

	Supplier Development, Localisation and Industrialisation (SDL&I) Strategy	Template Identifier	240-43921804	Rev	6
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Section 1: Specific Goals

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

Allocation of preference points (20/10) on the basis of Section 2(1)(d)(i) –

contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability) as follows:

Classification	90/10	80/20
Black Disabled Female	10	20
Black Women Owned / Black Disabled	8	15
Black Youth Owned	5	10
Black Owned	3	5

Table 1 HDI Classification

Under this approach, HDIs are given a head start over other groups through preference. Also, this approach seeks to address concerns that have been raised that some HDIs (particularly Black Males) are prioritised over other HDIs in the allocation of contracts as reflected by the statistics. Items classified as Implementing Reconstruction and Development Programme (RDP) goals will continue to be categorised as either objective criteria or contractual conditions (similar to the treatment of SHEQ and financial analysis).

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

- Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit
- Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown.
- Certified ID copies of shareholder(s).
- Proof of Disability (where applicable).

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

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

Section 2: Objective Criteria

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

1. Designated Local Content and Production

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

YES	NO
☐	☒

Please indicate below Designated Components:

Commodity	Components	Local Content Threshold
Not applicable		

NOTE 1: Tender Returnable:

- The Declaration Certificate for Local Production and Content (SBD 6.2)
- Annexure C (Local Content Declaration: Summary Schedule),
- Annexure D (Imported Content Declaration - Supporting Schedule to Annex C)
- Annexure E (Local Content Declaration - Supporting Schedule to Annex C)

The above MUST be completed, duly signed and submitted by the bidder.

NOTE 2: Application for exemptions:

If the required input materials cannot be wholly sourced from South Africa, bidders should request and obtain a written exemption letter from the DTIC. The exemption letter should then be submitted, and approvals obtained prior to the closure of the bid(s). The DTIC together with the

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procuring organ of state and the winning bidder will consider the exemption on a case-by-case basis.

2.2. **Mandatory Subcontracting as condition of award (Not applicable)**

Tenderers shall subcontract a minimum of 30% of the contract value to the following designated groups:

- an EME or QSE which is 51% owned by black people living in rural or underdeveloped area or townships.

NOTE 2: Tenderers shall submit the following mandatory returnable for Subcontracting:

- Subcontracting agreement signed by both with subcontractors' company registration documents (CK and B-BBEE certificate or sworn affidavit) or
- Copies of sub-contracting contracts (agreements) or copies of letters from the tenderer to the sub-contractors, stating the intent to sub-contract. The Tenderer should sign both documents and the Sub-contractor(s) earmarked.

Potential scope to be subcontracted and/or outsourced:

Not applicable

2.3. **National Industrial Participation Programme**

Eskom will implement the NIPP requirement, which determines that the contractor/supplier must contact the Department of Trade, Industry and Competition (DTIC) to arrange for support and development of local businesses. Eskom is required to inform the tenderers of this requirement. NIPP will only be applicable for contracts with an FGN component or content of USD 5 million or more.

The following narrative must be captured in all tenders that have import/foreign content equal to or in excess of USD 5 million:

“NIPP is a programme that seeks to leverage economic benefits and support the development of South African industry by effectively utilising the instrument of government procurement. The NIPP programme is mandatory for all government and parastatal purchases or lease contracts (goods and services) with an imported content equal to or exceeding USD 5 million.

“The programme targets South African and foreign industries, enterprises, and suppliers of goods and services to government/parastatals, where the imported content of such goods and services equals to or exceeds USD 5 million. The first customer of NIPP is the South African industry that benefits through the NIPP business plans, which, when implemented, generate new or additional business activities through one or more of the following: investment, export opportunities, job creation, increased local sales, SMME and BEE promotion, R&D, and technology transfer.

“Companies with an NIPP obligation must sign this obligation agreement with the Department of Trade, Industry and Competition (dtic) before the contract with Eskom Holdings SOC Ltd, as a purchasing entity,

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is signed. The obligation agreement governs the relationship between the dtic and the supplier. It defines the NIPP obligation value(s), requirements to fulfil the NIPP obligation, performance milestones, performance monitoring processes, and the NIPP credit allocation criteria.

“All tenders with an import content that is equal to or exceeds the threshold of USD 5 million compels the winning bidder to negotiate and enter into a NIPP obligation agreement with the DTIC before signing the contract with Eskom.

YES	NO
☐	☒

If Yes, fill in the table below:

Bid / Enquiry Number	
Description of the goods	
Date on the letter of intent to award the contract;	

2.4 CIDB Skills Development

Is there CIDB compulsory training?

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

YES	NO
☐	☒

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

Criteria	Eskom Target	Tenderer Commitment
CSDG Percentage	Not applicable	
Description	Not applicable	

Section 3: SDL&I Undertaking

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

Note: The undertakings shall be sourced from previously disadvantaged Communities around Sedibeng and Fezile Dabi District Municipalities.

3.1. B-BBEE Requirements

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

3.2. Local Procurement Content

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Tenderers will stipulate local procurement content for the works.

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

Local Procurement Content	Eskom Target	Tenderer Proposal
	100%	

3.3 Enterprise Development

Are there specific ED requirements that are not achievable through Sub-contracting?

YES	NO
☒	☐

If Yes, the main contractor is required propose development in the following areas or against the following Eskom's targets:

Eskom's Target	Tenderer Proposal
The bidder to identify and incubate a Small Measured Entity from the above-mentioned District Municipalities. Assistance could be in the form of business support/ equipment/finance .	

A detailed ED plan that shows impact to the beneficiary should be submitted to the employer for approval prior to contract award. The ED implementation plan should include the following:

- ☐ Clear objective.
- ☐ Priority interventions
- ☐ Key performance indicators; and
- ☐ A concise implementation plan with clearly articulated milestones

In addition, they will expected to draft an ED proposal within eight weeks of contract award stage. ED agreement must be signed with the beneficiary and sent to Eskom for review and acceptance. Progress will be monitored throughout the duration of the contract.

3.4. Job Opportunities

Tenderer to indicate number of Jobs to be created and/or retained from this contract;

Number of Jobs to be created	Number of Jobs to be retained

Local pool criteria:

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Type of jobs	Target set (local-to-site)	Suppliers Proposal
General workers	100%	
Semi-skilled	70%	
Skilled	30%	

Section 4: Market Research

The following information demonstrates market analysis and assists in arriving at the targets above.	
There are sufficient suppliers within South Africa with experience to execute the works.	
Below are suppliers that tendered on similar scope previously,	

Section 5: SD&L Penalty

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.

Section 6: Reporting and Monitoring

- The suppliers shall on a 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 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met. - Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked. - Every contract shall be accompanied by the SDL&I Implementation Schedule, which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring and reporting on the supplier's progress in delivering on their stated SDL&I commitments
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Section 7: General Information on Validity of Sworn Affidavits

The following must be considered when it comes to validity of Affidavits;
- EME'S valid sworn affidavit (DTI template) must be submitted and attested / signed by a Commissioner of Oaths; - SE's valid sworn affidavit (DTI template) must be submitted and attested / signed by a Commissioner of Oaths OR B-BBEE certificate from SANAS approved agency - Joint Ventures can only submit a Consolidated, Valid and Certified Copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agency specific for this

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- ✚ Affidavit must be completed in full (i.e. Full financial year-end dates (day, month, year), ownership percentages and contribution level and signed off).
- ✚ Deponent and Commissioners date must be the same.
- ✚ Affidavits on Accountants/Auditors letterheads will not be accepted.
- ✚ Affidavits signed by Accountants/Auditors will not be accepted.
- ✚ Only Sworn Affidavit for EMEs coming from DTI/CIPC and B- BBEE Certificates (SANAS Accredited) will be accepted.
- ✚ Sworn Affidavits attested / signed by a Commissioner of Oaths with true copy of the original stamp will not be accepted

Compiled by:

.....

Candy Mhlahlo
Officer: SDL&I

Date:

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