

## ANNEXURE L

**TENDER RETURNABLES – ANNEXURE L**

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
<b>Basic Compliance</b>	One (1) hard copy of the tender	✓	
<b>Pre-qualification criteria :</b> <ul style="list-style-type: none"> <li>• <b>B-BBEE levels/EME/QSE</b></li> <li>• <b>Sub-contracting to designated groups</b></li> </ul> <p><b>Please Note that :</b>  “proof of B-BBEE status level of contributor” means-</p> <p>(a) the B-BBEE status level certificate issued by an authorised body or person; or</p> <p>(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or</p> <p>(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;</p> <p>If “proof of B-BBEE status level of contributor” is required for pre-qualification purposes in terms of PPPFA regulations, and is either not submitted by tender submission deadline or deemed invalid; , the respective tenderer must be disqualified</p>	<b>“Proof of B-BBEE status level of contributor”</b> for main contractor		✓
	CSD number		✓
	Signed Sub-contracting intent agreement		✓
	<b>“Proof of B- BBEE status level of contributor”</b> for sub-contractor belonging to designated group		✓
	Any other supporting documents to verify the status of the main contractor or sub-contractor( as may be stipulated in 3.11)		
<b>Annexure A</b>	Acknowledgement Form	✓	
<b>Annexure B</b>	Tenderers Particulars	✓	

<b>Annexure C</b>	Integrity Pact Declaration form	✓	
<b>Annexure D</b>	CPA for local goods/services (if applicable)	✓	
<b>Annexure E</b>	CPA(IG) for imported goods/services (if applicable)	✓	
<b>Annexure F1-F4</b>	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E( <b>only applicable where designated materials are included</b> )	<b>Not Applicable</b>	
<b>Annexure G</b> (applicable for all suppliers including Foreign suppliers)	SBD 1- to be submitted with the tender at tender submission deadline	✓	
<b>Annexure H</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	✓	
Supplier Development & Localisation (SD&L) Undertaking (if applicable)			✓
<b>Additional Documents required in event of JV:-</b>	Letter of intent to form a JV/consortium		✓
	Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		
	Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement)		✓
	<b>“proof of B-BBEE status level of contributor”</b> means:- (a) the B-BBEE status level certificate issued by an authorised body or person; or (b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or (c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act; (as may be applicable for the particular tendering entity )		✓
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.		✓
<b>**“proof of B-BBEE status level of contributor”</b> means:- (a) the B-BBEE status level certificate issued by an authorised body or person; or	Failure on the part of the supplier to submit <b>“proof of B-BBEE status level of contributor”</b> for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects and it is not a pre-qualification		✓

<p><b>(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or</b>  <b>(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;</b></p>	<p>criterion). The tenderer will, however, be scored zero on B-BBEE for purposes of PPPFA scoring and ranking.</p>		
<p><b>Tax Clearance Certificates</b></p>	<p>A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number ) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number) .  Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.</p>		<p>✓</p>
<p><b>Tax Evaluation Questionnaire (if services contract and was included as annexure)</b></p>	<p>Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]</p>	<p><b>Not Applicable</b></p>	
<p><b>Compliance with Employment Equity Act</b></p>	<p>To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)</p>		<p>✓  <b>(Where applicable)</b></p>
<p><b>CIDB (where applicable)</b></p>	<p>Valid proof of the required cidb grading designation for the main contractor; JV and /or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer</p>		<p><b>Not Applicable</b></p>
<p><b>Shareholding</b></p>	<p>Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names &amp; ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)</p>		<p>✓</p>

<b>NEC/FIDIC Documentation</b>	Completed NEC/FIDIC pricing schedule and contract data.	✓	
<b>Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work))</b>			<b>Not Applicable</b>
<b>DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS</b>			
<b>Safety</b>	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)		✓
<b>Quality</b>	Documents that may be required per scope of work		✓
<b>Other safety/quality documents as required per scope of works</b>			✓
<b>Environmental</b>	Documents that may be required as per scope of work		✓
<b>Due Diligence</b>	Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.		✓

<b>DOCUMENTS REQUIRED UNDER OBJECTIVE CRITERIA</b>			
<b>Safety</b>	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only) Annexure C.1		✓
<b>Quality</b>	Documents that may be required per scope of work		✓

<b>Other safety/quality documents as required per scope of works</b>			✓
<b>Environmental -</b>	Documents that may be required as per scope of work		✓
<b>Due Diligence</b>	Financial statements etc. that may be required for due diligence purposes.		✓