



REFERENCE: IEC/LG-07/2023

CLOSING DATE: 14 DECEMBER 2023

ENQUIRIES

TECHNICAL SPECIFICATIONS: Thato Ndala / Molwelang Mathibe

Tel: (012) 622-5700 or eMail: ndalas@elections.org.za / mathibem@elections.org.za

ADMINISTRATIVE ENQUIRIES: Mr Vincent Qwabe

Tel: (012) 622-5576 / (012) 622-5700

TENDER IEC/LG-07/2023

SERVICE DESCRIPTION: SPECIAL VOTING BAG (PVC)

Kindly furnish the Electoral Commission with a bid for the provisioning of a suitable warehouse facility in the North West province as per this tender document.

The conditions contained in the Electoral Commission's supply chain management (SCM) policy documents, preferential procurement policy documents and all other conditions stated in this tender, will apply to your submission.

This tender, as formulated, contains the relevant Electoral Commission's bid documents/forms that must be completed.

A tender briefing session will be held at 11:00 on 28 November 2023 at the following address:

Election House

Riverside Office Park

1303 Heuwel Avenue

CENTURION

Kindly submit your bid by completing the relevant forms and deposit the bid in the tender box at the Electoral Commission's address before the closing date and time as specified on page two (2).

The Electoral Commission takes no responsibility for any late bids, whatever the reason may be.

Yours sincerely

SUPPLY CHAIN MANAGEMENT

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr M. Moepya (Chairperson) | Ms J.Y. Love | Mr G. Mashinini | Dr N.P. Masuku | Judge D. Pillay
National Office: Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046
info@elections.org.za | www.elections.org.za
Tel (+27) 12 622 5700

TENDER NUMBER: IEC/LG-07/2023

SERVICE DESCRIPTION: SPECIAL VOTING BAGS (PVC)

CLOSING TIME: 11:00

CLOSING DATE: 14 DECEMBER 2023

YOU ARE HEREBY INVITED TO SUBMIT A BID TO THE ELECTORAL COMMISSION OF THE REPUBLIC OF SOUTH AFRICA.

THIS TENDER DOCUMENT MUST BE COMPLETED AND ALL APPLICABLE PAGES RETURNED AS PART OF YOUR BID SUBMISSION - DO NOT RETYPE OR SUBSTITUTE THE PAGES OF THE TENDER DOCUMENT IN ANY OTHER FORM.

ALL TENDER FORMS (**PAGE 2 THROUGH TO PAGE 54**) MUST BE COMPLETED AND SIGNED IN ORIGINAL INK. THE BIDDER IS HOWEVER NOT REQUIRED TO FILL IN THE TENDER EVALUATION CRITERIA. FORMS WITH PHOTOCOPIED SIGNATURES/ INITIALS OR ANY OTHER SUCH REPRODUCTION OF DETAIL WILL BE REJECTED, RESULTING IN THE TENDER BEING DISQUALIFIED.

SUBMIT YOUR BID IN A SEPARATE SEALED ENVELOPE OR SUITABLE CONTAINER IF NECESSARY AND WRITE YOUR COMPANY NAME AS WELL AS THIS TENDER REFERENCE NUMBER (**IEC/LG-07/2023**) ON THE ENVELOPE/ CONTAINER.

TENDERERS SHOULD ENSURE THAT BIDS ARE DELIVERED TIMEOUSLY TO THE CORRECT ADDRESS AND PLACED IN THE TENDER BOX. BID SUBMISSIONS MUST ONLY BE DEPOSITED IN THE TENDER BOX(ES) WHICH ARE IDENTIFIED AS TENDER BOX(ES) OF THE ELECTORAL COMMISSION.

BID SUBMISSIONS MUST BE SUBMITTED BY NO LATER THAN THE CLOSING DATE AND TIME IN THE TENDER BOX SITUATED AT:

Election House

Riverside Office Park

1303 Heuvel Avenue

CENTURION

THE TENDER BOX WILL BE OPEN DURING OFFICE HOURS.

BIDS SUBMITTED IN THE INCORRECT TENDER BOX(ES) OF THE ELECTORAL COMMISSION, AND NOT IN THE BOX STIPULATED ABOVE WILL NOT BE CONSIDERED.

BIDS, AS A WHOLE OR IN PART, RECEIVED AFTER THE CLOSING DATE AND TIME ARE LATE AND WILL NOT BE ACCEPTED FOR CONSIDERATION. LATE BIDS ARE RECORDED BUT SET ASIDE.

ONLY BIDS SUBMITTED IN THE CORRECT TENDER BOX(ES) AS SPECIFIED IN THE TENDER DOCUMENT OF THE ELECTORAL COMMISSION SHALL BE ACCEPTED. BIDS SUBMITTED IN THE ADDRESS NOT SPECIFIED IN THE TENDER DOCUMENT, BY TELEGRAM, FACSIMILE, POST OR BY ELECTRONIC MEANS SUCH AS eMAIL WILL NOT BE ACCEPTED FOR CONSIDERATION.

THE ELECTORAL COMMISSION WILL PUBLISH THE AWARD OF THIS TENDER IN ACCORDNACE WITH STATUTORY REQUIREMENTS AS REQUIRED. TENDERERS SHOULD NOTE THE AWARD OF THE TENDER AS PUBLISHED. NO GENERAL NOTICES TO UNSUCCESSFUL BIDDERS WILL BE ISSUED.

THE ELECTORAL COMMISSION GENERALLY DOES NOT ISSUE LETTERS OF APPOINTMENT. SUCCESSFUL BIDDERS WILL BE REQUIRED TO SIGN A SERVICE LEVEL AGREEMENT, AND/ OR WILL BE ISSUED WITH AN OFFICIAL PURCHASE ORDER AS MAY BE APPLICABLE WHICH REPRESENTS THE 'CONTRACT' BETWEEN THE TWO PARTIES CONCERNED.

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BACKGROUND

The Electoral Commission is a permanent body established in terms of Chapter 9 of the Constitution of the Republic of South Africa and the Electoral Commission Act 51 of 1996. It is responsible for managing and administering all elections and promoting and safeguarding democracy in South Africa. Although publicly funded and accountable to Parliament, the Electoral Commission is independent of government.

In terms of Section 190 of the Constitution of the Republic of South Africa (Act 108 of 1996), the Electoral Commission must -

- Manage elections of national, provincial and municipal legislative bodies;
- Ensure that those elections are free and fair;
- Declare the results of those elections; and
- Compile and maintain a voters' roll.

Duties of the Electoral Commission as stated in Section 5 of the Electoral Commission Act require that the Electoral Commission:

- Compile and maintain a register of parties;
- Undertake and promote research into electoral matters;
- Develop and promote the development of electoral expertise and technology in all spheres of government;
- Continuously review electoral laws and proposed electoral laws, and make recommendations;
- Promote voter education;
- Declare the results of elections for national, provincial and municipal legislative bodies within seven (7) days of those elections; and
- Appoint appropriate resources in any sphere of government to conduct elections when necessary.

The Electoral Commission currently operates in approximately 270 municipal electoral offices, nine (9) provincial offices and ten (10) warehouses at national and provincial level.

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GENERAL TENDER CONDITIONS

1. These conditions form part of the tender and failure to comply with these may invalidate a bid.
2. The following definitions shall apply:
 - (a) “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
 - (b) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad Based Black Economic Empowerment Act;
 - (c) “B-BBEE status level of contributor” means the B-BBEE 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;
 - (d) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations and advertised competitive bidding processes;
 - (e) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003); together with the Broad-Based Black Economic Empowerment Amendment Act, 2013 (Act No. 46 of 2013)
 - (f) “comparative price” means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration;
 - (g) “consortium or joint venture” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
 - (h) “contract” means the agreement (including a service level agreement) that results from the acceptance of a bid by the Electoral Commission;
 - (i) “EME” means any exempted micro enterprise with an annual total revenue that is less than the prescribed threshold value;
 - (j) “firm price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
 - (k) “functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
 - (l) “non-firm prices” means all prices other than “firm” prices;
 - (m) “person” includes a juristic person;
 - (n) “rand value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable duties and taxes;
 - (o) “service provider” means any individual or entity that is contracted by the Electoral Commission to render goods or services.
 - (p) “specific goal” means specific goals as contemplated in section 2(1)(d) of the Preferential Procurement Policy Framework Act, 2000

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- (q) “state” means any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act (the PFMA), 1999 (Act No. 1 of 1999), any municipality or municipal entity, provincial legislature, National Assembly or the National Council of provinces; or Parliament;
- (r) “sub-contract” means the primary bidder/contractor’s assigning, leasing, making out work to, or employing, another person to support such primary bidder/contractor in the execution of part of a project in terms of the SLA/contract.

In the event that the primary contractor/bidder is purchasing or renting goods from another entity for the purposes of rendering the services required in respect of this tender the latter shall be deemed not to be a ‘sub-contractor’; and

- (s) “total revenue” bears the same meaning assigned to this expression 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 and promulgated in the Government Gazette on 9 February 2007; and
- (t) “trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.

3. The tender forms are drafted to ensure that certain essential information is to be furnished in a specific manner. Any additional particulars shall be furnished in the enclosed questionnaire/s (where applicable) or in a separate annexure/s.
4. The tender forms shall not be retyped or redrafted but photocopies may be prepared and used. All photocopied pages must, however, be completed and signed/initialled in original ink as stipulated.
5. Additional offers may be made for any item in response to this tender but only on a photocopy of the applicable page/s. Additional offers made in any other manner may be disregarded.
6. Tenders will not be qualified by the bidder’s own conditions of tender. Failure to comply with this requirement shall invalidate the bid.
7. Failure on the part of the bidder to *sign/initial all applicable pages* of this tender form and thus to acknowledge and accept the conditions in writing shall invalidate the bid submission.
8. Failure on the part of the bidder to complete the attached forms, questionnaires and specifications document in all respects may invalidate the bid submission. Failure to complete mandatory forms/schedules shall invalidate the bid submission.
9. All changes/ alterations in the tender document should be signed/initialled. Failure on the part of the bidder to sign/initial any alterations and/or corrections made to information provided in this tender form may invalidate the tender submission.
10. No correction fluid/tape or similar products will be allowed and the use thereof on any page of the tender document may invalidate your bid submission.
11. Any changes/ alterations to pricing that are not signed/ initialled are considered material, and shall invalidate the bid submission. Correction fluid/tape or similar products will not be allowed to amend prices and the use thereof shall invalidate the bid submission.
12. Information/detail provided on completed tender forms must be legible and ink must be used. Tender forms completed and signed mechanically, e.g. by means of a typewriter/computer or a signature/initial by means of a stamp are deemed to have been completed in original ink. Pencil must not be used as it shall lead to the disqualification of the bid submission.
13. Bidders shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted with regard to claims arising from the fact that pages are missing or duplicated. Incomplete bid submissions (i.e. with missing pages) shall be disqualified.

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14. Tender prices must be all inclusive, including VAT in respect of all vendors registered for VAT purposes. Non-VAT registered bidder shall not charge nor be eligible for the payment of VAT.
15. Tender prices for supplies in respect of which installation/ erection/ assembly is a requirement, shall include ALL costs inclusive of VAT on a basis of delivered on site as specified.
16. The Electoral Commission shall only accept bids at prices that are market related. In the event that a bid is deemed to not be market related the Electoral Commission reserves the right to negotiate prices in accordance with the provisions of the SCM policy in order to achieve a market related price or cancel the tender altogether.
17. National Treasury has placed an obligation on all bidders that intend doing business with government to register on its Central Supplier Database (CSD). The Electoral Commission will not contract any bidder that is not registered on the CSD.
18. It is an absolute requirement that the tax affairs of the successful bidder must be in order.
19. An entity's tax compliance status is indicated on the Central Supplier Database (CSD). The Electoral Commission will only contract bidders whose tax status is compliant. This means that if a bidder has a non-compliant tax status before the award is completed the bid will be disqualified if that bidder's tax affairs remains non-compliant as per the provisions of National Treasury Instruction 9 of 2017/2018. It remains the bidder's responsibility to ensure that their taxes are in order, remain in order and that this is reflected on the CSD. The bidder must also ensure that all sub-contractors (if applicable) are tax compliant.
20. Bids must be submitted based on firm tender prices and delivery periods, unless otherwise stated in the bid specifications. Consequently, bidders must clearly state whether prices and delivery periods will remain firm for the duration of the SLA/contract or not.
21. When the SLA/contract is awarded on the basis of firm prices, contract prices may be adjusted during the contract period only if:
 - (a) customs or excise duty or any other duty, levy or tax (excluding any anti-dumping and countervailing duties or similar duties), is introduced in terms of any Act or regulation; or
 - (b) any such duty, levy or tax is legally changed or abolished; and
 - (c) the onus of proof of the effect of such events is placed upon the bidder.
22. If non-firm prices are provided for in the bid specifications, the following rules shall apply:
 - (a) In respect of any factors which demonstrably have an influence on the production cost of the supplies or the cost of rendering the services which have been tendered on the basis of non-firm prices, price adjustments which become effective during the contract period may be allowed with effect from the date of the change in cost and founded on the actual direct change in the cost as used in the calculation of the tender price, in addition to those provided for.
 - (b) Where the bidder is the manufacturer of the supplies or the provider of the service, or where he/she/they is the accredited agent of the manufacturer or the provider, evidence in support of the price adjustments claimed shall be produced on demand.
 - (c) As an alternative, the bidder may specify a formula in the bid submission for the purpose of adjusting prices in accordance with published indices.
 - (d) Where the bidder is not the provider of the service, or where he/she/they is not the accredited agent of the provider, any price adjustment shall be based on the increase or reduction to the bidder in the net cost of the supplies on which the tender price was based. When any such increase or reduction in costs occurs, the bidder shall submit copies of the quotation or price list with reference to which the tender price as calculated, as well as the revised quotation or price list on which the claim is based.

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23. Where prices are subject to exchange rate fluctuations, bidders must take that factor into account when bidding and, where necessary, should ensure that they have taken the necessary forward cover to provide for possible price increases. When applicable, specific detail to this effect should be included in the bid submission.
24. Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
25. Unconditional discounts offered by any bidder as part of their bid submission may be considered by the Electoral Commission at its sole discretion in the bid adjudication process. Any other discounts offered by any bidder will be taken into consideration for payment purposes.
26. The bid specifications form an integral part of the tender document and bidders shall indicate in the space/s provided whether the specific goods and/or services offered are according to specification or not.
27. In cases where the goods and/or services offered are not according to specification, the deviations from the specifications must be indicated. Specifications may not, however, be changed on the tender forms provided as that shall invalidate a bid submission.
28. Unless specifically provided for in the tender document, no bids transmitted by facsimile or email will be considered.
29. Bidders are requested to promote local content as far as possible.
30. A service level agreement (SLA/contract) shall be entered into with the successful bidder.
31. Unless otherwise stipulated, all tools/equipment needed must be supplied by the successful bidder.
32. Any bidder found to be influencing the tender adjudication process shall be automatically disqualified and not accepted for consideration.
33. In accordance with the Electoral Commission's policy, the Electoral Commission reserves the right to procure goods/services outside of the SLA/contract if, *inter alia*, an emergency arises; the service provider's point of supply is not situated at or near the place where services are required or, if the service provider's services are not readily available.
34. The Electoral Commission reserves the right to negotiate the extension of the SLA/contract at its sole discretion with due regard to any statutory provisions imposed by National Treasury at the time of considering such extension.
35. The Electoral Commission may, at its sole discretion, resolve to procure lesser or additional goods/services as provided through the tender should the need arise. Any such change in the scope of services shall be negotiated with the successful bidder if and when relevant with due regard to any statutory provisions imposed by National Treasury at the time of considering such.
36. Bid submissions received by the Electoral Commission and bid evaluation, assessment and adjudication reports that may contain sensitive information relating to any specific bids are not available for perusal by the public.
37. All information supplied by the Electoral Commission will be in the strictest confidence and will remain the proprietary information of the Electoral Commission. No bidder will be permitted to disclose any such information to any third party without the prior express consent and/or written authority and/or consent of the Electoral Commission.
38. Should the bidder fail to comply with any of the conditions of the SLA/contract, the Electoral Commission shall be entitled, without prejudice to any of its other rights, to:
 - (a) arrange for the alternative execution of the service/s not rendered or not in conformity with the specifications of the SLA/contract; and

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- (b) recover all costs, losses or damages it has incurred or suffered as a result of the bidder's conduct; or
 - (c) cancel the SLA/contract and claim any damages which it has suffered as a result of having to make less favourable arrangement due to such cancellation.
39. All acquisitions for goods and/or services made by the Electoral Commission are subject to the following conditions:
- (a) No variations from the terms and conditions herein contained, and no contrary stipulation by the bidder shall be valid and binding unless confirmed by the Electoral Commission in writing.
 - (b) The Electoral Commission reserves the right to cancel any order if delivery is not made in due time and the bidder will not be entitled to any cancellation fees.
 - (c) Part deliveries will only be accepted on prior arrangement with the Electoral Commission.
 - (d) If delivery is not met as per agreement, the Electoral Commission reserves the right to cancel the outstanding delivery, and recover all costs, losses or damages it has incurred or suffered as a result of the bidder's conduct.
 - (e) No price adjustments shall be accepted unless stipulated in the tender document received and agreed to by the Electoral Commission. The bidder will be obliged to sell at tendered prices.
 - (f) The award of the tender may be subjected to the negotiation of a market-related price with a bidder in accordance with the provisions of the SCM policy.
 - (g) The Electoral Commission shall not be responsible for any risk in relation to the goods before delivery.
 - (h) The Electoral Commission shall not be obliged to pay for any goods with any deviation from the agreed specification and quality.
 - (i) The Electoral Commission shall be entitled to return any goods with defects or deviations from the agreed specification without consent from the bidder.
 - (j) The service provider shall submit a valid tax invoice where the service provider is VAT registered, or a valid invoice if the service provider is not VAT registered, conforming to tax law requirements, to the Electoral Commission. The invoice amount shall correspond with the order amount and shall be VAT inclusive, where applicable.
 - (k) Details provided on invoices issued to the Electoral Commission must correspond to the details of the service provider as registered on the Central Supplier Database (CSD). It remains the service provider's responsibility to ensure that details are correct to enable the Electoral Commission to effect any payments due to the bidder.
 - (l) Payment shall be effected within 30 days of receipt of a valid invoice/s together with a statement of the Electoral Commission's account, unless a dispute arises in respect of such invoice/s. Every effort shall be made to take advantage of special discounts.
 - (m) To avoid unnecessary delays in payment, it remains the bidder's responsibility to ensure that banking details are correct and validated on the Central Supplier Database (CSD). The Electoral Commission will not be liable for interest accrued on overdue accounts where the bidder has not resolved their incorrect banking details on the CSD.
40. No damages shall be claimable by the Electoral Commission in respect of any reasonable period of delay which the bidder can prove to the satisfaction of the Electoral Commission to be directly due to unforeseen events and/or any *force majeure*.
41. If the execution of any SLA/contract entered into is likely to be delayed or is in fact being delayed on account of any reason, full particulars of the circumstances shall be immediately reported in

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writing to the contact person stated in the service level agreement (SLA/contract), and at the same time the service provider shall indicate the extension of the delivery/completion period which will then be required.

42. If information required in respect of any item in the tender document cannot be adequately inserted in the space provided, additional information may be provided on a separate sheet of paper with a clear and accurate reference to the item and page of the tender document.
43. Bidders may, at the discretion of the Electoral Commission, be requested to submit samples or prototypes, make presentations and/or written submissions in order for the Electoral Commission to assess compliance with tender conditions and specifications.
44. Scoring in respect of this tender will be based on the provisions of the Preferential Procurement Policy Framework Act, 2000 (PPPFA) and Preferential Procurement Regulations, 2022. Only valid B-BBEE status level certificates, CIPC B-BBEE certificates or B-BBEE affidavits are acceptable, and these will be subject to verification and validation.
45. The following preference point systems are applicable to bids of the Electoral Commission:
 - (a) the 80/20 system for goods and/or services with a Rand value equal to or below R50,000,000 (all applicable taxes included);
 - (b) the 90/10 system for goods and/or services with a Rand value above R50,000,000 (all applicable taxes included); and
 - (c) if it is unclear which preference point system will be applicable, then either the 80/20 or the 90/10 preference point system will apply and the lowest acceptable bid will be used to determine the applicable preference point system.
46. **The value of this tender is estimated to not exceed R50,000,000 (all applicable taxes included) and therefore the 80/20 scoring system shall be applicable.**
47. Preference points for this bid shall be awarded for:
 - (a) Price (80 or 90 as applicable); and
 - (b) Specific goal(s) (a maximum of 20 or 10 as applicable).
48. A maximum of 80 or 90 points is allocated for price on the following basis:

$$80/20 \text{ or } 90/10 \quad P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \text{ or } P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 P_{\min} = Price of lowest acceptable bid

49. In terms of Regulation 3(b) of the Preferential Procurement Regulations, 2022 preference points must be awarded to a bidder for specific goal(s) in accordance with the table below:

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

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50. Bidders who qualify as exempted micro enterprises (EMEs) in terms of the B-BBEE Act and its codes must submit a CIPC B-BBEE certificate or B-BBEE sworn affidavit (with the exception of sector codes).
 - (a) For EMEs falling under a sector charter, the bidder must submit a B-BBEE document in compliance with the applicable sector code.
51. Bidders who qualify as qualifying small enterprises (QSEs) in terms of the B-BBEE Act and its codes must submit a B-BBEE sworn affidavit or B-BBEE status level certificate as applicable.
 - (a) QSEs with at least 51% black ownership must submit a B-BBEE QSE sworn affidavit.
 - (b) QSEs with 50% or less black ownership must submit their valid B-BBEE status level certificate, issued by a Verification Agency accredited by South African Accreditation System (SANAS) substantiating their B-BBEE claims. A black-owned QSE may be measured in terms of the QSE scorecard should it so choose and therefore may also provide a valid B-BBEE status level certificate issued by a Verification Agency accredited by SANAS substantiating their B-BBEE claims.
52. Bidders other than EMEs or QSEs must submit their valid B-BBEE status level certificate issued by a Verification Agency accredited by South African Accreditation System (SANAS), substantiating their B-BBEE claim.
53. Failure on the part of a bidder to submit a sworn affidavit, or a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) together with the bid, will be interpreted to mean that preference points for specific goals are not claimed.
54. In order to validate the credibility of the information recorded on the B-BBEE verification certificate, sworn affidavit or CIPC B-BBEE certificate the Electoral Commission requires all applicable supporting documents.
55. An incorporated joint venture will qualify for points for its B-BBEE status level as a legal entity, provided that the entity submits its B-BBEE status level certificate.
56. A trust, consortium or unincorporated joint venture will qualify for points for its B-BBEE status level as an unincorporated entity, provided that the entity submits its consolidated B-BBEE status level certificate as if it were a group structure and that such a consolidated B-BBEE status level certificate is prepared for every separate bid.
57. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialised scorecard contained in the B-BBEE Codes of Good Practice.
58. Start-ups that are EMEs but wish to tender for contracts of R10 million in value or above, must be verified using the QSE scorecard. For tenders of R50 million in value or above start-ups must be verified using the generic scorecard.
59. A person will not be awarded points specific goals if it is indicated in the bid document that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for.
60. A person awarded a SLA/contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.
61. The Electoral Commission reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preference points, in any manner required by the Electoral Commission. In the event that no response is

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received from the issuer of the certificate after 48 hours or the bidder, no specific goal points will be allocated in the final scoring.

62. A bidder who's bid is acceptable will be awarded a contract based on lowest acceptable bid, which is market related, subject to section 2(1)(f) of the PPPFA, in addition to complying with all the other requirements, such as, meeting the technical specifications and satisfying the Electoral Commission's due diligence audit requirements which entails confirmation of the bidder's capacity, capability and ability to render the goods/services in accordance with the tender conditions/ specifications.
63. Points scored will be rounded off to the nearest two (2) decimal places.
64. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of points for specific goals.
65. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
66. Any legal person may make an offer or offers in terms of this invitation to bid.
67. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/ her authorised representative declare his/ her position in relation to the evaluating/ adjudicating authority, where:
 - (a) the bidder is employed by the state; and/or
 - (b) the legal person on whose behalf the bidding document is signed, has a relationship with persons/ a person who are/ is involved in the evaluation and/ or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/ or adjudication of the bid.
68. The Public Service Administration Management Act 11 of 2014 prohibits public servants from conducting business with the state or being a director of a public or private company that conducts business with the state. This Act will take effect on a date still to be determined by the President. Should your bid be submitted on a date after such determination by the President, you may be disqualified in terms of this Act.
69. The Electoral Commission reserves the right not to award the tender to a bidder that has affiliations with any registered political party/parties, candidate(s) or contestant(s).
70. The Electoral Commission may cancel the tender for reasons that may include *inter alia*:
 - (a) Changed circumstances – There is no longer a need for the goods/services.
 - (b) Funds are no longer available to cover the total envisaged expenditure.
 - (c) No acceptable bid is received.
 - (d) There is a material irregularity in the tender process.
 - (e) If the price offered by a bidder scoring the highest points is not market-related.
71. This bid is subject to the Preferential Procurement Policy Framework Act, 2000 and the Preferential Procurement Regulations, 2022, the general conditions of contract (GCC) and, if applicable, any other special conditions of contract.

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BID SUBMISSION

This standard bidding document must be completed by the bidder and forms part of all bids.

In the case of a consortium or joint venture, every member of the consortium or joint venture must complete the questionnaire.

In the case of subcontractors, where more than 25% of the work will be done by such subcontractor/s each subcontractor must complete the mandatory tender forms (pages 14 to 23).

Separate forms must be used in each case.

Failure to complete and sign/initial all pages of this document in original ink shall invalidate your bid.

Where space provided is insufficient, annexes must be submitted with the relevant information.

False documents and/or the omission of information may invalidate your bid.

The form serves as a declaration to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

Any bid may be disregarded if the bidder or any of its directors or shareholders has:

- abused the Electoral Commission's supply chain management system;
- committed fraud or any other improper conduct in relation to such system; or
- failed to perform on any previous contract.

Prospective bidders must register on the National Treasury Central Supplier Database (CSD) prior to submitting their bids. Failure to register on the CSD shall invalidate your tender.

A bidder's tax affairs must be in order to be considered in the adjudication of this tender. A bidder's tax compliance status is reflected on the national treasury central supplier database (CSD).

A bidder's tax compliance status shall apply as it was at the time of the award of the tender. The tender shall only be awarded to a bidder that is tax compliant. The electoral commission verifies tax status against the CSD. Any bid with a non-compliant tax status shall be rejected at the time of the award of the tender. Tax non-compliant bidders are, therefore, encouraged to continuously monitor their tax compliance status on the CSD and must ensure that their status reflects as tax compliant. bidders must resolve any pending tax issues with SARS timeously as it takes time for status changes to be effected from the SARS Tax Compliance System (TCS) to the CSD.

Although not all the information requested hereunder might be relevant to the specific requirements of this tender, you are requested to complete the document with as much relevant detail as possible.

The information may be used during the bid evaluation process of the tender.

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TENDER QUESTIONNAIRE

Important note: Where more space is required for additional information please use photocopies of the applicable page/s. However, all pages **must** be completed and signed in original ink.

1. Name of business entity (bidder):
2. Company CIPC registration number (if applicable):.....
3. Central Supplier Database (CSD) registration number:

M	A	A	A							
---	---	---	---	--	--	--	--	--	--	--

Your unique registration number as provided above will be used to capture your company details as a vendor to the Electoral Commission. The Electoral Commission will draw your registration detail and tax compliant status from the National Treasury Central Supplier Database (CSD) and any changes (including banking detail s) you effect to your registration on the CSD will automatically update your registration as a vendor to the Electoral Commission. Detail provided on invoices issued to the Electoral Commission must correspond to the detail of your company as registered on the CSD. It remains your responsibility to ensure that details are correct to enable the Electoral Commission to effect any payments due to you.

4. Contact person (person representing bidder):
5. Contact number:
6. Cellphone number:
7. eMail address:.....
8. Physical address of bidder:
.....

.....Postal Code:

9. Type of Company/Enterprise [TICK APPLICABLE BOX]

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/ sole propriety
- ☐ Close corporation (CC)
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ Company (Pty) Ltd
- ☐ Non-Profit Company
- ☐ State Owned Company
- ☐ Other _____

10. Describe Principal Business Activities
.....

11. Company Classification [TICK APPLICABLE BOX]

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional
- ☐ Other, e.g. transporter, *et cetera*. _____

12. Total number of years the company/firm has been in business:.....

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13. The names of directors/ members of companies are drawn from the Central Supplier Database (CSD). Please provide the detail of any directors/ trustees/ shareholders/ members/ partners or any person having a controlling interest and their individual identity numbers that do not appear on your CSD registration in the table below.

Full Name	Identity Number	Designation

14. Enterprise size Classification (Tick one applicable to your company):

EME	
QSE	
Generic	

15. Please stipulate the B-BBEE status level of contribution as it appears on the certificate/affidavit for your entity

16. Is the entity an exempted micro enterprise (EME) for the purposes of the Preferential Procurement Regulations, 2022?

17. Has a B-BBEE status level verification certificate/affidavit been submitted?

YES		NO	
YES		NO	

18. If yes, who issued the certificate?

A verification agency accredited by the South African National Accreditation System (SANAS)	
Commissioner of Oaths in the case of an applicable sworn affidavit	
CIPC	

All bidders must submit sworn affidavits or status level certificates together with their bid documentation in support of and confirming the B-BBEE status level indicated above. Failure to submit the affidavit or certificate will result in a bidder being deemed as a non-compliant contributor and a status level of zero (0) will be allocated.

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19. Compulsory supporting documents for B-BBEE claims

OWNERSHIP	DOCUMENTS REQUIRED
Black ownership Black female ownership	B-BBEE Status level certificate/ CIPC B-BBEE certificate/ B-BBEE sworn affidavit Proof ownership (share certificates for companies/ CK1 or CK2 for CCs) IDs for all owners
Black people with disabilities	Completed form EEA1 Doctor's letter confirming disability
Financial year end and Ex Officio confirmation	Disclosure certificate not older than 3 months

All bidders must submit sufficient supporting documents together with their bid documentation in support of and confirming the specific goals claimed above. Failure to submit the documents will result in a bidder being deemed as non-compliant and zero points (0) will be allocated for specific goals. If the bidder is owned by juristic persons, proof of ownership must be submitted for all entities until all natural persons are accounted for.

20. Questionnaire to foreign bidders:

Are you the accredited representative in South Africa for the goods/ services/works offered? [If YES, enclose proof]	YES		NO	
Are you a foreign based supplier for the goods/ services/ works offered? [If YES, answer the questionnaire below]	YES		NO	
Is the entity a resident of the republic of South Africa (RSA)?	YES		NO	
Does the entity have a branch in the RSA?	YES		NO	
Does the entity have a permanent establishment in the RSA?	YES		NO	
Does the entity have any source of income in the RSA?	YES		NO	
Is the entity liable in the RSA for any form of taxation?	YES		NO	

If the answer is "NO" to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register via e-Filing through the SARS website www.sars.gov.za.

21. Legal status of bidder (tick one box)

Principal bidder		
Subcontractor	% of work will be subcontracted*
Consortium		
Joint venture (JV)		

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Other, specify		
----------------	--	--

In the case of subcontractors, where more than 25% of the work will be done by such subcontractor/s, each subcontractor must complete the tender questionnaire as well as the bidder's disclosure (SBD4).

Separate forms must be used in each case.

The tax affairs of subcontractors must also be in order on the Central Supplier Database (CSD).

In bids where consortia/ joint ventures/ sub-contractors are involved, each party must submit a separate TCS certificate/ PIN/ CSD number.

22. Employment Equity Act (EEA) (Chapter VI – General Provisions: State Contracts)

23. In terms of Section 53(1) of the EEA every employer that makes an offer to conclude an agreement with any organ of state for the furnishing of suppliers or services to that organ of state or for the hiring or letting of anything:

23.1 must-

- (i) if it is a designated employer, comply with Chapters II and III of this Act; or
- (ii) if it is not a designated employer, comply with Chapter II of this Act; and

23.2 attach to that offer either-

- (i) a certificate in terms of subsection (2) which is conclusive evidence that the employer complies with the relevant Chapters of this Act; or
- (ii) a declaration by the employer that it complies with the relevant Chapters of this Act, which, when verified by the Director-General, is conclusive evidence of compliance.

24. In terms of Section 53(2) of the EEA an employer referred to in subsection (1) may request a certificate from the Minister confirming its compliance with Chapter II, or Chapters II and III, as the case may be.
25. In terms of Section 53(3) a certificate issued in terms of subsection (2) is valid for 12 months from the date of issue or until the next date on which the employer is obliged to submit a report in terms of section 21, whichever period is the longer.
26. In terms of Section 53(4) a failure to comply with the relevant provisions of this Act is sufficient ground for rejection of any offer to conclude an agreement referred to in subsection (1) or for cancellation of the agreement*.

* Statutory regulations may require that supplies and services shall not be procured for and on behalf of the State, unless an employer has attached to its offer a certificate in terms of Section 53(l)(b)(i) or a declaration in terms of Section 53(l)(b)(ii) of the Employment Equity Act.

27.	Is your company a designated employer in terms of the Employment Equity Act (EEA)? (Act 55 of 1998)	YES		NO	
28.	Does your company comply with Chapter III of the Employment Equity Act? (Act 55 of 1998)	YES		NO	EXEMPT

29. In respect of the EEA requirements above, please attach either:

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- 29.1 A certificate in terms of Section 53(2) of the EEA which is conclusive evidence that the employer complies with the relevant Chapters of the EEA; or
- An employer may request a certificate from the Minister confirming its compliance with Chapter II, or Chapters II and III, as the case may be.
- 29.2 A declaration by the employer that it complies with the relevant Chapters of the EEA, which, when verified by the Director-General, is conclusive evidence of compliance.
30. Important: The EEA requirements stipulated in paragraphs 21.2, 27.1 and 27.2 will come into effect once the President has approved the Employment Equity Amendment Bill (B14 – 2022).
31. Bidders must monitor developments around the EEA in order to be informed of any changes in the statutory requirements.
32. In the event of subcontractors being used to render the services required in terms of this tender, the principal bidder must complete the schedule below in order to clearly indicate which entities will be subcontracted as well as the percentage of work to be subcontracted to each of these entities in relation to the total value of the contract.

Name of Company to be Subcontracted	% Value of Total Contract Allocated to Subcontractor
Total % of Work to be Sub-contracted* %

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

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FINANCIAL INFORMATION

33. What is the company's annual average turnover during the previous three financial years or such lesser period during which the business has been operating?

Financial Year (e.g. 2021, 2022, 2023)	Annual Turnover	Gross Asset Value	Net Asset Value
	R	R	R
	R	R	R
	R	R	R
	R	R	R

34. Please provide the following figures in respect of the most recent audited financial statements:

Figures are provided for the audited financial statement of (State Year)

- Total current assets R.....
- Inventory R.....
- Prepaid expenses R.....
- Current liabilities R.....

35. Is your company listed on the Stock Exchange?

YES		NO	
-----	--	----	--

36. Are the prices quoted firm for the full period of the contract?

YES		NO	
-----	--	----	--

If the tender prices are not firm for the full period, provide details against the appropriate category(s) below:

Non-firm prices, i.e. prices linked to statutory adjustments and other proven adjustments.

YES		NO	
-----	--	----	--

Explanation:

Prices linked to fixed period adjustments.

YES		NO	
YES		NO	

Prices linked to escalation formula adjustments.

Explanation: Note that for the purpose of price comparisons, the actual price inclusive of VAT that the Electoral Commission will have to pay over the contract period will be used, unless otherwise stipulated in the detailed specifications

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DELIVERABLES AND GUARANTEES

37. Is the delivery period stated in the tender firm?

YES		NO	
-----	--	----	--

38. Do you confirm that the required goods/services are guaranteed in terms of any specific guarantees that may be required in the bid specification?

YES		NO	
-----	--	----	--

39. Are you the accredited representative in the Republic of South Africa of the manufacturer of the equipment offered by you?

YES		NO	
-----	--	----	--

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BIDDER'S DISCLOSURE AND DECLARATION (SBD4) INCLUDING POPIA CONSENT

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this disclosure, declaration and provide consent in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's Declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES	NO
-----	----

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest¹ in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES	NO
-----	----

- 2.2.1 If so, furnish particulars:

.....
.....

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES	NO
-----	----

- 2.3.1 If so, furnish particulars:

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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- 2.4 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have an affiliation with any registered political party/parties, candidate(s) or contestant(s)?

YES	NO
-----	----

- 2.4.1 If so, furnish particulars:

.....

3. POPIA Consent

3.1 Consent to Process Information According to the Protection of Personal Information Act (POPI Act) - POPIA

- a) By participating in tenders of the Electoral Commission a bidder gives consent and accepts that the information they provide will be used for purposes of evaluation and adjudication of bids. This includes use of the data provided by a bidder to perform due diligence checks involving the collection of personal data from third parties (e.g. clients of the bidder(s), SARS, CIPS) to validate claims and to gather important information for the purpose of evaluation and adjudication of this bid. This may include the collection of publicly available data.
- b) By participating in the bid the bidder gives consent and accepts that the Electoral Commission may use personal data to investigate potential risk such as fronting, criminal conduct, unethical conduct for the protection of its rights and for the purpose of evaluation and adjudication of this bid. The Electoral Commission may also share personal data with relevant authorities for investigation of criminal conduct and for other lawful purpose.
- c) The bidder accepts that the Electoral Commission may share their personal data with third parties to support its internal and external audit processes.
- d) The bidder acknowledges that their personal data will be kept confidential and will be used for the purpose intended for a bid and will not be shared with third parties for unrelated or unlawful purposes. In addition, the information will be handled in line with record retention guidelines and be disposed of when the timelines in the guidelines have been reached. Any request for deletion of personal information will be acceded to in line with legislative requirements. Should such deletion impact on the evaluation, adjudication, awarding and contract phases a bidder will be informed and such impact effected.

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4. Declaration

I, the undersigned, (name)
in submitting the accompanying bid, do hereby make the following statements that I
certify to be true and complete in every respect:

- 4.1 I have read and I understand the contents of this disclosure and declaration.
- 4.2 I understand that the accompanying bid will be disqualified if this disclosure and or declaration is found not to be true and complete in every respect.
- 4.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 4.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 4.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 4.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 4.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 4 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/2022 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

In addition to the above I, the undersigned, in submitting the accompanying bid in response to the invitation for the bid made by The Electoral Commission do hereby make the following statements that I certify to be true and complete in every respect.

I certify, that:

1. I have read and I understand the contents of this disclosure and declaration as well as consent to the provisions set out in respect of the Protection of Personal Information Act (POPIA).
2. I certify that the information furnished in this bid submission, which includes the information stated in respect of the applicable SBD forms, is true and correct. I accept

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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that the Electoral Commission may reject the bid or act against me should this declaration be found not to be true and complete in every respect.

3. Each person whose signature appears on the accompanying bid has been authorised by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder.
4. I hereby bid to render all or any of the services described in the attached documents to the Electoral Commission on the terms and conditions and in accordance with the specifications stipulated in the tender documents (and which shall be taken as part of, and incorporated into, this tender) at the prices including VAT and on the terms regarding time for delivery and/or execution inserted therein.
5. I agree that:
 - a) the offer herein shall remain binding upon me/us and open for acceptance by the Electoral Commission during the validity period indicated and calculated from the closing time of the tender;
 - b) this tender and its acceptance shall be subject to the terms and conditions contained in the general tender conditions of the Electoral Commission with which I am/we are fully acquainted;
 - c) I/we agree that my/our bid shall be valid for a period of 180 days; and
 - d) the law of the Republic of South Africa shall govern the contract created by the acceptance of my/our bid.
6. I furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our bid, that the price(s) and rate(s) quoted cover all the work/item(s) specified in the tender documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract/service level agreement and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
7. I hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfilment of this contract.
8. I agree that any action arising from this contract may in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence of judgement which may be pronounced against me/us by a court of law as a result of such action.
9. Confirmation is granted that SARS may, on an ongoing basis during the contract term, disclose my/our (including that of subcontractors, partners and undisclosed principals) tax compliance status to the Electoral Commission for purposes of verifying my/our tax compliance status with SARS.
10. Notice has been taken of the tender document including all the relevant forms and the General Tender Conditions contained in this tender document, the content of which is understood.
11. It is confirmed that the required tender forms have been completed in full and signed.

.....
 Name and Surname in Print

 Position

 Date.....

.....
 Signature

 Name of Bidder (Bidding Entity)

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PENALTIES

1. PENALTIES AS PER THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022

If the Electoral Commission is of the view that a bidder submitted false information regarding a specific goal it will follow the prescriptions as per regulation 9 and if the Electoral Commission concludes that such information is false it may -

- disqualify the bidder or terminate the contract in whole or in part; and
- if applicable, claim damages from the bidder.

2. PENALTIES AS PER THE B-BBEE ACT

It is contrary to the B-BBEE Act for a measured entity to trade with an invalid/ inconclusive or incorrect B-BBEE verification certificate, sworn affidavit or CIPC certificate.

Trading with an invalid or fraudulent B-BBEE certificate or sworn affidavit/ CIPC certificate may constitute an offence in terms of section 13O(1)(a) of the B-BBEE Act, which states that a person commits an offence if that person knowingly misrepresents or attempts to misrepresent the B-BBEE status of an enterprise, and the B-BBEE Commission may institute an investigation in terms of section 13J of the B-BBEE Act.

In addition, section 13A of the B-BBEE Act has empowered organs of state to cancel any contract or authorisation awarded on account of false information knowingly furnished by or on behalf of an enterprise in respect of its B-BBEE empowerment status.

If an entity is found to have violated the B-BBEE Act, the B-BBEE Commission is empowered to act accordingly as guided by the B-BBEE Act and this can result in the entity that violated the B-BBEE Act to be fined up to 10% of its annual turnover, and individuals involved could be imprisoned for up to 10 years, and/ or fined. Specifically, the offence under section 13O (2) could lead to imprisonment of up to 12 months, or a fine, or both the fine and imprisonment.

In terms of section 13O (2) a procurement officer or any official of an organ of state who becomes aware of the commission of, or attempt to commit any offence referred to under section 13O (1) and fails to report it, is guilty of an offence.

Any person convicted of an offence in terms of the BBEEA may not, for a period of 10 years from the date of conviction, contract or transact any business with any organ of state or public entity and must for that purpose be entered into the register of tender defaulters which the National Treasury maintain for that purpose.

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BID EVALUATION

IMPORTANT NOTICE:

The under-mentioned requirements form an integral part of the bid assessment and bid evaluation processes that will be followed by the Electoral Commission. Please note that bids that do not conform to the primary compliance requirements indicated in Section A will not be considered. The bid evaluation requirements below must be read together with the bid evaluation criteria that may form part of the bid specifications.

A Acceptance or Rejection of Bid (Primary Compliance Verification)

Legality of bid document:

The following shall lead to disqualification:

- Non-compliance with tender rules.
- Failure to attend a compulsory briefing session (if applicable).
- Failure to return all pages of the tender document that must be signed/initialled.
- Failure to complete tender forms in original ink.
- Failure to sign/ initial all applicable pages of the tender document. Signing of the Bidder's Disclosure and Declaration is deemed equivalent to signing that specific page and/or signing the page represents signing the Bidder's Disclosure and Declaration.
- Any changes/ alterations to pricing that are not signed/ initialled and/ or the use of correctional fluid/ tape or any similar product in respect of pricing in the tender document.
- Any changes to the tender specifications (unless formally agreed to by the Electoral Commission and recorded as such before the closure of the tender).
- Failure to complete and sign all affidavits, certificates, declarations and annexures contained in the tender in original ink.
- Failure to register on the Central Supplier Database (CSD).
- A non-compliant tax status

The following may lead to disqualification:

- Failure to sign/initial any other alterations and/or corrections to the information submitted by the bidder, which the Electoral Commission may consider to be material.

Incomplete bid submission:

- The following shall lead to disqualification:
- Rates and prices – schedules not completed as required.
- Failure to submit obligatory written proposals/ explanations/ samples/ prototypes/ certificates or similar requirements.
- In respect of subcontractors (>25%) or joint ventures or consortiums, failure to complete and submit the required tender forms (pages 14-23 of the tender document) or to submit evidence that your tax affairs are in order.

B Bid Evaluation

Inability to evaluate the tender:

- Incomplete Schedule of rates and prices.
- Prices and information not furnished as specified and/ or required.
- Incomplete written proposals/ submissions where required.

Bids that qualify for bid evaluation purpose shall be subjected to the bid evaluation criteria as set out in the bid specifications.

Such bid evaluation shall include assessment and evaluation of the bidder's disclosure.

Bidders should note that ALL information requested in terms of the bid submission is required and may be used for bid evaluation purposes.

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General questionnaire (for completion by the bidder) to ensure compliance with tender requirements/ rules/ conditions/ specifications:

Question	If YES, Mark YES*	If NO, Mark NO*
Are you duly authorised to sign the tender?		
Has the <i>Bidder's Disclosure</i> and <i>Declaration</i> been completed and signed?		
Have separate forms (pages 14-23) been completed for each member of a consortium, joint venture or subcontractor as specified in the tender document?		
Is the tender document complete – i.e. are all pages as well as compulsory returnables included/returned with your bid submission?		
The use of pencil to complete the tender forms will invalidate your bid. Have all applicable pages of this document been completed and signed or initialled in original ink by the signatory of the tender document?		
Have all corrections/alterations to information and or prices made on this document been certified/signed/initialled by the signatory of the tender document?		
Have you noted that the use of correction fluid/tape or any such products to amend prices shall invalidate your bid submission?		
Is your company (and any potential subcontractors) registered on the Central Supplier Database (CSD)? Please include a copy of your registration form in your bid submission.		
Are your tax affairs in order and reflected as being compliant on the Central Supplier Database (CSD)? As such, have you noted that your bid may be rejected at the time of awarding this tender if your tax status is non-compliant on the CSD?		
Have the General Tender Conditions been noted?		
Have the Bid Evaluation Criteria been noted?		
Has the Scope of Services been noted?		
Have prices been quoted VAT inclusive?		
Have a comprehensive written proposal and/or samples/certificates/ <i>et cetera</i> as called for in this tender been prepared and submitted with the tender document?		

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SOUTH AFRICA

Bid Specifications

TENDER IEC/LG-07/2023

SPECIAL VOTING BAGS (PVC)

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ELECTORAL COMMISSION BID SPECIFICATIONS SPECIAL VOTING BALLOT BAG (PVC BAG) TENDER NUMBER:

It is strongly recommended that the bidder prints this document, scrutinises it carefully in order to ensure compliance with requirements and retain for reference purpose!

BACKGROUND

The Electoral Commission is desirous to procure the following item:

- Special voting ballot bag to be used during the NPE2024 Electoral event.

Interested parties are welcome to attend the non-compulsory briefing session scheduled as follows:

- Date – 28 November 2023
- Time – 11:00
- Venue – 1303 Heuwel Avenue, Election House, Riverside Park,
Centurion

Further details of the bid is available on the Electoral Commission's website and the National Treasury eTender Portal.

ITEM SPECIFICATION

ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY REQUIRED	COLOUR	DIMENSIONS
Special voting ballot bags (PVC)	Each	15,000	Blue	30cm (Width) X 15cm (Breadth) X 50cm (Height)

NOTE:

Service providers are free to develop and submit their own designs for sample purposes within the parameters of the bid specifications.

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Service providers will be entirely responsible for the validity of any designs submitted by them for this bid and for the use of any proprietary knowledge pertaining thereto. The Electoral Commission accepts no responsibility for designs proposed or used by service providers.

- The bag must be made from PVC and must be supplied in a collapsible form.
- The PVC bag must be robust with a shelf life of not less than eight (8) years.
- The PVC bag must be able to carry an internal load of at least 5kg without tearing when lifted and carried for repeated use.
- All PVC bag joints must be stitched or secured by a similar method.
- The PVC bag must be waterproof, including the stitches to prevent water from seeping through and damaging the contents thereof.
- The PVC bag must have carrying handles.
- The bag must be of rectangular dimensions.
- The lid (top part) of the bag must be closed around the edges from the back of the left side of the bag to the back to the right side of the bag with a zip.
- The lid of the PVC bag must also have a zip sealed rectangular slot in the middle of the lid of approximately 200mm x 20mm with a tolerance not exceeding 10mm through which a B5 envelope can be deposited.
- To clarify the above requirements further, the bag must have a locking mechanism to be used with polypropylene seals to seal the bag. For that reason, the PVC bag must have lockable zips (through which a security seal (similar to a cable tie) will be inserted to lock the contents in the bag. It must, therefore, be possible to lock the eyelet of the zip to the PVC bag once the zips have been closed. This is achieved by inserting a strong tab (such as short flexible straps made of durable polyester webbing) with an eyelet or grommet (of brass or stainless steel for example). The security seal must also fit through these eyelets/grommets.
- The security seals are 230mm long and 8mm wide. These seals are procured separately by the Electoral Commission and are not part of the PVC bag bid. The eyelets on the zips must, therefore, be capable of accepting security seals of at least 8mm wide. Any zip or grommet that are smaller than what is required will lead to the disqualification of a bid.

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- Once an envelope has been inserted through the zip in the lid of the PVC bag the hard material to be included in the lid should be rigid enough to prevent a hand from being inserted into the bag or an envelope to be removed with ease.
- Therefore, the back, sides, top and bottom of the PVC bag must form a sealed compartment in such a manner that objects cannot be inserted or removed from the bag when the zip is closed.
- The PVC bag must be of a size capable of holding at least two hundred and fifty (250) B5 envelopes.

1. PRODUCTION REQUIREMENTS

The introduction of the new Preferential Procurement Regulations of 2022 (PPR2022) repealed the Preferential Procurement Regulations of 2022 and all its instructions and procedures.

As a result, the application of the local content is no longer a compulsory requirement.

The Electoral Commission in its preferential procurement has however adopted the use of local content as part of the specific goals together with the status levels of contribution as follows:

Specific Goal	B-BBEE status level of contributor	Designated local content
Points out of 20 (refer to table below for breakdown)	10	10
Proof required	<ul style="list-style-type: none"> • B-BBEE status level certificate, CIPC B-BBEE certificate or B-BBEE sworn affidavit (as applicable) • Disclosure certificate (not older than 3 months) • Proof of ownership <p>Share certificates for companies CK1, CK2 or disclosure certificate for CCs Copies of IDs for owners</p>	<ul style="list-style-type: none"> • Declaration • Annexures B, C, D and E • Bill of materials • Questionnaire A

In the 80/20 scoring principle, local content will account for 10 points and the other 10 points will be for status level of contribution.

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Specific Goals Points Breakdown:

B-BBEE Status Level of Contributor	Number of Points	Local content	Number of Points
1	10	100% local	10
2	9	100% local with exemption from dtic	5
3	6	Not 100% local	0
4	5		
5	4		
6	3		
7	2		
8	1		
Non-compliant contributor	0		

- 3.1 Where local content production is applied, compliance with all the requirements must be adhered to for the purpose of claiming preferential points for scoring purposes. No preferential points will be awarded for the requirements not complying with the provisions of local content and production. No bid will be disqualified either on the basis of choosing not to adopt local production and content.

2. MINIMUM LOCAL CONTENT REQUIREMENTS

- The stipulated minimum threshold percentages for local production and content in terms of the Department of Trade, Industry and Competition (dtic) for certain elements of the required PVC bag is 100%.
- Where filament yarns, dyes and chemicals not manufactured locally in South Africa will require exemption by the Department of Trade, Industry and Competition (the dtic) the bidders will have to apply to the dtic for such exemption.

3. IN CASE WHERE RAW MATERIALS ARE NOT AVAILABLE LOCALLY

- If the raw material or input for the PVC bag is not available locally, the bidders should obtain written authorisation from the Department of Trade, Industry and Competition (the dtic) should there be a need to import such raw material or input. A copy of the authorisation letter must be submitted together with the bid proposal and sample PVC nylon bag at the closing date and time of the bid.

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- The exchange rate used for the calculation of local production and content will be the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of the advertisement of the bid.
- The rates of exchange quoted by the bidder in paragraph 3.1 of the Declaration Certificate will be verified for accuracy.

Important Note on Determining Local Content:

A declared local content of 100% is not a true reflection if the dtic issued an authorisation letter(s) to import some of the raw materials. In such instances bidders are expected to declare the actual local content percentage (%) of less than 100% for the fact that an authorisation letter(s) was provided by the dtic. Bidders will not be disqualified during the bid evaluation process for not meeting the required local content threshold. The purpose thereof is to encourage the bidders to declare the exact local content, for example. if a bidder indicates that he/she will be importing dyes and chemicals or other raw materials then it is not possible to have 100% local content if there is any portion of import no matter how small it may be. All the supporting documents for the preferential procurement claims must be submitted for the purpose of claiming the preferential points.

4. CALCULATION OF THE LOCAL CONTENT

- The South African Bureau of Standards (SABS) approved technical specification number SANS 1286:2017 will be used to calculate local content.
- The Declaration Document for Local Content (Annexure B) together with Annexure C (Local Content Declaration: Summary Schedule) must be completed, duly signed and submitted by the bidder at the closing date and time of the bid.
- The SABS approved technical specification and the *Guidance on the Calculation of Local Content* together with the Local Content Declaration Templates [Annexure C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annexure C) and E (Local Content Declaration: Supporting Schedule to Annexure C)] are accessible to all potential bidders on the dtic's official website: <http://www.thedtic.gov.za/sectors-and-services-2/industrial-development/industrial-procurement/> at no cost.

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- The local content (LC) expressed as a percentage of the bid price will be calculated in accordance with the following formula:

$$LC = (1 - x/y) * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

- Prices referred to in the determination of x will be converted to Rand (ZAR) by using the exchange rate published by the SARB at 12:00 on the date that the bid has been advertised.
- Please note that the bid price must include all applicable costs including vat, however for the purposes of completion of annexures B, C, D and E – local content declarations and schedules – prices must exclude vat.

5. COMPULSORY DOCUMENTS REQUIRED

It is critical that bidders comply with the requirements to submit a written proposal as specified in this tender. Failure to do so shall result in the disqualification of a bid. Use the requirements set out below as well as the bid evaluation criteria at the end of the tender document as guide to ensure compliance with all requirements.

- **A written submission explaining who is the supplier of the raw materials, who is the manufacturer of the PVC bag and who will print on the PVC bag.** Once all the suppliers in this process have been confirmed by the Electoral Commission, the delivery of the PVC bag will be subject to those suppliers being used and no change will be allowed without prior approval. The Electoral Commission also reserves the right to execute random inspections at the manufacturers of the PVC bag and any other vetting/inspections that may be required to ensure adherence to bid conditions – that includes verification of the origin of any material used in the production process.
- **Letter/s of guarantee must be obtained from the suppliers of the PVC bag where subcontractors are being used, in support of any of the local content claims being made.** The letter/s of guarantee must state that the subcontractor is supplying the PVC (or any component thereof) to the bidder and that the PVC bag (or any component thereof) conform to the specific local content requirements and 100% minimum threshold applicable to the PVC bag. Any percentage applicable to imported products/components

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must also be clearly stated (these must be supported by the letter/s of authorisation from the dtic).

- **The four (4) dti Annexures:**

- ❖ Declaration Document for Local Content (**Annexure B**)
- ❖ Local Content Declaration: Summary Schedule (**Annexure C**)
- ❖ Imported Content Declaration: Supporting Schedule to Annexure C (**Annexure D**).
- ❖ Local Content Declaration: Supporting Schedule to Annexure C (**Annexure E**)
- ❖ Bidders must complete the attached form "**Questionnaire A**" to confirm that all requirements will be met for the production and printing of the PVC bags as listed in Sections 2 and 4.

Please remember that all elements used in the manufacturing of the item which are locally produced must be included in Annexure E, while all imported elements must be featured on Annexure D. Annexure C is a summary of the information on Annexures D & E.

- **The Bill of Materials (BOM)**, including all raw materials to be utilised in the production process must be included.
- The schedule must clearly indicate all the materials to be used which materials are produced locally in South Africa, and which materials are imported.
- The proposed format for the BOM may be indicated as follows:

EXAMPLE ONLY (please complete with relevant information for product)

Bill of Materials (BOM)	% of Finished PVC bag	Locally Manufactured (YES / NO)	Imported (YES / NO)	dtic Authorisation (YES / NO)
e.g. PVC	75%	Yes	No	Not applicable
e.g. Yarn	10%	Yes	No	Not applicable
e.g. fabric dye	5%	No	Yes	Yes
e.g. silk screen ink	10%	Yes	No	Not applicable

Note: Please do not copy and paste this table as it is incomplete. It contains only a few lines to demonstrate the format for the BOM. Please return a complete BOM as applicable.

- Written authorisation from the dtic must be submitted in support of the local content requirements, should there be a need to import such raw material or input.

6. PRINTING REQUIREMENTS

- Printing is required on the bag.

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- NB: Final design details for printing will be provided by the Electoral Commission in electronic format at the time of the issuance of the official purchase order, but will be as per Section 22.

7. DELIVERY DATE AND LOCATION

- Deliveries of goods to the selected Electoral Commission warehouses must be completed no later than four (4) to six (6) weeks after the issue of a purchase order.
- Deliveries to the Electoral Commission warehouses should be made during working hours (08h30-16h00) Monday to Friday.
- The required point of delivery is the Electoral Commission warehouses as per Section 21.
- The service provider must notify the appropriate Electoral Commission contact person of the delivery schedule and intended times of delivery, as per Section 21.
- Partial deliveries will not be accepted, unless prior agreement and approval by the Electoral Commission.
- Late deliveries will not be accepted.
- Prices must include delivery of the specified quantities to the specified sites as per Section 21.

8. COSTING AND PRICING

- Bidders must take care to estimate and calculate their costs and prices correctly before submitting their bid proposals.
- All bid prices must include VAT.
- The bid amount as it appears on the bid proposal on the date and time of bid closure will be valid as stipulated for purposes of awarding of a contract and payment for delivery of the required goods and services.
- Amounts/total cost must include all variables involved in the production of the items.
- Amounts on the bid proposal and/or official purchase order will be considered as the final and total cost, and thus cannot be changed/amended at any given time by the service provider during and after the service has been rendered.
- Bid proposals must be submitted for the correct unit of measure that is 'each'.

NB: Bidders must note that the cost of packaging and delivery must be included in the bid price.

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9. QUALITY CONTROL

- The Electoral Commission reserves the right to conduct inspections at the service provider's premises for quality and adherence to specifications before deliveries are made.
- The service provider must undertake and warrant that all goods shall, at the time of delivery, be according to specifications, in good condition, order and ready for use.
- The service provider has the primary responsibility to ensure that quantity and quality are in accordance with the specification.

10. PACKAGING AND PREPARATION FOR DISPATCH

- The PVC bag must be packed for delivery as follows, to facilitate handling and storage:
- The items must be supplied in cartons.
- The cartons must be stacked on (1000mm x 1200mm four way entry single sided) pallets and strapped to the pallet.
- Strict attention must be paid to stable and secure packaging to withstand the rigours of transportation by road.
- Maximum height to stack is 1,5m. Maximum weight permitted per pallet is 500kg.
- Pallets must be shrink-wrapped to prevent contents shifting or falling during movement.
- The pallets must be labelled with a GREEN A4 label.
- The pallets must be clearly labelled indicating:
 - Contents: **PVC BAG: SPECIAL VOTES**
 - Quantities
 - Weight
 - Service provider's details
- Separate consignments must be packed and delivered for each provincial quantity allocation as shown in Section 21.
- NB: Service providers must note that the cost of packaging and delivery must be included in the bid price.

11. DURATION

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The contract for the supply and delivery of the special voting ballot bags – PVC as per this bid is a 'once off' requirement.

12. SAMPLES

- For evaluation purposes, all bidders who submitted their bid proposals will be required to submit a sample for inspection and testing by the Electoral Commission. Note that reminders will not be sent out by the Electoral Commission – it is the responsibility of each bidder to submit the sample as a matter of course.
- The samples supplied must demonstrate the material to be used and a zip and locking mechanism.
- The samples need not carry the exact proposed Electoral Commission's printing, but should carry any printing to demonstrate the service provider's printing capabilities on PVC bag.
- Final printing will be finalised in the service level agreement (SLA/contract) with the successful service provider.
- The Electoral Commission reserves the right to inspect samples or examples of the offered materials to establish conformance before awarding an order.
- Bids must be submitted by not later than the closing date as stipulated in the bid document and the Electoral Commission's website or the National Treasury eTender Portal.
- Samples must be submitted by not later than the closing date as stipulated in the bid document and the Electoral Commission's website or the National Treasury eTender Portal.
- Failure to submit a written proposal and sample within the specified period and time will disqualify the bid proposal.
- The samples and the written proposal must be delivered directly to:

Ms Mbali Goqo
Electoral Commission
SCM Division
Riverside Office Park, Election House
1303 Heuwel Avenue, Centurion
Tel: 012 622-5550

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- Samples should be clearly marked with the name of the submitting service provider, to avoid loss or confusion. The Electoral Commission takes no responsibility for the loss of unmarked samples.
- The samples will be stringently tested during evaluation process for quality compliance to specifications and will not be returned to the service providers.
- A contract will be awarded to a successful service provider in terms of the bid specifications and whose samples conform to the bid specifications and ability to deliver as well as the provisions of the Preferential Procurement Policy Framework Act 2000 that apply.
- Successful service providers may be subjected to a comprehensive due diligence audit process as determined by the Electoral Commission before an official purchase order is issued.

13. WRITTEN PROPOSAL

- It may be necessary for the successful service provider to carry out detail design improvements and/or production adjustments in order to achieve completion of the work in accordance with specifications.
- Therefore, service providers on this bid must be an established manufacturing entity and must have direct control over the design and production/printing process of the product.
- Written proposal and explanation of this capacity/ability to control the design and production process must be submitted to the Electoral Commission before the issuance of the official purchase order will be considered and concluded.
- The written proposal must be submitted together with the bid proposal on the closing date and time. The Electoral Commission will use the detail provided in the written proposal together with the sample and any due diligence audit provisions and other information at its disposal to determine compliance with the Electoral Commission's requirements.
- A written proposal explaining who will supply the raw materials for the PVC bags, manufacture and print them. Once all the suppliers in this process have been confirmed by the Electoral Commission, the delivery of the PVC bags will be subject to those suppliers being used and no change will be allowed without prior approval. The Electoral Commission also reserves the right to execute random inspections at the producers of the PVC bags and any other vetting/inspections that may be required to ensure adherence

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to bid conditions – that includes verification of the origin of any material used in the production process.

- The written proposal must also confirm whether the sample conforms to the PVC bag.
- Where subcontractors (these may include manufacturers of PVC bags) are being used for the supply of the PVC bags (or any component thereof) a letter of guarantee must be obtained from that subcontractor in support of any of the local content claims being made. The letter of guarantee must state that the subcontractor is supplying the PVC bags (or any component thereof) to the bidder and that the PVC bags (or any component thereof) conform to the specific local content requirements and 100% minimum threshold applicable to the PVC bag. Any percentage applicable to imported products/components must also be clearly stated (these must be supported by the letter/s of authorisation from the dti).
- Relevant certificates to prove that the PVC bags conform to applicable SABS standards should also be submitted.

14. DUE DILIGENCE

- Before the bid is awarded, the recommended service provider(s) will be subjected to due diligence audit requirements of the Electoral Commission.
- A due diligence audit will be conducted at the recommended service providers premises and subcontractors premises (only if subcontracting has been detailed in the written submission).
- The due diligence audit will include, but not limited to, site inspection where items will be manufactured, packaged and dispatched, and viewing of equipment and machinery.

15. SERVICE PROVIDER PERFORMANCE

- Before a contract is awarded, the successful bidder will be required to enter into a Service Level Agreement (SLA) with the Electoral Commission.
- The purpose of the SLA is to fix performance criteria within the key requirements of this bid, namely QUANTITY, QUALITY INCLUDING FINAL SPECIFICATIONS, AND DELIVERY DATE.

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- The SLA will contain elements such as service provider progress milestones, delivery schedules, quality checkpoints, and invoicing procedures.
- The Electoral Commission reserves the right to reject any deliveries not conforming to the above, including damaged parcels.
- Where previously agreed delivery schedules are not met by a service provider, the Electoral Commission shall have the right to appoint an alternative service provider (such as the next highest service provider on this bid for example or any other service provider able to deliver) to make good the shortfall in supply in order to ensure the delivery of elections.
- Any extra costs incurred by the Electoral Commission in obtaining such corrective services or products from another source will be for the account of the defaulting service provider.
- As such, any costs already incurred by the initially appointed service provider shall, at the sole discretion of the Electoral Commission, be for the account of that service provider since it failed to deliver! The normal penalties provided for on the Electoral Commission's purchase order shall also apply!

NOTE: Service providers are not allowed to amend/change the ordered items after approval of the sample and receipt of the official purchase order. Any recommendations for improvement on the ordered items/products must first be agreed with and approved in writing by the Electoral Commission, at no additional cost.

16. DELIVERY NOTES

- Bidders must take note that a proper delivery notes system is crucial.
- Deliveries must be made in the name of the service provider – no third party deliveries will be accepted.
- The delivery notes must be signed by both the service provider and the Electoral Commission's warehouse receiving staff.
- Deliveries will not be accepted at the warehouses if delivery notes do not clearly state the name of the service provider, quantity of items delivered, that is number of pallets, boxes and actual quantities delivered.
- The Electoral Commission will not accept waybills without submission of delivery notes.

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17. PAYMENT

- No payment will be made by the Electoral Commission before a service has been rendered.
- No payment will be made without an original invoice and copies of signed delivery notes.
- No payment will be processed before full delivery is completed and accepted.
- Payment will be made within 30 days of receipt of valid tax invoice and copies of signed delivery notes from service provider, provided that the Electoral Commission is satisfied with the quality and standard of the service provider's performance.

18. TECHNICAL ENQUIRIES

- All enquiries concerning bids, registration on eProcurement system and documentation to be submitted for the eProcurement system, VotaQuotes can be directed to Ms Mavis Louw or Ms Mbali Goqo at the SCM Department, Tel (012)622-5550 or email [louwm@elections.org.za](mailto:louw@elections.org.za) / gogom@elections.org.za
- Enquiries concerning technical specifications can be directed to Ms Thato Ndala/ Mr Molwelang Mathibe at the Logistics Department, Tel (012) 622 5851/5723 or .email ndalas@elections.org.za or mathibem@elections.org.za
- Enquiries concerning the 100% stipulated threshold for local production and content for the PVC nylon bag must be directed to Ms Catherine Matidza at the Department of trade industry and competition, Tel (012) 394-5598 or Fax (012) 394-6598 or email CMatidza@thedtic.gov.za; and copy the below persons:
 - ❖ Ms Belinda Pick, Tel (012) 394-5480 and email BPick@thedtic.gov.za or contact the dtic Customer Contact Centre 0861 843 384.

Alternative contact details of the dtic in order to deal with local content requirements:

 - ❖ Mr Raphael Kitiaka, 012 394-3500, MRKitiaka@thedtic.gov.za
 - ❖ Ms Rendani Raluthaga, 012 394-1412, RRaluthaga@thedtic.gov.za
 - ❖ Ms Miyelani Masinga, 012 394-1664, MMasinga@thedtic.gov.za
 - ❖ Ms Mamosia Seleke, 012 394-1213, MSeleke@thedtic.gov.za

NB: Refer to the Quick Guide to Request dti Authorisation on the Electoral Commission's eProcurement website.

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19. ELECTORAL COMMISSION WAREHOUSES AND CONTACT NUMBERS FOR THE DELIVERY OF THE PVC BAGS

PROVINCE	WAREHOUSE ADDRESS	CONTACT PERSON	CONTACT NUMBERS	QUANTITIES
Eastern Cape Warehouse	Farm 923; Portion 2; Buffalo Pass; Collondale; East London	Busi Mlola Kamo Modiba	043 736 4004 043 736 4025 043 736 4058	2,800
Free State Warehouse	50 Monument Road, Uitsig Bloemfontein	Andre Rauch Mbekokazi Hume	051 447 3543	800
Gauteng Warehouse	Unit B2 60 First Street Gold Reef Industrial Park Booyens Reserve	Moipone Hlokotsi Kabelo Khabane Justice Mhlanga	011 496 1725 011 496 1784	1,800
Kwazulu-Natal Warehouse	41 Ashfield Close, Springfield Park, Durban	Cheryl Venter Mongezi Khumalo	031 579 4829 031 579 4206 031 579 5404	2,800
Mpumalanga Warehouse	9 Blackberry Blvd Riverside Park Ext 22, Nelspruit	Thuli Mbethe	013 754 0200	700
Northern Cape Warehouse	13 Elliott Street Kimberly	Thuso Phokojoe Sarah Ubisi Awie Seekoei	053 838 5000 053 838 5029	1,800
Limpopo Warehouse	25 Hyacinth Street, Unit 5, Corporate Park, Polokwane	Tendani Maselele Daniel Magalatshetshe	015 292 0152 015 292 0149	1,000
North West Warehouse	Rizvi House, 50/52 First Street (CNR: First Street & Aerodrome Road), Industrial Sites, Mafikeng,	Bogosi Judi Bonolo Mere	018 381 4054 018 391 0800	1,000

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PROVINCE	WAREHOUSE ADDRESS	CONTACT PERSON	CONTACT NUMBERS	QUANTITIES
Western Cape Warehouse	95 Bofors Circle Epping Industrial Epping 2 Cape Town	Philip Verlaat Vukile Ndyalivani	021 951 3350	1,000
Central Warehouse	288 Kwanbi Crescent, Icon Industrial Park, Sunderland Ridge, Centurion	Robert Niemack	012 646 1017 012 622 5201	1,300
			TOTAL	15,000

Service providers should please note that these addresses are correct at the time of advertising this bid. Changes may occur as a result of operational requirements. Warehouse will, however remain within the relevant municipality.

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20. ILLUSTRATIONS OF SPECIAL VOTING BAG

(THIS IS FOR DEMOSTRATION PURPOSES ONLY AS THE FINAL ARTWORK WILL BE SUPPLIED BY THE ELECTORAL COMMISSION TO THE SUCCESSFUL BIDDER)



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21. BID EVALUATION PROCESS

Bid Evaluation Process

Stage 1: Assessment of Bid Compliance and Bidder's Disclosure

All bids received will be evaluated and assessed in respect of the mandatory information provided in the Bidder's Disclosure (SBD4) as well as the register for restricted suppliers and tender defaulters.

Any potential issues that may arise or transgressions that may identified will be pursued in accordance with statutory obligations and requirements.

In this regard, the following must be noted:

The Electoral Commission must, as part of its supply chain management (SCM) processes, identify and manage all potential conflicts of interest and other disclosures made by a person participating in procurement process to enable the accounting officer or delegated authority to make informed decisions about the person participating in the SCM process.

As such, the Bidders Disclosure form, issued as Standard Bidding Document (SBD) 4, attached as Annexure B, was extended to all entities which were invited to participate in the RFQ process.

As part of the evaluation of the procurement process, the information provided by a person on the SBD4 form must be evaluated.

In so doing, it must be noted that if the bid evaluation establishes that:

- (a) a person within the bidding entity is an employee of the State, the Electoral Commission's Accounting Officer/accounting authority must request the relevant accounting officer/accounting authority whether the person-
 - (i) Is prohibited from conducting business with the State in terms of Section

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- 8 of the Public Administration Management Act, 2014; or
- (ii) has permission to perform other remunerative work outside of their employment, where the PAMA does not apply to such employee;
 - (b) the conduct of a person constitutes a transgression of the Prevention and Combating of Corrupt Activities Act, 2004;
 - (c) the conduct of a person constitutes a transgression of the Competition Act, 1998, the conduct must be reported to the Competition Commission; and
 - (d) the conduct of a person must be dealt with in terms of the prescripts applicable to the Electoral Commission.

If it is established that a person has committed a transgression in terms of the above, or any other transgression of SCM prescripts, the bid may be rejected and the person may be restricted.

The Electoral Commission's Accounting Officer/accounting authority must inform National Treasury of any action taken against a person within 30 days of implementing the action.

During the bid evaluation process, the Electoral Commission must in addition to other due diligence measures, establish if a person is not listed in-

- (a) the Register of Tender Defaulters; and
- (b) the list of restricted suppliers.

A bid related to a restricted bidder or tender defaulter shall be rejected.

The under-mentioned assessment criteria will be used to evaluate the elements relating to the bid submission, SBD4, CSD registration, tax compliance, restricted suppliers and tender defaulters:

Assessment Criteria	Bidder Requirement (YES/NO)	Comments
Bidder is tax compliant. *		
The bidder is not an employee of the state.		
Having certified the SBD4, it is accepted that the bidder's conduct does not constitute a transgression of the Prevention and Combating of Corrupt Activities Act.		
Having certified to the SBD4, it is accepted that the bidder's conduct does not constitute a transgression of the Competition Act.		
The bidder is not a tender defaulter as per the register published on the National Treasury website.		

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Assessment Criteria	Bidder Requirement (YES/NO)	Comments
The bidder is not a restricted supplier as per the register published on the National Treasury website.		

* A bidder must be tax compliant before a contract is awarded. A bid will be disqualified if the bidder's tax affairs remains non-compliant as per the provisions of National Treasury Instruction No 09 of 2017/2018 Tax Compliance Status Verification.

Stage 2: Evaluation Based on Functionality

Bids received in respect of this bid will be assessed/evaluated for compliance with technical specifications/functionality in accordance with the following evaluation criteria:

Key requirements for evaluation.

NB: If the answer is NO to any of the Phase one or Phase two questions the bid will be disqualified.

BID EVALUATION CRITERIA – PVC BAG				
BID NUMBER:				
Bidder:	Ranked:			
PHASE ONE	YES	NO	Comments	
1. Did the service provider bid on the bid? (Section 1)				
2. Written proposal submitted as per required specification? (Section 15)				
3. Was a sample submitted on time? (Section 14)				
PHASE ONE OUTCOME	QUALIFIED	DISQUALIFIED	Comments	

PHASE TWO	YES	NO	Comments
1. Is the sample supplied in a collapsible form? (Section 2)			
2. Is written proposal explaining the capacity/ability to control the product design and production process submitted? (Section 15)			
3. Is the PVC bag made from robust material? (Section 2)			
4. Ability to carry internal load of 5kg? (Section 2)			
5. Are all PVC bag joints stitched or secured by a similar method? (Section 2)			
6. Does the PVC bag have carrying handles? (Section 2)			

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7. Is the PVC bag of rectangular dimensions? (Section 2)			
8. Does the PVC bag have a zip around the bag to allow emptying of the bag? (Section 2)			
9. Is the PVC bag of a size capable of holding at least two hundred and fifty (250) B5 envelopes? (Section 2)			
10. Does the sealing method require the use of a polypropylene pull-through seals (Section 2)			
11. Does the PVC bag have a locking mechanism to be used with the polypropylene seal to seal the bag - 230mm long x 8mm? (Section 2)			
12. Does the PVC bag have a zip-sealed rectangular slot dimension (200mm in length and a minimum width of 20mm with a tolerance not exceeding 10mm either way)? (Section 2)			
13. Is the zip-sealed rectangular slot in such a manner that no ballots or other objects can be removed from the PVC Bag via the deposit slot? (Section 2 -)			
14. Is the PVC bag dimensions approximately (300mm x 150mm with a height of 500mm)? (Section 2)			
15. Are the printing capabilities demonstrated? (Section 14)			
PHASE TWO OUTCOME	QUALIFIED	DISQUALIFIED	Comments

Stage 3: BID ADJUDICATION IN TERMS OF PREFERENTIAL PROCUREMENT

Evaluation Based on Local Content

Bids received in respect of this bid will be assessed/evaluated for compliance with local content in accordance with the evaluation criteria and subsequently used for the purpose of preferential procurement scoring in terms of the provisions of the PPR2022:

KEY LOCAL CONTENT REQUIREMENTS FOR EVALUATION	YES	NO
Was the samples accompanied by a bill of materials (BOM)?		
Was the Declaration Document for Local Production and Content (Annexure B) and the required forms as stipulated in the dtic requirements (i.e. Annexures C, D and E) submitted?		
Has the Declaration Document for Local Production and Content (Annexure B) been fully completed?		
Have the relevant sections of Annexures C, D and E been fully completed and signed?		
Was the sample Nylon Bag textile accompanied by a copy of the authorisation letter from the dtic if the raw materials are not locally available (if applicable)?		

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KEY LOCAL CONTENT REQUIREMENTS FOR EVALUATION	YES	NO
Does the bid amount on the bid correlate with that of Annexure C (i.e. tender price as stipulated in Annexure C plus VAT)?		
Was the sample PVC bag accompanied by a written submission explaining: - Who the supplier of the raw materials is? - Who is the manufacturer of the Bag? - Who will print the Nylon Bag?		
OUTCOME: QUALIFIES FOR FURTHER EVALUATION YES / NO		

Stage 4: Bid Adjudication Process

Bids will be adjudicated as set out below.

Only bids that comply with the requirements and conditions of the bid and that meet the minimum criteria in the bid evaluation process as stipulated above will be considered for bid adjudication purposes.

Acceptable bids must be market related.

This bid is deemed not to exceed R50 million including VAT.

Therefore, the 80/20 preference point system (PPPFA scoring) in terms of the Preferential Procurement Policy Framework Act, 2005 (PPPFA) and the Preferential Procurement Regulations, 2022 shall apply in the adjudication process of this bid where all acceptable bids received are equal to or below R50 million including VAT. Preference points will be allocated as follows:

B-BBEE Status Level of Contributor	Number of Points (B-BBEE)	Local content	Number of Points (LC)
1	10	100% local	10
2	9	100% local with exemption from dtic	5
3	6	Not 100% local	0
4	5		
5	4		
6	3		
7	2		
8	1		
Non-compliant contributor	0		

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Failure to submit the required supporting documents for preference claims will lead to zero (0) points for the claim.

Bid Evaluation Committee (BEC) Member	Sign Off	
	Signature	Date

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ANNEXURE B

DECLARATION DOCUMENT FOR LOCAL CONTENT

This declaration must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2022, the South African Bureau of Standards (SABS) approved technical specification number SANS 1286:2017 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. The Electoral Commission's Preferential Procurement policy, makes provision for the promotion of local production and content.
- 1.2. The Electoral Commission may in the case of designated sectors, advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a technical evaluation and the second stage price and specific goals which includes B-BBEE and minimum threshold for local production and content.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub- contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2017 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as

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indicated in paragraph 4.1 below.

The SABS approved technical specification number SANS 1286:2017 is accessible at no cost on the dtic website or through the quick link:

<http://www.thedticc.gov.za/sectors-and-services-2/industrial-development/industrial-procurement/>

- 1.6. A bid may be disqualified if this declaration document and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation.
2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SANS 1286:2017) for this bid (PVC nylon bag) is 100%
3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES		NO	
-----	--	----	--

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible at www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SANS 1286:2017):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dtic must be informed accordingly in order for the dtic to verify and in consultation with the Accounting Officer provide directives in this regard.

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ANNEXURE C

LOCAL CONTENT DECLARATION

(REFER TO ANNEXURE B OF SANS 1286:2017)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER (CFO) OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO: #00.....

ISSUED BY: THE ELECTORAL COMMISSION NB!

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thedtic.gov.za/default.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

Important: Declarations C, D and E must be completed as required and signed by the same company representative that certifies/signs below (Annexure B). Annexure D must also be completed – stipulate zero (0) values if there are no imported material.

I, the undersigned,.....full names),

do hereby declare, in my capacity as

of(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that: <http://www.thedtic.gov.za/default.jsp>.
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SANS 1286:2017; and
 - (ii) the declaration templates have been audited and certified to be correct.
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SANS 1286:2017, the rates of exchange indicated

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in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SANS 1286:2017	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SANS 1286:2017	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SANS 1286:2017, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SANS 1286:2017.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SANS 1286:2017, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

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