



SOUTH AFRICA

**REFERENCE: IEC/LS-01/2021**

**CLOSING DATE: 28 JUNE 2021**

**ENQUIRIES**

**TECHNICAL SPECIFICATIONS:** Nilan Rampershad

**Tel:** 012 622 5959 or **eMail:** [rampershadn@elections.org.za](mailto:rampershadn@elections.org.za)

**ADMINISTRATIVE ENQUIRIES:** Mr Vincent Qwabe

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

**TENDER IEC/LS-01/2021**

**PROVISION FOR PRINTING OF ELECTION LEGISLATION POCKET SIZE BOOK FOR LGE2021**

Kindly furnish the Electoral Commission with a bid for the provision of printing of Election Legislation Pocket Size Booklets function as per the attached documents.

The conditions contained in the Electoral Commission's supply chain management (SCM) 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.

In order to minimize risks due to the Covid-19 pandemic, no briefing sessions for tenders of the Electoral Commission will take place at this stage. Bidders are encouraged to raise any point for clarification with the designated contact persons above.

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

**MARIUS STEYN**  
**MANAGER: SCM**

**Electoral Commission**

*Ensuring Free and Fair Elections*

Commissioners: Mr V.G. Mashinini (Chairperson) | Ms J.Y. Love (Vice-Chairperson) | Dr N.P. Masuku | Mr M. Moepya | Judge D. Pillay  
National Office: Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046  
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**TENDER NUMBER: IEC/LS-01/2021**

**PROVISION FOR PRINTING OF ELECTION LEGISLATION POCKET SIZE BOOK FOR LGE2021**

**CLOSING TIME: 11:00**

**CLOSING DATE: 28 JUNE 2021**

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 47**) MUST BE COMPLETED AND SIGNED IN ORIGINAL INK. 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 NECESSITATED AND WRITE YOUR COMPANY NAME AS WELL AS THIS TENDER REFERENCE NUMBER (**IEC/LS-01/2021**) ON THE ENVELOPE/CONTAINER.

SERVICE PROVIDERS SHOULD ENSURE THAT BIDS ARE DELIVERED TIMEOUSLY TO THE CORRECT ADDRESS AND PLACED IN THE TENDER BOX. BID DOCUMENTS MUST ONLY BE DEPOSITED IN THE TENDER BOX (ES) WHICH ARE IDENTIFIED AS TENDER BOX (ES) OF THE ELECTORAL COMMISSION.

**BID DOCUMENTS 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 RECEIVED AFTER THE CLOSING DATE AND TIME ARE LATE AND WILL NOT BE ACCEPTED FOR CONSIDERATION. LATE BIDS ARE RECORDED BUT SET ASIDE.**

BIDS SUBMITTED 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 THE GOVERNMENT TENDER BULLETIN AND APPLICABLE MEDIA AS REQUIRED. SERVICE PROVIDERS 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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**SERVICE PROVIDERS INITIALS / SIGNATURE**

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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 213 municipal electoral offices, nine provincial offices and warehouses and the national office and warehouse in Pretoria.

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**GENERAL TENDER CONDITIONS**

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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, advertised competitive bidding processes or proposals;
  - (e) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
  - (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 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) “state” means any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999), any municipality or municipal entity, provincial legislature, National Assembly or the National Council of provinces; or Parliament;

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- (p) "Service Provider or Supplier" (used interchangeably) means any individual or entity that has the potential to be contracted by the Electoral Commission to render goods/services.
- (q) "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';

- (r) "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
  - (s) "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 must not be qualified by the bidder's own conditions of tender. Failure to comply with this requirement shall invalidate the bid.
  7. Failure on the part of the bidder to *sign/initial all applicable pages* of this tender form and thus to acknowledge and accept the conditions in writing shall invalidate the bid submission.
  8. Failure on the part of the bidder to complete the attached forms, questionnaires and specifications' document in all respects may invalidate the bid submission. Failure to complete mandatory forms/schedules shall invalidate the bid submission.
  9. All changes/alterations in the bid document should be signed/initialled. Failure on the part of the bidder to sign/initial any alterations and/or corrections made to information provided in this tender form may invalidate the tender.
  10. No correction fluid/tape or similar products will be allowed and the use thereof on any page of the tender document may invalidate your bid submission.
  11. Any changes/alterations to pricing that are not signed/initialled are considered material, and shall invalidate the bid submission. Correction fluid/tape or similar products will not be allowed to amend prices and the use thereof shall invalidate the bid submission.
  12. Information/detail provided on completed tender forms must be legible and ink must be used. Tender forms completed and signed mechanically, e.g. by means of a typewriter/computer are deemed to have been completed in original ink. Pencil must not be used as it shall lead to the disqualification of the bid submission.
  13. Service providers 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.
  14. Tender prices must be all inclusive, including VAT in respect of all vendors registered for VAT purposes. Non-VAT registered bidder shall not charge VAT.

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15. Tender prices for supplies in respect of which installation/erection/assembly is a requirement, shall include ALL costs inclusive of VAT on a basis of delivered on site as specified.
16. National Treasury has placed an obligation on all bidders that intend doing business with government to register on its Central Supplier Database (CSD). The Electoral Commission will not contract any bidder that is not registered on the CSD.
17. It is an absolute requirement that the tax affairs of the successful bidder must be in order.
18. An entity's tax compliance status is indicated on the Central Supplier Database (CSD). The Electoral Commission will only contract bidders whose tax status is compliant. This means that if a bidder has a non-compliant tax status before the award is completed the bid will be disqualified if that bidder's tax affairs remains non-compliant as per the provisions of National Treasury Instruction 9 of 2017/2018. It remains the bidder's responsibility to ensure that their taxes are in order, remain in order and that this is reflected on the CSD. The bidder must also ensure that all sub-contractors (if applicable) are tax compliant.
19. Bids must be submitted based on firm tender prices and delivery periods, unless otherwise stated in the bid specifications. Consequently, bidders must clearly state whether prices and delivery periods will remain firm for the duration of the SLA/contract or not.
20. When the SLA/contract is awarded on the basis of firm prices, contract prices may be adjusted during the contract period only if:
  - (a) customs or excise duty or any other duty, levy or tax (excluding any anti-dumping and countervailing duties or similar duties), is introduced in terms of any Act or regulation; or
  - (b) any such duty, levy or tax is legally changed or abolished; and
  - (c) the onus of proof of the effect of such events is placed upon the bidder.
21. If non-firm prices are provided for in the bid specifications, the following rules shall apply:
  - (a) In respect of any factors which demonstrably have an influence on the production cost of the supplies or the cost of rendering the services which have been tendered on the basis of non-firm prices, price adjustments which become effective during the contract period may be allowed with effect from the date of the change in cost and founded on the actual direct change in the cost as used in the calculation of the tender price, in addition to those provided for.
  - (b) Where the bidder is the manufacturer of the supplies or the provider of the service, or where he/she/they is the accredited agent of the manufacturer or the provider, evidence in support of the price adjustments claimed shall be produced on demand.
  - (c) As an alternative, the bidder may specify a formula in the bid submission for the purpose of adjusting prices in accordance with published indices.
  - (d) Where the bidder is not the provider of the service, or where he/she/they is not the accredited agent of the provider, any price adjustment shall be based on the increase or reduction to the bidder in the net cost of the supplies on which the tender price was based. When any such increase or reduction in costs occurs, the bidder shall submit copies of the quotation or price list with reference to which the tender price as calculated, as well as the revised quotation or price list on which the claim is based.
22. Where prices are subject to exchange rate fluctuations, bidders must take that factor into account when bidding and, where necessary, should ensure that they have taken the necessary forward cover to provide for possible price increases. When applicable, specific detail to this effect should be included in the bid submission.
23. Discounts offered by any bidder as part of their bid submission may be considered by the Electoral Commission at its sole discretion in the bid adjudication process.

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24. The bid specifications form an integral part of the tender document and bidders shall indicate in the space/s provided whether the specific services offered are according to specification or not.
25. In cases where the 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.
26. Unless specifically provided for in the tender document, no bids transmitted by facsimile or email will be considered.
27. Service providers are requested to promote local content as far as possible.
28. A service level agreement (SLA/contract) shall be entered into with the successful bidder.
29. Unless otherwise stipulated, all tools/equipment needed must be supplied by the successful bidder.
30. Any bidder found to be influencing the tender adjudication process shall be automatically disqualified and not accepted for consideration.
31. 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 bidder's point of supply is not situated at or near the place where services are required or, if the bidder's services are not readily available.
32. 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.
33. The Electoral Commission may, at its sole discretion, resolve to procure lesser or additional goods/services as provided through the tender should the need arise. Any such change in the scope of services shall be negotiated with the successful bidder if and when relevant with due regard to any statutory provisions imposed by National Treasury at the time of considering such.
34. 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.
35. All information supplied by the Electoral Commission will be in the strictest confidence and will remain the proprietary information of the Electoral Commission. No bidder will be permitted to disclose any such information to any third party without the prior express consent and/or written authority and/or consent of the Electoral Commission.
36. Should the bidder fail to comply with any of the conditions of the SLA/contract, the Electoral Commission shall be entitled, without prejudice to any of its other rights, to:
  - (a) arrange for the alternative execution of the service/s not rendered or not in conformity with the specifications of the SLA/contract; and
  - (b) recover all costs, losses or damages it has incurred or suffered as a result of the bidder's conduct; or
  - (c) cancel the SLA/contract and claim any damages which it has suffered as a result of having to make less favourable arrangement due to such cancellation.
37. All acquisitions for goods/services made by the Electoral Commission are subject to the following conditions:
  - (a) No variations from the terms and conditions herein contained, and no contrary stipulation by the bidder shall be valid and binding unless confirmed by the Electoral Commission in writing.
  - (b) The Electoral Commission reserves the right to cancel any order if delivery is not made in due time and the bidder will not be entitled to any cancellation fees.
  - (c) Part deliveries will only be accepted on prior arrangement with the Electoral Commission.

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- (d) If delivery is not met as per agreement, the Electoral Commission reserves the right to cancel the outstanding delivery, and recover all costs, losses or damages it has incurred or suffered as a result of the bidder's conduct.
  - (e) No price adjustments shall be accepted unless stipulated in the bid document received. The bidder will be obliged to sell at tendered prices.
  - (f) The award of the tender may be subjected to the negotiation of a market-related price with a bidder in accordance with the provisions of the Preferential Procurement Regulations, 2017.
  - (g) The Electoral Commission shall not be responsible for any risk in relation to the goods before delivery.
  - (h) The Electoral Commission shall not be obliged to pay for any goods with any deviation from the agreed specification and quality.
  - (i) The Electoral Commission shall be entitled to return any goods with defects or deviations from the agreed specification without consent from the bidder.
  - (j) The service provider shall submit a valid tax invoice where the service provider is VAT registered, or a valid invoice if the service provider is not VAT registered, conforming to tax law requirements, to the Electoral Commission. The invoice amount shall correspond with the order amount and shall be VAT inclusive, where applicable.
  - (k) Details provided on invoices issued to the Electoral Commission must correspond to the details of the bidder as registered on the Central Supplier Database (CSD). It remains the bidder's responsibility to ensure that details are correct to enable the Electoral Commission to effect any payments due to the bidder.
  - (l) Payment shall be effected within 30 days of receipt of a valid invoice/s together with a statement of the Electoral Commission's account, unless a dispute arises in respect of such invoice/s. Every effort shall be made to take advantage of special discounts.
  - (m) To avoid unnecessary delays in payment, it remains the bidder's responsibility to ensure that banking details are correct and validated on the Central Supplier Database (CSD). The Electoral Commission will not be liable for interest accrued on overdue accounts where the bidder has not resolved their incorrect banking details on the CSD.
38. No damages shall be claimable by the Electoral Commission in respect of any reasonable period of delay which the bidder can prove to the satisfaction of the Electoral Commission to be directly due to unforeseen events and/or any *force majeure*.
39. 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 bidder shall indicate the extension of the delivery/completion period which will then be required.
40. 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.
41. Service providers 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.
42. 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, 2017. These regulations require bidders to submit valid original or certified copies of their B-BBEE Status Level Certificates from accredited verification agencies or an affidavit as applicable.

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43. The following preference point systems are applicable to bids of the Electoral Commission:
- (a) the 80/20 system for requirements with a Rand value of up to R50,000,000 (all applicable taxes included);
  - (b) the 90/10 system for requirements with a Rand value above R50,000,000 (all applicable taxes included); and
  - (c) if it is unclear which preference point system will be applicable, then either the 80/20 or the 90/10 preference point system will apply and the lowest acceptable bid will be used to determine the applicable preference point system.

44. **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.**

45. Preference points for this bid shall be awarded for:

- (a) Price (80 or 90 as applicable); and
- (b) B-BBEE status level of contribution (20 or 10 as applicable).

46. 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

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid

47. In terms of Regulation 5(2) and 6(2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

48. Bidders who qualify as exempted micro enterprises (EMEs) in terms of the B-BBEE Act must submit a sworn affidavit (with the exception of sector codes).

- (a) For sectors not repealed nor amended, a B-BBEE status level certificate issued by an Accounting Officer as contemplated in the Close Corporation Act (CCA), or a Verification Agency accredited by South African Accreditation System (SANAS) or a Registered Auditor. Registered auditors do not need to meet the prerequisite for Independent Regulatory Board of Auditors (IRBA) approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

49. Bidders who qualify as qualifying small enterprises (QSEs) in terms of the B-BBEE Act must submit a sworn affidavit or B-BBEE status level certificate as applicable.

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- (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 original and valid B-BBEE status level certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by South African Accreditation System (SANAS).
50. Bidders other than EMEs or QSEs with at least 50% black ownership must submit their original and valid B-BBEE status level certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by South African Accreditation System (SANAS).
  51. Failure on the part of a bidder to complete and/or to sign this form and submit a sworn affidavit, or an original or a certified copy of 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 B-BBEE status level of contribution are not claimed.
  52. A trust, consortium or 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.
  53. A trust, consortium or 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.
  54. 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.
  55. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents 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, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
  56. 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, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.
  57. The Electoral Commission reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preference points, in any manner required by the Electoral Commission. In the event that no response is received from the issuer of the certificate after 48 hours no B-BBEE points will be allocated in the final scoring.
  58. The bidder obtaining the highest number of total points will be awarded the SLA/contract subject 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.
  59. 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.
  60. Points scored will be rounded off to the nearest 2 decimal places.
  61. 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 preference points for B-BBEE.
  62. However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid will be the one scoring the highest score for functionality.
  63. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

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64. Any legal person may make an offer or offers in terms of this invitation to bid.
65. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority, where:
  - (a) the bidder is employed by the state; and/or
  - (b) the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and/or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/or adjudication of the bid.
66. 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.
67. The Electoral Commission may cancel the tender in accordance with the provisions of the Preferential Procurement Regulations, 2017 for reasons that include:
  - (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.

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**BID SUBMISSION**

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This standard bidding document must be completed by the bidder and forms part of all bids.

In the case of a consortium or joint venture, every member of the consortium or joint venture must complete the questionnaire.

In the case of subcontractors, where more than 25% of the work will be done by such subcontractor/s each subcontractor must complete the questionnaire.

Separate forms must be used in each case.

Failure to complete and sign/initial all pages, in original ink, of this document shall invalidate your bid.

Where space provided is insufficient, annexes must be submitted with the relevant information.

False documents and/or the omission of information may invalidate your bid.

The form serves as a declaration to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

Any bid may be disregarded if the bidder or any of its directors or shareholders has:

- abused the Electoral Commission's supply chain management system;
- committed fraud or any other improper conduct in relation to such system; or
- failed to perform on any previous contract.

**PROSPECTIVE BIDDERS MUST REGISTER ON THE NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD) PRIOR TO SUBMITTING THEIR BIDS. FAILURE TO REGISTER ON THE CSD SHALL INVALIDATE YOUR TENDER.**

**A BIDDER'S TAX AFFAIRS MUST BE IN ORDER TO BE CONSIDERED IN THE ADJUDICATION OF THIS TENDER. A BIDDER'S TAX COMPLIANCE STATUS IS REFLECTED ON THE NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD).**

**A BIDDER'S TAX COMPLIANCE STATUS SHALL APPLY AS IT WAS AT THE TIME OF THE AWARD OF THE TENDER. THE TENDER SHALL ONLY BE AWARDED TO A BIDDER THAT IS TAX COMPLIANT. THE ELECTORAL COMMISSION VERIFIES TAX STATUS AGAINST THE CSD. ANY BID WITH A NON-COMPLIANT TAX STATUS SHALL BE REJECTED AT THE TIME OF THE AWARD OF THE TENDER. TAX NON-COMPLIANT BIDDERS ARE, THEREFORE, ENCOURAGED TO CONTINUOUSLY MONITOR THEIR TAX COMPLIANCE STATUS ON THE CSD AND MUST ENSURE THAT THEIR STATUS REFLECTS AS TAX COMPLIANT. BIDDERS MUST RESOLVE ANY PENDING TAX ISSUES WITH SARS TIMEOUSLY AS IT TAKES TIME FOR STATUS CHANGES TO BE EFFECTED FROM THE SARS TAX COMPLIANCE SYSTEM (TCS) TO THE CSD.**

**ALTHOUGH NOT ALL THE INFORMATION REQUESTED HEREUNDER MIGHT BE RELEVANT TO THE SPECIFIC REQUIREMENTS OF THIS TENDER, YOU ARE REQUESTED TO COMPLETE THE DOCUMENT WITH AS MUCH RELEVANT DETAIL AS POSSIBLE.**

**THE INFORMATION MAY BE USED DURING THE BID EVALUATION PROCESS OF THE TENDER.**

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**TENDER QUESTIONNAIRE (INCLUDING THE CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD9), DECLARATION OF BIDDER'S PAST SUPPLY CHAIN PRACTICES (SBD8), DECLARATION OF INTEREST (SBD4), THE ENTERPRISE DECLARATION AFFADAVIT, INVITATION TO BID AND TERMS AND CONDITIONS OF THE BID (SBD1)}**

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

**ORGANISATIONAL PROFILE**

- 1. Name of business entity (bidder): .....
- 2. Company CIPC registration number (if applicable).....
- 3. Central Supplier Database (CSD) registration number:

M	A	A	A							
---	---	---	---	--	--	--	--	--	--	--

Your unique registration number as provided above will be used to capture your company details as a vendor to the Electoral Commission. The Electoral Commission will draw your registration detail and tax compliant status from the National Treasury Central Supplier Database (CSD) and any changes (including banking details) you effect to your registration on the CSD will automatically update your registration as a vendor to the Electoral Commission. Detail provided on invoices issued to the Electoral Commission must correspond to the detail of your company as registered on the CSD. It remains your responsibility to ensure that details are correct to enable the Electoral Commission to effect any payments due to you.

- 4. Contact person (person representing bidder): .....
- 5. Contact number: .....
- 6. Cellphone number: .....
- 7. eMail address: .....
- 8. Physical address of bidder: ..... Postal Code: .....

9. Type of Company/Enterprise [TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation (CC)
- Company
- (Pty) Ltd

10. Describe Principal Business Activities

.....

11. Company Classification [TICK APPLICABLE BOX]

- Manufacturer
- Supplier
- Professional
- Other, e.g. transporter, *et cetera*.

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12. Total number of years the company/firm has been in business:
13. The names of directors / members of companies are drawn from the Central Supplier Database (CSD). Please provide the detail of any trustees/shareholders/owners and their individual identity numbers that do not appear on your CSD registration in the table below.

Full Name	Identity Number

14. SMME Classification (Tick one applicable to your company):

Non-SMME	<input type="checkbox"/>	Very Small	<input type="checkbox"/>
Medium	<input type="checkbox"/>	Micro	<input type="checkbox"/>
Small	<input type="checkbox"/>	EME	<input type="checkbox"/>

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

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

16. Is the entity an exempted micro enterprise (EME) for the purposes of the Preferential Procurement Regulations, 2017?

17. Has a B-BBEE status level verification certificate/affidavit been submitted?

18. If yes, who issued the certificate?

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

All bidders must submit sworn affidavits or original or certified copies of their status level certificates together with their bid documentation in support of and confirming the B-BBEE status level indicated above. Failure to submit the affidavit or certificate will result in a bidder being deemed as a non-compliant contributor and a status level of zero (0) will be allocated.

19. Legal status of bidder (tick one box)

Principal bidder	<input type="checkbox"/>	.....% of work will be subcontracted*
Subcontractor	<input type="checkbox"/>	
Consortium	<input type="checkbox"/>	
Joint venture (JV)	<input type="checkbox"/>	
Other, specify	<input type="checkbox"/>	

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 (including the certificate of independent bid determination (SBD9), declaration of bidder's past supply chain practices (SBD8), declaration of interest (SBD4) and the enterprise declaration affidavit.)

Separate forms must be used in each case.

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

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

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

22.1 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

Section 53(2) states: 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.

22.2 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.

23. In the event of subcontractors being used to render the services required in terms of this tender, the principal bidder must complete the schedule below in order to clearly indicate which entities will be subcontracted as well as the percentage of work to be subcontracted to each of these entities in relation to the total value of the contract.

Name of Company to be Subcontracted	% Value of Total Contract Allocated to Subcontractor	The B-BBEE status level of the sub-contractor	Sub-contractor is an EME or QSE (Please indicate EME, QSE, or "N/a")
<b>Total % of Work to be Subcontracted*</b>	..... %		

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**FINANCIAL INFORMATION**

24. 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?

<b>Financial Year (e.g. 2018, 2019, 2020)</b>	<b>Annual Turnover</b>	<b>Gross Asset Value</b>	<b>Net Asset Value</b>
	R	R	R
	R	R	R
	R	R	R
	R	R	R

25. 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.....

26. Is your company listed on the Stock Exchange?

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

27. 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**

28. Is the delivery period stated in the tender firm?

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

29. 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	
-----	--	----	--

30. 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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**PAST SUPPLY CHAIN PRACTICES**  
**(SBD8)**

31. Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?

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

(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied).

The Database of Restricted Suppliers now resides on the National Treasury's website ([www.treasury.gov.za](http://www.treasury.gov.za)) and can be accessed by clicking on its link at the bottom of the home page.

If so, furnish particulars:

.....

32. Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?

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

The Register for Tender Defaulters can be accessed on the National Treasury's website ([www.treasury.gov.za](http://www.treasury.gov.za)) by clicking on its link at the bottom of the home page.

If so, furnish particulars:

.....

33. Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?

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

If so, furnish particulars:

.....

34. Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?

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

If so, furnish particulars:

.....

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**DECLARATION OF INTEREST**  
**(SBD4)**

35. Are you or any person connected with the bidder presently employed by the state?

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

If so, furnish the following particulars:

Name of person/director/trustee/shareholder/member: .....

Name of state institution to which the person is connected: .....

Position occupied in the state institution: .....

Any other particulars: .....

.....

Was appropriate authority to undertake remunerative work outside employment in the public sector obtained?

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

Did you attach proof of such authority to the bid document?

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

If no, furnish reasons for non-submission of such proof:

.....

.....

36. Did you or your spouse, or any of the company's directors/trustees/shareholders/ members or their spouses conduct business with the state in the previous twelve months?

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

If so, furnish particulars.

.....

.....

37. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and/or adjudication of this bid?

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

If so, furnish particulars.

.....

.....

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38. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and/or adjudication of this bid?

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

If so, furnish particulars.

.....  
.....

39. Do you or any of the directors/trustees/ shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract?

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

If so, furnish particulars.

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**CERTIFICATE**  
**(SBD1, SBD4, SBD6.1, SBD8, SBD9)**

---

I, the undersigned, in submitting the accompanying bid:

TENDER: **IEC/LS-01/2021**

In response to the invitation for the bid made by The Electoral Commission do hereby make the following statements that I certify to be true and complete in every respect.

I certify, on behalf of: \_\_\_\_\_  
that:

1. I have read and I understand the contents of this Certificate.
2. I certify that the information furnished in this bid submission, which includes the information stated in respect of the applicable SBD forms, is true and correct. I accept that the Electoral Commission may reject the bid or act against me should this declaration be found not to be true and complete in every respect.
3. Each person whose signature appears on the accompanying bid has been authorised by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder.
4. I hereby bid to render all or any of the services described in the attached documents to the Electoral Commission on the terms and conditions and in accordance with the specifications stipulated in the tender documents (and which shall be taken as part of, and incorporated into, this tender) at the prices including VAT and on the terms regarding time for delivery and/or execution inserted therein.
5. I agree that:
  - a) the offer herein shall remain binding upon me/us and open for acceptance by the Electoral Commission during the validity period indicated and calculated from the closing time of the tender;
  - b) this tender and its acceptance shall be subject to the terms and conditions contained in the general tender conditions of the Electoral Commission with which I am/we are fully acquainted;
  - c) I/we agree that my/our bid shall be valid for a period of 180 days; and
  - d) the law of the Republic of South Africa shall govern the contract created by the acceptance of my/our bid.
6. I furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our bid, that the price(s) and rate(s) quoted cover all the work/item(s) specified in the tender documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract/service level agreement and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
7. I hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfilment of this contract.
8. I agree that any action arising from this contract may in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence of judgement which may be pronounced against me/us by a court of law as a result of such action.

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9. Confirmation is granted that SARS may, on an ongoing basis during the contract term, disclose my/our (including that of subcontractors, partners and undisclosed principals) tax compliance status to the Electoral Commission for purposes of verifying my/our tax compliance status with SARS.
10. We have 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>1</sup> will not be construed as collusive bidding.
11. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organisation, other than the bidder, whether or not affiliated with the bidder, who:
  - a) has been requested to submit a bid in response to this bid invitation;
  - b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
12. In particular, without limiting the generality of paragraph 10 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - a) prices;
  - b) geographical area where product or service will be rendered (market allocation);
  - c) methods, factors or formulas used to calculate prices;
  - d) the intention or decision to submit or not to submit, a bid;
  - e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - f) bidding with the intention not to win the bid.
13. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
14. The terms of the accompanying bid have not been, and will not be, disclosed by us, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
15. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and/or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and/or the bidder may be restricted from conducting business with the

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<sup>1</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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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.

- 16. I certify that the points claimed, based on the B-BBEE status level of contribution indicated in the tender documents, qualifies the bidder for the preference shown and I acknowledge that:
  - a) The information furnished is true and correct;
  - b) The preference points claimed are in accordance with the General Tender Conditions as indicated in this form; and
  - c) In the event of a contract being awarded as a result of points claimed I may be required to furnish documentary proof to the satisfaction of the Electoral Commission that the claims are correct.
- 17. If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the Electoral Commission may, in addition to any other remedy it may have –
  - a) disqualify the person from the bidding process;
  - b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding ten (10) years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - e) forward the matter for criminal prosecution.
- 18. 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.
- 19. 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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**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:**

- (a) Non-compliance with tender rules - The following shall lead to disqualification:
- 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 Certificate is deemed equivalent to signing page 24 and/or signing the page represents signing the Certificate.
  - 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).
- (b) Non-compliance with tender rules – In addition to (a) above, the following may lead to disqualification:
- Failure to sign/initial any other alterations and/or corrections to the information submitted by the bidder, which the Electoral Commission may consider to be material.
  - No tender shall be awarded to a bidder that is not tax compliant.

**Incomplete bid submission:**

- (c) 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 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:**

- (a) Incomplete Schedule of Rates and Prices.  
(b) Prices and information not furnished as specified and/or required.  
(c) Incomplete written proposals/submissions where required.

*Service providers should note that ALL information requested in terms of the bid submission is required and may be used for bid evaluation purposes.*

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**General questionnaire to ensure compliance with tender requirements/rules/conditions/specifications:**

Question	If YES, please tick*	If NO, please tick*
Are you duly authorised to sign the tender?		
Has the <i>Declaration of Interest Questionnaire</i> been duly completed and included with the other tender forms?		
Has the <i>Certificate</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?		
Has an original or certified copy of your valid B-BBEE certificate/affidavit been attached to the tender document?		
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**

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## **Electoral Commission**

**Tender IEC/LS-01/2021**

**Printing of a Customised Election Legislation Pocket-Sized Book  
for the 2021 Local Government Elections**

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**BACKGROUND DETAIL**

The Electoral Commission’s Legal Services Section requires a printed pocket-size booklet for the forthcoming 2021 Local Government Elections (2021 LGE). This booklet will contain all the relevant amended legislation that is applicable to the election in question, and is mainly used in the training of election staff. It is also distributed to political parties and is freely available to any interested party and/or organisation. ***The required services are of a specialised nature which includes the printing of legislation as well as incorporating and annotating all promulgated amendments into one (1) consolidated Act.***

In light of the above, the services of a specialised organization and/or service provider will be required. The minimum requirements for this specific project is that the service provider:

1. Must have a reputable service record with a minimum of 10 years’ experience in the print and electronic legal publishing industry, including 5 years publishing of national gazettes as well as incorporated and annotated legislation.
2. The service provider must have a team of editors dedicated to the project on a full-time basis.
3. The service provider must have a team of typesetters dedicated to maintaining and updating legislation sources.
4. The team will typeset, format, incorporate, annotate and edit all principal and amending legislation.
5. The service provider must also have specialist legislation proof-readers.

The Electoral Commission invites service providers in legal publishing industry to submit bids for the printing of this customised booklet.

**1. ITEM DESCRIPTION AND PRINTING REQUIREMENTS**

A proposal based on 65 000 copies of a booklet for the Electoral Commission.

The content must include:

- **Local Government: Municipal Electoral Act, Act 27 of 2000 and Regulations;**
- **Electoral Commission Act 51 of 1996 including Regulations; and**
- **"Quick Finder" providing easy access to contents and a useful list of key addresses of the Electoral Commission’s provincial offices.**

**NB.** *The above will result in a booklet comprising between 240-260 pages.*

**DETAILED BELOW ARE FURTHER DETAILS REGARDING THE BOOKLET:**

SPECIFICATIONS	YES	NO
1. Booklet size: Approximately - 140mm x 105mm with a variance of 5mm		
2. Paper cover: 230Gsm, Sinar board, smooth		
3. Font type: Arial		
4. Paper-Text: 70Gsm, bond, smooth		

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SPECIFICATIONS	YES	NO
5. Print and finish: Cover printed in full colour (CMYK) spread across front and back of the booklet		
6. Front and back cover in matt laminated one side only (outside)		
7. Text printed in black throughout		
8. Folded, gathered, thread sewn, drawn on covers		
9. Pricing quoted includes the cover design and layout		
10. A PDF version must also be supplied		
11. The booklet must be available for collection from the printers within 4-6 weeks from the date of receipt of an official purchase order and approval of the cover design.		

**NOTE:** *Bidders to indicate their compliance with the above specifications by ticking the applicable box, and provide the Electoral Commission with a sample of a booklet based on the abovementioned specifications. The Electoral Commission will arrange for the collection and delivery of the booklets from the printers to the various delivery points and therefore, the bid price must not include delivery. The final number of pages of the booklet may vary at the time of placement of the final order. In such a case the price shall be adjusted on a pro rata basis.*

**2. QUANTITY REQUIREMENTS**

65,000 booklets.

**3. PROOFS / QUALITY ASSURANCE**

- The successful bidder will be required to submit a proof copy to the Electoral Commission for sign off before the printing commences.

**Attention:** Nilan Rampershad  
 Election House  
 Riverside Office Park  
 1303 Heuwel Avenue  
 Centurion, 0157  
**Tel:** (012) 622 5959  
**Fax:** (012) 622 5375  
**Email:** [rampershadn@elections.org.za](mailto:rampershadn@elections.org.za)

- The Electoral Commission will have the right to conduct inspections at the supplier's premises for quality and adherence to specifications before deliveries are made.

**4. PACKAGING FOR DELIVERY**

The booklets must be packed for delivery as follows, to facilitate handling and storage:

- The booklets must be packed in packs of 20 in double-walled cardboard cartons.
- Maximum weight per single carton may not exceed 20kgs.

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## 5. PRICING AND WRITTEN PROPOSAL

- Prices quoted in the written proposal must be per booklet inclusive of VAT.

**NB. BIDDERS MUST TAKE CAREFUL NOTE OF THE PRINTING AND SPECIFICATION REQUIREMENTS AND ENSURE THAT THEIR BID PRICE IS FULLY INCLUSIVE OF ALL COSTS TO BE INCURRED.**

- Bidders must also provide the Electoral Commission with a **sample of a booklet based on the Electoral Commission's specifications. The sample must be submitted together with the bid before the closing date and time at the address specified in the tender document, and a written proposal detailing the following envisaged process:**
  - i) Prior experience on similar projects including two (2) recent contactable references.
  - ii) The allocation of a project team, and project manager with the necessary relevant experience.
  - iii) As a minimum, the project team shall comprise of at least:
    - a. 1x dedicated typesetter.
    - b. 1x dedicated senior editor.
    - c. 1x dedicated editor.
  - iv) Project plan detailing processes to ensure delivery within stipulated timeframes.
  - v) Typesetting, formatting, incorporation and annotation of amendments, editing and proof reading.
  - vi) Quality assurance.
  - vii) Compliance to the specifications in respect of clause 2 (Item description and printing requirements), and clause 7 (Special Requirements).

## 6. SPECIAL REQUIREMENTS

The services of a specialised organization and/or service provider will be required. The minimum requirements for this specific project is that the service provider:

- Must have a reputable service record with a minimum of 10 years' experience in the print and electronic publishing industry, including the publishing of national gazettes as well as incorporated and annotated legislation.***
- The service provider must employ a team of editors dedicated to the project as well as typesetters dedicated to maintaining and updating legislation sources.***
- The service provider's editors must be able to typeset, format, incorporate, annotate and edit all principal and amended legislation.***
- The service provider must also employ specialist legislation proof-readers.***
- A contract will be awarded to a successful bidder in terms of the conditions of the tender and the provisions of the Preferential Procurement Policy Framework Act, 2000 that may apply.
- The Electoral Commission reserves the right to award the printing of the customised election legislation booklet to one or more service providers in order to ensure that it's specified timelines are met for the training of electoral staff.
- The Electoral Commission, furthermore, also reserves the right to consider alternative options to the exact specifications outlined or otherwise stipulated that may be offered by

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suppliers 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.

- Evaluation and adjudication of the bids in respect of this tender will be done according to the attached evaluation criteria, and in terms of the Preferential Procurement Regulations, 2017.

**7. PAYMENT**

- No payment will be made without an original invoice being submitted to the Electoral Commission.
- Payment will be made within 30 days of receipt of the valid tax invoice, provided that the Electoral Commission is satisfied with the quality and standard of the supplier's performance.
- 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 details on the CSD.

**8. PRICING SCHEDULE**

**Completion of the pricing schedule below is mandatory.  
Failure to complete the pricing schedule as required shall result in a disqualification.**

DESCRIPTION	PRICE PER BOOKLET INCLUDING VAT
Printing as per the bid specifications in respect of clause 2 and 6 of the bid specifications for the booklets, which includes project management, cover design and layout.	R.....
<b>Total cost for 65,000 booklets</b>	<b>R.....</b>

**9. TECHNICAL ENQUIRIES**

Technical enquiries can be directed to Mr Nilan Rampershad at the Electoral Commission's Legal Department:

**Telephone:** (012) 622-5959  
**eMail:** [rampershadn@elections.org.za](mailto:rampershadn@elections.org.za).

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**BID EVALUATION: ELECTION LEGISLATION BOOKLET**

<b>KEY REQUIREMENTS FOR EVALUATION – <i>Non-compliance</i> will result in the disqualification of the bid from further evaluation</b>		<b>YES/NO</b>	<b>Bidder's Response</b>	<b>COMMENTS</b>
<b>PHASE 1</b>				
1.	Minimum of 10 years' experience in the print and electronic publishing industry,			
2.	Minimum of 5 years' in the publishing of national gazettes as well as incorporated and annotated legislation.			
3.	<b>Project Team</b>			
3.1	1x Dedicated project manager			
3.2	1x Dedicated typesetter			
3.3	1x Dedicated senior editor			
3.4	1x Dedicated editor			
4.	Written proposal submitted.			
5.	Sample booklet submitted.			
<b>QUALIFIES FOR PHASE 2</b>				

**PHASE 2**

	<b>Compliance with Bid Specifications</b>	<b>YES/NO</b>	<b>Bidder's Response</b>	
5.1	Booklet size approximately 140mm x 105mm with a variance of 5mm			
5.2	Paper-Cover: 230Gsm, Sinar board, smooth			
5.3	Font type: Arial			
5.4	Paper-Text: 70Gsm, bond, smooth			
5.5	Print & Finish: Cover printed in full colour (CMYK) spread across front and back of the booklet			
5.6	Front and back cover in matt laminated one side only (outside)			
5.7	Text printed in black throughout			
5.8	Folded, gathered, threadsewn, drawn on covers			

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	<b>Compliance with Bid Specifications</b>	<b>YES/NO</b>	<b>Bidder's Response</b>	
5.9	Undertaking to provide design, graphics and layout of the cover.			
5.10	Pricing quoted includes <b>the cover design and layout</b>			
5.11	A pdf version must also be supplied as soon as the designs and layout is approved.			
5.12	The booklet must be available for collection from the printers within 4-6 weeks from the date of receipt of an official purchase order and approval of the cover design.			

**COMMENT:**

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 .....  
 .....

Name and signature  
 of BEC members:

Date: \_\_\_\_\_ 2021

1. ....
2. ....
3. ....
4. ....

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