



**REFERENCE: IEC/HR-01/2025**

**CLOSING DATE: 9 MAY 2025**

**ENQUIRIES**

**TECHNICAL SPECIFICATIONS:** Elsabé Düring

**Tel:** 012 622 5573 /012 622 5700 **or eMail:** [Duringe@elections.org.za](mailto:Duringe@elections.org.za)

**ADMINISTRATIVE ENQUIRIES: Mr Vincent Qwabe**

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

**TENDER IEC/HR-01/2025**

**SERVICE DESCRIPTION: RISK ASSESSMENT SERVICES**

Kindly furnish the Electoral Commission with a bid for the Risk Assessment Services as per this tender document.

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

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

A tender briefing session will be held at 11:00 on 23 April 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](mailto:info@elections.org.za) | [www.elections.org.za](http://www.elections.org.za)

**TENDER NUMBER: IEC/HR-01/2025**

**SERVICE DESCRIPTION: RISK ASSESSMENT SERVICES**

**CLOSING TIME: 11:00**

**CLOSING DATE: 9 MAY 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 45**) 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/HR-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**

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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:
- the 80/20 system for goods and/or services with a Rand value equal to or below R50,000,000 (all applicable taxes included);
  - the 90/10 system for goods and/or services with a Rand value above R50,000,000 (all applicable taxes included); and
  - 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:
- Price (80 or 90 as applicable); and
  - 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:
- $$80/20 \text{ or } 90/10 \quad P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \text{ or } P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$
- Where
- $P_s$  = Points scored for price of bid under consideration
- $P_t$  = Price of bid under consideration
- $P_{\min}$  = Price of lowest acceptable bid
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>B-BBEE Status Level of Contributor</b>	<b>Number of Points 80/20</b>	<b>Number of Points 90/10</b>
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**

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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	
QSE	
Generic	

15. Please stipulate the B-BBEE status level of contribution as it appears on the certificate/affidavit for your entity
16. Is the entity an exempted micro enterprise (EME) for the purposes of the Preferential Procurement Regulations, 2022?
17. Has a B-BBEE status level verification certificate/affidavit been submitted?

YES		NO	
YES		NO	

18. If yes, who issued the certificate?

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

All 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](http://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
<b>Total % of Work to be Sub-contracted*</b>	..... %

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**

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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 interest<sup>1</sup> 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 interest<sup>1</sup> 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:

<sup>1</sup> 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 consortium<sup>2</sup> 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

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<sup>2</sup> 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

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### 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 13O(1)(a) of the B-BBEE Act, which states that a person commits an offence if that person knowingly misrepresents or attempts to misrepresent the B-BBEE status of an enterprise, and the B-BBEE Commission may institute an investigation in terms of section 13J of the B-BBEE Act.

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

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

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

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

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**BID EVALUATION****IMPORTANT NOTICE:**

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

**A Acceptance or Rejection of Bid (Primary Compliance Verification)****Legality of bid document:****The following shall lead to disqualification:**

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

**The following may lead to disqualification:**

- Failure to sign/initial any other alterations and/or corrections to the information submitted by the 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/HR-01/2025**

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## 1. BACKGROUND

- 2.1 The Electoral Commission is a constitutional institution, founded in terms of Chapter 9 of the *Constitution*, and reporting directly to Parliament. In line with its mandate, the Electoral Commission manages the elections for national, provincial and local bodies and referenda, ensures that those elections are free and fair, and declares the results within a prescribed period.
- 2.2 The Electoral Commission was established in terms of the *Electoral Commission Act* (51 of 1996), which sets out the composition, powers, functions and duties of the Electoral Commission. The Commission aims to continuously entrench the Electoral Commission as the focal point in the delivery of cost effective, free and fair elections. This is not only the core of its Constitutional mandate, but also an important factor in its interaction with other Chapter 9 and associated institutions and election management bodies.
- 2.3 The objectives of the Commission, as defined in section 4 of the *Electoral Commission Act*, 1996, are to strengthen constitutional democracy and promote democratic electoral processes.
- 2.4 Comprehensive background information on the Electoral Commission, its mandate, budget vote, and operational activities, copies of annual reports as well as the latest strategic documents, election reports, election timetables, election guides, applicable legal framework(s), information regarding the structure, functional and governance arrangements can be obtained from the website at [www.elections.org.za](http://www.elections.org.za).

## 2. PURPOSE OF TENDER

- 3.1 The purpose of this tender is to invite suitable bidders (hereinafter referred to as “bidders”) to submit bids for the “*Provision of Risk Assessment Services for Electoral Commission Employees*” to conduct individual and corporate background checks and information verification and third-party enquiries as required for a period of three (3) years.
- 3.2 The *Electoral Commission Act 51 of 1996* requires the Electoral Commission (EC) to ensure that any election is free and fair (Section 5(1)(b)). The Commission shall appoint a suitably qualified and experienced person as Chief Electoral Officer (CEO), who shall serve as the head of administration, as well as accounting officer of the Commission. The CEO, in consultation with the Commission, shall appoint officers and employees as he/she may consider necessary to enable the Commission to exercise its powers and to perform its duties and functions. The approved *Recruitment and Selection Policy* of 2020 refers to effective and professional recruitment and selection practices that are fair and equitable and meet the requirements of the Constitution and comply with labour legislation. The policy provides a process which will lead to effective and professional recruitment and selection practices, ensuring the appropriate calibre of staff are recruited, placed and promoted in the organisation, as well as allowing all prospective and current employees a fair opportunity for applying and progressing through the selection process. This is applicable to all permanent, temporary and fixed-term contract employees, contractors as well as external job seekers who apply for employment at the Electoral Commission.
- 3.3 Hiring the wrong candidate is a potential risk to any employer. It can cost an organisation an incredible amount of money, time, effort and increase in employee turnover, diminish morale, productivity and performance quality.
- 3.4 The Human Resource Services (HRS) division of the Electoral Commission must manage these risks by conducting pre-employment screening services as well as comprehensive background checks on all candidates that will ensure confidence, efficiency, accountability, responsibility and transparency. The Electoral Commission will often only perform risk background checks and/or psychometric tests on interviewees whom they are interested in hiring. These checks provide assurance that the organisation is protected against any risk, strategic decision-making is well-informed, and overall performance and service delivery is improved

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3.5 Below are some reasons why the Electoral Commission is committed to conducting background checks:

- Background checks can help prevent fraud - providing false employment or education information, using false identities, using fake companies (non-existent) to gain employment.
- Background checks can help determine if the applicant is a good fit for the organisation. HRS can look at previous work experience or check employment references to determine what their past employers say about them.
- Health and safety of employees is an important part of the workplace. An individual with a criminal record may have convictions relevant to the work involved in the organisation. This assist with assessing whether the applicant is qualified to work with stakeholders or are even allowed to carry out activities related to certain vulnerable clients.
- Help reduce employee turnover.
- Help prevent absenteeism.
- Help improve an organisation's reputation.

### 3. ESTABLISHMENT OF THE ELECTORAL COMMISSION

4.1 The Electoral Commission has an organogram with 1,101 positions, as well as relevant staff for cyclical expansion programmes resulting in the addition of approximately ±1,000 positions on fixed term basis, during heightened electoral activity periods.

4.2 The Electoral Commission consists of a national office in Centurion, nine (9) provincial offices, fifty-two (52) regional offices, ten (10) warehouses, as well as approximately two-hundred-and-seventy (270) local offices at municipal level.

4.3 The Electoral Commission is currently represented in the following geographical areas, with its Head Office in Centurion, Tshwane metro.

- Eastern Cape
- Free State
- Gauteng
- KwaZulu-Natal
- Limpopo
- Mpumalanga
- Northern Cape
- North West
- Western Cape

4.4 Bidders must be aware that risk assessment services will be required on a country-wide basis (*i.e.* for the offices mentioned above) on an “as and when required” basis.

### 4. DESCRIPTION OF SERVICES

5.1 The Electoral Commission implemented the assessment of candidates since its establishment in 1998 and it still forms part of its practice to conduct risk assessments as part of its recruitment and selection processes for both permanent and fixed term contracted or temporary employees. The assessments to be completed are discussed in detail below, under *Scope of Services*.

5.2 Risk assessments including criminal checks, are currently performed for all permanent appointments, fixed term appointments including but not limited to Assistant Project Coordinators (APCs), Municipal Outreach Coordinators (MOCs), Project Specific Expansion Staff (PSES) and others. The latter are mainly in terms of specific project requirements.

5.3 The Electoral Commission has at least three (3) fingerprint scanners per province, purchased from Ideco. The permanent employees are adequately trained on the scanners and received refresher training regularly. During heightened activity periods, it may be necessary for the provider to assist with taking fingerprints or provide referrals for remote areas or where trained employees and/or scanners are

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unavailable.

- 5.4 The service provider must be prepared to train Electoral Commission employees on the relevant risk assessment system being used as well as on the Ideco fingerprint scanner as and when necessary.
- 5.5 The risk assessment service provider that will be appointed must have suitable consultants with experience in conducting integrity and risk assessments, core teams of risk practitioners who are professionally certified in the human resource field and graduates with relevant experience.
- 5.6 It is agreed that the final report/s must be delivered within seven (7) working days from date of submission by the Electoral Commission representative, taking into consideration delays beyond the control of the provider. Any cited deviation will be mutually agreed to and communicated in writing for acceptance by the relevant Electoral Commission Human Resources personnel.
- 5.7 The service provider must keep electronic records of all assessment documentation and reports that are requested by the Electoral Commission and must submit a detailed report monthly to the Manager: Human Resource Services regarding the status/progress on assessments outstanding for the relevant period.
- 5.8 The successful provider must provide contact details that include an email address, and telephones number(s) for use by relevant Electoral Commission HR personnel.
- 5.9 During heightened election periods the service provider must be prepared to assist Electoral Commission HR personnel after normal working hours to facilitate and drive the numbers of reports required to appoint election staff timeously.
- 5.10 Service providers must ensure that the Electoral Commission has a dedicated service consultant(s), to deal with the contract and related responsibilities, with whom the dedicated Electoral Commission personnel can liaise. **As such, bidders must indicate in the written submission its ability to offer a dedicated resource(s) to the Electoral Commission.**

## 5. FEES, INVOICING AND DISBURSEMENT COSTS

- 6.1 The Electoral Commission will pay fees charged for appropriate resources utilised to achieve the deliverables, *i.e.* the output achieved.
- 6.2 The Electoral Commission will pay valid tax invoices within thirty (30) days in accordance with statutory requirements. Invoices must be supported by the necessary documentation to confirm that services have been rendered as required as well as monthly statements for account reconciliation purposes.
- 6.3 No disbursements or expenses will, however, be claimable for attending meetings with the Electoral Commission's HR team performing work at the national office in Centurion or any provincial offices unless expressly approved by the Human Resources Division at national office for incurring such costs.

## 6.4 SERVICE LEVEL AGREEMENT [SLA] AND DURATION OF CONTRACT

A service level agreement [the Contract] which will commence on the date of appointment will be for a period of three (3) years. The contract may however be extended in terms of the relevant National Treasury regulations and discretion of the Electoral Commission.

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## 6.5 CONFLICT OF INTEREST

Bidders participating in this tender for Risk Assessment Services must also bear in mind that conflict of interest may arise, should they already be contracted by the Electoral Commission to render services because of another process or have a potential future interest in other services required by the Electoral Commission. Bidders may have to express a desired preference for either one of the contracts for which they wish to render services as they may not be able to render all services where conflict of interest arises or exists.

## 6. SCOPE OF SERVICES

The scope of the services required will mainly include but not be limited to the following:

SERVICE	DESCRIPTION
1 Criminal Record Searches	<p>1.1 Determine individual criminal record status with the South African Police Service (SAPS) via Name Clearance Database or <i>AFISwitch</i> (electronic fingerprint collection and processing).</p> <p>1.2 Fingerprint screening with the <i>Sagem MorphoSmart MSO300</i> or other <i>AFISwitch</i> approved models. Provide <i>AFISwitch</i> accredited registration and training for users in order for Electoral Commission employees to take electronic fingerprints and conduct criminal record checks.</p> <p>1.3 The bidder must be prepared to work with ICT staff of the Electoral Commission to facilitate smooth uploading of relevant online system for relevant Electoral Commission personnel to take fingerprints</p> <p>1.4 All current <i>Sagem MorphoSmart MSO300</i> scanners used by the Electoral Commission must be registered for checks to be conducted through the online platform of the bidder - serial numbers will be provided.</p> <p>1.5 Should another scanner become a requirement for the conduct of criminal record checks, the bidder must be able to supply such scanners and link it to the Electoral Commission account to ensure uninterrupted verification of criminal records.</p> <p>1.6 The bidder must facilitate any repairs or maintenance of current scanners.</p> <p>1.7 The bidder must be able to conduct high volumes of criminal record checks at a time especially during heightened election periods, whereby up to 1000 checks can be conducted and results provided according to the agreed SLA. If the result indicates that there is a possible illicit activity, a <i>SAPS69</i> must be attached to the candidate's profile.</p>
2 Credit Bureau Reports <sup>3</sup>	<p>2.1 Credit reports obtained from a minimum of 2 (two) registered and reputable credit bureaus such as <i>Experian</i> and <i>TransUnion</i>.</p> <p>2.2 Detailed credit and consumer information is required, as maintained by a registered credit bureau, and not only information on defaults, but bad debt written off and legal action taken is required.</p>

<sup>3</sup> ITC Clearance and Credit Bureaus are essential institutions in South Africa that plays a vital role in the country's financial system. It is responsible for collecting and managing credit data on individuals and businesses and providing credit scores and reports to lenders, creditors and other interested parties.

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SERVICE	DESCRIPTION
	2.3 The bidder must be able to provide a detailed report of the results. The bidder will manage the records and compile a report of the results. The Electoral Commission will only pay for the number of checks conducted.
3 ID Verification	Authenticate 'employees' identities, <i>i.e.</i> validation of the ID and matched to the surname.
4 ID Verification with Fraud Listing	When required by the Electoral Commission, the validity of the identity number should be confirmed as well as confirmation that the names and ID number correspond with the records on the database of the Department of Home Affairs.
5 Permanent Residency Verification	When required by the Electoral Commission, verification of South African resident status of the individual.
6 Tertiary Academic Qualification	Verify tertiary academic qualification(s) held by the individual from registered local and international institutions. This report must include the date issued and confirmation of results.
7 Matric (Grade 12) and Secondary School	Verify Secondary and Matric (Grade 12) qualifications held by the individual.
8 Employment History	<p>8.1 Verification of local and global employment history. At least two (2) past employers should be contacted to validate information, including company name, company address, contact details and employment dates. If possible, the current employer (verify with applicant) should be contacted.</p> <p>8.2 The service provider must indicate how information was received <i>i.e.</i> telephonically or through email, etc.</p> <p>8.3 Work enquiries should include but not be limited to the performance of the candidate, training &amp; developmental issues, responsibilities, personality, competencies, work ethics, disciplinary matters, concerns and risk factors.</p>
9 CV confirmation	<p>9.1 Confirm CV information with candidate as the CV may not always be updated.</p> <p>9.2 Clarify ITC clearance with candidate if a record exists.</p> <p>9.3 Clarify with candidate if a criminal or disciplinary record is detected.</p> <p>9.4 Verify direct managers as referees.</p> <p>9.5 Verify previous Employers.</p> <p>9.6 (Candidates do not always mention previous employers if they were dismissed or where negative information could be found).</p> <p>9.7 Verify any other Employers vis-à-vis the places previously worked.</p>
10 Reference Checking	<p>10.1 Verify and validate at least two (2) former employer references including temporary and internship positions where applicable.</p> <p>10.2 <b>No electronic generated reports will be accepted.</b> The person(s) conducting the interviews must have good experience in collating human risk information. The report format must include management concerns and risk factors in relation to the requirements of the job profile.</p>

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SERVICE	DESCRIPTION
	10.3 Should there be a need to clarify negative or conflicting Information, a third reference check should be done after consultation with the Electoral Commission.
11 Driver's Licence / PDP	Check validity and status of driver's license. This report should provide driver's licence information, including date of issue and expiry, code status as well as endorsements. This may include verification of a professional driving permit (PDP).
12 Professional Association Membership	If and when required by the Electoral Commission, verify local and global professional association membership as provided by candidate.
13 An Integrated Risk Analysis Report with a conclusion and recommendations	Identify risks associated with the position, taking into consideration the requirements and integrity of the Electoral Commission.
14 Security Clearances	If and when required by the Electoral Commission.
15 Psychometric Testing	If and when required by the Electoral Commission.
16 Training	Training of Electoral Commission staff on the relevant systems and devices in order to be fully functional on systems and fingerprint devices.
17 Online system for processing of applications, documentation and final reports.	17.1 The bidder should provide for an online web-based system through which all applications can be processed and retrieved. 17.2 The results of the checks should be controlled and protected for sensitivity of information purposes. 17.3 The system should contain all the data of all checks and verifications conducted by the Electoral Commission through a "history" function. 17.4 Telephonic support must be provided to all Users of the system when required.

## 7. PRICING SCHEDULE

Bids must be VAT inclusive. Bidders must complete and submit the pricing schedule below as part of the bid submission. Additional costs that are not declared hereunder will **NOT** be accepted. Failure to complete all sections of the bid schedule will lead to disqualification.

DESCRIPTION	Unit Cost Including VAT
1. Criminal Record Searches (per search)	R.....
2. Credit Bureau Listing Report (ITC) (per report)	R.....
3. ID verification (per ID nr)	R.....
4. Permanent residency verification (per case)	R.....
5. Tertiary academic qualification verification (3-year National Diploma, Degree, Honours, Masters, Doctorate) (per qualification)	R.....
6. Matric (Grade 12) and secondary school verification - Grade 11/10	R.....

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DESCRIPTION	Unit Cost Including VAT
7. Employment history (per search)	R.....
8. Reference checking (per reference)	R.....
9. Driver's licence verification (per license)	R.....
10. Professional association membership (per membership)	R.....
8. Risk analysis report with recommendations (per report)	R.....
9. Security clearances (per clearance)	R.....
10. Psychometric testing (per person tested)	R.....
11. Training of Electoral Commission staff on relevant systems and devices (per new user)	R.....
12. Training of Electoral Commission staff on relevant systems and devices (refresher training per individual)	R.....
13. Administration fee/s	R.....
14. Repairing of Ideco equipment (per machine)	R.....
<b>TOTAL</b> (inclusive of VAT)	<b>R.....</b>

The costs in respect of the basket of services stated above shall be used for bid evaluation and adjudication purposes. Failure to complete and submit all the pricing and required schedule shall invalidate a bid.

**Note:** Verification of qualifications costs must be inclusive of tertiary institution costs, if any.

## 9. COMPULSORY/MANDATORY DOCUMENTATION REQUIRED

Below are the key documents that **MUST** be submitted together with the bid before the closing date and time.

APPENDIX	TITLE	Submitted (Tick)
Appendix 1	Covering letter and company profile.	
Appendix 2	<p>The bidder must provide three (3) contactable references of current or previous clients for which similar services are/were provided (<i>must not be older than 5 years from date of publication of the tender</i>) and must include the following information on each client:</p> <p>2.1 Client's details (name and phone number, as well as email address).</p> <p>2.2 Specific services provided to clients.</p> <p>(A Contactable Reference Template as attached must be used)</p>	

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APPENDIX	TITLE	Submitted (Tick)
Appendix 3	<p>Comprehensive &amp; detailed example of a report provided as per <b>Annexure A attached</b>, covering the following assessment areas (see item 7 above.) This report will be used for evaluation purposes.</p> <p>General Information:</p> <p>3.1 Candidate personal details (e.g. surname, name, ID)</p> <p>3.2 ID verification</p> <p>3.3 Matric verification</p> <p>3.4 Tertiary verification (NQF level 7 and higher)</p> <p>3.5 Driver's licence validity</p> <p>3.6 Credit check (<i>as per credit bureau information information</i>)</p> <p>3.7 Criminal check</p> <p>3.8 Employment history verification (two to be included)</p> <p>3.9 Reference checks (two reference checks)</p> <p>3.10 Risk factors identified (detailed information required)</p> <p>3.11 Management concerns (detailed information required)</p> <p>3.12 Final recommendation (<b>detailed recommendation - considering all information provided</b>)</p> <p><b>The report must be detailed in terms of discussion with referees, risk factors identified, management concerns, final recommendation based on the overall findings above.</b></p> <p><b>NOTE: System automated reports are NOT acceptable as only comprehensive reports are required</b></p>	
Appendix 4	Two hard copy examples of existing reports done for previous clients (personal details and information redacted) for a position at senior management level and a more junior position.	
Appendix 5	Written confirmation that the desired services can be offered and concluded, and the report(s) be submitted within seven (7) working days from date of formal instruction.	
Appendix 6	Provide <i>curricula vitae</i> (CV) of two (2) consultants with the company that will be responsible for and dedicated to the project, indicating experience with conducting integrity and risk assessments covering at least eight (8) of the areas under item 9 above.	
Appendix 7	Price and rates schedules for services as stipulated in item 8 above.	

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**NAME OF CLIENT:** \_\_\_\_\_

**DESCRIPTION OF SERVICES PROVIDED:** \_\_\_\_\_

**DURATION / TIME WHEN THE ABOVE WAS PROVIDED:** \_\_\_\_\_

**APPROXIMATE VALUE OF THE SERVICES PROVIDED:±R \_\_\_\_\_**

**I hereby certify and confirm that the above information is true and correct -**

**Name of authorised person:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Contact number:** \_\_\_\_\_

**Email address:** \_\_\_\_\_

Date: \_\_\_\_\_

**REFERENCE OF CLIENT – TO BE COMPLETED BY THE BIDDER [MANDATORY]**

## CONTACTABLE REFERENCE (2)

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NAME OF CLIENT: \_\_\_\_\_

DESCRIPTION OF SERVICES PROVIDED: \_\_\_\_\_

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DURATION / TIME WHEN THE ABOVE WAS PROVIDED: \_\_\_\_\_

APPROXIMATE VALUE OF THE SERVICES PROVIDED: ±R \_\_\_\_\_

I hereby certify and confirm that the above information is true and correct -

Name of authorised person: \_\_\_\_\_

Signature: \_\_\_\_\_

Contact number: \_\_\_\_\_

Email address: \_\_\_\_\_

Date: \_\_\_\_\_

REFERENCE OF CLIENT – TO BE COMPLETED BY THE BIDDER [MANDATORY]

CONTACTABLE REFERENCE (3)

NAME OF CLIENT: \_\_\_\_\_

DESCRIPTION OF SERVICES PROVIDED: \_\_\_\_\_

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DURATION / TIME WHEN THE ABOVE WAS PROVIDED: \_\_\_\_\_

APPROXIMATE VALUE OF THE SERVICES PROVIDED: ±R \_\_\_\_\_

I hereby certify and confirm that the above information is true and correct -

Name of authorised person: \_\_\_\_\_

Signature: \_\_\_\_\_

Contact number: \_\_\_\_\_

Email address: \_\_\_\_\_

Date: \_\_\_\_\_

**ANNEXURE A: EXAMPLE OF REQUIRED REPORT FORMAT**

**AREAS TO BE INCLUDED IN THE REPORT:**

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**1. Personal Information**

- Surname:
- Name:
- ID:
- Gender:
- Race (for employment equity purposes):

**2. Analysis of Information Collated**

- ID verification:
- Qualification verification:
  - Matric/Grade (11/10)
  - 3-year tertiary
- Drivers licence verification:
  - Type (e.g. code EB if necessary)
- Credit record enquiry:
  - Clarity on defaults, judgement and if under debt review
- Criminal record:
  - Detailed information if report is negative
- Membership association (if any)

**3. Employment History Verification (2 to be done)**

- Company name (employer)
- Dates employed at company
- Position/s held
- Key duties performed
- Reason for leaving the company
- Summary of employment verification

**4. References (with at least two recent employers) detailed (telephonically)**

- Confirmation of employment dates
- Work performance
- Work ethics/moral
- Interpersonal relations
- Absenteeism record
- Any disciplinary action taken
- Any grievances recorded
- Developmental areas
- Summary on references obtained

**5. Risk Factors Identified (detailed information required)**

**6. Management Concerns (detailed information required)**

**7. Final Recommendation based on the overall findings above**

**[Attach examples where possible]**

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## 10. BID EVALUATION CRITERIA

### Bid Evaluation Process

#### **STAGE 1: Assessment of Bidder's Disclosure**

- a. All bids received will be evaluated and assessed in respect of the mandatory information provided in the Bidder's Disclosure form (SBD4) as well as the register for restricted suppliers and tender defaulters.
- b. Any potential issues that may arise or transgressions that may be identified will be pursued in accordance with statutory obligations and requirements. In this regard, the following must be noted:
- c. The Electoral Commission must, as part of its supply chain management (SCM) processes, identify and manage all potential conflict of interest and other disclosures made by a person participating in the procurement process to enable the accounting officer or delegated authority to make informed decisions about the person participating in the SCM process. As such, the Bidders Disclosure form, issued as Standard Bidding Document (SBD4), attached as **Annexure B**, was extended to all entities that were invited to participate in the tender process.
- d. As part of the evaluation of the procurement process, the information provided by a person on the **SBD4 form** must be evaluated.

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

- (a) a person within the bidding entity is an employee of the State, the Electoral Commission's Accounting Officer/accounting authority must request the relevant accounting officer/accounting authority whether the person-
  - (i) is prohibited from conducting business with the State in terms of Section 8 of the *Public Administration Management Act, 2014*; or
  - (ii) has permission to perform other remunerative work outside of their employment, where the PAMA does not apply to such employee;
- (b) the conduct of a person constitutes a transgression of the *Prevention and Combating of Corrupt Activities Act, 2004*;
- (c) the conduct of a person constitutes a transgression of the *Competition Act, 1998*, the conduct must be reported to the Competition Commission; and
- (d) the conduct of a person must be dealt with in terms of the prescripts applicable to the Electoral Commission.
- e. If it is established that a person has committed a transgression in terms of the above, or any other transgression of SCM prescripts, the bid may be rejected and the person may be restricted.
- f. The Electoral Commission's Accounting Officer/accounting authority must inform National Treasury of any action taken against a person within 30 days of implementing the action.
- g. 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.
- h. A bid related to a restricted bidder or tender defaulter shall be rejected.
- i. The under-mentioned assessment criteria will be used to evaluate the elements relating to SBD4, CSD registration, tax compliance, restricted suppliers and tender defaulters:

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Assessment Criteria	Bidder Requirement (YES/NO)	Comments
Bidder is registered on the National Treasury Central Supplier Database (CSD)*		
Bidder is tax compliant. **		
The bidder is not an employee of the state.		
Having certified the SBD4, it is accepted that the bidder's conduct does not constitute a transgression of the Prevention and Combating of Corrupt Activities Act.		
Having certified to the SBD4, it is accepted that the bidder's conduct does not constitute a transgression of the Competition Act.		
The bidder is not a tender defaulter as per the register published on the National Treasury website.		
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 remain non-compliant as per the provisions of National Treasury Instruction No 09 of 2017/2018 Tax Compliance Status Verification.

## **STAGE 2: Evaluation Based on Functionality**

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

No	CRITERIA	NB: Compulsory requirement to qualify for further consideration		
1.	Key Criteria for Evaluation (Bids will be disqualified for failing to comply with or provide any of the following required documents in 1.1-1.9 below)	YES	NO	Comments
1.1	Submitted bid on time.			
1.2	Covering letter and company profile submitted. [Appendix 1]			

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No	CRITERIA	NB: Compulsory requirement to qualify for further consideration		
1.3	References of at least 3 clients attached ( <i>not older than 5 years from date of publication of tender</i> ). [Appendix 2]			
1.4	Comprehensive example of a report provided (refer to example of report required as <b>Annexure A</b> ). [Appendix 3]			
1.5	Two hard copy examples of existing reports done for previous clients (personal details and information redacted) for a position at senior management level and a more junior position. [Appendix 4]			
1.6	Comprehensively completed price and rates schedule(s) for services. [Item 10]			
1.9	Written confirmation provided that the desired services can be concluded and the report(s) submitted within seven (7) working days from date of formal instruction. [Appendix 5]			
1.7	Dedicated service consultant and/or client manager identified for the Electoral Commission. [Appendix 6]			
1.8	Provided <i>curricula vitae</i> (CV) of two (2) consultants with company indicating experience with conducting integrity and risk assessments. [Appendix 6]			
<b>OUTCOME OF STAGE 2: QUALIFY / DOES NOT QUALIFY</b>				

**STAGE 3: Evaluation for Functionality**

2.	Assessment of Report (1.4. above)	Max Score	Score	Comments
2.1.	The following shall apply in the evaluation and scoring: 1. Completeness of report (clear start and end of report) (0.5 point each) 2. Scope covered in report (twelve areas as indicated in Appendix 3) [Only 3 areas covered = 0 4 to 6 areas covered = 1 7 to 9 areas covered = 2 10 to 12 areas covered = 3]	4		
3	Ability to Provide Scope of Services	Max Score	Score	Comments

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2.	Assessment of Report (1.4. above)	Max Score	Score	Comments
3.1	<p>The following areas shall be assessed and scored:</p> <ol style="list-style-type: none"> <li>1. Criminal Record Searches (detail included =1 point, otherwise = 0 points)</li> <li>2. Credit Bureau Listing Report (ITC) (detail included =1 point, otherwise = 0 points)</li> <li>3. ID Verification (detail included =1 point, otherwise = 0 points)</li> <li>4. Permanent Residency Verification (detail included =1 point, otherwise = 0 points)</li> <li>5. Tertiary Academic Qualification Verification (3-year National Diploma, degree, honours, masters, doctorate) (detail included =1 point, otherwise = 0 points)</li> <li>6. Matric (Grade 12) and Grade 11/10 - School Verification (detail included =1 point, otherwise = 0 points)</li> <li>7. Employment History (detail included =1 point, otherwise = 0 points)</li> <li>8. Reference Checking (detail included =1 point, otherwise = 0 points)</li> <li>9. Driver's Licence Verification (detail included =1 point, otherwise 0 points)</li> <li>10. Professional Association Membership (detail included =1 point, otherwise = 0 points)</li> <li>11. Risk Analysis Report with Recommendations (detail included =1 point, otherwise = 0 points)</li> <li>12. Security Clearances (As and when required) (detail included =1 point, otherwise = 0 points)</li> <li>13. Psychometric Testing (As and when required) [One (1) Point per Demonstrated Assessment Area] (detail included =1 point, otherwise = 0 points)</li> <li>14. Training on relevant systems and devices (As and when required) (detail included =1 point, otherwise = 0 points)</li> </ol>	14		
3.2	<p>Overall quality of report writing</p> <p>[Excellent = 2 point Good = 1 point Poor = 0 point]</p>	2		
	<p><b>TOTAL (20 Points)</b></p> <p>A bid must score at least <b>15 points (75%)</b> out of the achievable total of 20 to qualify for further evaluation.</p>	20		
<b>OUTCOME OF STAGE 3: QUALIFY / DOES NOT QUALIFY</b>				

\* Any bid that fails to meet the criteria for functionality will be regarded as unacceptable and set aside/disqualified.

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**STAGE 4: Bid Adjudication Process**

Bids that qualified will be adjudicated as set out below.

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

Only market related bids will be acceptable.

This bid is deemed not to exceed R50 million, including VAT. Therefore the 80/20 preference point system (PPPFA scoring) in terms of the *Preferential Procurement Policy Framework Act, 2005* (PPPFA) and the *Preferential Procurement Regulations, 2022* shall apply in the adjudication process of this auction where all acceptable bids received are equal to or below R50 million including VAT. Preference points will be allocated as follows:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of Points</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

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

<b>Bid Evaluation Team Member</b>	<b>Sign Off</b>	
	<b>Signature</b>	<b>Date</b>

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