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|  | Invitation to Tender/ Request for Proposal (RFP) Bloemfontein EDFs KZN017 | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ESKOM HOLDINGS SOC LTD

INVITATION FOR A REQUEST FOR PROPOSAL (RFP)


FOR

To establish a lease agreement of between 3500m² - 4900m² of rentable land, including a fixed building floor space of between 900m² - 1200m² and a minimum of 9 open/covered parking bays, located within a 5km radius from Certain Erf 2203 Bloemfontein, (70 Piet Human street, Hamilton, Bloemfontein) for a period of 38 months from 1 February 2023 and not extending beyond 31 March 2026.

| | |
|--|---|
| RFP number | KZN017 |
| Issue date | 18 May 2022 |
| Closing date and time | 6 June 2022 at 10h00 |
| Tender validity period | 16 Weeks from the closing date and time |
| Tenders are to be emailed to the following address on the stipulated closing date and time: | Email : tenderofficekzn@eskom.co.za N.B – please ensure the Tender Number is reflected on the submission. <u>Please do not send to the Buyer only to the TAC Office on: tenderofficekzn@eskom.co.za</u> |

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Invitation for a Request for Proposal

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *proposal* for the following:

To establish a lease agreement of between 3500m² - 4900m² of rentable land, including a fixed building floor space of between 900m² - 1200m² and a minimum of 9 open/covered parking bays, located within a 5km radius from Certain Erf 2203 Bloemfontein, (70 Piet Human street, Hamilton, Bloemfontein) for a period of 38 months from 1 February 2023 and not extending beyond 31 March 2026

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 proposal by you in response to this *RFP* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via www.eskom.co.za).

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

Yours faithfully

K. Lekutle


Kenosi Lekutle

Procurement Manager

Date: 16 May 2022

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The following documents listed hereunder are attached to this enquiry:

Annexures


| Number | Description | Annexure/to be downloaded and attached | Attached (Y/N) |
|--------|-----------------------------|--|----------------|
| 1 | Pre-qualification Checklist | Appendix 1 | Y |
| 2 | On-site Evaluation | Appendix 2 | Y |
| 3 | SBD4 | Appendix 3 | Y |

- 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. If the **Eskom Standard Conditions of Tender** is not attached to the **Request for Proposal**; then the tenderers are required to download this from www.eskom.co.za. 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: Anita Rickhoff Tel: 031 710 5436 E-mail: Anita.Rickhoff@eskom.co.za</p> |
| 1.3 Enquiry documents | <p>The Invitation to tender /RFP number is : KZN017</p> <p>See the content list above for the enquiry documents.</p> |
| 1.4 Type of Invitation to Tender/RFP | <p>This invitation to tender is:</p> <ol style="list-style-type: none"> 1. An open Invitation to tender – pre-qualification |
| 1.6 Eskom's rights to accept or reject any tender | <p>The tender shall be for the whole of the contract.</p> |
| 2.1 Eligible tenders | <p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is</p> |

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| | <p>not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a [tender/proposal] 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/proposal] either individually or as a partner in a joint venture (JV) or consortium • [Tenders/proposals] submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. • A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering/RFP] process, if : <ul style="list-style-type: none"> ○ (a)they have a controlling partner/majority shareholder in common; or ○ (b)they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process; • Tenders signed by non- authorized persons • Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) • A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of 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 Pre-qualification submission is : Date : 6 June 2022 Time: 10h00AM</p> <p>Late Tenders will not be accepted Please email your tender to: Email Address : tenderofficekzn@eskom.co.za</p> |

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| | N.B – please ensure the Tender Number is reflected on the submission <u>Please do not send to the Buyer only to the TAC Office on: tenderofficekzn@eskom.co.za</u> |
| 2.9 Copy of original tender | Email one (1) copy via email of the tender at tender submission deadline |
| 2.13 Tender Validity Period | <i>The tender validity period is 16 Weeks</i> |
| 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 2 working days before the deadline for tender submission. |
| 2.23 Alternative tenders | Alternative tenders are <i>not allowed</i> |
| 2.25 Conditions of contract | The conditions of contract will be a Lease Agreement |
| 3.4 Opening of tenders | Tenders will be opened at the same date and time as the tender deadline |
| 3.5 Prices to be read out | Prices will <i>not be read out.</i> |
| 3.9 Basic Compliance | Basic compliance for this invitation of a RFP are: <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer Email one (1) copy via email of the tender at tender submission deadline, • Submission of the mandatory commercial tender returnables as at stipulated deadlines – <u>pre-qualification checklist</u> |
| 3.10 Mandatory tender returnables | A tenderer that does not submit mandatory documents/information required as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive. <ul style="list-style-type: none"> • Pre-Qualification Questionnaire. • SDB4 |
| 3.11 Pre-qualification criteria | In terms of PPPFA, the preference point system to be applied is the 80/20 scoring. All responsive tenders will be evaluated further for mandatory functionality requirements : <u>Pre-qualification</u> <ol style="list-style-type: none"> 1. Property Owners Name 2. Physical address of the property, if possible include GPS location 3. Contact details of tenderer 4. E-mail address of tenderer |

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5. Do you have between 3500m² – 4900m² of net rentable area of land, this includes building office space and parking.
6. Do you have between 900m² – 1 200m² of net rentable fixed building office space, which is included in the square meter for land.
7. Do you have a minimum of 9 open/covered parking bays.
8. Is the property located within a 5km radius from Certain Erf 2203 Bloemfontein, (70 Piet Human street, Hamilton, Bloemfontein)
9. Are you registered on the Central Supplier Database(CSD.
10. If Yes, Provide the MAAA number.
11. If NO, are you willing to register on CSD.

Refer to Pre-Qualification Questionnaire – Appendix 3

1. Functionality (Technical) Evaluation [To be used in Pre-qualification]

The following requirements will need to be met in the prequalification to advance to the closed tender process


A two part weighted score-card approach is used to prequalify the technical compliance of the tenderers.

Part 1- Desk Top Evaluation

The supplier will be requested to complete a Pre-qualification questionnaire. Based on the information supplied on the questionnaire; Part 1 of the technical evaluation will be conducted. Scoring will be done in line with the criteria specified below

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| Technical Evaluation Criteria - Part 1 - Desk Top | | | | | Weight | Score – out of 100 | Weighted score |
|---|--|--|--|--|--------|--------------------|----------------|
| 1. Net rentable area of land required is between 3500m² – 4900m², this includes building office space and parking Score 100 if sufficient land space is supplied Score 0 if sufficient land space is not supplied | | | | | 20% | 0 | 0% |
| 2. Total net rentable fixed building office space is between 900m² – 1 200m², which is included in the square meter for land Score 100 if sufficient office space is supplied Score 0 if required size of office space is not supplied | | | | | 20% | 0 | 0% |
| 3. Minimum of 9 parking bays (open/ covered parking bays) Score 100 if minimum no. of parking bays are supplied Score 0 if minimum no. required parking bays are not supplied | | | | | 20% | 0 | 0% |
| 4. Property to be located within a 5km radius from Certain Erf 2203 Bloemfontein, (70 Piet Human street, Hamilton, Bloemfontein). Score 100 if property is within required radius Score 0 if property is not within the required radius | | | | | 20% | 0 | 0% |
| 5. Are you registered on the Central Supplier Database(CSD)? Score 100 if registered/ willing to register Score 0 if not registered/ not willing to register | | | | | 20% | 0 | 0% |
| Total Score | | | | | 100% | | |

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The physical condition of the site evaluation will only be conducted for those tenderers that achieve a 100% threshold on Part 1 of the technical evaluation based on the tender submission.

Part 2 - Site Technical Evaluation


Part 2 of the evaluation will only be done if a score of 100% is achieved in Part 1

This will entail an on-site assessment of the property. The supplier must achieve a 100% on Part 1 and Part 2 to pass

| the pre-qualification evaluation Technical Evaluation Criteria - Part 2 - On Site | Weight | Score – out of 100 | Weighted score |
|---|--------|--------------------|----------------|
| 1. Location suitability assessment (does the location serve the need, ease of accessibility to end-users such as closeness to main roads, taxi routes etc.) Score 100 if property meet requirements Score 0 if property does not meet requirements | 20% | 0 | 0% |
| 2. Condition of the property assessment, evaluation of systems and certificates, grade of the building, availability of services Score 100 if property meet requirements Score 0 if property does not meet requirements | 20% | 0 | 0% |
| 3. Existing layout and fit for use assessment (e.g. office space, storage space, disability access, Walk-in-centre/HUB , Training Centre/ warehouse space, parking space and distance to entrances, ablutions, kitchens, drawings etc.) Score 100 if property meet requirements Score 0 if property does not meet requirements | 20% | 0 | 0% |

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| | 4. IT Assessment, including Metro internet connectivity assessment to site if required Score 100 if property meet requirements Score 0 if property does not meet requirements | 20% | 0 | 0% |
| | 5. Security Assessment including access control, CCTV, electric fence, type of perimeter fence, security gates and burglar bars to windows and doors, safety to end-users, crime rate of the area Score 100 if property meet requirements Score 0 if property does not meet requirements | 20% | 0 | 0% |
| | Total Score 100% | | | |
| | <p>Only tenders that pass the Part 1 and 2 will be invited to tender in the closed tender process.</p> <p>If required Eskom may add an escape clause to be part of the agreement. The Agreement may be terminated in whole for convenience and without cause by Eskom by giving prior notice designating the termination date. Eskom shall have no liability to the service provider with respect to such termination.</p> | | | |
| 3.15 Evaluation of price | Pricing is not applicable as this is a pre-qualification Prices will be requested during the 'closed tender' process if applicable. | | | |
| 3.17 Evaluation of B-BBEE | B-BBEE will not be evaluated at this stage as this is a pre-qualification | | | |
| 3.18 Ranking of tenders | Suppliers will be not ranked at this stage – as no prices will be submitted | | | |
| 3.19 Objective Criteria (if applicable) | <ul style="list-style-type: none"> Objective criteria are not applicable | | | |

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Please note:

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

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

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

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

- (a) the B-BBEE status level certificate issued by an authorized 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 returnables set out hereunder as part of its tender. Returnables that are mandatory for evaluation will result in disqualification if not submitted at tender closing.

| Reference | Returnables from supplier | Returnables mandatory for evaluation purposes and due at tender closing | Returnables mandatory for contract award and due prior to contract award |
|-----------------------------------|---|---|--|
| Basic Compliance | Submission of the Pre-qualification Questionnaire via an email to the Confidential email address at submission deadline. | ✓ | |
| Pre-qualification criteria | 1. Property Owners Name 2. Physical address of the property, if possible include GPS location 3. Contact details of tenderer 4. E-mail address of tenderer | ✓ | |

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| | <p>5. Do you have between 3500m² – 4900m² of net rentable area of land, this includes building office space and parking.</p> <p>6. Do you have between 900m² – 1 200m² of net rentable fixed building office space, which is included in the square meter for land.</p> <p>7. Do you have a minimum of 9 open/covered parking bays.</p> <p>8. Is the property located within a 5km radius from Certain Erf 2203 Bloemfontein, (70 Piet Human street, Hamilton, Bloemfontein)</p> <p>9. Are you registered on the Central Supplier Database(CSD).</p> <p>10. If Yes, Provide the MAAA number.</p> <p>11. If NO, are you willing to register on CSD.</p> <p>Refer to Pre-Qualification Questionnaire – Appendix 1</p> | | |
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A physical 'On-Site' evaluation will be conducted for those tenderers that meet the above requirements – As per Appendix 2

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Appendix 1: Pre-Qualification Questionnaire Bloemfontein EDFs


| | |
|--|--|
| Property Owners Name | |
| Physical address of the property. Include GPS location if possible | |
| Contact details | |
| E-mail Address | |

Please tick YES/NO

| CRITERIA | YES | NO |
|--|-----|----|
| Do you have between 3500m ² – 4900m ² of net rentable area of land, this includes building office space and parking? | | |
| Do you have between 900m ² – 1 200m ² of net rentable fixed building office space, which is Included in the square meter for land? | | |
| Do you have a minimum of 9 parking bays? | | |
| Is the property located within a 5km radius from Certain Erf 2203 Bloemfontein, (70 Piet Human street, Hamilton, Bloemfontein)? | | |
| Are you registered on the Central Supplier Database (CSD)? | | |
| If Yes, Provide the MAAA number | | |

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If NO, are you willing to register on CSD

NB. CSD registration is mandatory at tender award

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Appendix 2: On Site Technical Evaluation

The following will be assessed during the on site evaluation

1. Location suitability assessment (does the location serve the need, ease of accessibility to end-users such as closeness to main roads, taxi routes etc.)
2. Condition of the property assessment, evaluation of systems and certificates, grade of the building, availability of services
3. Existing layout and fit for use assessment (e.g. office space, storage space, disability access, warehouse space, parking space and distance to entrances, ablutions, kitchens, drawings etc.)
4. IT Assessment, including Metro internet connectivity assessment to site if required
5. Security Assessment including access control, CCTV, electric fence, type of perimeter fence, security gates and burglar bars to windows and doors, safety to end-users, crime rate of the area

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APPENDIX 3

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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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:

.....
.....

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| | | Review Date | February 2027 | | |

3 DECLARATION


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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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- 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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