



SOUTH AFRICA

REFERENCE: IEC/EM-01/2023

CLOSING DATE: 23 JUNE 2023

ENQUIRIES

TECHNICAL SPECIFICATIONS: Stuart Murphy

Tel: 012 622 5936 or eMail: Murphys@elections.org.za

ADMINISTRATIVE ENQUIRIES: Mr Vincent Qwabe

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

TENDER IEC/EM-01/2023

SERVICE DESCRIPTION: RESULTS AUDIT 2024 NPE

Kindly furnish the Electoral Commission with a bid for the Results Audit 2024 as per this tender document.

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

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

A tender briefing session will be held at 11:00 on 31 May 2023 at the Electoral Commission's National Office situated at:

Election House

Riverside Office Park

1303 Heuwel Avenue

CENTURION

Kindly submit your bid by completing the relevant forms and deposit the bid in the tender box at the Electoral Commission's address before the closing date and time as specified on page two (2).

The Electoral Commission takes no responsibility for any late bids, whatever the reason may be.

Yours sincerely

SUPPLY CHAIN MANAGEMENT

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr M. Moepya (Chairperson) | Mr G. Mashinini | Ms J.Y. Love | Dr N.P. Masuku | Judge D. Pillay
National Office: Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046
info@elections.org.za | www.elections.org.za
Tel (+27) 12 622 5700

TENDER NUMBER: IEC/EM-01/2023
SERVICE DESCRIPTION: RESULTS AUDIT 2024 NPE

CLOSING TIME: 11:00

CLOSING DATE: 23 JUNE 2023

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 43**) MUST BE COMPLETED AND SIGNED IN ORIGINAL INK. THE BIDDER IS HOWEVER NOT REQUIRED TO FILL IN THE TENDER EVALUATION CRITERIA. FORMS WITH PHOTOCOPIED SIGNATURES/ INITIALS OR ANY OTHER SUCH REPRODUCTION OF DETAIL WILL BE REJECTED, RESULTING IN THE TENDER BEING DISQUALIFIED.

SUBMIT YOUR BID IN A SEPARATE SEALED ENVELOPE OR SUITABLE CONTAINER IF NECESSARY AND WRITE YOUR COMPANY NAME AS WELL AS THIS TENDER REFERENCE NUMBER (**IEC/EM-01/2023**) ON THE ENVELOPE/ CONTAINER.

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

TENDER SUBMISSIONS MUST BE SUBMITTED BY NO LATER THAN THE CLOSING DATE AND TIME IN THE TENDER BOX SITUATED AT:

Election House
Riverside Office Park
1303 Heuwel Avenue
CENTURION

THE TENDER BOX WILL BE OPEN DURING OFFICE HOURS.

BIDS SUBMITTED IN THE INCORRECT TENDER BOX(ES) OF THE ELECTORAL COMMISSION, AND NOT IN THE BOX STIPULATED ABOVE WILL NOT BE CONSIDERED.

BIDS, AS A WHOLE OR IN PART, RECEIVED AFTER THE CLOSING DATE AND TIME ARE LATE AND WILL NOT BE ACCEPTED FOR CONSIDERATION. LATE BIDS ARE RECORDED BUT SET ASIDE.

ONLY BIDS SUBMITTED IN THE CORRECT TENDER BOX(ES) AS SPECIFIED IN THE TENDER DOCUMENT OF THE ELECTORAL COMMISSION SHALL BE ACCEPTED. BIDS SUBMITTED IN THE ADDRESS NOT SPECIFIED IN THE TENDER DOCUMENT, BY TELEGRAM, FACSIMILE, POST OR BY ELECTRONIC MEANS SUCH AS eMAIL WILL NOT BE ACCEPTED FOR CONSIDERATION.

THE ELECTORAL COMMISSION WILL PUBLISH THE AWARD OF THIS TENDER IN ACCORDNACE WITH STATUTORY REQUIREMENTS AS REQUIRED. TENDERERS SHOULD NOTE THE AWARD OF THE TENDER AS PUBLISHED. NO GENERAL NOTICES TO UNSUCCESSFUL BIDDERS WILL BE ISSUED.

THE ELECTORAL COMMISSION GENERALLY DOES NOT ISSUE LETTERS OF APPOINTMENT. SUCCESSFUL BIDDERS WILL BE REQUIRED TO SIGN A SERVICE LEVEL AGREEMENT, AND/ OR WILL BE ISSUED WITH AN OFFICIAL PURCHASE ORDER AS MAY BE APPLICABLE WHICH REPRESENTS THE 'CONTRACT' BETWEEN THE TWO PARTIES CONCERNED.

CONTENTS OF THIS PAGE NOTED:

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BACKGROUND

The Electoral Commission is a permanent body established in terms of Chapter 9 of the Constitution of the Republic of South Africa and the Electoral Commission Act 51 of 1996. It is responsible for managing and administering all elections and promoting and safeguarding democracy in South Africa. Although publicly funded and accountable to Parliament, the Electoral Commission is independent of government.

In terms of Section 190 of the Constitution of the Republic of South Africa (Act 108 of 1996), the Electoral Commission must -

- Manage elections of national, provincial and municipal legislative bodies;
- Ensure that those elections are free and fair;
- Declare the results of those elections; and
- Compile and maintain a voters' roll.

Duties of the Electoral Commission as stated in Section 5 of the Electoral Commission Act require that the Electoral Commission:

- Compile and maintain a register of parties;
- Undertake and promote research into electoral matters;
- Develop and promote the development of electoral expertise and technology in all spheres of government;
- Continuously review electoral laws and proposed electoral laws, and make recommendations;
- Promote voter education;
- Declare the results of elections for national, provincial and municipal legislative bodies within seven (7) days of those elections; and
- Appoint appropriate resources in any sphere of government to conduct elections when necessary.

The Electoral Commission currently operates in approximately 270 municipal electoral offices, nine (9) provincial offices and ten (10) warehouses at national and provincial level.

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GENERAL TENDER CONDITIONS

1. These conditions form part of the tender and failure to comply with these may invalidate a bid.
2. The following definitions shall apply:
 - (a) “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
 - (b) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad Based Black Economic Empowerment Act;
 - (c) “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
 - (d) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations and advertised competitive bidding processes;
 - (e) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003); together with the Broad-Based Black Economic Empowerment Amendment Act, 2013 (Act No. 46 of 2013)
 - (f) “comparative price” means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration;
 - (g) “consortium or joint venture” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
 - (h) “contract” means the agreement (including a service level agreement) that results from the acceptance of a bid by the Electoral Commission;
 - (i) “EME” means any exempted micro enterprise with an annual total revenue that is less than the prescribed threshold value;
 - (j) “firm price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
 - (k) “functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
 - (l) “non-firm prices” means all prices other than “firm” prices;
 - (m) “person” includes a juristic person;
 - (n) “rand value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable duties and taxes;
 - (o) “service provider” means any individual or entity that is contracted by the Electoral Commission to render goods or services.
 - (p) “specific goal” means specific goals as contemplated in section 2(1)(d) of the Preferential Procurement Policy Framework Act, 2000

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- (q) "state" means any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act (the PFMA), 1999 (Act No. 1 of 1999), any municipality or municipal entity, provincial legislature, National Assembly or the National Council of provinces; or Parliament;
- (r) "sub-contract" means the primary bidder/contractor's assigning, leasing, making out work to, or employing, another person to support such primary bidder/contractor in the execution of part of a project in terms of the SLA/contract.

In the event that the primary contractor/bidder is purchasing or renting goods from another entity for the purposes of rendering the services required in respect of this tender the latter shall be deemed not to be a 'sub-contractor'; and

- (s) "total revenue" bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007; and
 - (t) "trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.
3. The tender forms are drafted to ensure that certain essential information is to be furnished in a specific manner. Any additional particulars shall be furnished in the enclosed questionnaire/s (where applicable) or in a separate annexure/s.
 4. The tender forms shall not be retyped or redrafted but photocopies may be prepared and used. All photocopied pages must, however, be completed and signed/initialled in original ink as stipulated.
 5. Additional offers may be made for any item in response to this tender but only on a photocopy of the applicable page/s. Additional offers made in any other manner may be disregarded.
 6. Tenders will not be qualified by the tenderer's own conditions of tender. Failure to comply with this requirement shall invalidate the bid.
 7. Failure on the part of the tenderer to *sign/initial all applicable pages* of this tender form and thus to acknowledge and accept the conditions in writing shall invalidate the bid submission.
 8. Failure on the part of the tenderer to complete the attached forms, questionnaires and specifications document in all respects may invalidate the bid submission. Failure to complete mandatory forms/schedules shall invalidate the bid submission.
 9. All changes/ alterations in the tender document should be signed/initialled. Failure on the part of the tenderer to sign/initial any alterations and/or corrections made to information provided in this tender form may invalidate the tender submission.
 10. No correction fluid/tape or similar products will be allowed and the use thereof on any page of the tender document may invalidate your bid submission.
 11. Any changes/ alterations to pricing that are not signed/ initialled are considered material, and shall invalidate the bid submission. Correction fluid/tape or similar products will not be allowed to amend prices and the use thereof shall invalidate the bid submission.
 12. Information/detail provided on completed tender forms must be legible and ink must be used. Tender forms completed and signed mechanically, e.g. by means of a typewriter/computer or a signature/initial by means of a stamp are deemed to have been completed in original ink. Pencil must not be used as it shall lead to the disqualification of the bid submission.
 13. Tenderers shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted with regard to claims arising from the fact that pages are missing or duplicated. Incomplete bid submissions (i.e. with missing pages) shall be disqualified.

CONTENTS OF THIS PAGE NOTED:

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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 nor be eligible for the payment of VAT.
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. The Electoral Commission shall only accept bids at prices that are market related. In the event that a bid is deemed to not be market related the Electoral Commission reserves the right to negotiate prices in accordance with the provisions of the SCM policy in order to achieve a market related price or cancel the tender altogether.
17. National Treasury has placed an obligation on all bidders that intend doing business with government to register on its Central Supplier Database (CSD). The Electoral Commission will not contract any tenderer that is not registered on the CSD.
18. It is an absolute requirement that the tax affairs of the successful tenderer must be in order.
19. An entity's tax compliance status is indicated on the Central Supplier Database (CSD). The Electoral Commission will only contract tenderers whose tax status is compliant. This means that if a tenderer has a non-compliant tax status before the award is completed the bid will be disqualified if that tenderer's tax affairs remains non-compliant as per the provisions of National Treasury Instruction 9 of 2017/2018. It remains the bidder's responsibility to ensure that their taxes are in order, remain in order and that this is reflected on the CSD. The bidder must also ensure that all sub-contractors (if applicable) are tax compliant.
20. Bids must be submitted based on firm tender prices and delivery periods, unless otherwise stated in the bid specifications. Consequently, tenderers must clearly state whether prices and delivery periods will remain firm for the duration of the SLA/contract or not.
21. When the SLA/contract is awarded on the basis of firm prices, contract prices may be adjusted during the contract period only if:
 - (a) customs or excise duty or any other duty, levy or tax (excluding any anti-dumping and countervailing duties or similar duties), is introduced in terms of any Act or regulation; or
 - (b) any such duty, levy or tax is legally changed or abolished; and
 - (c) the onus of proof of the effect of such events is placed upon the tenderer.
22. If non-firm prices are provided for in the bid specifications, the following rules shall apply:
 - (a) In respect of any factors which demonstrably have an influence on the production cost of the supplies or the cost of rendering the services which have been tendered on the basis of non-firm prices, price adjustments which become effective during the contract period may be allowed with effect from the date of the change in cost and founded on the actual direct change in the cost as used in the calculation of the tender price, in addition to those provided for.
 - (b) Where the tenderer is the manufacturer of the supplies or the provider of the service, or where he/she/they is the accredited agent of the manufacturer or the provider, evidence in support of the price adjustments claimed shall be produced on demand.
 - (c) As an alternative, the bidder may specify a formula in the bid submission for the purpose of adjusting prices in accordance with published indices.
 - (d) Where the tenderer is not the provider of the service, or where he/she/they is not the accredited agent of the provider, any price adjustment shall be based on the increase or reduction to the tenderer in the net cost of the supplies on which the tender price was based. When any such increase or reduction in costs occurs, the tenderer shall submit copies of the quotation or price list with reference to which the tender price as calculated, as well as the revised quotation or price list on which the claim is based.

CONTENTS OF THIS PAGE NOTED:

.....
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23. Where prices are subject to exchange rate fluctuations, tenderers must take that factor into account when bidding and, where necessary, should ensure that they have taken the necessary forward cover to provide for possible price increases. When applicable, specific detail to this effect should be included in the bid submission.
24. 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.
25. Unconditional discounts offered by any tenderer as part of their bid submission may be considered by the Electoral Commission at its sole discretion in the bid adjudication process. Any other discounts offered by any tenderer will be taken into consideration for payment purposes.
26. The bid specifications form an integral part of the tender document and tenderers shall indicate in the space/s provided whether the specific goods and/or services offered are according to specification or not.
27. In cases where the goods and/or services offered are not according to specification, the deviations from the specifications must be indicated. Specifications may not, however, be changed on the tender forms provided as that shall invalidate a bid submission.
28. Unless specifically provided for in the tender document, no bids transmitted by facsimile or email will be considered.
29. Tenderers are requested to promote local content as far as possible.
30. A service level agreement (SLA/contract) shall be entered into with the successful tenderer.
31. Unless otherwise stipulated, all tools/equipment needed must be supplied by the successful tenderer.
32. Any tenderer found to be influencing the tender adjudication process shall be automatically disqualified and not accepted for consideration.
33. In accordance with the Electoral Commission's policy, the Electoral Commission reserves the right to procure goods/services outside of the SLA/contract if, *inter alia*, an emergency arises; the service provider's point of supply is not situated at or near the place where services are required or, if the service provider's services are not readily available.
34. 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.
35. The Electoral Commission may, at its sole discretion, resolve to procure lesser or additional goods/services as provided through the tender should the need arise. Any such change in the scope of services shall be negotiated with the successful tenderer if and when relevant with due regard to any statutory provisions imposed by National Treasury at the time of considering such.
36. 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.
37. All information supplied by the Electoral Commission will be in the strictest confidence and will remain the proprietary information of the Electoral Commission. No tenderer will be permitted to disclose any such information to any third party without the prior express consent and/or written authority and/or consent of the Electoral Commission.
38. Should the tenderer fail to comply with any of the conditions of the SLA/contract, the Electoral Commission shall be entitled, without prejudice to any of its other rights, to:
 - (a) arrange for the alternative execution of the service/s not rendered or not in conformity with the specifications of the SLA/contract; and

CONTENTS OF THIS PAGE NOTED:

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- (b) recover all costs, losses or damages it has incurred or suffered as a result of the tenderer's conduct; or
 - (c) cancel the SLA/contract and claim any damages which it has suffered as a result of having to make less favourable arrangement due to such cancellation.
39. All acquisitions for goods and/or services made by the Electoral Commission are subject to the following conditions:
- (a) No variations from the terms and conditions herein contained, and no contrary stipulation by the tenderer shall be valid and binding unless confirmed by the Electoral Commission in writing.
 - (b) The Electoral Commission reserves the right to cancel any order if delivery is not made in due time and the tenderer will not be entitled to any cancellation fees.
 - (c) Part deliveries will only be accepted on prior arrangement with the Electoral Commission.
 - (d) If delivery is not met as per agreement, the Electoral Commission reserves the right to cancel the outstanding delivery, and recover all costs, losses or damages it has incurred or suffered as a result of the tenderer's conduct.
 - (e) No price adjustments shall be accepted unless stipulated in the tender document received and agreed to by the Electoral Commission. The tenderer will be obliged to sell at tendered prices.
 - (f) The award of the tender may be subjected to the negotiation of a market-related price with a bidder in accordance with the provisions of the SCM policy.
 - (g) The Electoral Commission shall not be responsible for any risk in relation to the goods before delivery.
 - (h) The Electoral Commission shall not be obliged to pay for any goods with any deviation from the agreed specification and quality.
 - (i) The Electoral Commission shall be entitled to return any goods with defects or deviations from the agreed specification without consent from the tenderer.
 - (j) The service provider shall submit a valid tax invoice where the service provider is VAT registered, or a valid invoice if the service provider is not VAT registered, conforming to tax law requirements, to the Electoral Commission. The invoice amount shall correspond with the order amount and shall be VAT inclusive, where applicable.
 - (k) Details provided on invoices issued to the Electoral Commission must correspond to the details of the service provider as registered on the Central Supplier Database (CSD). It remains the service provider's responsibility to ensure that details are correct to enable the Electoral Commission to effect any payments due to the bidder.
 - (l) Payment shall be effected within 30 days of receipt of a valid invoice/s together with a statement of the Electoral Commission's account, unless a dispute arises in respect of such invoice/s. Every effort shall be made to take advantage of special discounts.
 - (m) To avoid unnecessary delays in payment, it remains the tenderer's responsibility to ensure that banking details are correct and validated on the Central Supplier Database (CSD). The Electoral Commission will not be liable for interest accrued on overdue accounts where the tenderer has not resolved their incorrect banking details on the CSD.
40. No damages shall be claimable by the Electoral Commission in respect of any reasonable period of delay which the tenderer can prove to the satisfaction of the Electoral Commission to be directly due to unforeseen events and/or any *force majeure*.
41. 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

CONTENTS OF THIS PAGE NOTED:

.....
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writing to the contact person stated in the service level agreement (SLA/contract), and at the same time the service provider shall indicate the extension of the delivery/completion period which will then be required.

42. 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.
43. Tenderers may, at the discretion of the Electoral Commission, be requested to submit samples or prototypes, make presentations and/or written submissions in order for the Electoral Commission to assess compliance with tender conditions and specifications.
44. Scoring in respect of this tender will be based on the provisions of the Preferential Procurement Policy Framework Act, 2000 (PPPFA) and Preferential Procurement Regulations, 2022. Only valid B-BBEE status level certificates, CIPC B-BBEE certificates or B-BBEE affidavits are acceptable, and these will be subject to verification and validation.
45. The following preference point systems are applicable to bids of the Electoral Commission:
 - (a) the 80/20 system for goods and/or services with a Rand value equal to or below R50,000,000 (all applicable taxes included);
 - (b) the 90/10 system for goods and/or services 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.
46. **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.**
47. Preference points for this bid shall be awarded for:
 - (a) Price (80 or 90 as applicable); and
 - (b) Specific goal(s) (a maximum of 20 or 10 as applicable).
48. A maximum of 80 or 90 points is allocated for price on the following basis:

$$80/20 \text{ or } 90/10 \quad P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \text{ or } P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- P_{min} = Price of lowest acceptable bid

49. In terms of Regulation 3(b) of the Preferential Procurement Regulations, 2022 preference points must be awarded to a tenderer for specific goal(s) in accordance with the table below:

B-BBEE Status Level of Contributor	Number of Points 80/20	Number of Points 90/10
1	20	10
2	18	9
3	14	6
4	12	5
5	8	4
6	6	3

CONTENTS OF THIS PAGE NOTED:

.....
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7	4	2
8	2	1
Non-compliant contributor	0	0

50. Tenderers who qualify as exempted micro enterprises (EMEs) in terms of the B-BBEE Act and its codes must submit a CIPC B-BBEE certificate or B-BBEE sworn affidavit (with the exception of sector codes).
- (a) For EMEs falling under a sector charter, the tenderer must submit a B-BBEE document in compliance with the applicable sector code.
51. Tenderers who qualify as qualifying small enterprises (QSEs) in terms of the B-BBEE Act and its codes must submit a B-BBEE sworn affidavit or B-BBEE status level certificate as applicable.
- (a) QSEs with at least 51% black ownership must submit a B-BBEE QSE sworn affidavit.
- (b) QSEs with 50% or less black ownership must submit their valid B-BBEE status level certificate, issued by a Verification Agency accredited by South African Accreditation System (SANAS) substantiating their B-BBEE claims. A black-owned QSE may be measured in terms of the QSE scorecard should it so choose and therefore may also provide a valid B-BBEE status level certificate issued by a Verification Agency accredited by SANAS substantiating their B-BBEE claims.
52. Tenderers other than EMEs or QSEs must submit their valid B-BBEE status level certificate issued by a Verification Agency accredited by South African Accreditation System (SANAS), substantiating their B-BBEE claim.
53. Failure on the part of a tenderer to submit a sworn affidavit, or a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) together with the bid, will be interpreted to mean that preference points for specific goals are not claimed.
54. In order to validate the credibility of the information recorded on the B-BBEE verification certificate, sworn affidavit or CIPC B-BBEE certificate the Electoral Commission requires all applicable supporting documents.
55. An incorporated joint venture will qualify for points for its B-BBEE status level as a legal entity, provided that the entity submits its B-BBEE status level certificate.
56. A trust, consortium or unincorporated joint venture will qualify for points for its B-BBEE status level as an unincorporated entity, provided that the entity submits its consolidated B-BBEE status level certificate as if it were a group structure and that such a consolidated B-BBEE status level certificate is prepared for every separate bid.
57. 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.
58. Start-ups that are EMEs but wish to tender for contracts of R10 million in value or above, must be verified using the QSE scorecard. For tenders of R50 million in value or above start-ups must be verified using the generic scorecard.
59. A person will not be awarded points specific goals if it is indicated in the bid document that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for.
60. 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.
61. The Electoral Commission reserves the right to require of a tenderer, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preference points,

CONTENTS OF THIS PAGE NOTED:

.....
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in any manner required by the Electoral Commission. In the event that no response is received from the issuer of the certificate after 48 hours or the tenderer, no specific goal points will be allocated in the final scoring.

62. A tenderer who's bid is acceptable will be awarded a contract based on lowest acceptable bid, which is market related, subject to section 2(1)(f) of the PPPFA, in addition to complying with all the other requirements, such as, meeting the technical specifications and satisfying the Electoral Commission's due diligence audit requirements which entails confirmation of the bidder's capacity, capability and ability to render the goods/services in accordance with the tender conditions/specifications.
63. Points scored will be rounded off to the nearest 2 decimal places.
64. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of points for specific goals.
65. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
66. Any legal person may make an offer or offers in terms of this invitation to bid.
67. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the tenderer or his/ her authorised representative declare his/ her position in relation to the evaluating/ adjudicating authority, where:
 - (a) the tenderer is employed by the state; and/or
 - (b) the legal person on whose behalf the bidding document is signed, has a relationship with persons/ a person who are/ is involved in the evaluation and/ or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/ or adjudication of the bid.
68. 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.
69. The Electoral Commission may cancel the tender for reasons that may include *inter alia*:
 - (a) Changed circumstances – There is no longer a need for the goods/services.
 - (b) Funds are no longer available to cover the total envisaged expenditure.
 - (c) No acceptable bid is received.
 - (d) There is a material irregularity in the tender process.
 - (e) If the price offered by a tenderer scoring the highest points is not market-related.
70. This bid is subject to the Preferential Procurement Policy Framework Act, 2000 and the Preferential Procurement Regulations, 2022, the general conditions of contract (GCC) and, if applicable, any other special conditions of contract.

CONTENTS OF THIS PAGE NOTED:

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BID SUBMISSION

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

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

In the case of subcontractors, where more than 25% of the work will be done by such subcontractor/s each subcontractor must complete the mandatory tender forms (pages 14 to 23).

Separate forms must be used in each case.

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

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

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

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

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

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

Prospective tenderers must register on the National Treasury Central Supplier Database (CSD) prior to submitting their bids. Failure to register on the CSD shall invalidate your tender.

A tenderers tax affairs must be in order to be considered in the adjudication of this tender. A tenderer’s tax compliance status is reflected on the national treasury central supplier database (CSD).

A tenderer’s tax compliance status shall apply as it was at the time of the award of the tender. The tender shall only be awarded to a tenderer that is tax compliant. The electoral commission verifies tax status against the CSD. Any bid with a non-compliant tax status shall be rejected at the time of the award of the tender. Tax non-compliant tenderers are, therefore, encouraged to continuously monitor their tax compliance status on the CSD and must ensure that their status reflects as tax compliant. tenderers must resolve any pending tax issues with SARS timeously as it takes time for status changes to be effected from the SARS Tax Compliance System (TCS) to the CSD.

Although not all the information requested hereunder might be relevant to the specific requirements of this tender, you are requested to complete the document with as much relevant detail as possible.

The information may be used during the bid evaluation process of the tender.

CONTENTS OF THIS PAGE NOTED:

.....
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TENDER QUESTIONNAIRE

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

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

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

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

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

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

- Partnership/Joint Venture / Consortium
- One person business/ sole propriety
- Close corporation (CC)
- Public Company
- Personal Liability Company
- Company (Pty) Ltd
- Non-Profit Company
- State Owned Company
- Other _____

10. Describe Principal Business Activities

.....

11. Company Classification [TICK APPLICABLE BOX]

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

12. Total number of years the company/firm has been in business:.....

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13. The names of directors/ members of companies are drawn from the Central Supplier Database (CSD). Please provide the detail of any directors/ trustees/ shareholders/ members/ partners or any person having a controlling interest and their individual identity numbers that do not appear on your CSD registration in the table below.

Full Name	Identity Number	Designation

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

EME	<input type="checkbox"/>
QSE	<input type="checkbox"/>
Generic	<input type="checkbox"/>

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

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, 2022?

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

18. If yes, who issued the certificate?

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

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

CONTENTS OF THIS PAGE NOTED:

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19. Compulsory supporting documents for B-BBEE claims

OWNERSHIP	DOCUMENTS REQUIRED
Black ownership Black female ownership	B-BBEE Status level certificate/ CIPC B-BBEE certificate/ B-BBEE sworn affidavit Proof ownership (share certificates for companies/ CK1 or CK2 for CCs) IDs for all owners
Black people with disabilities	Completed form EEA1 Doctor's letter confirming disability
Financial year end and Ex Officio confirmation	Disclosure certificate not older than 3 months

All tenderers must submit sufficient supporting documents together with their bid documentation in support of and confirming the specific goals claimed above. Failure to submit the documents will result in a tenderer being deemed as non-compliant and zero points (0) will be allocated for specific goals. If the tenderer is owned by juristic persons, proof of ownership must be submitted for all entities until all natural persons are accounted for.

20. Questionnaire to foreign bidders:

- Are you the accredited representative in South Africa for the goods/ services/ works offered? [If YES, enclose proof]
- Are you a foreign based supplier for the goods/ services/ works offered? [If YES, answer the questionnaire below]
- Is the entity a resident of the republic of South Africa (RSA)?
- Does the entity have a branch in the RSA?
- Does the entity have a permanent establishment in the RSA?
- Does the entity have any source of income in the RSA?
- Is the entity liable in the RSA for any form of taxation?

YES		NO	
YES		NO	
YES		NO	
YES		NO	
YES		NO	
YES		NO	
YES		NO	

If the answer is "NO" to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register via e-Filing through the SARS website www.sars.gov.za.

21. Legal status of tenderer (tick one box)

Principal tenderer	<input type="checkbox"/>	
Subcontractor	<input type="checkbox"/>% of work will be subcontracted*
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 subcontractor/s, each subcontractor must complete the tender questionnaire as well as the

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bidder's disclosure (SBD4).

Separate forms must be used in each case.

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

In bids where consortia/ joint ventures/ sub-contractors are involved, each party must submit a separate TCS certificate/ PIN/ CSD number.

22. Employment Equity Act (EEA) (Chapter VI – General Provisions: State Contracts)

23. In terms of Section 53(1) of the EEA every employer that makes an offer to conclude an agreement with any organ of state for the furnishing of suppliers or services to that organ of state or for the hiring or letting of anything:

23.1 must-

- (i) if it is a designated employer, comply with Chapters II and III of this Act; or
- (ii) if it is not a designated employer, comply with Chapter II of this Act; and

23.2 attach to that offer either-

- (i) a certificate in terms of subsection (2) which is conclusive evidence that the employer complies with the relevant Chapters of this Act; or
- (ii) a declaration by the employer that it complies with the relevant Chapters of this Act, which, when verified by the Director-General, is conclusive evidence of compliance.

24. In terms of Section 53(2) of the EEA an employer referred to in subsection (1) may request a certificate from the Minister confirming its compliance with Chapter II, or Chapters II and III, as the case may be.

25. In terms of Section 53(3) a certificate issued in terms of subsection (2) is valid for 12 months from the date of issue or until the next date on which the employer is obliged to submit a report in terms of section 21, whichever period is the longer.

26. In terms of Section 53(4) a failure to comply with the relevant provisions of this Act is sufficient ground for rejection of any offer to conclude an agreement referred to in subsection (1) or for cancellation of the agreement*.

* Statutory regulations may require that supplies and services shall not be procured for and on behalf of the State, unless an employer has attached to its offer a certificate in terms of Section 53(l)(b)(i) or a declaration in terms of Section 53(l)(b)(ii) of the Employment Equity Act.

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

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

29.1 A certificate in terms of Section 53(2) of the EEA which is conclusive evidence that the employer complies with the relevant Chapters of the EEA; or

An employer may request a certificate from the Minister confirming its compliance with Chapter II, or Chapters II and III, as the case may be.

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29.2 A declaration by the employer that it complies with the relevant Chapters of the EEA, which, when verified by the Director-General, is conclusive evidence of compliance.

- 30. Important: The EEA requirements stipulated in paragraphs 21.2, 27.1 and 27.2 will come into effect once the President has approved the Employment Equity Amendment Bill (B14 – 2022).
- 31. Tenderers must monitor developments around the EEA in order to be informed of any changes in the statutory requirements.
- 32. In the event of subcontractors being used to render the services required in terms of this tender, the principal tenderer must complete the schedule below in order to clearly indicate which entities will be subcontracted as well as the percentage of work to be subcontracted to each of these entities in relation to the total value of the contract.

Name of Company to be Subcontracted	% Value of Total Contract Allocated to Subcontractor
Total % of Work to be Sub-contracted* %

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
 (Proof of authority must be submitted e.g. company resolution)

DATE:

CONTENTS OF THIS PAGE NOTED:

.....
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FINANCIAL INFORMATION

33. What is the company's annual average turnover during the previous three financial years or such lesser period during which the business has been operating?

Financial Year (e.g. 2021, 2022, 2023)	Annual Turnover	Gross Asset Value	Net Asset Value
	R	R	R
	R	R	R
	R	R	R
	R	R	R

34. Please provide the following figures in respect of the most recent audited financial statements:
 Figures are provided for the audited financial statement of (State Year)

- Total current assets R.....
- Inventory R.....
- Prepaid expenses R.....
- Current liabilities R.....

35. Is your company listed on the Stock Exchange?

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

36. Are the prices quoted firm for the full period of the contract?

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

If the tender prices are not firm for the full period, provide details against the appropriate category(s) below:

Non-firm prices, i.e. prices linked to statutory adjustments and other proven adjustments.

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

Explanation:

Prices linked to fixed period adjustments.

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

Prices linked to escalation formula adjustments.

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

Explanation: Note that for the purpose of price comparisons, the actual price inclusive of VAT that the Electoral Commission will have to pay over the contract period will be used, unless otherwise stipulated in the detailed specifications

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DELIVERABLES AND GUARANTEES

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

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

38. Do you confirm that the required goods/services are guaranteed in terms of any specific guarantees that may be required in the bid specification?

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

39. Are you the accredited representative in the Republic of South Africa of the manufacturer of the equipment offered by you?

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

CONTENTS OF THIS PAGE NOTED:

.....
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**BIDDER'S DISCLOSURE AND DECLARATION
(SBD4)
INCLUDING POPIA CONSENT**

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this disclosure, declaration and provide consent in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's Declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES	NO
-----	----

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest¹ in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES	NO
-----	----

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES	NO
-----	----

2.3.1 If so, furnish particulars:

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

CONTENTS OF THIS PAGE NOTED:

.....
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3. POPIA Consent

3.1 Consent to Process Information According to the Protection of Personal Information Act (POPI Act) - POPIA

- a) By participating in tenders of the Electoral Commission a bidder gives consent and accepts that the information they provide will be used for purposes of evaluation and adjudication of bids. This includes use of the data provided by a bidder to perform due diligence checks involving the collection of personal data from third parties (e.g. clients of the bidder(s), SARS, CIPS) to validate claims and to gather important information for the purpose of evaluation and adjudication of this bid. This may include the collection of publicly available data.
- b) By participating in the bid the bidder gives consent and accepts that the Electoral Commission may use personal data to investigate potential risk such as fronting, criminal conduct, unethical conduct for the protection of its rights and for the purpose of evaluation and adjudication of this bid. The Electoral Commission may also share personal data with relevant authorities for investigation of criminal conduct and for other lawful purpose.
- c) The bidder accepts that the Electoral Commission may share their personal data with third parties to support its internal and external audit processes.
- d) The bidder acknowledges that their personal data will be kept confidential and will be used for the purpose intended for a bid and will not be shared with third parties for unrelated or unlawful purposes. In addition, the information will be handled in line with record retention guidelines and be disposed of when the timelines in the guidelines have been reached. Any request for deletion of personal information will be acceded to in line with legislative requirements. Should such deletion impact on the evaluation, adjudication, awarding and contract phases a bidder will be informed and such impact effected.

4. Declaration

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 4.1 I have read and I understand the contents of this disclosure and declaration.
- 4.2 I understand that the accompanying bid will be disqualified if this disclosure and or declaration is found not to be true and complete in every respect.

CONTENTS OF THIS PAGE NOTED:

.....
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- 4.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 4.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 4.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 4.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 4.7 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 may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 4 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/2022 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

In addition to the above I, the undersigned, in submitting the accompanying bid 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, that:

- 1. I have read and I understand the contents of this disclosure and declaration as well as consent to the provisions set out in respect of the Protection of Personal Information Act (POPIA).
- 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.

² 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.

CONTENTS OF THIS PAGE NOTED:

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SERVICE PROVIDERS INITIALS / SIGNATURE

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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.
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. 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.
11. 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.....

CONTENTS OF THIS PAGE NOTED:

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PENALTIES

1. PENALTIES AS PER THE Preferential Procurement Regulations, 2022

If the Electoral Commission is of the view that a tenderer submitted false information regarding a specific goal it will follow the prescriptions as per regulation 9 and if the Electoral Commission concludes that such information is false it may -

- disqualify the tenderer or terminate the contract in whole or in part; and
- if applicable, claim damages from the tenderer.

2. PENALTIES AS PER THE B-BBEE ACT

It is contrary to the B-BBEE Act for a measured entity to trade with an invalid/ inconclusive or incorrect B-BBEE verification certificate, sworn affidavit or CIPC certificate.

Trading with an invalid or fraudulent B-BBEE certificate or sworn affidavit/ CIPC certificate may constitute an offence in terms of section 13O(1)(a) of the B-BBEE Act, which states that a person commits an offence if that person knowingly misrepresents or attempts to misrepresent the B-BBEE status of an enterprise, and the B-BBEE Commission may institute an investigation in terms of section 13J of the B-BBEE Act.

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

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

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

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

CONTENTS OF THIS PAGE NOTED:

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BID EVALUATION

IMPORTANT NOTICE:

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

A Acceptance or Rejection of Bid (Primary Compliance Verification)

Legality of bid document:

The following shall lead to disqualification:

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

The following may lead to disqualification:

- Failure to sign/initial any other alterations and/or corrections to the information submitted by the tenderer, which the Electoral Commission may consider to be material.

Incomplete bid submission:

The following shall lead to disqualification:

- Rates and prices – schedules not completed as required.
- Failure to submit obligatory written proposals/ explanations/ samples/ prototypes/ certificates or similar requirements.
- In respect of subcontractors (>25%) or joint ventures or consortiums, failure to complete and submit the required tender forms (pages 14-24 of the tender document) or to submit evidence that your tax affairs are in order.

B Bid Evaluation

Inability to evaluate the tender:

- Incomplete schedule of rates and prices.
- Prices and information not furnished as specified and/ or required.
- Incomplete written proposals/ submissions where required.

Bids that qualify for bid evaluation purpose shall be subjected to the bid evaluation criteria as set out in the bid specifications.

CONTENTS OF THIS PAGE NOTED:

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Such bid evaluation shall include assessment and evaluation of the bidder's disclosure.

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

General questionnaire (for completion by the tenderer) to ensure compliance with tender requirements/ rules/ conditions/ specifications:

Question	If YES, Mark YES*	If NO, Mark NO*
Are you duly authorised to sign the tender?		
Has the <i>Bidder's Disclosure and Declaration</i> been completed and signed?		
Have separate forms (pages 14-24) been completed for each member of a consortium, joint venture or subcontractor as specified in the tender document?		
Is the tender document complete – i.e. are all pages as well as compulsory returnables included/returned with your bid submission?		
The use of pencil to complete the tender forms will invalidate your bid. Have all applicable pages of this document been completed and signed or initialled in original ink by the signatory of the tender document?		
Have all corrections/alterations to information and or prices made on this document been certified/signed/initialled by the signatory of the tender document?		
Have you noted that the use of correction fluid/tape or any such products to amend prices shall invalidate your bid submission?		
Is your company (and any potential subcontractors) registered on the Central Supplier Database (CSD)? Please include a copy of your registration form in your bid submission.		
Are your tax affairs in order and reflected as being compliant on the Central Supplier Database (CSD)? As such, have you noted that your bid may be rejected at the time of awarding this tender if your tax status is non-compliant on the CSD?		
Have the General Tender Conditions been noted?		
Have the Bid Evaluation Criteria been noted?		
Has the Scope of Services been noted?		
Have prices been quoted VAT inclusive?		
Have a comprehensive written proposal and/or samples/ certificates/ <i>et cetera</i> as called for in this tender been prepared and submitted with the tender document?		

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SOUTH AFRICA

Bid Specifications

TENDER IEC/EM-01/2023

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1. Background

The Electoral Commission is obliged by the Electoral Commission Act to manage elections of the national and provincial legislatures in South Africa and to publish results thereof within seven (7) days. A critical part of this process is the auditing of the election results at the point of capture onto the results database of the Electoral Commission at its local offices.

To ensure that the results capture is a credible and legitimate process, the Electoral Commission requires professional auditing companies to bid for services required to conduct and support the results auditing function for national and provincial government elections (NPE) in 2024.

By way of background information, the 2024 national and provincial government elections will occur in approximately 23 000 voting districts in 213 municipalities across South Africa. Voting in the 2024 elections will be for the national legislature (two ballot papers) and the nine (9) provincial legislatures (one ballot paper per provincial legislature).

Voters will receive three (3) ballot papers: one (1) ballot paper for the regional seats in the national legislature; one (1) ballot paper for the national compensatory list seats in the national legislature; and one (1) ballot paper for the provincial legislature.

For each ballot paper in each voting district (VD), there will be an election result slip that will need to be captured by Electoral Commission staff and then audited by the service provider. There will be approximately 23,000 voting districts for NPE 2024.

2. Objectives of Results Audit

The key objective of this project is to provide a co-ordination function and a sufficient number of auditors for the auditing of election results in order to:

1. Ensure that each election result captured onto the results database accurately reflects the hard copy results slip received at the capturing point; and
2. Coordinate the results auditing to ensure the publishing of election results within the seven (7) days or less window period after election day as stipulated by the Electoral Commission Act. Please note that in practice, election results are publicly announced by the Electoral Commission on the third day after the close of voting.

All dates in this document are based on an assumed planned election date of 22 May 2024. However, please note that the Electoral Commission is not legally empowered to determine (proclaim) the date of the elections. This is the prerogative of the President of the RSA, in consultation with the Electoral Commission.

3. Provisional Timelines

The project is split into three (3) broad phases, namely (1) the planning, (2) execution and (3) reporting phases. The Execution Phase is centred mainly on the Election Day and the days following Election Day. Note that the planned dates of operation are dependent

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on the actual Election Date being proclaimed. Operational dates may therefore vary subject to the Election Date.

For planning purposes, the major milestones of this exercise are listed in the table below.

Key Milestone	Target Start Date	Target Completion Date
Project Start	01/02/2024	01/02/2024
1. Planning Phase		
High-Level Project Plan Design	01/02/2024	15/02/2024
Project Plan and Resource Allocation Sign-off	16/02/2024	23/02/2024
2. Execution Phase		
Auditors Confirmed	22/04/2024	22/04/2024
Training of Auditors	23/04/2024	10/05/2024
Dispatch of Auditors	18/05/2024	22/05/2024
Auditors Operational	22/05/2024	25/05/2024
3. Reporting Phase		
Auditor Review	29/05/2024	05/06/2024
Final Audit Project Report	21/06/2024	21/06/2024
Project End	21/06/2024	21/06/2024

Table 1: Key project milestones

4. The Auditing Function (During the Execution Phase)

The Electoral Commission has a municipal office in each metropolitan council (and sub-metro offices) and the local municipal councils across the entire country. These offices are data capturing centres for all election results slips that will arrive from approximately 23,000 voting stations countrywide. It is expected that an approximate total of 69,000 results slips will be received at the 213 municipal offices from 22:00 on Election Day (compared with 46,000 results slips in national and provincial elections 2019). Results slips for the NPE 2024 will be audited at municipal Electoral Commission offices as the results slips are completed at the voting stations after the counting of votes has been concluded.

Each result slip will be captured onto the Electoral Commission’s results database by local Electoral Commission staff. The Auditors will be required to compare the captured results slips on the computer with the hard copy from which the information was captured and “audit” this by inputting a pin number (a unique personal identification number, or pin number, per auditor) to verify that the hard copy and the captured version contain exactly the same information.

The auditing function involves a comparison of election results as recorded on the Electoral Commission’s computer results system against the hard copy results slips. The results system will check the capturing against a number of predetermined parameters and alert the capturer, auditor or election staff of potential problems or ‘exceptions’.

CONTENTS OF THIS PAGE NOTED:

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The auditor is further responsible, with local staff of the Electoral Commission, for the resolution of referrals to municipal office staff of problems or exceptions that have been identified in the comparison of the hard copies with the captured versions of the results slips. Auditors are also responsible, together with local Electoral Commission staff, for ensuring that results slips are efficiently administered during the capturing and auditing process at local Electoral Commission offices (to prevent the loss or misplacement of results slips during the capturing and auditing process). This includes the effective filing of all results slips so as to allow for the efficient retrieval of results slips in the investigation and resolution of results exceptions.

Auditing must continue until all results slips have been completed, including the auditing of results that have been referred back to local Electoral Commission offices by Electoral Commission national or provincial offices due to a capturing error or a results exception (a pre-defined quality check on results) that need resolution. The Electoral Commission must by law announce the election results within seven days after the Election Day. However, the capturing and auditing process should be concluded by the third day after Election Day.

Furthermore, the service provider is required to provide a co-ordination function at the national provincial office and nine (9) provincial offices.

5. Services Required

1. Attend meetings related to the results auditing function.
2. Identify and communicate the names of all the relevant national and provincial co-ordinators, where relevant, as well as the auditors to work at every municipal capturing point and provincial operations centres.
3. Coordinate the results auditing project nationally.
4. Be responsible for the national project plan development and risk management.
5. Ensure and report on the training of the auditors to work at municipal capturing points under your control and management.
6. Ensure that suitable arrangements are made for the transport and accommodation of the auditors at municipal capturing points.
7. Ensure the management of the administration concerning the auditing of election results, such as time-sheets and claims.
8. Report the readiness of the auditors to conduct the audits for each municipal capturing point nationally.
9. Coordinate the conduct of the auditing of results at every municipal capturing point nationally.
10. Audit the results slips at Electoral Commission municipal capturing points.
11. At a national level, monitor and report regularly on the progress of auditing, as well as problems that may emerge at the municipal capturing points.
12. Develop suitable contingency plans for problems that may emerge during the auditing of results and implement such plans within due authority.
13. Ensure that the auditing function is performed to the standards and complies with the processes as laid out by the Electoral Commission.
14. Liaise closely with the national representative of the Electoral Commission in the implementation of the project.

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15. Liaise and communicate regularly with the other auditing firms on the project on the progress of the project (if relevant).
16. Compile a national report based on the roll-out of the project on a date stipulated by the Electoral Commission.

6. Required Personnel and Distribution

The Electoral Commission has the need for a total of approximately 638 people to work at its municipal, national and provincial offices. The required auditing hierarchy is as follows:

1. **Level 1:** 1 x Senior Manager responsible for national coordination of the project. Must possess post-articles work experience of 3 to 4 years.
2. **Level 2:** 15 x Supervisors responsible for mainly provincial level coordination of the project. Must possess post-articles work experience of 1 to 2 years.
3. **Level 3:** 622 x Articled auditors responsible for auditing at municipal offices. Need to be split into different categories, namely 1st year of articles, 2nd year of articles and 3rd year of articles. The levels required are determined by the location of the auditing namely metro/non-metro. Non-metro teams will consist of a 1st year articled auditor and a 2nd year articled auditor, the latter having “out-of-town experience”. Metro teams will consist of 8 auditors, namely two 3rd year articled auditors and six 1st year articled auditors.

The distribution of auditors is estimated as follows:

Province/Office	Level 3 Non-Metro		Level 3 Metro		Level 2	Level 1
	1 st Year articled auditor	2 nd Year articled auditor	1 st Year articled auditor	3 rd Year articled auditor		
Eastern Cape	44	44	12	4	2	0
Free State	21	21	6	2	1	0
Gauteng	8	8	30	30	2	0
KwaZulu-Natal	54	54	6	2	2	0
Mpumalanga	23	23	0	0	1	0
Northern Cape	27	27	0	0	1	0
Limpopo	34	34	0	0	1	0
North West	22	22	0	0	1	0
Western Cape	24	24	12	4	2	0
National Office	0	0	0	0	2	1
Category totals	257	257	66	42	15	1

Summary of auditor personnel requirement

Auditor Level	Number of Auditors Required
Level 1	1
Level 2	15
Level 3, 1 st year articled auditor	323
Level 3, 2 nd year articled auditor	257
Level 3, 3 rd year articled auditor	42
Grand Total	638

CONTENTS OF THIS PAGE NOTED:

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The grand total number of auditors (638) is considered a planning number and may be increased or decreased depending on the needs of the Electoral Commission. The distribution of auditors will correspond with the location of Electoral Commission local offices in each of the 213 municipal councils. Furthermore, in certain metropolitan councils with sub-metro offices, the Electoral Commission may record the results at sub-metro offices, and hence the need for additional auditors at certain metropolitan councils. Also, in local council offices with a high number of results slips additional auditors have been allocated. (Local councils with more than 150 voting districts have been allocated an additional set of level 3 auditors).

The service provider needs to have the requisite capacity to replace all auditors that may have been scheduled and trained to participate in this project, but who may then no longer be available during the project execution phase.

7. Auditor Availability (During Execution Phase)

Auditing will commence at approximately 22:00 on the evening of Election Day – once voting and counting of votes is complete. It is foreseen that all auditors at all levels need to be available for the first day of auditing, possibly working on 12-hour shifts. Based on projections it is estimated that there will be a reduction of 50% of Level 3 auditors after the first 24 hours, and further reduction to 13% of the total number by the 3rd 24 hours. Level 1 and Level 2 auditors will be available throughout the Execution Phase.

All auditors will have to undergo a mandatory training session (minimum 4 hours) to be provided by the Electoral Commission. Level 1 and 2 auditing coordinators are to provide evidence of competence of auditors upon request following training.

8. Audit Fee Costing Model

Based on previous experience and the nature of work required, the Electoral Commission has developed a fixed audit fee model for results auditors. The model is based on the most recent (2022-2023) rates published by the Auditor-General. Please note that these rates will not be adjusted for the 2024-2025 financial year.

Audit Resource Required	AGSA Rate Including VAT
Level 1: Senior Manager	R3,000 per hour
Level 2: Supervisor	R2,000 per hour
Level 3: 1 st Year articulated auditor	R630 per hour
Level 3: 2 nd Year articulated auditor	R860 per hour
Level 3: 3 rd Year articulated auditor	R960 per hour

Please note that whilst bidders may not charge at rates in excess of the rates listed below, bidders may reduce the rates listed below by offering a price discount. Price discounts must be unconditional if it is to be considered for bid adjudication purposes otherwise such discounts will only be taken advantage of at invoice payment stage.

CONTENTS OF THIS PAGE NOTED:

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IMPORTANT NOTE: It is the preference of the Electoral Commission to appoint one service provider for this project, but the Electoral Commission shall have the right to appoint more than one service provider if deemed necessary.

Discounts may be offered by bidders. Caveats imposed by bidders, to the effect that a discount may only apply if the entire project is awarded, shall be ignored for purposes of evaluation of the tender. However, discounts will be valid for payment purposes.

Auditors will be paid strictly for time worked. This will be based on the projected roll-off from the project, namely 100% for 1st 24 hours, 50% for 2nd 24 hours and 13% required for 3rd 24 hours. Timesheets need to be provided and these must be signed off by auditor supervisors and relevant Electoral Commission staff. Please note that travelling time will not be covered by the Electoral Commission.

The Planning Phase and Reporting Phases will involve Level 1 and Level 2 auditors only.

9. Field Costs

It is assumed that further costs will be incurred when auditors are operational during the Execution Phase of the project. Claimable costs are projected as follows:

1. Accommodation costs can be incurred for auditors and are claimable at a reasonable rate of a 3-star hotel/guest-house, including dinner, bed, breakfast and parking (a maximum of R1530 per day).
2. Subsistence (*per diem*) will be claimable at R120 per day. No evidence needs to be provided to support such claims.
3. Level 1 and Level 2 auditors can claim business calls made via cellphone up to a maximum of R2,000 and R1,200 respectively for the entire project. An itemised bill highlighting business calls must accompany the claim. Level 3 auditors are not allowed to claim cellphone expenses.
4. The first 100 km to travel to the **MUNICIPAL** capturing points is not claimable for vehicle claims. Travel claims for vehicle for the distances further than 100 km are done at R4.64 per kilometer. Please note that auditors working at provincial and national Electoral Commission offices may not claim for travel costs.
5. Variations/exceptions on the above field costs will have to be substantiated, and cleared with the Electoral Commission national auditor coordinator prior to expenditure being occurred. Supporting documentation such with written explanation for the variation, original invoices and time-sheets must accompany the subsequent invoicing.
6. Please note that the Electoral Commission will not cover the costs of auditor laptops or vehicle rentals. Furthermore, the service provider indemnifies the Electoral Commission for costs related to this project such as vehicle collisions, and related expenditure. In addition, all insurance will be for the account of the service provider and not the Electoral Commission.

10. Award and Duration of Contract

Please note that the Electoral Commission reserves the right to appoint one or more service providers and allocate parts of the project to different service providers. However,

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preference will be granted to a single service provider or consortium. Also, the contract will be awarded to the successful service provider subject to the signing of a service level agreement (SLA) with the Electoral Commission. The SLA will stipulate the required deliverables, conditions and timeframes.

The duration of the contract will be premised on the planned date of the elections, being 22 May 2024. Accordingly, it is planned that the contract will commence by 1 February 2024 and will end on 21 June 2024.

11. Proposal to be Submitted

In order to be considered for the awarding of a contract for the required services, service providers that have participated in the tender **must** submit written proposals that will represent detailed project plans for the results auditing function. All costs submitted must be inclusive of VAT.

The proposal must include but are not limited to (see also *Evaluation criteria for tenders* below):

1. A **profile of the company**, including nature of services offered, length of time in business, annual turnover, list of key clients, profile of executive/senior staff, capacity to undertake similar large-scale projects, etc.
2. **Project proposal**: How the auditing function will be performed.
3. Who forms part of the **project team**. Short resumes must be included with the proposal for the Level 1 and 2 auditors. Level 3 auditors' experience (number of years) needs to be listed – but resumes are not required for level 3 auditors.
4. The **project plan** including project, risk management and report compilation methodologies.
5. **Office-staff list**: indication of provincial and local offices of company, and schedule of staff per local office to be deployed in this project.
6. **Estimated budget of time worked** – the costing of the proposal is based on the maximum fixed pricing model in section 8. Costs must be indicated based on the maximum fixed pricing model or at discounted rates to the maximum fixed price model – refer to annexure 1.
7. **Estimated budget of field costs**: a separate budget breakdown representing expected costs in respect of travel and subsistence expenses must also be included in the proposal. The Electoral Commission reserves the right to exclude such expenses from the final price assessment; as such costs may be borne by the Electoral Commission at its own discretion.

12. Key Deliverables

Minimum project deliverables for service provider that is awarded the contract:

1. Approved project design, including a resource plan (including evidence of availability of necessary equipment needed to complete task).
2. Confirmed list of appropriate auditors.
3. Evidence of auditor competence.

CONTENTS OF THIS PAGE NOTED:

.....
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4. Regular progress meetings and reports with the Electoral Commission reference team.
5. Final report on the results auditing project.

13. Bid Evaluation Criteria

The evaluation of proposals that will apply in this instance for the selection of a successful service provider will largely be determined through an evaluation process of all proposals submitted. In this regard, specific attention will be given to the provisions of the Preferential Procurement Policy Framework Act, 2000 and more specifically the Preferential Procurement Regulations of 2017 as well as the specifications as indicated above.

The evaluation of proposals will be based on *inter alia* the areas outlined below (also refer to section 15, stage 3, for the details):

(1) Functionality portrayed through proposal submitted.	15 points
(2) (2.1) Size and (2.2) allocation of auditors (rated as per Required Personnel and Deployment section).	20
(3) Project management experience of (3.1) Level 1 and (3.2) level 2 team members.	10
(4) Auditing experience of all team members.	10
(5) Geographic spread of offices nationwide.	5
(6) Existing auditing capacity (ability to replace auditors).	5
(7) Proven experience in implementing similar projects on national scale.	5
(8) Previous elections results audit experience and/or exposure.	5
TOTAL	75 points

A minimum of 75% (56 points out of 75 points) is required in order to qualify for the next phase of the evaluation process.

The details of the evaluation criteria and associated point scoring are shown in section 15, stage 3.

14. Contact Person

For technical queries on this tender, please contact the Manager: Electoral Matters, Stuart Murphy, on murphys@elections.org.za or 012-622-5700.

CONTENTS OF THIS PAGE NOTED:

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15. Bid Evaluation Process

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

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

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

In this regard, the following must be noted:

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

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

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

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

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

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

The Electoral Commission's Accounting Officer/accounting authority must inform National

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.....
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Treasury of any action taken against a person within 30 days of implementing the action.

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

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

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

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

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

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

CONTENTS OF THIS PAGE NOTED:

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Stage 2: Evaluation based on mandatory documents

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

Key requirements for evaluation.

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

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

Key requirements for evaluation. Failure to comply with any of the requirements shall lead to disqualification of the bid		YES	NO
1	Written company profile submitted.		
2	Project proposal submitted.		
3	Project team to work on this project provided.		
4	Project plan submitted.		
5	Office staff list for the project submitted.		
6	Budget of time worked based on maximum fixed prices or discounted prices submitted.		
7	Budget of field costs as per specified prices or discounted prices submitted.		

FAILURE TO MEET ANY OF THE ABOVE CRITERIA WILL DISQUALIFY YOUR BID PROPOSAL.

OUTCOME OF STAGE 2

QUALIFIES:	DISQUALIFIED:

Stage 3: Evaluation based on functional threshold

CRITERIA	POINTS ALLOCATION
1. Functionality portrayed through proposal submitted will be assessed in terms of details as outlined in the tender documentation, namely:	

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CRITERIA	POINTS ALLOCATION
1.1 Existing capacity demonstrated as well as scope of similar projects undertaken	2 points [1 point for indication of capacity to conduct this project 1 point for indication of having conducted work of similar scale and nature]
1.2 Project proposal - how the auditing function will be performed	5 points [5 points for demonstrating an excellent ³ understanding of scope and objectives of this project 4 points for demonstrating a good ⁴ understanding 3 points for demonstrating a fair ⁵ understanding of project 0 points for a poor ⁶ understanding of the project]
1.3 Who forms part of the project team. Short resumes included with the proposal for the Level 1 and 2 auditors. Level 3 auditors' experience should be listed in a spreadsheet	2 points [1 point for short resumes of levels 1 and 2 auditors 1 point for list of names and number of years of experience of level 3 auditors]
1.4 The project plan including project risk management and report compilation methodologies	4 points [1 point for project plan narrative 1 point for project timeline 1 point for project risk management plan 1 point for indication of report compilation methodologies]
1.5. Indication of provincial and local offices of the service provider as well as a schedule of staff (level 3) per local office that would be deployed for the purposes of rendering services required through this tender	2 points [1 point for indication of provincial and local office locations of service provider 1 point for schedule of level 3 staff per local office]
2 Auditor Contingent and Allocation	
2.1 Size of Auditor Contingent:	
466-638 auditors available	10 points
311-465 auditors available	7 points
156-310 auditors available	5 points

³ An 'excellent' understanding is defined as one which shows a superior understanding of the operational aspects of the project, including the objectives, scope, timelines, operations and related matters.

⁴ A 'good' understanding is defined as greater than average, but not as strong an understanding as 'superior'/excellent with respect to the objectives, scope, operations, timelines and related matters.

⁵ A 'fair' understanding is defined as demonstrating a moderate understanding of the objective, scope, operations, timeline and related matters – but lacks a deeper level of understanding beyond complying.

⁶ A 'poor' understanding is defined as the bidder failing to demonstrate an adequate or basic understanding of the objectives, scope, operations, timelines and related matters of the project.

CONTENTS OF THIS PAGE NOTED:

.....
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CRITERIA	POINTS ALLOCATION
155 and less auditors available	2 points
2.2 Allocation of Auditors:	
All 9 provinces plus national office	10 points
8 provinces and national office	9 points
7 + National office	8 points
6 + National office	7 points
5 + National office	6 points
4 + National office	5 points
3 + National office	4 points
2 + National office	3 points
1 + National office	2 points
National office only	1 point
3 Project Management Experience	
3.1 Project Management Experience of Level 1 Auditor/s:	
Post-articles + more than 6 years' experience	5 points
Post-articles + 5 to 6 years	4 points
Post-articles + 4 years	3 points
Post-articles + 3 years	2 points
Less than post-articles + 3 years	0 points
3.2 Project Management Experience of Each Level 2 Auditor:	
Post-articles + more than 3 years	5 points
Post-articles + 3 years	4 points
Post-articles + 2 years	3 points
Post-articles + 1 year	2 points
Less than post-articles + 1 year	0 points
4. Auditing Experience of All Team Members:	
Over 75% of auditors greater than specified years' experience	10 points
Between 50% and 74% of auditors greater than specified years' experience	8 points
Auditors comply with the number of years' experience	6 points
Auditors less than specified years' experience or no indication of years' experience	0 points
5. Geographic Spread of Offices Nationwide:	
Offices in 6 to 9 provinces	5 points
Offices in 3-5 provinces	4 points
Offices in 2 provinces	3 points
Offices in 1 province	2 points
6. Existing Auditing Capacity:	
Ability to replace 466-638 auditors	5 points

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.....
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CRITERIA	POINTS ALLOCATION
Ability to replace 311-465 auditors	4 points
Ability to replace 156-310 auditors	3 points
Ability to replace 40-155 auditors	2 points
Ability to replace 39 & less auditors	1 point
Inability to replace any auditors	0 points
7. Experience in Implementing Similar Projects on National Scale:	
3 or more similar projects	5 points
2 similar projects	4 points
1 similar project	3 points
No experience in similar projects	0 points
8. Previous elections experience or exposure:	
Experience in previous elections results audit	5 points
No elections experience	0 points

Stage 4: Bid Adjudication Process

Bids will be adjudicated as set out below.

Stage 4 – Adjudication of Bids
<p>Only bids that comply with the requirements and conditions of the auction and that meet the minimum criteria in the bid evaluation process as stipulated above will be considered for bid.</p> <p>Only bids that comply with the requirements and conditions of the auction and that meet the minimum criteria in the bid evaluation process as stipulated above will be considered for bid adjudication purposes.</p> <p>Acceptable bids must be market related.</p> <p>This bid is deemed not to exceed R50 million including VAT.</p> <p>Therefore, the 80/20 preference point system (PPPFA scoring) in terms of the Preferential Procurement Policy Framework Act, 2005 (PPPFA) and the Preferential Procurement Regulations, 2022 shall apply in the adjudication process of this auction where all acceptable bids received are equal to or below R50 million including VAT. Preference points will be allocated as follows:</p>

CONTENTS OF THIS PAGE NOTED:

.....
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Stage 4 – Adjudication of Bids

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

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

Bid Evaluation Team Member	Sign Off	
	Signature	Date

ANNEXURE 1 – PRICING AND YOUR PROPOSAL

Bidders are required to indicate the price per auditor level type, and the various field costs, in the bidder's written submission in the following tabular format:

Auditor Level	Maximum Rate per Hour Including VAT	Bidder's Rate per Hour Including VAT
Level 1: Senior manager	R3,000	R
Level 2: Supervisor	R2,000	R
Level 3: 1 st Year articulated auditor	R630	R
Level 3: 2 nd Year articulated auditor	R860	R
Level 3: 3 rd Year articulated auditor	R960	R
Field Costs	Maximum Rate	Bidder's Rate
Accommodation (bed and breakfast)	R1,530 per night	R
Per diem	R120 per day	R
Mobile call costs – level 1	R2,000 in total	R

CONTENTS OF THIS PAGE NOTED:

.....
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Mobile call costs – level 2	R1,200 in total	R
Travel claims	R4.64 per km	R

Notes to table:

1. The rates per hour for the various auditor levels are based on the 2022-2023 rates published by the Auditor-General, and are **inclusive of VAT**. Please note that these rates will not be adjusted for the 2024-2025 financial year.
2. Please note that whilst bidders may not charge at rates in excess of the rates listed above, bidders may, but are not obliged, to reduce the rates listed above (by offering a price discount). If a price discount is offered, please indicate the price discount per auditor type in a format similar to the table above.
3. The rates listed above for field costs (accommodation, per diem, mobile calls, travel claims) are the maximum amount that may be charged. Bidders may, but are not obliged, to quote at rates below the maximum rates indicated. If a price discount is offered, please indicate the price discount in a format similar to the table above.

CONTENTS OF THIS PAGE NOTED:

.....
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