SOUTH AFRICA

TENDER BRIEFING NOTES

TENDER IEC/LG-06/2024

EASTERN CAPE WAREHOUSE FACILITY

15 NOVEMBER 2024

Tender Briefing Panel / IEC Representatives:

- Mr Marius Steyn – Logistics & Infrastructure
- Mr Robert Niemack – Logistics
- Mr Tinyiko Baloyi – Supply Chain Management
- Mr Masindi Mosehana - Eastern Cape Provincial
- Ms Nondumiso Mluma - Eastern Cape Provincial
- Ms Nodumo Mona - Eastern Cape Provincial

Attendees must please complete the attendance register that has been circulated. The information will be used to circulate the final briefing notes and applicable detail on the tender to attendees, subject to the information being legible and accurate.

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

During the tender briefing, the administrative requirements pertaining to the completion of the tender document as well as the technical aspects in respect of the Eastern Cape warehouse facility requirements will be addressed.

Prospective bidders are 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 the tender is 11:00 on 29 November 2024.

- Tender documents must only be submitted at the Electoral Commission's address as specified in the tender document before the closing date and time. Submission of bids elsewhere will result in such bids being set aside.
- The Electoral Commission preferably determines the time of closure by using Telkom's 1026 number – if available at the time of the closure of the tender.
- Once the tender closes, the list of bids received will be recorded.
- The list of bids received will be published on the Electoral Commission's website within 10 days of the tender closing.
- Interested parties are welcome to observe the closure of the tender, should they so wish.
- Primary bid compliance verification is performed prior to the bid evaluation process to determine which bids qualify for consideration and which not. This is done by the Electoral Commission's Supply Chain Management Department and Legal Services. The findings are then reviewed by the Electoral Commission's panel of independent auditors.
- The Electoral Commission's Supply Chain Management Division, 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 TENDERS**, as a whole or in part, will be accepted.

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

- 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 the National Treasury eTender portal at http://www.etenders.gov.za/
- Prospective bidders must ensure that the tender document is downloaded and printed and that it has all the applicable pages. Incomplete bid submissions, i.e. a tender 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 tender document.

- Preferably, print the tender 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 tender document and all supporting documentation) it is advisable NOT to split the tender document into different sections as this often leads to incomplete bid submissions in that certain pages of the tender document are omitted or that bidders fail to sign certain pages of the tender document. It is best to include the complete tender document at the top of the file followed by supporting documents.
- Prospective service providers are requested to write their company name on the cover page of the tender document – refer space provided for that purpose.
- The General Questionnaire provided on page twenty seven (27) of the tender is important and suppliers should focus on the requirements stipulated in the questionnaire once they have completed the entire tender document and prepared their detailed bid submission since it would assist them to ensure that they adhere to tender rules and comply with requirements.
- *General Tender Conditions* commencing on page four (4) of the tender document must be read carefully before the completion of the tender document.
- All applicable pages of the tender document must be signed/initialled in original ink and returned as part of your bid submission. Failure to return a page (which constitutes an incomplete bid submission) or unsigned/un-initialled page/s of the tender document shall lead to bids being disqualified. It is suggested that more than one person signs/initials the tender document pages to ensure that it is done properly and that no page is skipped.
- Important - There is a provision at the bottom of each and every page for a signature/initial.
- All corrections and/or alterations should be signed, failure of which may lead to the disqualification of bid submissions.
- Each alteration should have its own signature/initial.
- Any changes/alterations to pricing that is not signed/initialled are material and, therefore, not allowed.
- The use of correction fluid/tape to amend/change pricing must be avoided. The tender rules specifically provide that if correction fluid, tape or any other such method is used to alter pricing it shall lead to the disqualification of a bid submission. Note the caution expressed at the bottom of each page in the tender document in this regard.
- 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 as indicated above.

- Please include a printout of your Central Supplier Database (CSD) registration form in your bid submission and state your unique CSD registration number on page thirteen (13) of the tender document as required.
- 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, a copy of the valid B-BBEE status level certificate from an accredited verification agency, affidavit or CIPC B-BBEE certificate, as applicable, must be submitted together with the bid.
- The compulsory supporting documents for the applicable B-BBEE document listed on page fifteen (15) must be submitted in order for the Electoral Commission to validate the information on the B-BBEE document submitted. If a B-BBEE claim on a B-BBEE document cannot be validated, no points can be allocated for the claim.
- The 80/20 preference point system will be applied in accordance with the formula as provided for 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 in the tender document and the annual financial statements. The tick box information in the tender document to be completed and should correspond with the B-BBEE documentation submitted.
    - 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 SANAS accredited B-BBEE status level certificate.
- All entities with an annual turnover above R50 million must submit a SANAS accredited B-BBEE status level certificate.

- Please note that all joint ventures must submit a combined B-BBEE document assessed for the applicable bid.
- The *B-BBEE status level information* on pages fourteen to fifteen (14-15) of the tender document needs to be completed carefully and accurately. The information is used for purposes prescribed in the Preferential Procurement Policy Framework Act and its Regulations and for the final adjudication of the tender. It is advisable to take note of the latest developments concerning the Preferential Procurement Regulations, 2022 from National Treasury, especially in respect of consortia, joint ventures, *et cetera* and eligibility for preference points.
- 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.
- Do not retype tender documents or any part thereof. If there is insufficient space, the pages of the tender document in question may be photocopied and attached to the original document.
- Copies may be made of relevant pages of the tender document. It is suggested that copies of applicable pages of the tender document, for example the pricing schedules, be used as rough drafts and then to submit the original completed document for tendering purposes. Although photocopies of the tender pages could be submitted if necessary, all pages must be completed and signed/initialled in original ink. Photocopied detail and/or signatures/initials will invalidate the bid submission.

- The *Tender Questionnaire* (including all declarations) on pages thirteen to twenty-four (13–24) must be completed by the service provider. In the case of a consortium, joint venture, partnership or a subcontractor, the forms should be completed for each and every member in order for the Electoral Commission to be able to determine the necessary information and declarations. Separate forms must be used for each entity – do not combine information for multiple parties on a single form. Failure to do so may invalidate a bid submission.
- The unique National Treasury Central Supplier Database (CSD) registration number on page thirteen (13) must be stipulated as the Electoral Commission will use this information to draw supplier reports on the CSD to verify information such tax compliance status, banking details, *et cetera*.
- As such, the unique CSD registration number will be used to capture your company details as a vendor to the Electoral Commission in the event that your bid succeeds. The Electoral Commission will draw your registration detail from the 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.
- The *Financial Information* on page eighteen (18) should be completed.
- The *Delivery and Guarantees* section on page nineteen (19) should be completed.
- The *Bidder's Disclosure and Declaration* from page twenty (20) to page twenty two (22) of the tender document is important and must be completed by the service provider and in the case of a consortium, joint venture or a subcontractor, by each and every member. Failure to do so may invalidate a bid submission. The information provided will *inter alia* be used in order to address possible conflict of interest that may arise.
- In the case of a consortium, joint venture or partnership being formed, relevant documents should be submitted for all parties concerned. This is also applicable to the use of subcontractors where 25% or more of the work is being done by another party. Separate forms must be used for each entity.
- It is important to complete all pricing schedules included in the tender document. Failure to complete any pricing schedule that is required to be completed shall invalidate a bid submission. Where additional information is required, for example detailed costing schedules, such information must be submitted as part of the required written submission (where applicable). The mandatory

pricing schedule/s in the tender document must not, however, be substituted by the service provider's own pricing schedule/s as it will lead to disqualification.

- Bidders should note the provisions and evaluation criteria provided on page fifty to fifty four (50-54) as well as the bid evaluation schedule included at the end of the tender 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 audit process 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 tender.
- A contract/service level agreement (SLA) will 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 tender 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 tender 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 tender document 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.

Apart from the administrative requirements the technical requirements pertaining to the bid specifications will be highlighted.

In this regard, the following should be noted:

- The bid specification starts from page 28 of the tender document.
- Written proposals must be submitted as part the bid responses – Section 2.2 of bid specifications.
- Section 3.1.1 in the detail bid specifications deals with the warehouse size requirements.
- Please note the gross lettable area (GLA) must be 4,500m^2. Limited tolerances are allowed for warehouses to be slightly bigger or smaller. Refer page 31 and 38 of the tender document.
- The location of the warehouse is very specific. The warehouse space must be located within a 30km radius from the Electoral Commission's Eastern Cape provincial office.
- The condition of desired warehouse must be as described in the bid specifications.
- The pricing schedule is provided from page 46, Section 5, and continues to page 48.
- Please remember that all-inclusive pricing is considered during the bid evaluation process and is also used for bid adjudication purposes. The importance of stating all pricing on the pricing schedule is critical as the Electoral Commission will not entertain any deviation from this.
- Please note that the lease period is for a nine (9) years and eleven (11) month period, with an option to extend, at the sole discretion of the Electoral Commission and subject to any statutory provisions that may by applicable at the time of considering such extension. Refer section 3.2 and 5.4 on pages 34/35 and 47 respectively.
- The building must be an existing building. No greenfield projects will be accepted.
- Please pay attention to Section 3.1.1.3 on page 32. Photos and a floor plan must be provided as part of bid submissions. Failure to do so shall invalidate a bid.
- When completing the company profile, please supply detailed information on the business. The objective is for the Bid Evaluation Committee (BEC) to ascertain a bidder's experience within the

warehouse or property industry. The more detailed the information on the business the more beneficial it will be.

- Sections 3.1.1.19 and 3.1.1.20 deals with the security at a proposed site, which includes perimeter fencing and the importance there of. Please note service providers will be responsible for the maintenance of fencing.
- The need for fire protection is essential and the property needs to have sufficient fire protection and safety requirement as required in the bid specifications. Refer Section 3.1.1.18 on page 33 and item 10 of Section 4.1 on page 40. Please note that a valid fire compliance certificate must be supplied with your bid submission.
- Accessibility to main arterial roads and public transport is required. Refer Section 3.1.1.5 on page 32 of the tender document.
- The warehouse must have minimum of two (2) roller doors. The maintenance of said doors is the responsibility of the service provider.
- Air-conditioning requirements are set out in Section 3.1.1.12 on page 32. The maintenance of air conditioners will be the responsibility of the service provider.
- The facility must have telecommunications infrastructure. Refer to 3.1.1.13 on page 32.
- Section 3.1.1.17 deals with lighting requirements on page 33. Due to the nature of the warehouse operations, the lighting is of vital importance.
- Section 3.1.1.17 sets out the electrical reticulation system that the Electoral Commission requires and special mention must be made of the requirement around stable power supply which effectively means that a bidder must provide a backup power system in the form of generator power. The generator must have a minimum of capacity of 100 KVA (or equivalent alternative power supply). The service provider must supply the diesel and/or the full maintenance of the generator (or equivalent alternative power supply).
- Guardroom and ablution facilities are provided for on page 34. The Electoral Commission provides its own 24 hour security which warrants these facilities to be available.
- Bidders must answer YES or NO to the requirements stipulated in the schedule provided from pages 37 to 45 of the tender document. Please note that if you answer YES to all it will be assumed that what has been submitted in your submission is a true reflection of what is being offered in your bid. This will be verified during the due diligence audit and site inspection and bids that do not conform as stipulated will be disqualified.
- Please submit sufficient supporting evidence in your bid submission to assist the bid evaluation process.

- Please note that the overall maintenance of the building infrastructure, which includes the maintenance of the structure and surrounding yard spaces, will be the responsibility of the service provider.
- The bid evaluation criteria can be found on pages 50 to 54. Please make an effort to go through the bid evaluation criteria and make sure that your bid submission adequately covers each and every aspect that will be evaluated.
- The bid evaluation process is conducted in a rigid and meticulous manner. A warehouse facility that will suit the Electoral Commission's needs is what is expected. Any bid that does not conform to the bid specifications will be disqualified.

Attendees will be given an opportunity to ask question and responses will be provided.

Technical Questions and Responses:

Q: Bid evaluation criteria on page 53 section 1.26 talks of provision of diesel, who will provide the diesel?

A: The service provider

Q: In case the service provider provides you with the space more than what your need as per tender specification are you not going to use it?

A: We can use it provided that service provider will only charge space that we requested.

Q: Do you share a space with others?

A: No, we don't share space with other companies due to nature of our work, however we can share a complex.