



## **Independent Communications Authority of South Africa**

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# **APPOINTMENT OF A CONSULTANT TO ASSIST THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA WITH THE LICENSING PROCESS FOR THE INTERNATIONAL MOBILE TELECOMMUNICATIONS SPECTRUM, INCLUDING CONDUCTING AN AUCTION PROCESS FOR THE LICENSING OF THE IMT750, IMT800, IMT1500, IMT2300, IMT3300, AND IMT3500 RADIO FREQUENCY SPECTRUM BANDS**

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## **1. Background**

- 1.1. The licensing process is availing spectrum resources on the following identified IMT spectrum bands: IMT750, IMT800, IMT1500, IMT2300, IMT3300, and IMT3500.
- 1.2. Radio Frequency Spectrum Assignment Plans for these IMT Spectrum bands were published in Government Gazette No. 47788 on 20 December 2022, and Government Gazette No 47763 was published on 19 December 2022.
- 1.3. Radio Frequency Spectrum Regulations published in Government Gazette Number 38641 (Notice 279 of 2015) dated 30 March 2015 ("RFSR 2015") as amended, prescribe the market-based approach to efficient spectrum management, which includes the use of an auction process for the licensing of the spectrum in respect of which demand exceeds supply.
- 1.4. The Authority is to appoint a service provider or consultant (Bidder) to assist with the auction design and management of the licensing process, including conducting an auction process for the assignment and licensing of the IMT spectrum bands IMT750, IMT800, IMT1500, IMT2300, IMT3300, and

IMT3500 spectrum bands as contemplated in terms of the Terms of Reference (TOR) contained in **Annexure A**.

- 1.5. The role of the Bidder is to assist the Authority with the formulation of the Invitation-to-Apply (ITA) preceded by a consultation process through an Information Memorandum, execution and implementation of the ITA, published in accordance with Regulations 6 and 7 of RFSR 2015.
- 1.6. Section 3 of the TOR provides the scope to be covered by the bidder.

## **2. Terms of Reference**

- 2.1. The Terms of Reference are attached herewith as **Annexure A** and should be read in conjunction with the relevant regulations as published in the applicable Government Gazette Notices.

## **3. Period of Assignment**

- 3.1. All work must be carried out by the schedule as agreed with the Authority.
- 3.2. The auction is aimed to be completed by March 2024. Preceding the Auction, the ITA must be published by September 2023, and the qualification stage be finalised by December 2023.

## **4. Briefing Session**

- 4.1. Virtual Non-compulsory briefing session will be held after the publication of the tender. The Authority will confirm the briefing session's date and time.

## **5. Bid Advertisement and Bid Evaluation**

- 5.1. The bid will be advertised for 21 working days on the e-Tender Portal and ICASA's website. The bid will be evaluated on an 80/20 procurement principle.

5.2. Bidders will be evaluated on:

- 5.2.1. Receiving of Bids and Compliance Checks.
- 5.2.2. Functionality; and
- 5.2.3. Price and preferential points.

5.3. Only bidders who meet the cut-off score of 80 points out of 100 points for functionality will be considered further for price evaluation. All bid proposals submitted will be evaluated per the 80/20 procurement principle prescribed by National Treasury Regulations.

5.4. Bids will be evaluated for functionality in line with the following criteria:

	<b>Functionality: Pre-qualification criteria (cut-off score 80)</b>	
7.4.1	<p>Bidder’s clear understanding of the project brief (as outlined in paragraphs 2.2 and 2.3 above) is demonstrated by the Project approach.</p> <p>Evaluation criteria for 7.4.1:</p> <p>7.4.1.1 Provision of three or fewer of the following requirements: Business Case, Research Methodology, Work Breakdown Structure, and Resource Allocation in undertaking this project = <b>1</b></p> <p>7.4.1.2 Provision of all the following requirements: Business Case, Research Methodology, Work Breakdown Structure, and Resource Allocation in undertaking this project = <b>5</b></p>	<p>The total score of 7.4.1 is <b>10</b>.</p>
7.4.2	<p>Bidder’s capability in carrying out Spectrum Valuation is to be demonstrated by, among others:</p>	<p>The total score of</p>

	<p>Number of projects of similar scope undertaken over the past 8 years (attach reference letters and Testimonials on the company's letterheads).</p> <p>Evaluation criteria for 7.4.2, with reference letters and Testimonials on the company's letterheads, attached:</p> <p>7.4.2.1 Less than six years of experience in undertaking similar projects = 1</p> <p>7.4.2.2 Seven years of experience in undertaking similar projects = 2</p> <p>7.4.2.3 Eight years of experience in undertaking similar projects = 3</p> <p>7.4.2.4 Nine years of experience in undertaking similar projects = 4</p> <p>7.4.2.5 Ten years or more years of experience in undertaking similar projects = 5</p>	<p>7.4.2 is <b>20</b>.</p>
<p>7.4.3</p>	<p>Bidder's capability about carrying out the Spectrum Auction is to be demonstrated by, among others:</p> <p>7.4.3.1 Number and quality of projects of similar scope undertaken over the past 8 years (attach reference letters and Testimonials on the company's letterheads).</p> <p>Evaluation criteria for 7.4.3.1, with reference letters and Testimonials on the company's letterheads attached:</p> <p>7.4.3.1.1 Less than six years of experience in undertaking similar projects = 1</p> <p>7.4.3.1.2 Seven years of experience in undertaking similar projects = 2</p> <p>7.4.3.1.3 Eight years of experience in undertaking similar projects = 3</p> <p>7.4.3.1.4 Nine years of experience in undertaking similar projects = 4</p>	<p>The total score for 7.4.3 is <b>30</b>.</p> <p>Score for 7.4.3.1 is <b>15</b>.</p> <p>Score for</p>

	<p>7.4.3.1.5 Ten years or more years of experience in undertaking similar projects = 5</p> <p>7.4.3.2 Number of international experiences with similar project(s) using an Auction Tool (attach reference letters and testimonial with the letterheads).</p> <p>Evaluation criteria for 7.4.3.2, with reference letters and Testimonials on the company’s letterheads attached:</p> <p>7.4.3.2.1 One similar international project undertaken = 1</p> <p>7.4.3.2.2 Two similar international projects undertaken = 2</p> <p>7.4.3.2.3 Three similar international projects undertaken = 3</p> <p>7.4.3.2.4 Four similar international projects undertaken = 4</p> <p>7.4.3.2.5 Five or more similar international projects undertaken = 5</p>	<p>7.4.3.2 is <b>15.</b></p>
<p>7.4.4</p>	<p>Bidder’s Experience (8 Years) in the fields of licensing spectrum in processes similar to that envisaged in section 31 (3) of the ECA and the procedures as detailed in regulations 6 and 7 of the RFSR 2015, which must include amongst others:</p> <p>7.4.4.1 supporting and/or executing a licensing process on behalf of the public sector organisations and/or Regulatory Authorities (Attach reference letters and Testimonials on the company’s letterheads); and</p> <p>Evaluation criteria for 7.4.4.1, with reference letters and Testimonials on the company’s letterheads attached:</p> <p>7.4.4.1.1 Less than six years of experience in supporting and/or executing a licensing process on behalf of the public sector organisations and/or Regulatory Authorities= 1</p>	<p>The total score for 7.4.4 is <b>30.</b></p> <p>The score for 7.4.4.1 is <b>15.</b></p>

7.4.4.1.2	Seven years of experience in supporting and/or executing a licensing process on behalf of public sector organisations and/or Regulatory Authorities = 2	The score for 7.4.4.2 is <b>15</b> .
7.4.4.1.3	Eight years of experience in supporting and/or executing a licensing process on behalf of the public sector organisations and/or Regulatory Authorities = 3	
7.4.4.1.4	Nine years of experience in supporting and/or executing a licensing process on behalf of the public sector organisations and/or Regulatory Authorities = 4	
7.4.4.1.5	Ten years or more years of experience in supporting and/or executing a licensing process on behalf of the public sector organisations and/or Regulatory Authorities = 5	
7.4.4.2	Advising entities and potential licensees within the private sector in similar licensing processes (Attach reference letters and Testimonials on the company's letterheads).	
Evaluation criteria for 7.4.4.2, with reference letters and Testimonials on the company's letterheads attached:		
7.4.4.2.1	Less than six years of experience in advising entities and potential licensees within the private sector in similar licensing processes = 1	
7.4.4.2.2	Seven years of experience in advising entities and potential licensees within the private sector in similar licensing processes = 2	
7.4.4.2.3	Eight years of experience in advising entities and potential licensees within the private sector in similar licensing processes = 3	
7.4.4.2.4	Nine years of experience in advising entities and potential licensees within the private sector in similar licensing processes = 4	

	7.4.4.2.5 Ten years or more years of experience in advising entities, potential licensees within the private sector in similar licensing processes = 5	
7.4.5	<p>Project Members' Experience in the fields of Electronic Engineering, Economics, and Legal indicated in the Curriculum Vitae (Each field should have one expert with 8 years of experience).</p> <p>Evaluation criteria for 7.4.5, with curriculum vitae attached:</p> <p>7.4.5.1 Less than six years of experience of one expert in each field of Electronic Engineering, Economics, and Legal = 1</p> <p>7.4.5.2 Seven years of experience of one expert in each field of Electronic Engineering, Economics, and Legal = 2</p> <p>7.4.5.3 Eight years of experience of one expert in each field of Electronic Engineering, Economics, and Legal = 3</p> <p>7.4.5.4 Nine years of experience of one expert in each field of Electronic Engineering, Economics, and Legal = 4</p> <p>7.4.5.5 Ten years or more years of experience of one expert in each field of Electronic Engineering, Economics, and Legal = 5</p>	The total score of 7.4.5 is <b>10</b> .

## 6. Price Evaluation

- 6.1. Only bidders that passed the functionality evaluation will be further evaluated for price and preferential points.