

Document Identifier	240-114238630	Rev	27
Effective Date	30 October 2025		
Review Date	October 2030		



### **NEC 3 Term Services Contract**

#### PART 1

### COMMERCIAL REQUIREMENTS

The reissue of tender for an enabling Agreement for the provision of Substation Building Maintenance Services and Tower Foundation repairs on 'an as and when' required basis in Empangeni and Pietermaritzburg zones in KwaZulu Natal Operating Unit- Central East Operating Cluster for a period of thirty-six (36) months.

ENQUIRY NUMBER	:	E1374DXKZNOUR	
TENDERER NAME :			

### TENDER CLOSING DATE 11 December 2025 at 10h00

<u>Commercial Mandatory Returnable (Non - Disqualifiable)</u>

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

#### **ANNEXURE A**

#### **AUTHORISATION FORM**

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Indicate the status of the tenderer by ticking the appropriate box below.

Α	В	С	D	E
COMPANY	CLOSE CORPORATION	PARTNERSHIP	JOINT VENTURE	SOLE PROPRIETOR

The *tenderer* must complete the appropriate certificate set out below for its category of organisation. If the *tenderer* is a company, close corporation or joint venture, the *tenderer* must attach a certified copy the document that is proof of the contents of the certificate (resolution of the board of directors of a company, members' resolution of a close corporation, or power of attorney in the case of a joint venture).

Note further that the authorised representative of the *tenderer* will in addition be required to sign the form at the end in addition to the relevant certificate for category of organisation.

A. Certificate for company		
I,	, in my capa	city as of
the board of directors of		, hereby
confirm that by resolution of the l	ooard taken on	(date), Mr/Ms
, acting	in his/her capacity of	
, is authorised to submit this t	ender on behalf of the compan	y, and to sign all documents
in connection with this tender a	and any contract that may res	ult from it on behalf of the
company. The resolution of the b	oard is annexed to this Form.	
Signed:	Date:	
Name:	Position:	

#### B. Certificate for close corporation

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,	, in my capacity as member of				
members taken on					
n his/her capacity of _			, is authori	sed to subn	nit this
tender on behalf of the	close corporation,	and to sign all d	locuments in co	nnection w	ith this
tender and any contra	ct that may result	from it on beha	alf of the close	corporatio	n. The
members' resolution is	annexed to this For	m.			
Signed:		Date:			
Name:		Position:			
		(Member)			
		, ,			
C. Certificate for pa	rtnership				
We, the undersigned, be	•		·		
his/her capacity of					
and to sign all documer	its in connection wit	h the tender and	l any contract th	at may resu	ilt from
t on our behalf.					
Name	Address		Signature	Date	1
	1.00.000		3.3		

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

#### D. Certificate for Joint Venture

We, the undersigned, a	are submitting this tender offer in Joint Venture and hereby authorise
Mr/Ms	, an authorised signatory of the company
	, being the lead member in the Joint Venture, to
sign all documents in	connection with the tender and any contract that may result from it on
behalf of all the member	ers in the Joint Venture.

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

Furthermore we attach to this Form a copy of the Joint Venture Agreement which incorporates a statement that all members in the Joint Venture are liable jointly and severally for the execution of the contract, a term that indicates the member that will be the lead member, and terms that indicate the ratios according to which work and payment will be divided amongst the members.

Name of JV member	Address	Authorised signature, name and capacity
Lead partner		

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Certificate for sole p	roprietor						
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		, nereby co	111111111111111111111111111111111111111	t i aiii tii	e sole pi	oprietor	OT I
siness trading as							OT 1
siness trading as							
siness trading as							

<u>NOTE</u>: The table hereunder to also be fully completed by all *tenderers* irrespective of the category of organisation selected and completed above.

Name of tenderer:	
Full names of authorized signatory:	
Designation and capacity:	
Signature of authorized signatory	
Date of signature:	

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#### **ANNEXURE B**

#### **ACKNOWLEDGEMENT FORM**

	e in receipt of the Invitation to Tender/Proposal from Eskom Holdings SOC Ltd and lowing addenda issued by Eskom:
We co	onfirm that the documentation received by us is: (Indicate by ticking the box)
	ct as stated in the Invitation to Tender / RFP Content List, and that each document is ete. $\square$
Or:	Incorrect or incomplete for the following reasons: □
	oguing Acknowledgement:
Pleas	e select the relevant statement by ticking the appropriate box below:
1.	We agree to provide the cataloguing information as described in the Invitation to Tender $\Box$
2.	We have already supplied Eskom with the cataloguing information pertaining to this Invitation to Tender in a previous contract/order [insert previous contract/order number]
3.	We do not intend to provide the required cataloguing information for the reasons

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stated hereunder:



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4. We are a Distributor/Importer/Agent and our Principal, being the Original Equipment Manufacturer (OEM), is or is not [delete whichever is not applicable] in the position to supply cataloguing information for items. We attach the letter from the OEM confirming its position. □
Invitation to Tender/Request for Proposal No:
Name of Tenderer:
Country of registration:
Full names of contact person:
Contact details:
Tel (landline):
Cell phone:
e-mail address:
ame of tenderer:
ull names of authorised signatory:
ignature:
esignation and capacity:
Pate:

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#### **ANNEXURE C**

#### **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:

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

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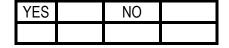




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1.	If you are currently registered as a vendor with Eskom, please provide your Vendor registration	l
Name of co	ontractor	
CIPC Regis	stration number or CIPC disclosure certificate	
VAT registra	ration number	
	stration number (if applicable) and CIDB grade or the sub-contractor as may be stipulated in the ta	
Proposed S	Scope of work to be done by sub-contractor	
Contact per	rson	
Telephone r	number	
Fax number	er er	
E-mail addr	ress	
Postal addre	ress	
Physical add	ddress	
	number with Eskom	
2.	If you are currently registered as a vendor on the National Treasury's Central Supplier Database (CSD), please provide your supplier registration number with Treasury	
3.	Please note that it is not mandatory for you to be registered on National Treasury's CSD at	

- Please note that it is not mandatory for you to be registered on National Treasury's CSD at the time of responding to this tender. It is, however, a mandatory requirement that you be registered on CSD prior to award.
- 4. You may register online at National Treasury website on www.treasury.gov.za
- **5.** If you are registered on SARS E-filing system, please provide your PIN number in order to verify your tax compliance 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 E-filing PIN, please confirm that you have attached or will furnish a copy of a current valid tax compliance certificate as a tender returnable by contract award stage.



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7.	If sub-contracting is prescribed in the Invitation to Tender, tenderers must complete
	7.1 to 7.9.

7.1	l Co	onfirm	if	you	intend	sub-	-cont	racti	nc

	YES		NO					
7.2 What percentage will you be sub-contracting?%								
7.3 To wh	om do	you inte	end sub-	contractir	ng?			
7.4 Is the	7.4 Is the said sub-contractor registered on CSD?							
	YES		NO					
7.5 If yes to 8.4, please provide CSD number								
7.6 Please	e confir	m B-BB	EE level	l of said s	sub-contractor			

- 7.7 Which designated group does the sub-contractor belong to:
  - a) An EME or QSE;
  - b) An EME or QSE which is at least 51% owned by black people;
  - c) An EME or QSE which is at least 51% owned by black people who are youth;
  - d) An EME or QSE which is at least 51% owned by black people who are women;
  - e) An EME or QSE which is at least 51% owned by black people with disabilities;
  - f) An EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
  - g) A cooperative which is at least 51% owned by black people;
  - h) An EME or QSE which is at least 51% owned by black people who are military veterans; or
  - i) More than one of the categories referred to in paragraphs (a) to (h).
- 7.8 Please confirm that you have attached your signed intention to sub-contract document.

YES	NO	

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

YES	NO	

Name of tenderer:	
Full names of authorized signatory:	
Signature:	

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Designation and capacity:	
Date:	

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#### ANNEXURE D

#### **INTEGRITY DECLARATION FORM**

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

#### 1 DECLARATION OF INTEREST

I/We understand that an employee of the State as defined in the Public Service Act of 1994 is prohibited from conducting business with any organ of state and from being a director of a public or private company that conducts business with an organ of state.

I/We understand that any natural/legal person, including any natural legal person related to an Eskom employee/director as per the definition of "related" set out hereunder, may submit a tender to Eskom. However, in order to establish whether a conflict of interest exists tenderers are required to declare such interest/relationships where:-

- 1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom.
- 2. the *tenderer*/s employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors.
- 3. the legal entity including its employees/contractors/ directors / shareholders /members /partners / owners on whose behalf the tender documents are signed, is/are in some other way related to an Eskom employee/contractor/consultant/director involved in the tender specification/ tender evaluation/tender adjudication/negotiation.
- 4. the tenderer/s and one or more other tenderers in this tendering/RFP process have a controlling partner in common, or 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 over the tender/proposal of another tenderer, or influence over the decisions of Eskom regarding the bidding process;

#### Related:

- (1) When used in respect of two persons, means persons who are connected to one another in any manner contemplated below:
  - (a) an individual is related to another individual if they-
    - (i) are married, or live together in a relationship similar to a marriage; or

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or

# Invitation to Tender/ Request for Proposal

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(ii) are separated by no more than two degrees of natural or adopted consanguinity

affinity;

- (b) 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 set out in subsection (2) below; and
- (c) a juristic person is related to another juristic person if-
- (i) either of them directly or indirectly controls the other, or the business of the other, as

determined in accordance with subsection (2) below;

- (ii) either is a subsidiary of the other; or
- (iii) a person directly or indirectly controls each of them, or the business of each of them, as determined in accordance with subsection (2) below.

"related person", when used in reference to a directors/shareholders/members/partners/owners, has the meaning set out in 3.3.16, but also includes a second company of which the directors/shareholders/members/partners/owners or a related person is also a director directors/shareholders/members/partners/owners, or a close corporation of which the director or a related person is a member.

### Control:

- (2) For the purpose of subsection (1) above, a person controls a juristic person, or its business, if-
  - (a) in the case of a juristic person that is a company-
  - (i) that juristic person is a subsidiary of that first person, as determined in accordance with the Companies Act1; or
    - (ii) that first person together with any related or inter-related person, is-
      - (aa) directly or indirectly able to exercise or control the exercise of a majority of the voting rights associated with securities of that company, whether pursuant to a shareholder agreement or otherwise; or

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(bb) has the right to appoint or elect, or control the appointment or election of, directors of that company who control a majority of the votes at a meeting of the board;

- (b) in the case of a juristic person that is a close corporation, that first person owns the majority of the members' interest, or controls directly, or has the right to control, the majority of members' votes in the close corporation;
- (c) in the case of a juristic person that is a trust, that first person has the ability to control the majority of the votes of the trustees or to appoint the majority of the trustees, or to appoint or change the majority of the beneficiaries of the trust; or
- (d) that first person has the ability to materially influence the policy of the juristic person in a manner comparable to a person who, in ordinary commercial practice, would be able to exercise an element of control referred to in paragraph (a), (b) or (c) of subsection (2).

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

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

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

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Do the tenderer/s and any other tenderer/s in this tendering/RFP process share a controlling partner or
have any relationship with each other, directly or through common third parties?(
[Yes/No]
If Yes, attach proof.

#### **2 DECLARATION OF FAIR TENDERING PRACTICES**

The tenderer declares that it has taken all reasonable steps to address and prevent the exploitation of the procurement process and the use of any unfair tendering practices.

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

- 1. abused Eskom's procurement process (e.g. bid rigging/collusion); or
- 2. committed fraud or any other improper conduct in relation to such procurement process.

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

	Question	Yes	No
1.1	Is the tenderer/s or any of its shareholders/directors/members/partners/owners listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector.		
	The Database of Restricted Suppliers can be accessed on the National Treasury's website ( <a href="www.treasury.gov.za">www.treasury.gov.za</a> ).		

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	The Register for Tender Defaulters can be accessed on the National Treasury's website ( <u>www.treasury.gov.za</u> ).		
1.3	Was the tenderer/s or any of its shareholders/directors/members/partners/owners convicted by a court of law (including a court outside South Africa) of fraud and/or corruption in respect of any procurement/tendering processes/procedures during the past five years?		
1.3.1	If "Yes", provide details including a case number and a copy of judgement.	fthe	
1.4	Was the tenderer/s or any of its shareholders/directors/members/partners/owners prohibited from doing business with any International Financial/Lending Institution or Development/Funding Agency?		
1.4	shareholders/directors/members/partners/owners prohibited from doing business with any International Financial/Lending		

3. DECLARA	DECLARATION OF SHAREHOLDING INFORMATION					
the undersigned _	[Full names and Position]					
ereby declare tha	I am the duly authorized representative of [Name	e of				

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Tenderer].



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I further de	clare that the fo	_	luals and/or entiti o <i>f Tenderer</i> ]:	es listed hereunder are	Shareholders in
incorporate	d JVs. If the ter ease add additio	nderer is an uni	ncorporated JV, t	oleted in full for each te he tables must be compl	
Full Name		Identity Nu	mber	Shareholding Percentage	
Other Entition	es*:			<b>1</b>	I
Full Legal / Trading Name	Entity Registration Number/Trust	Shareholding Percentage	Full name and surname of the /shareholders/	Identification Numbers of the shareholders/directors/	

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directors/

trustees/

entity

beneficiaries of

shareholding

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trustees/beneficiaries

of the shareholding

entity

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information	furnished herein ected, and that I	n is true and cor	rect, that it is unde	of the Supplier Integrit rstood that the tenderer's er should any aspect of	tender/proposal
•			o be used for the Supplier Integrity P	purpose as described act, and	in this Integrity
for verificat		of interest and	other ancillary pur	egrity Declaration Form m rposes by Eskom. Such	•
Name of Te	nderer:				
Full names	of authorized sig	gnatory:			
Signature:					
Designation	and capacity:				

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Date:



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#### **Joint Ventures**

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is true and 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 purposes 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.

Name of Tenderer:	
Full names of authorized signatory:	
Signature:	
Designation and capacity:	
Date:	

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**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					
(SBD7).		BE REQUIRED TO		A WRITTEN CON	TRACT FORM
		AY BE DEPOSITED TREET ADDRESS)			
SUPPLIER INFO	RMATION				
NAME OF BIDD	ER				
POSTAL ADDR	ESS				
STREET ADDRE	ESS				
TELEPHONE N	JMBER C	CODE	NUM R	BE	
CELLPHONE N	UMBER				

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FACSIMILE NUMBER	CODE				NUMBE R	
E-MAIL ADDRESS						
VAT REGISTRATION NUMBER						
	TCS PIN:			OR	CSD No:	
B-BBEE STATUS LEVEL	☐ Yes			B-BE STAT	rus	☐ Yes
VERIFICATION CERTIFICATE				swo	RN	
[TICK APPLICABLE BOX]	☐ No			AFFI	DAVIT	□ No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?						
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE			ACCOUNTING OSE CORPOR		_	CONTEMPLATED IN THE (A)
CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK			/ERIFICATION RICAN ACCRE			EDITED BY THE SOUTH EM (SANAS)
BOX		AF	REGISTERED	AUDIT	OR	
			ME:			
[A B-BBEE STATUS LEVEL VI MUST BE SUBMITTED IN ORDE						•

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	□Yes  [IF YES ENCLOSE PROOF]	□No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐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)	
DIRECTED TO:	QUIRIES MAY BE		NICAL INFORMA	TION MAY BE
DEPARTMENT/ PUBLIC ENTITY		CONT	FACT PERSON	
CONTACT PERSON		TELE	PHONE NUMBER	
TELEPHONE NUMBER		FACS	IMILE NUMBER	
FACSIMILE NUMBER		E-MA	IL ADDRESS	
E-MAIL ADDRESS			1	

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#### **PART B**

#### TERMS AND CONDITIONS FOR BIDDING

#### I. BID SUBMISSION:

- (a) BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- (b) ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED- (NOT TO BE RE-TYPED) OR ONLINE
- (c) 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.
- (d) 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.
- (e) 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

- 3. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 4. 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.
- 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.
- 6. BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 7. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 8. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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(a)	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?
(b)	DOES THE BIDDER HAVE A BRANCH IN THE RSA?  YES NO
(c)	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  YES NO
(d)	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?  YES NO
TAX COMPLIANCE	"NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

ANNEXURE F SBD 6.1

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

This preference form must form part of all tenders invited. It contains general information and

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serves as a claim form for preference points for specific goals.

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

#### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
  - 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 To be completed by the organ of state (delete whichever is not applicable for this tender).
  - a) The applicable preference point system for this tender is the 90/10 preference point system.
  - b) The applicable preference point system for this tender is the 80/20 preference point system.
  - c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
  - (a) Price; and
  - (b) Specific Goals.
- 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

**POINTS** 

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PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

### 2. **DEFINITIONS**

- (a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of incomegenerating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions: and
- (e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).
- 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES
- 3.1. POINTS AWARDED FOR PRICE
- 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

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

or

$$Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

80/20 or 90/10

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which Controlled Disclosure

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states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points  allocated  (90/10 system)  (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system)  (To be completed by the tenderer)	Number of points claimed (80/20 system)  (To be completed by the tenderer)

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#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3.	Nam	ne of company/firm
4.4.	Com	npany registration number:
4.5.	TYP	E OF COMPANY/ FIRM
		Partnership/Joint Venture / Consortium
		One-person business/sole propriety
		Close corporation
		Public Company
		Personal Liability Company
		(Pty) Limited
		Non-Profit Company
		State Owned Company

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
  - i) The information furnished is true and correct;

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[TICK APPLICABLE BOX]



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- 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	
DATE:	
ADDRESS:	

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ANNEXURE H SBD 4

#### **TENDERER'S DISCLOSURE**

#### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to tender / request for proposal. 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, Eskom requires the tenderer 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 tender process.

#### 2. TENDERER'S DECLARATION

- 2.1 Is the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest 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 the table below.

Full Name	Identity Number	Name of State Institution

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

f so, furnish particulars:			
2.3 [ <b>YES/</b> ]	Does the tenderer 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?		
·	urnish particulars:		
, th submi	CLARATION  e undersigned, (name) in tting the accompanying tender, do hereby make the following statements that I certify 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 tender will be disqualified if this disclosure is found not to be true and complete in every respect;		
3.3	The tenderer has arrived at the accompanying tender independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium will not be construed as collusive bidding.		

#### **Controlled Disclosure**

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 tender, tendering with the intention not to

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win the tender and conditions or delivery particulars of the products or services to which this tender invitation relates.

- 3.5 The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the tenderer 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 tender submitted where so required by the institution, and the tenderer was not involved in the drafting of the specifications or terms of reference for this tender.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, tenders 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 the tenderer maybe 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 ACCEPI IHAI IHE	STATE MAY REJEC	I THE TENDER	OR ACT AGAINST	I THE TENDERER
IN TERMS OF PARAG	GRAPH 6 OF PFMA S	SCM INSTRUCTION	ON 03 OF 2021/22	ON PREVENTING
AND COMBATING A	BUSE IN THE SUPP	LY CHAIN MAN	IAGEMENT SYSTE	M SHOULD THIS
DECLARATION PRO	VE TO BE FALSE.			

Signature	Date
Position	Name of hidder

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## **BBBEE AFFIDAVIT TEMPLATES**

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I, the undersigned,

Full name & Surname

# Invitation to Tender/ Request for Proposal

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### SWORN AFFIDAVIT - B-BBEE QUALIFYING SMALL ENTERPRISE - GENERAL

Identity number		
Hereby declare under o	oath as follows:	
1. The cont reflection of the	ents of this statement are to the best of my knowledge a tr facts.	ue
	ember / Director / Owner (Select one) of the following enter sed to act on its behalf:	prise and
Enterprise Name:		
Trading Name (If Applicable):		
Registration Number:		
Vat Number (If applicable)		
Enterprise Physical Address:		

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Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –
	(a) who are citizens of the Republic of South Africa by birth or descent; or
	(b) who became citizens of the Republic of South Africa by naturalisation-
	i. before 27 April 1994; or
	ii. on or after 27 April 1994 and who would
	have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means:
	(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;
	(b) Black people who are youth as defined in the National Youth Commission Act of 1996;
	(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;
	(d) Black people living in rural and under developed areas;
	(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"

## 3. I hereby declare under Oath that:

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•	The Enterprise is% Black Owned using the flow-through
	ole as per Amended Code Series 100 of the Amended Codes of Good Practice
issued	under section 9
(1) of E	B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
•	The Enterprise is% Black Female Owned as per Amended
Code S B-BBE	Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of E Act No 53 of 2003 as Amended by Act No 46 of 2013,
•	The Enterprise is% Black Designated Group Owned as per
Amend	led Code Series 100 of the Amended Codes of Good Practice issued under n 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
•	Black Designated Group Owned % Breakdown as per the definition stated
above:	
•	Black Youth % =%
•	Black Disabled % =%
•	Black Unemployed % =%
•	Black People living in Rural areas % =%
•	Black Military Veterans % =%
informa (DD/MN	Based on the Audited Financial Statements/ Financial Statements and other ation available on the latest financial year-end of

Please confirm on the table below the B-BBEE level contributor, by ticking the applicable box.

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

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- 4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
- 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

	Deponent Signature:	
	Date:	
Commissioner of Oaths Signature & stamp Date:		

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### **KEY Elements when completing a Sworn Affidavit**

Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:

- a) Name/s of deponent as they appear in the identity document and the identity number.
- b) Designation of the deponent as the director, owner or member must be indicated in order to know that person is duly authorized to depose of an affidavit. (Underline or circle whichever is applicable).
- c) Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- d) Percentage of black ownership, black female ownership and designated group. In the case of specialized enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. (No blank spaces to be left).
- e) Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. (Underline the applicable option).
- f) Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. (Financial year end to be stipulated by day/month/year).
- g) B-BBEE Status level. An enterprise can only have one status level.
- h) Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- i) Date deponent signed and date of Commissioner of Oath must be the same. (The sworn Affidavit must be signed in the presence of the Commissioner of Oath).
- j) Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest
- K) Sworn Affidavits attested / signed by a Commissioner of Oaths as a true copy stamp will not be accepted

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### **COMMERCIAL REQUIREMENTS**

#### C1.1 Form of Offer & Acceptance

#### Offer

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of:

The reissue of tender for an enabling Agreement for the provision of Substation Building Maintenance Services and Tower Foundation repairs on 'an as and when" required basis in

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Empangeni and Pietermaritzburg zones in KwaZulu Natal Operating Unit- Central East Operating Cluster for a period of thirty-six (36) months.

The tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data and addenda thereto and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance the tenderer offers to perform all of the obligations and liabilities of the *Contractor* under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the *conditions of contract* identified in the Contract Data.

Options A	The offered total of the Prices exclusive of VAT is	RATES BASED
	Sub total	RATES BASED
	Value Added Tax @ 15% is	
	The offered total of the amount due inclusive of VAT is1	RATES BASED

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document including the Schedule of Deviations (if any) to the tenderer before the end of the period of validity stated in the Tender Data, or other period as agreed, whereupon the tenderer becomes the party named as the *Contractor* in the *conditions of contract* identified in the Contract Data.

Signature(s)	

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<sup>1</sup> This total is required by the *Employer* for budgeting purposes only. Actual amounts due will be assessed in terms of the *conditions of contract*.



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Name(s)		
Capacity		
For the tenderer:		
Nama 0	(Insert name and address of organisation)	
Name & signature of witness		Date
Tenderer's CI	DB registration number:	

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### **Acceptance**

By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the *conditions of contract* identified in the Contract Data. Acceptance of the tenderer's Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

Part C1	Agreements and Contract Data, (which includes this Form of Offer
and Acceptance)	

Part C2 Pricing Data

Part C3 Scope of Work: Service Information

and drawings and documents (or parts thereof), which may be incorporated by reference into the above listed Parts.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.

The tenderer shall within two weeks of receiving a completed copy of this agreement, including the Schedule of Deviations (if any), contact the Employer's agent (whose details are

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given in the Contract Data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the *conditions of contract* identified in the Contract Data at, or just after, the date this agreement comes into effect. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed and signed original copy of this document, including the Schedule of Deviations (if any).

Signature(s)			
Name(s)			
Capacity	Senior Manager – Business Enablement (Acting)		
for the	Eskom Holdings SOC Ltd		
Employer	25 Valley View Road		
	New Germany, 3610		
Name &	(Insert name and address of organisation)		
signature of witness		Date	

Note: If a tenderer wishes to submit alternative tenders, use another copy of this Form of Offer and Acceptance.

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Schedule of Deviations to be completed by the *Employer* prior to contract award Note:

- 1. This part of the Offer & Acceptance would not be required if the contract has been developed by negotiation between the Parties and is not the result of a process of competitive tendering.
- 2. The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender.
- 3. A tenderer's covering letter must not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid be the subject of agreement reached during the process of Offer and Acceptance, the outcome of such agreement shall be recorded here and the final draft of the contract documents shall be revised to incorporate the effect of it.

No.	Subject	Details
1	[•]	[•]
2	[•]	[•]
3	[•]	[•]
4	[•]	[•]
5	[•]	[•]
6	[•]	[•]
7	[•]	[•]

By the duly authorised representatives signing this Schedule of Deviations below, the Employer and the tenderer agree to and accept this Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Tender Schedules, as well as any confirmation, clarification or changes to

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the terms of the Offer agreed by the tenderer and the Employer during this process of Offer and Acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Form shall have any meaning or effect in the contract between the parties arising from this Agreement.

	For the tenderer:	For the Employer
Signature		
Name		
Capacity		Senior Manager Business Enablement (Acting)
		Central East Cluster
On behalf of	(Insert name and address of organisation)	(Insert name and address of organisation)
		Eskom Holdings SOC Ltd
		25 Valley View Road
		New Germany, 3610
Name & signature of witness		

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			Review Date	October 2030
Date				
Date				

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#### **CONTRACTOR INFORMATION**

## It is important that this information is completed accurately and completely.

1.	Eskom Vendor Registration Number			
If you are not currently a registered vendor with Eskom, you are not required to register for tender submission. Registration on the Eskom Vendor Database is not a prerequisite for submitting a tender. Companies who are not currently registered will not be prejudiced in any way for the evaluations.				
2.	Company Registered Name			
3.	Company Trading Name			
4.	Company Registration Number as per SARS Tax Clearance Certificate			
5.	Expiry Date as per SARS Tax Clearance Certificate			
6.	Expiry Date as per Compensation for Occupational Injuries and Diseases Act (COID)			
7.	Nature of Business as per COID certificate			
8.	B-BBEE Status as per SANAS accredited certificate or Affidavit			
9.	B-BBEE Expiry Date as per SANAS accredited certificate or 12 months from Commissioner of Oaths Stamp			
10.	CSD Number as per CSD Registration	MAAA		

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11.	Shareholders as per Declaration of Shareholding or	
	Beneficiaries	

Names of all Shareholders	Identity Number of all Shareholders	Number / Percentage of Shares

13.	Are any shareholders employed by or close family members to employees of Eskom Holdings and/or its subsidiaries?	
14.	If Yes, provide details	
15.	Name of contact person at	
	the company for queries	
16.	Office Telephone Number	
17.	Your cell phone contact details	

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Your off	r office email address
----------	------------------------

Attach your South African Revenue Services (SARS) Tax Clearance Certificate to this page or TAX Pin.

SARS Tax Clearance Certificate should preferably be Valid and Original. However, should this not be available then a valid, original certified copy (not a copy of a certified copy) of the tax clearance certificate issued by the South African Revenue Service (SARS) will be accepted.

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Please also provide the pin that comes with the printed certificate

Attach your Compensation for Occupational Injuries and Diseases Act (COID) Certificate to this page.

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Please note that this must be <u>valid</u> and the Nature of Business must be relevant to this Scope of Work

Attach your CSD Registration Summary to this page.

DECLARATION OF SHAREHOLDING OR BENEFICIARIES	Tender Schedule T2.2a – No 8

Eskom prospective Suppliers are requested to declare the names of Shareholders in their Company. Kindly disclose all the names of individuals or/and companies that own shares in your organization.

**Details of Disclosure** 

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I, the undersigned		(Position)			_
hereby					
(name of Company or Shareholders/Benefici		t the following people ar			
	(Name of	Company or Trust)			
Name of the Company/Trust	Registration number of the Company/Trust	Names of all Shareholders	Number/Percer of Shares	ntage	
			(Tick applica		ŕ
_	ders or beneficiaries declare oldings SOC Limited and/or		r close family mem	bers* 1	to
				Ye s	No
-	etails of position held in Esk and such shareholder/bene			า Hold	ing
SIGNATURE:			DATE:		
DESIGNATION:					
	Controlled	Disclosure			

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Close family member means: person related by birth or marriage or similar relationship, including domestic partnership, adoption or a guardian.

	Authority to submit a tender	Tender Schedule T2.2a No.1
--	------------------------------	----------------------------

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for his category of organisation or alternatively attach a certified copy of a company / organisation document which provides the same information for the relevant category as requested here.

А	В	С	D	E
COMPANY	PARTNERSHIP	JOINT VENTURE	SOLE PROPRIETOR	TRUST

Δ	Certifi	cate	for	റ	mn	anv
Л.		cate	101	vv	HIM	aliv

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

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Signed	С	ate			
Name	P	osition	Chairm	an of the Board of [	Directors
B. Certificate for partner	ship				
We, the undersigned, being					
	hereby authorise	Mr/Ms			, acting in
the capacity of					
tender offer for Contract _			and any	contract resulting f	rom it on our
behalf.					
Name	Address			Signatura	Date
ivame	Address			Signature	Date

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

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#### C. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms, an authorised signatory of the company , acting in the capacity of lead partner, to sign all documents				
in connection with the tender offer our behalf.	r for Contract and a	iny contract resulting from it on		
This authorisation is evidenced by signatories of all the partners to the	•	igned by legally authorised		
Furthermore we attach to this Sch statement that all partners are lial	. ,			
the lead partner is authorised to in	, ,			
responsible for the entire execution	on of the contract for and on beha	lf of any and all the partners.		
Name of firm	Address	Authorising signature, name (in caps) and capacity		
Lead partner				

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D. Certificate for sole proprietor		
I, business trading as		
Signed	Date	
Jigiteu	Dale	
Name	Position	Sole Proprietor

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#### E. Certificate for Trust

We, the undersigr	ned, being the <b>trustees</b> in the	business/trust trading as	
	hereby authoris	e Mr/Ms	, acting
n the capacity of		, to sign all documents in	connection with
he tender offer fo	r Contract	and any contract res	sulting from it on
our behalf.			
Name	Address	Signature	Date

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

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	Declaration of Fair Tendering Practices	
TO: ESKOM HOLDINGS SOC L	TD ("ESKOM")	
	cilities Management Services fo ors in the Central East Cluster - h	<del>-</del>
•		
that collusive tendering is prohib	veness is a requirement of the E ited by law. We confirm that we on, or in any way colluded with Tender	have not engaged in price fixing
Signed	Date	
Name	Position	
tenderer		

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Probity On Close Family Members or Beneficiaries

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Please indicate, by completing the table set out below, the names of all persons, (natural or juristic), who are Beneficiaries of the *tenderer*.

For the purposes of this Declaration, a Beneficiary is a natural or juristic person that has a legal or monetary interest in the *tenderer* by way of ownership, directorship, trusteeship and/ or the like.

To the extent that the *tenderer* is a public company, only the names of the top 5 majority shareholders are required with respect to the disclosure of ownership.

Full legal name of natural or juristic person	Identity or Registration Number	Capacity of Beneficiary (i.e. shareholder, member, partner, trustee, director, or the like)	Quantification of Interest (i.e. percentage shareholding or ownership, profit share, etc.)	**Relationship with Eskom employee or Eskom director (Yes/No)

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\*\* Please indicate in the table above if any natural person named above is a Close Family Member of a director of Eskom Holdings Ltd or a subsidiary thereof, or of any employee of Eskom Holdings Ltd involved in the procurement and approval process associated with this tender.

\*\*Please indicate in the table above if any juristic person named above has as a Beneficiary a director of Eskom Holdings Ltd or a subsidiary thereof, or an employee of Eskom Holdings Ltd involved in the procurement and approval process associated with this tender, or whether any Beneficiary of a juristic person named above is a Close Family Member of a director of Eskom Holdings Ltd or a subsidiary thereof, or an employee of Eskom Holdings Ltd involved in the procurement and approval process associated with this tender.

NB: For the purposes of this Declaration, a Close Family Member is deemed to be a person related by birth, marriage, domestic partnership, adoption or guardianship.

If you have indicated 'Yes' to any of the above then please specify the name of the said Eskom
employee / Eskom director, and the nature of the relationship between the said Eskom employee /
Eskom director and the person (natural or juristic) indicated in the table above.

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Eskom reserves the right to act against the *tenderer* or the signatory hereto should this declaration prove to be false.

Signed	Date
Name	Position
tenderer	

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In partnership with G20 SOUTH AFRICA 2025



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Confirmation of Receipt of Addenda to Tender	
Documents	

We confirm that the following communications received from the *Employer* before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

	Date Received	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		

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Signed	Date	
Name	Position	
tenderer		

Supplier Declaration of Interest:

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		Template Identifier	240-43921804	Re v	5
€Skom	Occupational Health and Safety Act: Section 37(2) Agreement - Form	Document Identifier	240-77037682	Re v	6
		Effective Date	December 2020		
		Review Date	December 2025	5	

## **SECTION 37(2) AGREEMENT**

### **CONCLUDED BETWEEN**

[inse	rt name (	of su	bsidiary o	or Eskom Holdii	ngs SOC Limited]
	ANI	D			
(Name o	of contra	ctor	/supplier	)	
I,[(insert company))representingacknowledge that		. [ins	sert name	of contractor/	supplier], do hereby

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is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 ("the Act"), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

l undertake that [insert name of contractor/supplier] shal
strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupationa
Health and Safety Act, 1993 (Act 85 of 1993).
I have been provided with SHE specifications for project/service[inser
brief details of project/service, for example, name, contract/project number]
and will comply with the requirements set out in these.
accept and agree that the SHE specifications constitute arrangements and procedures between
(insert name of contractor/supplier) and [insert
name of subsidiary or Eskom Holdings SOC Limited] which will ensure compliance by
[insert name of contractor/supplier] with the provisions of the Act, as
contemplated in section 37(2) of the Act.

This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall, in any manner, be of any force or effect, unless confirmed in writing and signed by both parties, and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.

This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

<b>⊗</b> Eskom	December 202				
	Act: Section 37(2) Agreement - Form	Document Identifier	240-77037682	Re v	6
	Occupational Health and Safety	Template Identifier	240-43921804	Re v	5

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Effective Date	30 October 2025		
Review Date	October 2030		

December 2025

**Review Date** 

Signed this	day of	20	at	
	(Place	<del>)</del>		
(Full name)		(Signature)		on
behalf of		•		
Witnesses	Contractor Respo on behalf of the con	nsible Manager (respontanted in the state of	nsible for sig	ning the contrac
1				
Signed this	day of	20	at	( <i>Place</i> )
behalf of [insert name	of subsidiary or Eskom H oject Manager or Repre	oldings SOC Limited]		on
Witnesses				

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NDA Vendors:



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SUB-CONTRACTING	
i	

Contractors are requested to submit names of proposed Subcontractors to be utilized on this project.

Contractors are advised that only Eskom Approved Contractors who have completed the necessary Eskom Contractors Training & Accreditation may be used as Subcontractors.

Subcontractor	Section of Work to be Subcontracted	Percentage to be subcontracted	Vendor No.

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The above information will form pa	art of the Evaluation F	Process.
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**CONTRACTORS SIGNATURE** 

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#### **DECLARATION OF INSURANCES**

copies thereof will be made available if requested.	

I hereby declare that the insurance policies as required in terms of this Contract are in place and

Signed this day of	20 at	
(Pla	ace)	
(Full name)	(Signature)c	'n
Rehalf of	(Supplier/contractor)	

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C3 List of Eskom Policies and Procedures related to the Tender	
the render	

#### The following policies and procedures are applicable to this tender:

Name of Policy / Procedure	Reference
The Eskom Code of Ethics (Standard 32-527)	32-527
Supplier Contract Quality Requirement Specification	QM58 A& B; Form A& B

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## CHECKLIST OF SHEQ ANNEXURES TO BE READ AND UNDERSTOOD BY THE CONTRACTOR

NO	DOCUMENT DESCRIPTION	UNQ IDENTIFIER	ACCEPTANCE
1	SECTION 37(2) AGREEMENT (2 PAGES)	37(2)	
2	SMOKING POLICY (5 PAGES)	32-36	
3	QUALITY MANAGEMENT PACK	QM58 & ITP	
4	ACCESS TO FARMS (7 PAGES)	41-340	
5	PROCEDURE FOR THE EFFECTIVE MANAGEMENT OF SHE RELATED INCIDENTS (94 PAGES)	32-95	
6	HEALTH AND SAFETY SPECIFICATION (31 PAGES)		
7	SHEQ POLICY (9 PAGES)	32-727	
8	SHE REQUIREMENTS TO BE MET BY PRINCIPAL CONTRACTORS (56 PAGES)	34-333	
9	DEVELOPING A SHE SPECIFICATION (96 PAGES)	32-524	
10	ESKOM CARDINAL RULES/LIFE SAVING RULES (8 PAGES)	32-421	
11	WORKING AT HEIGHTS (10 PAGES)	32-418	
12	VEHICLE AND DRIVER SAFETY MANAGEMENT (21 PAGES)	32-93	
13	ESKOM VEHICLE SAFETY SPECIFICATION (21 PAGES)	32-345	
14	HEALTH AND SAFETY PLAN (5 PAGES)	34-1787	

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15	SHE SPECIFICATION FORM (56 PAGES)	74
16	CONSTRUCTION SAFETY, HEALTH AND ENVIRONMENTAL MANAGEMENT	32-136
17	ENVIRONMENTAL PROCEDURE – BUSH CLEARING	32-247
18	DISTRIBUTION FIRE RISK MANAGEMENT	34-132
19	IDENTIFYING, ANALYSING, DOCUMENTING AND OBSERVING TASKS	34-380
20	LEGAL APPOINTMENTS AND AUTHORISATIONS	34-961
21	EXPANDED PUBLIC WORKS REPORTS	34-1063
22	PROVISION AND USE OF PERSONAL PROTECTIVE EQUIPMENT	34-1710
23	SUPERVISION OF PEOPLE IN ELECTRONICALLY HAZARDOUS LOCATIONS	34-1954
24	SHE REQUIREMENTS FOR COMMERCIAL PROCESS	32-726
25	TRANSPORTATING PERSONS ON BACK OF VEHICLES	TOC-41-55
26	ESKOM PROCEDURE ENVIRONMENTAL IMPACT ASSESSMENT FOR DISTRIBUTION ACTIVITIES	34-926 240-72597722
27	SHE+ENVIORNMENTAL INTRODUCTION	
28	ESKOM'S WASTE MANAGEMENT PROCEDURE	EPC 32-245
29	ESKOM RISK AUDITING SYSTEM CHECKLIST FOR CONTRACTORS	RAS – FEB 2014
30	ENVIRONMENTAL MANAGEMENT OF TREES	KZN13TGTI141

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31	ENVIRONMENTAL LEGAL COMPLIANCE	TQTGS011	
32	DESD – PROCESS FOR KZN OU	TQTGP056	

#### **ADDITIONAL LEGLISLATION**

Act 108 of 1996	Constitution of the Republic of South Africa
ACT 107 OF 1998	National Environmental Management Act
ACT 84 OF 1998	National Forest Act
ACT 73 OF 1989	Environment Conservation Act
ACT 25 OF 1999	National Heritage Resources Act
Act 36 Of 1998	National Water Act
Act 59 Of 2008	National Environmental Management: Waste Act
Act 43 of 1983	Conservation of Agricultural Resources Act
Act 36 of 1947	Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act
Act 105 of 1991	Game Theft Act
Act 101 of 1998	National Veld and Forest Fire Act
Act 57 of 1976	National Parks Act
Act 7 of 1998	National Roads Act
Act 21 of 1940	Advertising on Roads and Ribbon Development Act
Act 57 of 2003	National Environmental Management: Protected Areas Act
Act 39 of 2004	National Environmental Management: Air Quality Act

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Act 10 of 2004	National Environmental Management: Biodiversity Act
Act 85 of 1993	Occupational Health and Safety Act
Act 31 of 1963	Fencing Act
	Provincial Ordinances
	Municipality Bylaws

Annexures and they are applicable to this contract.				
CONTRACTOR'S NAME:	CONTRACTOR'S SIGNATURE:			

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DATE:



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Please insert Supplier Evaluation Pact here

(REFER TO ATTACHMENT IN COMMERCIAL FOLDER)

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### Attach your latest Financial Statements here

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2024/2025 Financial Year

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