SPECIFICATION FOR VMWARE VSPHERE FOUNDATION AND VMWARE LIVE RECOVERY SUBSCRIPTION RENEWAL (36 MONTHS)

1. Background

Legal Aid South Africa is a national public entity established in terms of Section 2 of the Legal Aid South Africa Act 39 of 2014. As a key contributor to South Africa's constitutional democracy, Legal Aid South Africa provides quality legal services to indigent and vulnerable persons.

Legal Aid South Africa invites reputable and suitably qualified service providers to submit quotations for the renewal and support of VMware vSphere Foundation and VMware Live Recovery subscriptions for a period of thirty-six (36) months. Bidders must submit both a signed quotation and an electronic copy of their proposal.

2. Objective

The objective of this procurement is to acquire VMware subscriptions, software maintenance, technical support, and OEM-backed services to ensure the continued availability, supportability, and security of Legal Aid South Africa's virtual infrastructure environment.

3. Technical Requirements

The bidder shall supply the renewal of VMware subscriptions and support services currently utilized by Legal Aid South Africa. The existing subscriptions expire on 31 March 2027 and shall be renewed for a period of thirty-six (36) months commencing on 01 April 2027.

Table 1: Required Subscription Renewals

Contract number	Contract Line Number	SKU/Part Number	Descriptions	Qty	Start date
52985379	1	VCF-VSPFND-3Y	VMware vSphere Foundation 3-Years	128 cores	01April 2027
53040251	1	VCF-VLRPVM	VMware Live Recovery Protected VM 3-Years	1 with 25 VMs	01April 2027

4. Scope of Work

The successful bidder shall:

4.1 Subscription Provisioning

- Supply VMware vSphere Foundation subscriptions and support services as specified in Table 1.
- Supply VMware Live Recovery subscriptions and support services as specified in Table 1.
- Ensure that all licenses are new, genuine, and sourced through Broadcom authorized distribution channels.

4.2 OEM-Supported Services

- Ensure that all subscriptions include OEM-supported software maintenance.
- Ensure that all subscriptions include firmware, software updates, patches, and version upgrades where applicable.
- Ensure continued access to VMware support portals and entitlement services during the subscription period.

4.3 License Management

- Assign all licenses exclusively to Legal Aid South Africa.
- Ensure subscriptions are not shared, transferred, or allocated to any other organization.
- Facilitate activation of all subscriptions through Legal Aid South Africa's VMware tenant or portal.

4.4 Technical Support

- Provide OEM support for the full subscription period.
- Facilitate escalation of support incidents where required.
- Assist with license administration matters relating to subscription entitlement.

5. Mandatory Requirements

Failure to comply with any mandatory requirement shall result in immediate disqualification.

5.1 Broadcom Partner Accreditation

The bidder must be an authorized Broadcom reseller or partner for VMware products and services.

Required Evidence

- Broadcom Partner Certificate; or
- Broadcom Authorization Letter confirming reseller status.

5.2 OEM Support Confirmation

The bidder must provide confirmation that the proposed subscriptions include:

- OEM-backed software maintenance.
- Access to updates and patches.
- Access to VMware support services.
- Technical escalation support for the duration of the contract.

5.3 Returnable Documents

The following mandatory documents must be submitted:

- CSD Registration Report.
- Valid Tax Compliance Status.
- SBD 4 Declaration of Interest.
- Signed quotation.
- B-BBEE Certificate or Sworn Affidavit.
- Broadcom Partner Accreditation.
- Reference letters as specified below.

6. Evaluation Criteria

The evaluation process will be conducted in four stages.

Stage 1: Administrative Compliance

The bid will be evaluated for submission of all required returnable documents.

Bidders failing to submit mandatory documentation may be disqualified.

Stage 2: Mandatory Requirements

Compliance with Section 5 will be evaluated.

Bidders failing any mandatory requirement will be disqualified from further evaluation.

Stage 3: Functionality Evaluation

Only bidders meeting all mandatory requirements will proceed to functionality evaluation.

Minimum Threshold

Bidders must score a minimum of **80 points out of 100** to proceed to Stage 4.

Table 2: Functionality Evaluation Criteria

Criteria	Evaluation Measure	Points	Maximum
A. Reference Letters	Three (3) or more satisfactory reference letters not older than three years	50	50
	Two satisfactory reference letters not older than three years	35	
	One satisfactory reference letter not older than three years	15	
	No reference letter submitted	0	
B. Broadcom VMware Partner Accreditation	Valid authentication / authorization provided	50	50
	No accreditation provided	0	
TOTAL			**100**

Reference Letter Requirements

Reference letters must:

- Be on the client's official letterhead.
- Be signed and dated.
- Not be older than three years.
- Relate to VMware licensing, support, subscription management, virtualization environments, or comparable services.
- Include contactable references.

Functionality Evaluation Outcome

Bidders scoring below 80 points shall be disqualified and shall not proceed to the next stage of evaluation.

Stage 4: Price and Preference Points Evaluation

Qualifying bidders will be evaluated in accordance with the Preferential Procurement Policy Framework Act and Preferential Procurement Regulations using the 80/20 preference point system.

Table 3: Price and Preference Point Allocation

Evaluation Element	Points
Price	80
B-BBEE Status Level Contribution	20
Total	100

Table 4: B-BBEE Preference Point Allocation

B-BBEE Status Level	Points
Level 1 Contributor	20
Level 2 Contributor	18
Level 3 Contributor	14
Level 4 Contributor	12
Level 5 Contributor	8
Level 6 Contributor	6
Level 7 Contributor	4
Level 8 Contributor	2
Non-Compliant Contributor	0

Price Evaluation

Price points shall be calculated in accordance with the prescribed formula contained in the Preferential Procurement Regulations.

The bidder obtaining the highest combined score for Price and B-BBEE Preference Points shall be recommended for award, subject to due diligence and budget availability.

7. Financial Capacity and Payment Terms

7.1 Pricing Requirements

- All pricing must be quoted in South African Rand (ZAR).
- Prices must be inclusive of Value Added Tax (VAT).
- Prices must remain fixed for the validity period of the quotation.
- Pricing must include all subscription and support costs.

7.2 Payment Terms

- Legal Aid South Africa shall not make advance payments.
- Payment shall be made in arrears.

- Valid invoices shall be paid within thirty (30) calendar days after successful delivery and acceptance.

8. Purchase Order and Invoice Process

Upon receipt of a purchase order, the successful bidder shall procure and provision the required subscriptions at its own cost.

Delivery shall only be deemed complete once the following have been provided:

- OEM entitlement confirmation.
- License assignment confirmation.
- Subscription contract numbers.
- Subscription quantities matching the purchase order.
- Subscription starts and end dates.
- Acceptance confirmation by Legal Aid South Africa.

The successful bidder may only submit an invoice after successful acceptance.

9. Delivery Timeframes

The successful bidder shall:

- Deliver all subscription entitlements within five (5) business days of receipt of the purchase order unless otherwise agreed in writing.
- Provide all entitlement confirmations required by Legal Aid South Africa.

Failure to deliver within the agreed period may result in:

- Contractual penalties.
- Procurement from an alternative source at the bidder's cost.
- Contract termination for default.

10. Audit and Record Retention

The successful bidder shall:

- Retain proof of purchase.
- Retain OEM entitlement documentation.
- Maintain complete transaction records.
- Provide information for inspection by Internal Audit, External Audit, National Treasury, and the Auditor-General where required.

11. Pricing Schedule

Table 5: Pricing Schedule

Item	Product Number	Description	Quantity	Year 1 (Apr 2027 - Mar 2028)	Year 2 (Apr 2028 - Mar 2029)	Year 3 (Apr 2029 - Mar 2030)	Total Excl. VAT
1	VCF-VSPFND-3Y	VMware vSphere Foundation Subscription and Su	128 Cores				
2	VCF-VLRPVM	VMware Live Recovery Subscription and Support	25 VMs				
Summary	**Amount**						
Subtotal							
VAT (15%)							
Grand Total (Incl. VAT)							

12. Contract Period

The contract shall commence on **01 April 2027** and shall remain valid for a period of **thirty-six (36) months**, ending on **31 March 2030**.

13. Recommendation

Bidders meeting all compliance requirements, achieving the minimum functionality threshold, and obtaining the highest combined score under the 80/20 Preference Point System will be considered for award, subject to budget availability and final approval in accordance with Legal Aid South Africa Supply Chain Management policies

Table 3: Pricing table

Item Number	Product Number	Product Description	Qty	Unit Price (Ex Vat)	Line total	Year 1 April 2026-March 2027	Year 2 April 2027-March 2028	Year 3 April 2028-March 2029	Total
		VMware Renew	**Quote**	**Contract No.** 52985379 and 53040251					
1	VCF-VSP-FND-3Y	VMware vSphere Foundation Subscription and support (3-Years)	128 cores						
2	VCF-VLR-PVM	VMware Live Recovery Subscription and support VM 3-Years	1 with 25 VMs						
				Sub Total					
				VAT					

	Total (Incl Vat)					
		Grand Total (Incl Vat)				