



SOUTH AFRICA

**REFERENCE: IEC/LP-05/2023**

**CLOSING DATE: 29 JANUARY 2024**

**ENQUIRIES**

**TECHNICAL SPECIFICATIONS: Mmemezi Dhlamini/Susan Fourie**

Tel: (012) 622-5700 or eMail: [Dhlaminim@elections.org.za](mailto:Dhlaminim@elections.org.za) / [Fouries@elections.org.za](mailto:Fouries@elections.org.za)

**ADMINISTRATIVE ENQUIRIES: Mr Vincent Qwabe**

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

**TENDER IEC/LP-05/2023**

**SERVICE DESCRIPTION: LIM355 LEPELLE-NKUMPI PREFABRICATED BLOCK OFFICE UNIT**

Kindly furnish the Electoral Commission with a bid for the provisioning of a prefabricated block office unit 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.

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) | Ms J.Y. Love | Mr G. Mashini | Dr N.P. Masuku | Judge D. Pillay  
National Office: Election House, Riverside Office Park, 1303 Heuvel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046  
[info@elections.org.za](mailto:info@elections.org.za) | [www.elections.org.za](http://www.elections.org.za)  
Tel (+27) 12 622 5700

**TENDER NUMBER: IEC/LP-05/2023**

**SERVICE DESCRIPTION: LIM355 LEPELLE-NKUMPI PREFABRICATED BLOCK OFFICE UNIT**

**CLOSING TIME: 11:00**

**CLOSING DATE: 29 JANUARY 2024**

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 64**) 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/LP-05/2023**) 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.

**BID 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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**SERVICE PROVIDERS INITIALS / SIGNATURE**

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**BACKGROUND**

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

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

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

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

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

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

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**GENERAL TENDER CONDITIONS**

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1. These conditions form part of the tender and failure to comply with these may invalidate a bid.
2. The following definitions shall apply:
  - (a) “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
  - (b) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad Based Black Economic Empowerment Act;
  - (c) “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
  - (d) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations 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 bidder's own conditions of tender. Failure to comply with this requirement shall invalidate the bid.
7. Failure on the part of the bidder to *sign/initial all applicable pages* of this tender form and thus to acknowledge and accept the conditions in writing shall invalidate the bid submission.
8. Failure on the part of the bidder to complete the attached forms, questionnaires and specifications document in all respects may invalidate the bid submission. Failure to complete mandatory forms/schedules shall invalidate the bid submission.
9. All changes/ alterations in the tender document should be signed/initialled. Failure on the part of the bidder to sign/initial any alterations and/or corrections made to information provided in this tender form may invalidate the tender 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. Bidders 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.

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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 bidder that is not registered on the CSD.
18. It is an absolute requirement that the tax affairs of the successful bidder 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 bidders whose tax status is compliant. This means that if a bidder has a non-compliant tax status before the award is completed the bid will be disqualified if that bidder's tax affairs remains non-compliant as per the provisions of National Treasury Instruction 9 of 2017/2018. It remains the bidder's responsibility to ensure that their taxes are in order, remain in order and that this is reflected on the CSD. The bidder must also ensure that all sub-contractors (if applicable) are tax compliant.
20. Bids must be submitted based on firm tender prices and delivery periods, unless otherwise stated in the bid specifications. Consequently, bidders must clearly state whether prices and delivery periods will remain firm for the duration of the SLA/contract or not.
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 bidder.
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 bidder is the manufacturer of the supplies or the provider of the service, or where he/she/they is the accredited agent of the manufacturer or the provider, evidence in support of the price adjustments claimed shall be produced on demand.
  - (c) As an alternative, the bidder may specify a formula in the bid submission for the purpose of adjusting prices in accordance with published indices.
  - (d) Where the bidder is not the provider of the service, or where he/she/they is not the accredited agent of the provider, any price adjustment shall be based on the increase or reduction to the bidder in the net cost of the supplies on which the tender price was based. When any such increase or reduction in costs occurs, the bidder shall submit copies of the quotation or price list with reference to which the tender price as calculated, as well as the revised quotation or price list on which the claim is based.

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23. Where prices are subject to exchange rate fluctuations, bidders must take that factor into account when bidding and, where necessary, should ensure that they have taken the necessary forward cover to provide for possible price increases. When applicable, specific detail to this effect should be included in the bid submission.
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 bidder 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 bidder will be taken into consideration for payment purposes.
26. The bid specifications form an integral part of the tender document and bidders 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. Bidders are requested to promote local content as far as possible.
30. A service level agreement (SLA/contract) shall be entered into with the successful bidder.
31. Unless otherwise stipulated, all tools/equipment needed must be supplied by the successful bidder.
32. Any bidder 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 bidder 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 bidder will be permitted to disclose any such information to any third party without the prior express consent and/or written authority and/or consent of the Electoral Commission.
38. Should the bidder fail to comply with any of the conditions of the SLA/contract, the Electoral Commission shall be entitled, without prejudice to any of its other rights, to:
  - (a) arrange for the alternative execution of the service/s not rendered or not in conformity with the specifications of the SLA/contract; and

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- (b) recover all costs, losses or damages it has incurred or suffered as a result of the bidder's conduct; or
  - (c) cancel the SLA/contract and claim any damages which it has suffered as a result of having to make less favourable arrangement due to such cancellation.
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 bidder shall be valid and binding unless confirmed by the Electoral Commission in writing.
  - (b) The Electoral Commission reserves the right to cancel any order if delivery is not made in due time and the bidder will not be entitled to any cancellation fees.
  - (c) Part deliveries will only be accepted on prior arrangement with the Electoral Commission.
  - (d) If delivery is not met as per agreement, the Electoral Commission reserves the right to cancel the outstanding delivery, and recover all costs, losses or damages it has incurred or suffered as a result of the bidder's conduct.
  - (e) No price adjustments shall be accepted unless stipulated in the tender document received and agreed to by the Electoral Commission. The bidder will be obliged to sell at tendered prices.
  - (f) The award of the tender may be subjected to the negotiation of a market-related price with a bidder in accordance with the provisions of the 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 bidder.
  - (j) The service provider shall submit a valid tax invoice where the service provider is VAT registered, or a valid invoice if the service provider is not VAT registered, conforming to tax law requirements, to the Electoral Commission. The invoice amount shall correspond with the order amount and shall be VAT inclusive, where applicable.
  - (k) Details provided on invoices issued to the Electoral Commission must correspond to the details of the 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 bidder's responsibility to ensure that banking details are correct and validated on the Central Supplier Database (CSD). The Electoral Commission will not be liable for interest accrued on overdue accounts where the bidder has not resolved their incorrect banking details on the CSD.
40. No damages shall be claimable by the Electoral Commission in respect of any reasonable period of delay which the bidder can prove to the satisfaction of the Electoral Commission to be directly due to unforeseen events and/or any *force majeure*.
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

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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. Bidders 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

- Ps = Points scored for price of bid under consideration  
 Pt = Price of bid under consideration  
 Pmin = 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 bidder 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
7	4	2
8	2	1
Non-compliant contributor	0	0

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50. Bidders 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 bidder must submit a B-BBEE document in compliance with the applicable sector code.
51. Bidders 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. Bidders 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 bidder 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 bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preference points, in any manner required by the Electoral Commission. In the event that no response is

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received from the issuer of the certificate after 48 hours or the bidder, no specific goal points will be allocated in the final scoring.

62. A bidder 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 two (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 bidder or his/ her authorised representative declare his/ her position in relation to the evaluating/ adjudicating authority, where:
  - (a) the bidder is employed by the state; and/or
  - (b) the legal person on whose behalf the bidding document is signed, has a relationship with persons/ a person who are/ is involved in the evaluation and/ or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/ or adjudication of the bid.
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 reserves the right not to award the tender to a bidder that has affiliations with any registered political party/parties, candidate(s) or contestant(s).
70. 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 bidder scoring the highest points is not market-related.
71. 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.

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**BID SUBMISSION**

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

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

In the case of subcontractors, where more than 25% of the work will be done by such subcontractor/s each subcontractor must complete the 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 bidder or any of its directors or shareholders has:

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

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

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

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

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

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

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**TENDER QUESTIONNAIRE**

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 (bidder): .....
- 2. Company CIPC registration number (if applicable):.....
- 3. Central Supplier Database (CSD) registration number:

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

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

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

.....Postal Code: .....

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

- Partnership/Joint Venture / Consortium
- One person business/ sole propriety
- Close corporation (CC)
- 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	
QSE	
Generic	

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

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?

YES		NO	
YES		NO	

18. If yes, who issued the certificate?

A verification agency accredited by the South African National Accreditation System (SANAS)	
Commissioner of Oaths in the case of an applicable sworn affidavit	
CIPC	

All bidders 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 bidder being deemed as a non-compliant contributor and a status level of zero (0) will be allocated.

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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 bidders 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 bidder being deemed as non-compliant and zero points (0) will be allocated for specific goals. If the bidder 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]	YES		NO	
Are you a foreign based supplier for the goods/ services/ works offered? [If YES, answer the questionnaire below ]	YES		NO	
Is the entity a resident of the republic of South Africa (RSA)?	YES		NO	
Does the entity have a branch in the RSA?	YES		NO	
Does the entity have a permanent establishment in the RSA?	YES		NO	
Does the entity have any source of income in the RSA?	YES		NO	
Is the entity liable in the RSA for any form of taxation?	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](http://www.sars.gov.za).

21. Legal status of bidder (tick one box)

Principal bidder	<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 bidder's disclosure (SBD4).

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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.

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.

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- 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. Bidders 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 bidder must complete the schedule below in order to clearly indicate which entities will be subcontracted as well as the percentage of work to be subcontracted to each of these entities in relation to the total value of the contract.

Name of Company to be Subcontracted	% Value of Total Contract Allocated to Subcontractor
<b>Total % of Work to be Sub-contracted*</b>	..... %

SIGNATURE OF BIDDER: .....

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

DATE: .....

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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?

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

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	
-----	--	----	--

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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 interest<sup>1</sup> 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 interest<sup>1</sup> 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:

2.4 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have an affiliation with any registered political party/parties, candidate(s) or contestant(s)?

YES	NO
-----	----

<sup>1</sup> 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.

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2.4.1 If so, furnish particulars:

.....

**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.

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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 consortium<sup>2</sup> 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.
- 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;

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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- 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.....

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## PENALTIES

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### 1. PENALTIES AS PER THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022

If the Electoral Commission is of the view that a bidder 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 bidder or terminate the contract in whole or in part; and
- if applicable, claim damages from the bidder.

### 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.

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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 bidder, 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 14-23 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.

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

Bidders 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 bidder) to ensure compliance with tender requirements/ rules/ conditions/ specifications:**

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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 14-23) 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/LP-05/2023**

**LIM355 LEPELLE NKUMPI  
PREFABRICATED OFFICE UNIT**

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## 1. Background

The Electoral Commission maintains a network of local offices in two hundred and thirteen (213) municipalities throughout the country.

Local offices are responsible for implementing electoral related projects and programmes at a municipal level and also serve as a distribution point to voting stations during an Election Period.

However, municipalities are finding it increasingly difficult to accommodate the Electoral Commission's local municipal offices (due to their own operational challenges) and opportunities for suitable alternative rental properties are limited in the Lepele-Nkumpi local municipality area.

The Electoral Commission is therefore desirous to acquire a prefabricated/modular office block unit (similar to the design as contained in Annexure B) to be located within the municipal precinct of Lepele-Nkumpi, Limpopo Province and therefore invites interested specialist manufacturers to submit written proposals to this requirement. The prefabricated/modular office block units must be disability friendly.

## 2. Bid Requirements

2.1 Bidders are required to submit a comprehensive company profile that describes the nature of the organisation and its normal business activities with details of track record relating to the manufacturing of prefabricated/modular office block units.

2.2 Bidders must submit written proposals which sufficiently address the office space requirements, as indicated in the detailed specifications stipulated herein (sections 4 and 5) and must include a floor plan of the proposed prefabricated/modular office block unit. The written proposal must include confirmation that the required structural and electrical certificates will be provided during the project delivery process.

2.3 The pricing schedule as contained in section 15 of the specifications must be completed and submitted together with the written proposal. Bidders are required to submit details as itemised in the pricing schedule. Failure to complete and submit the pricing schedule will invalidate a bid. The total project price (inclusive of VAT) must be transferred and placed on the tender.

2.4 This information will be used in the evaluation and adjudication of the bid and the Electoral Commission will not request additional information for evaluation purposes in the event of the bidder's failure to include essential material. Bid responses will be evaluated as submitted.

2.5 The Electoral Commission does, however, reserve the right to verify the information provided. If information is found to be factually incorrect, misrepresented or is not provided, the bidder's proposal may be disqualified.

2.6 Where consortiums or joint ventures submit a response or where subcontractors are included in the response, full details must be provided of all the partners/participants and the letters of agreement of all the partners should be included with the bid submission. The approved service provider(s) shall be obliged to inform the Electoral Commission about all changes in nominated partners/participants during the contract and the Electoral Commission reserves the right to cancel the contract should the Electoral Commission consider any of the changes as operationally or materially significant.

**Note: Where specific written submissions are called for in this bid, they must be provided. All such submissions will be used in the adjudication of the proposal.**

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**Failure to submit the correct written documentation and/or evidence may therefore lead to disqualification of a BID submission.**

**3. Production Requirements**

The introduction of the new Preferential Procurement Regulations of 2022 (PPR2022), repealed the Preferential Procurement Regulations of 2017 and all its instructions and procedures. As a result, the application of the local content is no longer a compulsory requirement. The Electoral Commission in its preferential procurement has however adopted the use of local content as part of the specific goals together with the status levels of contribution as indicated below:

<b>Specific goal</b>	<b>B-BBEE status level of contributor</b>	<b>Designated local content</b>
Points out of 20 (refer to table below for breakdown)	10	10
Proof required	<ul style="list-style-type: none"> <li>• B-BBEE status level certificate, CIPC B-BBEE certificate or B-BBEE sworn affidavit (as applicable)</li> <li>• Disclosure certificate (not older than 3 months)</li> <li>• Proof of ownership</li> <li>• Share certificates for companies</li> <li>• CK1, CK2 or disclosure certificate for CCs</li> <li>• Copies of IDs for owners</li> </ul>	<ul style="list-style-type: none"> <li>• Declaration</li> <li>• Annexures B, C, D and E</li> <li>• Bill of materials</li> <li>• Questionnaire A</li> </ul>

In the 80/20 scoring principle, local content will account for 10 points and the other 10 points will be for status level of contribution.

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**Specific Goals Points Breakdown for Local Content**

<b>B-BBEE Status Level of Contributor</b>	<b>Number of Points</b>
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

<b>Local content</b>	<b>Number of Points</b>
100% local	10
100% local with exemption from dtic	5
Not 100% local	0

Where local content production is applied, compliance with all the requirements must be adhered to for the purpose of claiming preferential points for scoring purposes. No preferential points will be awarded for the requirements not complying with the provisions of local content and production. No bid will be disqualified based on choosing not to adopt local production and content.

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## 4. General Specifications

### 4.1 Objectives

The Electoral Commission is desirous to acquire **one (1)** prefabricated/modular building (office block unit) that can meet its operational requirements at a municipal level in the municipal areas within the Limpopo Province listed in **Annexure A**.

Suitable office accommodation at a municipal level is essential for the successful delivery of elections and based on the Electoral Commission's Space Planning Assessment to ensure operational functionality at a municipal level, the prefabricated/modular office block unit should comply with the following requirements:

4.1.1 Based on the Electoral Commission's Space Planning assessment to ensure operational functionality at a municipal level, the accommodation should be in the order of **100m<sup>2</sup> to 110m<sup>2</sup>** and must provide for the following:

- Minimum of three (3) lockable offices
- One (1) open plan lockable office
- A boardroom
- Ablution facilities
- Kitchen area
- Lockable storage area
- Equipment room

4.1.2 The office space should have enough water and electricity supply.

4.1.3 There should be enough uniform lighting in all areas of the office space.

4.1.4 The office space should be equipped with a separate kitchen area that has a sink with cold and hot water taps.

4.1.5 The office space should have appropriate flooring (for example ceramic tiling, carpeting, wooden floors, *et cetera*).

4.1.6 The office space should have air conditioning in the work station areas.

4.1.7 The office space should have stable power for the utilisation of electronic equipment such as computers, photocopiers, fax machines and other electronic goods and appliances.

4.1.8 The office space should be fitted with related fire protection systems as per the Occupational Health and Safety Act.

4.1.9 The office space should have burglar bars on the windows as well as **separate entrance and exit doors**.

4.1.10 The office space should have a burglar alarm system linked to armed response.

### 4.2 Industry Standards Compliance

The construction of a prefabricated/modular office block unit at the Lepele-Nkumpi Local Municipality as described in the Scope of Works. The prefabricated/modular office block unit and associated equipment shall be complete and functional and shall be as a minimum according to this specification and the latest revisions of the following standards and specifications:

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Bidders are required to reply to each requirement by marking a “YES” or “NO”. Additional information regarding these specific requirements should be provided in the written proposal(s).

**Note:** Failure to comprehensively complete the table below might invalidate your bid.

Industry Standards Compliance		Bidder to Confirm Applicability to the Prefabricated Specifications	Yes	No	Not Applicable	State Reason(s) if not applicable
4.2.1	SANS 10400 – The Application of the National Building Regulations					
4.2.2	SANS 10160 – Basis for Structural Design and Actions for Buildings					
4.2.3	Occupational Health and Safety Act and Regulations.					
4.2.4	Regulations Governing Hazardous chemical substances R1179 as amended by R930.					
4.2.5	Department of Public Works specification PW371-A (Edition 2.0): Construction Works: General Specification.					
4.2.6	SANS 10142 – The Wiring of Premises Part 1: Low Voltage Installations					
4.2.7	SANS 10252 – Water supply and drainage for buildings					
4.2.8	SANS 10162 – Structural use of steel.					
4.2.9	SANS 121/ISO 1461 and SANS 32/ISO 10240 – Hot dip galvanizing					

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Industry Standards Compliance		Bidder to Confirm Applicability to the Prefabricated Specifications	Yes	No	Not Applicable	State Reason(s) if not applicable
4.2.10	SANS 14713/ISO 14713 – Protection against corrosion of iron and steel in structures.					
4.2.11	SANS 10163 – Structural use of Timber					
4.2.12	SANS 204 – Energy efficiencies in buildings					
4.2.13	SANS 10082 – Timber frame buildings					
4.2.14	SANS 517 – Light steel frame buildings					
4.2.15	National Environmental Management Waste Act (59/2008) and regulations					
4.2.16	National Environmental Management Act (107/1998) and regulations					
4.2.17	All other relevant specifications, standards and documents whether referenced in the above documents or not.					

The prefabricated/modular office block unit and site facilities are intended for use on a daily basis as the local office for the Electoral Commission's permanent staff, temporary staff and South African voters.

The appointed service provider to design, manufacture, deliver, install and commission all the facilities shall be responsible for the proper and safe functioning of the installation and any claim on the grounds of want of knowledge will not be entertained.

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**4.3 Bid Documents**

All documents submitted must be clearly marked AND ALL PAGES MUST BE RETURNED WITH THE BID.

**4.4 Legal Requirements**

4.4.1 During the supply, installation and commissioning all work must be carried out according to the requirements of the Occupational Health and Safety Act and regulations. The completed prefabricated/modular office block unit and surrounding site must comply with the Occupational Health and Safety Act as well as the national building regulations as per SANS 10400.

4.4.2 All registration certificates, written local authority approvals, test certificates and certificate of compliance shall be submitted to the Electoral Commission Representative before the installation will be accepted for first delivery.

**4.5 Warranty**

4.5.1 The service provider is to guarantee the new buildings, site works and workmanship for a period of 12 (twelve) months against any defects (latent or obvious), non-conformance and/or failure from date of works completion.

4.5.2 If the service provider does not attend to such defects after being notified, the Electoral Commission’s Representative reserve the right to effect the rectification of the defect and recover the costs thus incurred from the service provider.

**4.6 Construction Period**

The supply and installation of the prefabricated/modular office block unit facilities as specified is urgent. The construction period is as indicated in the bid specification and **shall not exceed 90 days** from the receipt of an official purchase order.

**4.7 Making Good to Trades and Clearing Site**

After completion of the installation the site and all trades shall be made good and left in a clean and neat condition. All packaging material, rubble, crates and items used for commissioning shall be removed from the site and disposed of in a correct and legal manner.

**4.8 Penalty for Delay**

Rapid completion of the project is essential. A penalty as indicated in the bid specifications and shall be imposed for late completion and agreed upon by both parties in the SLA.

**4.9 Scope of Work**

This specification is for the design, manufacture, supply, delivery, installation, painting, testing and commissioning of prefabricated unit and associated site works to comply with lighting efficiencies (SANS 204). The supply and installation require the following actions and requirements as well as any ancillary equipment mentioned below:

Bidders are required to reply to each requirement by marking a “YES” or “NO”. Additional information regarding these specific requirements should be provided in the written proposal(s).

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Scope of Work			Compliant	Non-Compliant	Comment and/or Deviation
4.9.1	<b>OHS Compliance</b>	Comply with all health and safety requirements as per Occupational Health and Safety Act as well as this specification.			
4.9.2	<b>Health and Safety Plan</b>	Provide a health and safety plan for approval complete with all the requirements of the OHS Act and this specification.			
4.9.3	<b>Walkways</b>	Covered concrete walkways 2,2m wide along the length of the front facades of all units and wheelchair ramps with a maximum slope of 1:12. The walkways shall be 70mm lower than the finished floor levels inside the units.			
4.9.4	<b>Paving</b>	Do paving in the areas where excavations were done.			
4.9.5	<b>Fire Extinguishers</b>	Fire extinguishers and associated signage.			
4.9.6	<b>Compliance and Test Certificates</b>	All test certificates, compliance certificates; local authority approvals including structural engineer's certificate; confirming that buildings and foundations conform to the engineer's design and is suitable for the loads and electrical COC for the system.			
4.9.7	<b>Other Certificates and requirements</b>	All other items and requirements, whether specifically mentioned or not, for a complete, functional, safe and durable prefabricated/modular office block units complying with all the relevant codes and specifications.			
4.9.8	<b>Maintenance</b>	Full maintenance of the buildings and plumbing during the 3-month defects liability period.			
4.9.9	<b>Safety and Signage including</b>	All safety notices, health and safety plan and safety equipment.			

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Scope of Work			Compliant	Non-Compliant	Comment and/or Deviation
	<b>Electoral Commission's Wall Mounted Main Sign</b>	Electoral Commission's Wall Mounted Main Sign [Class A]. See Annexure C for detail regarding materials, colour specifications and finishing (sign material, logo application, illumination and finishing). Placement information will be communicated upon award.			
<b>4.9.10</b>	<b>Documentation</b>	Three sets of data books each with all data sheets, as built drawings, engineers' certificate, municipal approval, occupation certificate and inspection sheets with electrical COC and dismantling and re-location procedures.			
<b>4.9.11</b>	<b>Drawings</b>	Built drawings - One set in electronic .dwg and .pdf formats.			
<b>4.9.12</b>	<b>Functionality</b>	The service provider must include for all items that may be required to ensure a functional building to comply with the building regulations. If the service provider is unsure of what is required, he must contact the Electoral Commission Representative.			
<b>4.9.13</b>	<b>Construction Schedule, Material, Method, Installation</b>	All bidders must submit a detail Construction Schedule, defining the construction Materials and Methods used to manufacture and install their product.			

#### 4.10 General Requirements

- 4.10.1 All buildings offered shall comply with all aspects of the National Building Regulations as interpreted in SANS 10400 and SANS 204. Compliance with SANS 204 shall be achieved without the use of mechanical ventilation and/or air-conditioning.
- 4.10.2 The buildings shall be designed and constructed in such a way that each building can be relocated to another site without major dismantling.
- 4.10.3 The finished floor level of all the buildings shall be at least 250mm above the general surrounding ground level. The edges all-round the raised buildings shall

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be sealed off with a corrosion proof material capable of withstanding impact that can be expected at a prefabricated/modular office block unit e.g. kicked with a boot or banged with a box of material with a 10kg load. The skirt shall be totally vermin and insect proof but any water that may accumulate during high rain fall, must be able to drain away.

- 4.10.4 All supports and adjusting mechanisms shall be hot dipped galvanised after manufacture in accordance with SANS 121 / ISO1461.
- 4.10.5 Prior to submitting building plans and SANS 10400 calculations to local authority for approval, the plans must be submitted to the Electoral Commission Representative for comment and acceptance.
- 4.10.6 All materials and workmanship are to be of the highest quality and must comply with the latest edition of all relevant SANS specifications and standards as required by SANS 10400: The application of National Building Regulations) and the DPW Construction Works Specification (PW371-A), which is obtainable from the Department of Public Works, and shall be read in conjunction with this bid document and shall be referred to for the full descriptions of work to be done and materials to be used.
- 4.10.7 The service provider must submit with his bid a certified copy of relevant and valid CSIR Agreement Certificate and all other SANS approval certificates or, XS rational design by registered/accredited structural engineer.
- 4.10.8 On completion of the project, the service provider must issue to the employer the following certificates:
- Certificate from a Registered Civil/Structural Engineer as to the suitability of design of the foundations.
  - An electrical certificate of compliance for the complete installation (COC)
  - All certificates required to be issued to the local Municipality.
  - Certificate from a Registered Engineer that the design and construction of the buildings comply with the requirements of SANS 10400 and SANS 204.
  - The service provider must supply certificates for the treatment of all timber against termites and dry rot.
  - Engineers certificate for Roof construction.
- 4.10.9 Care must be exercised not to damage private property or local authority property on the outside of the fence line or in any servitude. Any claim for such damage is for the service provider's account. The service provider must arrange with the owner of such property for mutually acceptable construction before commencing the work.
- 4.10.10 The Representative / Agent of the Department for this project shall be deemed to be the Control / Chief Work's Inspector – Building Division.
- 4.10.11 All repairs, reworks and making good shall match original in all respects.
- 4.10.12 Boundary pegs shall not be disturbed. If accidentally disturbed, it should be returned to its exact original position.
- 4.10.13 Bidders to ensure that they acquaint themselves with the work to be done and make allowance in the bid price for the proper completion of the work although not all items may be specified.

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- 4.10.14 The successful bidder shall not take any instructions from anyone other than the Electoral Commission Representative. No verbal instruction shall be entertained by the Service provider without a follow up written Site Instruction from the Electoral Commission Representative.
- 4.10.15 Service provider to inform the Electoral Commission Representative of any cost implications associated with an instruction prior to commencement of the work.

**4.11 Site Information**

**4.11.1 General**

Bidders shall establish by personal viewing of the site the on-site conditions and any restrictions imposed by the surrounding existing buildings, limited access, et cetera.

The service provider shall take all appropriate measures necessary for the general security and safety of the site of the works, including the provision of any temporary fencing, hoardings, dust screens, temporary signs, et cetera the bidder deems necessary or are required by law, the cost of which shall be provided for in the Preliminaries Bill and no claims shall be entertained in this regard.

**4.11.2 Nature of Ground and Subsoil Conditions**

The bidder should obtain a soil sample to ensure a comprehensive written submission is made to address the nature of ground and subsoil conditions – see Annexure A for relevant address information.

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**5. Detailed Technical Specification Table – Prefabricated / Modular Office Block Unit**

Bidders are required to reply to each requirement by marking a “YES” or “NO”. Additional information regarding these specific requirements should be provided in the written proposal(s). Should your response to any of the relevant questions be “no”, your bid will be disqualified from further evaluation.

Item #	Area / Requirements	Criteria and Requirements	Prefabricated / Modular Unit Conforms to Requirements	
<b>5.1</b>	<b>ASSESSMENTS, PLANS AND CERTIFICATION</b>			
5.1.1	<b>Geotechnical and Engineering</b>	Completed the relevant soil assessment. Provide geotechnical and engineering site report.	YES	NO
5.1.2	<b>Structural Plans</b>	Provided structural plan based on the design, geotechnical report and municipal utilities.	YES	NO
5.1.3	<b>Building Plans</b>	Design and provide plans for a prefabricated/modular office block.	YES	NO
5.1.4	<b>Installation Certificates</b>	Certificate from a Registered Civil/Structural Engineer as to the suitability of design of the foundations. An electrical certificate of compliance for the complete installation (COC). All certificates required to be issued to the local Municipality. Certificate from a Registered Engineer that the design and construction of the buildings comply with the requirements of SANS 10400 and SANS 204. Certificates for the treatment of all timber against termites and dry rot. Engineers certificate for Roof construction.	YES	NO
5.1.5	<b>Warranty</b>	12 Months warranty for the following: <ul style="list-style-type: none"> <li>▪ Structure</li> <li>▪ Electrical</li> <li>▪ Plumbing</li> </ul>	YES	NO
<b>5.2</b>	<b>OFFICES, BOARDROOM AND AMENITIES</b>			
5.2.1	<b>Size</b>	Prefabricated/modular office accommodation with the size being in the order of <b>100m<sup>2</sup> to 110m<sup>2</sup></b>	YES	NO
5.2.2	<b>Offices</b>	A minimum of <b>four (4)</b> lockable offices. [see proposed layout – Annexure B]	YES	NO
5.2.3	<b>Boardroom</b>	To be able to seat 10 to 12 persons with glass sliding door	YES	NO
5.2.4	<b>Storage</b>	One (1) lockable storage facility of about <b>15m<sup>2</sup></b>	YES	NO

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Item #	Area / Requirements	Criteria and Requirements	Prefabricated / Modular Unit Conforms to Requirements	
5.2.5	<b>Ablution facilities</b>	Separate male and female ablution facilities not adjacent to the kitchen area and accessible for persons with disabilities.	YES	NO
5.2.6	<b>Kitchen</b>	The office accommodation is equipped with a separate kitchen and has built-in melamine cupboards for storage of kitchen utensils, adequate space for a fridge and microwave and a sink with cold and hot water taps. Kitchen is equipped with a separate melamine broom cupboard. <u>Note:</u> The kitchen area should not be adjacent to the ablution facilities.	YES	NO
5.2.7	<b>Equipment Area</b>	An area that can house a standard photocopier, fax machined and some IT equipment	YES	NO
<b>5.3</b>	<b>MACHINERY AND EQUIPMENT INFRASTRUCTURE</b>			
5.3.1	<b>Air Conditioning</b>	Supply and installation of air conditioning units for offices and rest of the building as follows: <ul style="list-style-type: none"> <li>Five (5) x 9000 BTU spilt units for offices and storage</li> <li>One (1) x 12000 BTU split unit for boardroom</li> </ul> Compressor units to be 1m above ground and installed in galvanised frame.	YES	NO
5.3.2	<b>Trunking / Power Skirting</b>	Double compartment steel trunking with all brackets and covers that run on inner perimeter of the unit (every side wall) to house telephone, fax and data lines except for the ablution and kitchen area	YES	NO
5.3.3	<b>Telephone Cabling</b>	CAT5e telephone points in all offices and boardroom This installation must include the following components: Wall mounting/plates (with RJ 11 connectors) CAT 5e shielded twisted pair cabling between patch panel and wall mount boxes. Patch leads and labelling of points - Proper labelling of points should be maintained.	YES	NO
5.3.4	<b>Network Cabling</b>	CAT5e network points in all offices and boardroom This installation must include the following components: <ul style="list-style-type: none"> <li>Wall mounting/ plates (with RJ 45 connectors)</li> <li>CAT 5e shielded Twisted Pair cabling between patch panel and Wall mount boxes.</li> <li>Patch panel with brushes;</li> </ul>	YES	NO

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Item #	Area / Requirements	Criteria and Requirements	Prefabricated / Modular Unit Conforms to Requirements	
		<ul style="list-style-type: none"> <li>• Patch leads; and</li> <li>• Fly Leads (5 metre).</li> </ul> Installation of network points for a 10/100/1000 Mbps Ethernet network according to CAT 5e Specifications (only 'soft fly leads' unshielded Twisted Pair cabling with male jacks on both ends with protective boots will be used); Labelling of Points - Proper labelling of points should be maintained 1 x 9U Wall mounted network cabinet with lockable door.		
5.3.5	<b>Lighting</b>	Internal lighting should be adequate and conducive to a good working environment External lighting required at the <b>entrance and exit door</b> .	YES	NO
5.3.6	<b>Safety and Security</b>	The proposed office block will be fitted with sufficient fire protection systems (fire retardant panels) that complies with the Occupational Health and Safety Act	YES	NO
5.3.7	<b>Burglar Proofing</b>	There should be burglar bars on ALL windows – <ul style="list-style-type: none"> <li>• To be constructed of 10mm square tubing and have 6 point fastening position for small windows and 8 point fastening position for large windows.</li> <li>• The burglar bars must be fastened through the prefabricated building's wall with adequate bolt and nuts that cannot be loosen at external side of the building.</li> </ul> There should be burglar proofing at the <b>entrance and exit doors</b> . Security gate to be installed at <b>main entrance and exit doors</b> .	YES	NO
5.3.8	<b>Gutters</b>	Install gutters and <b>four (4)</b> downpipes for entire unit	YES	NO
5.3.9	<b>Disability Ramp</b>	Disability access and handrail. Steel ramp with landing and rails. <b>Front and Back</b>	YES	NO
5.3.10	<b>Accessories</b>	Offices should be fitted with 50mm venetian walnut or similar blinds Kitchen and toilets should be fitted with 25mm aluminium blinds	YES	NO
5.3.11	<b>Outer Tubing</b>	100 x 40 EGA tubing for outer cables	YES	NO
5.3.12	<b>Windows</b>	Offices, storage, boardroom (excluding ablution facilities) - clear glass Ablution facilities - frosted glass and should include burglar bars		

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Item #	Area / Requirements	Criteria and Requirements	Prefabricated / Modular Unit Conforms to Requirements	
		[see proposed layout – Annexure B]		
5.3.13	<b>Plumbing</b>	Complete plumbing installation including rainwater disposal, sanitary fittings, sanitary plumbing, water supplies, fire appliances, etc. inside and outside the units to sewer and water main points to be provided by others. <ul style="list-style-type: none"> <li>• 2 x Toilet</li> <li>• 2 x Wash basin</li> <li>• 1 x Sink 1200mm complete with cupboards</li> <li>• A 100-litre direct solar geyser for sink in staff room. Geyser to be mounted inside roof space with access for maintenance. All to be done according to SANS 10400 and SANS 1052.</li> </ul>		
5.3.14	<b>Electrical</b>	Complete electrical installation with all fittings, cables, Distribution board for a complete functional office, including the supply, installation and connection to a complete weather proof electrical kiosk on a concrete plinth with sleeves for housing the electrical controls. Kiosk shall be lockable complete with key alike locks as specified above, from 3CR12 and powder coated as provided to ESKOM and should include and provide for the following minimum requirements – <ul style="list-style-type: none"> <li>• two (2) 16AMP socket outlets per office</li> <li>• six (6) in the boardroom</li> <li>• one (1) power point for wall mounted network cabinet</li> <li>• two (2) power points for the water heaters</li> <li>• Double fluorescent or LED light per office – 1.2m</li> <li>• Single fluorescent or LED light – 0.6m [Toilets]</li> <li>• Lever Light Switches</li> <li>• Lights JD90</li> <li>• Distribution board (adequate) to be mounted inside of the building</li> <li>• Connection point for generator</li> </ul>		
5.3.15	<b>Veranda</b>	Supply and installation of 1 x veranda 1,8 x 3,6m complete with: <ul style="list-style-type: none"> <li>▪ 0.58mm IBR Roof sheeting</li> <li>▪ Roof supporting purlins</li> <li>▪ 2 x Ø75mm supporting Columns</li> <li>▪ Gutter with down pipe</li> </ul>	YES	NO
5.3.16	<b>Warranty</b>	Equipment and workmanship warranty (12 months)	YES	NO

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Item #	Area / Requirements	Criteria and Requirements	Prefabricated / Modular Unit Conforms to Requirements	
5.3.17	<b>Availability</b>	Will the building be available, delivered and ready for occupation within 90 (ninety) days from receipt of an official purchase order?	YES	NO

**6. DELIVERY LOCATION AND DATE**

- The required points of delivery of the prefabricated/modular office block units are the Electoral Commission’s location in Limpopo Province (see **Annexure A**).
- Delivery of the required office block unit to take place no later than 90 days from the receipt of an official purchase order.

**7. PRICES COSTING AND BIDDING**

- Bidders must take care to estimate and calculate their costs and prices CORRECTLY before placing a bid on the system.
- Erroneous low bids cannot be removed or adjusted upwards. Common errors include the entering of a unit price instead of a total price in the case of a batch requirement, or accidentally omitting zeros (e.g. R50 instead of R5000).
- All prices must include VAT.
- Bidders must include the **cost of supply, site preparation, delivery, assembly and other costs** (see pricing Item 16) in their bid price.
- Quoted prices must include unit cost of the prefabricated/modular office block unit, transport and installation.
- Please note that the bid price reflected on the tender (eProcurement/Votaquotes system) must be in South African Rand (ZAR) and must include all applicable costs including VAT.

**8. DELIVERIES**

- Deliveries to Electoral Commission locations must be made from Monday to Friday during working hours (08h30 to 17h00).
- Prior notification must be given to ensure availability of receiving staff. The supplier must notify the appropriate Electoral Commission contact person on the delivery schedule and intended times of delivery, as per Appendix A below.
- Deliveries must be in the name of the supplier – no third-party deliveries will be accepted.
- NB: No deliveries will be accepted without the submission of signed delivery notes.
- Delivery notes must be returned to Ms Susan Fourie (see contact details as per paragraph 14 below) with an invoice for payment to be affected.

**9. QUALITY CONTROL**

- The supplier must undertake and warrant that all goods shall, at the time of delivery, be according to specifications, in good condition, order and ready for use.
- The supplier has the primary responsibility to ensure that quantity and quality are in accordance with the specification.

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**10. WARRANTY REQUIREMENT**

- The prefabricated/modular office block unit offered must carry a manufacturer's warranty of least 12 (twelve) months.
- Equipment and appliances should also carry a warranty of at least 12 (twelve) months.

**11. BID EVALUATION**

- The Electoral Commission, furthermore, also reserves the right to consider at its sole discretion alternative options to exact specifications outlined in the tender or otherwise stipulated that may be offered by suppliers should the Electoral Commission be of the opinion that such alternative options that are being offered are economically viable and/or may be a practical solution and/or may be generally beneficial in respect of promoting and reaching the Electoral Commission's goals, target dates and objectives.
- **For bid evaluation purposes, ALL BIDDERS ON THIS TENDER who have placed a bid will be required to submit images of the product offering.** Successful bidders will be subjected to a comprehensive due diligence audit process as determined by the Electoral Commission before an official purchase order is issued.

**12. SUPPLIER PERFORMANCE**

- **Quality means products that adhere to the technical specification requirement.**
- **Defective products must be replaced at the cost of the supplier.**
- **Deliveries must meet predetermined schedules agreed to in the purchase order.**
- The Electoral Commission reserves the right to reject any deliveries not conforming to the above, including damaged units.
- Where previously agreed delivery schedules are not met by a supplier, the Electoral Commission shall have the right to appoint an alternative supplier (such as the next highest ranking bidder on this tender for example or any other supplier able to deliver) to make good the shortfall in supply. Any extra costs incurred by the Electoral Commission in obtaining such corrective services or products from another source will be for the account of the defaulting supplier. As such, any costs already incurred by the initially appointed supplier shall, at the sole discretion of the Electoral Commission, be for the account of that supplier since it failed to deliver! The normal penalties provided for on the Electoral Commission's purchase order shall also apply!

**13. LOCAL CONTENT**

**Minimum local content requirements**

- The stipulated minimum threshold percentages for local production and content for the required **steel products and component for construction** is tabled below, thus only locally produced or locally manufactured **steel products and component for construction** from local suppliers in accordance with the applicable threshold values will be considered.
- The applicable threshold values in respect of local content for the required **steel products and component for construction** is as follows:

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Number	Description	% Local Content
1	Fabricated Structural Sheet	100%
2	Joining/Connecting Components	100%
3	Frames	100%
4	Roof and Cladding	100%
5	Fasteners	100%
6	Wire Products	100%
7	Ducting and Structural Pipework	100%
8	Gutters, Downpipes and Lauders	100%
9	Plates	100%
10	Sheets	100%
11	Galvanised and Colour Coated Coils	100%
12	Wire Rod and Drawn Wire	100%
13	Sections	100%
14	Reinforcing Bars	100%

**In cases where raw materials are not available locally**

- If the raw material or input for the **steel products and component for construction** is **not** available locally, bidders should obtain written authorisation from the dtic should there be a need to import such raw material or input. A copy of the authorisation letter must be submitted together with the bid at the closing date and time of the bid.
- The exchange rate used for the calculation of local production and content will be the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of the advertisement of the bid.
- The rates of exchange quoted by the bidder in paragraph 4.1 of the Declaration Certificate will be verified for accuracy.

**Important Note on Determining Local Content:**

*A declared local content of, for example, 100% is not a true reflection if the dtic issued an authorisation letter to import some of the raw materials. In such instances bidders are expected to declare the actual local content % of less than 100% for the fact that an authorisation letter was provided by the dti. In that regard, bids will not be disqualified during the first stage of evaluation for not meeting the required local content threshold. The purpose thereof is to encourage bidders to declare the exact local content, e.g. if a bidder indicates that he/she will be importing raw materials or certain components then it is not possible to have 100% local content if there is any portion of import no matter how small it may be.*

**Calculation of the local content**

- The South African Bureau of Standards (SABS) approved technical specification number SANS 1286:2017 will be used to calculate local content.

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- The Declaration Document for Local Content (Annexure B) together with Annexure C (Local Content Declaration: Summary Schedule) must be completed, duly signed and submitted by the bidder at the closing date and time of the bid.
  - The SABS approved technical specification and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annexure C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annexure C) and E (Local Content Declaration: Supporting Schedule to Annexure C)] are accessible to all potential bidders on the dti's official website <http://www.thedtic.gov.za/sectors-and-services-2/industrial-development/industrial-procurement/> at no cost.
  - The local content (LC) expressed as a percentage of the bid price will be calculated in accordance with the following formula:
    - $LC = (1 - x/y) * 100$
- Where
- x is the imported content in Rand
  - y is the bid price in Rand excluding value added tax (VAT)
- Prices referred to in the determination of x will be converted to Rand (ZAR) by using the exchange rate published by the SARB at 12:00 on the date that the bid has been advertised.

#### 14. TECHNICAL ENQUIRIES

Technical enquiries can be directed to:

Mmemezi Dhlamini  
Electoral Commission  
Infrastructure  
Tel: (012) 622 5210  
E-Mail: [DlaminiP@elections.org.za](mailto:DlaminiP@elections.org.za)

or  
Susan Fourie  
Electoral Commission  
Infrastructure  
Tel: (012) 622 5479  
E-Mail: [fouries@elections.org.za](mailto:fouries@elections.org.za)

#### 15. TECHNICAL ENQUIRIES (Local Content)

Enquiries concerning the 100% stipulated threshold for local production and content for the furniture must be directed to Ms Catherine Matidza at the Department of trade industry and competition, Tel (012) 394-5598 or Fax (012) 394-6598 or email [CMatidza@thedtic.gov.za](mailto:CMatidza@thedtic.gov.za); and copy the below persons:

Ms Belinda Pick, Tel (012) 394-5480 and email [BPick@thedtic.gov.za](mailto:BPick@thedtic.gov.za) or contact the dtic Customer Contact Centre 0861 843 384.

Alternative contact details of the dtic in order to deal with local content requirements:

Mr Raphael Kitiaka, 012 394-3500, [MRKitiaka@thedtic.gov.za](mailto:MRKitiaka@thedtic.gov.za)

Ms Rendani Raluthaga, 012 394-1412, [RRaluthaga@thedtic.gov.za](mailto:RRaluthaga@thedtic.gov.za)

Ms Miyelani Masinga, 012 394-1664, [MMasinga@thedtic.gov.za](mailto:MMasinga@thedtic.gov.za)

Ms Mamosia Seleke, 012 394-1213, [MSeleke@thedtic.gov.za](mailto:MSeleke@thedtic.gov.za)

#### VERY IMPORTANT:

Refer to the Quick Guide to Request dtic Authorisation on the IEC eProcurement website.

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## 16. REQUIRED DOCUMENTATION / WRITTEN SUBMISSION REQUIREMENTS

The following documents need to be submitted to the Electoral Commission as part of the bid submission, with the company name written on the envelope/documents.

- Comprehensive company profile.
- Brochure/catalogue/image of the office block unit on offer.
- Completed detailed technical specification table (section 4) of the document. **Please note that should the response to any of the relevant questions be 'No' your bid may be disqualified from further evaluation.**
- Bidders must submit written proposals which sufficiently address the general specifications (section 3).
- Bidders must submit a comprehensive written proposal which sufficiently address the prefabricated/modular office block unit space requirements, as indicated in the detailed specifications stipulated herein (section 4) and **must** include a floor plan of the proposed prefabricated/modular office block unit.
- **Section 17 Pricing Schedule** must be returned.
- **Annexure A** confirmation of ability to deliver prefabricate/modular office block units to the local office / municipal area.
- **Proof of being a specialist manufacturer of the product – e.g. certificate(s) issued by regulatory body governing the relevant industry.**
- **Bidder must submit written confirmation addressing the warranty period relating to the following –**
  - Structure
  - Site works
  - Electrical Work
  - Defects and workmanship
  - Equipment
- A written submission explaining who will supply the raw materials for the **steel products and component for construction** and manufacture them. Once all the suppliers in this process have been confirmed by the Electoral Commission, the delivery of the **steel products and component for construction** will be subject to those suppliers being used and no change will be allowed without prior approval by the Electoral Commission. The Electoral Commission also reserves the right to execute random inspections at the manufacturers of the **steel products and component for construction** and any other vetting/inspections that may be required to ensure adherence to bid conditions – that includes verification of the origin of any material used in the production process.
- Where subcontractors (these may include manufacturers of **steel products and component for construction**) are being used for the supply of the **steel products and component for construction** (or any component thereof) a letter of guarantee must be obtained from that supplier in support of any of the local content claims being made. The letter of guarantee must state that the subcontractor is supplying the **steel products and component for construction** (or any component thereof) to the bidder and that the **steel products and component for construction** (or any component thereof) conforms to the specific local content requirements and thresholds applicable to that particular **steel products and component for construction** item/s. Any percentage applicable to imported products/components must also be clearly stated.
- Relevant certificates to prove that the **steel products and component for construction** conforms to applicable SABS standards should also be submitted.
- The written submission must also be accompanied by the documentation referred to in **section 12**:

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- Declaration Document for Local Content (Annexure B);
- Local Content Declaration: Summary Schedule (Annexure C)
- Imported Content Declaration: Supporting Schedule to Annexure C (Annexure D)
- Local Content Declaration: Supporting Schedule to Annexure C (Annexure E)
- In addition to the above, service providers must prepare and submit a bill of materials (BOM) (raw materials included) to be utilised in the production process. The schedule must clearly indicate which materials are produced locally in South Africa and which materials are imported. The proposed format for the BOM to be created is as follows:

Bill of Materials (BOM)* (Fabricated Structural Steel)	% of Finished Fabricated Structural Steel	Locally Manufactured (YES / NO)	Imported (YES / NO)	DTIC Authorisation (YES / NO)
e.g. Reinforced steel	25%	Yes	No	Not applicable
e.g. Steel Flooring	20%	Yes	Yes	Not applicable
e.g. Gutters	15%	No	Yes	Yes
e.g. Handrailing	25%	Yes	No	Not applicable
e.g. Downpipes	5%	Yes	No	Not applicable
e.g. Trusses	10%	Yes	No	Not applicable

\* The above example should be used to reflect each of the categories of prefabricated office block unit to be manufactured and supplied in order to illustrate the local content requirements and adherence to stipulated minimum thresholds. The primary steel utilised in the manufacturing process as that does not have to be stipulated – the relevance to local content is the actual manufacturing of the components used in the office equipment.

- In support of the local content requirements, the necessary written authorisation from the Department of Trade and Industry (the dti) must be submitted, should there be a need to import such raw material or input.
- The information provided in Annexures C, D and E must correlate with the BOM, especially in respect of local content % and values.

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**17. PRICING**

The pricing schedule below must be completed and submitted as part of the required bid documents. All pricing provided must be inclusive of VAT.

**Note:** Failure to comprehensively complete the pricing schedules below shall invalidate your bid.

**Do not substitute the pricing schedule. Additional cost calculations may be submitted in support of the compulsory pricing schedule**

Description	Amount Inclusive of VAT
<b>Total Cost of Prefabricated Office Block Unit offered.</b>	
<b>Note:</b> Total cost to include the following –	
• Prefabricated Office Block Unit ( <i>measuring between 100m<sup>2</sup> to 110m<sup>2</sup></i> )	R.....
• Geotechnical and Engineering Assessment of Site	R.....
• Structural Plans and Building Design	R.....
• Signage - Electoral Commission’s Wall Mounted Main Sign [Class A] – section <b>4.9.9</b>	R.....
• Site Preparation Cost including Foundation and other (e.g. paving, etc.) <u>Note:</u> The paving surface area to be specified in written submission – a site inspection is compulsory for submission of accurate costing.	R.....
• Installation of power supply (electricity connection[s]) including providing for a generator connection/connectivity, water supply (water connection[s]) and sewerage connection[s]	R.....
• Delivery and Assembly	R.....
• Maintenance of prefabricated office block unit for a period of five (5) years	R.....
• Four (4) Carports – standard industry sizes – for example 3.66 to 6.11 in meters, while a height in meters of 1.83 to 2.13 per carport	R.....
• Other Costs (please specify in written proposal)	R.....
<b>Total price inclusive of VAT</b>	R.....

**The bid price on the TENDER is the only valid bid.**

**The bidder is furthermore required to appoint a professional and accredited project manager from the relevant industry.**

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**LOCAL OFFICE (Delivery Point)**

The envisaged delivery point is in the Limpopo Province listed below.

It is envisaged that this list, while not rigid, will remain substantially unchanged.

*[Indicate ability to provide services by marking appropriate column with an "X" against the location – PLEASE NOTE THAT FAILURE TO COMPLETE AND RETURN OR NOT BEING ABLE TO PROVIDE A SERVICE AT THE STIPULATED LOCATION WILL INVALIDATE YOUR BID*

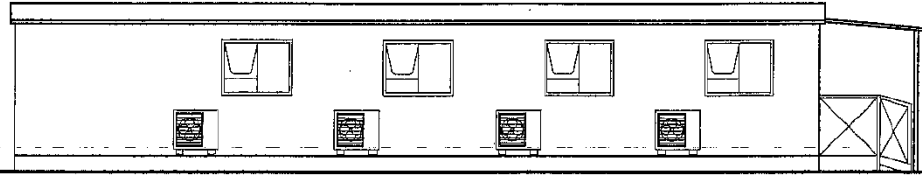
Local Office / Municipal Area	Delivery Address	Yes	No	Prefabricated/ Modular Office Block Unit (100 to 110m <sup>2</sup> )
LIM355 - Lepele- Nkumpi	<b>LIM355 - Lepele-Nkumpi Local Municipality</b> Erf 115BA Lebowakgomo, Limpopo Province			

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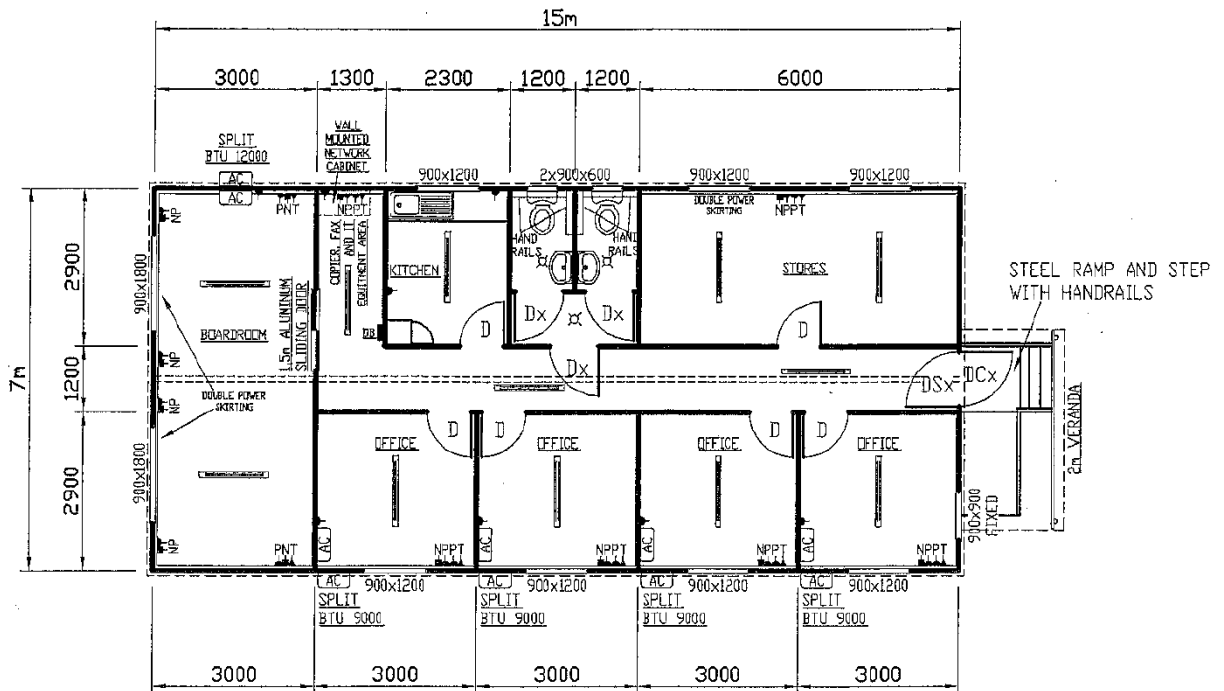
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± 105m<sup>2</sup> (Proposed Design)



FRONT ELEVATION



PLAN  
105m<sup>2</sup>

Important: The proposed design provided above is for illustrative purpose only. Bidders must submit their own proposed designs/building plans according to what they are offering. Therefore, the final proposed design/building plan should take into consideration all the requirements as set out in the bid specifications. For example, the proposed design above only illustrates a steel ramp for disabled access at the front whilst the detailed bid specifications stipulate front and back.

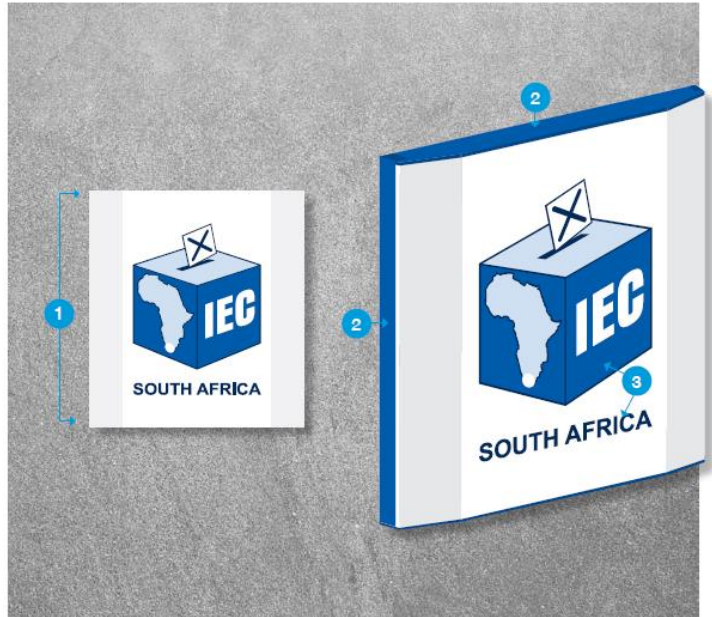
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**Wall Mounted Main Sign – Class A**

Exterior, wall-mounted main identity signs are used primarily in reception or main entrance, public areas where the Electoral Commission is the only tenant in the building.



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Materials	Colour Specifications	CLASS A Sign with premium finishes
<p><b>Sign Facings</b> Sign facings are made from 1.2mm mild steel powder coated in smooth white.</p> <p><b>Frames</b> The frame is made from 1.2mm mild steel square tubing, powder coated in Electoral Commission Blue.</p> <p><b>Vinyl</b> The primary Electoral Commission identity is applied using different vinyl colours: two of which are custom pigmented and two which are standard colours.</p>	<p><b>Electoral Commission Blue</b> Pantone: 2728C Vinyl: Avery 800 Series Pigmented vinyl to match Pantone 2728C** Powder Coating: Interpon F09 Ultramarine (CPO 71609 - JJ650P).</p> <p><b>Primary Dark Blue</b> Pantone: 289C Vinyl: Avery 274 Cobalt Blue</p> <p><b>Primary Light Blue</b> Pantone: 2707C Vinyl: Avery 800 Series Pigmented vinyl to match Pantone 2707C**</p>	<p><b>Sign Material</b> 1.2mm Aluminium CNC and logo laser cut out face.</p> <p><b>Logo Application</b> The primary Electoral Commission identity (ballot box icon and South Africa descriptor) is applied using 6mm Opale 090 perspex cut out logo, overlaid with translucent vinyl and pushed through the face of the sign.</p> <p><b>Illumination</b> Pre-wired strip LED lighting is used to illuminate the ballot box icon, South Africa descriptor and for halo illumination at the sign's top and bottom.</p> <p><b>Finish</b> Sign sprayed satin white with 2K synthetic enamel paint</p>

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**ANNEXURES AND SCHEDULES THAT SHOULD BE COMPLETED, SIGNED AND SUBMITTED TOGETHER WITH THE WRITTEN SUBMISSION, BILL OF MATERIALS (BOM) AND BROCHURE**

- Annexure B: Declaration Document for Local Content (Attached)**
- Annexure C: Local Content Declaration - Summary Schedule  
(Refer the dtic Forms – Excel spreadsheet)**
- Annexure D: Imported Content Declaration - Supporting Schedule to Annexure C  
(Refer the dtic Forms – Excel spreadsheet)**
- Annexure E: Local Content Declaration - Supporting Schedule to Annexure C  
(Refer the dtic Forms – Excel spreadsheet)**

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**ANNEXURE B**

**DECLARATION DOCUMENT FOR LOCAL CONTENT**

This Standard Bidding Document (SBD) must form part of all bids received. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the South African Bureau of Standards (SABS) approved technical specification number SANS 1286:2017 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

**1. General Conditions**

- 1.1. The Electoral Commission's Preferential Procurement policy, makes provision for the promotion of local production and content.
- 1.2. The Electoral Commission may in the case of designated sectors, advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a technical evaluation and the second stage price and specific goals which includes B-BBEE and minimum threshold for local production and content.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SANS 1286: 2017 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

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**The SABS approved technical specification number SANS 1286:2017 is accessible at no cost on the dtic website or through the quick link: <http://www.thedticc.gov.za/sectors-and-services-2/industrial-development/industrial-procurement/>**

- 1.6. A bid may be disqualified if this declaration document and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation.
2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SANS 1286:2017) for this bid (T-shirts) is 100%.
3. Does any portion of the goods or services offered have any imported content? (**Tick applicable box**)

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

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible at [www.reservebank.co.za](http://www.reservebank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SANS 1286:2017):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

**NB: Bidders must submit proof of the SARB rate (s) of exchange used.**

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dtic must be informed accordingly in order for the dtic to verify and in consultation with the Accounting Officer provide directives in this regard.

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**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SANS 1286:2017)**

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER (CFO) OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NUMBER:** .....

**ISSUED BY:** The Electoral Commission

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

**Important: Declarations C, D and E must be completed as required and signed by the same company representative that certifies/signs below (Annexure B). Annexure D must also be completed – stipulate zero (0) values if there are no imported material.**

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as ..... of  
.....(name of bidder  
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SANS 1286:2017;
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SANS 1286:2017, the rates of exchange indicated in

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paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, <b>excluding</b> VAT (y)	R
Imported content (x), as calculated in terms of SANS 1286:2017	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SANS 1286:2017	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SANS 1286:2017, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SANS 1286:2017.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SANS 1286:2017, may result in the Procurement Authority/Institution imposing remedies in terms of the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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**Bid Evaluation Criteria**  
**Prefabricated/Modular Office Block Unit**  
**LIM355 - Lepele-Nkumpi**

<b>BIDDER NAME:</b> .....	<b>Bid #:</b> .....
---------------------------	---------------------

**Stage 1 - Bidder's Disclosure Evaluation/Assessment [SBD4]**

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, 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 CEO 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.

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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 CEO must inform National Treasury of any action taken against a person within 30 days of implementing the action.

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

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

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

The under-mentioned assessment criteria will be used to evaluate the elements relating to SBD4 and restricted suppliers and tender defaulters:

<b>Stage 2 - Functionality Evaluation/Assessment</b>
--

1.	(Bid will be disqualified if not compliant)	Compliant	Non-Compliant
1.1	Comprehensive Company Profile submitted [section 2.1]		
1.2	Standards and Specification Table completed [section 4.2]		
1.3	Relevant product information submitted ( <i>brochure/catalogue/image of office block on offer</i> ) [section 16]		
1.4	Written Proposal relating to General Specifications [section 4] submitted		
1.5	Written Proposal relating to Detailed Specifications and Floor Plan (section 5) submitted		
1.6	Bidder confirmed being a Specialist Manufacturer [section 16]		
1.7	Completed List of Delivery Point – Local Office/Municipal Area (Annexure A) Submitted		
1.8	Written confirmation relating to 12 month warranty period ( <i>structure, electrical work, defects and workmanship and equipment</i> ) submitted [section 16]		
1.9	Pricing Schedule [Section 17] Completed and Returned		
Qualifies for further evaluation		Yes	No

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<b>2.1</b>	<b>Bidder Profile</b>	<b>Yes</b>	<b>No</b>
2.1.1	Company profile explaining company's business activities and <u>track record</u> relating to the manufacturing of prefabricated office block units [Section 2.1]		
<b>2.2</b>	<b>Size and Location</b>		
2.2.1	<b>Size</b> – In the order of <b>100m<sup>2</sup> to 110m<sup>2</sup></b> [Section 5.2.1]		
<b>2.3</b>	<b>Facilities Requirement</b>		
2.3.1	Prefabricated unit offered (as per floor plan submitted) provides for – <ul style="list-style-type: none"> <li>• Three (3) lockable office; and</li> <li>• one (1) open plan office</li> </ul> [Section 5.2.2]		
2.3.2	Lockable Storage Area/Facility [Section 5.2.3]		
2.3.3	Ablution Facilities not adjacent to the kitchen area and accessible for persons with disabilities [Section 5.2.4]		
2.3.4	Kitchen facilities not adjacent to ablution facilities [Section 5.2.5]		
2.3.5	Air conditioning [Section 5.3.1]		
2.3.6	Telephone and network cabling [Sections 5.3.3 and 5.3.4]		
2.3.7	Lighting (internal and external at entrance & exit doors) [Section 5.3.5]		
2.3.8	Disability Ramp (access and handrail) and Veranda [Sections 5.3.9 and 5.3.15]		
<b>Qualifies for Further Evaluation</b>		<b>Yes</b>	<b>No</b>

### Stage 3 - Bid Adjudication in terms of Preferential Procurement

#### Evaluation Based on Local Content

Bids received in respect of this bid requirement will be assessed/evaluated for compliance with local content in accordance with the evaluation criteria and subsequently used for the purposes of preferential procurement scoring in terms of the provisions of the PPR2022:

<b>3.</b>	<b>Stage 3 - Local Content</b>	<b>Compliant</b>	<b>Non-Compliant</b>
<b>3.1</b>	Has the Declaration Certificate for Local Production and Content (Annexure B/SBD 6.2) been fully completed and signed?		
<b>3.2</b>	Have the relevant sections of Annexure C, D and E been fully completed and have the forms been signed as required by dti?		
<b>3.3</b>	Does the production and local content for the supply of the required prefabricated/modular office block unit meet the minimum threshold values per required item?		

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3.	Stage 3 - Local Content	Compliant	Non-Compliant
3.4	Did the bidder provide a bill of materials (BOM) that correlates with Annexures C, D & E – especially in respect to local content?		
3.5	Was the bid accompanied by a written submission explaining the following: <ul style="list-style-type: none"> <li>• Who the supplier of the raw materials will be?</li> <li>• Who the manufacturer of the prefabricated/modular office block unit will be?</li> <li>• Letters of guarantee from sub-contractors [where applicable]?</li> <li>• Relevant SABS certificate/s (where applicable)?</li> </ul>		
3.6	Was an authorisation letter/s included from the dtic if the raw materials are not locally available (if applicable)?		
<b>Bidders qualifying in terms of above-mentioned Local Content Criteria will receive the Specific Goal Points for Local Content</b>		<b>Yes</b>	<b>No</b>

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**Stage 4 - Bid Adjudication Process**

Bids will be adjudicated as set out below.

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

Acceptable bids must be market related.

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

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

**SPECIFIC GOALS POINTS BREAKDOWN FOR LOCAL CONTENT**

B-BBEE Status Level of Contributor	Number of Points
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

Local content	Number of Points
100% local	10
100% local with exemption from dtic	5
Not 100% local	0

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

Bidder Qualify for Further Evaluation	Yes	No

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**Bid Evaluation Team Proposal:**

<b>Bid Evaluation Team</b>		<b>Date:</b> .....
<b>Member</b>	<b>Department/Office</b>	<b>Signature</b>

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