



REFERENCE: IEC/WC-07/2023

CLOSING DATE: 14 DECEMBER 2023

ENQUIRIES

TECHNICAL SPECIFICATIONS: Tebogo Tivane/William Ragophala

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

ADMINISTRATIVE ENQUIRIES: Mr Vincent Qwabe

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

TENDER IEC/WC-07/2023

SERVICE DESCRIPTION: SECURITY SERVICES FOR WESTERN CAPE PROVINCIAL OFFICE AND WAREHOUSE

Kindly furnish the Electoral Commission with a bid for the provisioning of security services 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 29 November 2023 at the following address:

The Bridge

1st Floor, Unit 4

304 Durban Road

BELVILLE

CAPE TOWN

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/WC-07/2023

SERVICE DESCRIPTION: SECURITY SERVICES FOR WESTERN CAPE PROVINCIAL OFFICE

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/WC-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:

The Bridge

1st Floor, Unit 4

304 Durban Road

BELVILLE

CAPE TOWN

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.

CONTENTS OF THIS PAGE NOTED:

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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.

CONTENTS OF THIS PAGE NOTED:

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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 details) 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?
18. If yes, who issued the certificate?

YES		NO	
YES		NO	

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)		
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).

.....
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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:

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.

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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	
-----	--	----	--

Prices linked to escalation formula adjustments.

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

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:

- 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)?

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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2.4.1 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.

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:

.....
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- 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 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.

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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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

.....
Signature

.....
Position

.....
Name of Bidder (Bidding Entity)

Date.....

.....
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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 BBBEEA 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.

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

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The use of any correction fluid, tape or similar products may invalidate your tender submission!!

Question	If YES, Mark YES*	If NO, Mark NO*
Are you duly authorised to sign the tender?		
Has the <i>Bidder's Disclosure and 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/WC-07/2023**

SECURITY SERVICES FOR WESTERN CAPE PROVINCIAL OFFICE AND WAREHOUSE

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1. PURPOSE

To provide prospective service providers with proper guidelines regarding the completion and submission of the bid for the provision of security services to Electoral Commission's provincial office and warehouse in the Cape Town Metropolitan area.

Interested service providers shall bid for the rendering of security services for a period of three (3) years at the specified premises as set out below. Such activities are further detailed in section 2.1 to 2.4 below

2. SCOPE OF SERVICES

2.1 THE SCOPE OF SERVICES FOR THE PROSPECTIVE SERVICE PROVIDER SHALL INCLUDE THE ASPECTS AND AREAS AS INDICATED BELOW:

- 2.1.1 The protection and safeguarding of Electoral Commission employees, property and assets against any damages, injuries, vandalism, theft, sabotage, death and any other security risks or threats,
- 2.1.2 Daily execution of access and egress control in terms of the relevant legislations,
- 2.1.3 Patrol and safeguard the Electoral Commission's premises and buildings,
- 2.1.4 Recording and keeping records of all visitors and vehicles entering and leaving Electoral Commission premises,
- 2.1.5 Monitor the presence of persons, goods and vehicles and the movement thereof to and from the Electoral Commission facilities,
- 2.1.6 Conduct searches on visitors entering and leaving the premises,
- 2.1.7 Compile reports of incidents of security breaches taking place during shifts operations,
- 2.1.8 Execute an arrest where there is a need and necessary,
- 2.1.9 Prevent any criminal acts including but not limited to malicious damage to vehicles, property and assets and if an incident has occurred, investigate it and report to the Electoral Commission representatives,
- 2.1.10 Carry out lawful security orders/instructions issued by the Electoral Commission's representative from time to time,
- 2.1.11 Record and safekeeping of all mail, documentation and official parcels delivered to the Electoral Commission's office/facility after office hours,
- 2.1.12 React and report emergency situations to the relevant emergency services, e.g. ambulance services, fire department, police station and the Electoral Commission's representatives immediately when an emergency occurs,
- 2.1.13 Ensure that security registers are neat and up to date at all times,
- 2.1.14 Report any lost and found items to the supervisor and to the Electoral Commission's representative,
- 2.1.15 Locking and unlocking of Electoral Commission offices / facilities where there is a need and when authorised to do so and keep record of the request,
- 2.1.16 Assist with the management of access control during the execution of evacuation procedure in consultation with the Electoral Commission's emergency team,
- 2.1.17 Respond and attend to fire alarm panel and in case of fire take appropriate action when necessary,

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- 2.1.18 Respond to ICT server room temperature alarms and take appropriate action as outlined by the Site Instruction,
- 2.1.19 Sensitisation / orientation of Electoral Commission employees in respect of the operation of building protection systems (for example sprinklers, fire detection, alarm, *et cetera*) installed in the buildings where the Electoral Commission is the owner or tenant,
- 2.1.20 Record all incidents of security in the appropriate security registers on site.

2.2 Electoral Commission sites where the security services will be rendered.

The security services to be rendered at the Electoral Commission's premises include, but are not limited to, the following sites:

Provincial Office:

The Bridge Building
1st Floor, Durban Road
Tygervalley
Cape Town

Provincial Warehouse:

95 Bofors Circles, Epping
7460, Cape Town.

2.3 Scope for Future *Ad Hoc* Services

The bidder may be required to render security services at any Electoral Commission's offices or facilities on an *ad hoc* basis. Such *ad hoc* service may be required at any place or facility within the Western Cape province. The prospective service provider may also be required to provide the *ad hoc* service at any province or place within the borders of the Republic of South Africa, provided the prospective service provider has the capacity to do so. *Ad hoc* services shall be handled as stated in paragraph 14.9 below.

2.4 Security services at the Provincial Result Operations Centre

The bidder may be required to render security services at the Provincial Result Operations Centre (PROC). It is expected that the bidder must have the capacity, ability and resources to enable to render the required services. Such additional services will be handled as *ad hoc* and will be required during the preparation of the elections and also during the elections. (See Section 14.9).

THE BIDDER SHALL BE REQUIRED TO RENDER THE SECURITY SERVICES AT THE ELECTORAL COMMISSION PREMISES OR SITES IN RESPECT OF SECURITY RELATED LAWS AND REGULATIONS INCLUDING AND NOT LIMITED TO:

- Basic Conditions of Employment Act, 1997(Act 75 of 1997), as amended
- The Constitution of the Republic of South Africa Act, 1996 (Act 108 of 1996);
- Control of Access to Public Premises and Vehicles Act, 1985 (Act 53 of 1985);
- Criminal Procedures Act, 1997 (Act 51 of 1997), as amended;
- Disaster Management Act (Act No 57 of 2002)
- Firearm Control Act (Act No 60 of 2000)
- Labour Relations Act, 1995 (Act 66 of 1995):

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- Minimum Information Security Standard (Cabinet Approval, December 1996);
- National Strategic Intelligence Act, 1994 (Act 39 of 1994);
- National Archives of South Africa Act, 1996 (Act 43 of 1996)
- Occupational Health and Safety Act, 1993 (Act 85 of 1993);
- Promotion of Access to Information Act, 2000 (Act 2 of 2000);
- Protection of Information Act, 1998 (Act 32 of 1998);
- Security Industry Regulatory Authority Act, 2001 (Private Security Industry Regulation Act 56 of 2001);
- Sabotage Act (Act No 76) of 1962 as amended
- Sectoral Determination 6 in compliance with Basic Conditions of Employment Act, 1997(Act 75 of 1997), as amended Trespass Act (Act 6 1959) as amended
- Protection of Personal Information Act, Act 4 of 2013.

3. GENERAL TERMS AND CONDITIONS

The bidder shall be obliged to adhere to the terms and conditions of the tender as stipulated below:

- 4.1 Bidders must provide the names, physical and postal address, telephone e-mail address of their head office, regional or provincial offices and control rooms.
- 4.2 Bidder must be a South African entity and its security officers must be South African citizens in possession of valid South African identity (ID) document or smart card.
- 4.3 The service provider may be requested to provide security clearances of the security officers who will be placed at the Electoral Commission's facilities as may be required.
- 4.4 The service provider may be requested to provide proof of educational, firearm training and PSIRA qualifications of site manager and security officers. Certificates will be examined and verified by Electoral Commission.
- 4.5 Consent of bidder's employees that they do not object to signing a *Declaration of Confidentiality* or *Oath of Secrecy* regarding any Electoral Commission information handled by the service provider.
- 4.6 Additional security officers who will be utilised by the bidder for *ad hoc* situations at Electoral Commission facilities shall also undergo the necessary security record checks conducted by the (State Security Agency) SSA.
- 4.7 Security officers assigned to Electoral Commission sites must be legal adults, aged 18 years and older, with a maximum age as per/in accordance with the successful service provider's retirement policy.
- 4.8 As part of the bid adjudication process the recommended bidder will be subjected to the following:-
 - Security screening/reliability checks by the SSA on the company structure and all directors of the company or member of the close corporation.
 - Security screening/reliability checks of all security officers supplied to render security service to the Electoral Commission's facilities (the level of the clearance required shall be determined by Electoral Commission's representative).
 - Signing of legal indemnities with regard to the services rendered (e.g. damage to property of third parties, loss of life or injury to be sustained by the security personnel during the execution of their duties and any other legal claims resulting from acts or omissions committed by security personnel against third parties).

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5. INFRASTRUCTURE AND CAPACITY REQUIREMENTS OF THE PROSPECTIVE SERVICE PROVIDER

For purposes of this bid, bidders are required to meet the following infrastructure and capacity requirements:

- 5.1 Have an established office in the area of jurisdiction of the Cape Town Metropolitan area. Within the established office, the prospective service provider must have at its disposal an administrative section of at least one (1) room dedicated for security service purpose, which must be an immovable structure, situated at a place that is reasonably accessible for inspection by the Electoral Commission's personnel and at which reasonable business hours are maintained.
- 5.2 The bidder's administrative section must contain all equipment which are reasonably necessary for the effective management and administration of the security business, i.e. an operational landline telephone communication, which includes a reliable facility to receive and transmit information, computer equipment, photocopier and the office must contain a hard copy and/or electronic filing system for the orderly keeping of all records and documents (staffing and appropriate equipment).

Furthermore, the bidder must have all the necessary equipment, vehicles, as well as suitable uniforms, clothing and equipment that must be issued to its security officers in view of the nature of their functions, at its disposal to enable them to render a proper security service.

- 5.3 The bidder must have at its disposal sufficient numbers of registered and appropriately trained and skilled security officers for the rendering of the required services. The security officers used for the purpose of these services must be properly controlled and supervised.
- 5.4 The bidder must have at its disposal a sufficient number of adequately skilled and knowledge administrative staff members for the purpose of the service and for the purpose of administrative affairs with regards to Private Security Industry Regulatory Authority (PSIRA) regulations.
- 5.5 The bidder must have at its disposal the financial means to ensure payment of the lawful remuneration/wages to its staff in terms of the Sectoral determination 6, to ensure compliance.
- 5.6 The operational standards of the infrastructure and capacity requirement will be subject to a due diligence audit by the Electoral Commission prior to the awarding of the bid.
- 5.7 The bidder may be expected to work and co-operate with other service providers. It may be further required for the successful service provider to establish and maintain sound working relationship and procedures with other contracted service providers of the Electoral Commission such as armed alarm response service providers.

6. PROVISION OF SECURITY EQUIPMENT ON SITES

The service provider shall provide standard security equipment to the security officers rendering security service at the Electoral Commission premises or facilities. All specified equipment (as described below) that is not readily available or dysfunctional will not be paid for that particular period. The following security equipment must be provided to security officers on duty:

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- Operational portable two-way radios and/or press to talk (PTT) or any other suitable communication equipment that is fit for purpose that is in line with acceptable communication equipment and procedures in the security industry.
- Operational LED torches with a minimum of 400 lumens
- Handcuffs
- Batons
- All relevant and appropriate Security Registers
- Two (2) Cellphones with camera and airtime

7. PROVISION OF SECURITY OFFICERS ON SITES

- 7.1 The definitions of the various security officer's grades are as defined by section 41 to 44 of Basic Conditions of Employment Act, No 75 of 1997 (Sectoral Determination 6, Private Security Industry Regulatory Authority of South Africa). As such, a security officer is defined to be any natural person who is employed by another person including an organ of state and who receives or is entitled to receive from that person a remuneration, reward, fee or benefit, for rendering one or more security services, who renders security service under the control of another security service provider and who receives or is entitled to receive from such other security provider, any remuneration, reward, fee or benefit for such service or who or whose services are directly or indirectly made available by another security service provider to any other person, and who receives or is entitled to receive from any other person any remuneration, reward, fee for benefit for rendering one or more security services. Security officers are graded A, B, C and D.
- 7.2 The Electoral Commission, for purposes of this bid requirement, only utilises services of Grade B and C officers.
- 7.3 The service provider shall, in order to ensure the continuity of the service to be rendered, allocate specific personnel to the specific site by the time the bid is awarded. A list of officers must be made available to the Electoral Commission.
- 7.4 Exchange or rotation of security officers on sites may only be made with prior consent of the Electoral Commission's Security Department or Electoral Commission's representative responsible for the particular facility.
- 7.5 The Electoral Commission reserves the right to interview security officers who will be rendering the security services at its sites before they commence with their work. The purpose of the interview is to determine the level and suitable security knowledge of the security officers who are to be placed at Electoral Commission facilities.

8. MINIMUM WAGE

The bidder must pay his/her employees at least the minimum monthly basic salary, as prescribed by the Basic Conditions of Employment Act, No 75 of 1997, Sectoral Determination 6 and the compliance of Private Security Industry Regulatory Authority (PSIRA) thereof. The prospective service provider's pricing costs in respect of this bid must not be below the PSIRA costs requirements.

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9 UNIFORM AND IDENTIFICATION OF SECURITY OFFICERS ON SITE

The service provider shall ensure that each security officer will at all times, when on duty, be fully dressed in:

- 9.1 A neat and clearly identifiable corporate uniform which must be provided by the service provider. The uniform set must include rain-coats for security personnel performing security duties in inclement weather.
- 9.2 A clear security or appointment card with photo which must be worn conspicuously on him/her at all times.

NOTE: No combat/camouflage uniform is allowed in a corporate office environment. Service providers will be advised when a combat, camouflage / body armour uniform may be required.

10. SERVICE PROVIDER RESPONSIBILITIES

- 10.1 Oversee all security activities performed by security personnel on Electoral Commission facilities and sites.
- 10.2 Handle all problems and challenges experienced by security officers on sites.
- 10.3 Attend to all problems regarding security personnel wages and all other related problems that may affect security personnel performance.
- 10.4 Ensure that there is always security equipment and personnel on site in accordance with the contract.
- 10.5 Ensure that security officers on site are suitably trained to the required level and competent to render the security services.
- 10.6 Liaise with Electoral Commission's representative and where necessary with Security Department on site.
- 10.7 Shortages and late coming by security officers is not allowed, should it happen, it must be recorded in the occurrence book and the Electoral Commission shall reserve the right to keep its own records on such incidents.
- 10.8 Ensure that security personnel are familiar and knowledgeable regarding the handling of emergency situations.
- 10.9 Ensure that security registers are legible, neat and updated at all times.
- 10.10 Ensure that all security officers understand the needs and expectations of primary clients (employees) and secondary clients (visitors).
- 10.11 Ensure that adequate security officers are placed on site as per the requirement as stated in the contract.
- 10.12 Ensure that security officers shall not erect or display any sign, printed matter, painting, nameplates and advertising articles on any Electoral Commission's premises or building walls.
- 10.13 Remove any security officer from the site on request from an Electoral Commission appointed representative for the management of security matters.
- 10.14 Provide the Electoral Commission's representative with reasonable access to the designated service provider management to ensure efficient provision of services.
- 10.15 Provide the Electoral Commission's representative/Security Department with security monthly reports, attend monthly meetings and also attend to all *ad hoc* meetings as requested by the Electoral Commission representative.

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- 10.16 Provide shift rosters with the appropriate security officer's names and PSIRA grades to Electoral Commission officials.
- 10.17 Conduct regular inspections on site.
- 10.18 Be available during emergencies and telephonically contactable at all times.
- 10.19 Ensure that security officers are not involved in any illegal acts at Electoral Commission sites.

11. SECURITY INSPECTIONS

The Electoral Commission's officials reserve the right to conduct security inspections/audits on any of the Electoral Commission's facilities where the security officers are placed or posted to execute their security duties and also to conduct inspection on the security personnel, security registers, records and equipment as may be required.

12. SHIFT DURATION

- 12.1 Shift duration of security officers shall be limited to a minimum of twelve (12) hours on all premises occupied by the Electoral Commission.
- 12.2 No security officer may work for more than forty-eight (48) hours in any seven (07) day cycle, unless there is arranged overtime with the employee. (Please refer to Basic Conditions of Employment Act, No 75 of 1997, as amended. Sectoral Determination 6 Clause 5, sub clause [2] (a), (b), (c). The Electoral Commission shall not enter or entertain any negotiations regarding this requirement.

13. RESOURCES AND FACILITIES PROVIDED BY THE ELECTORAL COMMISSION

The Electoral Commission will make the following facilities available to the prospective service provider:

- 13.1 Toilet / ablution facilities.
- 13.2 Telephone with open line to communicate with the service provider's security control room police, fire brigade, Electoral Commission's Safety and Security Section and the contracted alarm monitoring service provider as the case may be. Private telephone calls will not be allowed.
- 13.3 Electoral Commission security site instruction or any security related manual or document.
- 13.4 Training in respect of fire and evacuation systems where necessary
- 13.5 Provide electricity
- 13.6 Provide water and sanitation.
- 13.7 Provide a guard room/shelter
- 13.8 Kitchen

14. WRITTEN PROPOSAL

It is a requirement of this bid that a written proposal/submission be made by the bidder covering the following aspects:

14.1 Company profile

Bidders must provide company profile with historical background, organogram and indicate interest in security. Names of incumbents / personnel and their roles must be appropriately stipulated on the organogram.

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14.2 Track record

Provide detailed description of the company's similar and related experience and track record. Submit a detailed list of these aspects as follows:

- 14.2.1 Provide maximum five (5) existing and previous clients in the form of reference letters. Reference letters must be on a signed formal letterhead with starting date and end date of the current and previous contract and contact details.
- 14.2.2 The bidder must indicate the number of years in which the service provider has been in security business and being operational.

14.3 Established administration office

The bidder must have an established immovable office (structure) for administration Purposes and the office must be within the Cape Town Metropolitan area.

The administration office must comply with the following requirements:

- 14.3.1 The office should consist of at least one room dedicated for this purpose.
- 14.3.2 The office must contain all the equipment, furniture which is necessary for the effective management and administration of the security services.
- 14.3.3 It must be situated at a place that is reasonably accessible to the Electoral Commission within the Cape Town Metropolitan area.
- 14.3.4 The office must be in a place which is accessible by the security officers that are used by the company to render a security service.

NB: Bidders must clearly indicate in the written submission items in the office as stated in paragraph 14.3.1 to 14.3.2

14.4 Security control room

The bidder must have an established immovable facility (structure) that serves as an equipped security control room with twenty-four (24) hour's operational service for the purpose of reporting and provision of assistance in cases of emergency. The security control room shall be manned at all times for twenty-four (24) hours. The security control room must be within the Cape Town Metropolitan area jurisdiction and the communication from the control room must be within reach to Electoral Commission sites.

As a minimum requirement a control room shall have the following equipment in operational state:

- 14.4.1 Direct landline.
- 14.4.2 At least one operational cellular phone.
- 14.4.3 LED torch with a minimum of 400 lumens.
- 14.4.4 Operational radio-base and two-way radio communications and/or (Push to Talk) PTT.
- 14.4.5 Contact numbers of all managerial staff, client office and after-hours numbers, police, ambulance, fire brigade, *et cetera*, shall be permanently displayed on the control room wall.
- 14.4.6 Appropriate and trained security officers manning control room on twenty-four (24hrs) hour basis.

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NB: Bidders must clearly indicate in the written submission items and individuals as applicable in the control room as stated on 14.4.1 to 14.4.6.

14.5 **Proposed team**

The prospective service provider's written proposal must include the details of the proposed team which will assist with administration and rendering of the security services to the Electoral Commission. This team should include members as follows:

- Area Manager / Regional Manager
- Operational Manager
- Key Account Manager
- Grade B (Shift team leader on site)

14.6 **CVs and qualification requirements**

Provide the curriculum vitae (CV) of each team member as proposed on **14.5**. The details should include valid copies of IDs, PSIRA qualifications (Certificates), knowledge and relevant experience in finance for the key Account Manager. The security experience of the incumbents/ personnel must be detailed in the CV.

14.7 **Security plan**

Provide security plan on how the prospective service provider will provide the capacity, equipment and security services for the duration of the contract. The security plan must provide details on how the project will be executed. Each security plan aspect stated below must be described or explained not in more than five (5) sentences and include the following aspects:

- What security measures will be implemented by the bidder on the facilities to ensure the protection and safeguarding of the Electoral Commission facilities, assets and employees.
- How the service provider will provide security resources, to execute the security plan.
- How the service provider will make preparations of taking over the sites.
- The bidder must indicate the type of security patrol system which will be installed and be implemented each site and indicate how the system operate. e.g Sefeko Guard Monitoring system.
- The service provider must indicate how will the liaison and reporting to the Electoral Commission representative at the Provincial Office and Warehouse be done.

14.8 **Contingency plan**

In case the security service is interrupted or temporarily deferred because of any labour unrest, labour disputes, civilian disorder, a local or national disaster or any other cause, the service provider must ensure the activation and implementation of contingency plans until full and normal service is restored.

The following contingency aspects must be explained in detail and the prospective service provider is not limited to the below guidelines. Each contingency plan aspect stated below must be described / explained in not more than five (5) sentences of the following aspects:

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- 14.8.1 If the security services have been interrupted, how will the service provider respond to such situation in ensuring that the service is restored within less than three (3) hours?
- 14.8.2 What measures will the service provider take to ensure the safeguarding of the Electoral Commission facilities and employees during the security industry strike?
- 14.8.3 The contingency plan must demonstrate how the service provider will make available *ad hoc* security officers during a security industry strike?
- 14.8.4 The contingency plan must also demonstrate how the service provider's management will assist the Electoral Commission during security labour unrest / strike?
- 14.8.5 Contingency plan must also indicate how the transportation of security officers to and from work during the labour strike will be arranged to ensure that security officers arrive safely at work and home?

14.9 **Ad hoc Security Services**

Due to security operational requirements within the Electoral Commission, additional security services may periodically be required on an *ad hoc basis* such as during election periods / by-elections.

Requests for additional security services shall be handled as follows:

- 14.9.1 The Electoral Commission shall in advance request confirmation from the service provider to establish its capacity and ability to render the required additional services at the time that the service is needed. The prospective service provider shall be expected to have capacity to provide *ad hoc* / additional security services in the Provincial Office, Warehouse and Provincial Result Operation Centre. Prospective service provider's confirmation shall also include a detailed security plan and dedicated team with a manager when necessary.
- 14.9.2 The service provider shall provide the Electoral Commission with a quotation for the required *ad hoc* services of which the Electoral Commission shall have the right to negotiate or engage alternative service provider/s in cases where the contracted service provider:
 - Confirms that it does not have the capacity or ability to render the required *ad hoc* services,
 - The quotation is not in compliance with the PSIRA requirements and not market related,
 - The required services cannot be adequately provided,
 - 14.10 Bidders must provide a detailed plan on how the *ad hoc* services will be arranged and implemented throughout the contract. Each *ad hoc* aspect as stated below must be described or explained not in more than five (5) sentences.
 - Bidder's *ad hoc* plan must provide details on the following aspects:
- 14.10.1 How would the prospective provider arrange for the required *ad hoc* services?

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- 14.10.2 How much time shall the service provider need to arrange for the required service?
- 14.10.3 How will the prospective service provider cover the required sites?
- 14.10.4 Provide the details on how operational resources (e.g, Vehicles and other security equipment) to execute the required services will be made available for *ad hoc* services.
- 14.10.5 Indicate how the ad hoc service will be managed and who will be responsible for the operations thereof?

Note: Payment for such services will be calculated separately from the normal guarding services and will be subject to the provision of accepted quotations prior to engagement of such services and proof that the services were rendered as required

15. PSIRA REQUIREMENTS

- 15.1 The company or close corporation and every director of the company or member of the close corporation must be registered in terms of Section 20 of the PSIRA Act 2001 (Act 56 of 2001).
- 15.2 Bidder's rates and costs must be compliant with the minimum PSIRA requirements.
- 15.3 Bidder must provide a valid PSIRA registration certificate.
- 15.4 Bidders must provide an original or copy of the written letter of good standing from PSIRA. This correspondence must be valid at the bid closure date. The service provider may be required to submit a valid original or certified copy of the letter of good standing at any given time during for the duration of the contract.
- 15.5 All security officers in the employ of the service provider / bidder must be registered with PSIRA.
- 15.6 All security officers supplied by the service provider/ bidder must be trained on the standards set out and regulated by PSIRA and training centre accredited by PSIRA.

16. MONTHLY INVOICING AND PAYMENT

Monthly payments will be made in accordance with the general conditions of contract and the invoicing must be done in accordance with the following procedure:

- 16.1 Invoices shall be based on shift registers and certified time sheet by the Security Department at the Electoral Commission's national office. Certified shift registers and time sheet shall be processed for payment within thirty (30) days of receipt thereof after proper verification is completed.
- 16.2 Only original invoices accompanied by a monthly statement will be accepted for payment.

17. ANNUAL INCREMENT

Annual increases for the required services shall be guided and calculated based on annual statutory increases regulated by PSIRA and Sectoral Determination 6

18. ADDITIONAL SECURITY OPERATIONS

The Electoral Commission may require additional security officers on a specific site or facility due to changes on security operational needs. When such arises, the Electoral Commission shall request the service provider to make additional security officers available as per the requirements stipulated in 14.9.2.

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19. DURATION OF THE CONTRACT

A Service Level Agreement (SLA), based on this tender requirement, will be entered into prior to the appointment of a service provider. The SLA or contract will be valid for a period of three (3) years from the commencement date provided that the service provider maintains compliance with all the tender conditions and requirements during the period.

20. POLITICAL ASSOCIATION AND / OR ALIGNMENT

The Electoral Commission seeks to maintain its neutrality, impartiality and integrity in the execution of its statutory mandate and management of elections. For this purpose, the Electoral Commission reserves the right not to appoint bidders that are politically inclined or affiliated. The bidders will be required to maintain this requirement throughout the term of this contract, failing which the contract may be terminated with immediate effect.

21. COMPLETION OF PRICING

Bidders are required to complete all pricing schedules (B1 to B3) including the calculation of the summary in the prescribed format and the cost must be a monthly fee. Failure to comprehensively complete the pricing schedules shall invalidate a bid.

NB: Prospective service providers are required to complete these pricing schedules in relation to the PSIRA illustrative contract pricing structure and are also obliged to include the cost or no cost for the relievers in the bid price.

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PRICING SCHEDULE: B1 TO B3

BIDDERS ARE REQUIRED TO COMPLETE ALL PRICING SCHEDULES AS STATED BELOW IN THE PRESCRIBED FORMAT. FAILURE TO COMPREHENSIVELY COMPLETE THESE SCHEDULES AND IN ACCORDANCE WITH PSIRA REQUIREMENTS SHALL INVALIDATE A BID

B.1: SUPERVISORY STAFF COSTS

ITEM 1	SCOPE	QUANTITY REQUIRED	PRICING (RATE PER GUARD PER MONTH)	PRICING (VAT INCLUSIVE)
1	<i>SUPERVISORY STAFF</i>			
1.1	<i>Grade B: Team Leader</i> <i>(Day shift): Mondays to Sunday including public holidays)</i>	1	R.....p/m	R.....p/m
1.2	<i>Reliever (If cost are not included in the overall cost)</i>	1	R.....p/m	R.....p/m
<i>SUB-TOTAL 1 carried forward to summary</i>				R.....p/m

B.2: GRADE C GUARDING TEAM COSTS

ITEM 2	SCOPE	QUANTITY REQUIRED	PRICING (RATE PER GUARD PER MONTH)	PRICING (VAT INCLUSIVE)
2	GUARDING TEAM COSTS	A	B	A x B = C
2.1	Day Shift: Grade C: (Monday to Sundays including public holidays)	1	R.....each	R.....p/m
2.2	Night Shift Grade C: (Monday to Sunday including public holidays)	2	R.....each	R.....p/m
2.3	Reliever (If cost are not included in the overall cost)	1	R.....each	R.....p/m
SUB -TOTAL 2 carried forward to summary				

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ITEM 2	SCOPE	QUANTITY REQUIRED	PRICING (RATE PER GUARD PER MONTH)	PRICING (VAT INCLUSIVE)
				R.....p/m

B.3: EQUIPMENT COSTS

ITEM	DESCRIPTION	QUANTITY REQUIRED	PRICING (RATE PER GUARD PER MONTH WITH VAT)	RATE PER MONTH (VAT INCLUSIVE)
3	EQUIPMENT	A	B	A x B = C
3.1	Portable LED torches	2	R.....each	R.....p/m
3.2	Baton	3	R.....each	R.....p/m
3.3	Pair of handcuffs	2	R.....each	R.....p/m
3.4	Cellular telephones	2	R.....each	R.....p/m
3.5	Occurrence book	2	R.....each	R.....p/m
3.6	Two way radios or Press To Talk (PTT) Operational portable two-way radios and/or press to talk (PTT) or any other suitable communication equipment that is fit for purpose that is in line with acceptable communication equipment and procedures in the security industry.	4	R.....each	R.....p/m
SUB-TOTAL 3 carried forward to summary				R.....p/m

SUMMARY CALCULATION OF ALL SCHEDULES (B1 TO B3)

(All prices quoted must be VAT inclusive)

Section 1:	Supervisory Staff	R.....p/m
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Section 2:	Guarding Team Costs	R.....p/m
Section 3:	Equipment Costs	R.....p/m
TOTAL TENDER COST PER MONTH (VAT INCLUSIVE)		R.....p/m

22. Physical infrastructure requirements

Bidders are required to complete the required information as indicated below. Failure to do so shall lead to bid disqualification.

1. NAME OF COMPANY

.....

2. COMPANY HEAD / NATIONAL OFFICE ADDRESS DETAILS

Physical Address

.....

.....

Postal Address

.....

.....

.....

Telephone code and number :

3. ESTABLISHED COMPANY OFFICE ADDRESS DETAILS

Please indicate the physical address and contact details of your provincial / regional offices (i.e. if it is not the same as that provided for your head / national office) as it applies to your / this specific bid submission in the dedicated spaces below.

Provincial / Regional Office

Address

.....

.....

.....

Landline Telephone code and number:

.....
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4. CONTROL ROOM FACILITY

Please indicate the physical address and contact details of the control room in the Cape Town Metropolitan area as it applies to your specific bid submission in the dedicated spaces below.

Control Room Address (Cape Town Metropolitan area.)

.....

Control Room Telephone code and number: (..)

Important: Failure to complete the section above and to stipulate the specific control room address and detail pertaining to the established control room shall invalidate your bid. Establishment of a control room post the award of a contract is not provided for in terms of the scope of this bid and shall thus not be considered.

5. BUSINESS ACTIVITIES PERCENTAGES

The prospective service provider is obliged to provide the Electoral Commission with the percentages of its business activities as stated below:

Business Activities (Stipulate % Dedicated to each component in Normal Business Activities)

Security services	%
Please indicate other business interest which the company is involved if there is any available, but is not security related business? List these business interests below:	
-	%
-	%
-	%
Total business interest	100 %

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BID EVALUATION

NAME OF BIDDER:-----

1 Western Cape Security Services

1.1 Stage 1: Assessment of 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 (SBD4), was included in the tender document.

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 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.

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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 SBD4, CSD registration, tax compliance, restricted suppliers and tender defaulters:

Bid Evaluation Criteria				
Bidder's Disclosure. The Bidder has completed and submitted Bidder's Disclosure (SBD4)				
Important Note: Detail on any transgression must be reported if issues are identified as mandatory steps must be taken as prescribed in <i>National Treasury PFMA SCM Instruction Note 3 of 2021/2022: Enhancing Compliance, Transparency and Accountability in Supply Chain Management</i>.				
Bidder: Bid Ref:				
No	Description	Yes	No	Comments
1.	The bidder is not an employee of the state.			
2.	The bidder's conduct does not constitute a transgression of the Prevention and Combating of Corrupt Activities Act.			
3.	The bidder's conduct does not constitute a transgression of the Competition Act.			
4.	The bidder is not a tender defaulter as per the register published on the National Treasury website.			
5.	The bidder is not a restricted supplier as per the register published on the National Treasury website.			
6.	The bidder is registered on the National Treasury			

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Bid Evaluation Criteria				
Bidder's Disclosure. The Bidder has completed and submitted Bidder's Disclosure (SBD4)				
Important Note: Detail on any transgression must be reported if issues are identified as mandatory steps must be taken as prescribed in <i>National Treasury PFMA SCM Instruction Note 3 of 2021/2022: Enhancing Compliance, Transparency and Accountability in Supply Chain Management</i>.				
Bidder: Bid Ref:				
No	Description	Yes	No	Comments
	Central Supplier Database (CSD)*			
7.	The bidder is tax compliant**			
Overall Stage 1 Outcomes:		<u>Assessmnt Comments:</u>		

* No bid shall be accepted if a supplier is not registered on the National Treasury Central Supplier Database (CSD).

** 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

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Stage 2 – Key Qualifying Criteria

Bid Evaluation Criteria					
Stage 2 – Key Qualifying Criteria					
Failure to comply with any of the requirements below will result in the bid being disqualified					
Bidder:				Bid Ref:	
No.	Description	Source Reference	Yes	No	Comments
1	Written proposal submitted as required.	14			
2	Costs for services in relation to PSIRA guidelines and other statutory requirements	15.2			
3	Submission of PSIRA registration and membership certification	15.3			
4	Submission of letter of good standing from PSIRA	15.4			
5	Completion of pricing schedules	B1 to B3			
6	Completion of physical infrastructural schedules	Section 22			
7	Established office within Cape Town Metropolitan area.	14.3			
8	Established control room within Cape Town Metropolitan area.	14.4			
	Overall Stage 2 Outcomes:	<u>Assessment Comments:</u>			
		Bid qualifies for further consideration: (YES/NO):			

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Stage 3 –Technical Evaluation

Minimum achievable *percentage required on this phase to qualify for further evaluation is 75%					
Category	Reference of main items	Item/s Description	Scoring	Points Scored	Comments
1. Company profile	Company profile with organogram (14.1)	Company profile: Interest in the security industry. Bidder's organogram with names of incumbents. <ul style="list-style-type: none"> • Organogram should include names of Chief Executive Officer (CEO) or Managing Director • Account Manager • Operational Manager • Regional Supervisor and • Supervisor to be assigned on site. 	6 Points 1 = point 5 Points 1 = Point for each role specified in the organogram.		
2. Bidder's related experience	Bidder's related track record, similar services rendered (14.2)	Bidder must provide reference letters of previous or current work experience. Existing and previous clients with related reference letters and contact details, maximum (5) Number of years the bidder has been in security business and operational. The reference letters must indicate the duration of the contract.	20 Points (5 Points) 1 = point for each reference letter submitted (15 Points) 1 - 2 Years = 1 Point 3 - 4 Years = 2 Points 5 +Years Plus = 3 points.		

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Minimum achievable *percentage required on this phase to qualify for further evaluation is 75%					
Category	Reference of main items	Item/s Description	Scoring	Points Scored	Comments
3. Bidder's Team List	Submission of team list of the proposed team members with names (14.5)	<p>14.5 The bidder must submit team list that will oversee the project and the team should include the following:</p> <ul style="list-style-type: none"> • Area Manager /Regional Manager • Operational Manager • Key Account Manager • Grade B (Day shift team leader) 	<p>4 Points</p> <p>1 = Point for each required team member listed in the proposed team list.</p>		
4.CV's and qualifications of team members	Provision of CV's for each of four (4) team members. (14.6)	<p>The CV's and qualifications should include copies of</p> <ul style="list-style-type: none"> • IDs, • PSIRA registration (certificate) • Relevant experience in finance for Account Manager, • The security experience and knowledge of the incumbents/personnel must be detailed in the CV. 	<p>12 Points</p> <p>3 = Points for the submission of the relevant CV's of the team member with all the requirements and relevant experience, ID's copy and relevant PSIRA certificate.</p>		

5. Security plan	Provision of security plan on how the prospective service provider will provide the capacity, equipment and security services for the duration of the contract. (14.7)	<p>The security plan must provide details on how the plan will be executed and each aspect must be explained with less than five (5) sentences as listed below.</p> <ul style="list-style-type: none"> • What security measures will be implemented by the bidder on the facilities to ensure the protection and 	<p>10 Points</p> <p>2 = Points for submission and explanation of each aspect in detail.</p>		
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Minimum achievable *percentage required on this phase to qualify for further evaluation is 75%					
Category	Reference of main items	Item/s Description	Scoring	Points Scored	Comments
		<p>safeguarding of the Electoral Commission facilities, assets and employees. (02)</p> <ul style="list-style-type: none"> How the service provider will provide security resources, to execute the security plan. (02) How the service provider make preparations of taking over the sites. (02) The bidder must indicate the type of security patrol system which will be installed and be implemented in each site and indicate how the system operate. e.g Sefeko Guard Monitoring system. (02) The service provider must indicate how will the liaison and reporting to the Electoral Commission representative at the Provincial Office and Warehouse be done. (02) 			
6. Contingency plan	Provision of contingency plan for labour unrest and strikes on site (14.8)	<p>The bidder must provide contingency plan and cover all the aspects, each contingency plan aspect must be explained with less than five (5) sentences as listed below:</p> <ul style="list-style-type: none"> How will the service provider respond to the emergency situation in ensuring 	<p>10 Points</p> <p>2 = Points for each contingency plan item addressed</p>		

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Minimum achievable *percentage required on this phase to qualify for further evaluation is 75%					
Category	Reference of main items	Item/s Description	Scoring	Points Scored	Comments
		<p>that the service is restored within three (3) hours? (02)</p> <ul style="list-style-type: none"> What measures will the Service provider take to ensure the safeguarding of the Electoral Commission facilities and employees during the security industry strike. (02) The contingency plan must also illustrate how the service provider will make available <i>ad hoc</i> security officers during a security industry strike. (02) The contingency plan must also demonstrate how the service provider's management will assist the Electoral Commission during security labour unrest/strike. (02) Contingency plan must indicate how the transportation of security officers to and from work during the labour strike will be arranged to ensure that security officers arrive safely at work and home. (02) 			

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Minimum achievable *percentage required on this phase to qualify for further evaluation is 75%						
	Category	Reference of main items	Item/s Description	Scoring	Points Scored	Comments
	7. Provide Ad hoc Plan	Ad hoc plan of the required ad hoc security services (14.10)	<p>The bidder must provide the detail aspects of the <i>ad hoc plan</i> as explained below:</p> <ul style="list-style-type: none"> How would the prospective provider arrange for the required <i>ad hoc</i> services? (02) How much time will the service provider need to arrange the required service? How will the prospective service provider arrange for the covering of the required sites? (02) Provide the details on how resources (e.g vehicles, security officers and etc will be made available for <i>ad hoc</i> services? (02) Indicate how the ad hoc service will be managed and who will manage such services. (02) 	10 Points 2= Points for each aspect on <i>ad hoc</i> security services plan		
	8.Administrat ion office	Compliance with the administration office at Cape Town Metropolitan area. (14.3)	<p>Compliance with administration office</p> <ul style="list-style-type: none"> - Office Structure - Equipment - Furniture 	4 Points 1 = Point each for the provision of administrative office that compliance requirements as		

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Minimum achievable *percentage required on this phase to qualify for further evaluation is 75%						
Category	Reference of main items	Item/s Description	Scoring	Points Scored	Comments	
		- Office must have reasonable access to the Electoral Commission sites	specified on 14.3 (4) (maximum)			
TOTAL POINTS = 76	MINIMUM POINTS-REQUIRED: 57 / 76					
Overall Outcomes		<u>Assessment Comments:</u>				
		Bid qualifies for further consideration (YES/NO):				

Stage 4- Bid Adjudication

Only acceptable 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.

Only market related bids will be acceptable.

Adjudication will be done in accordance with the Preferential Procurement Regulations, 2022 as set out in the tender document.

Overall Bid Adjudication Outcome:

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Bid Evaluation Committee (BEC)

Bid Evaluation Committee Member's Name		Signature
1		
2		
3		
4		
5		

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