

<b>Request for Information (RFI) reference number</b>	MWP3034CX
<b>Issue date</b>	07 February 2025
<b>Submission date and time</b>	26 February 2025 at 10h00
<b>RFI validity period</b>	12 months from the submission date and time
<b>RFIs are to be delivered to the following address on the stipulated closing date and time.</b>	Eskom Holdings SOC Ltd Tender Office Megawatt Park (Retail Centre) 1 Maxwell Drive Sunninghill 2157

Dear Sir/Madam

**REQUEST FOR INFORMATION FOR ENVIRONMENTAL REHABILITATION INVESTMENT SOLUTIONS FOR COAL MINES AND COAL PLANT.**

Please take note that this is a confidential request and all information, including this request for information ("RFI"), should be treated as such. You are therefore prohibited from discussing or divulging the existence or contents of this RFI or any other information relating to this RFI to any third party without our prior written consent.



Kabelo Masike

**Acting General Manager Treasury**

Date: 06 February 2025

## 1. DEFINITIONS

"B-BBEE Act"	the Broad-Based Black Economic Empowerment Act No. 53 of 2003
"Tenderer"	Any corporate service provider or consortium that submits responses to this RFI as per procurement procedures
"RFI Response"	any reply submitted by a Tenderer in response to the requirements of this invitation
" Submission Date"	the date identified as the RFI Response Submission Date
"Eskom"	Eskom Holdings SOC Ltd, registration number 2002/015527/30, as incorporated pursuant to the Eskom Conversion Act No. 13 of 2001
"PFMA"	the Public Finance Management Act No. 1 of 1999
"Preferential Procurement Policy Framework Act" or "PPPFA"	the Preferential Procurement Policy Framework Act No. 5 of 2000

## 2. BACKGROUND

Eskom has a financial liability related to the environmental rehabilitation as required by environmental legislations and related licences. The legislations and licences set out the requirements for financial provisions for the decommissioning and rehabilitation of coal operations. These operations relate to Eskom's power stations as well as the related mines.

## 3. OBJECTIVE

Eskom is required to ensure that funds are available for decommissioning and rehabilitation of these operations. As such, the objective of this RFI is to obtain executable investment solutions in line with current and best market practise for the purpose of environmental rehabilitation. Based on the outcome of the RFI, Eskom intends to publish a request for proposal.

#### **4. ELIGIBLE TENDERERS**

Tenderers must be a recognised financial or insurance firm with proven experience in environmental rehabilitation investment solutions and instrument. Tenderers are deemed **ineligible** to submit a response if they have the nationality of a country on any international sanctions list. A Tenderer shall be deemed to have the nationality of a country if it has the status of a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country.

#### **5. CONFLICT OF INTEREST**

A Tenderer shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Tenderers must submit a form, see Annexure B, stating that none of its personnel have any involvement or interest in Eskom and any of its subsidiaries and likewise no Eskom personnel have any involvement or interest in the Tenderer's business with the response to this document or influence the decisions of Eskom during the bidding process.

A Tenderer may also be considered to have a conflict of interest with one or more parties in this RFI process, if they have a relationship with each other, directly or through common third parties, which puts them in a position to have access to information about or influence on the response of another Tenderer.

Alternatively, the Tenderer must disclose **ALL** such information in its response submission containing sufficient disclosure regarding any interests that may result in an actual or potential conflict of interest. Where any potential or actual conflict of interest arises after the submission of the response or during the term of the potential mandate, the Tenderer shall be obliged to immediately notify Eskom thereof in writing. Note that Eskom reserves the right to disqualify a Tenderer or terminate the services as service provider if there is, in the opinion of Eskom, any actual or perceived conflict of interest.

#### **6. COSTS OF TENDERING**

The Tenderer shall bear all costs related to the preparation and submission of their RFI responses. Eskom shall in no way be responsible or liable for any of these costs regardless of the conduct or outcome of the procurement process.

## **7. PARTNERSHIPS**

Tenderers are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their responses, to substantiate their B-BBEE rating claims. Tenderers who do not submit their B-BBEE status level verification certificates or are non-compliant contributors to B-BBEE will not qualify for preference points for B-BBEE.

To assist Eskom with its transformation and B-BBEE objectives, it is proposed that the Tenderer enhance their team with their choice of B-BBEE financial advisory firms.

## **8. SCOPE OF REQUIREMENT**

The submission must include the following information related to environmental rehabilitation provisions:

- a) Provide a brief analysis of the environmental rehabilitation financial provision requirements.
- b) Propose a wide array of suitable investment solutions for between ZAR 1 and 5 billion for a variety of term buckets:
  - 1 to 3 years
  - 5 to 7 years
  - 10 to 12 years
- c) For each investment solution provide a term sheet that sufficiently defines the legal and financial obligations for the solution as well as insight into the following:
  - Tax considerations.
  - Environmental regulatory considerations.
  - Risk and Return considerations.
  - Liquidity considerations.
  - Timing and ease of execution.
  - Pricing and cost considerations.
  - Pros and Cons of each investment solution
- d) Provide evidence of a track record of implementation and execution of investment solutions as well as cases of past implementation.

## 9. MANDATORY RESPONSE REQUIREMENTS

The RFI response should cover all the requirements as set out in “**8. SCOPE OF REQUIREMENT**” and must be a maximum of 30 pages, Arial font size 11. The Tenderer must submit the following:

- one (1) original, one (1) copy of the original and one (1) soft (electronic) copy of the original response,
- signed integrity declaration form,
- Company profile and relevant experience,
- Company registration documents,
- Credit rating documentation
- Provide contactable references,
- Evidence of registration with applicable recognised professional body,
- Original or certified copy of B-BBEE verification certificate,
- Original or certified copy of Tax clearance certificate,
- Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such statements are not available, for the last year,
- CSD number,
- Pricing must be inclusive of VAT.

Failure to submit the original response, copies of the tender and integrity declaration form will disqualify your submission.

## 10. LODGING OF RESPONSES

Your submission titled “**TREASURY RFI – Environmental Rehabilitation investment solutions**” must be lodged with the Eskom Tender Office and sent by email to: [vdMerwLC@eskom.co.za](mailto:vdMerwLC@eskom.co.za) and [VenterFrJ@eskom.co.za](mailto:VenterFrJ@eskom.co.za) before 10:00 on 26 February 2025. Please take note that responses may be submitted before the closing date. Late responses will not be accepted and will be returned to the sender.

## 11. DISCUSSIONS

Eskom reserves the right to call upon a Tenderer to discuss its response in more detail as and when deemed necessary.

Tenderer should expect that on short notice, the core implementation team will be required to attend a one (1) hour clarification meeting during which thirty (30) minutes will be dedicated to the presentation of the response followed by a thirty (30) minutes question and answer session.

## **12. QUERIES/CLARIFICATION**

Should there be questions/clarification or queries regarding this RFI please contact at all times the following Eskom representatives listed below. Please note that correspondence should only be in writing by email.

<b>Name:</b> Liugi Van Der Merwe	<b>Name:</b> Francois Venter
<b>Email:</b> vdMerwLC@eskom.co.za	<b>Email:</b> VenterFrJ@eskom.co.za

The tenderer will notify the Employer of any clarifications required before the closing time for clarification queries, which is 4 working days before the deadline for tender submission.

## **13. IMPORTANT NOTICES**

Even though Eskom has exercised all efforts in good faith to prepare the information contained in this document, neither it nor any of its directors, partners, employees, sub-contractors, intermediaries, or agents, provide any assurances or guarantees, explicit or implied, in relation to this RFI. No representation or warranty, express or implied, is given by Eskom, or any of its respective directors, partners, employees, sub-contractors, intermediaries, or agents as to the accuracy or completeness of any of the contents of this RFI.

By issuing this RFI, Eskom does not undertake any obligation to provide any further information, or to correct any inaccuracies in this proposal, or to correct any omissions, which become known at any time. Any costs and expenses incurred by the persons who replied to this RFI, or by their agents or advisers, will be the sole responsibility of such persons and Eskom does not undertake to cover such costs.

This enquiry may be cancelled by Eskom at any time prior to deciding on it, if it is not deemed necessary to continue with the procurement process due to a substantial change in circumstances, or if public interest and welfare dictate such.

Eskom reserves the right to accept or reject any RFI Response, and to cancel the RFI and reject all replies prior to the announcement of the successful Tenderers.

Yours sincerely

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke extending to the right.

Kabelo Masike

**ACTING GENERAL MANAGER, TREASURY**

Date: 06 February 2025

## ANNEXURE B

### INTEGRITY DECLARATION FORM

*(Form to be completed and signed by tenderer as Invitation to RFI returnable)*

#### **1. DECLARATION OF INTEREST**

I/We understand that any natural/legal person, including employees of the State and/or those related to an Eskom employee/director (as per the definition of “related” set out hereunder), may tender to Eskom. However, in view of possible allegations of favouritism (the practice of showing favour to, or giving preference to some person/group, to the detriment of, or at the expense of another that is entitled to equal treatment or an equal opportunity), should the resulting tender, or part thereof, be awarded to such natural/legal person, as described herein, it is required that the *tenderer/s* declare such interest/relationship where:-

- the *tenderer/s* employees/directors are also employees/contractors/consultants/directors in the state or a state-owned entity.
- the *tenderer/s* employees/directors are also employees/contractors/consultants/directors of Eskom.
- the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/directors.
- the *legal person/s (including its employees/contractors/directors/members/shareholders)* on whose behalf the tender documents are signed, is in some other way “related” to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender negotiation. “Related” meaning that: -
  - an individual is related to another individual if they are married or live together in a relationship like marriage.
  - or are separated by no more than two degrees of natural or adopted consanguinity or affinity.
  - an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of “control” (as per Companies Act section 2(1)); and
- **a juristic person is “related” to another juristic person if: -**
  - (1) either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of



“control” (as per Companies Act section 2(1)).

- (2) either is a subsidiary of the other; or
- (3) a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”.
- the *tenderer/s* and one or more of the *tenderers* in this tendering/RFI process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal/response of another tenderer or influence the decisions of Eskom regarding this bidding process.

To give effect to the provisions above, please complete the table hereunder with all required information. <b>Full Name &amp; Capacity/ Position within tenderer (e.g., employee/Director/member/ owner/shareholder)</b>	<b>Confirm and provide details (including employee number) if you are a State/State owned entity employee/contractor/ director</b>	<b>Full Names &amp; Capacity/Position of Eskom employee/ director/ consultant and details of the relationship or interest(marital/ familial/personal/ financial etc.)</b>	<b>To your knowledge is this person involved in the evaluation/ adjudication/ negotiation of tenders</b>

1. If any employee/director/member/shareholder/owner of Tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is

authorisation(Y/N) to undertake remunerative work outside public sector employment and attach proof to this declaration. \_\_\_\_\_

2. Do the tenderer/s and other tenderer in this tendering/RFI process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If yes, attach proof to this declaration. \_\_\_\_\_

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

<b>Signature:</b>	
<b>Designation and capacity in which signing:</b>	
<b>Date:</b>	