	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR


The Manufacture, Supply and Delivery of estimated quantities of Personal Protective Equipment – (Workwear) on an “as and when” required basis to various sites located in Distribution - Central East Cluster (Kwa-Zulu Natal and Free State Operating Units) for a period of three (3) years.

Rates Based Contract - Pricing to be inclusive of Transportation/Delivery

Tender number	KZN092
Issue date	17 July 2023
Closing date and time	10 August 2023, 10h00 AM
Tender validity period	90 days from the closing date and time
Clarification meeting	<p>A non-compulsory “Online Clarification Meeting” on Microsoft Teams with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: 25 July 2023 Time: 11h30 AM Venue: Online via Microsoft Teams</p> <p>Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 322 374 374 137 Passcode: pcXa9V Download Teams Join on the web Or call in (audio only) +27 21 834 0825,,25922457#</p> <p>Presentations by various Subject Matter Experts will be presented, to assist tenderers in complying and understanding Eskom’s tender requirements in order for tenderers to submit a responsive tender. Although this will not be a compulsory clarification meeting, tenderers are encouraged to attend to ensure that they are able to submit responsive tenders.</p>

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Tenders are to be delivered to the following address on the stipulated closing date and time:	The Tender Office Commercial Building 25 Valley View Road New Germany 3620
------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------

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		Effective Date	February 2023		
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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the Manufacture, Supply and Delivery of estimated quantities of Personal Protective Equipment – (Workwear) on an “as and when” required basis to various sites located in Distribution - Central East Cluster (Kwa-Zulu Natal and Free State Operating Units) for a period of three (3) years. The enquiry documents are supplied to you on the following basis:

- Free of charge

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

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

Yours faithfully



Procurement Manager (Acting)


(KZN CEC5049)

Thandi Xaba

Date: 17 July 2023

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

Number	Description	Annexure attached	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form	Annexure C	Y
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Y
1.1.5	SBD 6.2- Declaration Certificate for Local Production and Local Content. Annexure C-Local Content Declaration-Summary Schedule	Annexure F1 Annexure F2	Y SDL&I Tender Pack
1.1.6	*SBD 1 -Invitation to Bid must be filled out by all tenderers	Annexure G	Y
1.1.7	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Y
1.1.8	*SBD 4 – Bidders Disclosure	Annexure I	Y
1.1.9	Supplier Development & Localisation (SDL&I) Undertaking (if applicable)	To be obtained in the SDL&I tender pack.	SDL&I Tender Pack

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

Clause Number from Standard Conditions of Tender	Tender Data																										
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Thabile Sibiya Tel: +2731 710 5396 E-mail: Sibiyath@eskom.co.za</p>																										
1.3 Enquiry documents	<p>The Invitation to tender number is : KZN092</p> <p>All relevant documentation for this Tender will be published on: 1. Eskom’s Tender Bulletin 2. National Treasury e-Tender Portal</p> <p>The tender information on the tender portals are uploaded in folders as follows:</p> <ul style="list-style-type: none"> ▪ COMMERCIAL & FINANCIAL ▪ SAFETY AND QUALITY ▪ SUPPLIER DEVELOPMENT LOCALISATION & INDUSTRIALISATION ▪ TECHNICAL ▪ CLARIFICATION QUERIES/ADDENDUM AND RESPONSES <p>It is the responsibility of the tendering party to ensure that the required documentation is downloaded from the National Treasury e-tender portal as well as the Eskom tender bulletin.</p>																										
1.4 Type of Invitation to Tender	<p>This invitation to tender is:</p> <ol style="list-style-type: none"> 1. An open Invitation to tender 																										
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole/parts of the contract.</p> <table border="1"> <thead> <tr> <th>Category</th><th>Description of PPE</th></tr> </thead> <tbody> <tr> <td>Category 1</td><td>SOFT BUSH HATS</td></tr> <tr> <td>Category 2</td><td>SOCKS</td></tr> <tr> <td>Category 3</td><td>OVERALLS (1 & 2 PIECE)</td></tr> <tr> <td>Category 4</td><td>TROUSERS – MEN’S /LADIES LONG PANTS</td></tr> <tr> <td>Category 5</td><td>SHIRTS – MEN’S /LADIES</td></tr> <tr> <td rowspan="3">Category 6</td><td>OPERATING JACKETS</td></tr> <tr> <td>OPERATING JACKETS ACIDS AND ALKALI</td></tr> <tr> <td>THERMAL JACKETS</td></tr> <tr> <td>Category 7</td><td>APRONS</td></tr> <tr> <td>Category 8</td><td>RAIN SUITS</td></tr> <tr> <td>Category 9</td><td>FREEZER SUITS</td></tr> <tr> <td>Category 10</td><td>DUSK COATS</td></tr> <tr> <td>Category 11</td><td>REFLECTIVE VESTS AND BIBS</td></tr> </tbody> </table> <ul style="list-style-type: none"> ▪ The various items per category is found in the Price Schedule in the NEC Supply Contract. ▪ Tenderers may tender for all categories or part of the categories. ▪ The Price Schedule is made up of eleven (11) categories. It is envisaged that two (2) suppliers will be appointed for each category. 	Category	Description of PPE	Category 1	SOFT BUSH HATS	Category 2	SOCKS	Category 3	OVERALLS (1 & 2 PIECE)	Category 4	TROUSERS – MEN’S /LADIES LONG PANTS	Category 5	SHIRTS – MEN’S /LADIES	Category 6	OPERATING JACKETS	OPERATING JACKETS ACIDS AND ALKALI	THERMAL JACKETS	Category 7	APRONS	Category 8	RAIN SUITS	Category 9	FREEZER SUITS	Category 10	DUSK COATS	Category 11	REFLECTIVE VESTS AND BIBS
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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a [tender] if</p> <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. • Tenderers submit more than one [tender al] 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] 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 PPPFA Regulations • 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 <i>Tender</i> submission is:</p> <p>Date 10 August 2023 Time 10h00 AM</p> <p>Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p>

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		Effective Date	February 2023		
		Review Date	February 2028		

	<p>THE TENDER OFFICE Commercial Building Eskom New Germany Complex, 25 Valley View Road, New Germany, 3620</p> <p>NB: The onus is upon the tenderer to ensure that their tender reach the Tender Office on or prior to the due date and time when making use of the post or courier services</p> <p>NB: Eskom employees are not permitted to deposit a tender into the Eskom tender box on behalf of a tenderer</p> <p>If your document is too big to fit into the tender box, the documents can be submitted to an Eskom Tender Office Official at the Eskom Tender Office, during the following times:</p> <p>Monday – Friday: 07H30 – 16H00 prior to tender closing. No tender documents will be accepted after the stipulated tender closing date and time</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as one (1) complete original tender, plus one (1) complete hard copy of the original tender at tender submission deadline.</p> <p>Where a Tenderer does not submit one (1) complete original tender, plus one (1) complete hard copy of the original tender, the tenderer will be disqualified.</p>
2.13 Tender Validity Period	The tender validity period is 90 days from the closing date and time.
2.16 Site/clarification meetings	<p>A non-compulsory clarification meeting with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: 25 July 2023 Time: 11h30 AM Venue: Online via Microsoft Teams</p> <p>It is to be noted that this is a non-compulsory clarification meeting and suppliers who do not attend the meeting will not be disqualified and may submit a tender.</p>
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is five (5) working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are not allowed.
2.25 Conditions of contract	The conditions of contract will be the NEC3 Supply Contract

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		Effective Date	February 2023		
		Review Date	February 2028		

3.4 Opening of tenders	There will not be a Public Tender Opening.
3.5 Prices to be read out	Prices will not be read out.
3.9 Basic Compliance	<p>Basic compliance comprises of Returnables required at Tender closing – The following returnables are required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnables are not fully completed, and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</p> <ul style="list-style-type: none"> • Integrity Declaration Form (Annexure C) - Fully completed and signed form must be filled out by all tenderers and submitted with the tender at tender submission deadline. • SBD 1 - Invitation to Bid (Annexure G) - must be filled out by all tenderers and submitted with the tender at tender submission deadline • SBD 4 – Bidders Disclosure – (Annexure I) - Fully completed and signed Bidders Disclosure Document must be filled out by all tenderers and submitted with the tender at tender submission.
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p> <p>Returnables required at Tender closing – The following returnables are required to be fully completed, signed and submitted with the tender at Tender closing date and time. If not fully completed, signed and/or submitted by tender closing date, the tender will be disqualified.</p> <ul style="list-style-type: none"> ▪ The tenderer must submit one (1) complete original tender, plus one (1) complete hard copy of the original tender. ▪ Tenderer to be registered on the National Treasury Central Supplier Database (CSD) and provision of the MAAA number. ▪ Completed and signed NEC contract document together with pricing schedule and contract data.
3.11 Pre-qualification criteria	Pre-qualification criteria are not applicable
3.12 Designated materials and thresholds	<p>Designated material threshold is applicable</p> <p>In accordance with National Treasury Instruction only locally produced</p>

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goods or locally manufactured Textile, Clothing, Leather and Footwear from local raw material or input will be considered. The stipulated minimum threshold percentages for local raw material production and content for the Textile, Clothing, Leather and Footwear sector is 100%.

Commodity	Components	Local Content Threshold
Overall, art 1pc Blue D59 (Various)	Textile, Clothing, Leather and Footwear	100%
Overall, art 1pc Acids & Alkali D59 (Various)		
Trousers, Men's Long Pants (Various)		
Trousers, Ladies Long Pants (Various)		
Jacket, Operating Blue (Various)		
Jacket, Acids & Alkali (Various)		
Jacket, Thermal (Various)		
Shirt, Men's L/S Shirts T006 (Various)		
Shirt, Ladies S/S T006 (Various)		

- Tenderers need to complete and submit SBD 6.2 Declaration Form (F1) and Annex (F2) (Local Content Declaration-Summary Schedule) which are mandatory at contract award.
- If the raw material or input to be used for a specific item is not available locally, bidders should obtain written exemption from **the DTIC** should there be a need to import such raw material or input;
- If the quantity of materials and/or products required cannot be wholly sourced from South African based manufacturers and/or at the designated local content threshold at any particular time, bidders should obtain written exemption from **the DTIC** to supply the remaining portion at a lower local content threshold.
- A copy of the exemption letter must be submitted together with the bid document which is mandatory for contract award.


The DTIC has appointed SABS as the official verification agency for local content in terms of designated products.

A tender that fails to meet the stipulated threshold of 100% for local production and content will be disqualified.

3.13 Functionality requirements	Functionality requirements are applicable.
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		Effective Date	February 2023		
		Review Date	February 2028		

Functionality - Technical

The technical evaluation criteria comprises of 2 phases:

Phase 1 – Desktop Evaluation


- Bidders are required to submit the mandatory returnables as per the criteria set out in (Annexure A).
 - A 'Yes/No' criteria will be utilized, to determine whether the requirements are met or not.
 - Mandatory criteria are must-meet criteria and therefore if the returnable is not contained within the submission or is non-compliant to the stipulated criteria then a result of "NO" will be allocated.
 - An assessment outcome of 'No' against any criterion shall disqualify tenderer and therefore no further evaluation shall be conducted.
 - No scores will be allocated during the evaluation of the technical mandatory returnables.

Annexure A - Mandatory Criteria and Returnable

	Criteria	Returnable
1	Letter of support and sourcing	<p>For Manufacturers only:</p> <ul style="list-style-type: none"> A letter of undertaking from the manufacturer, confirming that they will be able to supply all the PPE products as tendered for the duration of the contract. <p>Note:</p> <p>The letter must be on the manufacturer's letter head and should be signed by the authorised company representative with contact details.</p> <p>For Redistributors only:</p> <ul style="list-style-type: none"> A letter of agreement signed by both parties, confirming that they will be sourcing their products from that Manufacturer for the duration of the contract. <p>Note:</p> <ul style="list-style-type: none"> The letter must be on the manufacturer's letter head and should be signed by both parties with contact details. If the products are to be sourced from 3 different manufacturers, therefore, 3

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		Effective Date	February 2023		
		Review Date	February 2028		

			signed letters of agreements should be in the submission document.
	2	Capacity for the transportation and delivery of PPE to the various sites in KZN & Free State.	<p><u>Can be owned</u></p> <ul style="list-style-type: none"> Vehicles indicated as Owned will need to be substantiated by providing the Vehicle Owner's information and registration papers.
			<p><u>Can be rented for deliveries</u></p> <ul style="list-style-type: none"> Tenderers are required to submit a letter (letterhead) from any bona fide vehicle rental company confirming the intention to make use of the rental service for the duration of the contract. The hiring letter shall be signed by the hiring company representative.
			<p><u>Utilisation of courier companies:</u></p> <ul style="list-style-type: none"> Tenderers are required to submit a letter from any bona fide service provider (letterhead of the preferred courier company) confirming the intention to make use of the courier service to deliver to all the sites for the duration of the contract. The courier letter shall be signed by courier company representative.
	3	Experience	<p>Tenderers are required to submit reference letters for the services of supplying PPE. The letter should be on the company's letterhead and should at a minimum contain the following:</p> <ul style="list-style-type: none"> The name of the organization The services rendered and time frame Total contract value or accumulative purchase orders Contact details of the company representative that the goods were supplied to.
<p>2. The evaluation will be per category. This means that the bidder has to supply all the PPE in a category to be considered for that category.</p> <ul style="list-style-type: none"> Bidders are required complete and return the PPE category document as per attached (Annexure B) confirming the category of PPE the bidder can be able to supply. The bidder is required to confirm by placing an (x) on each product line for that particular category. If the bidder cannot supply all the products in a particular category, that category will not be evaluated in the second phase. 			

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- The non-submission of Annexure B, clearly indicating the category of PPE that will be supplied, will be disqualified from further evaluation.

Failure to submit the requirements in Annexure A and the completion and submission of Annexure B will result in disqualification and shall not progress to Phase 2.

Phase 2 – Site Sample Evaluation.

- Phase 2 is a site sample evaluation where selective items will identified and evaluated.
- Tenderers are required to prepare the various samples as per attached Annexure C.

Annexure C - The full and complete Annexure C is attached.

	Criteria	Weight
1	Confirming stitching, on material as per standard 240-44175132 Rev2	21%
2	Confirming material type and colouring	14%
3	Confirming that it is made according to specifications (Male / Female sizes as per SABS standard)	18%
4	Confirming the labelling of each item that must have the size and specifications of how to handle material and what material type it is (Included SABS standard tag).	20%
5	Personal protective clothing to be fitted with reflective as per standard where applicable	2%
6	Logo and branding compliance to the Eskom Specification.	28%
	Total	100%

Score cards

The company is disqualified	0 - 89%	FAILED
The company completely complies with spec and are qualified for this PPE technical only	90 – 100%	PASS

Tenderers who do not meet the threshold of 90% for functionality scoring will be disqualified and not be evaluated further.

Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further.


3.15 Evaluation of price

Prices will be evaluated as follows:

- Inclusive of VAT

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		Review Date	February 2028		

	<ul style="list-style-type: none">• Making the specified correction for arithmetical errors• Excluding contingencies in any bill of quantities or activity schedule. <p>Prices will be scored out of 80 or 90 points</p>																														
3.17 Evaluation of B-BBEE	<p>Specific goals will be scored out of 20 points in accordance with PPPFA. If a tenderer fails to meet Specific goals and submit proof, the tenderer will not be disqualified. However, be awarded 80points for price and will score 0 points for Specific goals (out of 20)</p> <table border="1"><thead><tr><th>B-BBEE Level of Contributor</th><th>Number of points (80/20) system</th><th>Number of points (90/10) system</th></tr></thead><tbody><tr><td>1</td><td>20</td><td>10</td></tr><tr><td>2</td><td>18</td><td>9</td></tr><tr><td>3</td><td>14</td><td>6</td></tr><tr><td>4</td><td>12</td><td>5</td></tr><tr><td>5</td><td>8</td><td>4</td></tr><tr><td>6</td><td>6</td><td>3</td></tr><tr><td>7</td><td>4</td><td>2</td></tr><tr><td>8</td><td>2</td><td>1</td></tr><tr><td>Non-compliant contributor</td><td>0</td><td>0</td></tr></tbody></table> <p>NB: The following documents are required to claim preference points:</p> <ul style="list-style-type: none">• Valid BBBEE certificate issued by a SANAS accredited verification agency or a valid sworn affidavit or a valid BBBEE Certificate issued by CIPC for EME companies <p><u>NB: Supporting documents may be requested during evaluation (This list is not exhaustive):</u></p> <ul style="list-style-type: none">• Proof of ownership / shareholding (CIPC registration documentation) inclusive of shareholding breakdown• ID copies of shareholder(s) or owner(s) of the business• Proof of Disability of owner(s) of the business (where applicable) <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but</p> <ul style="list-style-type: none">• May only score point out of 80/90 for price• Scores 0 points out of 10/20 for specific goals	B-BBEE Level of Contributor	Number of points (80/20) system	Number of points (90/10) system	1	20	10	2	18	9	3	14	6	4	12	5	5	8	4	6	6	3	7	4	2	8	2	1	Non-compliant contributor	0	0
B-BBEE Level of Contributor	Number of points (80/20) system	Number of points (90/10) system																													
1	20	10																													
2	18	9																													
3	14	6																													
4	12	5																													
5	8	4																													
6	6	3																													
7	4	2																													
8	2	1																													
Non-compliant contributor	0	0																													
3.18 Ranking of tenders	Suppliers will be ranked per category by applying the preferential point scoring based on the relevant system as stipulated hereunder]:-																														

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

	<ul style="list-style-type: none">either 80/20 or 90/10 will apply should there be a degree of uncertainty on which PPPFA Point allocation system will apply; the lowest acceptable tender will be used to determine the applicable preference system <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>														
3.19 Objective Criteria (if applicable)	<p>Objective criteria are applicable</p> <p>In accordance with National Treasury Instruction only locally produced goods or locally manufactured Textile, Clothing, Leather and Footwear from local raw material or input will be considered. The stipulated minimum threshold percentages for local raw material production and content for the Textile, Clothing, Leather and Footwear sector is 100%.</p> <table><tr><th>Commodity</th><th>Components</th><th>Local Content Threshold</th></tr><tr><td>Overall, art 1pc Blue D59 (Various)</td><td rowspan="9">Textile, Clothing, Leather and Footwear</td><td rowspan="9">100%</td></tr><tr><td>Overall, art 1pc Acids & Alkali D59 (Various)</td></tr><tr><td>Trousers, Men's Long Pants (Various)</td></tr><tr><td>Trousers, Ladies Long Pants (Various)</td></tr><tr><td>Jacket, Operating Blue (Various)</td></tr><tr><td>Jacket, Acids & Alkali (Various)</td></tr><tr><td>Jacket, Thermal (Various)</td></tr><tr><td>Shirt, Men's L/S Shirts T006 (Various)</td></tr><tr><td>Shirt, Ladies S/S T006 (Various)</td></tr></table> <ul style="list-style-type: none">Tenderers need to complete and submit SBD 6.2 Declaration Form and Annex F2 (Local Content Declaration-Summary Schedule) which are mandatory at contract award.If the raw material or input to be used for a specific item is not available locally, bidders should obtain written exemption from the DTIC should there be a need to import such raw material or input; andIf the quantity of materials and/or products required cannot be wholly sourced from South African based manufacturers and/or at the designated local content threshold at any particular time, bidders should obtain written exemption from the DTIC to supply the remaining portion at a lower local content threshold.A copy of the exemption letter must be submitted together with the bid document which is mandatory for contract award. <p>Please note:-</p>	Commodity	Components	Local Content Threshold	Overall, art 1pc Blue D59 (Various)	Textile, Clothing, Leather and Footwear	100%	Overall, art 1pc Acids & Alkali D59 (Various)	Trousers, Men's Long Pants (Various)	Trousers, Ladies Long Pants (Various)	Jacket, Operating Blue (Various)	Jacket, Acids & Alkali (Various)	Jacket, Thermal (Various)	Shirt, Men's L/S Shirts T006 (Various)	Shirt, Ladies S/S T006 (Various)
Commodity	Components	Local Content Threshold													
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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

	<ul style="list-style-type: none"> • “Eskom reserves the right to award the tender to a supplier who may not be the highest scoring/highest ranked tenderer, in line with Section (2) (1) (f) of the PPPFA; subject to the right to negotiate on the objective criteria with the three highest ranked tenderers respectively before award is made. • Tenderers will be disqualified if they do not comply with the objective criteria.
Contractual Requirements (if applicable)	<p>Tenderers must meet the contractual requirements prior to contract award recommendation.</p> <p>The recommended supplier/suppliers still in the running for this contract will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation they will be advised of their shortcomings and have a maximum period of ten (10) days in which to correct their shortcomings. Failure to correct the shortcomings within the stipulated time period will result in the supplier being deemed unacceptable in terms of their contractual requirements and will not be considered for the contract.</p> <p>Contractual Requirements include the following :</p> <ul style="list-style-type: none"> • Safety and Quality requirements; and • Financial requirements

Please note:

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

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

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


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

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

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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


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

1.3 TENDER RETURNABLES

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

NOTE:

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


** Returnable required at Tender closing. – These returnable are also required to be fully completed, signed (if required on the returnable) and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners must request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender must be disqualified. The 5 working days requirement does not apply to CIDB proof of grading.

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

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
* Mandatory Documentation	* The tenderer must submit one (1) complete original tender, plus one (1) complete hard copy of the original tender.	✓		
	* Tenderer to be registered on the National Treasury Central Supplier Database (CSD) and provision of the MAAA number.	✓		
	* Completed and signed NEC contract document together with pricing schedule and contract data.	✓		
** Basic Compliance	** Annexure C - Integrity Declaration Form (Annexure C) - Fully completed and signed form must be filled out by all tenderers and submitted with the tender at tender submission deadline.		✓	
	** Annexure G - SBD 1 - Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline		✓	
	** Annexure I - SBD 4 – Bidders Disclosure – Fully completed and signed Bidders Disclosure Document must be filled out by all tenderers and submitted with the tender at tender submission.		✓	

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Annexure A	Acknowledgement Form			✓
Annexure B	Tenderers Particulars			✓
Annexure D	CPA for local goods/services			✓
Annexure E	CPA(IG) for imported goods/services (if applicable)			✓
Annexure F1-F4	SBD 6.2 - Declaration certificate for local production and content and Annexures C, D, E			✓
Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			✓
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		✓	
	# proof of compliance to the stipulated Specific goals.			
	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.			✓
# Specific Goals	Failure on the part of the supplier to submit “ proof of specific goals for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.			
Tax Clearance Certificates	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number) . Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			✓
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)			✓
	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)			
Safety				✓

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		Effective Date	February 2023		
		Review Date	February 2028		

	<table><tr><td></td><td>KPI</td><td>Weight</td></tr><tr><td>1)</td><td>Annexure B - Is the acknowledgement form for Eskom's rules and requirements (in Annexure B) signed and submitted by the tenderer? To be signed by CEO and both witnesses</td><td>1</td></tr><tr><td>2)</td><td>Health and Safety Plan <input type="checkbox"/> Incident Management <input type="checkbox"/> SHE Communication <input type="checkbox"/> Emergency Management <input type="checkbox"/> Substance Abuse Management</td><td>1</td></tr><tr><td>3)</td><td>Baseline Risk Assessment - Risk factors and controls to be included to the SHE Plan</td><td>1</td></tr><tr><td>4)</td><td>Valid Letter of Good Standing - Valid and nature of business</td><td>1</td></tr><tr><td>5)</td><td>SHE Policy - Signed and review date</td><td>1</td></tr></table>		KPI	Weight	1)	Annexure B - Is the acknowledgement form for Eskom's rules and requirements (in Annexure B) signed and submitted by the tenderer? To be signed by CEO and both witnesses	1	2)	Health and Safety Plan <input type="checkbox"/> Incident Management <input type="checkbox"/> SHE Communication <input type="checkbox"/> Emergency Management <input type="checkbox"/> Substance Abuse Management	1	3)	Baseline Risk Assessment - Risk factors and controls to be included to the SHE Plan	1	4)	Valid Letter of Good Standing - Valid and nature of business	1	5)	SHE Policy - Signed and review date	1																								
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Quality	<table><tr><td colspan="2">SECTION A: Quality Management System Requirements ISO 9001 (Option 1) Valid certification of Quality Management System by an ISO accredited body</td></tr><tr><td></td><td>Apply = 1</td></tr><tr><td>A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant</td><td>0</td></tr><tr><td>A.2 Certificate by Approved and Authorized certification authority</td><td>0</td></tr><tr><td>A3 Certification Authority has Recognized International Accreditation</td><td>0</td></tr><tr><td>A.4 Validity (expiry date) of certificate</td><td>0</td></tr><tr><td>Section A Score Option 1</td><td>0</td></tr><tr><td>Or</td><td>Apply = 1</td></tr><tr><td>A.1 Quality Method statement based on scope. (Method Statement Template-Ref 240-126469599)</td><td>1</td></tr><tr><td>A.2 Quality Policy Approved by top management.</td><td>1</td></tr><tr><td>A.3 Quality Objectives Approved by top management.</td><td>0</td></tr><tr><td>A.4 Control of documented information (i.e. document and record control)</td><td>1</td></tr><tr><td>A.5 Documented information for Control of nonconforming outputs</td><td>1</td></tr><tr><td>A.6 Documented information for Nonconformity and Corrective action</td><td>0</td></tr><tr><td>A.7 Documented information for Internal audit</td><td>1</td></tr><tr><td>Section A Score Option 2</td><td>5</td></tr><tr><td colspan="2">SECTION B : Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)</td></tr><tr><td></td><td>Apply = 1</td></tr><tr><td>B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)</td><td>1</td></tr></table>	SECTION A: Quality Management System Requirements ISO 9001 (Option 1) Valid certification of Quality Management System by an ISO accredited body			Apply = 1	A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant	0	A.2 Certificate by Approved and Authorized certification authority	0	A3 Certification Authority has Recognized International Accreditation	0	A.4 Validity (expiry date) of certificate	0	Section A Score Option 1	0	Or	Apply = 1	A.1 Quality Method statement based on scope. (Method Statement Template-Ref 240-126469599)	1	A.2 Quality Policy Approved by top management.	1	A.3 Quality Objectives Approved by top management.	0	A.4 Control of documented information (i.e. document and record control)	1	A.5 Documented information for Control of nonconforming outputs	1	A.6 Documented information for Nonconformity and Corrective action	0	A.7 Documented information for Internal audit	1	Section A Score Option 2	5	SECTION B : Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)			Apply = 1	B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)	1				✓
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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
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	<table><tr><td>B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)</td><td>1</td></tr><tr><td>Section B Score</td><td>2</td></tr><tr><td>SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here</td><td></td></tr><tr><td></td><td>Apply = 1</td></tr><tr><td>E.1 Form A is completed and signed.</td><td>1</td></tr><tr><td>Section E Score</td><td>1</td></tr></table> <ul style="list-style-type: none">Form A - to be completed and signed by the supplierSupplier Quality Management Specification (QM58) – to be read and understood.	B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1	Section B Score	2	SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here			Apply = 1	E.1 Form A is completed and signed.	1	Section E Score	1			
B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1															
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E.1 Form A is completed and signed.	1															
Section E Score	1															
SDL & I	<p>SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals</p> <p>Tenderers who complete and submit the objectives as required, but who do not meet Eskom’s targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations</p> <p>1. BBBEE requirements: All tenderers are required at a minimum to maintain their BBBEE status throughout the contract period.</p> <p>2. Local Procurement Content</p> <p>“Local Procurement Content” refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.</p> <p>Tenderers are required to submit their proposals in the table below.</p> <table><tr><td>Local Procurement Content</td><td>Eskom target</td><td>Tenderer Proposal</td></tr><tr><td></td><td>100%</td><td></td></tr></table> <p>3. Procurement spend on entities with a minimum 51% black ownership</p>	Local Procurement Content	Eskom target	Tenderer Proposal		100%										
Local Procurement Content	Eskom target	Tenderer Proposal														
	100%															

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
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The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:

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

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

Procurement from Designated Group	Eskom Target	Tenderer Proposal
Black Owned	4.0%	
Black Women Owned	3.0%	
Black Youth Owned	2.0%	
Black Persons with Disability	1.0%	

Skills Development

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

Skill Type / Occupation	Eskom Target	Proposed Number of Candidates
Quality Inspectors	10	


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

Note:

That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant

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		Effective Date	February 2023		
		Review Date	February 2028		

	<p>SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives.</p> <p>SDL&I Penalty and Performance Security Eskom will apply a penalty of 2.5% of the contract value for failure to meet SDL&I obligations.</p> <p>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:</p> <ul style="list-style-type: none"> • Eskom receives the SDL&I progress report/s from the contractor. • Fulfilment of all SDL&I obligations by the contractor. • Submission of an approved compliance report by SDL&I Department. <p>Reporting and Monitoring</p> <ul style="list-style-type: none"> • The suppliers shall on a yearly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above. • Eskom shall review the SDL&I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met. • Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked. <p>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.</p>			
Due Diligence	<ul style="list-style-type: none"> • Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether: • Whether the AFS were internally or externally prepared. • Whether the company was owner managed or not owner managed. • Latest approved financial statements including comparative amounts. • AFS must be valid and not outdated, received within 18 months after year-end. • A signed director's / member's report. • Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above. 			✓

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

	<ul style="list-style-type: none"> Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted. Approved Annual Financial statements must comprise: <ul style="list-style-type: none"> Statement of financial position (Balance Sheet) Statement of comprehensive income (income statement) Statement of changes in Equity Statement of cash flows Notes to the financial statements ITA 34C Income Tax Assessment for companies that have NOT been audited. The notes to the AFS specifically referring to Accounts Receivable and Accounts Payable must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest. The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest. Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates. Name of Holding company if the company is a subsidiary company. Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage. Information requested from companies via Procurement Office not received within five working days from date of Finance request will result in the financial evaluation being closed. Finance will issue a 1-page report stating that an opinion could not be expressed due to insufficient information. <p>Note:</p> <p>Tenderers may be requested to provide a performance bond if they are deemed financially unacceptable for the full value of the contract.</p> <p>Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted. Soft copies of the AFS submitted with the tender documents may be requested at a later stage.</p>			
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Objective Criteria	Commodity	Components	Local Content Threshold			
	Overall, art 1pc Blue D59 (Various)	Textile, Clothing, Leather and Footwear	100%			
	Overall, art 1pc Acids & Alkali D59 (Various)					
	Trousers, Men's Long Pants (Various)					
	Trousers, Ladies Long Pants (Various)					
	Jacket, Operating Blue (Various)					
	Jacket, Acids & Alkali (Various)					
	Jacket, Thermal (Various)					
	Shirt, Men's L/S Shirts T006 (Various)					
	Shirt, Ladies S/S T006 (Various)					
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA						
Technical (required for functionality scoring)	Phase 1 – Desktop Evaluation 1. Bidders are required to submit the mandatory returnables as per the criteria set out in (Annexure A). <ul style="list-style-type: none">A 'Yes/No' criteria will be utilized, to determine whether the requirements are met or not.Mandatory criteria are must-meet criteria and therefore if the returnable is not contained within the submission or is non-compliant to the stipulated criteria then a result of "NO" will be allocated.An assessment outcome of 'No' against any criterion shall disqualify tenderer and therefore no further evaluation shall be conducted.No scores will be allocated during the evaluation of the technical mandatory returnables.			✓		

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Annexure A - Mandatory Criteria and Returnable					
	Criteria	Returnable			
1	Letter of support and sourcing	<p>For Manufacturers only:</p> <ul style="list-style-type: none"> A letter of undertaking from the manufacturer, confirming that they will be able to supply all the PPE products as tendered for the duration of the contract. <p>Note: The letter must be on the manufacturer's letter head and should be signed by the authorised company representative with contact details.</p> <p>For Redistributors only:</p> <ul style="list-style-type: none"> A letter of agreement signed by both parties, confirming that they will be sourcing their products from that Manufacturer for the duration of the contract. <p>Note:</p> <ul style="list-style-type: none"> The letter must be on the manufacturer's letter head and should be signed by both parties with contact details. If the products are to be sourced from 3 different manufacturers, therefore, 3 signed letters of agreements should be in the submission document. 			
2	Capacity for the transportation and delivery of PPE to the various sites in KZN & Free State.	<p><u>Can be owned</u></p> <ul style="list-style-type: none"> Vehicles indicated as Owned will need to be substantiated by providing the Vehicle Owner's information and registration papers. <p><u>Can be rented for deliveries</u></p> <ul style="list-style-type: none"> Tenderers are required to submit a letter (letterhead) from any bona fide vehicle rental company confirming the intention to make use of the rental service for the duration of the contract. The hiring letter shall be signed by the hiring company representative. 			

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

			Utilisation of courier companies: <ul style="list-style-type: none"> Tenderers are required to submit a letter from any bona fide service provider (letterhead of the preferred courier company) confirming the intention to make use of the courier service to deliver to all the sites for the duration of the contract. The courier letter shall be signed by courier company representative. 			
	3	Experience	<p>Tenderers are required to submit reference letters for the services of supplying PPE. The letter should be on the company's letterhead and should at a minimum contain the following:</p> <ul style="list-style-type: none"> The name of the organization The services rendered and time frame Total contract value or accumulative purchase orders Contact details of the company representative that the goods were supplied to. 			
<p>2. The evaluation will be per category. This means that the bidder has to supply all the PPE in a category to be considered for that category.</p> <ul style="list-style-type: none"> Bidders are required complete and return the PPE category document as per attached (Annexure B) confirming the category of PPE the bidder can be able to supply. The bidder is required to confirm by placing an (x) on each product line for that particular category. If the bidder cannot supply all the products in a particular category, that category will not be evaluated in the second phase. The non-submission of Annexure B, clearly indicating the category of PPE that will be supplied, will be disqualified from further evaluation. <p>Failure to submit the requirements in Annexure A and the completion and submission of Annexure B will result in disqualification and shall not progress to Phase 2.</p> <p><u>Phase 2 – Site Sample Evaluation.</u></p> <ul style="list-style-type: none"> Phase 2 is a site sample evaluation where selective items will identified and evaluated. Tenderers are required to prepare the various samples as per attached Annexure C. 						

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Annexure C - The full and complete Annexure C is attached.		
	Criteria	Weight
1	Confirming stitching, on material as per standard 240-44175132 Rev2	21%
2	Confirming material type and colouring	14%
3	Confirming that it is made according to specifications (Male / Female sizes as per SABS standard)	18%
4	Confirming the labelling of each item that must have the size and specifications of how to handle material and what material type it is (Included SABS standard tag).	20%
5	Personal protective clothing to be fitted with reflective as per standard where applicable	2%
6	Logo and branding compliance to the Eskom Specification.	28%
	Total	100%
Score cards		
The company is disqualified	0 - 89%	FAILED
The company completely complies with spec and are qualified for this PPE technical only	90 – 100%	PASS
Tenderers who do not meet the threshold of 90% for functionality scoring will be disqualified and not be evaluated further.		

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

KWA-ZULU NATAL OPERATING UNIT – DELIVERY SITES

Zone	Sector hub	Customer Network Centre
Empangeni	Empangeni	Empangeni
		Melmoth
		Mthubathuba
		Nkandla
		Ulundi
		Richard's Bay
	Pongola	Jozini
		Nongoma
		Pongola
		Hluhluwe
		Manguzi
	Stanger	Greytown
		Mandini
		Stanger
		Eshowe
		Kranskop
Newcastle	Ladysmith	Bergville
		Colenso
		Dundee
		Estcourt
		Glencoe

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Pietermaritzburg	Newcastle	Ladysmith
		Ingagane
		Madadeni
		Paulpietersburg
		Vryheid
		Nqutu
		Osizweni
	Kokstad	Ixopo
		Kokstad
		Nottingham Road
		Underberg
		Umzimkulu
	Margate	Harding
		Hibberdene
		Marburg
		Marina Beach
		Park Rynie
		Green Point
	Pietermaritzburg (Mkondeni)	Cato Ridge
		Edendale
		Howick
		Inchanga
		Richmond

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

		Wartburg
<u>Other areas of delivery will also include KZN Area offices and Regional Distribution Centers.</u>		
<ul style="list-style-type: none"> ▪ New Germany Complex ▪ Westville Menston Offices ▪ Empangeni Regional Distribution Centre and Area Offices ▪ Vryheid Regional Distribution Centre ▪ CPM,PPM and Live work (Margate, Mkondeni, Newcastle, Empangeni) ▪ Mew Mayors Walk 		

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

FREE STATE OPERATING UNIT – DELIVERY SITES

Zone	Sector hub	Customer Network Centre
BLOEMFONTEIN	Bloemfontein	Bloemfontein
		Brandfort
		Dealsville
		Petrusburg
		Jacobsdal
		Edenburg
		Ladybrand
		Zastron
		Selosesha
		Tweespruit
		CPM - Free State
		Live-Work - Free State
		MEW - Free State
		PPM -Free State
BLOEMFONTEIN	Welkom	Alma
		Bultfontein
		Duiker
		Hoopstad
		Welkom Towns
		Thabong
		Virginia

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

		CPM
		Live-Work Free State
		MEW - Free State
		PPM Free State
BETHLEHEM	Bethlehem	Bethlehem
		Bohlokong
		Harrismith
		Reitz
		Senekal
		Vrede
		CPM - Free State
		Live-Work Free State
		MEW - Free State
		PPM Free State
BETHLEHEM	Kroonstad	Bothaville
		Frankfort
		Kroonstad
		Parys
		Refengkgoso
		Vaalpark
		CPM - Free State
		Live-Work Free State
		MEW Free State

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

		PPM Free State
<u>Other areas of delivery will also include FS Area offices and Regional Distribution Centers.</u>		
§ Eskom Centre - Bloemfontein		
§ Warehousing - Welkom		

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ANNEXURE A

ACKNOWLEDGEMENT FORM

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

1.	
2.	
3.	

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

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

Or: Incorrect or incomplete for the following reasons: ☐

Cataloguing Acknowledgement:

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

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


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

Invitation to Tender/Request for Proposal No: _____

Name of company/JV: _____

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Country of registration: _____


Name of contact person: _____

Contact details of contact person:

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ANNEXURE B

TENDERER'S PARTICULARS

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

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

Please complete the following:


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

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

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom. _____
2. If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury _____
3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company.
4. You may register online at National Treasury website on www.treasury.gov.za
5. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status _____
6. If you are required to be tax compliant as per SBD 1, but are not registered on CSD (foreign suppliers) or have not provided your SARS Efiling 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- 8.7

8.1 Confirm if you intend sub-contracting

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


8.2 What percentage will you be sub-contracting? _____%

8.3 To whom do you intend sub-contracting? _____

8.4 Is the said sub-contractor registered on CSD?

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

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

8.4 Please confirm B-BBEE level of said sub-contractor _____

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

- 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
- Cooperatives which are 51% owned by Black people
- 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 subject to potential tenderers meeting the 30% minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises:

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

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

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

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

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*).


Signature: _____

Designation: _____

Date: _____

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

B. Joint Ventures


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

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

Legal Name of Joint Venture Member	Full Name and Capacity of Authorised Signatory	Signature

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ANNEXURE C

INTEGRITY DECLARATION FORM

Note: This form must be fully completed, signed by supplier/tenderer and submitted as a mandatory returnable to the Invitation to Tender/RFP at tender closing. Failure to fully complete the form and/or submit relevant supporting documents and/or sign will result in the tender not being evaluated further.

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;

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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.

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) If Yes, attach proof to this declaration.

2. DECLARATION OF FAIR TENDERING PRACTICES


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

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

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

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</p> <p><i>[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].</i></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</p>		
1.2	<p>Is the <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	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?		
1.3.1	Provide details.		
1.4	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		
1.5	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?		

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

3. DECLARATION OF SHAREHOLDING INFORMATION

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

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

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

Individuals:


Full Name	Identity Number	Shareholding Percentage

Other Entities*:

Full Legal / Trading Name	Registration Number/Trust Number	Shareholding Percentage	Full name and surname of the directors/beneficiaries/shareholders of the shareholding entity	Identification Numbers of the shareholders/directors/beneficiaries of the shareholding entity

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

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

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

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

Signature:	
Designation and capacity in which signing	
Date:	

Joint Ventures


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

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

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		


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

Signature:	
Designation and capacity in which signing	
Date:	

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ANNEXURE D

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS

1. APPLICATION OF CPA

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned. Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable

CPA conditions may apply if the contractual duration is to be longer than 12 months. If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.

2. TENDER SUBMISSIONS

Tenderers shall comply with the following requirements:

a. Main offer:

- A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry.
- This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer.

Failure to do so may result in the supplier's offer(s) being disqualified.

b. Additional/Alternative offer:

Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable:

- A fixed priced offer in addition to the fully CPA compliant main offer; or
- Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However it is compulsory that all such deviations are sufficiently substantiated.


Additional/Alternative Offers must be clearly indicated as such

3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Tables 1 and 2. The index list comprises indices that could be used in the Tenderers main offer.

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

In instances where the preferred index list does not specify a foreign index which is required for the specific agreement, the following must apply:

- The source of an index must be that of the national statistical institute of the relevant country or a generally acknowledged statistical (e.g. industry) body in or for that country, e.g. BEAMA and MEPS.
- The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index.

5. NUMBER OF FORMULAE & INDICES

The Tenderer is limited to a maximum of 10 (ten) indices in total, i.e.: a maximum of 5 local indices and maximum of 5 foreign indices, excluding the fixed portion per CPA formula, per offer/agreement.

6. CPA FIXED PORTION


A minimum of 15% of the total agreement value is to be fixed when a CPA formula applies; except in the case of professional services or consulting agreements.

7. BASE DATE

- In instances of indices or other references published monthly, the Base Date is to be:
The month before the month in which the Enquiry closes
- In instances where the reference figures, e.g. market prices, are published daily or at more intervals than once a month:
The average for the month before the month in which the Enquiry closes
- In this case, the following shall apply:
 - Where the average is published:
The average published price in the currency Eskom will be exposed to. e.g. The currency in which Eskom will effect payment
 - Where a high, low and mean are published:
The mean
 - Where other prices than the Cash Settlement or Cash Sellers Price are published:
The Cash Settlement or Cash Sellers Price
- Where applicable, these principles, must also apply for the CPA “cut-off” date.

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

8. CPA FOR PROFESSIONAL SERVICES

The preferred index to be used for adjusting these agreements is the country specific CPI Headline index.

The price adjustment factor will be effective from each contractual anniversary of the base date. This must be the average of the country specific CPI Headline index figures published for the last twelve month period (cycle) ending before the contract anniversary date.

No fixed portion is mandatory.

Signed

Date

Name

Position


Tenderer

Table 1: Preferred Local Index List -this list of indices needs to be relevant to the commodity.
Buyers need to check and include the relevant indices.

Labour	Commodities	Processed material	Transport	Others
Labour general (hourly paid) SEIFSA, C3, actual labour cost	Steel StatsSA, P0142.1 Table 2, basic iron and steel	Mechanical engineering material SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI)
	Copper SEIFSA, F, copper metric ton	Electrical engineering material SEIFSA, G-1, electrical engineering material		
Labour general SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid	Aluminium SEIFSA, R, aluminium	Building and construction material SEIFSA, G, building and construction material		StasSA, PO142.1), PPI <ul style="list-style-type: none">Final Manufactured GoodsOrIntermediate Manufactured GoodsORSEIFSA Table U
	Zinc SEIFSA, F, zinc			
	Lead SEIFSA ,F, lead			

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

				Producer Price Index (PPI) - final manufactured GOODS OR Intermediate Manufactured Goods
--	--	--	--	---------------------------------------------------------------------------------------------

Table 2: Preferred Foreign Index List


Labour	Commodities	Processed material	Transport	Others
National Statistical Institute, Country-specific general labour index	MEPS, Country-specific general steel index	National Statistical Institute, Country-specific mechanical engineering material	National Statistical Institute, Country-specific general transport cost index	National Statistical Institute, Country-specific CPI (Headline) National Statistical Institute, Country-specific PPI
	LME, Copper	National Statistical Institute, Country-specific electrical engineering material		
	LME, aluminium			
	LME, zinc	National Statistical Institute, Country-specific building and construction material		
	LME, lead			

Closing date of tender _____ / _____ / _____

TENDERER'S SIGNATURE _____

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ANNEXURE E

CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS – IMPORTATION

Failure to propose contract price adjustment methods, either by completing this document or proposing alternative methods for any portion of the tender price, will lead to that portion of the tender price being considered fixed.

Where space in this document is insufficient, the tenderer shall submit the required information on separate schedules, duly referenced to this document.

Where foreign exchange is involved, and Eskom will cover the risk forward, the methods of payment listed in Part 1 are the only acceptable methods. It must be noted that Eskom considers Payment **Method 1** to be the default payment method.

PART 1: PAYMENT OF FOREIGN COMMITMENTS

Payment of Eskom's foreign commitment in foreign currency will be made either:

Payment Method 1A:

To a nominated bank account in a foreign country in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party);

Please note that the contracting party must be the direct importer of the goods

Applicable (Y / N)

Payment Method 1B;

To a valid SARB approved CFC account in South Africa, in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party).

Please note:

- The contracting party must be the direct importer
- For payment purposes, Eskom will require both the foreign (commercial) invoice and the local tax invoice
- The foreign currency values on both the commercial and local invoice must be the same. Eskom will not pay any profit in foreign currency.
- Service related payments are excluded from this option;


Applicable(Y/N) or

Payment Method 2:

In South African Rand at the selling spot rate of exchange obtained by Eskom's Treasury on the date that the forward cover is cancelled. Eskom will notify the supplier of the date that the forward cover is cancelled as well as the intended payment date, which will be as per the agreed payment terms. Any exchange rate adjustment after Eskom has notified the supplier of the date and the rate which the forward cover is cancelled, will be for the account of

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

the supplier.

Please note:

- The contracting party has to be the direct importer of the goods.
- This payment option is not applicable for the payment of services

Applicable (Y/N).....

An indemnity in writing confirming that the supplier will not buy forward cover is required where Payment Method 1 or 2 is contracted.

[Payment Method 2 must be accepted by the Commercial Policy and Procedure Manager before the tender documentation is sent out, but at the latest before the tender closing date. If it is not approved before tender closing, Payment Method 1 will be the default.]

Fixed ZAR pricing

The tenderer may elect to be responsible for the hedging of the exposure of the imported content. However, Eskom reserves the right to have line of sight of the exchange rates to be quoted by the tenderer. This entails a simultaneous exercise of the verification of the exchange rates to be used.

Applicable (Y/N).....

Please note: Eskom will require substantiating proof of importation at the time of invoicing, if payment methods 1A,1B and 2 are selected.

Where goods were previously imported into stock by the supplier, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases Eskom will not undertake any foreign exchange commitment or arrange forward cover.

PART 2: EXCHANGE RATES

The tenderer shall use the exchange rate as at 12H00 on the date of the advertisement of the tender. The source of the exchange rates shall be the South African Reserve Bank (www.resbank.co.za)

Please note that the tenderer is required to submit proof of the SARB rate/s used.


PART 3: ADJUSTMENT OF IMPORTATION COSTS, ETC

The values in Rand included in the tender/contract price for the following costs shall be based on rates ruling for the month prior to the closing date of the tender and any variation in these rates applied to the value included in the tender price will be for Eskom's account.

	RATES/TARIFFS
Sea/Air Freight	
Bunker Adjustment Factor	

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Currency Adjustment Factor	
Marine Risk Insurance (MRI) (Eskom will provide cover)	
Rate for Extension of MRI after Arrival of Goods at Site (if required)	
Wharfage	
Landing Charges	
Customs Duties	
RSA Port on which Import Charges are Based	

PART 4: ADJUSTMENT OF OVERSEAS MANUFACTURE, EXPATRIATE LABOUR AND OTHER COSTS *(To be read in conjunction with Eskom CPA Index)*

Eskom requires a fixed portion (free of price adjustment) appropriate to the nature of the contract.

The methods/formulae proposed in this part shall clearly identify the base month, the period over which adjustment will apply, the elements of labour and materials and source of the indices/rates/prices to be used.

The source of indices/prices/rates nominated in this part shall be from a recognised publishing authority. It must be clearly and completely defined. Supplier in-house indices are not acceptable.

The value of overseas manufacture, labour and material costs (ex-works), inland transportation, expatriate labour, etc. included in the tender/contract price shall be subject to adjustment in accordance with the methods stated hereunder.

The base indices/prices/rates shall be those ruling for the month prior to the month of the closing of the enquiry.

4.1 MANUFACTURING CPA METHOD (LABOUR AND MATERIAL)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

4.2 EXPATRIATE LABOUR METHOD


Please submit your proposals for this section on a separate sheet of paper as an annexure.

4.3 OTHER VALUES METHOD (e.g. Engineering fees, design fees, barging, inland transportation, etc.)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

PART 5: ADJUSTMENT OF LOCAL MANUFACTURE/SUPPLY MATERIAL, TRANSPORT AND ERECTION COSTS

The contract price adjustment method for local manufacture or partly local manufacture from imported stock, equipment or plant cost, transport cost within the RSA and local erection/installation cost shall be in accordance with the attached Eskom CPA Principles

PART 6: GUIDELINES FOR CONTRACT PRICE ADJUSTMENT CLAIMS --- PART 2, 3 AND 4


- 1 When the percentage increase or decrease between two indices/prices/tariffs is calculated, the earlier figure shall be taken as the base.
- 2 Where portions of the works are delivered at different times, contract price adjustments shall be made in respect of appropriate portions of the contract price.
- 3 Where the terms of payment of the contract allow progress payments, other than Eskom's standard payment terms, the agreed contract price adjustment method shall be applied to the value of such payment and to the date and level of completion to which payment is linked.
- 4 Where any figure given in a table is therein stated to be a provisional figure or is subsequently amended, the figure as ultimately confirmed or amended in the publication concerned shall apply.
- 5 Where the appropriate claim indices/prices, as defined in terms of the agreed formulae, are not available or are provisional, interim claims based on the last published confirmed or revised indices/prices as at the date of delivery/installation may be submitted. When the confirmed or revised index/price becomes available the final claim may be submitted, provided that such claim is received within 180 days of the date of delivery/installation.
- 6 Where requested by Eskom, the contractor shall submit publications showing base indices/prices/rates as they become available as well as updated values at three monthly intervals during the course of the contract.
- 7 Where it is considered necessary Eskom reserves the right to call for any documentary evidence to substantiate claims.

Closing date of tender _____/_____/_____

TENDERER'S SIGNATURE _____

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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.

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (F2) (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
Overall, art 1pc Acids & Alkali D59 (Various)	100%
Trousers, Men's Long Pants (Various)	100%
Trousers, Ladies Long Pants (Various)	100%
Jacket, Operating Blue (Various)	100%
Jacket, Acids & Alkali (Various)	100%
Jacket, Thermal (Various)	100%
Shirt, Men's L/S Shirts T006 (Various)	100%
Shirt, Ladies S/S T006 (Various)	100%

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

- 3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za


Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the DTI to verify and in consultation with the AO/AA provide directives in this regard.

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.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
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/industrialdevelopment/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 given in clause 3 of SATS 1286:2011, the rates of exchange indicated in

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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 (annex C)



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




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



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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ANNEXURE G


SBD 1

PART A INVITATION TO BID

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		


PART B TERMS AND CONDITIONS FOR BIDDING

1.	BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE	
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.	
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.	
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.	
2.	TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
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)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.		

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Annexure H

SBD 6.1

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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for 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	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:-

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING


- 7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

- v) 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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]


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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		


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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p style="text-align: center;">.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p>
------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

Annexure I

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

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

2. Bidder's declaration

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

employed by the state?

YES/NO


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

Full Name	Identity Number	Name of State Institution

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read and I understand the contents of this disclosure;

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

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

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.


3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and

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

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	Invitation to Tender PPE - (Workwear) Dx - Central East Cluster KZN092	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature	Date
.....
Position	Name of bidder

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