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|--|--|---------------------|-------------------|-----|---|
|  <b>Eskom</b> | <b>Supplier Development,<br/>Localisation and<br/>Industrialisation (SDL&amp;I)<br/>Bidders Document</b> | Template Identifier | 240-43921804      | Rev | 6 |
|  |  | Document Identifier | 240-148918142     | Rev | 3 |
|  |  | Effective Date      | 01 September 2020 |     |   |
|  |  | Review Date         | September 2023    |     |   |

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|                                   |   |
|-----------------------------------|---|
| <b>Description/ Scope of Work</b> | <b>A supplementation process to appoint one (1) service provider for the provision of HVAC Systems Maintenance Services required for Property Management Department on an “as and when” required basis in the Central East Cluster – KwaZulu Natal Operating Unit</b> |
| <b>Duration of the Project</b>    | <b>Not exceeding 31 January 2030</b>  |

## **Section 1: Specific Goals**

A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.

| <b>B-BBEE Status Level of Contributor</b> | <b>Number of points<br/>(80/20 system)</b> |
|---|--|
| 1   | 20   |
| 2   | 18   |
| 3   | 14   |
| 4   | 12   |
| 5   | 8  |
| 6   | 6  |
| 7   | 4  |
| 8   | 2  |
| Non-compliant contributor                 | 0  |

**NB: The following documents are required to claim preference points,**

- **Valid BBBEE certificate issued by a SANAS accredited verification agency or a valid sworn affidavit or a valid BBBEE Certificate issued by CIPC for EME companies**

**NB: Supporting documents may be requested during evaluation (This list is not exhaustive):**

- Proof of ownership / shareholding (CIPC registration documentation) inclusive of shareholding breakdown
- ID copies of shareholder(s) or owner(s) of the business
- Proof of Disability of owner(s) of the business (where applicable)

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**Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but'**

- May only score point out of 90/80 for price
- Scores 0 points out of 10/20 for specific goals

## Section 2: Objective criteria

The inclusion of objective criteria is not mandatory but a condition for contract award. If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.

### 2.1 Designated Sectors

When applicable the following stipulated minimum threshold for Local Production and Content must be achieved in full by the tenderer

a) Is this Commodity or part of it a Designated Sector?

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

Please indicate below Designated Components

| Commodity      | Components     | Local Content Threshold |
|----------------|----------------|-------------------------|
| Not Applicable | Not Applicable | Not Applicable          |

**NOTE:** SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are therefore mandatory at contract award and must be a tender returnable.

### 2.2 CIDB Skills Development

Continuation of Requirements

a) Is there CIDB compulsory training?

If Yes, what is the% of the Construction Skills Development Goal % (CSDG)

| YES                      | NO                                  |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>Not applicable</b>    |                                     |

If the answer above is Yes, it will then be mandatory for the supplier to match Eskom's targets

| Criteria        | Eskom Target | Tenderer Commitment |
|-----------------|--------------|---------------------|
| CSDG Percentage | N/A          |                     |
| Description     | N/A          |                     |

**NOTE:** Failure by the Contractor/Service Provider/Supplier to meet the CIDB CSDG mandatory % will render their tender non-responsive.

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**2.3 National Industrial Participation Programme - Not Applicable**

**2.4 Mandatory Subcontracting as condition of award - Not Applicable**

**Section 3: SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals**

Tenderers who complete and submit the objectives as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations

**1. BBBEE requirements:** All tenderers are required at a minimum to maintain their BBBEE status throughout the contract period:

**2. Local Procurement Content**

"Local Procurement Content" refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.

Tenderers are required to submit their proposals in the table below.

| Local Procurement Content | Eskom target | Tenderer Proposal |
|---------------------------|--------------|-------------------|
|                           | 100%         |                   |

**3. Procurement spend on entities with a minimum 51% black ownership**

The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:

- the indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and
- direct spend on goods and services supplied by the subcontractors for the execution of the scope of work.

Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises must be submitted in a table below.

| Procurement from Designated Group | Eskom Target | Tenderer Proposal |
|-----------------------------------|--------------|-------------------|
| Black Owned                       | 4.0%         |                   |

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|                               |      |  |
|-------------------------------|------|--|
| Black Women Owned             | 3.0% |  |
| Black Youth Owned             | 2.0% |  |
| Black Persons with Disability | 1.0% |  |

**4. Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.

| Jobs to be created | Jobs to be retained |
|--------------------|---------------------|
|                    |                     |

**5. Skills development**

Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom's core, scarce and critical skills and the scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from Kwa Zulu Natal, and their composition shall be representative of the population demographics of South Africa

| Skill type / Occupation              | Eskom target | Proposed Number of Candidates |
|--------------------------------------|--------------|-------------------------------|
| Basic Air Conditioner Repair Courses | 2            |                               |

Eskom reserves the right to negotiate with the tenderer on Eskom's requirements. The outcome of the negotiations will be a contractual obligation. If negotiations are not required, the tenderer's SDL&I undertaking will become a contractual condition.

The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.

**Note:** That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives

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#### **Section 4: SDL&I Penalty and Performance Security**

Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.

For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon:

- Eskom receives the SDL&I progress report/s from the contractor.
- Fulfilment of all SDL&I obligations by the contractor.
- Submission of an approved compliance report by SDL&I Department.

#### **Section 5: Reporting and Monitoring**

- The suppliers shall on a **yearly** basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- Eskom shall review the SDL&I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.
- Every contract shall be accompanied by the SDL&I Implementation Schedule, which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring and reporting on the supplier's progress in delivering on their stated SDL&I commitments

#### **Section 6: General Information on Validity of Sworn Affidavits**

The following must be considered when it comes to validity of Affidavits;

**Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:**

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as the **director, owner or member** must be indicated in order to know that person is duly authorised to depose of an affidavit. (**Mark the applicable option**).
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. (**No blank spaces to be left**).
- Indicate total revenue for the year under review and whether it is based on **audited financial statements** or **management account**. (**Mark the applicable option**).
- Financial year end as per the **enterprise's registration documents**, which was used to determine the total revenue. (**Financial year end to be stipulated by day/month/year**).
- B-BBEE Status level. An enterprise can only have one status level. (**Tick applicable level**)
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same. (**The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp**)
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

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Name of tenderer:

Tenderer representative:

Representative signature:

Date:

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