

ELECTORAL COMMISSION

REFERENCE: **IEC/EC-05/2015**

CLOSING DATE: **26 JUNE 2015**

ENQUIRIES:

TECHNICAL SPECIFICATIONS: Andile Dweba Tel: (043) 709-4200 or Nozuko Mtya

ADMINISTRATIVE ENQUIRIES: Mr Vincent Qwabe Tel: (012) 622-5576

To whom it may concern

Manager: Procurement & Asset Management
Electoral Commission
Private Bag X112
CENTURION
0046

Sir/Madam

TENDER IEC/EC-05/2015: LOCAL OFFICE ACCOMMODATION - EC109 – KOU-KAMMA, [KAREEDOUW]

Kindly furnish the Electoral Commission (IEC) with a tender for the supply of the goods/services as per attached documents.

The conditions contained in the Electoral Commission's policy documents and all other conditions quoted in this tender, will apply to your submission.

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

A BID BRIEFING SESSION WILL BE CONDUCTED AT 11:00 ON 19 JUNE 2015 AT THE FOLLOWING ADDRESS:

Blouberg Mall

Offices 23-25

Van Riebeeck Street

KAREEDOUW

Kindly tender by completing the relevant forms and deposit the tender in the tender box at the Electoral Commission's address as specified in page 2 before the closing date and time.

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

Yours sincerely



.....
MARIUS STEYN
MANAGER: PROCUREMENT AND ASSET MANAGEMENT

ELECTORAL COMMISSION
ENSURING FREE AND FAIR ELECTIONS
S O U T H A F R I C A



TENDER NUMBER: **IEC/EC-05/2015: OFFICE ACCOMMODATION FOR EC109 – KOU-KAMMA [KAREEDOUW]**

CLOSING TIME: 11:00

CLOSING DATE: 26 JUNE 2015

YOU ARE HEREBY INVITED TO TENDER TO THE ELECTORAL COMMISSION OF THE REPUBLIC OF SOUTH AFRICA, (THE COMMISSION).

THIS TENDER MUST BE COMPLETED AND ALL APPLICABLE PAGES RETURNED AS PART OF YOUR TENDER SUBMISSION - DO NOT RETYPE OR SUBSTITUTE IN ANY OTHER FORM.

ALL TENDER FORMS (**PAGE 2 THROUGH TO PAGE 42**) MUST BE COMPLETED AND SIGNED IN ORIGINAL INK. FORMS WITH PHOTOCOPIED SIGNATURES/INITIALS OR ANY OTHER SUCH REPRODUCTION OF DETAIL WILL BE REJECTED, RESULTING IN THE TENDER BEING DISQUALIFIED.

SUBMIT THE TENDER IN A SEPARATE SEALED ENVELOPE OR SUITABLE CONTAINER IF NECESSITATED AND WRITE YOUR COMPANY NAME AS WELL AS THIS TENDER REFERENCE NUMBER (**IEC/EC-05/2015**) ON THE ENVELOPE/CONTAINER.

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

TENDER DOCUMENTS MUST BE SUBMITTED IN THE TENDER BOX SITUATED AT, BY NOT LATER THAN THE CLOSING DATE AND TIME:

**BLOUBERG MALL
Offices 23-25
Van Riebeeck Street
KAREEDOUW**

THE TENDER BOX WILL BE OPEN DURING OFFICE HOURS.

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

TENDERS RECEIVED AFTER THE CLOSING DATE AND TIME ARE LATE AND WILL NOT BE ACCEPTED FOR CONSIDERATION.

TENDERS SUBMITTED BY TELEGRAM, FACSIMILE, POST OR BY ELECTRONIC MEANS SUCH AS eMAIL WILL NOT BE ACCEPTED FOR CONSIDERATION.

THE ELECTORAL COMMISSION WILL PUBLISH THE AWARD OF THIS TENDER IN THE GOVERNMENT TENDER BULLETIN AND APPLICABLE MEDIA AS REQUIRED. SERVICE PROVIDERS SHOULD NOTE THE AWARD OF THE TENDER AS PUBLISHED. NO GENERAL NOTICES TO SUCCESSFUL OR UNSUCCESSFUL SUPPLIERS WILL BE ISSUED. SUCCESSFUL TENDERERS WILL BE REQUIRED TO SIGN A SERVICE LEVEL AGREEMENT, OR WILL BE ISSUED WITH AN OFFICIAL PURCHASE ORDER AS NECESSARY.

CONTENTS OF THIS PAGE NOTED:

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SERVICE PROVIDERS INITIALS / SIGNATURE

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The use of any correction fluid, tape or similar products may invalidate your tender submission!!**

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BACKGROUND

The Electoral Commission (the 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 days; and
- Appoint appropriate public administrations in any sphere of government to conduct elections when necessary.

The Electoral Commission currently operates in approximately 234 municipal electoral offices, nine provincial offices and warehouses and the national office and warehouse in Pretoria.

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GENERAL TENDER CONDITIONS

1. These conditions form part of the tender and failure to comply with these may invalidate a tender.
2. The following definitions shall apply:
 - (a) “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance, fund contributions and skills development levies;
 - (b) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad Based Black Economic Empowerment Act;
 - (c) “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
 - (d) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
 - (e) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
 - (f) “comparative price” means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration;
 - (g) “consortium or joint venture” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
 - (h) “contract” means the agreement (including a service level agreement) that results from the acceptance of a bid by the Electoral Commission;
 - (i) “EME” means any enterprise with an annual total revenue that is less than the prescribed threshold value;
 - (j) “firm price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
 - (k) “functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
 - (l) HDI means Historically Disadvantaged Individual;
 - (m) “non-firm prices” means all prices other than “firm” prices;
 - (n) PDI means Previously Disadvantaged Individual;
 - (o) “person” includes a juristic person;
 - (p) “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 taxes and excise duties;
 - (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, 1999 (Act No. 1 of 1999), any municipality or municipal entity, provincial legislature, National Assembly or the National Council of provinces; or Parliament;
 - (r) “Service Provider or Supplier” (used interchangeably) means any individual or entity that has the potential to be contracted by the Electoral Commission to render goods/services.

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- (s) "sub-contract" means the primary service provider/contractor's assigning, leasing, making out work to, or employing, another person to support such primary service provider/contractor in the execution of part of a project in terms of the contract.

In the event that the primary contractor/service provider 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';

- (t) "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;

- (u) "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 drawn up so 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.
5. Additional offers may be made for any item in response to this tender but only on a photocopy of the applicable page/s. Additional offers made in any other manner may be disregarded.
6. Tenders must not be qualified by the service provider's own conditions of tender. Failure to comply with this requirement **shall** invalidate the tender.
7. Failure on the part of the service provider to **sign/initial all applicable pages** of this tender form and thus to acknowledge and accept the conditions in writing **shall** invalidate the tender submission.
8. Failure on the part of the service provider to complete the attached forms, questionnaires and specifications' document in all respects **shall** invalidate the tender submission.
9. All changes/alterations in the tender document should be signed/initialled. Failure on the part of the service provider to sign/initial any alterations and/or corrections made to information provided in this tender form **may** invalidate the tender.
10. No correction fluid/tape or similar products will be allowed and the use thereof on any page of the tender document **may** invalidate your tender submission.
11. Any changes/alterations to pricing that are not signed/initialled are considered material, and **shall** invalidate the tender submission. Correction fluid/tape or similar products will not be allowed to amend prices and the use thereof shall invalidate the tender submission.
12. Information/detail provided on completed tender forms must be legible and ink must be used. Tender forms completed mechanically, e.g. by means of a typewriter/computer are deemed to have been completed in original ink. Pencil must not be used as it shall lead to the disqualification of the tender submission.
13. Service providers shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted with regard to claims arising from the fact that pages are missing or duplicated. Incomplete tender submissions (i.e. with missing pages) shall be disqualified.
14. Tender prices must be all inclusive, including VAT in respect of all vendors registered for VAT purposes.
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. It is an absolute requirement that the tax affairs of the successful service provider **must** be in order, or that suitable arrangements have been made with the South African Revenue Services (SARS) to satisfy them.
17. National Treasury intends placing an obligation on the Electoral Commission to ensure that persons conducting business with it are tax compliant at the date of the submission and award of a bid as well as for the full duration of their respective contracts.

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To substantiate the fact that your tax affairs are in order, an original valid SARS Tax Clearance Certificate for tenders **or** a unique security personal identification number (PIN) must be submitted with the tender before the closing time and date of the tender. Failure to submit an original valid tax clearance certificate or a valid unique security personal identification number (PIN) from SARS shall invalidate the tender.

The tax clearance certificate (if submitted) must at least be valid up to and including the closing date of this tender.

In addition, by responding to this tender you are warranting that during the contract term, you will, if requested, obtain a PIN, and that SARS may disclose your (including that of subcontractors, partners and undisclosed principals) tax compliance status to the Electoral Commission.

As per the above provisions, it must be ensured that sub-contractors, undisclosed principals, partners in partnerships and bidders not resident in the Republic of South Africa are tax compliant and remain tax compliant for the full duration of the contract.

The final date of implementation of the new PIN by SARS has not yet been announced.

18. Firm tender prices and delivery periods are preferred. Consequently, service providers must clearly state whether prices and delivery periods will remain firm for the duration of the contract or not.
19. When the 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 shall lie with the service provider.
20. If non-firm prices are tendered, 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 service provider 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 service provider may specify a formula in the tender submission, on the form provided for this purpose, for the purpose of adjusting prices in accordance with published indices.
 - (d) Where the service provider 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 service provider in the net cost of the supplies on which the tender price was based. When any such increase or reduction in costs occurs, the service provider 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.
21. Where prices are subject to exchange rate fluctuations, service providers must take that factor into account when tendering 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 tender submission.
22. Discounts offered by any service provider as part of their tender submission may be considered by the Electoral Commission at its sole discretion in the tender adjudication process.
23. The technical tender specifications form an integral part of the tender document and service providers shall indicate in the space/s provided whether the specific services offered are according to specification or not.

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24. In cases where the services offered are not according to specification, the deviations from the specifications shall be indicated. Specifications may not, however, be changed in the tender forms provided as that shall invalidate a tender submission.
25. Unless specifically provided for in the tender document, no tenders transmitted by facsimile or email will be considered.
26. Service providers are requested to promote local content as far as possible.
27. A service level agreement (SLA/contract) may be entered into with the successful service provider.
28. Unless otherwise stipulated, all tools/equipment needed must be supplied by the successful service provider.
29. Any service provider found to be influencing the tender adjudication process shall be automatically disqualified and not accepted for consideration.
30. In accordance with the Electoral Commission's policy, the Electoral Commission reserves the right to procure goods/services outside of the 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.
31. The Electoral Commission reserves the right to negotiate the extension of the contract at its sole discretion.
32. 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 service provider if and when relevant.
33. Tender submissions received by the Electoral Commission and bid evaluation, assessment and adjudication reports that may contain sensitive information relating to specific bids are not available for perusal by the public.
34. All information supplied by the Electoral Commission will be in the strictest confidence and will remain the proprietary information of the Electoral Commission. No service provider will be permitted to disclose any such information to any third party without the prior express written authority and/or consent of the Electoral Commission.
35. Should the service provider fail to comply with any of the conditions of the contract, the Electoral Commission shall be entitled, without prejudice to any of its other rights, to:
 - (a) arrange for the execution of the service/s not rendered or not in conformity with the specifications of the contract; and
 - (b) recover all costs, losses or damages it has incurred or suffered as a result of the service provider's conduct; or
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangement due to such cancellation.
36. All acquisitions for goods/services made by the Electoral Commission are subject to the following conditions:
 - (a) No variations from the terms and conditions herein contained, and no contrary stipulation by the service provider 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 service provider 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 service provider's conduct.
 - (e) No price adjustments shall be accepted unless stipulated in the tender document received. The service provider will be obliged to sell at tendered prices.

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

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

47. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the Close Corporation Act (CCA), or a Verification Agency accredited by South African Accreditation System (SANAS) or a Registered Auditor. Registered auditors do not need to meet the prerequisite for Independent Regulatory Board of Auditors (IRBA) approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
48. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by Independent Regulatory Board of Auditors (IRBA) or a Verification Agency accredited by South African Accreditation System (SANAS).
49. Failure on the part of a bidder to complete and/or to sign this form and submit an original or a certified copy of a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
50. A trust, consortium or joint venture, will qualify for points for its B-BBEE status level as a legal entity, provided that the entity submits its B-BBEE status level certificate.
51. A trust, consortium or joint venture will qualify for points for its B-BBEE status level as an unincorporated entity, provided that the entity submits its consolidated B-BBEE scorecard as if it were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
52. 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.
53. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
54. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.
55. 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.

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56. The bidder obtaining the highest number of total points will be awarded the contract subject to complying with all the other requirements, such as, meeting the technical specifications and satisfying the due diligence audit.
57. 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.
58. Points scored will be rounded off to the nearest 2 decimal places.
59. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of preference points for B-BBEE.
60. However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid will be the one scoring the highest score for functionality.
61. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
62. Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal).
63. 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.
64. The Public 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, point 62 and 63 above will not be applicable.

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TENDER SUBMISSION

This standard document must be completed by the service provider and must form part of all bids.

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

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

Separate forms must be used in each case.

Failure to complete and sign/initial this document shall invalidate your bid.

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

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

This form also 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.

FAILURE TO SUBMIT A VALID ORIGINAL SARS TAX CLEARANCE CERTIFICATE TOGETHER WITH YOUR TENDER SUBMISSION OR TO PROVIDE THE REQUIRED UNIQUE SECURITY PERSONAL IDENTIFICATION NUMBER/S (PIN) FROM SARS SHALL INVALIDATE YOUR TENDER.

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 WILL BE USED DURING THE EVALUATION PROCESS OF THE TENDER.

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TENDER QUESTIONNAIRE (INCLUDING THE CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD9), DECLARATION OF BIDDER'S PAST SUPPLY CHAIN PRACTICES (SBD8), DECLARATION OF INTEREST (SBD4) AND THE ENTERPRISE DECLARATION AFFADAVIT)

Important note: Where more space is required for additional information please use photocopies of the applicable page/s.

**ORGANISATIONAL PROFILE
(SBD1, SBD4, SBD6.1)**

1. Name of business entity (bidder).....
2. Legal status of bidder (tick one box)

Principal service provider		
Subcontractor	% of work will be subcontracted*
Consortium		
Joint venture (JV)		
Other, specify		

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

Separate forms must be used in each case.

Subcontractors must also supply a valid original tax clearance certificate.

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

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

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3. Type of enterprise (tick one box) (NB: Copies of the relevant certificates / documents and ID documents of owner/s must be attached):

Partnership (State number of partners)	
One person business/ sole trader	
Close corporation	
Company	
Public listed company	
Trust	
NGO	
Other (specify)	

4. Company classification

Manufacturer	
Supplier	
Professional service provider	
Other service providers, e.g. transporter, etc.	

5. Company registration number:
6. Postal address.....
7. Street address.....
8. Geographical co-ordinates for street address:
9. Telephone:.....
10. Fax:.....
11. Contact person (person representing bidder).....
12. Designation of contact person:
13. Identity number:
14. eMail address:.....
15. Cellphone number:.....
16. Company website address:
17. The names of all directors/trustees/shareholders/members, their individual identity numbers, tax reference numbers and, if applicable, employee/PERSAL number must be indicated in the table below.

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number/ PERSAL Number (If Applicable)	HDI status		
				PDI	Woman	Disabled

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

Non-SMME	
Large	
Medium	
Small	
Very Small	
Micro	

19. State the principal nature/activities of your business

.....

.....

.....

20. Did the company previously exist under another name?

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

If "yes": what was its previous name?

When was the name changed?.....

Who were the owners/partners/directors?.....

Why was the name changed?.....

21. Total number of years that the company has been in business:

.....

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

--

23. What preference points are claimed in respect of this bid?

--

24. Is the entity an exempted micro enterprise (EME) for the purposes of the PPPFA Regulations?

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

25. Has a B-BBEE status level verification certificate been submitted?

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

26. If yes, who issued the certificate?

An accounting officer as contemplated in the close corporation act (CCA)	
A verification agency accredited by the South African Accreditation System (SANAS)	
A registered auditor	

All service providers must submit original or certified copies of their status level certificates together with their bid documentation in support of and confirming the B-BBEE status level indicated above. Copies of certified copies of a B-BBEE status level certificate are not valid. Failure to submit the required 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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FINANCIAL INFORMATION

27. Income tax reference number:

28. Are you registered in terms of sections 23(1) or 23(3) of the Value Added Tax Act, 1991 (Act No. 89 of 1991)?

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

If so, state your VAT registration number:

If you have applied to the South African Revenue Services for VAT registration but are not yet registered please submit proof of application together with your tender submission. All prices quoted in this tender must be VAT inclusive.

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

Financial Year (e.g. 2013, 2014, 2015)	Annual Turnover
	R
	R
	R

30. What is the company's total gross asset value?

R

31. Is your company listed on the Stock Exchange?

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

32. Banking detail

Please provide the following banking details of your company:

Account Name:

Bank: Branch Code:

Account Number:

Type of Account:

33. 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	
-----	--	----	--

Explanation:

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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TAX CLEARANCE INFORMATION AND VERIFICATION

34. The paper-based tax clearance certificates (TCC) issued by SARS will be gradually phased out and replaced with an electronic Tax Compliance Status (TCS) system. The system will allow for the online real-time verification of a person's tax compliance status. SARS will ultimately no longer issue paper based tax clearance certificates.
35. Any person who requires his or her tax compliance status to be disclosed to the Electoral Commission for purposes of submitting a bid or to confirm its good standing after the phasing out of paper based TCCs must request a unique security personal identification number (PIN) from SARS. It should be noted that the disclosure of a bidders tax compliance status is an express condition for all acceptable bids. Failure to make the relevant disclosures will invalidate your bid.
36. The Electoral Commission will use the PIN referred to above (after implementation of the new system) to verify a person's tax compliance status with SARS. Bids that are submitted in the transitional period may be accompanied by a valid original paper based tax clearance certificate, however successful bidders who are awarded contracts on a paper based TCC must warrant that they will, on request by the Electoral Commission, provide a PIN for the Electoral Commission to verify their tax compliance status.
37. For purposes of the implementation of the above:
 - 37.1 A bidder grants written confirmation upon submission of a bid in respect of this tender that SARS may, on an ongoing basis during the contract term, disclose the bidder's tax compliance status to the Electoral Commission.
 - 37.2 Successful bidders who appoint a subcontractors to execute a portion of a contract in excess of 25% shall ensure that such a subcontractor/s are tax compliant and remain tax compliant for the full duration of the contract. Successful bidders must provide the Electoral Commission with written consent from their subcontractors confirming that SARS may, on an ongoing basis during the contract term, disclose the subcontractor's tax compliance status to the Electoral Commission.
 - 37.3 A bidder who acts on behalf of an undisclosed principal must disclose such a fact upon submission of a bid, as well as the identity of that principal. The tax compliance status of that principal must be verified in the same manner as that of the bidder. The same principle applies mutatis mutandis to sub-contractors appointed by a successful bidder to execute a portion of a contract in excess of 25%.
 - 37.4 The tax compliance status of all partners shall be verified in the event that the bidder consists of a partnership.
 - 37.5 Bidders who are not resident in the Republic of South Africa must apply for tax clearance at SARS as may be applicable.
38. The Electoral Commission may perform tax compliance checks:
 - 38.1 Before a supplier is added to its database of preferred suppliers.
 - 38.2 Before a bid (quotation) is accepted from a supplier.
 - 38.3 At the time of the submission of a bid.
 - 38.4 Before the award of a bid.
 - 38.5 Before any payment is made to suppliers.
39. Please provide the unique security personal identification number (PIN) below for the required verification purposes.

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Person Bidding	Name	SARS PIN Number
Bidder		
Subcontractor		
Undisclosed Principal		
Partner		

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PERSONNEL

40. Indicate the number of paid staff employed by the company.

POSITION	TOTAL	PDI	Women	Disabled
Directors				
Managers				
Supervisors				
Administrative				
Production/Operational				
TOTAL				

Indicate the number of personnel and the applicable HDI % employed by the company who will be utilised for the project specified in this tender.

POSITION	TOTAL	PDI	Women	Disabled
Directors				
Managers				
Supervisors				
Administrative				
Production / Operational				
TOTAL				

41. Please supply the addresses of each office and the number of staff available for the services in each of these offices, as well as PDI status as percentage:

Province	Address	Number of available staff	% PDI
TOTAL			

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CAPABILITY AND EXPERIENCE

42. What goods/service(s) are you tendering for?

.....

.....

.....

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

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

44. Is the equipment guaranteed?

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

Do you confirm that the required services are guaranteed in terms of any specific guarantees that may be required in the tender specification?

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

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

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

46. List the company's track record of similar/related completed and current contracts:

Work Performed	For whom	Contact Person and Telephone Number	Contract/Fee Amount

47. Detail all the Professional and or Trade Associations in which you have membership and to date joined. (Proof of membership / registration should be submitted)

48. Street address of other facilities used by the company (e.g. warehouses, storage spaces, offices, et cetera.)

49. Do you share any facilities?

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

If "yes": which facilities are shared?

.....

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With whom do you share facilities (Name of firm/individuals)

.....

What are the other firm(s') principal business activities?

.....

50. What percentage of raw materials contained in any manufactured goods supplied in respect of this tender is local content?
-

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PAST SUPPLY CHAIN PRACTICES
(SBD8)

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

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

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

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

If so, furnish particulars:

.....

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

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

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

If so, furnish particulars:

.....

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

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

If so, furnish particulars:

.....

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

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

If so, furnish particulars:

.....

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DECLARATION OF INTEREST
(SBD4)

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

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

If so, furnish the following particulars:

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

Name of state institution to which the person is connected:

Position occupied in the state institution:

Any other particulars:

.....

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

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

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

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

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

.....
.....

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

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

If so, furnish particulars.

.....
.....

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

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

If so, furnish particulars.

.....
.....

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

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

If so, furnish particulars.

.....

.....

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

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

If so, furnish particulars.

.....

.....

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

I, the undersigned, in submitting the accompanying bid:

TENDER: **IEC/EC-05/2015**

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

I certify, on behalf of: _____ that:

1. I have read and I understand the contents of this Certificate.
2. I certify that the information furnished in this tender submission 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 tender to render all or any of the services described in the attached documents to the Electoral Commission on the terms and conditions and in accordance with the specifications stipulated in the tender documents (and which shall be taken as part of, and incorporated into, this tender) at the prices including VAT and on the terms regarding time for delivery and/or execution inserted therein.
5. I agree that:
 - a) the offer herein shall remain binding upon me/us and open for acceptance by the Electoral Commission during the validity period indicated and calculated from the closing time of the tender;
 - b) this tender and its acceptance shall be subject to the terms and conditions contained in the general tender conditions of the Electoral Commission with which I am/we are fully acquainted;
 - c) I/we agree that my/our tender shall be valid for a period of 90 days; and
 - d) the law of the Republic of South Africa shall govern the contract created by the acceptance of my/our tender.
6. I furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our tender, 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.

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10. We have arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium¹ will not be construed as collusive bidding.
11. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organisation, other than the bidder, whether or not affiliated with the bidder, who:
 - a) has been requested to submit a bid in response to this bid invitation;
 - b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
12. In particular, without limiting the generality of paragraph 10 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - a) prices;
 - b) geographical area where product or service will be rendered (market allocation);
 - c) methods, factors or formulas used to calculate prices;
 - d) the intention or decision to submit or not to submit, a bid;
 - e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - f) bidding with the intention not to win the bid.
13. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
14. The terms of the accompanying bid have not been, and will not be, disclosed by us, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
15. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and/or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and/or the bidder may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.
16. I certify that the points claimed, based on the B-BBEE status level of contribution indicated in the tender documents, qualifies the bidder for the preference shown and I acknowledge that:
 - a) The information furnished is true and correct;
 - b) The preference points claimed are in accordance with the General Tender Conditions as indicated in this form; and
 - c) In the event of a contract being awarded as a result of points claimed I may be required to furnish documentary proof to the satisfaction of the Electoral Commission that the claims are correct.
17. If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the Electoral Commission may, in addition to any other remedy it may have –

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- a) disqualify the person from the bidding process;
 - b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding ten (10) years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - e) forward the matter for criminal prosecution.
18. Notice has been taken of the tender document including all the relevant forms and the General Tender Conditions contained in this tender document, the content of which is understood.
19. It is confirmed that the required tender forms have been completed in full and signed.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

¹ 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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BID EVALUATION CRITERIA

IMPORTANT NOTICE:

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

A Acceptance or Rejection of Tender (Primary compliance verification criteria)

Legality of tender document:

- (a) Non-compliance with tender rules - The following shall lead to disqualification:
- 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.
 - 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 submit an original valid tax clearance certificate or the unique security personal identification number (PIN) from SARS.
- (b) Non-compliance with tender rules – In addition to (a) above, the following may lead to disqualification:
- Failure to sign/initial any other alterations and/or corrections to the information submitted by the service provider, which the Electoral Commission may consider to be material.

Incomplete tender submission:

- (c) The following shall lead to disqualification:
- Rates and Prices – Schedules not completed as required.
 - Failure to submit obligatory written proposals/explanations/samples/prototypes/ certificates or similar requirements.
 - In respect of subcontractors or joint ventures or consortiums, failure to complete and submit the required tender forms (pages 13-27 of the tender document) or to submit a valid original tax clearance certificates or the unique security personal identification number (PIN) from SARS.

B Bid Evaluation (Technical criteria)

Inability to evaluate the tender:

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

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

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

Question	If YES, please tick*	If NO, please tick*
Are you duly authorised to sign the tender?		
Has the <i>Declaration of Interest Questionnaire</i> been duly completed and included with the other tender forms?		
Has the <i>Certificate</i> been completed and signed?		
Have separate forms (pages 13-27) 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 included/returned with your tender submission?		
The use of pencil to complete the tender forms will invalidate your tender. 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 tender submission?		
Has an original valid Tax Clearance Certificate (for principal service provider as well entities engaged as subcontractors or joint ventures or consortiums or partners or undisclosed principals) been attached to the tender document and/or has the PIN been stipulated?		
Has an original or certified copy of your valid B-BBEE Certificate been attached to the tender document?		
Have the General Tender Conditions been noted?		
Have the 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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IEC/EC-05/2015

Bid Specifications

Long-Term Provision of Local Office Accommodation: Electoral Commission

EC109 - Kou-Kamma [Kareedouw]

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1. BACKGROUND

Explanatory Note:

- **Bidder** - refers to any organisation responding to this bid.
- **Service provider** - refers to the successful party whose submission is accepted.

The Electoral Commission maintains a network of local offices in two hundred and thirty four (234) 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.

The Kou-Kamma [Kareedouw] local office is currently located at **Blouberg Mall, Office 23-25, Van Riebeeck Street, Kareedouw**. For operational reasons, it has become necessary to relocate the Kou-Kamma [Kareedouw] office.

The Electoral Commission is desirous to lease office space located within the Kou-Kamma [Kareedouw] municipal area and therefore invites interested property companies/property developers to submit written proposals related to this requirement.

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 leasing of premises.
- 2.2 Bidders must submit **written** proposals which sufficiently address the office space requirements, as indicated in the **detailed specifications** stipulated herein **(section 4)** and, **if possible, should include a floor plan of the proposed site.**
- 2.3 In addition to the above, Bidders are required to submit information as called for in Section 3.9 (lease agreement) and Section 5 (Rental and Cost) schedules of the bid specifications.
- 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 course of 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. Failure to submit the correct written documentation and/or evidence may therefore lead to disqualification of a bid submission.

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3. GENERAL SPECIFICATIONS

3.1 Objectives

The Electoral Commission does not invest in permanent local offices and therefore requires the leasing suitable office accommodation.

The Electoral Commission desires to lease a local office that can meet its operational requirements at a municipal level in Kou-Kamma [Kareedouw]. The local office is an operational and administration point that is primarily involved in the delivery of election programmes on a municipal level.

During an election period it also serves as a channel to receive electoral materials, keep stock of electoral materials, pick and pack electoral materials for distribution to voting stations.

Suitable office accommodation at a municipal level is essential for the successful delivery of elections and should fulfill the following minimum requirements:

3.1.1 Based on the Electoral Commission's Space Planning Assessment to ensure operational functionality at a municipal level, the accommodation should be of the order of **153m²** and should provide for the following -

- minimum of three (3) lockable offices,
- one (1) open lockable office,
- a boardroom,
- ablution facilities,
- kitchen area,
- lockable storage area,
- lockable equipment room.

3.1.2 The office space should be easily accessible from public transport and main roads.

3.1.3 There should be adequate telecommunication infrastructure in the area to provide the local office with telephone, fax and data lines.

3.1.4 The office space should have sufficient water and electricity supply.

3.1.5 There should be sufficient uniform lighting in all areas of the office space.

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

3.1.7 The office space should have appropriate flooring (e.g. ceramic tiling, carpeting, wooden floors, etc.)

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

3.1.9 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.

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

3.1.11 The office space on offer should provide for four (4) safe parking spaces.

3.1.12 The office space should have burglar bars on the windows and entrance/exit doors.

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

3.1.14 The office space on offer should be ready for occupation within three calendar months from closure of the bid.

3.2 Duration of the Contract

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The duration of the lease will be for a period of **eight (8)** years, with a renewal option. The option to request renewal would be exercised in writing by the Electoral Commission.

3.3 Documentation for Payment

Invoices shall be submitted monthly by the Landlord for payment. Such invoices should reflect a clear breakdown of costs, for example:

- Rental amount
- Operating Cost
- Electricity Charge
- Water charge
- Refuse removal charge

All invoices shall reflect the applicable Purchase Order number of the Electoral Commission. Accounts must be addressed to the Finance Department, Electoral Commission, **P O Box 185, East London, 5200.**

3.4 Exclusivity of Contract

The successful Bidder will be considered as the “Preferred Supplier” and will not have exclusive rights to the decisions made by the Electoral Commission. It remains the right of the Electoral Commission to lease additional premises from alternative suppliers as and when deemed necessary for the continuity of effective operation.

3.5 Lien

The service provider will accept an agreement whereby it shall waive any lien, hypothec or other right of retention or security that it may have over any materials or equipment to be kept at the local office.

The Electoral Commission is and, therefore, shall remain the owners of all goods located at the local office and as such; the Electoral Commission shall be entitled to enforce any rights that it may have in law, arising out of its ownership of the goods.

3.6 Security and Integrity Requirements

Bidder(s) may be subjected to security vetting requirements at the discretion of the Electoral Commission, prior to award of this bid.

3.7 Confidentiality and Security during the contract

No information or private knowledge gained by the service provider or its agents during the course of the contract may be divulged to outside parties.

Any requests received for such information must be directed to the Information Officer of the Electoral Commission.

No materials or equipment belonging to the Electoral Commission may be removed from the local office by the service provider or its agents during the course of the contract.

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3.8 Conclusion of Lease Agreement

The award of this bid will be subject to the successful conclusion of Lease Agreement between the Electoral Commission and the approved service provider.

- The Lease Agreement shall formalise lease requirements and contractual obligations.
- The Lease Agreement shall conform to the terms, conditions and specifications of this bid.

3.9 Proposed Lease Agreement

For purposes of fair and standardised property administration the Electoral Commission proposes that the bidders consider the Electoral Commission's generic local office lease agreement as provided on the Electoral Commission's eProcurement website.

If the generic lease agreement is considered unsuitable Bidders are requested to submit a proposed Lease Agreement – if available.

4. DETAILED SPECIFICATIONS:

The Electoral Commission requires a local office in the **municipal** area of Kou-Kamma [Kareedouw] that can meet its operational requirements. Those requirements are stipulated in the "Detailed Specification Table" shown below. Please note that office facilities smaller **and/or bigger than 153m²** may not be operationally suitable **for the purposes of this bid**.

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).

4.1 Detailed Specification Table - Kou-Kamma [Kareedouw]

Item #	AREA / REQUIREMENTS	CRITERIA AND REQUIREMENTS	OFFER CONFORMS TO REQUIREMENTS	
			YES	NO
1	Location	Located in Municipality area of Kou-Kamma [Kareedouw]. <i>[Exact address must be provided in the written submission]</i>	YES	NO
2	Condition of building	Existing building which are in good condition and ready for occupation. <i>[Dilapidated buildings will not be accepted]</i>	YES	NO
		A new building is proposed that will meet the operational requirements of the Electoral Commission.	YES	NO
3	Size	The under roof floor space in the order of 153m² . Larger and/or smaller spaces may not be suitable for the purposes of this bid. <i>[Exact size to be provided in written submission]</i>	YES	NO

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		If not, state the size of the office space on offer.	_____ m ²	
4	Accessibility	The proposed office facility is easily accessible from public transport and main roads. <i>[Main access roads must be stated in the written submission]</i>	YES	NO
		The proposed office accommodation is accessible for people with disabilities.	YES	NO
5	Office Space (Size of space on offer should be stated in the WRITTEN PROPOSAL)	The proposed office has three (3) separate lockable offices of approximately 10m² to 12m² .	YES	NO
		One (1) lockable office of approximately 19m² to 24m²	YES	NO
		One (1) boardroom of approximately 24m² to 30m²	YES	NO
		A lockable equipment room of approximately 10m² to 12m² (for servers, fax machines, photocopiers, etc.)	YES	NO
		A lockable Storage Area of approximately 12m² to 15m²	YES	NO
		Separate male and female ablution facilities.	YES	NO
6	Internal Finishes	Is the office space tiled, wooden laminated or carpeted?	YES	NO
7	Kitchen	The office accommodation is equipped with a separate kitchen and has built-in cupboards for the storage of kitchen utensils.	YES	NO
		The office accommodation is equipped with a separate kitchen and has adequate space for a fridge and microwave.	YES	NO
		The office accommodation is equipped with a separate kitchen and has a sink with cold and hot water taps.	YES	NO
8	Air Conditioning	There is/will be adequate air conditioning for work station areas.	YES	NO
9	Telecommunications, Fax and Data Lines	Telecommunication infrastructure is /will be available to make possible the installation of telephone, fax and data lines.	YES	NO
10	Lighting	Lighting is /will be adequate and conducive to a good working environment	YES	NO
11	Safety and Security	The proposed office is/will be fitted with sufficient fire protection systems that complies with the Occupational Health and Safety Act	YES	NO

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		There is/ will be burglar bars on the windows and entrance and/or exit doors	YES	NO
		There is / will be a burglar alarm system linked to armed response	YES	NO
12	Parking	There is no less than four (4) safe parking spaces dedicated for use by office personnel and visitors	YES	NO
13	Availability	Will these premises be available for occupation within three (3) months from closure of this bid?	YES	NO
14	Building Type	Commercial	YES	NO
		Residential	YES	NO
		If in a residential zone, does the property have business rights? Submit proof of business rights in residential zone.	YES	NO

5. RENTAL AND COSTS

Bidders are required to submit details of the rental to be charged for the first 12 months of the contract period, indicate the escalation factor over a period of eight (8) years, as well as any other incidental costs and / or external factors that may impact on the rental and / or incidental costs. All prices must be VAT inclusive.

5.1 Rental Schedule

BASIC RENTAL P.M. FOR THE FACILITY <i>INCLUDING VAT</i>	INCIDENTAL MONTHLY COSTS (e.g. any obligatory monthly charges) <u>NOTE: ALL MUNICIPAL CHARGES ARE TO BE EXCLUDED FOR THIS PURPOSE</u> <i>INCLUDING VAT</i>	TOTAL PAYABLE MONTHLY <i>INCLUDING VAT</i>
R.....	R.....	R.....

5.2 Incidental monthly costs – breakdown:

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SERVICES DESCRIPTION	MONTHLY COSTS
a.	R
b.	R
c.	R
d.	R
TOTAL <i>(not to include any municipal charges – total amount must correspond with total “Incidental Monthly Costs” amount provided in schedule 5.1 – “Rental Schedule” above.)</i>	R

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5.3 Availability of facility offered:

Facility offered will be available for a period of **eight (8)** years with an option to renew for a further period to be negotiated:

(Please mark "Yes" or "No" as applicable)

YES	NO
-----	----

5.4 Escalation Factor:

Escalation factor over an **eight (8)** year period:

5.5 External Factors:

Please note: If the rental and/or incidental cost escalation is linked to external factors (such as CPIX, exchange rate, etc.) the impact / relationship must be declared:

.....
(Use a separate sheet if additional space is required)

6. CHECKLIST

The following checklist is provided for the convenience of the bidder. It remains the responsibility of the Bidder to read the bid document thoroughly and to respond correctly to all instructions and requests therein.

BID RESPONSES MUST INCLUDE THE FOLLOWING (REFER ALSO TO SECTION 2 AND SECTION 3.9 OF THE SPECIFICATIONS) -

- **COMPREHENSIVE COMPANY PROFILE AS REQUIRED IN SECTION 2.1**
- **DETAILS OF CONSORTIUMS / PARTNERS AS REQUIRED IN SECTION 2.6**
- **A PROPOSED LEASE AGREEMENT AS REQUIRED IN SECTION 3.9 – IF AVAILABLE**
- **COMPLETE AND RETURN DETAILED SPECIFICATION TABLE (Item 4.1)**
- **WRITTEN SUBMISSION IN WHICH THE FOLLOWING ASPECTS ARE TO BE ADDRESSED:**
 - **Describe office space location and exact address (in the area of Kou-Kamma [Kareedouw] municipality); Geographic co-ordinates are requested, but not compulsory**
 - **Details of when office accommodation will be available (within three months preference of the closing date of this bid?)**
 - **List of facilities in office accommodation – which should include number of offices, boardroom, storage space, office facilities (how many of each type, what size & how many plug points available);**
 - **Details of kitchen and comfort areas (Is there a sink with hot & cold water; space for a fridge and/or microwave oven);**
 - **Details of toilets and ablution facilities (Are separate facilities available for males & females)**
 - **Details of security arrangements for inside and surrounding areas (burglar proofing on windows and entrance/exit doors, alarm system, guarded office complex, etc.)**
 - **Provide floor plan;**
 - **Provide photographs, if available (not compulsory);**
 - **Details of staff and visitor parking facilities (how many and are they under cover?);**
 - **Details access and facilities for disabled**

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- **COMPLETED RENTAL SCHEDULE (Item 5.1)**
- **INCIDENTAL MONTHLY COSTS – BREAKDOWN (Item 5.2)**
- **AVAILABILITY OF FACILITY OFFERED – Marked (Item 5.3)**
- **COMPLETED DETAILS OF ESCALATION FACTOR (Item 5.4)**
- **COMPLETED DETAILS OF EXTERNAL FACTORS (Item 5.5)**

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BID EVALUATION

Submissions will be evaluated against the specified technical criteria.

Only submissions that meet the functional and operational needs of the Electoral Commission will be further considered for recommendation.

LONG-TERM PROVISION OF OFFICE ACCOMMODATION - Kou-Kamma [Kareedouw] Local Office: IEC/EC-05/2015

BIDDER NAME AND NUMBER:

Secondary Evaluation

No.	Criteria			
1	Administrative Disqualification Criteria <i>(May lead to disqualification if not met)</i>	YES	NO	Comments
1.1	Comprehensive written proposal <i>[Section 2.2]</i>			<i>(Requirement to qualify for further consideration)</i>
1.2	Rental and Costs tables completed <i>[Sections 5.1, 5.2, 5.3 & 5.4]</i>			<i>(Requirement to qualify for further consideration)</i>
1.3	Lease - Period of eight (8) years available <i>[Section 3.2 and 5.4]</i>			<i>(Requirement to qualify for further consideration)</i>
2	Technical Disqualification Criteria <i>(May lead to disqualification if not met)</i>	YES	NO	Comments
2.1	Location – Municipal Area of Kou-Kamma [Kareedouw] <i>[Section 1 & 4.1]</i>			<i>(Requirement to qualify for further consideration)</i>
2.2	Three (3) lockable offices or the ability to be configured as such <i>[Section 4.1 item 5]</i>			<i>(Requirement to qualify for further consideration)</i>
2.3	One (1) open office of approximately 19m² to 24m² or sufficient space to accommodate open plan office <i>[Section 4.1 item 5]</i>			<i>(Requirement to qualify for further consideration)</i>
2.4	One (1) boardroom of approximately 24m² to 30m² - Enough space to accommodate boardroom <i>[Section 4.1 item 5]</i>			<i>(Requirement to qualify for further consideration)</i>
2.5	Kitchen facility <i>[Section 4.1 item 7]</i>			<i>(Requirement to qualify for further consideration)</i>

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2.6	Ablution Facilities [Section 4.1 item 5]			(Requirement to qualify for further consideration)
3	Technical Requirements for Evaluation	Max score		Comments
3.1	Bidder Profile			
3.1.1	Company profile - main Bidder: suitability [Section 2.1]	15		(Property market 5 yrs+ = 15; 4 yrs=12; 3yrs =10; 2 yrs=8; less than 2yrs =6; none=0)
3.2	Size & Location			
3.2.1	Size – In the order of 153m² [Section 4.1 item 3]	15		(Yes = 15; Variance of 1% to 5% smaller than preferred size =12; Variance of 6% to 10% smaller than preferred size =10; Variance within 11% to 20% Smaller than preferred size = 8; Variance greater than 20% Smaller variance = 0) Variance of 1% to 10% larger than preferred size =15; Variance of 11% to 20% larger than preferred size =10 Greater than 20% variance = 0)
3.2.2	Accessibility - Accessible from public transport and other main roads [Section 4.1 item 4]	10		(Accessible from one or more= 10, one =7 and none =0)
3.2.3	Accessibility - Building accessible to disabled persons [Section 4.1 item 4]	5		(Universal access = 5; access to the building 2 and No=0)
3.2.4	Business Rights [Section 4.1 item 14]	7		(Yes =7, application in process = 4 and No =0)
3.3	Facilities Requirement - points will be deducted for non-compliance to each of the elements below			
3.3.1	Lockable Equipment Room of approximately 10m² to 12m² [Section 4.1 item 5]	6		(Yes =6; or 4 points for 10% variance, 0 points for non-compliance)
3.3.2	Lockable Storage Area of approximately 12m² to 15m² [Section 4.1 item 5]	5		(Yes =5; or 3 points for 10% variance, 0 points for non-compliance)
3.3.3	Air conditioning [Section 4.1 item 8]	6		(Air-conditioning in all work station areas = 6, subtract 1 point for every office without an air conditioner)
3.3.4	Telecommunication [Section 4.1 item 9]	6		(Existing data, telephone and fax lines =6; subtract 1 point for each missing line)

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3.3.5	Lighting and stable power supply [Section 4.1 item 10]	10		(Yes = 10; will comply = 5 and No = 0)
3.3.6	Safety and Security [Section 4.1 item 11]	10		10 points for all elements (burglar bars and security gate + alarm system linked to armed response + fire protection systems [extinguishers, hose reels, fire doors, fire escapes, etc.], subtract 1 point for each missing element
3.3.7	Parking [Section 4.1 item 12]	5		(5= for required parking bays and subtract 1 point for each missing bay)
Final score		100		
Percentage Achieved (minimum required is 75%)				
Technical Evaluation Committee Recommendation:				
[Note: All submissions achieving 75% and higher will qualify for the final evaluation - <u>Secondary evaluation Part 2</u> - which will consist of an on-site evaluation during which the facility will be weighed against the criteria indicated above]				

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