



**ELECTORAL COMMISSION
BID SPECIFICATIONS
INDELIBLE INK FINGER MARKING PEN
ePROCUREMENT AUCTION NUMBER: 0010505705**

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

ITEM DESCRIPTION: INDELIBLE FINGER MARKING INK PENS

1. BACKGROUND

The Electoral Commission is desirous to procure the following item:

- **Indelible Finger Marking Ink Pens**

Bidders must be registered and approved on Electoral Commission's eProcurement system (<https://votaquotes.elections.org.za>) in order to place bids online.

The indelible ink must have a shelf life of up to 24 months.

Production/manufacturing of indelible ink pens must take place within the borders of South Africa.

Note: samples are required for the evaluation purpose and will not be returned to bidders after the award

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

- Date – 18 October 2023
- Time – 11:00
- Venue – 1303 Heuwel Avenue, Election House, Riverside Park, Centurion

Further bid details are available on eProcurement system and National Treasury eTender Portal.

2. ITEM SPECIFICATION

ITEM DESCRIPTION	UNIT OF MEASURE	QUANTITY REQUIRED	COLOUR
Indelible Ink Finger Marking Pen	Each	230,000	Black or blue

2.1. Ink Formulation

- The indelible finger marking ink pens must create a visible “permanent” localised stain on the finger/nail of a voter when applied.
- The localised stain must be black or blue.
- The stain must be immediate, and must dry within 30 seconds of application and must not require any specialised action in order to be achieved.
- “Permanent” in this context means that the mark remains easily visible for a period of at least four (4) days.
- The indelible finger marking ink pens must be a unique ink with an inherent ability to withstand removal by washing, rubbing, or other mechanical means, after application.
- The indelible finger marking ink pens must be non-inflammatory and should contain anti-viral and anti-bacterial disinfectants.
- Once dry, the ink should not be hazardous to health especially to the skin and eye. The formula of the ink must be kept secret, and must not be readily commercially available or reproducible.
- A silver nitrate concentration of 18 to 20 percent is required or a technically equivalent formulation in terms of effectiveness and efficacy as outlined in the specifications (technical alternatives with lower than 15 percent silver nitrate concentration will not be considered).

2.2. Application Method

- The indelible finger marking ink pens are required with a nib-type applicator, to permit application of a suitable mark of ink to the voter's finger. A mark no longer than 5mm is required.
- The nib-type applicator must operate in a neat and non-mess manner and not leak when shaken.
- Each indelible ink-dispensing pen must contain a suitable volume of finger marking ink, capable of marking up to 1,000 fingers without failure, clogging, dryness or spillage.
- The pen must be leak-proof in its sealed state as delivered. This means that it must not leak during delivery and storage.
- The indelible finger marking ink pens must remain usable – that is, capable of marking a finger – with the cap removed for a continuous period of at least six (6) hours.

2.3. Risks to be Avoided

The risks to be avoided in the design of the marker pens are as follows:

- Unnecessary quantity of ink in a pen, resulting in unsightly stains and/or spillage onto clothing, spillage onto the hand(s) and/or clothing of the person applying the ink.
- Premature dryness of the ink on the nib of the applicator resulting in the ink not being able to be applied on the finger of the voter.
- Unnecessary play of the polyester cylinder inside the marker body.
- Poor sealing of the cap resulting in leaks during transportation.

3. COLOUR

- Black or blue.

4. PRINTING REQUIREMENTS

- The indelible finger marking ink pens must carry brightly coloured labels with “**Voting Ink**” and the date of manufacture printed on it.
- The final printing will be provided by the Electoral Commission as part of the service level agreement (SLA/contract).

5. SUBMISSION REQUIREMENTS

The following submissions must be submitted together with the sample:

- A technical data sheet and/or material safety data sheet (MSDS) must be provided.
- Written confirmation from the manufacturer that the ink is non-hazardous and not harmful.
- A test certification from an independent accredited laboratory which is a signatory to the International Laboratory Accreditation (ILAC) protocol confirming the percentage silver nitrate concentration and confirming broadly the active ingredients of the indelible ink (without disclosing proprietary information).
- Confirmation that the use of disinfectants will not affect the efficacy of the indelible ink application.
- Written confirmation that production/manufacturing of indelible ink pens will take place within the borders of South Africa including proof of address of the manufacturing plant.

6. DELIVERY LOCATION AND DATE

- Deliveries of goods to the selected Electoral Commission warehouses must be completed not later than 1 February 2024.

- Deliveries to the Electoral Commission warehouses should be made from Monday to Friday, during office working hours (08:30-17:00).
- The required point of delivery is the Electoral Commission warehouse as per Section 17.
- Prior notification must be given to ensure availability of receiving staff. The service provider must notify the appropriate Electoral Commission contact person of the delivery of goods and intended times of delivery, as per Section 17.
- Partial deliveries will not be accepted, unless per prior agreement and approval by the Electoral Commission.

7. PACKAGING AND PREPARATIONS FOR DISPATCH

The indelible finger marking ink pens must be packed for delivery as follows, to facilitate handling and storage:

- Each indelible ink finger marking pen must be securely packed in an individual small cardboard box or individually sealed with a plastic wrap.
- The individual boxes must be sealed with a separate adhesive seal at both ends which will protect the integrity of the box and contents until opened.
- Design of the seal is at the bidder's discretion, but must provide adequate protection.
- The box must carry a label (directly printed or adhesive) stating the contents, volume, and date of manufacture.
- Individual boxes, each containing one (1) pen, must be packed in cartons containing 100 units and, thereafter, be packed in larger cardboard cartons of the supplier's choice. Maximum permissible weight of the larger carton is 25kgs.
- The cartons must then be stacked on (1000mm x 1200mm) four-way entry single sided pallets) and strapped to the pallets.
- Maximum height to stack is 1,5m. Maximum weight permitted per pallet is 500kg.

- The cartons must be clearly marked by means of labels:
 - Contents: **INDELIBLE FINGER MARKING INK PEN**
 - Quantities of indelible ink pen contained
 - Weight
 - Service provider's details
- Pallets must be plastic-wrapped and strapped to prevent contents shifting or falling during movement.

8. QUALITY CONTROL

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

9. COSTING AND PRICING

- Bidders must take care to estimate and calculate their costs and prices correctly before placing a bid on the Electoral Commission's eProcurement system.
- Erroneous low bids cannot be removed or adjusted upwards. Common errors include the entering of a unit price instead of a total price in the case of a batch requirement, or accidentally omitting zeros (for example, R50.00 instead of R5,000).
- All prices must include VAT.
- Amounts as they appear on eProcurement on the date and time of auction closure, will be valid until awarding.

- Amounts/total cost must include all variables involved in the production of this item.
- Service providers must note that prices cannot be negotiated or amended after auction closure.
- Amounts on the auction and/or official purchase order will be considered as the final and total cost, and thus cannot be changed/amended at any given time by the service provider during and after the service has been rendered.
- Bids must be placed for the correct unit of measure, that is, “per indelible finger marking ink pen”.
- Prices must include delivery of the specified quantities to the specified site as per Section 17.
- NB: Bidders must note that the cost of packaging and delivery must be included in the bid price, and all packaging materials (including delivery pallets) remain the property of the Electoral Commission after delivery.

10. DURATION OF THE CONTRACT

The contract for the supply and delivery of the indelible finger marking ink pen is a ‘once off’ requirement.

11. TECHNICAL EVALUATION OF SAMPLES

Bidders must note the following key provisions:

- Bidders must prove conformance of the offered goods to the stated specification.
- The Electoral Commission reserves the right to inspect samples or examples of the offered materials to establish conformance before awarding the contract.
- The Electoral Commission, furthermore, also reserves the right to consider at its sole discretion alternative options to exact specifications outlined in the bid or otherwise stipulated that may be offered by the service providers should the Electoral Commission be of the opinion that such alternative options that are being offered are

economically viable and/or may be a practical solution and/or may be generally beneficial in respect of promoting and reaching the Electoral Commission's goals, target dates and objectives.

- For evaluation purposes, bidders must submit a sample for inspection and testing by the Electoral Commission. Note that reminders will not be sent out by the Electoral Commission – it is the responsibility of each bidder to submit the sample as required.
- The sample must be full size and of correct colour as stated in sections 2, 3 and 4.
- The sample must conform to the bid specifications as set out in Section 2.
- Each bid submission must be accompanied by samples of the product offered. Failure to comply shall invalidate the bid proposal.
- At least two (2) samples of each type of product offered must be submitted for testing of compliance with the bid specifications.
- Sample must be accompanied by a written submission and confirmation as listed on Section 5.
- Each sample must be packed in an individual small cardboard box or individually sealed plastic wrap to illustrate the packaging requirement.
- No prescribed labelling is required for sample purposes.
- Failure to submit a sample and a written proposal within the specified period will exclude the service provider from consideration.
- The sample should carry printing to demonstrate the service provider's printing capability, but need not be as stipulated in Section 4.
- The official purchase order will be issued to a successful service provider as per the bid terms and conditions.
- Bids must be placed online not later than the stipulated closing date and time as stipulated on the eProcurement system.

- Written bid proposals and samples must be submitted not later the closing date and time as stipulated on the eProcurement system.
- No late written bid proposals and samples will be considered.
- The written proposals together with samples must be delivered directly to:

Ms Mbali Goqo
 Electoral Commission
 Supply Chain Management
 Election House
 Riverside Office Park
 1303 Heuwel Avenue
 Centurion, PRETORIA
 Tel: (012) 622-5916

- Samples must be clearly marked with the name of the bidder and the auction number, to avoid loss or confusion. In cases where more than one sample is included in a box, all auction numbers that may be applicable must be listed. The Electoral Commission takes no responsibility for unmarked samples that cannot be linked to a specific bidder and bid.
- The samples will be stringently tested for quality compliance to specifications and will not be returned to service providers at any point.

12. POST EVALUATION ACTIVITIES/DUE DILIGENCE

- Before the auction is awarded, the recommended service provider(s) will be subjected to due diligence audit requirements of the Electoral Commission.
- A due diligence audit will be conducted at the recommended bidder's premises and subcontractors premises (only if subcontracting has been detailed in the written submission)

- The due diligence audit will include, but not limited to, site inspection where items will be manufactured, packaged and dispatched, and viewing of equipment and machinery.

13. SERVICE PROVIDER PERFORMANCE

- Before a contract is awarded the successful bidder will be required to enter into a Service Level Agreement (SLA) with the Electoral Commission.
- The purpose of the SLA is to fix performance criteria within the key requirements of this auction, namely QUANTITY, QUALITY - INCLUDING FINAL SPECIFICATIONS AND DELIVERY DATE.
- The SLA will contain elements such as service provider's progress milestones, delivery schedules, quality checkpoints and invoicing procedures.
- The Electoral Commission reserves the right to reject any deliveries not conforming to the above, including damaged units/parcels.
- Where previously agreed delivery schedules are not met by a service provider, the Electoral Commission shall have the right to appoint an alternative service provider (such as the next highest ranking bidder on this auction for example or any other service provider able to deliver) to make good the shortfall in supply in order to ensure delivery of elections. Any extra costs incurred by the Electoral Commission in obtaining such corrective services or products from another source will be for the account of the defaulting service provider. As such, any costs already incurred by the initially appointed service provider shall, at the sole discretion of the Electoral Commission, be for the account of that service provider since it failed to deliver! The normal penalties provided for on the Electoral Commission's purchase order shall also apply!

NOTE: Service providers are not allowed to amend/change the ordered items after approval of the sample and receipt of the official purchase order. Any recommendations for improvement on the ordered items/products must first be

agreed with and approved in writing by the Electoral Commission, at no additional cost.

14. DELIVERY NOTES

- Bidders must take note that a proper delivery note system is crucial.
- The delivery notes must be signed by both the service provider and the Electoral Commission's warehouse receiving staff.
- Deliveries will not be accepted at the warehouses if delivery notes do not clearly state the name of the service provider, quantity of items delivered, that is, number of pallets, boxes and actual quantities delivered.
- Deliveries must be made in the name of the service provider – no third party deliveries will be accepted.
- The Electoral Commission will not accept waybills as delivery notes.

15. PAYMENT

- No payment will be made by the Electoral Commission before the required goods and services have been delivered according to the bid specifications.
- No payment will be made without an original invoice and copies of signed delivery notes.
- No payment will be processed before full delivery is completed and accepted.

16. TECHNICAL ENQUIRIES

Attention: Suzette Thato Ndala / Vusi Langa

Election House

Riverside Office Park

1303 Heuwel Avenue

Centurion, 0157

Tel: (012) 622-5851/5201

eMail: ndalas@elections.org.za / langav@elections.org.za

**17. ELECTORAL COMMISSION WAREHOUSES AND CONTACT NUMBERS
INDELIBLE FINGER MARKING INK PEN**

PROVINCE	WAREHOUSE ADDRESS	CONTACT PERSON	CONTACT NUMBERS	QUANTITY REQUIREMENTS
IEC National Warehouse	288 Kwanbi Crescent; Icon Industrial Park; Sunderland Ridge; Centurion	Robert Niemack / Vusi Langa	012 666-7283 012 622-5201	230,000

18. BID EVALUATION PROCESS

Bid Evaluation Process

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

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

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

In this regard, the following must be noted:

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

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

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

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

- (a) a person within the bidding entity is an employee of the State, the Electoral Commission's Accounting Officer/accounting authority must request the relevant accounting officer/accounting authority whether the person-
 - (i) Is prohibited from conducting business with the State in terms of Section 8 of the Public Administration Management Act, 2014; or
 - (ii) has permission to perform other remunerative work outside of their employment, where the PAMA does not apply to such employee;
- (b) the conduct of a person constitutes a transgression of the Prevention and Combating of Corrupt Activities Act, 2004;
- (c) the conduct of a person constitutes a transgression of the Competition Act, 1998, the conduct must be reported to the Competition Commission; and
- (d) the conduct of a person must be dealt with in terms of the prescripts applicable to the Electoral Commission.

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

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

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

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

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

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

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

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

Stage 2: Evaluation Based on Functionality

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

Key requirements for evaluation.

If the answer is NO to any of the questions the bid will be disqualified.

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

EVALUATION CRITERIA – INDELIBLE INK FINGER MARKING PEN				
1	Disqualification Criteria (if not met)	YES	NO	Comments
1.1	Did the service provider bid on the auction?			
1.2	Sample/s submitted as required? (Section 11)			
1.3	Technical data sheet and Material Safety Data Sheet (MSDS) submitted? (Section 5)			
1.4	Written confirmation that the ink is non-hazardous and non-harmful for use on human skin? (Section 5)			
1.5	Confirmation of the silver nitrate concentration or technical equivalent? (Section 5)			
1.6	Test Report / Certification from accredited laboratory? (Section 5)			
1.7	Confirmation that the use of disinfectants will not affect the efficacy of the Indelible ink application (Section 5)			
	Written confirmation that production/ manufacturing of indelible ink pens will take place within the borders of South Africa including proof of address of the manufacturing plant (Section 5)			

2	Technical Evaluation of Sample	YES	NO	Comments
2.1	MARKING PEN			
2.1.1	Does the pen present sufficient ink to make a neat & tidy mark? (Section 2.2)			
2.1.2	Does the pen leak when shaken? (Section 2.2)			
2.1.3	Premature dryness, that is, not drying for at least 6 hours without cap? (Section 2.2)			
2.1.4	Individual packaging box/sealed plastic wrap submitted (Section 7)			
2.2	PHYSICAL TESTING	YES	NO	Comments
2.2.1	Does the ink leave a visible “permanent” stain? (Section 2.1)			
2.2.2	Is the stain immediate, that is, drying after 30 seconds of application? (Section 2.1)			
2.2.3	Is the stain still visible 2 days after application, i.e. an inherent ability withstand removal by washing, rubbing or other mechanical means? (Section 2.1)			
2.2.4	Is the ink non-inflammatory and contain anti-viral and anti-bacterial disinfectants? (Section 2.1)			
	<i>Penalties (any negative properties detected during testing and not listed above need to be recorded and penalty determined and fully motivated by the Evaluation Committee.</i>			
	FINAL RESULT	QUALIFIED	DISQUALIFIED	Comments

Stage 3: Bid Adjudication Process

Bids will be adjudicated as set out below.

Stage 3 – Adjudication of Bids

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

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

Acceptable bids must be market related.

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

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

B-BBEE Status Level of Contributor	Number of Points
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.

Bid Evaluation Committee Member	Sign Off	
	Signature	Date