



TENDER BRIEFING NOTES

IEC/ICT-05/2023

ACCESS POINT NAME (APN)

29 NOVEMBER 2023

The briefing session was held as a hybrid meeting with some participants virtually via zoom, and others in Room 138.

The briefing session was held to promote a better understanding of the bid requirements and to enhance successful participation in the bid.

Briefing Panel / IEC Representatives:

- **Mr Khulu Batala – SCM Department**
- **Ms Mbalenhle Goqo – SCM Department**
- **Mr Nathaniel Sebolai – ICT Department**
- **Mr Shaun Langa – ICT Department**
- **Mr Jose Nogueira – ICT Department**
- **Salmon Mzizi – ICT Department**
- **Sisa Dani - ICT Department**
- **Bheki Ngobese – ICT Department**

During the bid briefing, the administrative requirements pertaining to bid participation as well as the technical aspects in respect of the Access Point Name (APN) requirements were addressed.

Prospective bidders were advised on the administrative part of the bidding requirements, amongst others, the following;

- Attendance to the briefing is **not** compulsory.

- The closing date and time for these bids are as specified on Votaquotes. It closes on 13 December 2023 at 11:00. Please ensure that you submit on time. Telkom time will be used to check the time
- Mr Batala explained that ICE/ICT-05/2023 – APN was a rerun of a previous tender that failed to produce the outcome the Electoral Commission was looking for.
- Bidding for this requirement can only be submitted by means of tender box at the address provided in the tender document. The documents must be inserted in the tender box. On the envelope write the tender number, and your company name
- The tender will be run under 80/20 PPPFA scoring mechanism.
- In addition to a written proposal or sample may be required. Please ensure that you comply with the stated returnables in the bid specification. Please submit one document
- Bid documents must only be submitted at the Electoral Commission's address as specified in the specification document before the closing date and time. Submission of bids elsewhere will result in such bids being set aside.
- Interested parties are welcome to observe the closure of the bid, should they so wish.
- The Electoral Commission's Supply Chain Management Department, user department and Legal Services will attend to the evaluation of bids thereafter.
- Do not amend or change the tender document. Do not use Tippex or correction fluid. Sign every page. Return all 88 pages. Alterations – please scratch once and sign. You may also reprint the page. We do not sell the tender document.
- Please ensure that your entity is registered on CSD. Make sure that you are tax compliant at all times.
- Bids in respect of bidders and their directors/trustees/shareholders that are listed on the national treasury register for tender defaulters or the list of restricted suppliers will be rejected.
- **NO LATE BIDS**, as whole or in part, will be accepted.

Certain aspects of the bid that should not be overlooked are as follows:

- Bidders are encouraged to pin the tender to their hotlist on Votaquotes.
- It remains service providers' responsibilities to ensure that their details are up to date on Votaquotes.
- Bidders are encouraged to review their Votaquotes registrations as soon as possible after the bid briefing to familiarise themselves with any outstanding issues and submit outstanding documents as soon as possible. Online changes and requested changes on the CSD included.

- The Electoral Commission does not have the capacity to deal with supplier registration documents the day before or on the day of bid closure. Delays in the submission of the required documents may lead to bidders not being approved in time to bid for auctions. It therefore remains the sole responsibility of the potential bidder to ensure the submission of the required documents in time to allow for the processing of these documents before the closing date of the auction.
- Bid documentation is available free of charge on the Electoral Commission's website at www.elections.org.za or https://votaquotes.elections.org.za/eproc_inter/Default.aspx or the National Treasury eTender portal at <http://www.etenders.gov.za/>
- Prospective bidders must ensure that bid documents are downloaded and printed and that it has all the applicable pages. Incomplete bid submissions, i.e. a bid document that lacks pages or failure to submit any returnables (as may be applicable) will be disqualified. Although courtesy copies may be made available to service providers it remains their responsibility to ensure that their bid submissions contain all the applicable pages and returnables (if applicable) of the bid document.
- Preferably, print the bid document single sided rather than double sided as it eases the bid assessment and evaluation processes.
- When preparing bid submissions (e.g. files containing the completed bid document and all supporting documentation) it is advisable NOT to split the bid document into different sections as this often leads to incomplete bid submissions in that certain pages of the bid document are omitted or that bidders fail to sign certain pages of the bid document. It is best to include the complete bid document at the top of the file followed by supporting documents.
- Documents must be submitted in an envelope with the tender number and name together with the bidder's LEGAL name clearly written on the envelope at the address specified before the closing date and time.
- Prospective service providers are requested to write their company name on the cover page of the bid document.
- All potential service providers that wish to do business with the Electoral Commission must register on the Central Supplier Database (CSD). In particular, prospective bidders MUST register on the CSD prior to submitting their bids. Further detail and guidelines in this regard are available on the Electoral Commission's website.
- A bid shall be disqualified if the bidder is not registered on the Central Supplier Database (CSD).
- National Treasury has placed an obligation on the Electoral Commission to ensure that persons conducting business with it are tax compliant.
 - Your entity's tax compliance status is indicated in the Central Supplier Database (CSD). The

Electoral Commission will only contract service providers whose tax status is compliant. This means that if you were tax compliant during the bidding phase but become non-compliant before the bid adjudication is completed, your bid will be disqualified if your tax affairs remains non-compliant as per the provisions of *National Treasury Instruction No 9 of 2017/2018 Tax Compliance Status Verification*. It remains your responsibility to ensure that your taxes are in order, remain in order and that this is reflected on the CSD. You must also ensure that all sub-contractors (if applicable) are tax compliant.

- If preference points are claimed, an original or certified copy (not a copy of a certified copy) of the valid B-BBEE status level certificate from an accredited verification agency or affidavit, if applicable, must be submitted together with the bid.
- The 80/20 preference point system will be applied in accordance with the formula and applicable points as provided for in the respective status level contributor tables in the Preferential Procurement Regulations, 2022. Failure to submit the required B-BBEE status level certificates or affidavit will lead to a zero (0) status level for non-compliant service providers/contributors and no preference points will be given. Furthermore, it is important that correct information and documentation with regards to B-BBEE is submitted by bidders i.e., the B-BBEE certificate or affidavit must match/correspond with the annual turnover information submitted on the CSD and the annual financial statements.
 - The thresholds applicable to B-BBEE are as follows:
 - All EMEs are required to submit a B-BBEE EME sworn affidavit or CIPC B-BBEE certificate. This applies to entities with an annual turnover below R10 million. QSEs follow two paths dependent on the percentage black ownership. This applies to entities with an annual turnover above R10 million and below R50 million.
 - A QSE with black ownership of 51% or more must submit a B-BBEE QSE sworn affidavit.
 - A QSE with black ownership of 50% or less must submit a certified copy of a SANAS accredited B-BBEE status level certificate.
 - All entities with an annual turnover above R50 million must submit a certified copy of a SANAS accredited B-BBEE status level certificate.
- If you are subcontracting (25% or more), ensure that the subcontractor is equal or higher in terms of BBEE status.
- If joint venture, all entities must submit pages 13 - 26
- The Employment Equity Act (EEA) requirements are also important. Bidders must ensure that

correct information is submitted together with the bid. As an example, bidders must not claim to be an EEA designated employer if they are not. It is important for bidders to ascertain the latest developments around the EEA from the Department of Labour and to ensure that they are fully compliant. Enactment of the Employment Equity Amendment Bill is of particular importance as Section 53 of the Act will provide that State contracts may only be issued to employers that have been certified as being in compliance with their obligations under the Act. For that, bidders will be required to obtain a certificate from the Minister of Employment and Labour to certify that they are compliant.

- Bidders should note the bid evaluation schedule included at the end of the specification document, with specific reference to matters that will lead to the disqualification of bids received due to non-compliance. Bidders are advised to use the evaluation criteria as a guide and checklist to ensure full compliance with all requirements and that all the necessary information and detail are provided in their written submission.
- Primary Evaluation includes participation by an external independent legal person. To observe the process.
- Once the bid evaluation committee has considered the bids, proposals are made to the Bid Adjudication Committee (BAC) who, in turn, shall make recommendations to the Chief Electoral Officer (CEO) for consideration and approval on the adjudication of the in consultation with the Executive Committee (EXCO).
- Bids with a value exceeding R5 million including all applicable taxes are approved by the CEO in consultation with the Commission.
- A due diligence audit will be performed on a shortlisted bidder in order to confirm details and information, capacity, capability and ability to execute the contract. The due diligence audit process is not aimed at creating any expectations or commitments as it is merely part of the overall bid assessment process. In order to mitigate risks, the Electoral Commission may not consider bidders that do not have the necessary capacity, capability and ability which includes financial liquidity to execute the requirements set out in the bid.
- A contract/service level agreement (SLA) may be entered into.
- The Electoral Commission's payment terms are within thirty (30) days after the receipt of a valid tax invoice, provided that such invoice is not disputed.
- To avoid unnecessary delays in payment, it remains the service provider's responsibility to ensure that their 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 service

provider has not resolved their incorrect banking detail on the CSD.

- The award of the bid will be published in the Tender Bulletin (when available again) and the National Treasury eTender Portal as well as the Electoral Commission's website as may be applicable. Bidders should note the award of the bid as published and that no general notices to unsuccessful bidders will be issued.
- A successful bidder may be required to sign a service level agreement (SLA). In the event that the Electoral Commission fails to negotiate a contract/service level agreement with a bidder their bid may be set aside.

General – Bidders must at all times scrutinise the bid information on Votaquotes and bid specifications carefully in order to ensure that they provide all the necessary information in their written responses as well as take care that copies of all relevant documentation that is required is submitted as part of their bid.

Written submissions are critical and must contain all the required and relevant information in order to enable proper evaluation of bids. Failure to ensure that the written proposal is complete may result in the bid not meeting all the requirements stipulated in the bid evaluation criteria. Bids not meeting the requirements will not be acceptable and shall be disqualified.

Only qualifying bids that are acceptable will be subjected to scoring in terms of the provisions of the Preferential Procurement Regulations, 2022 for bid adjudication purposes.

Mr Sebolai presented the technical aspects of the bids, providing background regarding the need for the requirements and also highlighting the important aspects of the bid. In his briefing, he highlighted the importance of compliance with the stated bid specifications and the submission of the written proposal amongst other things.

Correction: Clause 7.8 should read:

The successful bidder may be allowed to do an inflation related adjustment in the second year. Such an adjustment must not exceed the rate of annual CPI as determined by Statistics South Africa in the anniversary month of the contract.

Section 15 on page 48 – email addresses

The following questions were asked after the presentation for both administrative and technical

requirements:

Question: For the dual links into the DC's, do you require dual fibre or you accept fibre and microwave?

Answer: We prefer fibre coming from two “exchanges”. Microwave seems to have a limitation as to the max size.

Question: What are the historical data consumption over the last 12 months?

Answer: Around election time, usage spike to about 12 TB per month, in a normal month we hardly go beyond 4-5 TB. We also have some laptops that are assigned to our employees that go out. In between major elections the VMDs are stored in the warehouses and the Electoral Commission should not be charged for usage at that time.

Question: Where is the DR site?

Answer: The DR site is not too far from here – somewhere here in Centurion. The bidder can use the National Office as an address to cost links to the DR site

Question: Can you provide the names of the service providers that are providing the leased lines?

Answer: The Electoral Commission wants to deal with the successful bidder. If you want to subcontract, it is up to you. You can check who is provide services within this area, however the Electoral Commission will only deal with you as the successful bidder.

Question: Sim Cards – who is the incumbent?

Answer: We believe that you can port any sim card. It is therefore not important to know whose sim cards are on the devices

Question: Does the service provider need to be at the Electoral Commission during major elections?

Answer: 99.99% SLA availability is required during election period. Yes, we do require support especially during major elections period. We work very well with the incumbent, there is a call logging mechanism, defined Response Times and Service levels. Physical presence at the IEC will also be appreciated

Question: Do we have estimated timelines

Answer: Difficult question. We have processes within the IEC, there must be evaluation, a number of

committees, EXCO, Commission. We are late already and would like to implement as soon as possible. We are looking at elections between April and May. The implementation will not be between Christmas and New Year.

Question: Submission is on the 13th. Up to what date will the IEC accept clarification questions if need be?

Answer: Please ensure that you submit your questions as early as possible as late requests may not be attended to due to logistics

The briefing ended at 11:55