

## TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND

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<b>RFP No:</b>	<b>TUTPF0002</b>
<b>Description and Approach</b>	<p><b>Appointment of Service Providers to provide the following services:</b></p> <p><b>1. Fund Administration Services</b>– sec13B duly licensed in terms of the Pension Funds Act, as amended and be an approved retirement fund administrator with the Financial Sector Conduct Authority (FSCA).</p> <p><b>NB:</b> The duration of the Administration Services will be specified in the Service Level Agreement (SLA) and/or Administration Agreement (annexures and/or appendices), as the case may be. Also, any terms and conditions that may apply thereto, shall be specified accordingly. The appointed service provider will at the expiry of the duration of such appointment, be eligible for renewal or be permitted to participate in a tender process, at the discretion of the Board of Trustees of the Fund.</p> <p>Furthermore, the tender process will be conducted per provisions of the <b>Policy on Procurement of Goods and Services</b> of the Fund, where applicable. Appropriate Due Diligence and Verification exercises will be conducted as and when required before the finality of the tender process and/or appointment.</p> <p><b>Note: Presentation sessions will be required with short-listed bidders only.</b></p>

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<b>RFP Opening Date</b>	<b>19 January 2024</b>
<b>Vendor Briefing Session</b>	<p><b>Non-Compulsory Briefing Session will be held as follows: Date:</b>  <b>29 January 2024</b>  <b>Time: 10H00 am – 12H00 pm</b>  <b>Place: Tshwane University of Technology: Staatsartillerie</b>  <b>Road</b>  <b>Dinokeng, Building 21- G136</b>  <b>Pretoria Campus</b>  <b>0001</b></p>
<b>Closing Date for questions/queries</b>	<b>02 February 2024 at 12H00 pm (South African Time)</b>

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<b>RFP Closing Date Details</b>	<p><b>Date: 16 February 2024</b></p> <p><b>Time: 15h00 (South African Time)</b></p> <p><b>Online Submission : Only Online Submission of the RFP</b></p> <p><b>(NO HARD COPY SUBMISSIONS)</b></p>
<b>RFP Validity Period</b>	<p><b>Maximum within 90 (ninety) business days from the Closing Date</b></p>

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### **1. DEFINITIONS**

- 1.1 **“Acceptable Bid”** means any bid, which, in all respects, complies with the specifications and conditions of the RFP as set out in this document;
- 1.2 **“the Act”** means Pensions Fund Act No. 24 of 1956 as amended;
- 1.3 **“Appointed bidder”** means the organisation with whom the order is placed and who is contracted to execute the work as detailed in the RFP. The reference to “Successful tender” shall have a corresponding meaning;
- 1.4 **“Bidder”** means any enterprise, consortium or person, partnership, company, close corporation, firm or any other form of enterprise or person, legal or natural, in South Africa bearing a South African company registration number with its registered office at Address (physical location);
- 1.5 **“Bid”** means a written offer in a prescribed or stipulated form in response to this invitation by TUT PF;
- 1.6 **“Bidder Agent”** means any person mandated by a Prime bidder consortium/joint venture to do business for and on behalf of, or to represent in a business transaction, the Prime bidder and thereby acquire rights for the Prime bidder consortium/joint venture against TUT PF and incur obligations binding the Prime bidder or consortium/joint venture;
- 1.7 **“Consortium”** means several entities joining forces as an umbrella entity to gain a strategic collaborative advantage by combining their expertise, capital, efforts, skills and knowledge for the purpose of executing this RFP complying to all Consortium requirements e.g. Consolidated B-BBEE certificate;
- 1.8 **“The Fund”** means Tshwane University of Technology Pension Fund, a South African fund duly registered in terms of applicable laws of the Republic of South Africa, bearing Registration Number: 12/8/33205 with its registered office at 2827 Botsi Street, Ga-Rankuwa, 0280. The abbreviation “TUT PF” shall have a corresponding meaning;

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- 1.9 **“Effective Date”** means the date which the Agreement between the Fund and the successful bidder commences;
- 1.10 **“Employer”** means Tshwane University of Technology, a South African institution of higher learning, duly registered in terms applicable laws of the Republic of South Africa
- 1.11 **“FAIS”** means Financial Advisory and Intermediary Services Act;
- 1.12 **“Financial Services Provider”** means a person, other than a representative, who as a regular feature of the business of such person – (a) furnishes advice; or furnishes advice and renders any intermediary service; or renders an intermediary service, in terms of the FAIS Act;
- 1.13 **“FSCA”** means Financial Sector Conduct Authority. The word “Authority” shall have a corresponding meaning;
- 1.14 **“FSP”** means Financial Services Provider;
- 1.15 **“Fund Rules”** means Rules of the Fund as registered by FSCA and any amendments thereto;
- 1.16 **“HRBP” means Human Resources Business Partner;**
- 1.17 **“Joint Venture”** means two or more businesses joining together under a contractual agreement to conduct a specific business enterprise with both parties sharing profit and losses. The venture is for one specific project only, rather than for a continuing business relationship as in a strategic alliance. It is about sharing risk with others and providing one or more missing and needed assets and competencies complying to all Joint venture requirements;
- 1.18 **“NRA”** means normal retirement age;
- 1.19 **“Parties”** means both TUT PF and the bidder collectively;
- 1.20 **“Prime bidder”** means a juristic person who forwards an acceptable bid in response to this RFP with the intention of being the main bidder should the proposal be awarded to the entity;

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- 1.21 “**Remuneration**” means in regard to any Member means the Pensionable Salary which is defined in the Rules of the TUT PF as the total of the amount of the basic cash remuneration that the Member receives from the Employer, plus any amount determined by the Employer and communicated to the Fund, provided that this total does not exceed the total cost incurred (either conditionally or not) by the Employer in respect of the Member’s service with the Employer.
- 1.22 “**Republic**” means the Republic of South Africa;
- 1.23 “**RFP**” means Request for Proposal;
- 1.24 “**Sub-contractor**” means any person (natural or juristic) who is subcontracted a portion of an existing contract by a Prime Bidder;
- 1.25 “**Service**” means the service to be provided by the bidder in accordance with the provisions of this RFP including;
- 1.26 “**SLA**” means Service Level Agreement. The words “Contract” and/or Administration Agreement shall have a corresponding meaning.

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### **2. BACKGROUND AND OVERVIEW**

2.1 The Tshwane University of Technology Pension Fund (TUT PF) was established and registered as a defined contribution pension fund with the objective of providing retirement, death and other benefits to its members and their beneficiaries.

2.2 Background information – TUT PF:

Information to be used for preparation of the tender as presented below is based on the status as at 30 September 2023 as indicated in the table below. Basic Fund Information is as follows:

<b>Background</b>	
Financial Year End	30 September
Type of Fund	Defined Contribution Pension Fund
Number of Active Members	1,279 active members as at 30 September 2023, which the majority are South African citizens and based in the Republic
Number of Inactive Members	9 pending claims as at 30 September 2023
Number of Unclaimed Benefits	2 unclaimed benefits as at 30 September 2023
Total Fund Assets	R 682,376,230 as at 30 September 2023
Total Pensionable Payroll per month	R 30,223,141 as at 30 September 2023
Participating Employer	Tshwane University of Technology
Number of Pay points	01 Payroll point
<b>Contributions</b>	

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Member Contributions	A member must make a monthly contribution to the Fund at a rate of either 7.5% or 9.5% or 12.5% of Pensionable Salary. A member may annually make a member contribution rate selection on 1 March each year. A member may make additional voluntary contributions to the Fund, provided that the Fund may set conditions with regards to the regularity of rate and frequency.
Employer Contributions	The Employer contributes monthly at a rate of 15% of Pensionable Salary. The management expenses (administration, consulting and the Expense Reserve Account Fee) are included in the 15% Employer contribution rate. The cost of the group death, spouses and income continuation benefits are excluded from the 15% contribution rate.

<b>Benefits</b>	
NRA	65 years
Retirement Benefits	By applying to the Fund prior to normal retirement, the Member may convert a part into lump payment but, unless otherwise allowed by the Revenue Authorities, not more than one-third of the benefit. At least two thirds of the retirement benefit will be an annuity secured by the member share.
Death	Member's Share less the amount of any reasonable costs undertaken by the Fund in identifying and tracing Dependents and/or Nominees of the Member is paid to his/her Dependents and Nominees.
<b>Additional Information</b>	
Expense Reserve Account	The Fund maintains an Expense Reserve Account. A fixed rand cost per member is funded from the employer contribution to the Expense Reserve Account monthly. The Expense

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	Reserve Fund rate is reviewed on an annual basis by the Board of Trustees and the administrator presents the recommended funding rate calculation to the Board.
Housing Loans	The Fund makes provision for Pension Backed Loans. The Fund has a closed housing loan book with a banking institution and second book for all new loans with another banking institutions.

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### 2.3 Background Information: Risk Benefits (death, spouses and income disability benefits) Overview

- 2.3.1 The group risk benefits are unapproved schemes, and the premiums are paid by the employer in addition to the employer contribution rate directly to the insurance company.
- 2.3.2 On death of a member before normal retirement age a cash lump sum equal to 6 times his/her annual Risk Salary is paid in terms of the nomination of beneficiary form. The Risk Salary is equal to the Pensionable Salary.
- 2.3.3 If a member becomes disabled, the Income Disability Benefit payable by the insurance company is a flat 75% of monthly risk salary. The Risk Salary is equal to the Pensionable Salary. Disabled members remain members of the pension fund until the earliest of death or normal retirement age unless the employment relationship is terminated by the employer.
- 2.3.4 On the death of the spouse of a member, a member will receive a benefit equal to 1 time his/her annual risk salary. The Risk Salary is equal to the Pensionable Salary
- 2.3.5 The Benefit Consultant provides intermediary services on the group risk benefit schemes.
- 2.3.6 The administrator is required to indicate the unapproved group risk benefits on the pension fund benefit statement.
- 2.3.7 The Fund is not currently a conduit of the group risk benefit premiums. The latter may change in the future.

**NOTE TO BIDDER:** The Bidder is required to provide the fund administration quotation.

### **3. OBJECTIVE**

- 3.1 The objective of this RFP is to obtain bids from Bidders, in respect of the relevant scope of administration services, and

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to evaluate these to appoint a service provider who can render professional and high-level services on Fund Administration.

- 3.2 All bidder(s) for the respective services must be compliant with the legislative requirements to provide professional financial service(s) with personnel that has the relevant skill, knowledge and experienced (continuously trained).
- 3.3 The duration of the contract shall be five (5) years, or unless specified in the respective agreement; contract; letter of appointment and/or document, as the case may be, and at the sole discretion of the Board of Trustees of the Fund.

#### **4. SCOPE OF THE BID**

##### **4.1 Scope of Work**

##### **4.1.1 Introduction and Overview of Scope of Services**

The Tshwane University of Technology Pension Fund (TUT PF) has an operating model which has been aligned to serving the Members of the Fund. TUT PF requires a wide range of expertise in providing and rendering **Administration Services** to the Fund.

Bidders are requested to bid for the administration services. The appointed bidder would be expected to replace the current administrator without affecting any other service providers and the services that the other service providers provide to the Fund to ensure minimum disruption to the Fund with the change of administrator. The TUF PF is a free-standing/stand-alone pension fund and this will remain unchanged. Bidders are only requested to provide an administration proposal to administer the free-standing/stand-alone Fund and the Board of Trustees will not consider any umbrella fund quotations or quotations not aligned with the RFP.

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The Fund operates on an independent service provider model in that all the service providers to the Fund are independent of each other with no conflict of interest i.e. independent benefit consultant, independent asset consultant, independent administrator, independent investment administrator, independent actuary, independent auditor etc. The investment administration is done independently of the administrator to ensure that the asset-liability matching can be independently verified. The Fund has an Investment Policy Document and can choose its investment portfolios and/or asset managers. The Fund has an Investment Policy Statement and adopted a life-stage investment strategy consisting of three CIS Multi-Manager Portfolios and a fully vesting monthly bonus fund within two years from the Normal Retirement Date. The administrator is responsible for ensuring that the correct unit prices are administered. Members do have the option to exercise an investment choice in switching between investment portfolios.

The Fund has a formal investment strategy, which is monitored and reviewed on an ongoing basis by the Asset Consultant, Benefits Consultant and Board of Trustees. The investment strategy exists primarily to target a reasonable and market-related retirement benefit. The Tshwane University of Technology Pension Fund complies with good fund governance and best practice.

National Treasury introduced the Default Regulations to be complied with by all retirement funds. The regulations were introduced to ensure the protection, preservation and consolidation of member retirement benefits as well as the sustainability of member post-retirement benefits. These regulations required the Tshwane University of Technology Pension Fund to make appropriate default investment options available to its members.

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A retiring member will need to actively opt into the Fund's Default Annuity Strategy should the default strategy be the preferred solution for the member. However, the retiring member will still be allowed to select his / her annuity solution from any third-party provider. Annuity options should be discussed with a qualified financial planner.

All members that leave the Fund or retire from the Fund must have access to the HRBPs at the university that will provide members with a Pre-Retirement Counselling Document and provide factual information to assist members in making more informed decisions. The HRBPs are not permitted to provide any advice. Members are encouraged to seek the assistance of qualified personal financial advisors at least three months before retirement to ensure that the most appropriate decisions are made given the members' circumstances.

### **4.1.2 Transformation Imperatives of this Tender**

TUT PF is committed to doing its best to assist with addressing the economic imbalances of the past and doing its part to further the government's economic transformation objectives and B-BBEE objectives. A major part of this commitment is evident in our Preferential Procurement procedures and the promotion of Broad-Based Black Economic Empowerment, wherein we aim to promote greater participation by Black Owned, Black Women Owned, Black Youth owned, Black People living with Disability Owned Small, Medium and Micro Enterprises (SMMEs) in our tendering processes. In terms of the Broad-Based Black Economic Empowerment Act 53 of 2003, as amended, definitions, Black people as a generic term referring to Africans, Coloureds and Indians.

Broad-Based Black Economic Empowerment means the economic empowerment of all black people including women, workers,

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youth, people living with disabilities and people living in rural areas through diverse but integrated socio-economic strategies that include, but are not limited to:

- increasing the number of black people who manage, own and control enterprises and productive assets;
- facilitating ownership and management of enterprises and productive assets by communities, workers, cooperatives and other collective enterprises;
- human resource and skills development;
- achieving equitable representation in all occupational categories and levels in the workforce;
- preferential procurement; and
- investment in enterprises that are owned or managed by black people.

All Bidders are required to submit business transformation and ownership proposals, wherein they will provide TUT PF with a proposal on how they will assist with furthering TUT PF's transformation imperatives if they are currently not fully black-owned.

### **4.2 Detailed scope of work requirements**

The detailed scope is as follows, including but not limited to:

The appointed bidder must, as a minimum (subject to any other specified service in the Administration Agreement), provide the below services as indicated:

- Member data information and payroll cost reconciliations
- Facilitate fund contributions and payments to service providers

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- Accounting Services
- Liaise with the relevant authorities i.e. FSCA and SARS
- Annual provision of hard-copy benefit statements
- Comply with all applicable legislation
- Processing and payment of benefit payments to fund members in terms of the rules
- Support all service providers
- Facilitation tracing services when required
- Issue quarterly administration reports
- Issue monthly cash flow reports
- Engage directly with the relevant HRBPs at the university and provide necessary training on the completion of any withdrawal, retirement and death claims as well as the Death Claim Investigation Pack (also referred to as the Trustee Pack).
- Provide training to the HRBPs on the use of the online member portal and mobile phone application.
- Verify the contents of the Death Claim Investigation Pack (Trustee Pack) and follow-up directly with the relevant HRBPs in respect of any outstanding information.
- Provide the Benefits Consultant with the completed Death Claim Investigation Pack (Trustee Pack) for onward forwarding to the Principal Officer.
- The Board has a practice of interviewing the family members together with the Benefit Consultant upon which the Board of Trustees will issue a Trustee Resolution to distribute the death benefit in terms of Section 37C of the Pension Funds Act.

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- A Senior Official from the Administrator to represent the Administrator at all quarterly meetings of the Board of Trustees for the entire duration of the meeting and or at Special Meetings (if attendance is required to be confirmed by the Principal Officer).

### **4.2.1 Provision of Service in terms of Section 13B Administration: Fund Administration Service- in detail**

- a) The Fund Administrator must comply with the applicable legislation, Fund Rules, policies, and procedures in executing its duties. Please note that copies of the Rules of the Fund shall be made available to the successful bidder, after being appointed.
- b) The Fund Administrator must avoid conflicts of interest between the administrator and the duties owed to the Fund.
- c) Compliance with the Fund rules and legislation:
  - i. Operate in a manner, which is compliant with the Fund rules and all legislation and Regulations that affect the operations of the Fund.
- d) Registers:
  - i. Maintain member and asset register
- e) Responsibly administer the fund by:
  - i. Collecting, keeping, reconciling and maintaining member data/information: -
    - Reconcile data fields against the previous month's data and query discrepancies with the Employer (Tshwane University of Technology)
    - Update member records with the following information:
      - Contributions for retirement – separate records for contributions for members and Employer

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- Additional voluntary contributions made - a separate record for contributions for members and Employer
- Monthly investment returns
- Deductions from member accounts
- Tax status of contributions paid and benefits transferred
- Current salary for contributions and benefits
- Risk-benefit formula
- Pensionable Service Date
- Date employed
- Divorce orders, cessions and housing loans
- Nominated beneficiaries and the maintenance thereof
- Section 14 transfer credits
- Record new members onto the system
- Provide new members with welcome letters and membership certificates

### **ii. Maintenance**

- Update member's accepted covers that are higher than the medical free cover limits on the benefit statements.
- Changes to the date of birth, gender or marital status, residential address, postal address, email address and cell phone numbers.
- Flag and maintain member's record with a divorce order, cession or housing loan.

### **iii. Attend to member queries timeously.**

- Acknowledgement receipt of query and respond to member accordingly.

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➤ Response to member queries.

f) Payment of contributions:

- i. Analyse the monthly contribution schedule from the Employer.
- ii. Reconcile differences in contribution and take-up differences with the Employer.
- iii. Utilise contributions allocated to the Expense Reserve Account for fund expenses and statutory levies.
- iv. Transfer contributions towards retirement to the investment portfolios or investment managers involved per selected portfolios of members and the Board of the Fund.
- v. Allocate contributions for retirement to member accounts.
- vi. Calculate interest due on contributions paid late by the Employer. Inform the Employer and follow-up on receipt as well as the Principal Officer.

g) Benefit Payment at retirement or withdrawal from service:

- i. Service Provider to notify the Fund by reporting to the Board of the Fund members approaching retirement date six months before normal retirement date.
- ii. Check whether all necessary information is provided on the termination forms. Differences need to be taken up with the HRBPs at the Employer.
- iii. Disinvest proportionally, if applicable, from relevant investment portfolios and invest member benefits in the money market portfolio selected by the Board of the Fund.
- iv. Apply for a tax directive on the benefit payable or transferable, deduct housing loans divorce settlements, tax and Employer's claims from member's benefit and pay to relevant parties. Transfer remaining benefit according to instruction

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from the member to:

- Member bank account;
- Approved retirement annuity or another approved fund.
- Selected insurer to purchase an annuity.
- v. Provide a breakdown of payment and tax certificates to members.
- vi. Pay tax to SARS.
- h) Benefit payments at death and/or disability:
  - i. The Employer will notify the Service provider of death in writing and if applicable notify the insurer as soon as the notice is received from next of kin.
  - ii. The Service Provider will verify if the completed claims form for correctness and that contributions are paid to date in respect of the member involved.
  - iii. Disinvest proportionally, if applicable, from the relevant investment portfolio and invest the member's benefit in a money market portfolio selected by the Fund.
  - iv. Apply for tax directive on the benefit payable or transferable; and deduct all relevant claims from member's benefit and pay the relevant parties e.g. divorce settlements, Employer's claims. Transfer the remaining benefit according to instructions from the member.
  - v. Provide a breakdown of payment as well as a tax certificate, if applicable.
- i) Accounting and Investment Management:
  - i.1 Accounting-

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- i. Manage the bank account of the Fund on behalf of the Fund.
  - ii. Reconcile bank account, assets and liabilities.
  - iii. Timeous payment of accounts of third-party service providers appointed by the Fund, after receipt of the necessary invoices and/or Service Level Agreements, and on authorization by the Principal Officer or Board of Fund where applicable and reconciliation of valid supporting documents.
  - iv. Calculate and pay FSCA fees due.
- i.2 Financial statements-
- i. Draft annual financial statements and submit them to auditors appointed by the Fund.
  - ii. Prepare reconciliations for the auditors of transactions/balances as required by the auditors for the audit.
  - iii. The auditor will submit and present the audited financial statements to the Board of the Fund.
  - iv. Service Provider will submit to the FSCA the approved financial statements and deal with queries from the FSCA regarding the statements.
- i.3 Investment Management-
- i. Check whether net cash flow as a result of trades is correct and query any discrepancies
  - ii. Obtain market value files for each investment portfolio.
  - iii. Provide data to investment managers on request
- i.4 Reporting-
- i. Report to the Principal Officer the contributions not received on the agreed time following the month it was due; and
  - ii. Report outstanding information to the Employer concerning member benefit payment.

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- iii. Provide fund data for purposes such as re-broking the risk benefits of the fund.
- j) Ancillary Services:
  - j.1 Contracts and Documentation (*if required - at the discretion of the Board of Trustees*)-
    - i. The Service Provider drafts rules, and rule amendments per Board of Fund resolution, policy, administration agreement and administration manual in English.
    - ii. Discuss the administration manual in English and provide the necessary training for the Employer's staff.
    - iii. Draft rule amendments in English – these rules amendments may be extensive amendments which include but are not limited to extensive amendments because of a change in legislation, non-standard amendment and/or consolidations. The number of rule amendments will depend on the amendment passed by the Board of Trustees of the Fund.
    - iv. Draft a consolidated set of rules when the number of rule amendments exceeds 10.
    - v. Arrange for registration and approval of consolidated rules and rule amendments.
    - vi. Keep the Fund and the Board of the Fund informed of changes in the industry and legal developments (Insight brochure and Board Review) that may affect the administration of the Fund.
  - j.2 Unclaimed Benefits-
    - i. The Service Provider every month runs and provides unclaimed benefits reports to identify all claims other than death claimed, older than 24 months where payments have not been made.
    - ii. The Service Provider researches all cases and the final determination is made where the case is unclaimed. Member is indicated as unclaimed on the system.

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iii. In terms of Board resolution, transfer member's benefits to the Unclaimed Benefits Fund.

### **j.3 Communication with Members-**

- i. Issue at least one (1) hard copy benefit statement along with the Nomination of Beneficiary Form per member per year which meets the requirement of Pension Fund Circular 86. A benefit statement consists of three printed pages in total, either printed on the front or back or on separate pages. This must be done in the format as prescribed in the "Communication of Benefit Projections to members of Retirement Funds" document.
- ii. Issue membership certificates per FSCA requirements.
- iii. Provide option forms to enable members to exercise their choices if applicable.
- iv. Provide access to Fund information via the Internet for members to view their online benefit statements, and update their nomination form.
- v. Supply the necessary option forms to enable members to exercise their choices (if applicable).
- vi. Provide members with a Mobile Phone Application.

### **j.4 Management reports-**

- i. Reports will be provided on at least the following:
  - o Member statistics need to include information on resignations/termination of service, death, retirement and disability claims.
  - o Potential retirements.
  - o Outstanding claims report
  - o Contribution reconciliation report.

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- Investment Holdings Report
- Cash Flow Report
- Asset Liability Matching Report

j.5 General-

- i. Facilitate informal/information complaints and litigation of the Fund including Pension Funds Adjudicator complaints.

- j.6 Rule Amendments and Revised Rules (*if required - at the discretion of the Board of Trustees*) and submit for registration to the FSCA.

### **5. PROPRIETARY AND CONFIDENTIAL INFORMATION**

- 5.1 All information submitted in response to this RFP shall become the property of the Fund. Any confidential information provided by a prospective bidder in response to this RFP will be held in confidence and will only be used for the evaluation of this tender.
- 5.2 TUT PF will not disclose any information furnished to the TUT PF through this tender process to a third party or any other bidder without the prior written approval of the bidder whose information is sought. Furthermore, TUT PF will not disclose the names of the bidders until the tender process has been finalized. Bidders may not disclose any information provided to them as part of this process to any third party without the prior written approval of the TUT PF. If the bidder needs to consult and/or engage with third parties on the contents of this RFP document, such third parties must complete and sign confidentiality agreements, which should be returned to TUT PF as part of response submission to this tender process.

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### **6. DEALING WITH THE FUND**

- 6.1 Neither Bidders nor their respective advisers, may contact officers, employees or advisers of the TUT PF, save as provided for in point 9 below, about the RFP or the submission of bids at any time after the Clarification and communication closing date. However, contact will be permissible only in the case of pre-existing commercial relations, in which case contact may be maintained only in terms thereof. In making such allowed contact, neither Bidders nor their members, nor anyone acting on behalf of any Bidder or member, may refer to the RFP or bid in response thereto. The “no contact policy” will not apply to any information deemed to be in the public domain, or which is readily available from Retirement Fund Industry.
- 6.2 Prospective bidders must not contact any member of the Fund concerning queries they may have with this RFP. As alluded to in point 8 below, a briefing session will be held during which it is expected that any queries raised, will be answered. The bidder shall not disclose any such information or specification, whether explicit or implied, to any third party without written consent from the Fund.
- 6.3 Bidders are required to avoid any conflict of interest and to disclose any possible conflict of interest or potential conflict of interest to the TUT PF. Bidders should contact TUF PF for clarity on whether a conflict of interest exists or not. The existence of a conflict of interest or a failure by a bidder to timeously disclose any such conflict or part conflict may result in the bidder’s bid being disqualified.
- 6.4 For TUT PF to thoroughly evaluate responses, it requires a validity period of approximately 90 (ninety) business/working days from the closing date, the prices which have been quoted by the bidder must remain firm and valid for such period. It is only in exceptional circumstances that the TUT PF would accommodate a proposal to change the prices submitted.

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- 6.5 Bidders may be disqualified if they have not materially complied with any of the TUT PF's requirements in terms of this tender document.

### **7. RFP INVITATION AND DOCUMENTATION ISSUING AND COLLECTION**

- 7.1 RFP invitations will be posted on an appropriate website (industry website) for all interested service providers to access.
- 7.2 The cost associated with the posting of the invite on such website portal shall be borne by the Fund.
- 7.3 RFP documents will be available from 19 January 2024 from the industry website.
- 7.4 All costs associated with the preparation and submissions of the RFP shall be borne by the prospective bidder (if any).

### **8. BRIEFING SESSION**

There will be a non-compulsory briefing session to provide prospective bidders with an understanding of the Fund's requirements at the venue, date and time given below:

- **Date:** 29 January 2024
- **Time:** 10h00 am – 12h00 pm
- **Venue:** Tshwane University of Technology  
Staatsartillerie Road  
Building 21 - 471  
Pretoria West, 0001

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### **Notes:**

- Number of bidder representatives: maximum two (2).
- A Register will be provided for bidders to register their names and email addresses.

### **9. CLARIFICATIONS**

- 9.1 Request for clarity or information on the RFP may only be requested until 02 February 2024 at noon. Any clarifications sought must be e-mailed to [tutpf1@tut.ac.za](mailto:tutpf1@tut.ac.za).
- 9.2 The Fund shall reply to any clarifications sought by the bidders at the briefing session and/or within seven working days (7) days after the briefing session, or any other time deemed reasonable by the Fund, to enable prospective bidders to make timely submissions of its RFP response. All clarification responses will be shared with all the bidders who responded to the RFP invitation including the bidders who attended the briefing session.
- 9.3 To assist in the evaluation and comparison of RFP responses, the Fund may at its discretion, ask the prospective bidders for a clarification of its RFP response. The request for clarification and the response shall be in writing, and no change in the prices or substance shall be sought, offered, or permitted. Clarification requests must be responded to within three (3) working days after the request has been made by the Fund.
- 9.4 Any effort by the prospective bidder to influence the Fund's evaluation, comparison or contract award decisions may result in the rejection of the prospective bidder's RFP response.

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### **10. TERMS AND CONDITIONS OF SUBMISSION OF RFP**

**10.1** This RFP is open to all bidders registered and duly authorized to provide the services in South Africa.

10.1.1 Any bids received after the bid submission date and time will not be accepted by TUT PF and will therefore be disqualified.

10.1.2 TUT PF reserves the right to award the contract based on the bid submission received from a bidding entity subject to TUT PF's terms and conditions.

10.1.3 TUT PF Board or their duly appointed representatives shall be the sole adjudicators of the acceptability and/or feasibility of the bids. The decision shall be final and except as required by law or otherwise, no reason for the acceptance or rejection of any bid will be furnished.

10.1.4 Should the bid be awarded on the strength of information furnished by a bidder, which information is proved to have been incorrect, in addition to any other legal remedy it may have, the TUT PF may at any time during the life of the contract:

- (i) Recover from the relevant bidder all costs, losses or damages incurred by it as a result of the award and/or
- (ii) Cancel the award of the bid and/or contract and claim any damages, which it may have suffered or will suffer as a result of having to make less favourable arrangements.
- (iii) The Bidder shall be liable to pay for losses sustained and/or additional costs or expenditures incurred by TUT PF as a result of cancellation. TUT PF shall furthermore have the right to recover such losses, damages or additional costs by way of set-off against monies due or which may become due to the Bidder in terms of the said contract.

10.1.5 All representations, agreements or arrangements arising from bids submitted in terms hereof (including any negotiations that

## **TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND**

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follow) shall not be binding on TUT PF, its officers, employees or agents unless reduced to writing and signed by a duly authorized representative/s of the TUT PF.

10.1.6 TUT PF reserves the right to amend the terms and conditions of this RFP at any time before the finalization of the contract between the parties and shall not be liable to any bidder or any other person for damages of whatsoever nature which they may have suffered as a result of such amendment. All bids are submitted at the entire risk of the bidder.

10.1.7 TUT PF reserves the right to postpone the closing date for the submission of bids or to withdraw the RFP at any time without giving rise to any obligation for the responsibility for any loss or financial damage which may be incurred or suffered by any bidder.

10.1.8 Each bidder shall provide an undertaking that it has not colluded in any way with another actual or potential bidder as regards the response to this tender document and has otherwise complied with the requirements of the Competition Act no 89 of 1998 (the Competition Act).

10.1.9 TUT PF reserves the right to disqualify any bid response, where it considers, in its sole discretion, there are grounds to suggest the contravention of the Competition Act with any aspect of a bid response. If the bidders have been found by the Competition Tribunal to have contravened the Competition Act, concerning the bid response, each bidder acknowledges and agrees that TUT PF may in its sole discretion impose pre-liquidated damages amounting to 5% of the value of the bid response in question.

10.1.10 TUT PF reserves the right to reject:

- a) incomplete bids;

## **TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND**

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- b) late bids;
- c) conditional bid, and bids that are non-compliant with the procedural and administrative requirements, as the case may be.

10.1.11 This RFP implies neither obligation to accept the lowest or any bid nor any responsibility for expenses or loss, which may be incurred by any bidder in preparation of his bid.

10.1.12 Bidders may include with their bids any descriptive material, which, if referred to in the RFP, will form part of the RFP. In case of any discrepancy, however, the issued RFP and supporting documents and information completed therein by the bidder will be considered as the valid and binding bid.

10.1.13 Notwithstanding any other provision in this document, no TUT PF Trustee, PO and /or any person related to or associated (including spouse, child, cousin, or friend) with a TUT PF member may (individually or through a corporate collaboration which includes a company, close corporate, trust, partnership etc.) submit a bid for consideration in this tender process unless the interest is declared and approved as per Delegated Level of Authority.

10.1.14 Notwithstanding any other provision in this document, no TUT PF service provider and /or any person related to or associated (including spouse, child, cousin, or friend) with the TUT PF may (individually or through a corporate collaboration which includes a company, close corporate, trust, partnership etc.) submit a bid for consideration in this tender process unless the interest is declared and approved as per Delegated Level of Authority.

## **11. TENDER (RFP) SUBMISSION AND CLOSING DATE**

- Bidders must submit bid documentation, the mandatory and other requested information only via the electronic link [\\_](#)

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- In case of discrepancies, the pricing on the signed document will prevail

11.1 The RFP must be marked with the following details:

- Bidding entity's e-mail address
- Bidding entity's name
- Bidding entity's return address
- Full description of the tender and tender reference number

The documents must be kept in the sequence and format they have been issued, signed and completed by a person who has been given authority to act on behalf of the bidding entity. The bottom of each page of the bid documents must be initialed or signed as proof that the bidder has read the tender documents. Bid documents must be submitted online, from 19 January 2024 to 16 February 2024 at 15:00.

11.2 Closing date: 16 February 2024 @ 15:00 South African time.

11.3 Bid responses must be strictly prepared and returned per this tender document. Bidders may be disqualified if they have not materially complied with any of the TUT PF's requirements in terms of this tender document. Changes to the bidder's submission will not be allowed after the closing date of the tender. All bid responses will be regarded as offers unless the bidder indicates otherwise. No bidder or any of its consortium/joint venture members may have an interest in any of the other bidder/joint venture/consortium participating in this bid. It must be noted (as a disclaimer) that the TUT PF:

- a) May negotiate with all or some of the shortlisted bidders;

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- b) May cancel this tender;
- c) Do not take any responsibility for expenses or losses which may be incurred by any bidder in preparation of this bid.
- d) The Fund reserves the right to hold presentations with short-listed bidders and conduct subsequent site visits. Only short-listed bidders will be contacted for these arrangements. The qualifying bidders will be required to avail themselves during the scheduled presentation to demonstrate the functionality of their proposal including all security features by following the guide in the presentation annexure provided below.

### **12. BID PREPARATION**

- 12.1 All additions to the proposal documents i.e. annexures, supporting documentation pamphlets, photographs, technical specifications and other support documentation covering the goods offered etc. shall be neatly referenced as part of the schedule concerned.
- 12.2 The provisions of this point must be read in conjunction with those of point 10.1, above, where applicable.

### **13. AMENDMENT OF DOCUMENTS**

- 13.1 At any time before the deadline for submission of the RFP, the Fund, for any reason, whether at its initiative or in response to clarification, may modify the RFP document by issuing an addendum to the email address supplied when requesting the document and also at the briefing session.
- 13.2 All prospective bidders who have obtained the RFP documents will be notified of the amendment by email and such amendment will be binding on them.

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- 13.3 To allow prospective bidders reasonable time in which to take the amendment into account in preparing their RFP, the Fund, at its discretion, may extend the deadline for the submission of the RFP.

### **14. CONFIDENTIALITY**

- 14.1 Any or all information made available to the bidder by the Fund shall be regarded as confidential and shall not be made available to third parties without the prior written consent of the Fund.
- 14.2 The provisions of this point must be read in conjunction with those of point 5, above, where applicable.

### **15. SUB-CONTRACTING**

- 15.1 The contract or any portion thereof, or any share or interest therein, may not be transferred, assigned or granted to any other company without prior notice and specific written permission and conditions from the Fund.
- 15.2 The Fund may or may not accept sub-contracting if an agreement is entered into only with the primary bidder, and the agreement, or any portion thereof, or any share or interest therein, may not be transferred, assigned or granted to someone else subject to the following principles:
- 15.2.1 The name of the sub-bidder must be declared upfront to ascertain whether the sub-bidder is not blacklisted or has not defaulted.

### **16. INSTRUCTIONS FOR SUBMITTING BIDS**

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- 16.1 All the bid documentation should be completed and submit documentation and information via the electronic link as provided.
- 16.2 Bidders must ensure to number each page of the submission consecutively.
- 16.3 The RFP must be signed by an authorized employee, agent or representative of the bidder and every page of the proposal shall contain the initials of the same signatories.
- 16.4 Bidders shall submit proposal responses in the spaces provided and/or per the prescribed manner of submission as specified in this document.
- 16.5 The RFP responses must be marked as follows: E-mail address, Bidder's name & contact details, RFP number and RFP description.
- 16.6 All Bids in this regard shall only be accepted if they have been e-mailed before or on the closing date and stipulated time.
- 16.7 Late, incomplete, conditional and non-compliant with procedural and administrative requirements bids, shall not be considered.

## **17. MANDATORY DOCUMENTS AND RFP RETURNABLES**

### **17.1 Mandatory documents**

The TUT PF will disqualify from the tender process any bidder that has failed to submit mandatory documents and other information on the closing date and time. Bidders should therefore ensure that all the mandatory returnable documents and information have been submitted. To assist bidders, TUT PF has also included a column next to the required mandatory document and information to enable bidders to keep track of whether they have submitted or not. **Each bidder must also electronically complete and submit**

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**all the required mandatory documents and information as requested in the electronic link provided on the RFP invitation posted on the appropriate website (industry website) for all interested service providers to access.**

<b>MANDATORY RETURNABLE DOCUMENTS AND INFORMATION</b>	<b>Applicable to:</b>
Proof of authority for signatory e.g. Board resolution, Board Minutes, Delegation of Authority policy, etc.)	
Indemnity insurance confirmation	
Declaration of Interest Form	
Declaration of Forbidden Practices	
Transformation Proposal by non-compliant companies	
Acceptance of terms and conditions of bid	
Registration with the FSCA	
Current SARS Certificate	
Valid BBBEE Certificate	
Applicable accreditations (Company/Practitioners) with relevant professional body authority	
Tax Clearance Certificate (SARS)	
13B License of the Pension Funds Act	
Copy Companies Intellectual Property Commissions (CIPC) registration documents.	
Last two (2) financial years' statements and/or letter from the Auditor that the bidder is financially in good standing and able to meet all financial obligations.	
Bidders business organogram structure	

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Bidders shall complete a response per the response format (schedule and annexures) below (where applicable).

### 17.2 Schedule Index

**Schedule 1:** Cover letter (Provide an overview of the operating structure and geographical locations of the service provider at the national, regional, and local levels, a brief profile of the bidder, a summary of the bidder's proposal and contact person and details for this RFP)

**Schedule 2:** Proof of Authority for signatory and designation on behalf of the bidder

**Schedule 3:** Bidder compulsory information

**Schedule 4:** Administrative and Operational Compliance (e.g. proof of registration and license authorization, etc.)

**Schedule 5:** Technical responses:

**5.1** Provision of Fund Administration Services in terms of Section 13B of the Pension Funds Act, as amended

5.1.1 Experience of Company in providing administration services

5.1.2 Capacity and Administration Team

5.1.3 Capability to Perform Service

**Schedule 6:** Pricing response

**Schedule 7:** BBB-EE Status and tax clearance certificate

**Schedule 8:** Declarations

**Schedule 9:** Conditions of the RFP

### 17.3 Bidder background information materials:

RFP: TUTPF0002

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17.3.1 Bidder Operating Organisation – Provide an overview of the operating structure and geographical locations of the company at the national, regional, and local levels.

17.3.2 Please provide a list of your top ten shareholders including their percentage holding. **Note:** If you are a public company, please provide details of shareholders owning more than 3% of the total number of shares.

17.3.3 Corporate Financial Solvency - Provide a solvency statement signed by a qualified independent Auditor for the past 3 years indicating that the financial position of the company is sound.

### **17.4 Other Returnable Documents and Information**

These types of documents and information are required but are not mandatory or are only mandatory at specific stages of the process. TUT PF may request bidders to submit these documents or information after the closing date and time or might already have them on the system. Where a document or information is only mandatory at a specific stage in the process, TUT PF may disqualify a bidder for non-submission at that stage and after reasonable efforts were made to request the document from the bidder. The documents are as follows:

<b>OTHER RETURNABLE DOCUMENTS AND INFORMATION</b>
All other relevant appendices/annexures

### **17.5 Validity of submitted information**

Bidders must ensure that any document or information which has been submitted in pursuance of this tender remains valid for the duration of the contract period. The duty is on the bidder to provide updated information to TUT PF immediately after such information has changed.

## **18. UNDERTAKING BY BIDDER**

- 18.1 By submitting a bid in response to the RFP, the prospective bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the Fund on the terms and conditions and per the specifications stipulated in this RFP document.
- 18.2 The prospective bidder shall prepare for a possible presentation should the Fund require such and the bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this RFP.
- 18.3 The prospective bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive to acceptance by the Fund in the bid validity period indicated in the RFP and calculated from the bid closing hour and date such offer and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.
- 18.4 The prospective bidder furthermore confirms that they satisfied themselves with the correctness and validity of their bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all their obligations under a resulting contract for the services contemplated in this RFP.
- 18.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the agreement to be concluded with the Fund, as the principal(s) liable for the due fulfilment of such contract.
- 18.6 The prospective bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder.

## **19. ALTERNATIVES AND VALUE-ADD**

The prospective bidders may over and above the requirements of the RFP, submit value-added proposals as far as administration services are concerned, which, in their opinion, the TUT PF may benefit.

## **20. DEVIATIONS**

If the prospective bidder offers administration services that deviate or differ from the specifications, such deviation should be indicated and described clearly in the offer.

## **21. BINDING ARBITRATION PROVISIONS**

21.1 It is a condition of participation in this RFP process between the bidder and TUT PF that should any dispute or difference arise between the parties, this shall be resolved by a single Arbitrator: -

- Concerning the purport or effect of the RFP documents or of anything required to be done or performed there under;
- Concerning any aspect of the RFP process to anything done or decided there under; or
- Concerning the validity of the award of the RFP to any bidder or the failure to award the same to any Bidder, such dispute or difference shall be finally resolved by arbitration.

Such arbitration shall be by a single arbitrator who shall be: -

- Selected by agreement between the parties, or failing such agreement nominated on the application of any party by the Arbitration Foundation of Southern Africa (AFSA); and
- The arbitrator shall have the power to review and revise any certificate, opinion, decision, requisition or notice relating

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to all matters in dispute submitted to him/her and to determine all such matters in the same manner as if no such certificate, opinion, decision, requisition or notice had been issued.

- 21.2 Upon every or any such reference, the costs of an incidental to the reference and award shall be at the discretion of the arbitrator, who may determine the amount of the costs, or direct them to be taxed as between attorney and client or as between party and party and shall direct by whom and to whom and in what manner they shall be borne and paid.
- 21.3 The award of the arbitrator shall be final and binding on the parties and any party shall be entitled to apply to the Courts to have such award made an order of court.
- 21.4 Save as set out in this clause, the arbitration shall be conducted per the rules of the Arbitration Foundation of Southern Africa.
- 21.5 The arbitration shall be conducted in English, at TUT PF offices, in the Pretoria Campus.
- 21.6 However, nothing in this clause shall preclude any party to the arbitration from seeking interlocutory relief in any court having jurisdiction pending the institution of a review or other appropriate proceedings for legal redress.
- 21.7 Such arbitration shall be commenced and concluded within 30 days of the dispute being noted.

## **22. MINIMUM REQUIREMENTS AND EVALUATION OF THE RFP CRITERIA**

TUT PF applies a pre-determined evaluation criterion when considering received bids. This pre-determined evaluation criterion is informed by, among others, the Constitution of the Republic of South Africa, and the Broad-Based Black Economic Empowerment No. 53 of 2003. During the evaluation of received bids, TUT PF will assess whether all the bids comply with set minimum requirements

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and whether all returnable documents/information have been submitted. Bidders who fail to meet minimum requirements, and thresholds or have not submitted required mandatory documentation may be disqualified from the tender process at that phase.

The requirements of any given stage must be complied with before progression to the next stage. The next stage is evaluation of Functionality/Technical, Price and BBB-EE. TUT PF reserves the right to disqualify bidders without requesting any outstanding document/information.

Failure on the part of a bidder to fill in and/or to sign this form and submit a valid original or certified BBB-EE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA), an affidavit in the case of Qualifying Small Enterprises and an Emerging Micro Enterprises or an Auditor/Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for BBB-EE status level of contribution are not claimed.

TUT PF reserves the right to require a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by TUT PF.

The bid evaluation process consists of six (6) stages that are applicable according to the nature of the bid as defined in the table below.

Stage	Description	Applicable for this bid
<b>Stage 1</b>	Check if all returnable documents have been received (Administrative and Operational verification)	YES
<b>Stage 2</b>	Check if the bidder meets the mandatory requirements criteria	YES
<b>Stage 3</b>	Evaluate whether functionality and/or technical aspects of the bid have been met	YES

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<b>Stage 4</b>	Presentations	YES
<b>Stage 5</b>	Evaluate price and preference B-BBEE status (level) of contribution	YES
<b>Stage 6</b>	Post-tender negotiations (if required)	YES

### **22.1 Definitions**

22.1.1 **“All Applicable Taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

22.1.2 **“BBB-EE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black-Economic Empowerment Act;

22.1.3 **“BBB-EE status level of contributor”** means the BBB-EE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black- Economic Empowerment Act;

22.1.4 **“Broad-Based Black -Economic Empowerment Act”** means the Broad-Based Black -Economic Empowerment Act, 2003 (Act No. 53 of 2003);

### **22.2 Adjudication Using A Point System**

22.2.1 The bidder obtaining the highest number of total points will be awarded the contract.

22.2.2 Preference points will be calculated after prices have been brought to a comparative basis taking into account all factors

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of non-firm prices and all unconditional discounts.

22.2.3 Points scored will be rounded off to the nearest 2 decimal places.

### **22.3 Award of business where Bidders have scored equal points overall**

22.3.1 If two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of preference points for BBB-EE.

22.3.2 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for BBB-EE, the successful bid will be the one scoring the highest score for functionality.

22.3.3 Should two or more bids be equal in all respects; the award will be decided by the drawing of lots.

### **22.4 Mandatory Requirements**

22.4.1 Proof of registration with the FSCA or any regulatory body that governs the industry.

22.4.2 An original, valid SARS Tax Clearance Certificate / PIN/proof of application with SARS. No tender will be awarded to any person whose tax matters have not been declared to be in order by SARS.

22.4.3 Valid BBB-EE Certificate.

22.4.4 Acceptance of TUT PF's terms and conditions.

### **22.5 Points Awarded for Price**

The e 80/20 Preference Point Systems maximum of **80** points is allocated for price based on **80/20**:

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_t - P_{min}}\right)$$

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$P_{min}$

$P_s$  = Points scored for the comparative price of the bid under consideration  
 $P_t$  = Comparative price of a bid under consideration  
 $P_{min}$  = Comparative price of lowest acceptable bid

Points Awarded for Ownership (shareholding) and BBB-EE Status Level of Contribution

Preference points must be awarded to a bidder for attaining the BBB-EE status level of contribution as per the table below:

Ownership (shareholding) and BBB-EE Status Level of Contributor	Number of Points (80/20 points system)
1	20 (incl. majority ownership)
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

### BBB-EE Declaration Form

Bidders who claim points in respect of BBB-EE Status Level of Contribution must complete the following:

### BBB-EE Status Level of Contribution Claimed in terms of Paragraph 22.7

Ownership (shareholding) and BBB-EE Status Level of Contribution: \_\_\_\_\_  
 + \_\_\_\_\_ = (maximum of 20 points)

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(Points claimed in respect of paragraph 22.7 must be per the table reflected and must be substantiated through a BBB-EE 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).

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### **22.6 Sub-Contracting**

22.6.1 Will any portion of the contract be subcontracted? **YES / NO** (\* whichever is not applicable)

22.6.2 If yes, indicate:

- a) The sub-contracted percentage is: \_\_\_\_%
- b) The name of the sub-contractor is: \_\_\_\_\_
- c) The B-BBEE status level of the sub-contractor is: \_\_\_\_\_
- d) The sub-contractor is an EME: **YES / NO** (\*Select whichever is not applicable)

### **22.7 Declaration about the Bidder**

22.7.1 Name of bidder \_\_\_\_\_

22.7.2 VAT Registration no: \_\_\_\_\_

22.7.3 Company Registration: \_\_\_\_\_

22.7.4 Type of company/firm: **[TICK APPLICABLE BOX]**

Partnership/Joint Venture / Consortium

One-person business/sole propriety

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Close corporation

Company

(Pty) Limited

Other (specify) \_\_\_\_\_

### 22.7.5 Describe principal business activities

\_\_\_\_\_

### 22.7.6 Company Classification **[TICK APPLICABLE BOX]**

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transportation, *etcetera*. \_\_\_\_\_

22.7.7 Total number of years the company /firm has been in business: \_\_\_\_\_

22.7.8 I/we, the undersigned, who /are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the Ownership (shareholding) and BBB-EE status level of contribution indicated in paragraph 22.6 above, of the foregoing certificate, qualifies the company/firm for the preference(s) shown and I/we acknowledge that:

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22.7.8.1 The information furnished is true and correct;

22.7.8.2 The preference points claimed are per the General Conditions as indicated in paragraph 22.6 above, of this Section;

22.7.8.3 In the event of a contract being awarded as a result of points claimed as shown in paragraph 22.6, the contractor may be required to furnish documentary proof to the satisfaction of TUT PF that the claims are correct;

22.7.8.4 If the BBB-EE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of the contract have not been fulfilled, TUT PF may, in addition to any other remedy it may have:

22.7.8.4.1 Disqualify the person from the bidding process;

22.7.8.4.2 Recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

22.7.8.4.3 Cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

22.7.8.4.4 Restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from TUT PF for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and

22.7.8.4.5 Forward the matter for criminal prosecution.

**TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND**

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**Witnesses:**

1. \_\_\_\_\_

2. \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature(s) of bidder(s)

Address: \_\_\_\_\_

## **TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND**

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### **22.8 Mandatory Criteria:**

All bidders submitting a bid should provide the following valid documents and meet these minimum requirements to have their bid considered:

- FSCA /FAIS license (applicable for the provision of integrated advisory services)
- Valid BBB-EE certificate
- Valid original tax clearance certificate
- Acceptance of the Terms and Conditions of this Bid
- Proof of professional indemnity cover (if applicable)
- The bidder must be a licensed operator with the Financial Sector Conduct Authority in terms of section 13B of the Pension Funds Act.
  - The Bidder must provide a certified copy of their valid FSCA license indicating clearly:
    - (a) the regulator or professional body's name,
    - (b) the bidder's name;
    - (c) the date it was issued and
    - (d) if applicable, the expiry date.

### **22.9 Technical Evaluation Criteria:**

#### **Functionality / Technical**

The functionality/technical evaluation will be conducted by the Bid Evaluation Committee which comprises various skilled and experienced members from diverse professional disciplines. The evaluation process will be based on prequalification/ threshold criteria listed below.

## **TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND**

The technical evaluation consists of 1 (one) evaluation scorecard, namely:

- Fund Administration Services (*sec 13B license holder duties and functions*)

The functional/technical evaluation will be based on a threshold, where bidders are expected to achieve a minimum **threshold as indicated against the Fund Administration service offerings**. Failure to achieve the minimum threshold **points** per the criteria of the functional/technical phase will lead to the bid not being considered further in the evaluation. The thresholds for each element of the evaluation are as follows:

### **Administration Services Evaluation Criteria**

<b>22.10.1</b>	<b>Bidder (Company) Certification / Affiliation Requirements</b>	<b>Weight %</b>
		<b>0%</b>
<b>Provide Proof or substantiation</b>	<b>Provide Proof of Compliance/ Substantiation:</b> The Bidder must provide a certified copy of their valid FSCA licence indicating clearly: (a) the regulator or professional body's name, (b) the bidder's name; (c) the date it was issued and (d) if applicable, the expiry date.	
<b>Evaluation Criteria</b>	Registered with FSCA and submitted a valid copy of the registration certificate. = <b>0 point</b> Registered with FSCA but did not submit a valid copy of the registration certificate. = <b>0 point</b> Not registered with FSCA and did not provide a copy of valid registration certificate. = <b>0 point</b>  <b>Note: The Fund reserves the right to verify FSCA registration.</b>	

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22.10.2	Company Number of Years Experience	Weight %
	<p>Bidder's years of experience in rendering administration of pension and provident fund services on a similar scale of work for at least nine (9) years.</p> <p><b>If the bidder (company) does not have the specified minimum number of years, the owner or director of the company who is part of the legal entity should have the minimum number of nine (9) years required.</b></p> <p><b>NOTE: Bidders are required to indicate the type of information to be provided to substantiate either the bidder's number of years or key personnel experience.</b></p>	10%
Provide Proof or substantiation	<p>Please provide reference letters on the Client's letterhead with client names, contact details, scope of work related to administration of section 13B, and duration with start and end dates.</p> <p>If the bidder (company) does not have the specified minimum number of years, the owner or director of the company who is part of the legal entity should have the minimum number of ten (10) years required.</p> <p>All contract durations must add up to a minimum of ten (10) years. Con-current contracts or letters will be deemed as one and not accumulated.</p>	
Evaluation Criteria	<p>More than fifteen (15) years in providing fund administration. = <b>5 points</b></p> <p>More than eleven (11) years but less than fifteen (15) years in providing fund administration. = <b>4 points</b></p> <p>More than ten (10) years, but less than eleven (11) years in providing fund administration. = <b>3 points</b></p> <p>More than nine (9) years, but less than nine (10) years providing fund administration. = <b>2 points</b></p> <p>Less than eight (8) years in providing fund administration. = <b>0 points</b></p> <p><b>NB: Please provide evidence of the number of years claimed above</b></p>	



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22.10.3	Bidder Experience And Capability Requirements: Company	Weight %
	Bidder’s experience in providing administration services of pension and provident funds. The bidder is to detail the methodology to be applied in executing the administration of the Fund as per the detailed scope of work contained in this document.	5%
Provide Proof or substantiation	The bidder is to provide a detailed methodology that is aligned with executing the scope of work to administer the fund. The methodology must include:  1. Detailing the process to be followed in executing the service.  2. Tools to be used during execution.  3. What system and technology will be used?  4. How the system will interface with the Fund?	
Evaluation Criteria	Provided quality information on the detailed methodology covering points 1-4 above. = 5 points  Provided some information on the methodology covering points 1-4 above. = 3 points  Provided limited information on methodology covering points 1-4 above. = 1 point	

22.10.4	Client suing the Fund and Disciplinary Action taken by Registrar	Weight %
	The bidder must have a good track record within the industry relating to the rendering of pension and provident fund services.  The bidder is to duly complete the attached declaration as confirmation of track record as per Annex. 6	5%
	Provide Proof or substantiation	
Evaluation Criteria		

Provided duly completed declaration with zero cases listed on being sued or disciplinary action taken. = 5 points
Provided duly completed declaration with one (1) case listed on being sued or disciplinary action taken (subject to verification before awarding). = 3 points
Did not provide a duly completed declaration on being sued or disciplinary action taken. = 0 point

## TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND

<b>22.10.5</b>	<b>Bidder Experience in Standalone Fund</b>	Weight %
<b>Provide Proof or substantiation</b>	<p>Please provide the following information concerning standalone funds administered by your company over the past five years:</p> <ol style="list-style-type: none"> <li>1. Number of stand-alone funds</li> <li>2. Name of pension or provident funds</li> <li>3. Number of members of pension or provident funds</li> <li>4. Assets under administration</li> <li>5. Contract periods</li> </ol> <p><b>Note:</b> Indicate which funds administered are of a comparable (similar) nature to the TUT PF.</p>	<b>5%</b>
<b>Evaluation Criteria</b>	<p>Greater than three (3) funds administered are of a comparable (similar-size of membership; assets and geographical footprint, etc.) nature to the TUT PF. = <b>5 points</b></p> <p>Indicated at least three (3) funds administered are of a comparable (similar) nature to the TUT PF. = <b>3 points</b></p> <p>Did not indicate the number of funds administered which are of a comparable (similar) nature to the TUT PF. = <b>0 point</b></p> <p><b>Note: The Fund reserves the right to verify this information with the FSCA.</b></p>	
<b>22.10.6</b>	<b>Company Employees</b>	Weight %

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	<p>The bidder must have capable and experienced employees in the employment of the bidder with the required skill set with administration services.</p> <p>Bidder must provide:</p> <ol style="list-style-type: none"> <li>1. A list detailing the employees involved in the delivery of the scope of work (including support staff).</li> <li>2. The bidder is to provide an organogram structure with a minimum Team Lead, and support staff as deemed sufficient to execute the work. Detailed the following: <ol style="list-style-type: none"> <li>a) <b>Team Lead:</b> at least 10 years of experience in leading similar projects. Lead similar teams. Value of projects. Number of team members</li> <li>b) <b>Support staff:</b> at least 5 years of experience in executing similar work.</li> </ol> </li> <li>3. <b>Provision of detailed CVs for each employee listed demonstrated experience.</b></li> </ol> <p><b>NOTE: The CV's must be provided in the following format:</b></p> <ol style="list-style-type: none"> <li>I. Name of employee</li> <li>II. Job Title</li> <li>III. Key responsibilities need to include the execution of providing administration services similar to the Fund</li> <li>IV. Estimated % of time allocated to the Fund</li> <li>V. Number of other pension and/or provident funds handled</li> <li>VI. Credentials and experience of the employee</li> <li>VII. Length of employment of the employee with your company?</li> </ol>	<b>20%</b>
<b>Provide Proof or substantiation</b>	<p>The bidder is to provide:</p> <ol style="list-style-type: none"> <li>1. List and Organogram detailing the employees involved in the delivery of the service</li> <li>2. Detailed CV in the prescribed format for each employee listed.</li> </ol>	

## TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND

<b>Evaluation Criteria</b>	<p><i>Excellent details:</i> List &amp; Organogram detailing employees dedicated to the Fund and a CV containing detailed information as per points 1-3 above for each employee listed = <b>5 points</b></p> <p><i>Fair details:</i> List &amp; Organogram detailing employees dedicated to the Fund and a CV containing detailed information as per points 1-3 above for some of the listed employees = <b>3 points</b></p>
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<b>22.10.7</b>	<p><b>Company Employees</b></p> <p>The bidder must have capable and experienced employees in the employment of the bidder with the required skill set with administration services.</p> <p>Bidder must provide:</p> <ol style="list-style-type: none"> <li>1. A list detailing the employees involved in the delivery of the scope of work (including support staff).</li> <li>2. The bidder is to provide an organogram structure with a minimum Team Lead, and support staff as deemed sufficient to execute the work. Detailed the following: <ol style="list-style-type: none"> <li>a) <b>Team Lead:</b> at least 10 years of experience in leading similar projects. Lead similar teams. Value of projects. Number of team members</li> <li>b) <b>Support staff:</b> at least 5 years of experience in executing similar work.</li> </ol> </li> <li>3. <b>Provision of detailed CVs for each employee listed demonstrated experience.</b></li> </ol> <p><b>NOTE: The CV's must be provided in the following format:</b></p> <ol style="list-style-type: none"> <li>I. Name of employee</li> <li>II. Job Title</li> <li>III. Key responsibilities need to include the execution of providing administration services similar to the Fund</li> <li>IV. Estimated % of time allocated to the Fund</li> <li>V. Number of other pension and/or provident funds handled</li> <li>VI. Credentials and experience of the employee</li> </ol>	<p><b>Weight%</b> <b>20%</b></p>
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	VII. Length of employment of the employee with your company?	
	<i>Poor details:</i> List & Organogram detailing employees dedicated to the Fund and a CV for each employee listed but the CV does not contain detailed information as per points 1-3 above/ failed to provide the organogram, or the list of employees, or CVs containing detailed information as per points 1-3 above = <b>1 point</b>	

## TSHWANE UNIVERSITY OF TECHNOLOGY PENSION FUND

22.10.8	Indemnity	Weight %
	<p>The bidder must have indemnity insurance to render administration services.</p> <p>The bidder must provide:</p> <ol style="list-style-type: none"><li>1. The detailed level of professional indemnity insurance and indicate any proposed cap on your liability?</li><li>2. Detail how this level was determined to be appropriate/adequate for your business.</li><li>3. Provide a copy of your indemnity insurance.</li></ol>	10%
Provide Proof or substantiation	<p>The bidder must:</p> <ol style="list-style-type: none"><li>1. Detail the level of professional indemnity insurance and indicate any proposed cap on your liability.</li><li>2. Detail how this level was determined to be appropriate/adequate for your business.</li><li>3. Provide a copy of your indemnity insurance.</li></ol>	
Evaluation Criteria	<p>Detailed information on the level of indemnity insurance, how the level was determined and a copy of indemnity insurance provided. = <b>5 point</b></p> <p>Information was provided on the level of indemnity insurance, but information on how the level was determined was not detailed and a copy of indemnity insurance provided. = <b>3 points</b></p> <p>Did not provide information on indemnity insurance and/or indication of how the level was deemed appropriate but provided a copy of the indemnity insurance. = <b>0 point</b></p>	

22.10.9	Risk Management	Weight %
	<p>The bidder must have proper risk management policies and procedures in place.</p> <p>The bidder must:</p> <ol style="list-style-type: none"><li>1. Describe the policy on conflict of interest at a company and employee level.</li><li>2. Describe the internal controls and procedures in place to detect fraud within your administration business and documentation or instructions received from external parties.</li><li>3. Describe what controls are in place for the various risks that your business faces.</li></ol>	5%

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<b>Provide Proof or substantiation</b>	<p>The bidder must have proper risk management policies and procedures in place.</p> <p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Describe the policy on conflicts of interest, at a company and employee level.</li> <li>2. Describe the internal controls and procedures in place to detect fraud within your administration business and within</li> </ol>	
	<p>documentation or instructions received from external parties.</p> <ol style="list-style-type: none"> <li>3. Describe how they control the various risks that their business face.</li> </ol>	
<b>Evaluation Criteria</b>	<p>Detailed information on the policy on conflict of interest, internal controls and procedures in place to detect fraud and controls to manage risk the business faces. = <b>5 points</b></p> <p>Limited information on the policy on conflict of interest, internal controls and procedures in place to detect fraud and controls to manage risk the business faces = <b>3 points</b></p> <p>No information on the policy on conflict of interest, internal controls and procedures in place to detect fraud and controls to manage the risk of the business face = <b>0 point</b></p>	

<b>22.10.10</b>	<b>Administration Systems</b>	<b>Weight %</b>
	<p>The bidder must have proper administration systems in place relating to the administration of pension or provident funds.</p> <p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Provide a brief description of the administration software/system that is used, its functionality, reporting capabilities and technical architecture.</li> <li>2. Does your system comply with governance and legislative requirements?</li> <li>3. What fail-safe are applied across all systems?</li> <li>4. <b>Provided detailed information on the process to be followed regarding the transfer of data when the contract comes to an end.</b></li> </ol>	<b>10%</b>

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<b>Provide Proof or substantiation</b>	<p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Provide a brief description of the administration software/system that is used, its functionality, reporting capabilities and technical architecture.</li> <li>2. Does your system comply with governance and legislative requirements?</li> <li>3. What fail-safe are applied across all systems?</li> <li>4. Provided detailed information on the process to be followed regarding the transfer of data when the contract comes to an end.</li> </ol>	
<b>Evaluation Criteria</b>	<p>Detailed information is provided on the administration systems in place covering in detail each point (points 1-4) above. = <b>5 points</b></p> <p>Limited information provided on the administration systems in place covering each point on a high level (points 1-4) above. = <b>3 points</b></p> <p>No information was provided on the administration systems in place and each point (points 1-4) above was not covered. = <b>0 point</b></p>	

<b>22.10.11</b>	<b>Interaction of Administration Systems</b>	<b>Weight %</b>
	<p>The bidder must have proper administration systems in place that will be interacting with the Fund.</p> <p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Describe how their system will interact with the Fund in practice.</li> <li>2. Describe and confirm if the system is flexible so that it can adapt to reflect technological, regulatory or Fund-specific changes.</li> </ol>	<b>5%</b>
<b>Provide Proof or substantiation</b>	<p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Describe how their system will interact with the Fund in practice.</li> <li>2. Describe and confirm if the system is flexible so that it can adapt to reflect technological, regulatory or Fund-specific changes.</li> </ol>	
<b>Evaluation Criteria</b>	<p>Detailed information provided on the system interaction and system flexibility to technology, regulatory of Fund specific changes = <b>5 points</b></p> <p>Limited information provided on the system interaction and system flexibility to technology, regulatory of fund-specific changes = <b>3 points</b></p> <p>No information on the system interaction and system flexibility to technology, regulatory of Fund specific changes = <b>0 point</b></p>	

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22.10.12	Administration System: Fund Data	Weight %
	<p>The bidder must have proper administration systems in place relating to the Fund data in executing the administration service.</p> <p>The bidder must:</p> <ol style="list-style-type: none"><li>1. Describe how they will ensure the safe transfer of fund data onto and from their system.</li><li>2. Describe how backup scheme information is made so that the recovery of data can be automatically accessible should it be deleted or destroyed accidentally.</li><li>3. How often is data backed up and how often are tests performed on restoring data from back-ups, performed?</li></ol>	5%
Provide Proof or substantiation	<p>The bidder must:</p> <ol style="list-style-type: none"><li>1. Describe how they will ensure the safe transfer of fund data onto and from their system.</li><li>2. Describe how backup scheme information is made to ensure the recovery of deleted or destroyed data.</li><li>3. How often is data backed up and how often are tests performed on restoring data from back-ups, performed?</li></ol>	
Evaluation Criteria	Detailed information is provided on the transfer of data, how backups are made, the frequency of backups made and performance testing done to recover data. = 5 points	

22.10.13	Administration System: Fund Data	Weight %
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	<p>The bidder must have proper administration systems in place relating to the Fund data in executing the administration service.</p> <p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Describe how they will ensure the safe transfer of fund data onto and from their system.</li> <li>2. Describe how backup scheme information is made so that the recovery of data can be automatically accessible should it be deleted or destroyed accidentally.</li> <li>3. How often is data backed up and how often are tests performed on restoring data from back-ups, performed?</li> </ol>	<b>5%</b>
	<p>Some information is provided on the transfer of data, how backups are made, the frequency of backups made and performance testing done to recover data. = <b>3 points</b></p> <p>Limited information is provided on the transfer of data, how backups are made, the frequency of backups made and performance testing done to recover data. = <b>1 point</b></p>	

<b>22.10.14</b>	<b>Competitive Advantage</b>	<b>Weight %</b>
	<p>The bidder must provide a competitive advantage to the Fund in executing the administration services.</p> <p>The bidder is to demonstrate this capability by detailing the competitive advantages which could be cost savings/reduction strategies, efficiencies, optimization, and rendering services better.</p>	<b>5%</b>
<b>Provide Proof or substantiation</b>	The bidder to demonstrate this capability by providing a proposal where these competitive advantages were implemented successfully and what was the outcome.	
<b>Evaluation Criteria</b>	<p>Detailed proposal provided on the implemented competitive advantage strategy and the listed outcome of the strategy implementation = <b>5 points</b></p> <p>The proposal provided on the implementation of the competitive advantage strategy but not a list of the strategy implementation = <b>3 points</b></p> <p>Limited provided on the proposal to implement competitive advantage strategies and no outcome provided on the implementation = <b>1 point</b></p>	

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<b>22.10.15</b>	<b>Unclaimed benefits</b>	<b>Weight %</b>
	<p>The bidder must ensure that unclaimed benefits are properly administered.</p> <p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Explain how unclaimed benefits are managed arising within the pension and provident funds are administered.</li> <li>2. Detail the processes to be followed concerning unclaimed benefits.</li> <li>3. Detailed how unclaimed employer benefits are administered and managed.</li> </ol>	<b>5%</b>
<b>Provide Proof or substantiation</b>	<p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Explain how unclaimed benefits are managed arising within the pension and provident funds are administered.</li> <li>2. Detail the processes to be followed concerning unclaimed benefits.</li> <li>3. Detailed how unclaimed employer benefits are administered and managed.</li> </ol>	
<b>Evaluation Criteria</b>	<p>Detailed information was provided on the management (approved processes and procedures followed) of unclaimed benefits, the process to be followed and how unclaimed employer benefits will be managed. = <b>5 points</b></p> <p>Limited information is provided on the management of unclaimed benefits, the process to be followed and how unclaimed employer benefits will be managed. = <b>3 points</b></p> <p>No information was provided on the management of unclaimed benefits, the process to be followed and how unclaimed employer benefits will be managed. = <b>1 point</b></p>	

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<b>22.10.16</b>	<b>Customer Service</b>	<b>Weight %</b>
	<p>The bidder must ensure a high level of customer service.</p> <p>The bidder to:</p> <ol style="list-style-type: none"> <li>1. Demonstrate how excellence in customer service is realized/achieved.</li> <li>2. Specify if they have formal service level systems or service quality ratings in place.</li> <li>3. If bidders have any relevant industry certificates; and industry associations and affiliations with which they are aligned?</li> <li>4. Confirmation is aligned to the principle of "Treating Customers Fairly" (TCF) and how is it realized.</li> </ol>	<b>5%</b>
<b>Provide Proof or substantiation</b>	<p>The bidder to:</p> <ol style="list-style-type: none"> <li>1. The bidder must indicate their approach to demonstrate customer service excellence.</li> </ol>	
<b>22.10.17</b>	<b>Customer Service</b>	<b>Weight %</b>
	<p>The bidder must ensure a high level of customer service.</p> <p>The bidder to:</p> <ol style="list-style-type: none"> <li>1. Demonstrate how excellence in customer service is realized/achieved.</li> <li>2. Specify if they have formal service level systems or service quality ratings in place.</li> <li>3. If bidders have any relevant industry certificates; and industry associations and affiliations with which they are aligned?</li> <li>4. Confirmation is aligned to the principle of "Treating Customers Fairly" (TCF) and how is it realized.</li> </ol>	<b>5%</b>
	<ol style="list-style-type: none"> <li>2. The bidder must specify all existing formal service level systems or service quality ratings in place.</li> <li>3. The bidder must indicate all relevant industry certificates, as well as any relevant industry associations and affiliations with which they are aligned.</li> <li>4. Confirmation is aligned to the principle of "Treating Customers Fairly" (TCF) and how is it realized.</li> </ol>	

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<b>Evaluation Criteria</b>	<p>Detailed information was provided on the approach to excellent customer service, the existence of the service level system/service quality ratings, industry association/affiliation and application of the TCF principle. = <b>5 points</b></p> <p>Some information provided on the approach to excellent customer service, existence of the service level system/service quality ratings, industry association/affiliation and application of TCF principle = <b>3 points</b></p> <p>Limited information provided on the approach to excellent customer service, the existence of the service level system/service quality ratings, industry association/affiliation and application of TCF principle = <b>1 point</b></p>	
<b>22.10.18</b>	<b>Reporting and Communication</b>	<b>Weight %</b>
	<p>It will be expected of the bidder to generate and provide reports to the Fund.</p> <p>The bidder is to indicate the type of management report generated and other types of reports that can be provided to the Fund. The bidder is to provide samples of these reports with their response.</p>	<b>5%</b>
<b>Provide Proof or substantiation</b>	The bidder to indicate the type of management report are generated and other type of reports that can be provided to the Fund. The bidder is to provide samples of these reports with their response.	
<b>Evaluation Criteria</b>	<p>Detailed information on the type of management report and other reports to be generated. Provided samples of the management and other reports identified. = <b>5 points</b></p> <p>Limited information on the type of management report and other reports to be generated. Provided some but not all samples of the management reports identified. = <b>3 points</b></p> <p>No information on the type of management report and other reports to be generated. Did not provide samples of the management and other reports identified. = <b>0 point</b></p>	

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<b>22.10.19</b>	<b>Service Level Agreement (SLA)</b>	<b>Weight %</b>
	A SLA will be entered with the successful bidder. The performance of the service provider will be monitored on agreed intervals throughout the contract period.	<b>0%</b>
<b>Provide Proof or substantiation</b>	<p>The bidder must:</p> <ol style="list-style-type: none"> <li>1. Indicate how their Service Level Agreements (SLA) are specified and managed. Include a copy/example of your SLA or the framework from which you compile your SLA.</li> <li>2. Indicate what service guarantees are provided. These guarantees need to indicate the protection provided to the Fund against the persistent breaking of SLA measures stated within this document, including changes in costs.</li> </ol>	
<b>Technical Evaluation Total Points</b>		<b>100</b>

### 22.10 Pricing Evaluation Criteria:

22.10.7 This is the final stage of the evaluation process and will be based on the preference point system of 80/20, where Price will account for 80 points of the lowest price, whilst BBBEE preference will account for 20 points. The award of the business will be made to a bidder who has scored the highest overall points for this stage of the evaluation.

22.10.8 Bidders must only price per the pricing schedule referred to in Annexure 1, below. This will enable TUT PF to compare priced offers. Failure to submit a priced offer using the prescribed schedule may make the bid liable for disqualification.

22.10.9 The bidder will be bound by the following general price criteria conditions and the TUT PF reserves the right to negotiate the conditions or automatically disqualify the bidder for not complying with these conditions. These conditions will form part of the

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signed contract/contractual obligation for the Bidder. However, the Fund reserves the right to include or waive the condition in the signed contract.

22.10.10 The pricing will be evaluated on the lowest price model wherein the lowest price becomes the base to score the rest of the bidders where the following will apply:

***Lowest bid price = 30***

$$\text{Price under calculation} = 30 \left( 1 - \frac{\text{Price under consideration} - \text{Lowest bid price}}{\text{Lowest bid price}} \right)$$

**The Fund reserves the right to select the best commercial solution and not the lowest bid.**

**Notes: (applicable to all pricing)**

22.11.4.1 The bidder must submit **the Pricing Schedule(s)** as prescribed in Annexure 1 below.

22.11.4.2 **South African Pricing.** The total price must be VAT inclusive and be quoted in South African Rand (ZAR).

**22.11.4.3 Total Price**

(a) All quoted prices are the total price for the entire scope of required services and deliverables to be provided by the bidder.

(b) All additional costs must be specified.

22.11.4.4 The Fund reserves the right to award the RFP to a single bidder (full scope of work).

22.11.4.5 The Fund reserves the right to select the best commercial solution and not just the lowest bid.

22.11.4.6 The pricing tables below are used as a base to enable comparison of prices from the same base. The prices below will not be guaranteed to the bidder/s.

22.11.4.7 All prices quoted are the total price for the entire scope of required services and deliverables to be provided by the bidder.

22.11.4.8 Bidders must adhere to the instructions provided.

22.11.4.9 Bidder/s must indicate the annual % rate escalation rate applied.

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22.11.4.10 Bidders must provide cost drivers that will be applicable when applying for an anniversary price adjustment.

The current membership number is indicative and subject to change during the contract period.

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### ANNEXURE 1: PRICE TABLE – COST FOR PROVIDING SERVICES IN TERMS OF SECTION 13B ADMINISTRATION SERVICES

**Note:**

- a) Bidder must complete the pricing as per table below (or as per the attached spread sheet if applicable).
- b) Line Prices are all VAT EXCLUSIVE, and TOTAL PRICE is VAT INCLUSIVE.
- c) Membership consists of current active members of approximately 1279 active members and 2 unclaimed benefits = 1281.
- d) The current membership number is indicative and subject to change during the contract period.

**TABLE 1.1: PRICING FOR SERVICES IN TERMS OF SECTION 13B**

No	Product/Service description	Current Members	Unit Price (Vat excl.)	Monthly Price (Vat excl.) (Unit Price X members)	Price Year 1 (VAT excl.) (Monthly Price X 12)	Price Year 2 (VAT excl.)	Price Year 3 (VAT excl.)	Price Year4 (VAT excl.)	Price Year 5 (VAT excl.)	Total Price (Y1+Y2+Y3+Y4+Y5) (VAT excl.)
1.	Management Fee for services in terms of Section 13 B	1279 active members plus 2 unclaimed benefit								
4.	SUB TOTAL (VAT Excl.)									
5.	VAT (15%)									
6.	BID TOTAL (VAT Incl.)									



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**Table 1.2: Adhoc Services not included in Table 1.1**

No	Product/Service description	Unit Price (Vat excl.)	Monthly Price (Vat excl.)	Price Year 1(VAT excl.)	Price Year 2 (VAT excl.)	Price Year 3 (VAT excl.)	Price Year 4 (VAT excl.)	Price Year 5 (VAT excl.)	Total Price (Y1+Y2+Y3+Y4+Y5) (VAT excl.)
1.									
2.									
3.	SUB TOTAL (VAT Excl.)								
4.	VAT (15%)								
5.	BID TOTAL (VAT Incl.)								

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### ANNEXURE 2: CORPORATE IMAGE

This Bidder must duly complete the below questionnaire on their company letter head and declaration which must be submitted with the bid in support of Administrative and Operational Compliance.

No	Question	YES	NO
1.	Should the bidder be awarded the contract, could this result in any reputation risk or negative media attention towards the Fund?		
1.1	If so, furnish particulars		
2.	Was your company or any of its Directors in the past five (5) years linked to activities that impacted the company image in a negative manner?		
2.1	If so, furnish particulars		
3.	Was your company or any of its Directors implicated or allegedly implicated in bribery or corrupt activities		
3.1	If so, furnish particulars		

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4.	Did the Regulator (authority) take any action against the company or any of its Directors?		
4.1	If so, furnish particulars		

### **CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME and SURNAME) \_\_\_\_\_ CERTIFY THAT THE INFORMATION FURNISHED ON

THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

\_\_\_\_\_  
**Name of Bidder**

\_\_\_\_\_  
**Position**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## **ANNEXURE 3: ADMINISTRATIVE AND OPERATIONAL COMPLIANCE QUALIFICATION**

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### **1. ADMINISTRATIVE AND OPERATONAL REQUIREMENTS**

#### **1.1 Administrative and Operational Verification**

- 1.1.1 The bidder must comply with all of the bid requirements in order for the bid to be accepted for evaluation.
- 1.1.2 If the Bidder failed to comply with any of the administrative pre-qualification requirements, or the Fund is unable to verify whether the requirements are met, then the Fund reserves the right to: –

Accept the bid for evaluation, on condition that the Bidder must submit within 7 (seven) days of being notified in writing, any supplementary information to achieve full compliance, provided that the supplementary information is administrative and not substantive in nature.

#### **1.2 Administrative and Operational Requirements**

The following documents/requirements will be mandatory during the administrative compliance.

**NB: Failure to submit and adhere to the following requirements with the proposal MAY disqualify the Bidder's proposal.**

<b>Administrative Compliance</b>	<b>Submitted</b>	<b>Not Submitted</b>
<b>i. Tax Clearance Certificate (SARS)</b> Valid Tax Clearance Certificate issued by the South African Revenue Services.		
<b>ii. BBB-EE Certificate or sworn affidavit</b> Certified copy of a valid BBB-EE Status Level verification Certificate (either generic codes or sector specific) OR sworn affidavit. A consolidated BBB-EE certificate must be supplied by a Joint Venture/Consortium (if points for preference are claimed).		

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iii. Copy of Company's registration with the Financial Sector Conduct Authority (FSCA).		
iv. Copy Companies Intellectual Property Commissions (CIPC) registration documents.		
v. Professional Indemnity insurance.		
vi. Last two (2) financial years' statements and/or letter from the Auditor that the bidder is financially in good standing and able to meet all financial obligations.		
vii. Corporate Image – Complete declaration - Annex.2		

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### **ANNEXURE 4: DECLARATION OF BEING SUED AND DISCIPLINARY ACTION**

This Bidder must duly complete the below questionnaire and declaration which must be submitted with the bid in support of Experience of Company to provide administration services, technical non-mandatory.

No.	Question	YES	NO
1	Has the bidder or any of its directors been sued by a client?		
1.1	If so, please provide us with the details of each case.		
2	Was disciplinary action by the Authority taken against the bidder or any of its directors?		
2.1	If so, please provide us with details of any disciplinary action taken by the regulator		
3	Was the Bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption?		
3.1	If so, furnish particulars		

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4	Was any contract between the Bidder and client terminated on account of failure to perform or comply with the contract terms?		
4.1	If so, furnish particulars		

### **CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME and SURNAME) \_\_\_\_\_ CERTIFY THAT THE INFORMATION FURNISHED ON

THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

\_\_\_\_\_  
**Name of Bidder**

\_\_\_\_\_  
**Position**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## **ANNEXURE 5: CONDITIONS OF SUBMISSION OF RFP**

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1. Bids shall be submitted in English.
2. The majority of these conditions will form part of the signed contractual obligation for the Bidder. However, the Fund reserves the right to include or waive the condition in the signed contract.
3. This RFP consists of a number of sections and where there is a contradiction between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
4. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation/comments that the Fund may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the Fund.
5. The Fund reserves its right to make addition or alteration in terms and conditions of the tender without affecting the basic nature of tender.
6. The Fund may request written clarification regarding any aspect of your proposals. The bidders must supply the requested information in writing within the specified time frames after the request has been made, otherwise the proposal MAY be disqualified.
7. Bids must be e-mailed by the stipulated time to the correct e-mail address and late bids will not be accepted for consideration.
8. Bidders must ensure compliance with their Tax obligations (SARS).
9. Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of the Fund.
10. The Fund reserves the right to request a presentation and inspection of bidder.
11. The Fund reserves the right to request site visits of the shortlisted bidders.

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12. The Fund reserves the right to apply objective criteria by appointing bidder/s with a higher BBB-EE status.
13. The Fund reserves the right not to select/award the RFP to the lowest bid in terms of pricing, but to apply an objective criterion taking into consideration all the scores for each evaluation stage.
14. The decision of the Fund on awarding a tender is final.
15. The Fund reserves the right to conduct a pre award survey during the source selection process to evaluate bidders' capabilities to meet the requirements specified in the RFP and supporting documents.
16. The Fund reserves the right to appoint, contract with and monitor the performance of any bidder it deems will offer the best service in line with its requirements, although it may not necessarily be the lowest bidder.
17. The Fund reserves the right to award this tender in full or part of it or non-award.
18. The Fund also reserves the right, in its sole discretion, to re-advertise, not to retender or not to award the RFP.
19. The Fund reserves the right to terminate the contract should the sub-standard service continue.
20. The tender awarded will be conditional and subject to successful negotiations and signing of a written contract, failing which the Fund reserves the right to withdraw the tender and to award the tender to another bidder without repeating the process.
21. The bidder shall not claim any damages, costs, charges, expenses, liabilities arising out of performance/non-performance of services, which it may suffer or otherwise incur by reason of any act of omission, negligence, default, or error in judgement on part of itself and/or its personnel in rendering or non-rendering the services under this contract.
22. It is recorded that the bidder, by virtue of its previous and future (through its members) association with the Fund, has and may become possessed of and have access to the Fund's trade secrets and confidential information including, but without limiting the generality of the foregoing, the know-how, technical information and processes relating to the provision of the Fund service together with all analyses, compilations, studies, reports and other documents prepared by the bidder or the Fund (all of which are hereinafter referred to as "the Trade

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Secrets”).

23. By submitting a proposal in response to this RFP, the prospective bidders accept the evaluation criteria as it stands.
24. The bidder must note that random inspections will be conducted on their premises during the contracting period.
25. This RFP, all the appended documentation and the proposal in response thereto read together, shall form the basis for a formal contract to be negotiated and finalized between the Fund and the bidder.
26. Any offer and/or acceptance entered verbally between The Fund and any bidder, such offer shall not constitute a contract and thus not binding on the parties.
27. The laws of the Republic of South Africa (RSA) shall govern this RFP and the bidder hereby accepts that the courts of the Republic of South Africa shall have the jurisdiction.
28. Bidders are required to complete the evaluation as per requirement. Catalogues for marketing purposes are not required.
29. All services supplied in accordance with this proposal must be certified to all legal requirements as per the South African law.
30. The bidder/s are deemed to have read all the documentation associated with this service and shall adhere to all the conditions.
31. The Fund will provide their General Terms and Conditions with the shortlisted bidders.
32. Special Conditions of Contract:
  - 32.1 Conditions for contracting: -
    - (a) Formal Contract. The Supplier must enter into a formal written Contract (Agreement) with the Fund Provident Fund. A Service Level Agreement (SLA) will form part of the formal contract.
    - (b) Right of Award. The Fund reserves the right to award the contract for required services to multiple Suppliers.

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Right to Audit. The Fund reserves the right, before entering into a contract, to conduct a financial audit or probity to ascertain whether a qualifying bidder has the financial wherewithal or technical capability to provide the services as required by this tender.

### **32.2 Regulatory, Quality and Standards: -**

- (a) The Supplier must for the duration of the contract ensure compliance with Financial Service Conduct Authority rules and regulations.

### **32.3 Confidentiality and Non-Disclosure Conditions: -**

- (a) The Service Provider, including its management and staff, must before commencement of the Contract, sign a non-disclosure agreement regarding Confidential Information.
- (b) Confidential Information means any information or data, irrespective of the form or medium in which it may be stored, which is not in the public domain and which becomes available or accessible to a Party as a consequence of this Contract, including information or data which is prohibited from disclosure by virtue of:
  - (i) the Promotion of Access to Information Act, 2000 (Act no. 2 of 2000);
  - (ii) being clearly marked "Confidential" and which is provided by one Party to another Party in terms of this Contract;
  - (iii) being information or data, which one Party provides to another Party or to which a Party has access because of Services provided in terms of this Contract and in which a Party would have a reasonable expectation of confidentiality;
  - (iv) being information provided by one Party to another Party in the course of contractual or other negotiations, which could reasonably be expected to prejudice the right of the non-disclosing Party;

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- (v) being information, the disclosure of which could reasonably be expected to endanger a life or physical security of a person;
  - (vi) being technical, scientific, commercial, financial and market-related information, know-how and trade secrets of a Party;
  - (vii) being financial, commercial, scientific or technical information, other than trade secrets, of a Party, the disclosure of which would be likely to cause harm to the commercial or financial interests of a non-disclosing Party; and
  - (viii) being information supplied by a Party in confidence, the disclosure of which could reasonably be expected either to put the Party at a disadvantage in contractual or other negotiations or to prejudice the Party in commercial competition; or
  - (ix) information the disclosure of which would be likely to prejudice or impair the safety and security of a building, structure or system, including, but not limited to, a computer or communication system; a means of transport; or any other property; or a person; methods, systems, plans or procedures for the protection of an individual in accordance with a witness protection scheme; the safety of the public or any part of the public; or the security of property; information the disclosure of which could reasonably be expected to cause prejudice to the defense of the Republic; security of the Republic; or international relations of the Republic; or plans, designs, drawings, functional and technical requirements and specifications of a Party, but must not include information which has been made automatically available, in terms of the Promotion of Access to Information Act, 2000; and information which a Party has a statutory or common law duty to disclose or in respect of which there is no reasonable expectation of privacy or confidentiality;
- (c) Notwithstanding the provisions of this Contract, no Party is entitled to disclose Confidential Information, except where required to do so in terms of a law, without the prior written consent of any other Party having an interest in the disclosure;
- (d) Where a Party discloses Confidential Information which materially damages or could materially damage another Party, the disclosing Party must submit all facts related to the disclosure in writing to the other Party, who must submit information related to such actual

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or potential material damage to be resolved as a dispute;

- (e) Parties may not, except to the extent that a Party is legally required to make a public statement, make any public statement or issue a press release which could affect another Party, without first submitting a written copy of the proposed public statement or press release to the other Party and obtaining the other Party's prior written approval for such public statement or press release, which consent must not unreasonably be withheld.

### **32.4 Intellectual Property Rights: -**

- (a) The Fund retains all Intellectual Property Rights in and to the Fund's Intellectual Property. As of the Effective Date, the Service Provider is granted a non-exclusive license, for the continued duration of this Contract, to perform any lawful act including the right to use, copy, maintain, modify, enhance and create derivative works of the Fund's Intellectual Property for the sole purpose of providing the Services to the Fund pursuant to this Contract; provided that the Service Provider must not be permitted to use the Fund's Intellectual Property for the benefit of any entities other than the Fund without the written consent of the Fund, which consent may be withheld in the Fund's sole and absolute discretion. Except as otherwise requested or approved by the Fund, which approval is in the Fund's sole and absolute discretion, the Service Provider must cease all use of the Funds' Intellectual Property, at of the earliest of:
  - (i) termination or expiration date of this Contract;
  - (ii) the date of completion of the Services; and
- (b) If so required by the Fund, the Service Provider must certify in writing to the Fund that it has either returned all the Fund Intellectual Property to the Fund or destroyed or deleted all other the Fund Intellectual Property in its possession or under its control.
- (c) The Fund, at all times, owns all Intellectual Property Rights (including all manuals, reports, etc. developed for the duration of this contract) in and to all Bespoke Intellectual Property.

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- (d) Save for the license granted in terms of this Contract, the Service Provider retains all Intellectual Property Rights in and to the Service Provider's pre-existing Intellectual Property that is used or supplied in connection with the Services.

<b>DECLARATION OF ACCEPTANCE</b>	<b>ACCEPT ALL</b>
The Bidder declares to accept all the RFP conditions mentioned above, thus please indicate with a tick in the accept all.	
<p>Signature: _____</p> <p>Date: _____</p>	

## **ANNEXURE 6: BIDDER COMPULSORY INFORMATION**

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<b>BIDDER INFORMATION</b>	
<b>Name of Bidder</b>	
<b>Postal address</b>	
<b>Street address</b>	
<b>Telephone number</b>	
<b>Cell Phone number</b>	
<b>E-mail address</b>	
<b>Company registration number</b>	
<b>Date of registration</b>	

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<b>Vat registration number</b>			
<b>Company website address</b>			
<b>Signature of Bidder</b>		<b>DATE</b>	
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b> (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			

### **Bidding Structure**

Indicate the type of bidding structure by ticking:

<b>Individual bidder</b>	
<b>Sub-contractor</b>	

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### **Authority to submit a response**

Indicate the status of the bidder by completing the information above. The bidder must complete all information related to the category of organization and attach information of a company / organization document which provides the same information for the relevant category as requested here.

### **Certification and confirmation by company**

I, \_\_\_\_\_, hereby confirm that a resolution by  
\_\_\_\_\_, (company) resolved on (date) \_\_\_\_\_, in the capacity of  
\_\_\_\_\_, was authorized to sign all documents in connection with this RFP and any contract resulting from  
it on behalf of the company.

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### **DECLARATIONS**

This serves as a declaration that when services are being procured, all reasonable steps have been taken to address and/or prevent the exploitation of the procurement process and the use of any unfair tendering practices.

A proposal will be disqualified if the bidder/s, or any of its directors have:

- Abused the institution's procurement process (e.g. bid rigging/collusion)
- Committed fraud or any other improper conduct in relation to such system.

Please complete the declaration with an 'X' under YES or NO

<b>Question</b>	<b>Yes</b>	<b>No</b>
Did the bidder/s (or any of its directors/members/shareholders) committed an offence in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004)		
Was the bidder/s (or any of its directors/members/shareholders) convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five (5) years? If so, provide details.		

I, the undersigned, \_\_\_\_\_ hereby confirm that I am duly authorized to sign all documents in connection with this RFP and any contract resulting from it on behalf of \_\_\_\_\_ (insert the full name)  
RFP: TUTPF0002

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legal name of the bidder). I declare that I have read and understood the provisions above, that all information furnished herein is correct, that it is understood that the bidder's proposal may be rejected, and that the Fund will act against the bidder should any aspect of this this declaration prove to be false.