	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

ESKOM HOLDINGS SOC LTD KRIEL POWER STATION


INVITATION TO TENDER

FOR THE

THE CONSTRUCTION OF FOUR TEMPORARY HAZARDOUS WASTE STORAGE FACILITIES WITHIN KRIEL POWER STATION FOR A PERIOD OF 9 MONTHS

Tender number	MPKRI10351GX
Revision 1:	Technical mandatory evaluation criteria amended (item 1)
Issue date	15 July 2022
Closing date and time	15 August 2022 at 10h00
Tender validity period	90 days from the closing date and time
COMPULSORY TENDER CLARIFICATION MEETING	Compulsory Attendance of both meetings to qualify for tender evaluation:
1. MS Teams Tender Clarification Meeting: Date: <u>Monday, 25 July 2022</u> Time: 09:00 Venue: MS Teams <i>Tenderers must confirm their intention to attend with the Eskom Representative by providing your email addresses no later than 24 July 2022 to the Eskom Representative: bothaAB@eskom.co.za for an appointment to be sent to you. Tenderers to download Microsoft Teams or use a supported internet browser in order to be part of the clarification meeting. Requests sent on the day of the meeting (25.07) will not be processed.</i>	2. Site Inspection Kriel Power Station (including Induction): Date: <u>Thursday, 28 July 2022</u> Time: 11:30 Venue: Kwanala Hall, Kriel Power Station (outside main gate – see map) It is compulsory to attend the induction at Kwanala Hall the day of the site inspection. The attendance register will be used for access to the station and for completion 11:30-11:50. Once the video started late comers will not be allowed to complete the attendance register, please ensure you are on time. The site inspection is only for entities who attended the compulsory tender clarification meeting on 25.07.2022.
Tenders are to be delivered to the following address on the stipulated closing date and time:	ESKOM TENDER BOX, GROUND FLOOR, NO. 10 SMUTS AVENUE, WITBANK / EMALAHLENI, MPUMALANGA GPS Co-ordinates: Latitude: 25.87723S Longitude: 29.21629E

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

INVITATION TO TENDER

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the construction of four temporary hazardous waste storage facilities within Kriel Power Station for a period of 9 months as per the NEC Engineering and Construction Contract Works Information issued with this invitation tender number MPKRI10351GX.

The tender is advertised on the Eskom Tender Bulletin (www.eskom.co.za), National Treasury e-portal (www.etenders.gov.za) and CIDB e-portal. Documents will not be issued directly to interested tenderers but to be obtained from these websites. The enquiry documents are free of charge. The tender closing date is Monday, 15 August 2022 at 10h00 and to be submitted at the Witbank Tender Office.

It is **compulsory to attend the tender clarification meeting and site inspection** on the arranged dates to qualify for tender evaluation.

1. **Compulsory Tender Clarification Meeting: MS Teams, 25 July 2022 at 09h00**

Tenderers must confirm their intention to attend with the Eskom Representative by providing your email addresses no later than 24 July 2022 to the Eskom Representative: bothaAB@eskom.co.za for an appointment to be sent to you.

2. **Compulsory Tender Site Inspection: Kriel Power Station, 28 July 2022 at 11h30, Kwanala Hall**


The site inspection is only for entities who attended the compulsory tender clarification meeting on 25.07.2022. It is compulsory to attend the induction at Kwanala Hall the day of the site inspection. The attendance register will be used for access to the station and for completion 11:30-11:50. Once the video started late comers will not be allowed to complete the attendance register - ensure that you are on time.

This is a once-off site inspection and tenderer to plan accordingly for attendance by the relevant representatives. Identity Document is required for gate access and basic personal protective equipment for the site walk (Hard hat, safety shoes, safety goggles, ear plugs).

The Tenderer to note the following information in this document in preparation of the tender submission:

- Basic Compliance, Mandatory requirements, Functionality Criteria
- CIDB Valid registration of Designation Grade 4 CE or higher
- Designated material local content: 100% steel or DTI exempt letter

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

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 issued with this tender. Queries relating to these Invitation documents may be addressed to the Eskom *Representative*.


Yours faithfully



Date: 27/07/2022

B Sikhosana
Procurement Manager, Kriel Power Station

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

The following documents listed hereunder are attached to this enquiry.

Number	Description	Reference	Attached
Commercial			
6.1	Authority to Submit a Tender		Yes
6.2	SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	SBD1 Form Part A Part B	Yes
6.3	Acknowledgement form	Annexure A	Yes
6.4	Tenderer's particulars	Annexure B	Yes
6.5	Integrity Declaration Form (refer to the Supplier Integrity Pact and read)	Annexure C	Yes
6.6	CIDB Compulsory Enterprise Questionnaire (Annex G)		Separate
6.7	CIDB SBD4 Declaration of Interest		Separate
6.8	CIDB SBD9 Certificate Independent Bid		Separate
6.9	Employment Equity confirmation		Yes
6.10	Non-Disclosure Agreement		Separate
6.11	NEC TSC, including clauses, conditions, price list and work information		
6.12	Eskom Holdings SOC Ltd Standard Conditions of Tender Rev. 8		
6.13	Code of Ethics 32-527		
6.14	Supplier Integrity Pact 240113650212 June 2016		
Supplier Development Localisation and Industrialisation			
6.15	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Yes
6.16	Undertaking Form (Skills Development, CSI)		Yes
6.17	Affidavit Example		Separate
6.18 6.19	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included).	Annexure F1	Yes
	Annexure C-Local Content Declaration- Summary Schedule	Annexure F2	
	Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C	Annexure F3	
	Annexure E-Local Content Declaration- Supporting Schedule to Annexure C	Annexure F4	
Safety			
6.20	Safety Annexure B 240-77471499 SHE Rules		Separate
6.21	Safety Annexure C1 240-77471969 Rev 1 July 2014		
6.22	Safety Contractor Health & Safety Requirements 32-136		



















Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			


MPKRI10351GX Revision 1

Quality			
6.23	240-68099512 Form A 2018 Rev 6		Separate
6.24	Form A Tender & Contract Quality Requirements For 240-105658000 And Quality Requirements For ISO 9001 Standard		
6.25	240-109253302 ITP Template 2016		
6.26	240-109253698 CQP Template 2016		
6.27	240-126469599_Method Statement template		
6.28	Category 1 - List of Tender Returnables Documents Rev 2		
6.29	Supplier Quality Management Specification		
Technical			
	List of Documents and Standards below	Qty 18	Separate
	List of Drawings on next page	Qty 20	

Documents and Standards





















-  32 - 245 - Eskom Waste Management
-  240 - 56364545 - Structural Design and Engineering Standard
-  240- 84418186 - Road Specification Manual
-  240-53113685 - Design Review Procedure
-  240-54937450 - Fire Protection And Life Safety Design Standard
-  240-57127653 - Execution Of Site Preparation And Earthworks
-  240-66920003 - Documentation Management Review and Handover Procedure for Gx Coal...
-  240-76992014 - Technical Document and Record Management Work Instruction
-  240-85065548 - Project Controls Specification for Contractor Integration
-  240-85549846 - Standard for Design Of Drainage and Sewarage Infrastructure
-  240-86973501 - Engineering Drawing Standard
-  240-105658000 - Supplier Quality Management
-  240-106628253 - Standard For Welding Requirements On Eskom Plant
-  240-107981296 - Constructibility Analysis
-  377-KRL-BBBB-D00139-12 Detail Dessign Report
-  2018-09-25 Kriel Geotechnical Report Final
-  Eskom Safety, Health, Environment and Quality (SHEQ) Policy
-  Factual Report on Utility Mapping at Kriel Power Station(Geophysical Report)

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

Drawings

-  28.45-60 926-1-0
-  28.45-60 927-1-0
-  28.45-60 928-1-0
-  28.45-60 928-2-0
-  28.45-60 929-1-0
-  28.45-60 930-1-0
-  28.45-60 931-1-0
-  28.45-60 932-1-0
-  28.45-60 933-1-0
-  28.45-60 933-2-0
-  28.45-60 934-1-0
-  28.45-60 934-2-0
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-  28.45-60 935-2-0
-  28.45-60 936-1-0
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-  28.45-60 938-1-0
-  28.45-60 939-1-0
-  28.45-60 940-1-0
-  28.45-60 941-1-0

Confidential


	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

- 1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender Rev 8** (included in set of tender documents issued). The clauses that apply specifically to this Invitation are referenced hereunder. The “**Tender Data**” 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: Annali Botha Address: Procurement Department, Kriel Power Station Tel: +27 17 615 2653 Fax: 086 663 0643 E-mail: annali.botha@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender is MPKRI10351GX See the content list above for the enquiry documents.</p>
Communication	<p>The Eskom Tender Bulletin and the National Treasury Website will be the primary medium of communication.</p> <p>It will be required from the tenderer to visit these sites regularly for this tender to ensure that the latest communication was noticed.</p>
1.4 Type of Invitation to Tender	Open Tender to all entities
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract works information. The costing calculations submitted by the tenderer to cover for the whole of the works and to be completed and submitted on the issued NEC Bill of Quantities.
1.7 Eskom's right to negotiate	Eskom reserves the right to enter into mandated negotiations with any one or more selected tenderer(s) in accordance with Eskom's approved procurement policies and procedures.
2.1 Eligible tenders	Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture)


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	<p>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.</p> <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> • Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium • Tenders 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. • 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/RFP] process, if : <ul style="list-style-type: none"> (a) they have a controlling partner/majority shareholder in common; or (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; • Tenders signed by non- authorized persons • Where the tenderers are not registered on National Treasury’s Central Supplier Database (except Foreign Suppliers) • A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of
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Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	<p>PPPFA Regulations</p> <ul style="list-style-type: none"> Any tenderer that is restricted by National Treasury A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p>
2.2 -2.5 Tender Closing	<p>The deadline for tender submission is:</p> <p>Date: Monday, 15 August 2022 Time: 10h00 Late Tenders will not be accepted</p> <p>Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p>ESKOM TENDER BOX, GROUND FLOOR, NO. 10 SMUTS AVENUE, WITBANK / EMALAHLENI MPUMALANGA GPS Co-ordinates: Latitude: 25.87723S Longitude: 29.21629E</p>
2.7 - 2.12 Submitting a Tender	<ul style="list-style-type: none"> Submit a complete original tender and mark clearly on the outside "ORIGINAL". Submit one (1) complete hard copy of the original tender and mark clearly on the outside "COPY". Ensure that the documents are bind properly. Do not submit loose pages. It is recommended that the set of tender documents contain an Index List/List of Contents for ease of reference.
2.9 Copy of original tender	<p>The tenderer shall submit an original tender, plus one complete hard copy of the original tender at tender submission deadline.</p> <p><u>Where a Tenderer only submits 1 set of documents, the tenderer will be disqualified.</u></p> <p>The tender must be submitted in English. Tenders may not be written in pencil and must be completed in ink.</p>
2.13 Tender Validity Period	<p>The tender validity period is 90 days</p> <p>Eskom may request to extend the <i>validity period</i> for a specified additional period. A tenderer agreeing to the request will not be required or permitted to modify a</p>


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	tender.
2.16 Site/clarification meetings A. Tender Clarification Meeting B. Site Inspection and Induction	<p>A. A compulsory tender clarification meeting with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: Monday, 25 July 2022 Time: 09h00 Venue: Microsoft Teams</p> <p><i>Tenderers</i> must confirm their intention to attend with the Eskom Representative by providing your email addresses no later than 24 July 2022 to the Eskom Representative: bothaAB@eskom.co.za for an appointment to be sent to you.</p> <p><i>Tenderers</i> to download Microsoft Teams or use a supported internet browser in order to be part of the clarification meeting. Requests sent on the day of the meeting, 25/07, will not be processed.</p>
	<p>B. A compulsory tender site inspection (including induction) will take place as follows for those tenderers who attended the compulsory tender clarification meeting.</p> <p>Date: Thursday, 28 July 2022 Time: 11h30 for 11h50 Venue: Kriel Power Station, Kwanala Hall (outside main gate – see map)</p> <p>It is compulsory to attend the induction at Kwanala Hall the day of the site inspection. The attendance register will be used for access to the station and for completion 11:30-11:50. Once the video started late comers will not be allowed to complete the attendance register, please ensure you are on time.</p>
2.17 Clarification on enquiry documents 3.1 Response to clarifications	<p>The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is 5 (five) working days before the deadline for tender submission.</p> <p>The responses will be published to all tenderers in the same manner the <i>enquiry documents</i> were issued and it is the tenderers responsibility to check the Eskom Tender Bulletin, and NT e-Tender Portal regularly for</p>


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	updated responses to clarifications by the Eskom Representative.
2.22 Alterations to documents	<p>The issued documents to be used for completion and not a retyped version from the tenderer.</p> <p>Do not make any alterations or additions to the tender documents, other than for purposes of complying with instructions issued by the Eskom Representative or if necessary to correct errors made by the tenderer. All such alterations shall be initialed by all signatories to the tender. Corrections may not be made using correction fluid, correction tape or the like.</p>
2.23 Alternative tenders	<p>An alternative tender is allowed and may be based only on the following criteria and subject to acceptance by the Employer:</p> <ul style="list-style-type: none"> • A different completion date. • A different payment method. • Different technical methods and specifications • A different main option and other combinations of secondary option clauses, acceptable to Eskom as the Employer, selected from the NEC Engineering and Construction Contract <p>Note: An alternative tender will only be accepted for evaluation if a main tender is submitted. The main tender is the documents issued to the tenderer. The alternative tender to be marked clearly “alternative tender”.</p>
2.25 Conditions of contract	The conditions of contract will be the NEC3 Term Service Contract
2.31 Provision of security for performance	If security for performance (e.g. Performance Bond) is required, the names of two financial institutions that will be approached must be submitted with the tender.
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline
3.5 Prices to be read out	Prices will not be read out.
3.9 Basic Compliance	<p>❖ Basic compliance for this invitation to tender:</p> <ul style="list-style-type: none"> - Attendance of compulsory clarification meeting


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	<p>and site inspection</p> <ul style="list-style-type: none"> - Meet the eligibility criteria for a tenderer - Submit a complete original tender with commercial, financial and technical information - Submit one (1) hard copy of the original tender to Eskom with commercial, financial and technical information - Authorisation to Submit a Tender / Board Resolution Letter - CIDB Valid registration of Designation Grade 4 CE or higher - Submission of the mandatory tender returnables as at stipulated deadlines. - Central Supplier Database (CSD) number/registration (MAA.....) 				
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information as reflected in the 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>Mandatory returnables and requirements</p> <p><u>Functionality Gatekeepers:</u></p> <ul style="list-style-type: none"> - Experience of Tenderer - Quality Management System - Plant and Machinery List <p><u>Designated material Local Content:</u></p> <ul style="list-style-type: none"> - 100% Steel local content or DTI exempt letter - Returnable Form (F2) - Annexure C (Local Content Declaration-Summary Schedule)\ <p><u>Other:</u> Refer to mandatory tender returnable requirements</p>				
3.11 Pre-qualification criteria	<p>Prequalification criteria in terms of the 2017 PPPFA Regulations: None</p>				
3.12 Designated materials and thresholds	<p><u>Designated material Local Content:</u></p> <ul style="list-style-type: none"> - 100% Steel local content or DTI exempt letter <table border="1" data-bbox="826 1787 1232 1865"> <thead> <tr> <th>Material</th> <th>Threshold %</th> </tr> </thead> <tbody> <tr> <td>Steel</td> <td>100%</td> </tr> </tbody> </table> <ul style="list-style-type: none"> - Returnable Form (F2) - Annexure C (Local Content Declaration-Summary 	Material	Threshold %	Steel	100%
Material	Threshold %				
Steel	100%				


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	Schedule)
3.13 Functional requirements	<p>Functional requirements are applicable.</p> <p>Technical evaluation will be split into phases as per the below:</p> <p><u>A. Functionality Gatekeepers (Mandatory):</u></p> <ul style="list-style-type: none"> - Experience of Tenderer - Quality Management System - Plant and Machinery List <p><u>B. Evaluation Scoring Technical Criteria 2:</u> The tender documents are evaluated against the technical evaluation criteria for functionality which will be evaluated on a total weight of 100% and a minimum threshold of 70%.</p> <p>Tenderers who meet the minimum threshold score qualifies and will move onto the next stage of evaluation.</p>
3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ul style="list-style-type: none"> • Exclusive of VAT • Making the specified correction for arithmetical errors • Excluding contingencies in any bill of quantities or activity schedule. • Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted. • Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable. • Unconditional discounts must be taken into account for evaluation purposes; • Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected; • Prices will be scored out of 90 points
3.17 Evaluation of B-BBEE	B-BBEE status will be scored out of 20 points in

Confidential


	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	<p>accordance with PPPFA.</p> <p>If a tenderer fails to submit proof of B-BBEE status level, the tenderer will not be disqualified. The tenderer will, however, be awarded 80 points for price and will score 0 points for B-BBEE level /status (out of 20)</p>				
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> <ul style="list-style-type: none"> 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) <p>TABLE: PREFERENCE POINT SYSTEM</p> <table border="1"> <thead> <tr> <th>Adjudication Criteria</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td> $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$ </td> <td>80</td> </tr> </tbody> </table> <p>Where: Ps = Points scored for price of Bid under consideration Pt = Rand value of Bid under consideration Pmin = Rand value of lowest acceptable Bid</p> <p>Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.</p>	Adjudication Criteria	Points	$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80
Adjudication Criteria	Points				
$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80				
Objective criteria	Not applicable				
Contractual Requirements	<ul style="list-style-type: none"> Safety and Health Quality Environmental Due Diligence (Financial Statement) 				
Evaluation of Tenders	<p>The evaluation will be conducted in terms of the Preferential Procurement Policy Framework Act (“PPPFA”). The evaluation process and criteria will be as follows:</p> <ul style="list-style-type: none"> Stage 1: Acceptance/Responsive Tender (Basic Compliance and Mandatory documents) Stage 2: Technical Functional Criteria Stage 3: SDL&I Stage 4: Price and BBEE (80/20) Stage 5: Contractual requirements 				

3. TENDER RETURNABLES FOR EVALUATION

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			


MPKRI10351GX Revision 1

NOTE: Signing of Tender Documents	Please note that all tender returnable documents under the mandatory section that requires the tenderers signature, needs to be signed in full for it to be valid.
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EVALUATION CRITERIA

Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at <u>tender closing</u>	Returnables mandatory for contract award and due prior to <u>contract award</u>
Commercial			
Basic Compliance	One (1) hard copy of the tender	✓	
	CSD (MAAA) number/registration	✓	
	Authority Form <u>or</u> Authorization Letter from Tenderer Authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company (same signature to appear throughout the tender documents)	✓	
	- Proof of valid CIDB Registration (Construction Industry Development Board) Designation Grade 4 CE or higher (Active status at time of evaluation) Where valid proof of CIDB Registration is not available at tender closing deadline, tenderers are at minimum expected to provide valid proof of application for Registration with the CIDB by tender closing deadline and proof of actual registration by contract award stage (last phase of the evaluation process)	✓	
CIDB Questionnaire	CIDB Enterprise Questionnaire (Annex G)		✓
	CIDB SBD4 Declaration of Interest		✓
	CIDB SBD9 Certificate Independent Bid		✓
Annexure A	Acknowledgement Form		✓
Annexure B	Tenderers Particulars		✓
Annexure C	Integrity Pact Declaration form (all sections)	✓	
Annexure G (applicable for all)	SBD 1- to be submitted with the tender at tender submission deadline	✓	


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

suppliers including Foreign suppliers)			
NEC TSC document	C1.2 Contract Data (Part Two – Data provided by the Contractor) Note: If the direct fee and subcontractor fee is not completed, payment will be at actual cost without any fee percentage considered. If the shorter schedule of cost components are not completed, payment will be at actual cost. If the fee percentages in the Short Schedule of Cost Components is not completed, payment will be at actual cost without any fee %.	✓	
	C2.2 Bill of Quantities Do not make any changes to the BOQ if all line items are not quoted, Eskom reserves the right to use the highest price tendered for evaluation purposes. BOQ to be signed	✓	
NDA Form	Non-Disclosure Agreement Form	✓	
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 (even those with no deemed footprint in South Africa) must still complete the relevant section in Part A of the SBD1 document, however, no proof of tax compliance is required if the supplier answers “no” to all questions. If they answer “yes” to any of the questions, however, they are required to register and be tax compliant as per Part B- section 2 of the SBD 1 document and relevant legislation governing tax compliance.		✓
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)		✓
Shareholding	Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)		✓
Due Diligence	Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that		✓

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.		
Corporate Social Investment	It is expected for the tenderer to participate in a contribution of 1.5% per invoice value		✓

SUPPLIER DEVELOPMENT LOCALISATION & INDUSTRIALISATION

Reference	Returnables from supplier	Returnables <u>mandatory</u> for evaluation purposes and due at <u>tender closing</u>	Returnables <u>mandatory</u> for contract award and due prior to <u>contract award</u>				
Local Content Designation	Designated material threshold <u>100% local content for Steel</u> OR Department of Trade and Industry Exempt Letter <table border="1" style="margin-left: 20px;"> <tr> <th>Material</th> <th>Threshold %</th> </tr> <tr> <td>Steel</td> <td>100%</td> </tr> </table>	Material	Threshold %	Steel	100%	✓	
	Material	Threshold %					
	Steel	100%					
	Form: Annexure C (Local Content Declaration <u>Summary</u> Schedule) (F2)	✓					
	Form: SBD 6.2 <u>Declaration</u> Certificate Local Content Form (F1)		✓				
Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C (F3)		✓					
	Annexure E-Local Content Declaration-Supporting Schedule to Annexure C (F4)		✓				
*B-BBEE Affidavit or Certificate	<ul style="list-style-type: none"> Copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agent; or Certified copy of B-BBEE Sworn Affidavit for either EME or QSE.; or Copy of B-BBEE Certificate issued by CIPC for EMEs' only. <p>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits</p>	✓					


Confidential

Document Identifier	240-114238630	Rev	11
Effective Date	18 February 2022		
Review Date	February 2025		

meet the following key pointers to ensure their validity to benefit from the BBEE points allocation. If not valid or not submitted a zero score will apply:

- 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.

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1


	If a tenderer fails to submit proof of B-BBEE status level, the tenderer will not be disqualified (except if B-BBEE level is a pre-qualification criterion). The tenderer will, however, be awarded 80/90 points for price and will score 0 points for B-BBEE level /status (out of 10/20)		
CIDB Skills Development	CIDB mandatory requirement training: 0.25% of the Construction Skills Development Goal % (CSDG): Structural Steel Works proposed		✓
Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations (should this form not be submitted/completed/signed by tender submission, the tenderer does not qualify for BBEE points)	✓	
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium	✓	
	Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓
	Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement)		✓
	* A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Certificate from the accredited agency for every separate tender.	✓	
	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.		✓
SDL&I Undertaking	SDL&I Undertaking Proposal sheet (will form part of contractual requirements)		✓
Company Documents	CIPC Registration Documents		✓
	ID copy of Member/s, Shareholder/s and/or Director/s		✓
	Share Certificate/s		✓

FUNCTIONALITY CRITERIA

Technical evaluation will be split into phases as per the below:

- A. Gatekeeper Requirement: Technical Criteria 1: To be submitted at time of tender closing to qualify for further evaluation**

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

B. Evaluation Scoring Technical Criteria 2: a minimum threshold of 70% to be achieved to qualify for further evaluation of the tender

A. Mandatory: Technical Criteria 1

1	<p>Tenderer's relevant experience, as the main contractor, in construction of steel, reinforced concrete and excavation works with evidence in the form of reference letters or completion certificates.</p> <ul style="list-style-type: none"> - The tenderer shall submit a list of projects completed during the previous 5 years. - The tenderer shall submit at least three reference letters or completion certificates from previous clients in these projects.
2	<p>General outline and description of the Quality Management System to be used in the execution of the works.</p>
3	<p>List and description of plant and machinery required to carry out the civil and structural components of the works.</p>

B. EVALUATION SCORING: Technical Criteria 2 (Threshold 70%)


		Functionality Criteria Civil & Structural Engineering		Max number of points = 100%
2.1	PROJECT EXECUTION PLAN AND PROJECT PROGRAM	20%	Provide a typical program listing all civil and structural activities required to execute the full scope of work including all major milestones, from contract award to handover, in a logical and realistic manner.	
			Program with clear sequence of construction	10
			Progress tracking and reporting plan	4
			Quality Control Plan	6
2.2	ORGANOGRAM AND CVs OF KEY PERSONNEL	10%	Provide organogram of key personnel of the main Contractor and subcontractors. Curriculum vitae (CV) and qualifications of all key personnel must be included as part of Organogram tender submission.	
			Organogram fully aligned with work required	4
			CVs of Project Manager, Site Manager and Safety Manager. including certified copy of qualifications	3
	Brief write up of key personnel's experience	3		
2.3	METHOD	25%	A Steelworks Method Statement, which describes the	

Confidential

Document Identifier	240-114238630	Rev	11
Effective Date	18 February 2022		
Review Date	February 2025		

	STATEMENT FOR STEEL ERECTION		following:	
			Method of fabrication and erection	3
			Erection procedures which include considerations for modularisation and construction sequencing	4
			Lifting and rigging plans are included (Including required PPE)	4
			Steel transportation and welding procedures	4
			Corrosion protection and painting	4
			Risk Assessment (Including relevant standards)	6
2.4	METHOD STATEMENT FOR CONCRETE WORKS	25%	A Concrete Works Method Statement, which describes the following as a minimum: Concrete sourcing, testing facilities, testing procedures, concrete placing and curing.	
			Risk assessment (Including Health and safety plan) (detailed)	9
			Testing procedures and facilities	6
			Concrete placing and curing	6
			Reinforcement and steel fixing	4
2.5	METHOD STATEMENT FOR EARTHWORKS	20%	An Earthworks Method Statement which describes the following as a minimum: Excavation procedure	
			Risk Assessment (Including Health and safety plan) (detailed)	10
			Services protection procedure	6
			Dealing with Water	4

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1


SHEQ DOCUMENTS REQUIRED UNDER CONTRACTUAL OBLIGATION

Contractual requirements are not evaluation criteria – does not result in a disqualification if not submitted at tender stage. They are required to be met and assessed after the evaluation and ranking of the tenders. Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award. It is however advisable to submit the documents at tender stage to avoid delays and risk of disqualification.

SAFETY EVALUATION CRITERIA

1. Safety Annexure B	Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?
2. Occupational Health and Safety plan	OHS plan (Applicable to high risk work only) <ul style="list-style-type: none"> OHS organization within the Company-Responsibility & Accountability SHE Incident management Planning of conduct of work activities including planning for changes and emergency work PPE- Personal Protective Equipment include (COVID 19) Emergency planning and fire risk management Vehicle and driver behavior safety Contractor or supplier selection and management Design and specifications Permits Competency, training, appointments Communication and awareness Management commitment and visible felt leadership
3. Costing for Safety Health and Environmental management	Costing for Safety Health and Environmental management Has the tenderer submitted detailed (The cost should be broken down not provided as a lump sum) costing for SHE, i.e. – <ul style="list-style-type: none"> based on the overall scope of work/service to be performed; the generic scope of work/service risk assessment – may serve as a guideline.
4. Baseline Risk Assessment (BRA)	Baseline Risk Assessment (BRA) Identification, assessment and management of SHE risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA (COVID 19)
5. Valid Letter of Good Standing	Valid Letter of Good Standing (COIDA or equivalent)
6. SHE policy	SHE policy signed by CEO/ MD- Comply to OHS Act Section 7 or OSHAS 18001
7. SHE Competency	SHE Competency (Consider scope of work, risks, SHE plan and applicability) CV,s and qualifications / certificates e.g. <ul style="list-style-type: none"> - First aiders - Safety officer (SACPCMP) - SHE Representative (for 20+ people) - HCS Controller - Incident investigator

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

ENVIRONMENTAL EVALUATION CRITERIA

Environmental Policy

The contractor must submit an Environmental Policy and proof of communicating it with the employees (project team). The policy should demonstrate your organization (top management)'s commitment to protection of the environment which is not only intended to prevent adverse environmental impacts through prevention of pollution, but to protect the natural environment from harm and degradation arising from the organisation's activities, products and services. The policy must also demonstrate commitment to compliance with legal and other requirements, prevent pollution and continually improve environmental performance.

Environmental Aspects and Impacts Register

The contractor shall determine the aspects related to the scope of work. Aspect is an element of organization's activity, products or services which may interact with the environment and may cause negative or positive impact. While impact – refers to any change on the environment whether adverse or beneficiary. Changes to the environment, either adverse or beneficial, that result wholly or partially from environmental aspects are called environmental impacts. The environmental impact can occur at local, regional and global scales, and also can be direct, indirect or cumulative by nature. The relationship between environmental aspects and environmental impacts is one of cause and effect.

Environmental Management Plan

The contractor must develop an environmental management plan (EMP) specific to the Provision of Civil Maintenance Service at Kriel Power Station for a Period of Three Years. The EMP shall address how activities, which have potential to cause environmental impacts, will be managed during the lifespan of a project. Issues to be addressed may include but are not limited to noise, odour, dust, air quality, water quality, erosion, use of hazardous chemicals as well as waste generated.

Environmental Representative

The contractor must provide an appointment letter signed for the organisation's Environmental representative. The appointment letter shall be signed by the Top Management and the appointed representative. Responsibilities for the representative shall include the following:


- Implementation and maintenance of the Environmental Management System.
- Ensuring the aspects and impacts of the organisation's products, activities and services are determined, documented, communicated, updated and managed in line with applicable compliance obligations
- Ensuring that environmental non-conformances arising from internal assessments and audits are effectively closed through implementing and tracking of corrective and preventive action plans.
- Represent the organisation and participate in environmental management and related forums.
- Undertaking internal assessments and reporting on the results as and when required to ensure that site conditions comply with the ISO 14001:2015 standard requirements, environmental authorisations, permits, licenses, notices and Environmental Management Plan requirements. This includes reporting on the Kriel Power Station EMS Scorecard for contractors

Method Statement

A method statement must be submitted that explains the method that is going to be used to manage certain environmental aspect of the activity. It should clearly explain the step-by-step procedure which will be used execute the task.


QUALITY EVALUATION CRITERIA

Confidential


	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 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
	A.2 Certificate by Approved and Authorized certification authority
	A.3 Certification Authority has Recognized International Accreditation
	A.4 Validity (expiry date) of certificate
OR	
SECTION A : Quality Management System Requirements ISO 9001 (Option 2) Objective evidence of documented QMS that is not certified but complies with ISO9001	A.1 QMS Manual or a document that defines and describes the QMS and its scope or Quality Method statement based on scope
	A.2 Quality Policy Approved by top management
	A.3 Quality Objectives Approved by top management
	A.4 Records required by ISO 9001 standard (List of Records)
	A.5 Control of documented information
	A.6 Documented information for Control of nonconforming outputs
	A.7 Documented information for Nonconformity and Corrective action
	A.8 Documented information for Internal audit
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref QM-58 /240-105658000)	B.1 Documented information for defined roles, responsibilities and authorities
	B.2 Documented information for Control of Externally Provided Processes, Products and Services
	B.3 Latest copy of an internal management system audit report (with Nonconformity, Correction and/ or Corrective Action Reports)
SECTION C : Contract Quality Plan Requirements (Ref QM-58 and 240-109253698)	C.1 Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005) <i>NB : Draft Contract/Project Quality Plan has important QA deliverables</i>
SECTION D : Quality Control Plan Requirements (Ref QM-58 or 240-109253302)	D.1 QCP /Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005 & QM 58) <i>NB: Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/ or previous work done or a template</i>
SECTION E : User defined additional Requirements & miscellaneous (Ref QM-58)	E.1 Form A is completed and signed.
	E.2 Add other requirements (if applicable) as per the scope of work and/or specification

	Authority to submit a tender (returnable schedule)	Template Identifier	240-147753143	Rev	1
		Document Identifier	N/A	Rev	N/A

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			
MPKRI10351GX Revision 1						
		Effective Date	01 November 2012			
		Review Date	July 2022			

Indicate the status of the *tenderer* by ticking the appropriate box hereunder. The *tenderer* must complete the certificate set out below for his category of organisation

OR

alternatively attach a certified copy of a company / organisation document which provides the same information for the relevant category as requested here.


A COMPANY	B CLOSE CORPORATION	C PARTNERSHIP	D JOINT VENTURE	E SOLE PROPRIETOR

A. Certificate for company


I, _____, chairperson of the board of directors of _____, hereby confirm that by resolution of the board taken on _____ (date), Mr/Ms _____, acting in the capacity of _____, was authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company.

Signed:	Date:
Name:	Position: (Chairman of the Board of Directors)

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

	Authority to submit a tender (returnable schedule)	Template Identifier	240-147753143	Rev	1
		Document Identifier	N/A	Rev	N/A
		Effective Date	01 November 2012		
		Review Date	July 2022		

B. Certificate for close corporation

I, _____, member of _____, hereby confirm that by majority vote of the members taken on _____ (date), Mr/Ms _____, acting in the capacity of _____, was authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company.

Signed:	Date:
Name:	Position: (Member)


C. Certificate for partnership

We, the undersigned, being the key partners in the business trading as _____ hereby authorise Mr/Ms _____, acting in the capacity of _____, to sign all documents in connection with the tender offer for Contract _____ and any contract resulting from it on our behalf.


Name	Address	Signature	Date

NOTE: This certificate is to be completed and signed by the full number of Partners necessary to commit the Partnership. Attach additional pages if more space is required.

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

	Authority to submit a tender (returnable schedule)	Template Identifier	240-147753143	Rev	1	
		Document Identifier	N/A	Rev	N/A	
		Effective Date	01 November 2012			
		Review Date	July 2022			

D. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise


Mr/Ms _____, an authorised signatory of the company _____, acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract _____ and any contract resulting from it on our behalf.

This authorisation is evidenced by the attached power of attorney signed by legally authorised signatories of all the partners to the Joint Venture.


Furthermore 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.

Name of firm	Address	Authorising signature, name and capacity
Lead partner		

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1


	Authority to submit a tender (returnable schedule)	Template Identifier	240-147753143	Rev	1
		Document Identifier	N/A	Rev	N/A
		Effective Date	01 November 2012		
		Review Date	July 2022		

E. Certificate for sole proprietor

I, _____, hereby confirm that I am the sole owner of the business trading as _____.

Signed:	Date:
Name:	Position: (Sole Proprietor)

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			


MPKRI10351GX Revision 1

SBD1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	MPKRI10351GX	CLOSING DATE:		CLOSING TIME:	10h00
DESCRIPTION	The construction of four temporary hazardous waste storage facilities within Kriel Power Station for a period of 9 months				
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 :					
ESKOM TENDER BOX, GROUND FLOOR, NO. 10 SMUTS AVENUE, WITBANK / EMALAHLENI, MPUMALANGA					
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	
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:			

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1


[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]

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			

PART B TERMS AND CONDITIONS FOR BIDDING

- | |
|---|
| 1. BID SUBMISSION: |
| <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. 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.</p> <p>1.4. 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.</p> <p>1.5. 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.</p> |
| 2. TAX COMPLIANCE REQUIREMENTS |
| <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY</p> |

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

- SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 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.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS


- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. 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.

SIGNATURE OF BIDDER	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Proof of authority must be submitted e.g. company resolution / letter of authority to submit this tender)	
DATE:	

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

ANNEXURE A

ACKNOWLEDGEMENT FORM Acknowledgement:

We are in receipt of the Invitation to Tender/Proposal 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 / RFP 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. MPKRI10351GX

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

Name of company/JV: _____

Country of registration _____

Name of contact person: _____

Contact details of contact person:


Tel (landline) _____

Cell phone _____

e-mail address _____



Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

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 (do not leave blank): **(ALL ENTITIES)**

Name of lead partner, <u>or</u>	
Member in case of JV	
CIPC Registration Number (for each individual company <u>or</u> JV member)	
VAT registration number (for each individual company or JV member)	
CIDB registration number (for each individual company <u>or</u> JV member if applicable)	
Shareholding information (for each individual company <u>or</u> JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entity shareholders (provide full legal/trading name and respective identifying registration/trust numbers)	<i>Include as separate tender returnable if required.</i>
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).

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

Name of contractor	
CIPC Registration number	
VAT registration number	
CIDB Registration number (if applicable)	
Shareholding organogram/breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	
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) , provide your supplier registration number with Treasury	
3	If you are registered on SARS E-filing system, please provide your pin number in order to verify your tax compliant status	

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			


MPKRI10351GX Revision 1

4	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.
5	You may register online at National Treasury website on www.treasury.gov.za
6	Alternatively, you may contact for assistance (Eskom Vendor Management): Maluta Mukwevho, tel 013 693 2520, Maluta.mukwevho@eskom.co.za

7	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 E-filing 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 complete 8.1- 8.9		
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		
8.4	Is the said sub-contractor registered on CSD?		
		YES	
		NO	
8.5	If yes to 8.4, please provide CSD number		
8.6	Please confirm B-BBEE level of said sub-contractor		
8.7	<ul style="list-style-type: none"> • Which designated group does the sub-contractor belong to:- a. Black people b. Black people who are youth c. Black people who are women d. Black people with disabilities e. Black people living in rural or underdeveloped areas or townships f. Cooperatives which are 51% owned by Black people g. Black people who are military veterans 		
	If Eskom decides to apply the sub-contracting provision as specified in Regulation 4(c) all tenders above the prescribed maximum threshold for quotations must be advertised through an open competitive bidding process		

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

	subject to potential tenderers meeting the percentage minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises					
8.8	Please confirm that you have attached your signed intent to sub-contract document.	<table border="1"> <tr> <td>YES</td> <td></td> </tr> <tr> <td>NO</td> <td></td> </tr> </table>	YES		NO	
YES						
NO						
8.9	Have you attached proof of sub-contractor's belonging to designated group	<table border="1"> <tr> <td>YES</td> <td></td> </tr> <tr> <td>NO</td> <td></td> </tr> </table>	YES		NO	
YES						
NO						

A. 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)

Signed:	Date:
Name:	Designation:

B. Joint Ventures

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

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

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

ANNEXURE C


INTEGRITY DECLARATION FORM

1. 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:-

- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
- the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
- 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:-
 - an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
 - or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 - 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
 - **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”
- 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;

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

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

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.

_____ **(Yes / No)**

2 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)**.

_____ **(Yes / No)** 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 will be disqualified if the tenderer/s, or any of its directors have:

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

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


Confidential

Document Identifier	240-114238630	Rev	11
Effective Date	18 February 2022		
Review Date	February 2025		

Item	Question	Yes	No
1.1	<p>Is the <i>tenderer/s (or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector, or 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 Database of Restricted Suppliers and the Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).</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>		
1.2	<p>Is the <i>tenderer/s (or any of its directors / members / shareholders)</i> 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 <i>tenderer/s (or any of its directors/members/shareholders)</i> 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	<p>Provide details.</p>		
1.4	<p>Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution</p>		
1.5	<p>Is there any history/record of the <i>tenderer/s (or any of its directors/members/shareholders)</i> failing to meet their contractual obligation with any SOC?</p>		

I, the undersigned, _____ 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 _____

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

(insert the full legal name of the 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 this declaration prove to be false.

Signature:	
Designation and capacity in which signing:	
Date:	

Joint Ventures

I, the undersigned, _____ 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)

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 this declaration prove to be false.

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).

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

CONFIRMATION OF EMPLOYMENT EQUITY

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)

Are you currently employing more than 50 employees?

<i>(indicate with a tick)</i>	
Yes	No

If you employ **more than 50 employees** proof of submission of the Employment Equity report to the Department of Labour (South African *tenderers* only) is required and must be attached here.

Signed


Date

Name

Position

tenderer

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

Note: Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits are valid to benefit from the BBEE points allocation. If not valid or not submitted a zero score will apply.

Annexure H

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 90/10 preference point system shall be applicable; or
- b) depending on the offers received, either the 80/20 or 90/10 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.


1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			


MPKRI10351GX Revision 1

required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?
(Tick applicable box)

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

7.1.1 If yes, indicate:

i)	What percentage of the contract will be subcontracted	%
ii)	The name of the sub-contractor	
iii)	The B-BBEE status level of the sub-contractor	

i) Whether the sub-contractor is an EME or QSE
(Tick applicable box)

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

ii) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....


8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....

8.6 COMPANY CLASSIFICATION

(TICK APPLICABLE BOX)


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

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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
 - (e) forward the matter for criminal prosecution.


Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

WITNESSES	SIGNATURE(S) OF BIDDERS(S)
1.	
2.	Date: Address:

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

ANNEXURE F1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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


Where

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

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

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

Confidential

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2025		

MPKRI10351GX Revision 1

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

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

IN RESPECT OF BID NO. MPKRI10351GX

ISSUED BY:

Eskom Holdings SOC Ltd, Kriel Power Station


NB

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

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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula

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	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11	
		Effective Date	18 February 2022			
		Review Date	February 2025			

MPKRI10351GX Revision 1

given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____ **DATE:** _____

WITNESS No. 1 _____ **DATE:** _____


WITNESS No. 2 _____ **DATE:** _____

Annexure F2 - Local content Declaration-Summary Schedule (Annexure C)

Annexure F3 - Imports Declaration-Supporting schedule to Annex C (Annexure D)

Annexure F4 - Local Content Declaration-Supporting Schedule to Annex C (Annexure E)

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MPKRI10351GX

SUPPLIER DEVELOPMENT LOCALISATION & INDUSTRIALISATION UNDERTAKING

It is proposed for tenderers to make undertakings to advance designated groups through local content, subcontracting and skills development commitments relevant to this tender MPKRI10351GX. It is preferred that this form be completed to indicate your acceptance/proposal.

Eskom reserves the right to negotiate with the tenderer on these requirements and will become a contractual obligation.

The contractor will be required to maintain or improve their B-BBEE Recognition Level for the duration of the contract.

SDL&I Penalty (contractual obligation)

- Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.
- For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon fulfilment of all SDL&I obligations at the end of the contract.
- Alternatively the Contractor shall submit a bond equivalent to 2.5% of the Contract Value and shall only be released to the Contractor upon fulfilment of all SDL&I Obligations


SDL&I Reporting & Monitoring (contractual obligation)

- The suppliers shall on a monthly/quarterly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- Eskom shall review the SDL&I reports submitted by the suppliers within 60 (sixty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.
- Every contract shall be accompanied by the SDL&I Implementation Schedule which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring and reporting on the supplier's progress in delivering on their stated SDL&I commitments.

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MPKRI10351GX

a) DESIGNATED MATERIAL LOCAL CONTENT

Threshold for local manufacturing:

<i>Material</i>	<i>Threshold %</i>	<i>Dti compliant or dti exempt letter</i>
Steel	100%	

b) SKILLS DEVELOPMENT

CIDB mandatory requirement training: 0.25% of the Construction Skills Development Goal % (CSDG): Structural Steel Works will be proposed

Tenderer proposal:

c) CORPORATE SOCIAL INVESTMENT (CSI)

It is expected for the tenderer to participate in a contribution to the Kriel area local community initiative per invoice value.

Criteria	Eskom Target	Tenderer acceptance
CSI	1.5% per invoice value	


No money will be exchanged. In co-operation with the relevant Kriel Committee, the contractor will be approached to contribute the CSI value at the time towards a project on the identified list. The contractor will be directly involved.

Name & Signature:	Date:
	Designation:
Name of tendering company:	

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MPKRI10351GX

DEPARTMENT OF TRADE AND INDUSTRY FOR LOCAL CONTENT GUIDANCE

The forms are separate documents and not included in the invitation document

Declaration Form D	Complete 1st	To be kept by tenderer for verification purposes for 5 years	Keep on record
Declaration Form E	Complete 2nd		
Annexure C Declaration Certificate Local Content Summary (F2)	Consolidate the above Form D & E information on this form	Submit with tender at tender closing	Submit with tender
Form SBD 6.2 Declaration Certificate Local Content Form (F1)	Complete	Submit with tender at tender closing	

The successful bidder is required to continuously update Declarations C, D and E with the actual values of the expenditure for the duration of the contract.

Dti Exempt letter	It will only be required to submit exemption from dti where the mentioned Steel is not meeting 100% local content	Submit with tender at tender closing IF APPLICABLE	If product(s) is 100% local content there is no need to apply and submit
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