated in the table below; and 20% of the points

awarded will be based on B-BBEE codes system, allocated as indicated in the table below:

B-BBEE status level of contributor	Number of points	Price
Total maximum points	20	80

Functionality will be evaluated in terms of Section 2 point 10

6. Conflict of interest

Service providers are required to provide services that are professional, objective and impartial. Service providers must ensure that there is no conflict of interest between existing assignments, obligations and responsibilities to other clients and the services set out in the TOR. In the event of any uncertainty in this regard, full disclosure in the submitted proposal should be considered. Non-disclosure of a conflict of interest may be grounds for termination of any contract.

7. Confidentiality agreement

The successful service provider may have access to confidential data or information. The appointment of a successful bidder is subject to that bidder agreeing to the contents of, and signing, the NCR's standard Non-Disclosure Agreement.

8. Contact details

This no-contact policy does not apply to any information deemed to be in the public domain, or which is readily available from organs of State, which are repositories of such information. All communications and enquiries/requests for clarification relating to this proposal should be directed to procurement@ncr.org.za.

Fraud / Anti-Corruption Hotline

Report any incidents of wrong doing
to the KPMG Ethics Line

0800 20 53 17 (Toll Free)

SECTION 2

TERMS OF REFERENCE (TOR) FOR THE DESIGN, PRINTING AND DELIVERY OF WINDOW DECALS “AS & WHEN REQUIRED” FOR A PERIOD OF 36 MONTHS

1. Background

Service providers of credit and credit related services are required to register with the Registration Department of the National Credit Regulator (NCR), In terms of the National Credit Act No. 34 of 2005 (NCA) . The purpose is to allow the NCR to discharge its statutory mandate to regulate these registrants and the credit industry.

2. Description

Design, printing and supply of Window Decals for all National Credit Regulator (NCR) registrants i.e. Credit Providers, Debt Counsellors, Credit Bureau, Alternative Dispute Resolution and Payment Distribution Agents, as and when (“as and when basis”) requested by the NCR.

3. Scope of Work

3.1 Duration

The successful service provider will render these services to NCR for a period of 36 months.

3.2 Delivery

Strictly two weeks from the date of order.

4. Specifications for the window decals

The NCR will supply the successful bidder with its Corporate Identity (CI) manual which should be strictly adhered to in terms of all related specifications. The specifications are as follows:

- Size: 190mm in width and 135mm in height;
- Production process: printed by using a silkscreen process and the colour should be exactly as the supplied pantone colours on inter-cote white, permanent vinyl with die-cut round corners;
- Appearance and aesthetics: visible through glass;
- Materials and finish: the decals are printed on transparent vinyl in reverse, followed by a double white and silver. A double white is applied again followed by the facing colors to achieve an opaque finish.
- Artwork for decals/clarity on the CI and all technical queries can be requested, in writing, via email to procurement@ncr.org.za

5. Printing requirements

- 5.1 **Credit Provider Decal**: Pantone Cool Grey 9C and Pantone 152C;
- 5.2 **Credit Bureau Decal**: Pantone Cool Grey 9C, Pantone 152C and Pantone 287C;
- 5.3 **Debt Counsellor Decals**: Pantone Cool Grey 9C, Pantone 152C and Pantone 349C;
- 5.4 **Alternative Dispute Resolution Agent Decal**: Pantone Cool Grey 9C, Pantone 1795C and Pantone 152C;
- 5.5 **Payment Distribution Agent**: Pantone Cool Grey 9C and Pantone 152C.

6. Estimated quantities

Registrant type	Number required
Credit Providers	35 000 per annum
Debt Counsellors	2 000 per annum
Credit Bureaux	70 per annum
Alternative Dispute Resolution Agent	15 per annum
Payment Distribution Agents	5 per annum

NB: The expiry date on all the window decals must be the 31 July. The window decals will be ordered as and when required.

7. Proposal

All bidders need to supply two of each decal as a sample which will be at their own cost. The samples need to match the specifications and artwork supplied exactly.

8. Copyright

- The Intellectual Property Rights that reside in the design of the decals vests in the National Credit Regulator.
- The decals should not be reproduced for any other purpose other than for the purposes as directed above and only under the express written authority of the National Credit Regulator.

9. Artwork

Credit Provider Decal



Credit Bureau Decal



Debt Counsellor Decal



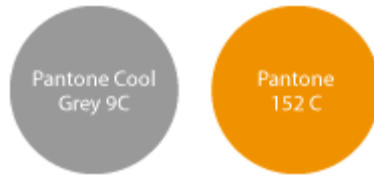


Alternative Dispute Resolution Agent



Payment Distribution Agent





10. Subcontracting:

Should the bidder subcontract on this part, full details of the subcontractor must be provided (BBBEE, CSD registration number, address and technical capacity).

11. Functionality Evaluation

No	Evaluation Criteria	Weight
1.	<p>Company’s practical experience in printing and production of printed materials and the capacity to deal with the project.</p> <ul style="list-style-type: none"> • Provide details and years of experience in this discipline. Bidders are required to indicate their capacity in terms of the printing machines and facilities. • The proposal should include a capacity statement and must clearly indicate the capacity the service provider has that will be allocated to the project, that should include an indication that it will be able to deliver the required amount of window decals within two weeks from the time of placing the order. <p>Scoring matrix (maximum 5 points): 5 = > 5 years - exceed the requirements (If the company’s’ profile indicates that it has more than 5 years’ experience in printing and production of printed materials. Indicated the capacity in terms of the printing machines and facilities and is able to deliver the required amount of window decals within two weeks from the time of placing the order. Indicated the capacity the service provider has that will be allocated to the project 4 = 3 to 5 years - Meet the requirements 3 = 2 to 3 years - Partially meet the requirements 2 = Less than 2 years – Partially meet the requirements 1 = Less than 1 year – Does not meet the requirements</p>	<p>20%</p>
2.	<p>Samples Bidders are required to provide samples in terms of the section 4, 5 and 9 of the terms of reference. The samples will be evaluated according to the same sections. NB: For smaller decal quantities i.e. Credit Bureaux, ADRA and PDA – the NCR will accept digital samples as long as they are in accordance with the CI and are a perfect match.</p>	<p>35%</p>

	<p>5 = All 5 samples meet the specifications 4 = Only 4 samples meet the specifications 3 = Only 3 samples meet the specifications 2 = Less than 3 samples meet the specifications 1 = Samples do not meet specifications</p>	
3.	<p>References</p> <p>At least three (3) reference letters for the similar work conducted in the last 12 months with contact details including telephone numbers and email addresses.</p> <p>Reference letters will be checked against the scope, relevance, complexity, value and time span of similar projects.</p> <p>5 = 4 reference letters or more 4 = 3 reference letters 3 = 2 reference letters 2 = 1 reference letter 1 = 0 reference letters</p>	10%
4	<p>Methodology</p> <p>A) Clear provision of detailed process to be followed upon receipt of order.</p> <p>B) Demonstrating understanding of the subject matter and expansion on key issues for consideration in the scope of work; Has the bidder submitted proper costing schedule</p> <p>C) Work plan on how the work is going to be done</p> <p>D) Risk Matrix should outline key project risks, as well as the corrective measures suggested to mitigate these risks and their impact, for an example how will the following be addressed:</p> <ul style="list-style-type: none"> - Load shedding - Sourcing of the correct paper to print on - Delivery of window decals <p>5 = Exceed the requirements (provided detailed project plan indicating expansion on key issues for consideration in the project as stated on the scope of work and a proper costing. In addition, a detailed explanation on how the project objectives will be assessed, risk matrix and methodology)</p> <p>4= Meet the requirements (demonstrated familiarity with the subject</p>	35%

	<p>matter by providing a detailed work plan with a proper costing schedule and with clear timelines on the scope of work stated. In addition, a clear explanation on how the project objectives will be assessed, risk matrix and methodology.)</p> <p>3= Partially met the requirement (no clear timelessness, however provided a plan on the proposed approach in relation to the scope of work. Provided a costing schedule, No clear explanation on how the project objectives will be assessed, risk matrix and methodology.)</p> <p>2= Did not meet the requirements (proposed approach is not aligned to the scope of work. Provided a costing schedule. No explanation on how project objectives will be addressed, risk matrix and methodology.)</p> <p>1= Poor (Unacceptable, does not meet set criteria, No costing schedule)</p>	
	TOTAL SCORE	100%

Only bidders who have scored a minimum score of 70 points will be evaluated on BBEE and pricing.

12. Additional information/documents to be submitted

- Brief company profile, as relevant to the above mentioned terms of reference.
- Experience in the relevant areas.
- Clientele
- Site visits to both the appointed supplier and sub-contractor (if applicable) will be conducted.
- All sub-contractor information (if applicable) needs to be disclosed in the proposal by the bidder for e.g. BEE certificate, SARS Tax Clearance etc.
- **NB: The BEE level of the sub-contractor (if applicable) needs to be equivalent to that of the bidder.**
- CV/Resumes of the technicians, highlighting experience relevant to this exercise. Individual CVs should not exceed 3 pages along with confirmation that the proposed team members will in fact be available to undertake this exercise at the appropriate time.
- Work plan, showing tasks, timelines etc.
- Contact details of at least three references from among recent clients with whom similar work has been conducted in the past 12 Months.
- Financial proposal- full and detailed pricing must be on the company's letter head and signed off by the delegated and authorised person