



SOUTH AFRICA

REFERENCE: IEC/LG-01/2025

CLOSING DATE: 4 MARCH 2025

ENQUIRIES

TECHNICAL SPECIFICATIONS: Suzette Ndala/Molwelang Mathibe

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

TENDER IEC/LG-01/2025

SERVICE DESCRIPTION: BY-ELECTION BALLOT PAPER PRINTING PANEL

Kindly furnish the Electoral Commission with a bid for the by-election ballot paper printing panel 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 19 February 2025 at the Electoral Commission's office situated at:

Election House

Riverside Office Park

1303 Heuwel Avenue

CENTURION

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

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

Yours sincerely

SUPPLY CHAIN MANAGEMENT

Electoral Commission

Ensuring Free and Fair Elections

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

TENDER NUMBER: IEC/LG-01/2025

SERVICE DESCRIPTION: BY-ELECTION BALLOT PAPER PRINTING PANEL

CLOSING TIME: 11:00

CLOSING DATE: 4 MARCH 2025

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

SUBMIT YOUR BID IN A SEPARATE SEALED ENVELOPE OR SUITABLE CONTAINER IF NECESSARY AND WRITE YOUR COMPANY NAME AS WELL AS THIS TENDER REFERENCE NUMBER (**IEC/LG-01/2025**) 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.

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

Election House

Riverside Office Park

1303 Heuwel Avenue

CENTURION

THE TENDER BOX WILL BE OPEN DURING OFFICE HOURS.

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

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

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

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

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

CONTENTS OF THIS PAGE NOTED:

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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 tenderer's own conditions of tender. Failure to comply with this requirement shall invalidate the bid.
7. Failure on the part of the tenderer 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 tenderer 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 tenderer 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. Comprehensive completion of the pricing schedules in this bid document is compulsory. Where pricing is not charged, same should be denoted as not applicable (N/A). Failure to complete all the required pricing schedules in detail required shall lead to the disqualification of a bid.
13. 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.

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14. Tenderers 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.
15. 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.
16. 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.
17. 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.
18. 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 tenderer that is not registered on the CSD.
19. It is an absolute requirement that the tax affairs of the successful tenderer must be in order.
20. An entity's tax compliance status is indicated on the Central Supplier Database (CSD). The Electoral Commission will only contract tenderers whose tax status is compliant. This means that if a tenderer has a non-compliant tax status before the award is completed the bid will be disqualified if that tenderer'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.
21. Bids must be submitted based on firm tender prices and delivery periods, unless otherwise stated in the bid specifications. Consequently, tenderers must clearly state whether prices and delivery periods will remain firm for the duration of the SLA/contract or not.
22. 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 tenderer.
23. 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 tenderer 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 tenderer 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 tenderer in the net cost of the supplies on which the tender price was based.

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When any such increase or reduction in costs occurs, the tenderer 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.

24. Where prices are subject to exchange rate fluctuations, tenderers 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.
25. 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.
26. Unconditional discounts offered by any tenderer 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 tenderer will be taken into consideration for payment purposes.
27. The bid specifications form an integral part of the tender document and tenderers shall indicate in the space/s provided whether the specific goods and/or services offered are according to specification or not.
28. 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.
29. Unless specifically provided for in the tender document, no bids transmitted by facsimile or email will be considered.
30. Tenderers are requested to promote local content as far as possible.
31. A service level agreement (SLA/contract) shall be entered into with the successful tenderer.
32. Unless otherwise stipulated, all tools/equipment needed must be supplied by the successful tenderer.
33. Any tenderer found to be influencing the tender adjudication process shall be automatically disqualified and not accepted for consideration.
34. 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.
35. 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.
36. 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 tenderer if and when relevant with due regard to any statutory provisions imposed by National Treasury at the time of considering such.
37. 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.
38. All information supplied by the Electoral Commission will be in the strictest confidence and will remain the proprietary information of the Electoral Commission. No tenderer 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.
39. Should the tenderer 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:

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- (a) arrange for the alternative execution of the service/s not rendered or not in conformity with the specifications of the SLA/contract; and
 - (b) recover all costs, losses or damages it has incurred or suffered as a result of the tenderer'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.
40. 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 tenderer 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 tenderer 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 tenderer's conduct.
 - (e) No price adjustments shall be accepted unless stipulated in the tender document received and agreed to by the Electoral Commission. The tenderer 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 tenderer.
 - (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 tenderer'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 tenderer has not resolved their incorrect banking details on the CSD.
41. No damages shall be claimable by the Electoral Commission in respect of any reasonable period of delay which the tenderer can prove to the satisfaction of the Electoral Commission to be directly due to unforeseen events and/or any *force majeure*.

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42. 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 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.
43. 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.
44. Tenderers 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.
45. 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.
46. 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.
47. **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.**
48. 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).
49. A maximum of 80 or 90 points is allocated for price on the following basis:
- $$80/20 \text{ or } 90/10 \ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \text{ or } P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$
- 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
50. In terms of Regulation 3(b) of the Preferential Procurement Regulations, 2022 preference points must be awarded to a tenderer 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

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5	8	4
6	6	3
7	4	2
8	2	1
Non-compliant contributor	0	0

51. Tenderers 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 tenderer must submit a B-BBEE document in compliance with the applicable sector code.
52. Tenderers 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.
53. Tenderers 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.
54. Failure on the part of a tenderer 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.
55. 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.
56. 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.
57. 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.
58. 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.
59. 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.
60. 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.
61. 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.

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62. The Electoral Commission reserves the right to require of a tenderer, 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 received from the issuer of the certificate after 48 hours or the tenderer, no specific goal points will be allocated in the final scoring.
63. A tenderer 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.
64. Points scored will be rounded off to the nearest 2 decimal places.
65. 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.
66. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
67. Any legal person may make an offer or offers in terms of this invitation to bid.
68. 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 tenderer or his/ her authorised representative declare his/ her position in relation to the evaluating/ adjudicating authority, where:
 - (a) the tenderer 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.
69. 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.
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 tenderer 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.
72. 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)".

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BID SUBMISSION

This standard bidding document must be completed by the tenderer 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 tenderer 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 tenderers 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 tenderers tax affairs must be in order to be considered in the adjudication of this tender. A tenderer's tax compliance status is reflected on the national treasury central supplier database (CSD).

A tenderer'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 tenderer 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 tenderers are, therefore, encouraged to continuously monitor their tax compliance status on the CSD and must ensure that their status reflects as tax compliant. tenderers must resolve any pending tax issues with SARS timeously as it takes time for status changes to be effected from the SARS Tax Compliance System (TCS) to the CSD.

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

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

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TENDER QUESTIONNAIRE

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

- 1. Name of business entity (tenderer):
- 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 tenderer):
- 5. Contact number:
- 6. Cellphone number:
- 7. eMail address:
- 8. Physical address of tenderer:
.....
..... 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	<input type="checkbox"/>
QSE	<input type="checkbox"/>
Generic	<input type="checkbox"/>

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

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

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?

A verification agency accredited by the South African National Accreditation System (SANAS)	<input type="checkbox"/>
Commissioner of Oaths in the case of an applicable sworn affidavit	<input type="checkbox"/>
CIPC	<input type="checkbox"/>

All tenderers 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 tenderer 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 tenderers 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 tenderer being deemed as non-compliant and zero points (0) will be allocated for specific goals. If the tenderer 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]
- Are you a foreign based supplier for the goods/ services/ works offered? [If YES, answer the questionnaire below]
- Is the entity a resident of the republic of South Africa (RSA)?
- Does the entity have a branch in the RSA?
- Does the entity have a permanent establishment in the RSA?
- Does the entity have any source of income in the RSA?
- Is the entity liable in the RSA for any form of taxation?

YES		NO	
YES		NO	
YES		NO	
YES		NO	
YES		NO	
YES		NO	
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 tenderer (tick one box)

Principal tenderer		
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

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subcontractor/s, each subcontractor must complete the tender questionnaire as well as the bidder's disclosure (SBD4).

Separate forms must be used in each case.

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

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

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

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

23.1 must-

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

23.2 attach to that offer either-

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

24. In terms of Section 53(2) of the EEA an employer referred to in subsection (1) may request a certificate from the Minister confirming its compliance with Chapter II, or Chapters II and III, as the case may be.

25. In terms of Section 53(3) a certificate issued in terms of subsection (2) is valid for 12 months from the date of issue or until the next date on which the employer is obliged to submit a report in terms of section 21, whichever period is the longer.

26. In terms of Section 53(4) a failure to comply with the relevant provisions of this Act is sufficient ground for rejection of any offer to conclude an agreement referred to in subsection (1) or for cancellation of the agreement*.

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

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

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

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29.2 A declaration by the employer that it complies with the relevant Chapters of the EEA, which, when verified by the Director-General, is conclusive evidence of compliance.

- 30. Important: The EEA requirements stipulated in paragraphs 21.2, 27.1 and 27.2 will come into effect once the President has approved the Employment Equity Amendment Bill (B14 – 2022).
- 31. Tenderers 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 tenderer 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)

- o Total current assets R.....
- o Inventory R.....
- o Prepaid expenses R.....
- o 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

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 declaration 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:

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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.....
.....

2.3 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:
.....

3. 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:

- 3.1. I have read and I understand the contents of this disclosure;
- 3.2. I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3. 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.
- 3.4. 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.
- 3.4. 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.
- 3.5. 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.
- 3.6. 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

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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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 1, 2 and 3 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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POPIA CONSENT AND POLITICAL PARTY AFFILIATION DECLARATION

1. CONSENT TO PROCESS INFORMATION ACCORDING TO THE PROTECTION OF PERSONAL INFORMATION ACT (POPI ACT) - POPIA

- 1.1. 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.
- 1.2. 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.
- 1.3. The bidder accepts that the Electoral Commission may share their personal data with third parties to support its internal and external audit processes.
- 1.4. 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.

2. POLITICAL PARTY AFFILIATION DECLARATION

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)".

- 2.1 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 or contestant?

Delete whichever is not applicable

YES	NO
-----	----

- 2.1.1. If so, furnish particulars:

.....

I certify, that:

I have read and I understand the contents of this consent to the provisions set out in respect of the Protection of Personal Information Act (POPIA) and Political Party Affiliation.

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- 2.2 I certify that the information furnished in this bid submission, which includes the information stated in respect of the applicable 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.
- 2.3 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.
- 2.4 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.
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.
- 2.5 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.
- 2.6 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.
- 2.7 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.
- 2.8 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.
- 2.9 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.
- 2.10 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 tenderer 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 tenderer or terminate the contract in whole or in part; and
- if applicable, claim damages from the tenderer.

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 130(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 tenderer, 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 14-24 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.

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Tenderers 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 tenderer) to ensure compliance with tender requirements/ rules/ conditions/ specifications:

Question	If YES, Mark YES*	If NO, Mark NO*
Are you duly authorised to sign the tender?		
Has the <i>Bidder's Disclosure and Declaration</i> been completed and signed?		
Have separate forms (pages 14-24) been completed for each member of a consortium, joint venture or subcontractor as specified in the tender document?		
Is the tender document complete – i.e. are all pages as well as compulsory returnables included/returned with your bid submission?		
The use of pencil to complete the tender forms will invalidate your bid. Have all applicable pages of this document been completed and signed or initialled in original ink by the signatory of the tender document?		
Have all corrections/alterations to information and or prices made on this document been certified/signed/ initialled by the signatory of the tender document?		
Have you noted that the use of correction fluid/tape or any such products to amend prices shall invalidate your bid submission?		
Is your company (and any potential subcontractors) registered on the Central Supplier Database (CSD)? Please include a copy of your registration form in your bid submission.		
Are your tax affairs in order and reflected as being compliant on the Central Supplier Database (CSD)? As such, have you noted that your bid may be rejected at the time of awarding this tender if your tax status is non-compliant on the CSD?		
Have the General Tender Conditions been noted?		
Have the Bid Evaluation Criteria been noted?		
Has the Scope of Services been noted?		
Have prices been quoted VAT inclusive?		
Have a comprehensive written proposal and/or samples/ certificates/ <i>et cetera</i> as called for in this tender been prepared and submitted with the tender document?		

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SOUTH AFRICA

Bid Specifications

TENDER
IEC/LG-01/2025

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1. BACKGROUND

The Electoral Commission (IEC) wishes to appoint a panel of printers to print ballot papers for various by-elections held across South Africa where vacancies in municipal wards arise for whatever reason.

The required printing will be both in black and white and in full colour. The sizes of the by-election ballot papers and quantities to be printed are not precisely known in advance and will differ in each case.

The scope of services will not only include printing, but also the finishing, packaging, labelling and delivery of the finished goods.

A high degree of accuracy and quality control is required for this project. Prospective printers must be capable and prepared to deliver a high quality product that is right the first time, at the right time and at the right place.

COMPANY CREDENTIALS AND PRODUCTION CAPABILITIES

1.1 The objective of this bid requirement is to appoint a panel of printers that can:

- Produce quality printing at the required scale within a short period of time.
- Deliver ballot papers to predetermined delivery points as specified by the Electoral Commission.

1.2 Only printers with a proven track record in similar complex projects and the technical capacity, capability and expertise to print ballot papers will be considered for this project. The bidder must provide detailed company credentials and a description of production capabilities which are relevant to this bid requirement. For example, accreditation by recognised bodies in the printing industry such as the Printing Industries Federation of South Africa (PIFSA) including certificates, previous related experience (at least two (2) contactable references), availability and capacity of suitable printing plant, machinery and equipment, transport resources, *et cetera*.

2. IMPORTANT ASPECTS OF THE BID REQUIREMENTS

Important aspects of this bid requirement which must be noted are as follows:

- 2.1 In order to qualify for evaluation in terms of this tender, bidders must submit a comprehensive written submission that covers all aspects stated in the bid evaluation criteria.
- 2.2 Printing of the by-election ballot papers must only take place in South Africa.
- 2.3 All references to 'days' in this bid requirement refer to calendar days, weekends and public holidays included.
- 2.4 Sub-contracting will not be permitted, except in the case of a bid from a joint venture or a consortium of printers, in which case the specific arrangements entered into between the members must be stated as part of the bid response. The Electoral Commission will not accept bids from entities or individuals that will only act as agents between the Electoral Commission and an established printer.
- 2.5 The Electoral Commission reserves the right to appoint any number of printers for this service.

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2.6 As such, it is trusted that the initial tender process will yield sufficient printing capacity to be appointed to the by-election ballot paper printing panel. However, should the need arise to strengthen that capacity at any time post the tender process the Electoral Commission reserves the right to advertise an additional tender(s) in order to do so.

2.7 It is imperative that all ballot books contain exactly 100 ballot papers. A service level agreement (SLA/contract) with substantial penalties for any deviation from this will be entered into with successful bidders. The methodology and the equipment used to ensure adherence to the 100 ballot papers per book will be a fundamental consideration in the bid and full details must be provided by bidders.

3. **OBJECTIVES AND SCOPE**

The objective of this bid requirement is to identify and select a panel of printers that can:

- 3.1 Provide a rapid reaction service to start production at short notice.
- 3.2 Produce quality printing at the required scale within a limited duration.
- 3.3 Provide an efficient and methodical service to parcel, label and package.
- 3.4 Provide a reliable and safe delivery service to the Electoral Commission.
- 3.5 Print under the above conditions at a cost effective price.

The Electoral Commission wishes to identify and appoint a panel of by-election ballot printers for a period of five (5) years.

In order to qualify for inclusion in the panel, printers must be located within South Africa.

The Electoral Commission will appoint printers who are able to respond rapidly to printing requests within a short period of time, and who are able to produce the desired products by means of resources directly under their own control and management, ensuring quality and reliability. Ability to cope with and print large volumes under extreme pressures and very tight timelines is also important.

It is imperative that printing service providers (bidders) wishing to be considered for inclusion in the panel of by-election ballot paper printers complete the details and submit the necessary information as required in the schedules/sections set out below.

The Electoral Commission shall use the qualification criteria as set out in the tender in determining the number of printers to be appointed to the panel at the time of the adjudication of this tender. Such appointment shall be based on the outcome of the bid evaluation process and the assessment of individual bid submissions.

All members of the panel of printers will be required to register on the Electoral Commission's eProcurement System (<https://votaquotes.elections.org.za>) since bids for the printing of by-election ballot papers will predominantly be sourced through an electronic reverse auctioning process.

All printing will be subject to quality and security scrutiny by the Electoral Commission, to ensure compliance with the requirements specified in this document.

NOTE: The panel will be used to print all the Electoral Commission's by-election ballot papers as and when the need arises.

Commented [MM1]: Issue of "Conflict of interest" and declaring relationship with funding Political Party/ies to be looked into.

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However, the services shall not be exclusive and the Electoral Commission shall have the right to employ alternative or additional printers for such services if the circumstances so require in order to ensure a reliable supply of printing requirements.

4. **BALLOT PAPER SPECIFICATION**

4.1 **PAPER TYPE**

- A standard 80gsm bond paper will be utilised.
- Ballots will be printed on white stock.
- Paper is to be supplied by the printer. Printers are encouraged to make use of locally produced paper.

4.2 **PAPER SIZE**

The length of each ballot is determined by the number of candidates contesting a by-election.

For illustration, the following examples are given:

- 12 candidates = Ballot length approximately 210mm
- 17 candidates = Ballot length approximately 260mm
- 20 candidates or more = Ballot length approximately 270mm

The above illustration includes the counterfoil and the cut-off below the final candidate.

Each ballot must be cut off approximately 13mm below the final candidate block to provide a clear border below the printed area.

Ballot paper length will be determined by the number of parties or candidates to be accommodated on each individual ballot.

The ballot paper length will be variable to accommodate the number of contestants in each case.

Printing of the ballot by-election ballot papers will be similar in appearance to the ballot papers used for during the 2024 national and provincial elections (NPE2024) and the 2021 local government elections (LGE2021), i.e. design, colour printing incorporating security features, back strip and a numbered counterfoil.

Each ballot will carry a tactile recognition feature to assist visually impaired voters.

Bidders will be required to indicate their production capability and capacity that will be used to determine the allocation of work amongst qualifying bids.

4.3 **PAPER COLOUR**

The required paper colour is white.

4.4 **PRINT COLOUR**

The ballot paper will be printed on both sides.

- Ballot face: Printed in full colour, with full coverage.

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- Reverse side: Printed with one colour yielding a basic pattern for identification (e.g. mono-coloured stripes or equivalent marking) running the length of the paper. Approximate width of marking is 5mm and coverage will be approximately 10%.

4.5 **BALLOT STYLE**

- Full colour printing on white paper with perforated counterfoil.
- Sequential numbering to be provided on the counterfoil.
- Mono colour security strip to be printed on reverse side.
- Ballot design to incorporate security features at the discretion of the Electoral Commission.
- Each ballot will be cut-off approximately 13mm below the final candidate block.

4.6 **COUNTERFOIL AND PERFORATION**

- A counterfoil must be provided at the top of each ballot separated by a horizontal perforation across the sheet.
- The counterfoil perforation must be approximately 25mm from the top of the sheet sufficient to permit easy separation of the ballot without tearing.

4.7 **NUMBERING AND COUNTERFOIL**

- Each ballot must be numbered sequentially (minimum 5 digits) in the top right or left hand corner of the counterfoil.
- Individual ballots will be numbered in each ward print run (i.e. per individual ward ballot design), e.g. sequential number consisting of five (5) digits (00001) to the total number printed as may be determined by the Electoral Commission.
- The number must appear only on the counterfoil, in the top right or left hand corner.
- No number shall appear on the detachable portion of the ballot.

4.8 **BINDING**

- Ballot papers must be bound into books of exactly 100 ballot papers, with a plain backing board (minimum 135gsm) and printed top cover (80gsm).
- The required binding method is stapling with two wire staples at the top of the book approximately 10mm from the top-edge of the paper.

4.9 **IDENTIFICATION AND NUMBERING OF BOOKS**

- The books containing 100 ballots must also be sequentially numbered per ward print run. For example "book 1 of 15" (in the case of 1,500 ballots).
- The number of the book is to be printed on the cover sheet, which must be included with each book.
- A maximum of ten (10) books per box is to be allocated to a voting station that is each voting station to receive its own box.

4.10 **RECOGNITION FEATURE FOR VISUALLY IMPAIRED PERSONS**

The Electoral Commission is sensitive to the needs of voters with visual impairments and to assist such voters with handling and correct alignment of the ballot paper a suitable tactile feature is required.

- Each ballot paper must have a circular hole punched at the bottom left corner.
- The hole must be approximately 6mm.
- The hole must be approximately 5mm from the left edge and approximately 5mm from the bottom edge.
- The space between the bottom edge and the last line of the last block printed on the by-election ballot paper must be 13mm.
- It is important that the hole must not touch the last line of the last block printing on the ballot paper.

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4.11 PRINTING

Ballots are to be printed in full colour printing on white paper with a perforated counterfoil, security features and numbering on the counterfoil.

Both sides of the ballots will be printed.

Ballot books will be labelled and barcoded for the ease of tracking.

Each ballot paper will carry, in print, a combination of:

- Names of candidates.
- Names of the political parties represented by the candidates where applicable
- The political party logos
- Images (photos) of independent candidates contesting ward elections.

4.12 BALLOT PAPER DESIGN AND INHERENT SECURITY FEATURES

The Electoral Commission will supply successful printers with the necessary ballot paper images for printing in electronic format.

The ballot papers will incorporate a two-colour background and four-colour process imagery for party logos and photo images.

Printers must clearly indicate the electronic format(s) in which they are able to accept data for printing. This includes the availability of File Transfer Protocol (FTP) capability.

The background design of a ballot paper is aimed at making it difficult to photocopy. It will, therefore, include a variety of inherent security features which may include (for example – but not restricted to) rainbow print, micro text, security micro line structures and a secure user-defined screen).

Printers must be capable of accurately producing ballot papers of this nature.

4.13 PRODUCTION TIME

Bidders are required to complete the table in Schedule A to indicate their production time.

Total production time frame including packaging and delivery must not exceed five (5) calendar days (including holidays and weekends).

5. SUBMISSION OF SAMPLE BALLOT PAPERS

Bidders must submit a specimen ballot paper, bound in a ballot book of 100 ballot papers, as part of their bid submission in order to provide evidence of acceptable quality in the first instance.

It is imperative that the sample ballot books correspond fully with the final product that bidders are proposing to deliver in each case.

It is important to note the following:

- a) Sample ballot papers may be of any length, at the bidder's discretion, but must demonstrate the specified width (A4 either width of 203mm or 210mm is permitted).
- b) The printed content (design) of the sample ballot papers is at the discretion of the bidder, but must demonstrate ability to print in colour, on both sides of the paper, sharpness of text/images and neatly finishing of the product.

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- c) Perforated counterfoil and numbering must be demonstrated.
- d) The sample ballot papers must be bound in a ballot book of exactly 100 ballot papers.
- e) The correct binding method must be demonstrated in each case.
- f) Each ballot will be cut off approximately 13mm below the final candidate block, to provide a clear border below the printed area.
- g) For illustration, the following examples of ballot sizes are given:

3 Candidates = Ballot length 110mm (excluding counterfoil)

5 Candidates = Ballot length 145mm (excluding counterfoil)

7 Candidates = Ballot length 180mm (excluding counterfoil)

Bid submissions which are not accompanied by samples that correspond with the specifications of this bid will not be considered.

6. **CONTINGENCY AND DISASTER PLANNING**

The ballot paper project is fundamental to the successful delivery of by-elections.

Contingency and disaster planning will be an important consideration in the awarding of the bid.

Full details of such contingency planning relating to the project must be submitted, covering elements such as:

- a) Labour unrest within the plant (strikes)
- b) Fire
- c) Extensive power disruptions
- d) Machinery breakdowns

Contingency planning may involve the use of alternative printing sites. This will not be construed as sub-contracting for the purposes of the bid evaluation or operational requirements where contingency or disaster management arrangements become a necessity.

7. **SPECIFICATIONS – PHYSICAL SECURITY OF PRINTING FACILITY**

Printers must have a production facility that possesses adequate security to protect the by-election ballot paper printing process. This must be demonstrated to the satisfaction of the Electoral Commission and will be tested during due diligence audit and site inspections of printing facilities, prior to any appointment(s) in terms of the bid. Such security must include, *inter alia*, the following:

- a) Restricted and controlled access to premises (For example card access, biometric and/or alternative access register).
- b) Stock management and control.
- c) Security measures during printing.
- d) Security measures during handling and packaging.
- e) Security measures during dispatch of ballot papers.
- f) Secure physical storage and dispatch facilities.
- g) Proper control and disposal of spoilt or unusable ballot papers.
- h) Security measures for disposal of ballot paper waste and spoiled prints.

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Further to the above, the bidder must provide a detailed explanation of security arrangements that will be applied during the project. Included in this must be, *inter alia*:

- i) Surveillance measures at the production site(s) and the storage site(s).
- j) Safeguard and control of electronic imagery/plates/litho positives, *et cetera*.
- k) Safeguard and control over ballot papers throughout the production process.
- l) Safeguard and control over ballot paper waste and over-runs, *et cetera*.
- m) Safeguard against hijack and other threats during transportation to Electoral Commission destinations.

The security arrangements must be described in the bid submission.

The security requirements outlined above will be tested during due diligence audit and site inspections of printing facilities that qualify for bid adjudication purposes.

8. SPECIFICATIONS – PRODUCTION AND QUALITY CONTROL

The following production and delivery specifications must be adhered to by prospective printers.

The bid submission must contain the required descriptions and/or explanations.

8.1 Quality Assurance

Prospective printers must have an established and reliable online quality assurance process. This will be confirmed during the due diligence audit and site inspection process.

- (a) The service provider must explain how they will manage on-line quality assurance during printing, collating and packaging.
- (b) The service provider must provide details of the methodology that will be used to ensure that each ballot book contains 100 ballot papers. Full details of the process and equipment to be used must be provided.
- (c) The service provider must provide details of the methodology that will be used to ensure colour standardisation throughout the printing process.

8.2 Electoral Commission Oversight

The Electoral Commission reserves the right to observe and check ballot paper printing quality and quality control processes during production.

Whereas printers must provide quality assurance during the printing of the by-election ballot papers, it may also be necessary for the Electoral Commission to provide a team of experienced and skilled resources in order to monitor the allocated work, ballot production, quality control, scanning of ballots and accurate distribution.

Printers must, therefore, be prepared to communicate and cooperate with Electoral Commission resources where necessary.

9. SPECIFICATIONS – PACKAGING AND DELIVERY

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The following delivery specifications must apply.

9.1 Packaging, Labelling and Preparations for Dispatch

The ballot books (containing 100 ballot papers each) must be assembled in packs of five (5) ballot books (representing 500 ballot papers) and plastic-wrapped together with its cover sheet. This has been found to be the optimal handling unit.

The wrapped books for each municipal ward are to be packed in cartons to permit safe transportation, with a maximum weight of 20kg per carton.

Cartons must be clearly labelled with a description of the contents, the printer's details and its planned destination.

Cartons must in turn be stacked on pallets (preferred size of 1 metre x 1,2 metre four-way entry), wrapped in weatherproof plastic and securely strapped to the pallet. Maximum permitted height of stacks is 1.2 metre. Maximum permissible weight per pallet is 750kg.

Pallets must be similarly labelled with contents and the service provider's details.

Suitable label layouts (but not the physical labels) will be provided by the Electoral Commission. These label layouts will provide sufficient space for insertion of a barcode to be used for tracking movement of the product.

It is important to note that all packaging materials are to remain the property of the Electoral Commission after delivery.

9.2 Barcode Tracking During Delivery

The Electoral Commission has devised a mechanism whereby ballot papers can be tracked from the point of manufacture to the point of delivery. The preferred method of marking and tracking will be by means of simple barcodes/QR scan. Printers will be required to print barcodes/QR scan provided by the Electoral Commission onto the following:

- Ballot book
- Ballot parcel (5 books)
- Carton (box)
- Pallet

Details of the parcel (including the ballot books contained in the parcel and the planned destination) will be accessible via the barcode/QR scan. In addition, the subsequent levels of packaging (carton, pallet, *et cetera*) must also be marked by means of the barcode/QR scan.

The matrix of barcodes and parcel data will be provided by the Electoral Commission.

The Electoral Commission must be able to access the parcel details by means of scanning the barcode/QR scan at any stage in the supplier cycle.

Service providers must submit alternate "mark and track" systems, provided that the required goals of tracking are achieved. The Electoral Commission will provide devices for scanning purposes or may, where necessary and practical rely on scanning equipment provided by printers.

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9.3 Delivery Requirements

Printed by-election ballot papers are to be delivered by the service provider directly to the Electoral Commission's site of delivery as it will be stipulated on the bid specifications.

This will normally be the relevant Electoral Commission provincial warehouse in the province where by-elections will be held. A list of provincial warehouses with addresses is provided in Schedule B for reference purposes.

The Electoral Commission, however, reserves the right to make its own arrangements for the delivery of ballot papers, should it be necessary in order to ensure adherence to by-election deadlines.

9.4 Security During Delivery

The printer must provide the necessary security to ensure that the ballot papers are delivered to their destination in the state in which they departed the place of manufacture without being damaged or tampered with in any way.

Active cell-phone contact with delivery vehicles will be a minimum requirement. Other options such as GPS-based tracking are advisable and should be described in the bid submission.

Only weatherproof enclosed vehicles may be used for delivery of ballot papers.

Vehicles may not be shared with any other load, or used for any other purpose, during ballot paper delivery.

Where necessitated, the Electoral Commission may provide specific security arrangements at its discretion to safeguard the integrity of the by-election ballot papers.

10. SPECIAL CONDITIONS AND REQUIREMENTS FOR SUBMISSION

Written submissions are called for in this bid requirement and must be provided.

Review of the bid submissions by the Electoral Commission will form a part of the bid evaluation adjudication processes.

Failure to submit a comprehensive written submission and/or evidence will, therefore, lead to the disqualification of a bid.

The following must be considered carefully:

- Bidders must be an established printing entity and must have direct control over the design, the production/printing process and quality control of the product.
- Written confirmation and explanation of this capacity/ability to control the design and production process must be submitted as part of the bid submission.
- Bidders must provide detailed company credentials and a description of production capabilities which are relevant to this bid requirement, together with previous related experience, accreditation by recognised bodies, availability and capacity of suitable printing plant (floor plan and production layout, printing presses) machinery, equipment, transport resources, *et cetera*.

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- Bidders must provide full details of the methodology and equipment to be used to ensure adherence to 100 ballot papers per book.
- Bidders must indicate in the written submission where they are located, i.e. the physical address of the printing plant.
- Bidders must indicate in the written submission their ability to source the required paper.
- Bidders must indicate in the written submission the ability to print and deliver (production and delivery lead-time) within the prescribed period.
- Bidders must provide a detailed explanation in their written submission of the quality assurance (QA) process that will be applied in order to achieve the necessary high degree of accuracy and quality in the production process.
- Aspects to be controlled must include, but are not necessarily limited to:
 - Stability and consistency of print colour.
 - Overall quality of the final product.
 - Monitoring and reporting of delivery procedure.
 - Conformance to the number of ballot papers per ballot book (zero deviation from stipulated 100 ballot papers per ballot book).
- Bidders must provide a detailed explanation of the contingency plans that are or will be available in the event that scheduled printing at the main production plant is compromised or becomes impossible (for example, due labour unrest, fire, extensive power disruptions or any other disruptive cause). The critical time available for printing of by-election ballot papers will not allow for corrective action, *et cetera*. Production must be immediately transferrable to the contingency resource, which may entail a standby alternative plant.

The Electoral Commission will not request additional information for evaluation purposes in the event of the bidder's failure to include essential information. Bid responses will be evaluated as submitted and must, therefore, be as comprehensive as possible to cover all elements to be considered during the bid evaluation process. For ease of reference, refer to the bid evaluation criteria and the manner in which it will be applied.

The Electoral Commission reserves the right to verify the information provided. If information is found to be factually incorrect, misrepresented or is not provided, the bid will be disqualified.

10.1 The bidder must include as part of the bid submission a sample ballot book of 100 printed ballot papers. The sample ballot book(s) must demonstrate completely the product as proposed by the bidder and fully comply with the specifications of the bid. The ballot book(s) must contain:

- a) 100 ballot papers each.
- b) The reverse side marking.
- c) The counterfoil as specified.
- d) Demonstration of the ballot paper counterfoil numbering as specified.
- e) The appropriate binding as specified.
- f) A top cover as specified.
- g) A backing board as specified.
- h) Example of the ballot numbering to be applied to the ballot book cover.

The main purpose of ballot book samples is to test and demonstrate the bidder's ability to produce a ballot book of ballot papers of acceptable quality incorporating the attributes of the physical printed product. Specific reference in terms of size and width requirement will apply.

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10.2 The bidder must provide a detailed explanation of security arrangements that will be applied to the project. The following must, *inter alia*, be included:

- a) Restricted and controlled access to production premises during printing (for example card access, biometric and/or access register).
- b) Surveillance measures at the production site(s) and the storage site(s).
- c) Safeguard and control of electronic imagery/plates/litho positives, *et cetera*.
- d) Safeguard and control over ballot papers throughout the production process.
- e) Safeguard and control over ballot paper waste and over-runs, *et cetera*.
- f) Safeguard against hijack and other threats during transportation (e.g. active cellphone contacts, GPS base tracking, weather proof vehicles and ballot paper transportation not shared with other service providers) to Electoral Commission destinations.

10.3 Barcoding/Tracking

The bidder must provide details of the methodology (sticker, label, durability, *et cetera*) that will be used to supply and insert barcodes at the various packaging levels.

The bidder must provide details of security arrangements that will be applied during delivery of the ballot papers.

Printers must clearly indicate in the written submission the electronic format(s) in which they are able to accept data for printing. This includes the availability of a secure File Transfer Protocol Secure (FTP – Secure) capability.

10.4 Pricing and General Costing Elements

No pricing for the by-election ballot paper printing panel is required to be submitted in response to this bid. Pricing thus does not constitute an element of criteria for the bid evaluation or adjudication processes.

The reason for pricing being excluded in this bid requirement is based on the Electoral Commission taking into account the diversity of by-election ballot papers that may be required over the contract period. It is, for example, not possible to determine the length of a by-election ballot paper or the number of candidates contesting each by-election. Input materials available to service providers are, furthermore, subject to change over the contract period and production lead-time under severe pressure and tight delivery timelines may also impact on prices offered in respect of printing requirements.

Bids for individual by-election ballots shall, therefore, be obtained from the appointed panel of printers at the request of the Electoral Commission at such time when printing needs arise. Bids must be all inclusive, including technical preparation, repro, printing, packaging and delivery as well as VAT. These bids, once received, shall be evaluated for compliance to specifications, delivery timelines and any other criteria that may apply at the time. Qualifying bids, where applicable, shall be evaluated and adjudicated in terms of the applicable statutory requirements.

The Electoral Commission recognises that in the process of by-election ballot paper printing, printers may be appointed to print specific by-election ballot papers but delays may occur to start printing the allocated ballot papers. This may be as a result, for example, of litigation around the contesting of such elections outside of the control of the Electoral Commission. In such cases, printers may be required to reserve printing capacity until such time as the ballot paper printing can commence. Additional costs may, therefore, arise due to printers billing the Electoral Commission for machine downtime since they have to reserve their

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printing capacity whereas they could have earned income when the printing presses could be used for commercial printing. In such instances, the Electoral Commission recognises that it may be liable for the payment of associated costs. The onus, however, remains on the printer to show evidence of such costs that may have come about as a result of machine downtime. Machine downtime in this instance does not refer to any losses incurred by printers as a result of the malfunctioning of equipment. Bidders will be required to indicate the cost of machine downtime at the time of bidding for actual work to be done. Such details must include but not limited to the number and size of machines to be used for the project and other related costs if this is as a result of the Electoral Commission's inability to adhere to commencement date of the project.

10.5 Production Schedule

Bidders are required to complete the table in Schedule A.

11. EXCLUSIVITY OF CONTRACT

The successful service provider(s) appointed in terms of this bid will be considered as preferred supplier(s) and will not have exclusive rights to render by-election ballot paper printing services to the Electoral Commission. It remains the right of the Electoral Commission to run bids for the printing of by-election ballot papers and to select alternative service providers for printing and delivery of such by-election ballot papers as and when deemed necessary to ensure the success of the by-elections.

12. MITIGATION OF RISK

The intention of the Electoral Commission is, where necessary and applicable, to spread the work amongst printers to ensure that sufficient capability and capacity exists to print the required ballot papers in order to mitigate risks.

To mitigate risks, work may be allocated to the next highest ranking bidder in the event that the same bidder qualifies for all the ballot paper printing requirements or workload and risks may be too big if the allocation is based purely on the ranking of bids. The risk mitigation is in national interest and will also take into consideration the risk placed on bidders if the demand to print is too big and the printer may fail to meet the obligations placed on it.

13. PERFORMANCE GUARANTEES / PENALTIES

Service provider(s) appointed in terms of this bid will be required to guarantee performance levels.

Accordingly, the following penalties may be applied by the Electoral Commission:

- In the event of the service provider failing to perform according to specifications and/or the terms of the service level agreement, in a manner and at a time that may jeopardize election-related processes, the Electoral Commission shall have the right to appoint an alternative service provider in order to complete or rectify the work.
- The Electoral Commission reserves the right, in such a case, to recover additional costs arising from such actions from the defaulting service provider.

14. SECURITY AND INTEGRITY REQUIREMENTS

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Service providers may be subjected to security vetting requirements at the discretion of the Electoral Commission, prior to award of this bid.

The Electoral Commission reserves the right not to award the tender to a bidder that has affiliations with any registered political party/parties, candidate or contestant.

15. INTELLECTUAL PROPERTY AND CONFIDENTIALITY

All aspects relating to the design, layout, production, printing, *et cetera*, of ballot papers remain the intellectual property of the Electoral Commission. Successful bidders will be required to adhere to this requirement and to safeguard the intellectual property of the Electoral Commission.

Successful bidders will be required to enter into a confidentiality agreement with the Electoral Commission.

No information or private knowledge gained by the service provider in the course of rendering this service to the Electoral Commission, particularly relating to ballot papers and elections, may be divulged to outside parties.

Any requests received for such information must be directed to the Information Officer of the Electoral Commission.

16. RECYCLING

The Electoral Commission actively encourages recycling of materials in the interests of a safer and greener environment.

Service providers are encouraged to mark cartons and other packaging materials with the appropriate recycling logos where applicable.



SCHEDULE A
PRINTING SCHEDULE

PRINTING – Full Colour with Counterfoil and Numbering

Completion of this schedule is compulsory.

Failure to complete and submit this schedule shall lead to disqualification.

PAPER SIZE	BALLOT PAPER WIDTH	BALLOT PAPER LENGTH	BALLOT QUANTITY	NUMBER OF BOOKS (100 ballots)	YES	NO
Smaller than A5	210 mm	Less than 148mm	1,000	10		
			1,100 – 2,000	11 – 20		
			2,100 – 4,000	21 – 40		

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PAPER SIZE	BALLOT PAPER WIDTH	BALLOT PAPER LENGTH	BALLOT QUANTITY	NUMBER OF BOOKS (100 ballots)	YES	NO
			4,100 – 10,000	41 – 100		
			10,100 – 20,000	101 - 200		
Between A5 and A4	210 mm	149mm to 297 mm	1,000	10		
			1,100 – 2,000	11 – 20		
			2,100 – 4,000	21 – 40		
			4,100 – 10,000	41 - 100		
			10,100 – 20,000	101 - 200		
Between A4 and A3	210 mm	297mm to 420 mm	1,000	10		
			1,100 – 2,000	11 – 20		
			2,100 – 4,000	21 – 40		
			4,100 – 10,000	41 - 100		
			10,100 – 20,000	101 - 200		

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SCHEDULE B**ELECTORAL COMMISSION WAREHOUSE ADDRESSES**

Completing of this schedule is compulsory.

Failure to complete and submit this schedule shall lead to disqualification.

PROVINCE	WAREHOUSE ADDRESS	ABLE TO DELIVER AT THESE ADDRESSES (TICK WHICH APPLIES)	
		YES	NO
Eastern Cape	Farm 923, Portion 2, Buffalo Pass, Collondale, East London		
Free State	50 Monument Road; Uitsig Bloemfontein		
Gauteng	UNIT B2; 60 First Street; Gold Reef Industrial Park; Booyens Reserve; Johannesburg		
KwaZulu-Natal	41 Ashfield Close Springfield Park, Durban		
Mpumalanga	9 Blackberry Boulevard; Riverside Park Ext 22, Nelspruit		
Northern Cape	13 Elliott Street, Kimberly		
Limpopo	25 Hyacinth Street, Unit 5 Corporate Park Polokwane		
North West	Rizvi House 50/52 First Street (Cnr: First Street & Aerodrome Road) Industrial Sites; Mafikeng; 2745		
Western Cape	95 Bofors Circle, Epping Industrial 2, Epping Cape Town		
National Warehouse	288 Kwanbi Crescent Icon Industrial Park, Sunderland Ridge; Centurion		

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Service providers should please note that these addresses are correct at the time of advertising this bid. Changes may occur because of operational requirements, between the date of advert and the delivery date agreed with the successful service provider. Warehouses will, however remain within the relevant municipality.

BID EVALUATION CRITERIA

NAME OF BIDDER: BID REFERENCE NUMBER:

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 maybe identified will be pursued in accordance with statutory obligations and requirements.

In this regard, the following must be noted:

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

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

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

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

- (a) a person within the bidding entity is an employee of the State, the Electoral Commission's CEO 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.

If it is established that a person has committed a transgression in terms of the above, or any

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other transgression of SCM prescripts, the bid may be rejected and the person may be restricted.

The Electoral Commission's CEO 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 and restricted suppliers and tender defaulters:

	Assessment Criteria	Bidder Requirement (YES/NO*)	Comments
1	Bidder is registered on the National Treasury Central Supplier Database (CSD) *.		
2	Bidder is tax compliant.**		
3	The bidder is not an employee of the state.		
4	Having certified the SBD4, it is accepted that the bidder's conduct does not constitute a transgression of the Prevention and Combating of Corrupt Activities Act.		
5	Having certified to the SBD4, it is accepted that the bidder's conduct does not constitute a transgression of the Competition Act.		
6	The bidder is not a tender defaulter as per the register published on the National Treasury website.		
7	The bidder is not a restricted supplier as per the register published on the National Treasury website.		

* 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.

Stage 2: Bid Evaluation on Functionality

Bids will be evaluated on the functionality criteria below.

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Bids will be evaluated against the specified bid evaluation criteria below.

Only bids that meet the functional and operational needs of the Electoral Commission will be considered.

Phase One – Qualification Requirement

	Failure to Comply With the Requirements Below Shall Lead to Disqualification	Source Reference	YES	NO	Comment
A	Written submission submitted	Section 2.1			
B	Plant, machinery and equipment indicated	Section 1.1			
C	Sample ballot book submitted	Section 10.1			
D	Printing schedule completed	Schedule A			
E	Delivery addresses schedule completed	Schedule B			
F	Printer located within South Africa	Section 2.2			
OUTCOME		QUALIFIES/DOES NOT QUALIFY FOR FURTHER CONSIDERATION			

Phase Two – Technical Requirement

No	Bid Evaluation Criteria	Source Reference	Sub Score	Max Score	Bidder Score	Comments
1	Detailed Statement of Company Credentials and Production Capabilities.	Section 1.1		27		
	1.1 Company Credentials					
	1.1.1 Relevant and related experience		4			<i>Experience in the mass printing industry: 1 – 3 years = 1 Point 4 – 5 years = 2 Points 6 – 7 years = 3 Points > 7 years = 4 Points)</i>
		Section 1.2				

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No	Bid Evaluation Criteria	Source Reference	Sub Score	Max Score	Bidder Score	Comments	
	1.1.2 Experience in similar complex Projects – Include two (2) contactable references	Section 10 Bullet 3	4			<i>Reference of similar project = 2 points per reference letter with contact details</i>	
	1.1.3 Accreditation by recognised bodies – Include certificates		2				2 Points <i>For example: Printing Federation SA (PIFSA)</i>
	1.2 Production Capabilities						
	1.2.1 Plant / structure		3				1 Point for floor plan, 2 Points for production lay out
	1.2.2 Machinery (printing presses) and equipment		4				4 Points for providing details of machine (printing presses) and equipment. <ul style="list-style-type: none"> • A minimum of 4 press machines listed = 4 Points. • 2 press machines listed = 2 Points • 1 machine listed = 1 Point
1.3 Delivery Schedule	Schedule B	10		1 Point per warehouse (Completion of Schedule B)			
2	Sample Ballot Book	Section 5		20			
	2.1 Quality and Physical Attributes <ul style="list-style-type: none"> • Ballot book • Reverse side marking • Counterfoil • Counterfoil numbering 		18				(2 Points each for below elements) <ul style="list-style-type: none"> • Ballot book (100 ballots) • Reverse side marking • Counterfoil • Counterfoil numbering

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No	Bid Evaluation Criteria	Source Reference	Sub Score	Max Score	Bidder Score	Comments
	<ul style="list-style-type: none"> • Binding • Top cover • Backing board • Ballot numbering • Width 	Section 5b				<ul style="list-style-type: none"> • Binding • Top cover • Backing board • Ballot numbering • Width
	2.1 Acceptable Print Quality		2			<i>1 Point for sharpness of text/images</i> <i>1 Point for neatly finishing of the product</i>
3	Detailed Explanation of Contingency Plans <ul style="list-style-type: none"> • Labour unrest within the plant (strikes) • Fire • Extensive power disruptions • Machinery Breakdowns • Availability of any other materials 	Section 6	10	10		<i>2 Points each for detailed explanation of the following elements:</i> <ul style="list-style-type: none"> • Labour unrest within the plant (strikes) • Fire • Extensive power disruptions • Machinery breakdowns • Availability of any other materials
4	Detailed Explanation of Security Arrangements	Sections 7 & 10.2				
	4.1 Restricted and Controlled Access to Production Premises		3			<i>1 Point for each security measure mentioned e.g. card access, biometric and/or register</i>
	4.2 Monitoring and Surveillance Capabilities <ul style="list-style-type: none"> • CCTV • Monitoring • Recording (Back-up) 		3	20		<i>1 Point for explanation on each monitoring and surveillance aspect:</i> <ul style="list-style-type: none"> • CCTV • Monitoring • Recording (back-up)
	4.3 Sensitive Information Security <ul style="list-style-type: none"> • Imagery 		3			<i>1 Point for each undermentioned element)</i> <ul style="list-style-type: none"> • Imagery • Plates

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No	Bid Evaluation Criteria	Source Reference	Sub Score	Max Score	Bidder Score	Comments
	<ul style="list-style-type: none"> Plates Litho Positives 					<ul style="list-style-type: none"> Litho positives
	4.4 Plant / Production Security <ul style="list-style-type: none"> Stock management and control Security measures during printing Security measures during handling and packaging Security measures during dispatch of ballot papers; Secure physical storage and dispatch facilities. Proper control and disposal of spoilt or unusable ballot papers Security measures for disposal of ballot paper waste and spoiled prints 		7			<i>1 Point for explanation on each of the following elements:</i> <ul style="list-style-type: none"> Stock management and control Security measures during printing Security measures during handling and packaging Security measures during dispatch of ballot papers Secure physical storage and dispatch facilities Proper control and disposal of spoilt or unusable ballot papers Security measures for disposal of ballot paper waste and spoiled prints
	4.5 Safeguard During Transportation <ul style="list-style-type: none"> Active cell phone contact GPS based tracking Weatherproofed Vehicles Ballot paper transportation not shared with other service providers 		4			<i>1 Point per undermentioned method)</i> <ul style="list-style-type: none"> Active cell phone contact GPS based tracking Weatherproofed vehicles Ballot paper transportation not shared with other service providers
5	Detailed Explanation of Quality Assurance	Sections 8 &		10		

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No	Bid Evaluation Criteria	Source Reference	Sub Score	Max Score	Bidder Score	Comments
	5.1 Quality Assurance Plan <ul style="list-style-type: none"> On-line quality assurance Quantity verification Colour standardised throughout printing 	10	6			<i>2 Points per undermentioned plan:</i> <ul style="list-style-type: none"> On-line quality assurance Quantity verification Colour standardised throughout printing
	5.1 Stability and Consistency of Printing Colours <ul style="list-style-type: none"> Quality of final product Conformance to required number system Stability and consistency of colours 		4			<i>1 Point relating to quality 2 Points for conformance to numbering system 1 Point for stability and consistency of colours</i>
6	Detailed Description of Methodology.	Sections 2.7&10		10		
	6.1 Explanation of Process		6		<i>How to ensure 100 ballot papers/book 2 Points for assurance mentioned 1 Point for random sampling 1 Point for physical quality assurance 2 Points for on-line quality assurance</i>	
	6.2 Reference to Machinery Being Used		4		2 Points for lists of (printing presses) machine/information 2 Points for (printing presses) machine output/quality of samples	
7	Detailed Statement of Barcoding and Tracking System and Methodology.	Sections 9.2 & 10.4		12		

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No	Bid Evaluation Criteria	Source Reference	Sub Score	Max Score	Bidder Score	Comments
	Methodology (e.g. Stickers, Labels, <i>et cetera</i>) and Durability of Barcodes (e.g. Waterproof) and Display for the Following Ballot Packaging: <ul style="list-style-type: none"> • Ballot book • Ballot parcel • Carton • Pallet 		12			1 Point for methodology 1 Point for durability 1 Point for display on final product The above scoring will be used for the undermentioned elements <ul style="list-style-type: none"> • Ballot book • Ballot parcel • Carton • Pallet
TOTAL POINTS SCORED OUT OF MAXIMUM				109		

Minimum points to be scored for further consideration = 82 (75%).

PROPOSED Outcome**	QUALIFIES/DOES NOT QUALIFY FOR FURTHER CONSIDERATION	
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Bid Evaluation Committee (BEC)

Name:	Signed:	Date:
Name:	Signed:	Date:
Name:	Signed:	Date:
Name:	Signed:	Date:
Name:	Signed:	Date:

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