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|  Eskom | Invitation to Tender KZN115 | Document Identifier | 240-114238630 | Rev | 16 |
| | | Effective Date | February 2023 | | |
| | | Review Date | February 2028 | | |

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

The Establishment of an Enabling Agreement with a Panel of four (4) Suppliers for the Supply and Delivery of various Consumables to various Area Offices and Regional Distribution Centres in Distribution, located in the Central East Cluster - KwaZulu-Natal Operating unit, on an 'as and when' required basis for a period not longer than of 5 years.

| | |
|--|---|
| Tender number | KZN115 |
| Issue date | 14 December 2023 |
| Closing date and time | 13 February 2024 at 10h00 |
| Tender validity period | Six (6) months from the closing date and time |
| Clarification meeting | <p>A non-compulsory "Online Clarification Meeting" on Microsoft Teams with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: 25 January 2024 Time: 10h00 Venue: Microsoft Teams</p> <p>Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 347 569 599 697 Passcode: C6cbKc Download Teams Join on the web Or call in (audio only) +27 21 834 0825,,206416118# South Africa, Cape Town</p> <p>Although this will not be a compulsory clarification meeting, tenderers are encouraged to attend to ensure that they are able to submit a responsive tender.</p> |
| Tenders are to be delivered to the following address on the stipulated closing date and time: | <p>The Tender Office Commercial Building 25 Valley View Road New Germany 3620</p> |

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a *tender* for the Establishment of an Enabling Agreement with a Panel of four (4) Suppliers for the Supply and Delivery of various Consumables to various Area Offices in Distribution, located in the Central East Cluster - Kwazulu-Natal Operating unit, on an 'as and when' required basis for a period not longer than of 5 years.

The enquiry documents are supplied to you on the following basis:

1. Free of charge

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a tender by you in response to this *[Invitation]* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (attached).

Queries relating to these Invitation documents may be addressed to the Eskom *Representative*.

Yours faithfully



Acting Procurement Manager (CEC KZN5273)

Thandi Xaba

Date: 14 December 2023

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1.1 The following documents listed hereunder are attached to this enquiry.

| Number | Description | Annexure | Attached (Y/N/ N/A) |
|---------------|--|-----------------|----------------------------|
| 1.1.1 | Acknowledgement form | Annexure A | Y |
| 1.1.2 | Tenderer's particulars | Annexure B | Y |
| 1.1.3 | Integrity Declaration Form | Annexure C | Y |
| 1.1.4 | SBD 1 -Invitation to Bid | Annexure G | Y |
| 1.1.5 | SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations | Annexure H | Y |
| 1.1.6 | SBD 4 – Bidders Disclosure | Annexure I | Y |

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1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. The “**Tender Data**” as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

| Clause Number from Standard Conditions of Tender | Tender Data | | | | | | | | | | | | | | | | | | |
|---|--|----------------|-----------------|-------------|-------------------------------|---|---|------------------------------|---|---|-----------------------------------|---|---|---------------------------|---|---|----------------------------|---|---|
| 1.1 Parties | <p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Thabile Sibiya Tel: +2731 710 5396 E-mail: Sibiath@eskom.co.za</p> | | | | | | | | | | | | | | | | | | |
| 1.3 Enquiry documents | <p>The Invitation to tender number is: KZN115.</p> <p>All relevant documentation for this Tender will be published on:</p> <ol style="list-style-type: none"> 1. Eskom's Tender Bulletin 2. National Treasury e-Tender Portal <p>The tender is uploaded as follows and it is recommended that the tender be submitted in the following manner:</p> <table border="1"> <thead> <tr> <th>SECTION</th> <th>ORIGINAL</th> <th>COPY</th> </tr> </thead> <tbody> <tr> <td>SECTION 1 – Commercial</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>SECTION 2 – Technical</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>SECTION 3 – Quality/Safety</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>SECTION 4 – Safety</td> <td>✓</td> <td>✓</td> </tr> <tr> <td>SECTION 5 – SDL & I</td> <td>✓</td> <td>✓</td> </tr> </tbody> </table> <p>It is the responsibility of the tendering party to ensure all the required documentation is downloaded and completed.</p> | SECTION | ORIGINAL | COPY | SECTION 1 – Commercial | ✓ | ✓ | SECTION 2 – Technical | ✓ | ✓ | SECTION 3 – Quality/Safety | ✓ | ✓ | SECTION 4 – Safety | ✓ | ✓ | SECTION 5 – SDL & I | ✓ | ✓ |
| SECTION | ORIGINAL | COPY | | | | | | | | | | | | | | | | | |
| SECTION 1 – Commercial | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 2 – Technical | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 3 – Quality/Safety | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 4 – Safety | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 5 – SDL & I | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| 1.4 Type of Invitation to Tender | <p>This invitation to tender is:</p> <ol style="list-style-type: none"> 1. An open Invitation to tender. | | | | | | | | | | | | | | | | | | |
| 1.6 Eskom's rights to accept or reject any tender. | <p>The tender shall be for the whole of the contract.</p> <p>This procurement process will result in an enabling agreement that will be created with a panel of four (4) Suppliers who will provide the service across all the Area areas on an 'as and when' required basis.</p> <p>The selection of the Suppliers will take place in order of ranking, in the eventuality that all suppliers score equally for price and</p> | | | | | | | | | | | | | | | | | | |

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| | <p>preference scoring, the drawing of lots will be used to determine the first 4 (four) ranked suppliers.</p> |
| 2.1 Eligible tenders | <p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <ol style="list-style-type: none"> 1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. 2. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium. 3. [Tenders/proposals] submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. 4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering] process, if: <ol style="list-style-type: none"> 1. (a)they have a controlling partner/majority shareholder in common; or 2. (b)they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer or influence the decisions of the Employer regarding this bidding process. 5. Tenders signed by non- authorized persons. 6. Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) 7. Any tenderer that is restricted by National Treasury 8. Any tenderer on the Tender Defaulters list. 9. A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p> |

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| 2.2 -2.5 Tender Closing | <p>The deadline for Tender submission is: Date 13 February 2024 Time 10h00</p> <p>Late Tenders will not be accepted. Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p>THE TENDER OFFICE Commercial Building Eskom New Germany Complex, 25 Valley View Road, New Germany, 3620</p> <p>If your document is too large to fit into the tender box, the documents can be submitted to an Eskom Tender Office Official at the Eskom Tender Office, during the following times:</p> <p>Monday – Friday: 07H30 – 16H00 prior to tender closing. No tender documents will be accepted after the stipulated tender closing date and time.</p> <p>NB: The onus is upon the tenderer to ensure that their tender reach the Tender Office on or prior to the due date and time when making use of the post or courier services.</p> <p>Eskom employees are not permitted to deposit a tender into the Eskom tender box on behalf of a tenderer.</p> |
| 2.9 Copy of original tender | <p>The tenderer must submit the tender as a one (1) complete original tender, plus one (1) complete hard copy of the original tender at tender submission deadline.</p> <p>Where a Tenderer does not submit one (1) complete original tender, plus one (1) complete hard copy of the original tender, the tenderer will be disqualified.</p> |
| 2.13 Tender Validity Period | The tender validity period is six (6) months from the closing date and time. |
| 2.16 Clarification meetings | <p>A non-compulsory clarification meeting with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: 25 January 2024 Time: 10h00 Venue: Online - Microsoft Teams</p> |

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| | <p>It is noted that this is a non-compulsory clarification meeting, suppliers who do not attend the meeting will not be disqualified and may still submit a tender.</p> |
| 2.17 Clarification on enquiry documents | <p>The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is five (5) working days before the deadline for tender submission.</p> <p>All clarification and additional information sought during the tendering process must be submitted in writing to the Eskom Representative sibiyath@eskom.co.za.</p> <p>All Clarification queries and responses will be published on Eskom's Tender Bulletin and the National Treasury e-Tender Portal.</p> <p>Tenderers are encouraged to continuously check the bulletins for the latest updates or addendums during the tender process.</p> |
| 2.23 Alternative tenders | Alternative tenders are not allowed. |
| 2.31 Provision of security for performance | Tenderers may be requested to provide a performance bond if they are deemed financially unacceptable for the full value of the contract. |
| 3.4 Opening of tenders | Tenders will not be opened. |
| 3.5 Prices to be read out | <p>Prices will not be proposed by the Suppliers, however standard rates will be offered to all tenderers that meet the functionality threshold, all technically compliant tenderers that accept the proposed rates will score 80 points for price.</p> <p>The Price List containing the various items of Consumables is attached however the pricing thereof, is not required.</p> |
| 3.9 Basic Compliance | <p>Basic compliance for this invitation to tender are:</p> <p><u>Commercial Mandatory Returnable (Disqualifiable)</u></p> <p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender will be disqualified.</p> <ul style="list-style-type: none"> ▪ Meet the eligibility criteria for a tenderer. ▪ Submit one (1) complete original tender, plus one (1) complete hard copy of the original tender. ▪ CSD Registration – Companies are required to provide a valid CSD (MAAA.....) number. |

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| | <ul style="list-style-type: none"> ▪ Acceptance of the terms and conditions of the enquiry (i.e. return of the NEC 3 Supply Short Contract) <p>The Returnable mentioned hereunder are required at Tender closing. (Non-disqualifiable) – These returnables are required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</p> <ul style="list-style-type: none"> ▪ Acknowledgement Form – Annexure A ▪ Tenderers Particulars – Annexure B ▪ Integrity Pact Declaration Form – Annexure C ▪ SBD 1 – Invitation to Bid – Annexure G ▪ SBD 6.1- Preference Points Claim Form – Annexure H ▪ SBD 4 – Bidders Disclosure – Annexure I ▪ Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios. ▪ Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement |
| 3.10 Mandatory tender returnables | <p>A tenderer that does not submit mandatory documents/information required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p> <p><u>Commercial Mandatory Returnable (Disqualifiable)</u></p> <p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender will be disqualified.</p> <ul style="list-style-type: none"> ▪ Meet the eligibility criteria for a tenderer. ▪ Submit one (1) complete original tender, plus one (1) complete hard copy of the original tender. ▪ CSD Registration – Companies are required to provide a valid CSD (MAAA.....) number. |

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| | <ul style="list-style-type: none"> Acceptance of the terms and conditions of the enquiry (i.e. return of the NEC 3 Supply Short Contract) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------------|--|---------------|-----------------|---------------|---|--|-----|---|-------------------------------|-----|--|--------------|-------------|--|------------------|-------------|--|-----------------|---------------|---|---|-----|---|--|-----|---|---------------------------|-----|--|--------------|-------------|--|------------------|------------|
| 3.13 Functionality requirements | <p>Functionality requirements are applicable.</p> <p>PART A - comprises of Mandatory Criteria</p> <p>- Suppliers must achieve 100% to be further evaluated in PART B. Supplier failing to score 100% for Part A will be considered as non-responsive and will render the bid disqualified.</p> <table border="1"> <thead> <tr> <th></th> <th>Criteria</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Confirmation to Supply Goods by Tenderer</td> <td>50%</td> </tr> <tr> <td>2</td> <td>Tenderer Workspace / Facility</td> <td>50%</td> </tr> <tr> <td></td> <td>Total</td> <td>100%</td> </tr> <tr> <td></td> <td>Threshold</td> <td>100%</td> </tr> </tbody> </table> <p>PART B - Supplementary Criteria</p> <p>- Supplier must achieve a minimum threshold of 75% for Part B. Supplier failing to score the minimum points for Part B will be considered as non-responsive and will render the bid disqualified. It must be noted that an on-site verification will be conducted to verify the requirements below. In the event that the evidence is not available during the on-site evaluation, points will be reduced accordingly.</p> <table border="1"> <thead> <tr> <th></th> <th>Criteria</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Tenderer's Experience in Supply and delivery of Consumables</td> <td>35%</td> </tr> <tr> <td>2</td> <td>Written References from Tenderer's Customers</td> <td>35%</td> </tr> <tr> <td>3</td> <td>Proof of Delivery Vehicle</td> <td>30%</td> </tr> <tr> <td></td> <td>Total</td> <td>100%</td> </tr> <tr> <td></td> <td>Threshold</td> <td>75%</td> </tr> </tbody> </table> <p>Refer to the detailed criteria as per Appendix B.</p> <p>Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further.</p> | | Criteria | Points | 1 | Confirmation to Supply Goods by Tenderer | 50% | 2 | Tenderer Workspace / Facility | 50% | | Total | 100% | | Threshold | 100% | | Criteria | Points | 1 | Tenderer's Experience in Supply and delivery of Consumables | 35% | 2 | Written References from Tenderer's Customers | 35% | 3 | Proof of Delivery Vehicle | 30% | | Total | 100% | | Threshold | 75% |
| | Criteria | Points | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Confirmation to Supply Goods by Tenderer | 50% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Tenderer Workspace / Facility | 50% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Total | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Threshold | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Criteria | Points | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | Tenderer's Experience in Supply and delivery of Consumables | 35% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | Written References from Tenderer's Customers | 35% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | Proof of Delivery Vehicle | 30% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Total | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Threshold | 75% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3.15 Evaluation of price | <p>Prices will be evaluated as follows: Prices will be scored out of 80 points.</p> <p>Proposed standard rates will be offered to all tenderers that meet the functionality threshold, all technically compliant</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | tenderers that accept the proposed rates will score 80 points for price. | | | | | | | | | | | | | | | | | | | | | |
|------------------------------------|--|--|------------------------------------|--|---|----|---|----|---|----|---|----|---|---|---|---|---|---|---|---|---------------------------|---|
| 3.17 Evaluation of Specific Goals | <p>Specific goals will be scored out of 20 points in accordance with PPPFA.</p> <table border="1"> <thead> <tr> <th>B-BBEE Level of Contributor</th><th>Number of points (80/20) system</th></tr> </thead> <tbody> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>18</td></tr> <tr><td>3</td><td>14</td></tr> <tr><td>4</td><td>12</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>6</td></tr> <tr><td>7</td><td>4</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td>Non-compliant contributor</td><td>0</td></tr> </tbody> </table> | | B-BBEE Level of Contributor | Number of points (80/20) system | 1 | 20 | 2 | 18 | 3 | 14 | 4 | 12 | 5 | 8 | 6 | 6 | 7 | 4 | 8 | 2 | Non-compliant contributor | 0 |
| B-BBEE Level of Contributor | Number of points (80/20) system | | | | | | | | | | | | | | | | | | | | | |
| 1 | 20 | | | | | | | | | | | | | | | | | | | | | |
| 2 | 18 | | | | | | | | | | | | | | | | | | | | | |
| 3 | 14 | | | | | | | | | | | | | | | | | | | | | |
| 4 | 12 | | | | | | | | | | | | | | | | | | | | | |
| 5 | 8 | | | | | | | | | | | | | | | | | | | | | |
| 6 | 6 | | | | | | | | | | | | | | | | | | | | | |
| 7 | 4 | | | | | | | | | | | | | | | | | | | | | |
| 8 | 2 | | | | | | | | | | | | | | | | | | | | | |
| Non-compliant contributor | 0 | | | | | | | | | | | | | | | | | | | | | |
| | <p>NB: The following documents are required to claim preference points:</p> <ul style="list-style-type: none"> ▪ 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. ▪ Joint Ventures need to submit a Valid BBBEE certificate issued by a SANAS accredited verification agency in the name of the Joint Venture. | | | | | | | | | | | | | | | | | | | | | |
| | <p>NB: Supporting documents may be requested during evaluation (This list is not exhaustive):</p> <ul style="list-style-type: none"> ▪ 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). | | | | | | | | | | | | | | | | | | | | | |
| | <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but:</p> <ul style="list-style-type: none"> ▪ May only score point out of 80/90 for price. ▪ Scores 0 points out of 10/20 for specific goals | | | | | | | | | | | | | | | | | | | | | |

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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.

Criteria for breaking deadlock in scoring

- (1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.
- (2) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

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| 3.18 Ranking of tenders | <p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder]:</p> <ol style="list-style-type: none"> 1. 80/20 for tender with rand value equal to or below R50 million <p>Price</p> <p>A maximum of 80 points is allocated for price on the following basis:</p> <p>Proposed standard rates will be offered to all tenderers that meet the functionality threshold, all Technically compliant tenderers that accept the proposed rates will score 80 points for price.</p> |
| 3.19 Objective Criteria | Objective criteria not applicable. |
| 3.20 Reverse e-auction | Reverse e-auction is not applicable. |
| Contractual Requirements | <p>Please Note: Tenderers must meet the contractual requirements prior to contract award recommendation.</p> <p>The recommended supplier/suppliers still in the running for this contract will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation they will be advised of their shortcomings and have a maximum period of seven (7) days in which to correct their shortcomings. Failure to correct the shortcomings within the stipulated time period will result in the supplier being deemed unacceptable in terms of their contractual requirements and will not be considered for the contract.</p> <p>Contractual Requirements include the following:</p> <ul style="list-style-type: none"> ▪ Quality ▪ Safety ▪ Financial Evaluation of Companies ▪ SDL&I |
| 2.25 Contractual Condition | The conditions of contract will be the NEC3 Supply Short Contract . |

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Appendix A

| | | |
|--|---|---------------|
|  Supplier Quality Management: List of Tender Returnables Documents | Unique Identifier | 240-12248652 |
| | Revision | 7 |
| | Effective Date | 2022/01/26 |
| | Specification | 240-105658000 |
| Category 4 : Quality Requirements | Deliverables to be evaluated indicator = 1 | |
| SECTION A : Quality Management System Requirements ISO 9001 (Option 1) Valid certification of Quality Management System by an ISO accredited body | | |
| A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant | Apply =1 | 0 |
| A.2 Certificate by Approved and Authorized certification authority | 0 | 0 |
| A.3 Certification Authority has Recognized International Accreditation | 0 | 0 |
| A.4 Validity (expiry date) of certificate | 0 | 0 |
| Section A Score Option 1 | 0 | |
| SECTION A : Quality Management System Requirements ISO 9001 Objective evidence of documented QMS that is not certified but complies with ISO 9001 | | |
| Apply =1 | | |
| A.1 Quality Method statement based on scope.(Method Statement Template-Ref 240-126469599) | 1 | 1 |
| A.2 Quality Policy Approved by top management. | 1 | 1 |
| A.3 Quality Objectives Approved by top management. | 0 | 0 |
| A.4 Control of documented information (i.e. document and record control) | 1 | 1 |
| Clause 7.5 of ISO 9001:2015 | 1 | 1 |
| A.5 Documented information for Control of nonconforming outputs | 0 | 0 |
| Clause 8.7 of ISO 9001:2015 | 0 | 0 |
| A.6 Documented information for Nonconformity and Corrective action | 1 | 1 |
| Clause 10.2 of ISO 9001:2015 | 1 | 1 |
| A.7 Documented information for Internal audit | 1 | 1 |
| Clause 9.2 of ISO 9001:2015 | 1 | 1 |
| Section A Score Option 2 | 5 | |
| SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000) | | |
| Apply =1 | | |
| B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) | 1 | 1 |
| (Clause 5.3 of ISO 9001:2015) | 1 | 1 |
| B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015) | 1 | 1 |
| B.5 Records of Management Review meetings (minutes, attendance registers e.t.c) | 0 | 0 |
| Section B Score | 2 | |
| SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) | | |
| Customer specific requirements & other standards and required can be listed and evaluated here | | |
| Apply (Yes=1) | | |
| E.1 Form A is completed and signed. | 1 | 1 |
| Section E Score | 1 | |

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Price List

| <u>ITEM No.</u> | <u>DESCRIPTION</u> | <u>Unit of Measure</u> |
|-----------------|--|------------------------|
| CS-01 | Freshpak Rooibos Tea Tagless Teabag - pack of 80 | per pack |
| CS-02 | Five roses Premium Rooibos Tea Tagless Teabag - pack of 80 | per pack |
| CS03 | Glen Rooibos Tea Tagless Teabag - pack of 80 | per pack |
| CS-04 | Glen Black Tea Tagless Teabag - pack of 100 | per pack |
| CS-05 | Joko Strong Quality Tea African Blend Tagless Teabag - pack of 100 | per pack |
| CS-06 | Five Roses Ceylon Blend Tea Tagless Teabag - pack of 102 | per pack |
| CS-07 | Nescafe Ricoffy Instant Coffee - 1.5kg | each |
| CS-08 | Nescafe Ricoffy Instant Coffee - 750g | each |
| CS-09 | Frisco Original Instant Coffee and Chicory- 750g | each |
| CS-10 | Koffiehuis Medium Roast Coffee and Chicory Powder - 750g | each |
| CS-11 | Nescafe Gold Soluble Coffee Intensity 7 - 200g | each |
| CS-12 | Jacobs Kronung 100% Instant Freeze-Dried Coffee Original - 200g | each |
| CS-13 | Douwe Egberts Pure Gold Medium Roast Instant Coffee - 200g | each |
| CS-14 | Huletts White Sugar - 1kg | each |
| CS-15 | Selati White Sugar - 1kg | each |
| CS-16 | Illovo White Sugar - 1kg | each |
| CS-17 | Huletts White Sugar - 2.5kg | each |
| CS-18 | Selati White Sugar - 2.5kg | each |
| CS-19 | Illovo White Sugar - 2.5kg | each |
| CS-20 | Huletts Brown Sugar - 1kg | each |

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| | | |
|-------|---|----------|
| CS-21 | Selati Brown Sugar - 1kg | each |
| CS-22 | Illovo Brown Sugar - 1kg | each |
| CS-23 | Clover Full Cream Milk UHT Long-Life Process - pack (6 x 1Lt) | per pack |
| CS-24 | Parmalat Everfresh Full Cream Milk UHT Process - pack (6 x 1Lt) | per pack |
| CS-25 | First choice Full Cream Milk UHT Process - pack (6 x 1Lt) | per pack |
| CS-26 | Clover Low Fat Milk UHT Long-Life Process - pack (6 x 1Lt) | per pack |
| CS-27 | Parmalat Everfresh Low Fat Milk UHT Process - pack (6 x 1Lt) | per pack |
| CS-28 | First choice Low Fat Milk UHT Process - pack (6 x 1Lt) | per pack |
| CS-29 | Kleenex Unwrapped Toilet Rolls 2Ply x 350 Fresh White Embossed Sheets - pack of 48 rolls | per pack |
| CS-30 | Twinsaver Twin Ply Toilet Tissue (Product code 0188) - pack of 48 rolls | per pack |
| CS-32 | Virgin 2 Ply Toilet Tissue. White Embossed sheets, minimum 32gsm (meeting SANS 1887-2) - pack of 48 rolls | per pack |
| CS-33 | Black Refuse bag 750mm x 950mm, 25 micron - pack of 100 | per pack |
| CS-34 | Doom Multi Insect Spray Odourless - 300ml | each |
| CS-35 | Raid Multi Insect Spray Odourless - 300ml | each |
| CS-36 | Mortein Multi Insect Spray Odourless - 300ml | each |
| CS-37 | Scotch-Brite Heavy Duty Kitchen Scourer Sponge- pack of 4 | per pack |
| CS-38 | Addis Heavy Duty Scourer Sponge - pack of 4 | per pack |
| CS-39 | Addis 100% Cotton Honeycomb Dish Cloth - pack of 2 | per pack |
| CS-40 | Goldenmarc Honeycomb Dish Cloth - pack of 3 | per pack |
| CS-41 | Parmalat Full Cream Milk Pods - pack (50 x 20ml) | per pack |
| CS-42 | Five Roses Ceylon Blend Tea Envelope Tagged Teabag - case of 200 | per case |
| CS-43 | Nescafe Ricoffy Instant Coffee Sticks - pack (200 x 2.7g) | per pack |

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|-------|---|----------|
| CS-44 | Nestle Cremora Coffee and Tea Creamer Sticks - pack (200 x 4g) | per pack |
| CS-45 | Ellis Brown Creamer Sticks - pack (200 x 4g) | per pack |
| CS-46 | Huletts White Sugar Tube Sachet - box (1000 x 5g) | per box |
| CS-47 | Illovo White Sugar Tube Sachet - box (1000 x 5g) | per box |
| CS-48 | Selati White Sugar Tube Sachet - box (1000 x 5g) | per box |
| CS-49 | Huletts Brown Sugar Tube Sachet - box (1000 x 5g) | per box |
| CS-50 | Illovo Brown Sugar Tube Sachet - box (1000 x 5g) | per box |
| CS-51 | Selati Brown Sugar Tube Sachet - box (1000 x 5g) | per box |
| CS-52 | Bonaqua Still Water - pack (24 x 500ml) | per pack |
| CS-53 | Valpre Still Water - pack (24 x 500ml) | per pack |
| CS-54 | Aquelle Still Water - pack (24 x 500ml) | per pack |
| CS-55 | Disposable Polystyrene Cup - box (1000 x 250ml) | per box |
| CS-56 | Ripple Walled Cup (Heat Resistant disposable paper cup) - box (500 x 250ml) | per box |
| CS-57 | Sunlight Laundry Bar Soap - 500g | each |
| CS-58 | Vanish Laundry Bar Soap - 75g | each |
| CS-59 | White Plastic Teaspoon - pack of 100 | per pack |
| CS-60 | White Plastic Teaspoon - pack of 500 | per pack |
| CS-61 | Nestle Coffee Cremora Box 750g | each |
| CS-62 | Ellis Brown Coffee Cremora Box 750g | % |
| CS-63 | Kiwi Shoe polish black 100ml | each |
| CS-64 | Kiwi Shoe polish dark brown 100ml | each |
| CS-65 | Nugget Shoe polish black 100ml | each |
| CS-66 | Nugget Shoe polish dark brown 100ml | each |

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|-------|--|------|
| CS-67 | SUNLIGHT Auto Washing powder - 12,5kg | each |
| CS-68 | OMO Auto Washing powder - 12,5kg | each |
| CS-69 | MAQ Auto Washing powder - 12,5kg | each |
| CS-70 | SUNLIGHT Auto Washing powder - 5kg | each |
| CS-71 | OMO Auto Washing powder - 5kg | each |
| CS-72 | MAQ Auto Washing powder - 5kg | each |
| CS-73 | OMO Auto Washing powder - 2kg | each |
| CS-74 | SUNLIGHT Auto Washing powder - 2kg | each |
| CS-75 | MAQ Auto Washing powder - 2kg | each |
| CS-76 | Mr Min Multi surface cleaner 300ml | each |
| CS-77 | Pledge Multi surface cleaner 300ml | each |
| CS-78 | Sunlight Dishwashing Liquid 5L | each |
| CS-79 | Food Grade Clear Cling Wrap Roll - 380mm x 400m | each |
| CS-80 | Markup on Any Other Goods Supplied | each |
| CS-81 | Delivery to New Germany Area Office 1-ton vehicle (including toll fees) | each |
| CS-82 | Delivery to New Germany Area Office 4-ton vehicle (including toll fees) | each |
| CS-83 | Delivery to New Germany Area Office 8-ton vehicle (including toll fees) | each |
| CS-84 | Delivery to Westville Menston Office 1-ton vehicle (including toll fees) | each |
| CS-85 | Delivery to Westville Menston Office 4-ton vehicle (including toll fees) | each |
| CS-86 | Delivery to Westville Menston Office 8-ton vehicle (including toll fees) | each |
| CS-87 | Delivery to Mkondeni Area Office 1-ton vehicle (including toll fees) | each |
| CS-88 | Delivery to Mkondeni Area Office 4-ton vehicle (including toll fees) | each |
| CS-89 | Delivery to Mkondeni Area Office 8-ton vehicle (including toll fees) | each |
| CS-90 | Delivery to Mersey Training Centre 1-ton vehicle (including toll fees) | each |

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| CS-91 | Delivery to Mersey Training Centre 4-ton vehicle (including toll fees) | each |
| CS-92 | Delivery to Mersey Training Centre 8-ton vehicle (including toll fees) | each |
| CS-93 | Delivery to Ladysmith Area Office 1-ton vehicle (including toll fees) | each |
| CS-94 | Delivery to Ladysmith Area Office 4-ton vehicle (including toll fees) | each |
| CS-95 | Delivery to Ladysmith Area Office 8-ton vehicle (including toll fees) | each |
| CS-96 | Delivery to Newcastle Area Office 1-ton vehicle (including toll fees) | each |
| CS-97 | Delivery to Newcastle Area Office 4-ton vehicle (including toll fees) | each |
| CS-98 | Delivery to Newcastle Area Office 8-ton vehicle (including toll fees) | each |
| CS-99 | Delivery to Empangeni Area Office 1-ton vehicle (including toll fees) | each |
| CS-100 | Delivery to Empangeni Area Office 4-ton vehicle (including toll fees) | each |
| CS-101 | Delivery to Empangeni Area Office 8-ton vehicle (including toll fees) | each |
| CS-102 | Delivery to Marburg CNC 1-ton vehicle (including toll fees) | each |
| CS-103 | Delivery to Marburg CNC 4-ton vehicle (including toll fees) | each |
| CS-104 | Delivery to Marburg CNC 8-ton vehicle (including toll fees) | each |
| CS-105 | Delivery to Empangeni CNC 1-ton vehicle (including toll fees) | each |
| CS-106 | Delivery to Empangeni CNC 4-ton vehicle (including toll fees) | each |
| CS-107 | Delivery to Empangeni CNC 8-ton vehicle (including toll fees) | each |
| CS-108 | Delivery to Edendale CNC 1-ton vehicle (including toll fees) | each |
| CS-109 | Delivery to Edendale CNC 4-ton vehicle (including toll fees) | each |
| CS-110 | Delivery to Edendale CNC 8-ton vehicle (including toll fees) | each |
| CS-111 | Delivery to Wartburg CNC 1-ton vehicle (including toll fees) | each |
| CS-112 | Delivery to Wartburg CNC 4-ton vehicle (including toll fees) | each |
| CS-113 | Delivery to Wartburg CNC 8-ton vehicle (including toll fees) | each |
| CS-114 | Delivery to Ladysmith CNC 1-ton vehicle (including toll fees) | each |
| CS-115 | Delivery to Ladysmith CNC 4-ton vehicle (including toll fees) | each |
| CS-116 | Delivery to Ladysmith CNC 8-ton vehicle (including toll fees) | each |
| CS-117 | Delivery to Madadeni CNC 1-ton vehicle (including toll fees) | each |
| CS-118 | Delivery to Madadeni CNC 4-ton vehicle (including toll fees) | each |
| CS-119 | Delivery to Madadeni CNC 8-ton vehicle (including toll fees) | each |

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Appendix B

TECHNICAL EVALUATION CRITERIA - Supply and Delivery of Consumables

The Technical Evaluation comprises of 2 PARTS.

PART A - Mandatory Criteria - Suppliers must achieve 100% pass to be further evaluated in PART B. Supplier failing to score 100% for Part A will be considered as non-responsive and will render the bid disqualified.

PART B - Supplementary Criteria - Supplier must achieve a minimum threshold of 75% for Part B. Supplier failing to score the minimum points for Part B will be considered as non-responsive and will render the bid disqualified. It must be noted that an on-site verification will be conducted to verify the requirements below. In the event that the evidence is not available during the on-site evaluation, points will be reduced accordingly

| No. | KPA | Criteria | Score Allocation | Weight | Score out of 10 | Weighted Score |
|------------------------------------|--------------------------------------|--|------------------|--------|-----------------|----------------|
| PART A - Mandatory Criteria | | | | | | |
| A1 | Tenderer's Declaration | The Tenderer's Ability to Supply the Goods are Being Confirmed Tenderer to fill in and sign on the technical evaluation returnable template, "Tenderer's Declaration" confirming the tenderer will supply all of the good listed in the Goods Information as well the tenderer will deliver goods to the various sites within the required time period. | | | | |
| | | The technical evaluation returnable template must be filled in with the relevant information and submitted as a tender returnable. Only information on the technical evaluation returnable template will be used to score this criterion. Incomplete or unclear information will not be used in the evaluation of this criterion. | | 50% | 0 | 0 |
| | | - Supplier declaration is available and fully completed without exclusions or amendments | 10 | | | |
| | | - No declaration available or not fully completed or declarations has amendments or exclusions | 0 | | | |
| A2 | Tenderer Workspace / Facility | The Tenderer's workspace / facility utilised to provide the goods is evaluated in this criterion Provide proof of workspace / facility that is being used when providing the goods in the form of municipality invoice (not older than 3 months) or valid lease agreement. Document must be in the Tenderer's name. Workspace / Facility must be within a 100km radius from any of the sites listed within the Goods Information | | 50% | 0 | 0 |
| | | | | | | |

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|  Eskom | - Municipality invoice or lease agreement meeting the requirements indicating the supplier's workspace / facility within the required radius | 10 | | | |
| | - No evidence supplied meeting the requirements or no existing workspace / facility within the required radius | 0 | | | |
| | | | 100% | 0 | 0 |

| No. | KPA | Criteria | Score Allocation | Weight | Score out of 10 | Weighted Score |
|-----|------------------------------|--|------------------|--------|-----------------|----------------|
| | | PART B - Supplementary Criteria | | | | |
| B1 | Tenderer's Experience | <p>The Tenderer's Experience Based On The Years In Supplying And Delivering Of Consumables Is Evaluated In This Criterion.</p> <p>Tenderer to fill in information on the technical evaluation returnable template, indicating the name of the company the service was provided to, the description of the service, the start date and end date of the service.</p> <p>The items supplied and delivered must be non-durable household goods (consumable) such as packaged food, beverages or toiletries of a similar type as per the items stipulated in the service information.</p> <p>The technical evaluation returnable template must be filled in with the relevant information and submitted as a tender returnable. Only information on the technical evaluation returnable template will be used to score this criterion. Incomplete or unclear information will not be used in the evaluation of this criterion.</p> <ul style="list-style-type: none"> - more than 4 years' experience and meeting the requirements - more than 3 but less than or equal to 4 years' experience and meeting the requirements - 3 or less years' experience or not meeting the requirements | | 35% | 10 | 35 |
| B2 | Written References | <p>The Tenderer's Written References Are Evaluated in This Criterion.</p> <p>Provide written references from 3 different companies referencing the tenderer's service.</p> <p>Each written reference must include a telephone or cell number, email address, name of the referee and relevant signature. The referenced scope must be the supply and delivery of non-durable household goods (consumables) such as packaged food or beverages of a similar type as per the items stipulated in the Goods Information</p> <p>References with negative feedback will not be used to evaluate this criterion</p> | | 35% | 10 | 35 |

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|-----------|----------------------------------|--|---------------------|-------------|-----------|------------|
| | | - 3 written references submitted meeting the requirements - 2 written reference submitted meeting the requirements - 1 written reference submitted meeting the requirements - 0 written reference or no references meeting the requirements | 10 7.5 5 0 | | | |
| B3 | Proof of Delivery Vehicle | The Tenderer's Delivery Vehicles are Evaluated in this Criterion. Tenderer to provide certificates of registration for 3 LDV or HMV vehicles in the name of the Tenderer or current rental agreements of 3 LDV or HMV motor vehicle hired in the name of the Tenderer from a bona fide vehicle rental company. The vehicle must be designed and suitable for delivery of non-durable household goods (consumables) such as packaged food or beverages of a similar type as per the items stipulated in the Goods Information. | | 30% | 10 | 30 |
| | | - proof of 3 vehicles submitted meeting the requirements - proof of 2 vehicles submitted meeting the requirements - proof of 1 vehicle submitted meeting the requirements - no proof of vehicles or no vehicle matching requirement for delivery | 10 7.5 5 0 | | | |
| | | | | 100% | 30 | 100 |

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Please note:

Tenderers are requested to bear in mind Eskom's standard payment terms as stipulated hereunder when submitting tenders and concluding contracts with Eskom:

For contracts valued below R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying Suppliers within 30 days of receipt of undisputed invoices.

For contracts valued above R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying suppliers within 60 days of receipt of undisputed invoices.

Eskom reserves the right to negotiate with preferred bidders after a competitive bidding process or price quotations; should the tendered prices not be deemed market-related.

Main contractors/ suppliers are discouraged from subcontracting with their subsidiary companies as this may be interpreted as subcontracting with themselves and / or using their subsidiaries for fronting. Where a main contractor subcontracts with a subsidiary this must be declared in tender documents.

A report containing a list of potential sub-contractors may be drawn by accessing the following link: www.csd.gov.za

“proof of B-BBEE status level of contributor” means-

- (a) the B-BBEE status level certificate issued by an authorised body or person; or**
- (b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or**
- (c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act**

1.3 TENDER RETURNABLES

The tenderer must submit the returnable set out hereunder as part of its tender at the stipulated deadline.

NOTE:

*** Returnable required at Tender closing (disqualifiable) - These returnable are required to be fully completed, signed and submitted with the tender at Tender closing date and time. If not fully completed, signed and/or submitted by tender closing the tender will be disqualified.**

**** Returnable required at Tender closing. (Non-disqualifiable) – These returnable are also required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.**

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These returnable are mandatory for evaluation and therefore required at tender closing time and date. These will not be requested by the Procurement Practitioner; however, the tenderer will not be disqualified but score zero.

| Reference | Returnable From Suppliers | Returnable required at Tender closing (disqualifiable)* | Returnable required at Tender closing (Non-disqualifiable) | Returnable required prior to Contract Award. |
|-------------------------|---|---|--|--|
| Basic Compliance | Meet the eligibility criteria for a tenderer | ✓ | | |
| | The tenderer must submit one (1) complete original tender, plus one (1) complete hard copy of the original tender | ✓ | | |
| | Registration on the National Treasury Central Supplier Database (CSD) and provision of the MAAA number | ✓ | | |
| | Completed and Signed NEC 3 Supply Contract pricing schedule and contract data. | ✓ | | |
| Annexures | Annexure A - Acknowledgement Form | | ✓ | |
| | Annexure B - Tenderers Particulars | | ✓ | |
| | Annexure C -Integrity Declaration Form - Fully completed and signed form must be filled out by all tenderers and submitted with the tender | | ✓ | |
| | Annexure G - SBD 1 - Invitation to Bid must be filled out by all tenderers and submitted with the tender | | ✓ | |
| | Annexure H - SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations must be filled out by all tenderers and submitted with the tender | | ✓ | |
| | Annexure I - SBD 4 – Bidders Disclosure – Fully completed and signed Bidders Disclosure Document must be filled out by all tenderers and submitted with the tender | | ✓ | |
| | Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios. | | ✓ | |
| | Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement. | | ✓ | |
| | Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement. | | | ✓ |
| | Joint Ventures need to submit a Valid BBBEE certificate issued by a SANAS accredited verification agency in the name of the Joint Venture. | | | |
| # Specific Goals | Failure on the part of the supplier to submit “proof of specific goals for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking. | | | |

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| | # Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / BBBEE Certificate issued by CIPC for EME companies | ✓ | | | | | | | | | | | |
|--|---|--|--------------|----------------|---|--|--|---|------------------------|--|--|--|---|
| Tax Clearance Certificates | A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required. | | | ✓ | | | | | | | | | |
| Compliance with Employment Equity Act | To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only). | | | ✓ | | | | | | | | | |
| DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED) | | | | | | | | | | | | | |
| Quality | The Quality requirement are as per Category 4 (Appendix A) with the following supporting documents. <ul style="list-style-type: none"> ▪ Form A ▪ Supplier Quality Management Specification ▪ Recommended templates: <ul style="list-style-type: none"> ○ ITP/QCP/CQP ○ Part 4 – Quality Requirements | | | ✓ | | | | | | | | | |
| Safety | <table border="1" data-bbox="357 1268 1119 1875"> <thead> <tr> <th></th> <th>KPI's</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Is the acknowledgement form for Eskom's rules and requirements (in Annexure B) signed and submitted by the tenderer?</td> <td></td> </tr> <tr> <td>2</td> <td>Health and Safety Plan</td> <td> Safety, Health and Environmental Plan for Scope of work not limited to the following: <ul style="list-style-type: none"> • SHE organization within the Company- Responsibility & Accountability • SHE Incident management • Planning of conduct of work activities including </td> </tr> </tbody> </table> | | KPI's | Comment | 1 | Is the acknowledgement form for Eskom's rules and requirements (in Annexure B) signed and submitted by the tenderer? | | 2 | Health and Safety Plan | Safety, Health and Environmental Plan for Scope of work not limited to the following: <ul style="list-style-type: none"> • SHE organization within the Company- Responsibility & Accountability • SHE Incident management • Planning of conduct of work activities including | | | ✓ |
| | KPI's | Comment | | | | | | | | | | | |
| 1 | Is the acknowledgement form for Eskom's rules and requirements (in Annexure B) signed and submitted by the tenderer? | | | | | | | | | | | | |
| 2 | Health and Safety Plan | Safety, Health and Environmental Plan for Scope of work not limited to the following: <ul style="list-style-type: none"> • SHE organization within the Company- Responsibility & Accountability • SHE Incident management • Planning of conduct of work activities including | | | | | | | | | | | |

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| | | | | | | |
|----------------------|---|--|--|--|--|---|
| | | | <ul style="list-style-type: none"> planning for changes and emergency work • PPE- Personal Protective Equipment • Emergency planning and fire risk management • Vehicle and driver behaviour safety • Contractor or supplier selection and management • Competency, training, appointments • Communication and awareness | | | |
| 3 | Baseline Risk Assessment | | Identification, assessment and management of Safety, Health and Environmental risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA. | | | |
| 4 | Valid Letter of Good Standing | | (COIDA or equivalent) | | | |
| 5 | SHE policy signed by CEO/ MD- | | Comply to OHS Act Section 7 or ISO 45001 | | | |
| OR | | | | | | |
| PART B | | | | | | |
| 1 | Baseline Risk Assessment | | Identification, assessment and management of Safety, Health and Environmental risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA. | | | |
| 2 | ISO 45001 certificate | | | | | |
| 3 | Valid Letter of Good Standing | | (COIDA or equivalent) | | | |
| Due Diligence | Requirements for Financial Evaluation of Companies | | | | | ✓ |
| | <ul style="list-style-type: none"> ▪ Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether: ▪ Whether the AFS were internally or externally prepared. ▪ Whether the company was owner managed or not owner managed. | | | | | |

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|--|--|--|--|--|
| <ul style="list-style-type: none"> ▪ Latest approved financial statements including comparative amounts. ▪ AFS must be valid and not outdated, received within 18 months after year-end. ▪ A signed director's / member's report. ▪ Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above. ▪ Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted. ▪ Approved Annual Financial statements must comprise: <ul style="list-style-type: none"> ◦ Statement of financial position (Balance Sheet) ◦ Statement of comprehensive income (income statement) ◦ Statement of changes in Equity ◦ Statement of cash flows ◦ Notes to the financial statements ◦ ITA 34C Income Tax Assessment for companies that have NOT been audited. ▪ The notes to the AFS specifically referring to Accounts Receivable and Accounts Payable must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest. ▪ The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest. ▪ Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates. ▪ Name of Holding company if the company is a subsidiary company. ▪ Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage. ▪ Information requested from companies via Procurement Office not received within five working days from date of Finance request will result in the financial evaluation being closed. Finance will issue a 1-page report stating that an opinion could not be expressed due to insufficient information. <p>Note:</p> | | | | |
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| | <p>Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted. Soft copies of the AFS submitted with the tender documents may be requested at a later stage.</p> <p>Tenderers may be requested to provide a performance bond if they are deemed financially unacceptable for the full value of the contract.</p> | | |
| | <p>SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals</p> <p>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.</p> <p>Transformation – BBBEE Improvement or Retention Plan</p> <p>Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.</p> <p>Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.</p> <p>Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.</p> <p>Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract. Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract.</p> | | |

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| <p>NB: A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate.</p> <p>Local Procurement Content</p> <p>"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.</p> <p>Tenderers are required to submit their proposals in the table below.</p> <table border="1" data-bbox="355 1109 1124 1215"> <thead> <tr> <th data-bbox="355 1109 632 1215">Local Procurement Content</th><th data-bbox="632 1109 874 1215">Eskom target</th><th data-bbox="874 1109 1124 1215">Tenderer's Proposal</th></tr> </thead> <tbody> <tr> <td></td><td data-bbox="716 1170 806 1203">100%</td><td></td></tr> </tbody> </table> <p>Procurement spend on entities with a minimum 51% black ownership</p> <p>The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:</p> <ul style="list-style-type: none"> 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. <p>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.</p> | Local Procurement Content | Eskom target | Tenderer's Proposal | | 100% | | | | | | |
|--|---------------------------|---------------------|---------------------|--|------|--|--|--|--|--|--|
| Local Procurement Content | Eskom target | Tenderer's Proposal | | | | | | | | | |
| | 100% | | | | | | | | | | |

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|  Eskom | <table border="1"> <thead> <tr> <th>Procurement from Designated Group</th><th>Eskom Target</th><th>Tenderer Proposal</th></tr> </thead> <tbody> <tr> <td>Black Owned</td><td>4.0%</td><td></td></tr> <tr> <td>Black Women Owned</td><td>3.0%</td><td></td></tr> <tr> <td>Black Youth Owned</td><td>2.0%</td><td></td></tr> <tr> <td>Black Persons with Disability</td><td>1.0%</td><td></td></tr> </tbody> </table> <p>Jobs</p> <p>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.</p> <table border="1"> <thead> <tr> <th>Jobs to be created</th><th>Jobs to be retained</th></tr> </thead> <tbody> <tr> <td></td><td></td></tr> </tbody> </table> | Procurement from Designated Group | Eskom Target | Tenderer Proposal | Black Owned | 4.0% | | Black Women Owned | 3.0% | | Black Youth Owned | 2.0% | | Black Persons with Disability | 1.0% | | Jobs to be created | Jobs to be retained | | | | | |
|--|--|--|---------------------|--------------------------|-------------|------|--|-------------------|------|--|-------------------|------|--|-------------------------------|------|--|---------------------------|----------------------------|--|--|--|--|--|
| Procurement from Designated Group | Eskom Target | Tenderer Proposal | | | | | | | | | | | | | | | | | | | | | |
| Black Owned | 4.0% | | | | | | | | | | | | | | | | | | | | | | |
| Black Women Owned | 3.0% | | | | | | | | | | | | | | | | | | | | | | |
| Black Youth Owned | 2.0% | | | | | | | | | | | | | | | | | | | | | | |
| Black Persons with Disability | 1.0% | | | | | | | | | | | | | | | | | | | | | | |
| Jobs to be created | Jobs to be retained | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA | | | | | | | | | | | | | | | | | | | | | | | |
| Technical (required for functionality scoring) | This document with the other applicable documentation will be found in the Technical Pack that will be uploaded on the Eskom tender bulletin and National Treasury e-tender portal. | ✓ | | | | | | | | | | | | | | | | | | | | | |
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ANNEXURE A

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender from Eskom Holdings SOC Ltd and the following addenda issued by Eskom:

| | |
|--|--|
| | |
| | |
| | |

We confirm that the documentation received by us is: (**Indicate by ticking the box**)

Correct as stated in the Invitation to Tender Content List, and that each document is complete.

Or: Incorrect or incomplete for the following reasons:

Cataloguing Acknowledgement:

[Please select the relevant statement by ticking the appropriate box below]:

1. We agree to provide the cataloguing information as described in the *tender submission*.
2. We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [*insert previous invitation to tender/RFQ number*]
3. We do not intend to provide the cataloguing information for the required scope / specifications. for the reasons stated hereunder:

4. I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position.

Invitation to Tender/Request for Proposal No: _____

Name of company/JV: _____

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Country of registration: _____

Name of contact person: _____

Contact details of contact person:

| | |
|-----------------|--|
| Tel (landline): | |
| Cell phone: | |
| e-mail address: | |

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ANNEXURE B

TENDERER'S PARTICULARS

The **tenderer** must furnish the following particulars where applicable:

| | |
|---|--|
| Indicate the type of tendering structure by marking with an 'X' (where applicable provide registration number): | |
| Individual tenderer | |
| Unincorporated Joint venture (registration number for each member of the JV) | |
| Incorporated JV | |
| Other | |

Please complete the following:

| | |
|---|--|
| Name of lead partner/member in case of JV | |
| CIPC Registration Number or CIPC disclosure certificate (for each individual company / JV member) | |
| VAT registration number (for each individual company / JV member) | |
| CIDB registration number (for each individual company/JV member if applicable), respective contractor grading designation for each individual company/JV member, and combined CIDB contractor grading designation (for JVs) | |
| Contact person | |
| Telephone number | |
| E-mail address | |
| Postal address (also of each member in the case of a JV) | |
| Physical address (also of each member of the JV) | |

If subcontractors are to be used, indicate the following for the main sub-contractor(s). Add to the list of applicable.

| | |
|--|--|
| Name of contractor | |
| CIPC Registration number or CIPC disclosure certificate | |
| VAT registration number | |
| CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the | |
| Tender Data | |

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| | |
|---|--|
| Proposed Scope of work to be done by sub-contractor | |
| Contact person | |
| Telephone number | |
| Fax number | |
| E-mail address | |
| Postal address | |
| Physical address | |

1. If you are currently registered as a vendor with Eskom, please provide your vendor registration number with Eskom. _____
2. If you are currently registered as a vendor on the Treasury Central Supplier Database (CSD) please provide your supplier registration number with Treasury_____
3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State-owned entity/company.
4. You may register online at National Treasury website on www.treasury.gov.za
5. If you are registered on SARS Efilng system, please provide your pin number in order to verify your tax compliant status _____
6. If you are required to be tax compliant as per SBD 1 but are not registered on CSD (foreign suppliers) or have not provided your SARS Efilng pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

8. If sub-contracting is prescribed in the specific enquiry, you need to compete 8.1- 8.7
- 8.1 Confirm if you intend sub-contracting.

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

- 8.2 What percentage will you be sub-contracting? _____%
- 8.3 To whom do you intend sub-contracting? _____

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8.4 Is the said sub-contractor registered on CSD?

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

8.5 If yes to 8.4, please provide CSD number. _____

8.4 Please confirm B-BBEE level of said sub-contractor_____

8.5 Which designated group does the sub-contractor belong to: -

- a) An EME or QSE.
- b) An EME or QSE which is at least 51% owned by black people.
- c) An EME or QSE which is at least 51% owned by black people who are youth.
- d) An EME or QSE which is at least 51% owned by black people who are women.
- e) An EME or QSE which is at least 51% owned by black people with disabilities.
- f) An EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships.
- g) A cooperative which is at least 51% owned by black people.
- h) An EME or QSE which is at least 51% owned by black people who are military veterans; or
- i) More than one of the categories referred to in paragraphs (a) to (h).

8.6 Please confirm that you have attached your signed intent to sub-contract document.

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

8.7 Have you attached proof of sub-contractor's belonging to designated group.

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

1. Single tenderers

I, the undersigned, _____ (Full names) hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it, on behalf of _____ (*insert the full legal name of the tenderer*).

Signature: _____

Designation: _____

Date: _____

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2. Joint Ventures

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms _____ (full names), an authorised signatory of _____, (*insert the full legal name of the business entity serving as the lead partner*) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.

We attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

| Legal Name of Joint Venture Member | Full Name and Capacity of Authorised Signatory | Signature |
|---|---|------------------|
| | | |
| | | |
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ANNEXURE C

INTEGRITY DECLARATION FORM

Note: This returnable is required to be fully completed, signed and submitted by tenderers at the stipulated deadlines.

DECLARATION OF INTEREST

I/We understand that any natural/legal person, including employees of the State and/or those related to an Eskom employee/director (as per the definition of "related" set out hereunder), may tender to Eskom. However, in view of possible allegations of favouritism (the practice of showing favour to, or giving preference to some person/group, to the detriment of, or at the expense of another that is entitled to equal treatment or an equal opportunity), should the resulting tender, or part thereof, be awarded to such natural/legal person, as described herein, it is required that the *tenderer/s* declare such interest/relationship where:-

1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state-owned entity.
2. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom.
3. the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors.
4. the *legal person/s (including its employees/contractors/directors/members/ shareholders)* on whose behalf the tender documents are signed, is in some other way "related" to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender negotiation. "Related" meaning that: -
 1. an individual is related to another individual if they are married or live together in a relationship similar to marriage.
 2. or are separated by no more than two degrees of natural or adopted consanguinity or affinity.
 3. an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of "control" (as per Companies Act section 2(1)); and

1.a juristic person is "related" to another juristic person if: -

1. either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of "control" (as per Companies Act section 2(1));
2. either is a subsidiary of the other; or
3. a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of "control".

5. the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

To give effect to the provisions above, please complete the table hereunder with all required information.

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| Full Name & Capacity/ Position within tenderer (e.g. employee/Director/member/ owner/shareholder) | Identity Number | Confirm and provide details (including employee number) if you are a State/State owned entity employee/contractor/ director. | Full Names & Capacity/Position of Eskom employee/ director/ consultant and details of the relationship or interest (marital/ familial/personal/ financial etc.) | To your knowledge is this person involved in the evaluation/ adjudication/ negotiation of tenders |
|--|--------------------|--|---|--|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

1. If any employee/director/member/shareholder/owner of tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation(Y/N) to undertake remunerative work outside public sector employment and attach proof to this declaration.

Do the tenderer/s and other tenderer in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If yes, attach proof to this declaration.

2. DECLARATION OF FAIR TENDERING PRACTICES

This serves as a declaration that when goods/services are being procured, all reasonable steps have been taken to address and/or prevent the exploitation of the procurement process and the use of any unfair tendering practices.

A **[tender/proposal]** will be disqualified if the tenderer/s, or any of its directors have:

1. abused the institution's procurement process (e.g., bid rigging/collusion)
2. committed fraud or any other improper conduct in relation to such system.

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Please complete the declaration with an 'X" under YES or NO

| Item | Question | Yes | No |
|-------------|---|------------|-----------|
| 1.1 | <p>Is the tenderer/s (or any of its directors/members/shareholders) listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector?</p> <p>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</p> | | |
| 1.2 | <p>Is the tenderer/s (or any of its directors / members / shareholders)? listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).</p> | | |
| 1.3 | <p>Was the tenderer/s (or any of its directors/members/shareholders) convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?</p> | | |
| 1.3.1 | Provide details. | | |
| 1.4 | Was the tenderer/s (or any of its directors/members/shareholders) prohibited from doing business with any International Financial Development/funding Agency or Lending Institution | | |
| 1.5 | <i>Is there any history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC?</i> | | |

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3. DECLARATION OF SHAREHOLDING INFORMATION

I, the undersigned _____ [*Position*] _____ hereby declare that I am the duly authorised representative of _____ [*Name of Tenderer*].

I further declare that the following individuals and/or entities listed hereunder are Shareholders in _____ [*Name of Tenderer*]:

Note that this information in the tables hereunder must be fully completed for each tenderer (including incorporated JVs). In event that the tenderer is an unincorporated JV, this must be completed for each JV member. Please add additional rows if required.

Individuals:

| Full Name | Identity Number | Shareholding Percentage |
|-----------|-----------------|-------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Other Entities*:

| Full Legal / Trading Name | Registration Number/Trust Number | Shareholding Percentage | Full name and surname of the directors/beneficiaries/shareholders of the shareholding entity | Identification Numbers of the shareholders/directors/beneficiaries of the shareholding entity |
|---------------------------|----------------------------------|-------------------------|--|---|
| | | | | |
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I, the undersigned, _____ (full names) hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of _____ (insert the full legal name of tenderer).

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is correct, that it is understood that the tenderer's tender/proposal may be rejected, and that Eskom will act against the tenderer should any aspect of this declaration prove to be false, and

I give my consent for this information to be used for the purpose as described in this Integrity Declaration Form and/or in relation to the Supplier Integrity Pact, and

I further consent that information provided in terms of this Integrity Declaration Form may be processed for verification of conflicts of interest and other ancillary purposes by Eskom. Such processing may include the sharing of the information with third parties.

| | |
|--|--|
| Signature: | |
| Designation and capacity in which signing | |
| Date: | |

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Joint Ventures

I, the undersigned, _____ (full names) hereby confirm that acting in the capacity of lead partner, I am duly authorised to sign all documents in connection with the tender and any contract resulting from it on behalf of _____ (insert the full legal name of the JV); and

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is correct, that it is understood that the JV's tender/proposal may be rejected, and that Eskom will act against the JV should any aspect of this declaration prove to be false; and

I give my consent for this information to be used for the purpose as described in this Integrity Declaration Form and/or in relation to the Supplier Integrity Pact, and

I further consent that information provided in terms of this Integrity Declaration Form may be processed for verification of conflicts of interest and other ancillary purposes by Eskom. Such processing may include the sharing of the information with third parties.

| | |
|--|--|
| Signature: | |
| Designation and capacity in which signing | |
| Date: | |

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender/Request for proposal).

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ANNEXURE G

SBD 1

PART A INVITATION TO BID

| | | | | | |
|--|---|---|---|---|--|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY) | | | | | |
| BID NUMBER: | | CLOSING DATE: | | CLOSING TIME: | |
| DESCRIPTION | | | | | |
| THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7). | | | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |
| <hr/> <hr/> <hr/> <hr/> | | | | | |
| SUPPLIER INFORMATION | | | | | |
| NAME OF BIDDER | | | | | |
| POSTAL ADDRESS | | | | | |
| STREET ADDRESS | | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | | |
| CELLPHONE NUMBER | | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | | |
| E-MAIL ADDRESS | | | | | |
| VAT REGISTRATION NUMBER | | | | | |
| | TCS PIN: | | OR | CSD No: | |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX] | <input type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| IF YES, WHO WAS THE CERTIFICATE ISSUED BY? | | | | | |
| AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX | <input type="checkbox"/> | AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) | | | |
| | <input type="checkbox"/> | A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS) | | | |
| | <input type="checkbox"/> | A REGISTERED AUDITOR NAME: | | | |
| [A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE] | | | | | |

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| | | | | | |
|--|------------------------------|---|--|------------------------------|--|
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes | <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes | <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW] |
| SIGNATURE OF BIDDER | | | DATE | | |
| CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.) | | | | | |
| TOTAL NUMBER OF ITEMS OFFERED | | | TOTAL BID PRICE (ALL INCLUSIVE) | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | | | |
| DEPARTMENT/ PUBLIC ENTITY | | | CONTACT PERSON | | |
| CONTACT PERSON | | | TELEPHONE NUMBER | | |
| TELEPHONE NUMBER | | | FACSIMILE NUMBER | | |
| FACSIMILE NUMBER | | | E-MAIL ADDRESS | | |
| E-MAIL ADDRESS | | | | | |

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PART B TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:

1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE
3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

TAX COMPLIANCE REQUIREMENTS

1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2. BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
6. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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ANNEXURE H

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1. The following preference point systems are applicable to invitations to tender:
 1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1. To be completed by the organ of state

1. The applicable preference point system for this tender is the **80/20** preference point system.
 1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 1. Price; and
 2. Specific Goals.

1. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

| | POINTS |
|--|---------------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 100 |

2. Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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3. The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

3. DEFINITIONS

1. **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
2. **“price”** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.
3. **“Rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.
4. **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
5. **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

or

90/10

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

7. POINTS AWARDED FOR SPECIFIC GOALS

1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 1. an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
 2. any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point

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system.)

| The specific goals allocated points in terms of this tender | Number of points allocated (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|--|--|--|--|
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DECLARATION WITH REGARD TO COMPANY/FIRM

1. Name of company/firm.....
2. Company registration number:
3. TYPE OF COMPANY/ FIRM
 - Partnership/Joint Venture / Consortium
 - One-person business/sole proprietor
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company

[TICK APPLICABLE BOX]
4. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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1. The information furnished is true and correct.
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.
4. If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 1. disqualify the person from the tendering process.
 2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
 3. 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.
 4. recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 5. forward the matter for criminal prosecution, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....
.....

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Annexure I

SBD 4

BIDDER'S DISCLOSURE

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 declaration in respect of the details required hereunder.

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

2. Bidder's declaration

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

YES/NO

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

| Full Name | Identity Number | Name of State Institution |
|-----------|-----------------|---------------------------|
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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**

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

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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**

1. If so, furnish particulars:

.....
.....

3. 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:

3.1 I have read, and I understand the contents of this disclosure.

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 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.

3.4 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.

3.5 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.

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

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1. 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 1, 2 and 3 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 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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