	Invitation to Tender	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER**

**FOR**


**HAZARDOUS LOCATIONS REFURBISHMENT AT MATLA POWER STATION  
FOR A PERIOD OF TWO (02) YEARS**

<b>Tender number</b>	<b>MPMAT10876GX</b>
<b>Issue date</b>	<b>11 SEPTEMBER 2023</b>
<b>Closing date and time</b>	<b>23 NOVEMBER 2023 at 10H00</b>
<b>Tender validity period</b>	<b>120 days from the closing date and time</b>
<b>Clarification meeting – Not Compulsory</b>	<p><b>Date: 01 November 2023</b>  <b>Time: 10:00am</b>  <b>Venue: Microsoft Teams</b>  <b>Link : <u>Requested via email before 27 October 2023</u></b></p> <p><b>Site visits can be organized by a formal appointment only send to:</b>  <b><u>MabuzaAb@eskom.co.za</u></b></p>
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>	<p><b>Eskom Tender Box, Ground Floor</b>  <b>No.10 Smuts Avenue</b>  <b>Witbank/ Emalahleni</b>  <b>Mpumalanga</b></p> <p><b>GPS CO-ORDINATES</b>  <b>LATITUDE: 25.87723S</b>  <b>LONGITUDE: 29.21629E</b></p>

**Controlled Disclosure**

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## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a **tender** for the Hazardous locations refurbishment at Matla Power Station for a period of two (02) Years

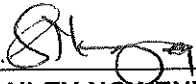
The enquiry documents are supplied to you on the following basis

- 1 Free of charge

Eskom has delegated the responsibility for this tender to the *Eskom Representative* whose name and contact details are set out in the Tender Data. A submission of a tender by you in response to this *Invitation* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via [www.eskom.co.za](http://www.eskom.co.za))

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

Yours faithfully

  
**STANLEY NGWENYA**

**ACTING PROCUREMENT MANAGER – MATLA POWER STATION**


Date 11 October 2023

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		<a href="https://commercial.eskom.co.za/Pages/Default.aspx">eskom.co.za/Pages/Default.aspx</a>	
1 1 12	Reverse e-auction process (if applicable)	<b>[To be uploaded from Sharepoint]</b> <a href="https://commercial.eskom.co.za/Pages/Default.aspx">https://commercial.eskom.co.za/Pages/Default.aspx</a>	N/A
1 1 13	Contract Skills Development Goals (CSDG) [if applicable]	To be downloaded from CIDB (Form A1 List of Recognised Skills Development Agencies, Form A2 Baseline Training Plan, Form A3 Project Interim Report, Form A4 Supervisor Agreement, Form A5 Project Completion Report)	
1 1 14	Contract Participation Goals (CPG) [if applicable]	To be downloaded from CIDB (Annexure A- Targeted Enterprise Declaration Affidavit, Project Interim Report, Project Completion Report and Declaration)	

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	<p>2 Tenderers submit more than one tender] either individually or as a partner in a joint venture (JV) or consortium</p> <p>3 Tenders submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms</p> <p>4 A Tenderer must not have a conflict of interest All Tenderers found to have a conflict of interest shall be disqualified A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if</p> <p style="padding-left: 40px;">(a) they have a controlling partner/majority shareholder in common, or</p> <p style="padding-left: 40px;">(b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process,</p> <p>5 Tenders signed by non- authorized persons</p> <p>6 Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)</p> <p>7 Any tenderer that is restricted by National Treasury</p> <p>8 Any tenderer on the Tender Defaulters list</p> <p>9 A tenderer that sub-contracts 100% Scope of Work</p> <p><b>Ineligible tenderers will be disqualified.</b></p>
2 2 -2 5 Tender Closing	<p>The deadline for <b>Tender</b> submission is Date <b>23 November 2023</b> Time <b>10h00</b> <b>Late Tenders will not be accepted</b> Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address</p> <p><b>THE TENDER OFFICE</b></p> <p><b>Eskom Tender Box, Ground Floor No.10 Smuts Avenue Witbank/ Emalahleni Mpumalanga</b></p> <p><b>GPS CO-ORDINATES LATITUDE: 25.87723S</b></p>

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	<b>LONGITUDE: 29.21629E</b>
2 9 Copy of original tender	<p>The tenderer must submit the tender as a complete <i>original tender</i>, plus one (1) <b>hard copy</b> of the original tender at tender submission deadline Eskom may also require that one (1) additional complete soft copy of the original tender is required in electronic format</p> <p>Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified</p>
2 13 Tender Validity Period	<p>The tender validity period is 12 weeks</p> <p><b>Note:</b> <b>For Construction -related work the initial tender validity must not exceed 12 weeks</b></p>
2 16 Site/clarification meetings	<p><b>Clarification meeting</b> will take place as follows: <b>Date: 01 November 2023</b> <b>Time: 10:00</b> <b>Venue: Microsoft Teams</b></p> <p><b>Link: <u>Requested via email before 27 October 2023</u></b></p> <p><b>Site visits will be organized by a formal appointment only.</b></p> <p><i>Tenderers</i> must confirm their intention to attend with the Eskom <i>Representative</i> stating the name, position and contact details of each proposed attendee</p> <p><b>Please note that if the tender stipulates that a site/clarification meeting is mandatory/compulsory; then suppliers must attend such meeting. Those suppliers who do not attend such mandatory/compulsory meeting will be disqualified and will not be evaluated.</b></p>
2 17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission
2 23 Alternative tenders	Alternative tenders are <b>not allowed</b>
2 25 Conditions of contract	The conditions of contract will be the <b>NEC3 SC</b>
2 31 Provision of security for performance	<p>If security for performance (e.g. Performance Bond) is required, the names of two financial institutions that the tenderer will approach must be submitted with the tender</p> <p>The following bonds are required for this enquiry.-</p>


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3 15 Evaluation of price	<p>Prices will be evaluated as follows</p> <ol style="list-style-type: none"> <li>1 Inclusive of VAT</li> <li>2 Making the specified correction for arithmetical errors</li> <li>3 Excluding contingencies in any bill of quantities or activity schedule</li> <li>4 Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted</li> <li>5 Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable</li> <li>6 Unconditional discounts must be taken into account for evaluation purposes;</li> <li>7 Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected</li> </ol> <p>Prices will be scored out of 80 points</p>
3 17 Evaluation of Specific Goals	<p>Specific goals will be scored out of 20 points in accordance with PPPFA</p> <p>If a tenderer fails to meet Specific goals and submit proof, the tenderer will not be disqualified. However, be awarded 80 points for price and will score 0 points for Specific goals (out of 20)</p> <p><b><u>Specific Goals</u></b></p> <p>A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.</p> <p>Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points</p>

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	<p>The following documents are required to claim preference points,</p> <ul style="list-style-type: none"> <li>Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit</li> <li>Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown</li> <li>Certified ID copies of shareholder(s)</li> <li>Proof of Disability (where applicable)</li> </ul> <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but</p> <ul style="list-style-type: none"> <li>May only score point out of 80 for price</li> <li>Scores 0 points out of 20 for specific goals</li> </ul> <p>Note.</p> <p>Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by RFQ closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.</p>
3 18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder] -</p> <p>80/20 for tender with a Rand value of up to R50 000 000</p> <p>Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.</p>
3 19 Objective Criteria (if applicable)	Objective criteria <b>are not applicable</b>
3 20 Reverse e-auction (if applicable)	<p>Reverse e-auction <b>not applicable</b></p> <p><b>Please note:-</b> Reverse e-auction is an electronic price and preference point system (aligned to PPPFA) that aims to achieve the most competitive prices.</p>

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	<p>Eskom reserves the right to utilize reverse e-auction in certain enquiries. Where reverse e-auction is utilized in a specific enquiry this will be indicated in the respective enquiry and the relevant reverse e-auction supporting documents will form part of the enquiry. The Tenderers will be required to submit a complete tender but without prices. Where a supplier includes prices in their tender; these prices will not be considered and will be disregarded.</p>
Contractual Requirements (if applicable )	<p>Contractual Requirements may include the following</p> <ul style="list-style-type: none"> <li>• SHEQ requirements, and/or</li> <li>• SDI&amp;L requirements, and/or</li> <li>• Financial Statements, and/or</li> <li>• 2% CSI – Corporate Social Investment</li> </ul> <p><b>Please Note:</b> Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Proof that the highest ranked tenderer/ tenderer recommended for award (on the basis of objective criteria) is able to meet the contractual requirements, must be submitted prior to contract award.</p> <p>Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award.</p>
2 25 Contractual Condition	<p>The conditions of contract will be the <b>NEC3 SC</b></p> <p>Main option</p> <p>A Priced contract with price list W1 Dispute resolution procedure</p> <p>Secondary options</p> <p>X1 Price adjustment for inflation X2. Changes in the law X5. Section Completion X7 Delay damages X16 Retention X18 Limitation of liability</p>

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	<p><b>Z Additional conditions of contract</b></p> <p>The recommended supplier shall submit all the documentation (Form A2 Baseline Training Plan, Form A3 Project Interim Report, Form A4 Supervisor Agreement, Form A5 Project Completion Report ) that may be required as returnables after contract award as stipulated by Clause 4 of the Contract Skills Development Goals Standard (published in GGN 36760 of March 2020)</p> <p>The recommended supplier shall submit all the documentation (Annexure A-Targeted Enterprise Declaration Affidavit, Project Interim Report, Project Completion Report and Declaration) that may be required as returnables after contract award and as stipulated by Clause 3.3 of the Standard for Indirect Targeting for Enterprise Development through Construction Works Contract (published in GGN 36190 of 25 February 2013)</p> <p>In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract</p>
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<p><b>CIDB Requirements are applicable</b></p> <ol style="list-style-type: none"> <li>It is estimated that tenderers must have a Construction Industry Development Board (cidb) contractor grading of <b>Minimum CIDB Level 6 (EP)</b></li> </ol> <p style="text-align: center;">OR,</p> <ol style="list-style-type: none"> <li>Joint ventures are eligible to submit tenders provided that - <ol style="list-style-type: none"> <li>every member of the Joint venture (JV) is registered with the cidb,</li> <li>the lead partner has a contractor grading designation in the                      or                      *class of construction work, or not lower than one level below the required grading designation in the class of works construction works under consideration and possesses the required recognition status,</li> <li>the combined contractor grading designation calculated in accordance with the cidb</li> </ol> </li> </ol>

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	<p>regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a or * class of construction work or a value determined in accordance with Regulations 25 (1B) or 25 (7A) of the cidb Regulations</p> <p><b>Please note:</b>  <i>That only those tenderers who are registered with the Construction Industry Development Board, or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works herein are eligible to submit tenders.</i></p> <p><b>Employer (Eskom) must within 21 working days from date when contractors offer to perform a construction works contract is accepted in writing ; register and publish the award of all contracts equal to or exceeding R10 M inclusive of VAT. ]</b></p> <p>3 Contract Skills Development Goals (CSDG) Requirements is applicable</p> <p>3.1 The CSDG applicable to this tender is in terms of the Engineering and Construction Works contract with respect to the 7EP class of works and the applicable percentage is <b>0.25%</b> and is contained in the relevant BOQ/Pricing schedule attached</p> <p><b>Please note:</b>  <i>Contractor shall achieve in the performance of the contract the CSDG established in the CIDB Standard for Developing Skills through Infrastructure contracts (published in GGN 36760 of March 2020) CSDG is applicable to all classes of works exceeding R60 M and where the contract duration is 12 months or more or to Professional Services/Service contract/order where the estimated contract exceeds R5M and where the contract duration is 12 months or more]</i></p> <p>4 Contract Participation Goals <b>is not applicable</b></p>
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	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			
<b>Tax Evaluation Questionnaire (if services contract and was included as annexure)</b>	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]			✓
<b>Compliance with Employment Equity Act</b>	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)			✓
<b>CIDB (where applicable)</b>	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	✓ <b>Grade EP Level 6 (Minimum)</b>		
<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>		✓		

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### Mandatory Requirements

No.	Description
1	<ul style="list-style-type: none"> <li>MIE certificate - Submit proof of valid MIE certificate that will be issuing the CoCs for this Project</li> <li>A classified HAZLOC area cannot be deemed compliant without a valid CoC issued by a registered MIE Qualitative evaluation phase shall not proceed without this submission</li> </ul>
2	Minimum CIDB Level 6 (EP) Supply valid proof of CIDB grading the work is classified as construction work as per the construction regulations Qualitative evaluation phase shall not proceed without this submission

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## FUNCTIONAL EVALUATION

A weighted score-card approach is used to evaluate the technical compliance of the tenders against the specifications

Tenders need to have a weighted score of 70% or more to technically qualify for further evaluation


Qualitative Technical Criteria Description	Reference to Technical Specification / Tender Returnable	Criteria Weighting (%)	Scoring Scale			
			0=0%	2=40%	4=80%	5=100%
Proof of previously issued HAZLOC CoC by the MIE	Copy of at least 3 CoC	30	Not submitted	Submitted 1 CoC copy	Submitted 2 CoC copies	Submitted 3 CoC copies
Qualified and Registered Electrician as per the Electrical Installation Regulation 5 (4) with at least 5 years relevant experience in HAZLOC for supervision of the work	Submit a copy of certificate as a registered electrician & copy of a CV highlighting the relevant experience	20	Not submitted both CV and Certificate Less than 3 years experience	Submitted both CV and certificate, with 3 years' experience	Submitted both CV and certificate with 4 years' experience	Submitted both CV and certificate both, with 5 years' experience

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Rating for Individual Technical Criteria	%
Completely Meets Technical Requirement	100
Meets Technical Requirement	70
Does not Meet Technical Requirement	0 -69

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## OBJECTIVE CRITERIA (Non-weighted criterion)

### Safety and Health Requirements:


SHEQ is an objective criterion which means that tenders will be given an opportunity to submit once, within seven working days the SHEQ documents which they would have missed or not submitted during the Tender close out Only those Tenderers who submitted/ Responded within the specified time will be considered and those who did not no respond will be rendered non-responsive SHEQ will only evaluate the shortlisted suppliers who passed the mandatory requirements

Signed Annexure B Acknowledgement Form
OHS Policy signed by the Tenderer's CEO or MD
OHS Budget Breakdown covering the scope of works
Health and safety plan
Baseline Risk Assessment
Past 3 years OHS Statistics (fatalities, LTI's and Legally Reportable Incidents) suffered by the tenderer (if none signed letterhead to this effect must be forwarded)
Past 3 years OHS Legal notices issued against the tenderer e g Department of labour (if none signed letterhead to this effect must be forwarded)
Tenderer's valid letter of good standing with compensation fund or licensed insurer
Medical fitness certificate x 1 or medical surveillance programme for non-operational suppliers or supplier with no employees
Covid-19 response plan
Applicable safe work procedure

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### Quality requirements:

SECTION A (TENDERER)	ENQUIRY/ CONTRACT No:				
	ENQUIRY/ CONTRACT DESCRIPTION	Hazardous locations refurbishment at Matla Power Station for a period of two (2) years			
SECTION B (ESKOM)	CLAUSES OF 240-105658000 SPECIFICATION	CLAUSE DESCRIPTION			INDICATE WITH AN (X) AS APPLICABLE OR (-) IF NOT APPLICABLE
	CLAUSE 3	PRE-CONTRACT AWARD QUALITY REQUIREMENTS			X
	CLAUSE 4	(*Select Only Applicable Category). NB: Not more than one category must be selected. Also indicate whether site assessment is applicable.			
		Category 1 (refer to clause 4 1 1 of 240-105658000)			-
		Category 2 (refer to clause 4.1.2 of 240-105658000)			-
		Category 3 (refer to clause 4 1 3 of 240-105658000)			X
		Category 4 (refer to clause 4.1.4 of 240-105658000)			-
		Supplier and Sub-supplier Site Assessment (refer to clause 4.2 of 240-105658000)			-
	CLAUSE 5	POST-CONTRACT AWARD			
		Contract Execution (refer to clause 5.1 of 240-105658000)			X
		Supplier Quality Performance Monitoring Phase (refer to clause 5.2 of 240-105658000)			X
	CLAUSE 6	STANDARD CONDITIONS			
		Eskom Rights of Access (refer to clause 6 1 of 240-105658000)			X
		Eskom Rights to Information (refer to clause 6 2 of 240-105658000)			X
		Preservation and Storage (refer to clause 6 3 of 240-105658000)			X
		Supplier Quality Audits (refer to clause 6 4 of 240-105658000)			X
		Nonconformities and Nonconforming Outputs Identified by Eskom (refer to clause 6 5 of 240-105658000)			X
		Special Processes (refer to clause 6 6 of 240-105658000)			X
SECTION C (ESKOM)	CLAUSES OF ISO 9001 STANDARD	CLAUSE DESCRIPTION			INDICATE WITH AN (X) AS APPLICABLE OR (-) IF NOT APPLICABLE
	CLAUSE 4	Context of the Organisation			X
	CLAUSE 5	Leadership			X
	CLAUSE 6	Planning			X
	CLAUSE 7	Support			X
	CLAUSE 8	Operation			X
	CLAUSE 9	Performance Evaluations			X
	CLAUSE 10	Improvement			X
SECTION D (ESKOM)	ESKOM'S QUALITY REPRESENTATIVE	NAME	DESIGNATION	DATE	SIGNATURE
SECTION E (TENDERER)	TENDERER'S QUALITY REPRESENTATIVE	NAME	DESIGNATION	DATE	SIGNATURE


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### Environmental requirements:

Environmental Objective Criteria		
<b>Category A: Contractors</b>	Yes/No	Comments
All contractors working for and on behalf of Matla Power Station on a once off (supply and delivery) or outage programs and with their activities which might not cause potential harm to the environment as per scope of work by environmental practitioner professional discretion Assessment for these contractors shall be done by completing the Environmental Contractor Assessment form, If there is any yes to the questionnaire then the Environmental Officer must be notified to conduct a proper assessment on the contract. These suppliers or contractors must adhere or adopt the Contract Manager' Environmental Aspect and Impact register and the management thereof	YES	
<b>Completion of Environmental Contractors Assessment Form.</b>		
<b>Sign Contractors commitment and indemnity letter</b>		
<b>OR ISO14001 certified with valid certificate</b>		

Contractual requirements mean that the suppliers will submit the tender returnable during the tender close-out. The evaluation will take place once the mandatory and Functionality evaluation have been completed. Only the shortlisted tenderers who passed mandatory and functionality evaluation threshold will be evaluated.


The tenderers will be given an opportunity to submit the outstanding documents within 7 working days after the first evaluation. Failure to submit the outstanding documents within the stipulated time, may result in the tenderer being regarded as non-responsive and ineligible for contract award. Those who submitted will be re-evaluated and the evaluation report will be submitted to procurement.

This Safety requirements are for tender purpose, upon signing the contract the supplier/contractor shall comply with Matla Power station's Safety file requirements. No work will commence until the Safety file is approved by OHS professional together with the Project Manager.

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### Section 1: Specific Goals

A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.

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


**NB: The following documents are required to claim preference points,**

- Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit
- Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown
- Certified ID copies of shareholder(s)
- Proof of Disability (where applicable)

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Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but'

- May only score point out of 90/80 for price
- Scores 0 points out of 10/20 for specific goals

## Section 2: Objective Criteria

The inclusion of objective criteria is not mandatory but a condition for contract award. If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.

### 2.1. Designated Sectors

When applicable the following stipulated minimum threshold for Local Production and Content must be achieved in full by the tenderer

a) Is this Commodity or part of it a Designated Sector?

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

Please indicate below Designated Components


Commodity	Components	Local Content Threshold
Fabricated Structural Steel	Gutters, beams, spacers, tabs, brackets	100%
Power, Control and Protection Cables	Cabling	90%
PPE	Reflector Vests, Jackets, Boots, Textiles, Clothing, Leather & Footwear, etc	100%

**NOTE** SBD 6 2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are therefore **mandatory** and must be tender returnables if applicable

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### Section 3: SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals

**Tenderers who complete and submit the objectives as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations**

**1 BBBEE requirements:** All tenderers are required at a minimum maintain their BBBEE status throughout the contract period

#### **2. Local Procurement Content**

"Local Procurement Content" refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component. Tenderers are required to submit their proposals in the table below.

Local Procurement Content	Eskom target	Tenderer Proposal
	100%	

#### **3. Procurement spend on entities with a minimum 51% black ownership**

The winning tenderer is encouraged to procure/spend on designated groups from rural / underdeveloped / townships for both

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


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

Procurement Designated Group	from	Eskom Target	Tenderer Proposal
Black Owned		15%	

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4. **Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract

Type of Jobs to be created	Number of Jobs to be created
Type of Jobs to be retained	Number of Jobs to be retained

#### 5. Skills development

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

Category	Quantity	Entry Level	Output	Tenderers proposal
C&I Artisans	2	N3/Grade 12 or Equivalent	Trade Test	
Electrical Artisans		N3/Grade 12 or Equivalent	On a job training	

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


**Note** That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives.

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## Section 6: General Information on Validity of Sworn Affidavits

The following must be considered when it comes to validity of Affidavits;

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

- Name/s of deponent as they appear in the identity document and the identity number
- Designation of the deponent as the **director, owner or member** must be indicated in order to know that person is duly authorised to depose of an affidavit **(Mark the applicable option)**.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected **(No blank spaces to be left)**.
- Indicate total revenue for the year under review and whether it is based on **audited financial statements or management account** **(Mark the applicable option)**.
- 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)**.
- B-BBEE Status level. An enterprise can only have one status level. **(Tick applicable level)**
- Empowering supplier status must be indicated For QSEs, the deponent must select the basis for the empowering supplier status.
- 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. Furthermore the Commissioner must also sign and stamp)**
- 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

## Corporate Social Investment

Successful shall be expected to contribute 2% towards corporate social investment initiatives to benefit communities around Matla This item shall be negotiated with the successful bidder

Criteria	Expected CSI (%)	Target (%)	Proposal
CSI	2%	2%	

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## **ANNEXURE B**

### **TENDERER'S PARTICULARS**

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

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

Please complete the following:

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


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

Name of contractor	
CIPC Registration number or CIPC disclosure certificate	

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VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

- 1 If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom \_\_\_\_\_
- 2 If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury\_\_\_\_\_
3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company
- 4 You may register online at National Treasury website on [www.treasury.gov.za](http://www.treasury.gov.za)
- 5 If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status \_\_\_\_\_
- 6 If you are required to be tax compliant as per SBD 1, but are not registered on CSD ( foreign suppliers) or have not provided your SARS Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).


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

- 7 If sub-contracting is prescribed in the specific enquiry, you need to compete 8.1- 8 7

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8.1 Confirm if you intend sub-contracting

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

8.2 What percentage will you be sub-contracting? \_\_\_\_\_%

8.3 To whom do you intend sub-contracting? \_\_\_\_\_

8.4 Is the said sub-contractor registered on CSD?

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

8.5 If yes to 8.4, please provide CSD number \_\_\_\_\_

8.4 Please confirm B-BBEE level of said sub-contractor \_\_\_\_\_

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

- 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)

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

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

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


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

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## **ANNEXURE C**

### **INTEGRITY DECLARATION FORM**

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

#### **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 -

- 1 the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity
- 2 the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
- 3 the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
- 4 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 -
  - 1 an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
  - 2 or are separated by no more than two degrees of natural or adopted consanguinity or affinity,
  - 3 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

#### **1.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"
- 5 the *tenderer/s* and one or more of the *tenderers* in this tendering process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process,

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


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

Item	Question	Yes	No
1 1	<p>Is the <i>tenderer/s (or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector</p> <p><b>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</b></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>)</p>		
1 2	<p>Is the <i>tenderer/s (or any of its directors / members / shareholders)?</i> listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>)</p>		
1 3	Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?		
1 3 1	Provide details		
1 4	Was the <i>tenderer/s(or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		
1 5	Is there any history/record of the <i>tenderer/s (or any of its directors/members/shareholders)</i> failing to meet their contractual obligation with any SOC?		

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### 3. DECLARATION OF SHAREHOLDING INFORMATION

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

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

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

#### Individuals:

Full Name	Identity Number	Shareholding Percentage


#### Other Entities\*:

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

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

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

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

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

Signature:	
Designation and capacity in which signing	
Date:	


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#### 4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

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

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

#### 3. NUMBER OF FORMULAE & INDICES

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

#### 4. CPA FIXED PORTION

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


#### 5. BASE DATE

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

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### 3. CPA FOR PROFESSIONAL SERVICES

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

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

No fixed portion is mandatory

Signed

Date

Name

Position

Tenderer

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

Labour	Commodities	Processed material	Transport	Others
<b>Labour general (hourly paid)</b> SEIFSA, C3, actual labour cost	<b>Steel</b> StatsSA, P0142 1 Table 2, basic iron and steel	<b>Mechanical engineering material</b> SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 <b>CPI</b> (Headline) all items OR SEIFSA, D-2 (CPI)
	<b>Copper</b> SEIFSA, F, copper metric ton	<b>Electrical engineering material</b> SEIFSA, G-1, electrical engineering material		
<b>Labour general</b> SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid	<b>Aluminium</b> SEIFSA, R, aluminium	<b>Building and construction material</b> SEIFSA, G, building and construction material		4 Final Manufacture d Goods  5 Or Intermediate Manufacture d Goods OR 6 SEIFSA Table U Producer
	<b>Zinc</b> SEIFSA, F, zinc			
	<b>Lead</b> SEIFSA ,F, lead			


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**PRICE ADJUSTMENT FOR INFLATION TO BE COMPLETED**

Item	Description of Work	Proportion %	Source of Index (CPI, PPI, SEIFSA)	Index Table
1	Material			
2	Labour			
3	Transport			
4	Non-Adjustable	10%		
	<b>Total Percentage:</b>	<b>100%</b>		

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## **ANNEXURE E**

### **CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES**

#### **CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS – IMPORTATION**

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

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

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

#### **PART 1: PAYMENT OF FOREIGN COMMITMENTS**

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

##### **Payment Method 1A:**

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

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

**Applicable (Y / N)**

Payment Method 1B,

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

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

**Applicable(Y/N) or**

##### **Payment Method 2:**

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


Any exchange rate adjustment after Eskom has notified the supplier of the date and the rate which the forward cover is cancelled, will be for the account of the supplier

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

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

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

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

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

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

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


##### **1 MANUFACTURING CPA METHOD (LABOUR AND MATERIAL)**

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

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## 2 EXPATRIATE LABOUR METHOD

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

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

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

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

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

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


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

Closing date of tender	_____ / _____ / _____
TENDERER'S SIGNATURE	_____

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## **ANNEXURE F1**

SBD 6.2

### **DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS**

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed by the Dtic, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286 2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration Summary Schedule), D (Imported Content Declaration Supporting Schedule to Annex C) and E (Local Content Declaration Supporting Schedule to Annex C)].

#### **1. General Conditions**

1.1 Dtic makes provision for the promotion of local production and content

1.2 Dtic prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered

1.3 A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold

1.4 The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286 2011 as follows

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12.00 on the date of advertisement of the bid as indicated in paragraph 4.1 below

**The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

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the information contained in Declaration D and E which has been consolidated in Declaration C

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286 2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286 2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286 2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 9 1 of the Preferential Procurement Regulations, 2022 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No 5 of 2000)

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

WITNESS No. 1 \_\_\_\_\_

DATE: \_\_\_\_\_

WITNESS No. 2 \_\_\_\_\_

DATE: \_\_\_\_\_

**Annexure F2- \_Local content Declaration-Summary Schedule (annex C)**



Adobe Acrobat Document

**Annexure F3 - \_Imports Declaration-Supporting schedule to Annex C(annex D)**



Adobe Acrobat Document

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




Adobe Acrobat Document

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## ANNEXURE G

SBD 1

### PART A INVITATION TO BID


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

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- 4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID
- 5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 6 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

- |    |   |   |
|----|---|---|
| 1. | IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?<br>NO | <input type="checkbox"/> YES <input type="checkbox"/> |
| 2. | DOES THE BIDDER HAVE A BRANCH IN THE RSA?<br>NO                       | <input type="checkbox"/> YES <input type="checkbox"/> |
| 3. | DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?<br>NO      | <input type="checkbox"/> YES <input type="checkbox"/> |
| 4. | DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?<br>NO           | <input type="checkbox"/> YES <input type="checkbox"/> |


IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

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## ANNEXURE H

## 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 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 The following preference point systems are applicable to invitations to tender.
  - 1 the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included), and
  - 2 the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included)

#### 1. To be completed by the organ of state

*(delete whichever is not applicable for this tender)*

- 1 The applicable preference point system for this tender is the 90/10 preference point system
- 2 The applicable preference point system for this tender is the 80/20 preference point system
- 3 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 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for


- 1 Price, and
- 2 Specific Goals

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## 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

$$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) \text{ or } P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

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

### 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

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender


## 7. POINTS AWARDED FOR SPECIFIC GOALS

- 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
- 2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states

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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—

- 1 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
- 2 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


- 1 Name of company/firm
- 2 Company registration number
- 3 TYPE 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

[TICK APPLICABLE BOX]
- 4 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
  - 1 The information furnished is true and correct,
  - 2 The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form,
  - 3 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,
5. 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 –
  - 1 disqualify the person from the tendering process,
  - 2 recover costs, losses or damages it has incurred or suffered as a result of that person's conduct,
  - 3 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;
  - 4 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
  - 5 forward the matter for criminal prosecution, if deemed necessary

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME


DATE

ADDRESS

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## Annexure I

## SBD 4

### BIDDER'S DISCLOSURE

#### 1. PURPOSE OF THE FORM

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

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

#### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise,

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State Institution


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

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

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

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

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

Signature

Date

Position

Name of bidder

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