**AUCTION BRIEFING NOTES**

0010514700 0010514737 00105809

# SPECIAL VOTING CARDBOARD BALLOT BOXES
# SPECIAL VOTING ENVELOPES: B5 AND C5
# NPE2024 UNIVERSAL BALLOT TEMPLATES (UBT)

**28 JUNE 2023**

The briefing session was held at:

Election House

Riverside Office Park

1303 Heuwel Avenue

Centurion

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

Briefing Panel / IEC Representatives:

- **Ms Mavis Louw – SCM Department**
- **Mr Yamkela Matomane – SCM Department**
- **Ms Disree Boloka – SCM Department**
- **Mr Molwelang Matibe – Logistics Department**
- **Ms Suzette Ndala – Logistics Department**

During the bid briefing, the administrative requirements pertaining to bid participation as well as the technical aspects in respect of the Gazebo procurement requirements was addressed.

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

- Attendance to the briefing is **not** compulsory.
- The closing date and time for these bids are as specified on Votaquotes.
- Bidding for this requirement can only be done online and no other avenues can be used for bidding purposes.
- In addition to the online bid, a written proposal or sample may be required. Please ensure that you comply with the stated returnables in the bid specification.
- Bid documents must only be submitted at the Electoral Commission's address as specified in the specification document before the closing date and time. Submission of bids elsewhere will result in such bids being set aside.
- Interested parties are welcome to observe the closure of the bid, should they so wish.
- The Electoral Commission's Supply Chain Management Department, user department and Legal Services will attend to the evaluation of bids thereafter.
- Once the bid evaluation committee has considered the bids, proposals are made to the Bid Adjudication Committee (BAC) who, in turn, shall make recommendations to the Chief Electoral Officer (CEO) for consideration and approval on the adjudication of the in consultation with the Executive Committee (EXCO).
- Bids with a value exceeding R5 million including all applicable taxes are approved by the CEO in consultation with the Commission.
- Bids in respect of bidders and their directors/trustees/shareholders that are listed on the national treasury register for tender defaulters or the list of restricted suppliers will be rejected.
- **NO LATE BIDS**, as whole or in part, will be accepted.

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

- Bidders that are not registered on Votaquotes can go to https://votaquotes.elections.org.za and click on the 'register' tab.
- Bidders are encouraged to pin the auction to their hotlist on Votaquotes.

- Prospective service providers **must** ensure that they are fully approved on Votaquotes before attempting to place bids online. This also implies that where changes are made on service provider's details after placing a bid on a running auction, such a bid needs to be refreshed manually after the changes were approved, before it closes.
- It remains service providers' responsibilities to ensure that their details are up to date on Votaquotes.
- Bidders are encouraged to review their Votaquotes registrations as soon as possible after the bid briefing to familiarise themselves with any outstanding issues and submit outstanding documents as soon as possible. Online changes and requested changes on the CSD included.
- Please note that Votaquotes supplier registration documents and bid documents **CANNOT** be submitted simultaneously. Registration documents need to be submitted as close to the beginning of the bid invitation as possible to allow for maximum opportunity to deal with outstanding issues. Registration documents cannot be taken into account after bid closure.
- The Electoral Commission does not have the capacity to deal with supplier registration documents the day before or on the day of bid closure. Delays in the submission of the required documents may lead to bidders not being approved in time to bid for auctions. It therefore remains the sole responsibility of the potential bidder to ensure the submission of the required documents in time to allow for the processing of these documents before the closing date of the auction.
- Bid documentation is available free of charge on the Electoral Commission's website at www.elections.org.za or https://votaquotes.elections.org.za/eproc_inter/Default.aspx or theNational Treasury eTender portal at http://www.etenders.gov.za/
- Prospective bidders must ensure that bid documents are downloaded and printed and that it has all the applicable pages. Incomplete bid submissions, i.e. a bid document that lacks pages or failure to submit any returnables (as may be applicable) will be disqualified. Although courtesy copies may be made available to service providers it remains their responsibility to ensure that their bid submissions contain all the applicable pages and returnables (if applicable) of the bid document.
- Preferably, print the bid document single sided rather than double sided as it eases the bid assessment and evaluation processes.
- When preparing bid submissions (e.g. files containing the completed bid document and all supporting documentation) it is advisable NOT to split the bid document into different sections as this often leads to incomplete bid submissions in that certain pages of the bid document are omitted or that bidders fail to sign certain pages of the bid document. It is best to include the complete bid document at the top of the file followed by supporting documents.

- In cases where supporting documents are hand delivered, such documents must be submitted in an envelope with the auction number and name together with the bidder's LEGAL name clearly written on the envelope at the address specified before the closing date and time.
- Prospective service providers are requested to write their company name on the cover page of the bid document.
- All potential service providers that wish to do business with the Electoral Commission must register on the Central Supplier Database (CSD). In particular, prospective bidders MUST register on the CSD prior to submitting their bids. Further detail and guidelines in this regard are available on the Electoral Commission's website.
- A bid shall be disqualified if the bidder is not registered on the Central Supplier Database (CSD).
- National Treasury has placed an obligation on the Electoral Commission to ensure that persons conducting business with it are tax compliant.
  - Your entity's tax compliance status is indicated in the Central Supplier Database (CSD). The Electoral Commission will only contract service providers whose tax status is compliant. This means that if you were tax compliant during the bidding phase but become non-compliant before the bid adjudication is completed, your bid will be disqualified if your tax affairs remains non-compliant as per the provisions of *National Treasury Instruction No 9 of 2017/2018 Tax Compliance Status Verification*. It remains your responsibility to ensure that your taxes are in order, remain in order and that this is reflected on the CSD. You must also ensure that all sub-contractors (if applicable) are tax compliant.
- If preference points are claimed, an original or certified copy (not a copy of a certified copy) of the valid B-BBEE status level certificate from an accredited verification agency or affidavit, if applicable, must be submitted together with the bid.
- The 80/20 preference point system will be applied in accordance with the formula and applicable points as provided for in the respective status level contributor tables in the Preferential Procurement Regulations, 2022. Failure to submit the required B-BBEE status level certificates or affidavit will lead to a zero (0) status level for non-compliant service providers/contributors and no preference points will be given. Furthermore, it is important that correct information and documentation with regards to B-BBEE is submitted by bidders i.e., the B-BBEE certificate or affidavit must match/correspond with the annual turnover information submitted on the CSD and the annual financial statements.
  - The thresholds applicable to B-BBEE are as follows:
    - All EMEs are required to submit a B-BBEE EME sworn affidavit or CIPC B-BBEE certificate. This applies to entities with an annual turnover below R10 million.

    - QSEs follow two paths dependent on the percentage black ownership. This applies to entities with an annual turnover above R10 million and below R50 million.
        - A QSE with black ownership of 51% or more must submit a B-BBEE QSE sworn affidavit.
        - A QSE with black ownership of 50% or less must submit a certified copy of a SANAS accredited B-BBEE status level certificate.
    - All entities with an annual turnover above R50 million must submit a certified copy of a SANAS accredited B-BBEE status level certificate.
- Please note that joint ventures and consortia cannot participate in Votaquotes auctions.
- The Employment Equity Act (EEA) requirements are also important. Bidders must ensure that correct information is submitted together with the bid. As an example, bidders must not claim to be an EEA designated employer if they are not. It is important for bidders to ascertain the latest developments around the EEA from the Department of Labour and to ensure that they are fully compliant. Enactment of the Employment Equity Amendment Bill is of particular importance as Section 53 of the Act will provide that State contracts may only be issued to employers that have been certified as being in compliance with their obligations under the Act. For that, bidders will be required to obtain a certificate from the Minister of Employment and Labour to certify that they are compliant.
- Bidders should note the bid evaluation schedule included at the end of the specification document, with specific reference to matters that will lead to the disqualification of bids received due to non-compliance. Bidders are advised to use the evaluation criteria as a guide and checklist to ensure full compliance with all requirements and that all the necessary information and detail are provided in their written submission.
- A due diligence audit will be performed on a shortlisted bidder in order to confirm details and information, capacity, capability and ability to execute the contract. The due diligence auditprocess is not aimed at creating any expectations or commitments as it is merely part of the overall bid assessment process. In order to mitigate risks, the Electoral Commission may not consider bidders that do not have the necessary capacity, capability and ability which includes financial liquidity to execute the requirements set out in the bid.
- A contract/service level agreement (SLA) may be entered into.
- The Electoral Commission’s payment terms are within thirty (30) days after the receipt of a valid tax invoice, provided that such invoice is not disputed.
- To avoid unnecessary delays in payment, it remains the service provider’s responsibility to ensure that their banking details are correct and validated on the Central Supplier Database (CSD). The

Electoral Commission will not be liable for interest accrued on overdue accounts where the service provider has not resolved their incorrect banking detail on the CSD.

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

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

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

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

Mr Mathibe and Ms Ndala presented the technical aspects of the bids, providing background regarding the need for the requirements and also highlighting the important aspects of the bids. In their briefings, they highlighted the importance of compliance with the stated bid specifications, the submission of the sample and written proposal amongst other things.

**Please take note of the following errors in the bid specifications:**

<u>Auction 0010514737</u>

- Page 2, number 4, bullet one reads as section 19. It should read as section 18.
- Page 2, number 4, bullet two reads as section 19. It should read as section 18.

Auction 0010514809

- Page 4, section 4, last line to be disregarded as there is no Annexure B.
- Page 4, section 6, bullet 3 reads as section 19. It must read as section 20.
- Page 5, section 6, last bullet reads as section 19. It must read as section 20.

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

Q: Please elaborate on the due diligence audit in an instance where the bidder is not the manufacturer?
A: In the case of multiple sites all sites will be visited as part of the due diligence audit. Please take particular note of declarations regarding role players in the bid specification document.

Q: What are the requirements in terms of Employment Equity regarding section 53?

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

Q: Will the specifications for samples to be provided be supplied to bidders?
A: Please reference the relevant section regarding samples in the bid specification.

Q: Will there be sufficient time for manufacturing to meet the 30 April 2024 delivery deadline?
A: This will be confirmed with the winning bidder.

Q: Regarding the envelopes, what colour must the envelope be?
A: See page 2, section 3, the last bullet.

Q: Regarding the envelopes, what thickeness must the base material be?

A: As per standard envelopes.

Q: Should the recycle symbol be printed on the ballot box as it contains staples?
A: Yes. As per the bid specifications.

Q: Regarding the UBT, how does one address sub-contracting when placing a bid?
A: Subcontracting is prohibited as per the bid specification

The briefing ended at 12:30