

	Invitation to Tender	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

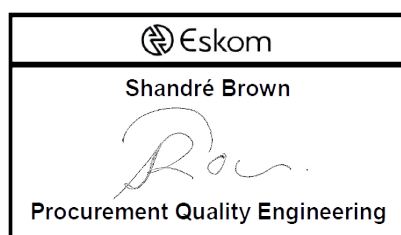
ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

PROVISION OF ACOUSTIC LEAK DETECTION TEST (V-SERVICE) TO QUANTIFY VALVE LEAKAGE INTO CONDENSER AND CONTRIBUTION TO PCLF ON AN AS AND WHEN REQUIRED BASIS AT NUCLEAR OPERATING UNIT

Tender number	WCKBG2412SB
Issue date	11 July 2022
Closing date and time	02 August 2022 at 10h00 (SA time)
Tender validity period	90 days from the closing date and time
Clarification meeting	Date 22 July 2022 Time: 11:30 until 13:00 Venue Microsoft Teams Click here to join the meeting
Tenders are to be delivered to the following address on the stipulated closing date and time:	THE TENDER OFFICE BLOCK 'E', STORES BUILDING BRACKENFELL COMPLEX ESKOM ROAD BRACKENFELL 7560 PLEASE ALLOW SUFFICIENT TIME TO ACCESS THE ESKOM, BRACKENFELL COMPLEX FOR SUBMISSION OF YOUR OFFER. THE PERSON SUBMITTING THE OFFER MUST HAVE A VALID ID BOOK PRESENT.



Q3/L2 Service

2022-07-06

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the **provision of acoustic leak detection test (V-Service) to quantify valve leakage into Condenser and contribution to PCLF on an as and when required basis at Nuclear Operating Unit.**


The enquiry documents are supplied to you on the following basis:

- Free of charge

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a 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).

Queries relating to these Invitation documents may be addressed to the Eskom *Representative*, attention Ms Sheilah Brown at Tender Clarifications TenderClarifications@eskom.co.za

Yours faithfully

 pp

Ms Ammon Niewenhuis – Senior Advisor

Nuclear Commercial

Date: 2022/07/07

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The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N/ N/A)
6.1	*Acknowledgement form	Annexure A	Y
6.2	*Tenderer's particulars	Annexure B	Y
6.3	*Integrity Declaration form	Annexure C Refer document For Info_Eskom Supplier Integrity Pact_v0	Y
6.4	CPA Requirements for Local Goods/Services	Annexure D	Y
6.5	CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	Y
6.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included). Annexure C-Local Content Declaration- Summary Schedule Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C Annexure E-Local Content Declaration- Supporting Schedule to Annexure C	Annexure F1 Annexure F2 Annexure F3 Annexure F4	Y
6.7	SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
6.8	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Y
6.9	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Refer Attachment 8_Supplier Evaluation Pack Template for 01 March 2022 to 28 February 2023	Y
6.10	Supplier Development & Localisation (SDL&I) Undertaking (if applicable)	Refer Attachment 7_KBG2412_SDL&I Undertaking - V-Service	Y

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- 1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. If the **Eskom Standard Conditions of Tender** is not attached to the **Invitation to Tender**; then the tenderers are required to download this from www.eskom.co.za. The **“Tender Data”** as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Sheilah Brown Tel: +27 (0) 21 522 1221 E-mail: TenderClarifications TenderClarifications@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is : WCKBG2412SB</p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender/RFP	<p>This invitation to tender is</p> <ol style="list-style-type: none"> 1. An open Invitation to tender
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole/parts of the contract.</p>
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <ul style="list-style-type: none"> • Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. • Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium • 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. • A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if:</p> <ul style="list-style-type: none"> ○ (a) they have a controlling partner/majority shareholder in common; or ○ (b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender of another Tenderer, or influence the decisions of the Employer regarding this bidding process; <ul style="list-style-type: none"> • Tenders signed by non- authorized persons • Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) • A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of PPPFA Regulations • Any tenderer that is restricted by National Treasury • A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p>
2.2 -2.5 Tender Closing	<p>The deadline for <i>Tender</i> submission is:</p> <p>Date: 02 August 2022 Time: 10h00</p> <p>NO FAX TENDER WILL BE ACCEPTED NO LATE TENDER WILL BE ACCEPTED</p> <p>Addressed: Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p>THE TENDER OFFICE BLOCK 'E', STORES BUILDING BRACKENFELL COMPLEX ESKOM ROAD BRACKENFELL 7560</p> <p>PLEASE ALLOW SUFFICIENT TIME TO ACCESS THE ESKOM, BRACKENFELL COMPLEX FOR SUBMISSION OF YOUR OFFER. THE PERSON SUBMITTING THE OFFER MUST HAVE A VALID ID BOOK PRESENT</p> <p>Any documentation required that are not submitted in the tender box at the deadline will be considered late. The tenderer accepts that Eskom will not assume any responsibility for the misplacement or premature opening of the tender if the outer package is not sealed and marked as stated.</p>

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>Without limitation, Eskom takes no responsibility for any delays in any courier or postal system or any delays in transit within or between Eskom offices. Eskom likewise takes no responsibility for offers delivered to a location other than the tender box at the tender office stated in the tender. Proof of posting or of courier delivery will not be taken by Eskom as proof of delivery.</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete ORIGINAL tender, plus One (1) HARD COPY of the original tender at tender submission deadline.</p> <p>Eskom also require one (1) additional complete soft copy of the original tender is submitted in electronic format on a USB.</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> <p>The tender shall be submitted in the following format;</p> <p>Part 1: General Commercial documents</p> <ul style="list-style-type: none"> This section will contain all of the commercial related tender returnables as well as general information <p>Part 2: Financial documents</p> <ul style="list-style-type: none"> This section will contain all the financial related tender returnables. <p>Part 3: Functional documents</p> <ul style="list-style-type: none"> This section will contain all the technical related tender returnables including and safety and quality related documents. <p>Please ensure that all pages are securely bound with File fasteners.</p>
	<p>Your failure to provide the necessary copies of the original tender in the stipulated formats or quantities by the deadline for tender submission will immediately DISQUALIFY you from further evaluation. Tenderers will not be permitted to provide the required copies after the deadline for tender submission have passed, and Eskom will not be responsible for the making of copies for the purposes of Evaluation.</p> <p>The onus is upon the tenderer to ensure that copies of the documentation listed above are strictly in accordance with the requirements.</p> <p>Failure to comply or meet stipulated mandatory (pre-requisites for evaluation) and with the said conditions of tender or failure to provide any compulsory documentation required for the purpose of evaluation will render a tender non-responsive.</p>

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	<p>No tippex/correction fluid pen is to be used on any page or any pages of the documents to be submitted. Failure to comply with this, your tender will be deemed commercially unacceptable.</p> <p>Eskom will treat all information as received as confidential.</p> <p>The suppliers must complete the declaration of Interest form (attached separately under the Commercial Folder) to indicate that none of its personnel have any involvement or interest in Eskom and likewise no Eskom personnel have any involvement or interest in the respondent's business as regards to this enquiry.</p> <p>Tenderers are encouraged to continuously check Eskom tender bulletin http://tenderbulletin.eskom.co.za/ for the latest tender updates during this clarification period. This will enable tenderers to familiarize themselves with any new developments in order to tender accurately.</p> <p>All costs incurred in the preparation, presentation/demonstration, and submission of your tender response will be for the tenderer's account.</p> <p>The information contained in this document is of a confidential nature, and may only be used for purpose of responding to this enquiry. This confidentiality clause extends to partners, whom you may decide to involve in preparing a response to this tender. The tender and any supporting documents submitted as part of your enquiry response will become the property of Eskom.</p> <p>Where a Tenderer does not submit an original and complete copy of the original tender, the tenderer will be disqualified.</p>
2.13 Tender Validity Period	<p>The tender validity period is 90 days.</p> <p>The aforesaid validity period may be extended by the Commercial Manager, provided that the original validity period has not expired, and that all Contractors are given an opportunity to extend such period. Any such extension shall be agreed to by a <i>Contractor</i> in writing.</p> <p>Tenderers who fail to respond to such a request before the validity of their tender expires, or who decline such a request shall not be considered further in the evaluation process. Eskom will not be held responsible for any expenses incurred by <i>Contractor</i> in preparing and submitting tenders.</p>
2.16 Site/clarification meetings	<p>A clarification meeting with representatives of the <i>Employer</i> will take place as follows:</p>

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Clause Number from Standard Conditions of Tender	Tender Data								
	<p>Clarification Meeting</p> <table border="1"> <tr> <td>Date</td><td>22 July 2022</td></tr> <tr> <td>Time:</td><td>11:30 until 13:00</td></tr> <tr> <td>Venue</td><td>Microsoft Teams platform</td></tr> <tr> <td></td><td>Click here to join the meeting</td></tr> </table> <p><i>Tenderers can use the applicable LINK to gain access to the Clarification meeting on the specified date and time.</i></p> <p>Queries relating to the issue of these documents may be addressed to the Eskom Representative as follows: Ms S Brown, Email: TenderClarifications@eskom.co.za. Kindly state the following in your subject line – WCKBG2412SB Tender Clarifications (Sheilah Brown).</p> <p>NB: this is a non-mandatory clarification meeting, but it is highly recommended that the tenderer attends the clarification meeting as this gives them the opportunity to clarify any tender or contract ambiguity and this is the only opportunity the tenderer will be able to view the sites.</p>	Date	22 July 2022	Time:	11:30 until 13:00	Venue	Microsoft Teams platform		Click here to join the meeting
Date	22 July 2022								
Time:	11:30 until 13:00								
Venue	Microsoft Teams platform								
	Click here to join the meeting								
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 five (5) working days before the deadline for tender submission.								
2.23 Alternative tenders	Alternative tenders are not allowed .								
2.25 Conditions of contract	The conditions of contract will be the NEC Term Services Contract (TSC)								
2.31 Provision of security for performance	N/A								
3.4 Opening of tenders	<p>Tenders will be opened at the same date and time as the tender deadline</p> <p>Tenders will be opened on:</p> <p>Date: 02 August 2022 Time 10h00</p> <p>Place: THE TENDER OFFICE BLOCK 'E', STORES BUILDING BRACKENFELL COMPLEX ESKOM ROAD BRACKENFELL 7560</p>								
3.5 Prices to be read out	Prices will not be read out .								

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3.9 Basic Compliance	<p>Basic compliance for this invitation to tender/ RFP are:</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer • Submit one (1) hard copy of the original tender to Eskom • Submit a complete original tender with commercial, financial and technical information • Submission of the mandatory commercial tender returnables as at stipulated deadlines. • Central Supplier Database (CSD) number (MAA.....)
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information in required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p>
3.11 Pre-qualification criteria	<p>Pre-qualification criteria not applicable</p>
3.12 Designated materials and thresholds	<p>Designated material thresholds is not applicable</p>
3.13 Functionality requirements	<p>FUNCTIONALITY</p> <p>Phase a – Functional evaluation</p> <ul style="list-style-type: none"> • Mandatory Evaluation for Conventional Island Piping Inspection (Functional). Refer attachment 4_Mandatory Evaluation Criteria-V-Service. <ul style="list-style-type: none"> ○ The supplier will have to stipulate whether they have successfully completed acoustic leak detection test (V-Service) in a PWR Nuclear power station. ○ The supplier must submit at least two sets of reports and supporting documents, of previously executed V-Service inspections and evaluation reports, on power plants of 900 MW or higher. • The Suppliers who meet the mandatory functional evaluation will then further be evaluated for Functionality and need to score more than 80% in total in order to progress to the next stage of Tender Evaluation. Tenderers who do not meet these thresholds will be disqualified. Refer attachment 4.1_Functional Evaluation Criteria V-Service. <p>Phase b – Supplier Qualification Process</p> <ul style="list-style-type: none"> • Suppliers who meet the functionality threshold but are not on the Koeberg Operating Unit (KOU) approved supplier listing (ASL) for the scope of work detailed in the draft NEC3 (TSC) for WCKBG2412SB will be further subjected to a supplier qualification process, which will form part of the functional stage of the evaluation.

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	<p>If a tender meets the required minimum functionality threshold, it is regarded as acceptable for further evaluation for price and BBEE. If a tender submission fails to score enough points to meet the stipulated threshold, the tender is disqualified, and will not proceed to further evaluation.</p>
3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ul style="list-style-type: none"> • Inclusive of VAT • Making the specified correction for arithmetical errors • Excluding contingencies in any bill of quantities or activity schedule. • Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted. • 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. • Unconditional discounts must be taken into account for evaluation purposes; • Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected. <p>Prices will be scored out of 80 points</p>
3.17 Evaluation of B-BBEE	<p>B-BBEE status will be scored out of 20 points in accordance with PPPFA.</p> <p>If a tenderer fails to submit proof of B-BBEE status level, the tenderer will not be disqualified (except if B-BBEE level is a pre-qualification criterion). The tenderer will, however, be awarded 80 points for price and will score 0 points for B-BBEE level /status (out of 20)</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> <ul style="list-style-type: none"> • 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) <p>Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.</p>
3.19 Objective Criteria (if applicable)	<p>Objective criteria are applicable.</p> <p>The following objective criteria apply:-</p> <ul style="list-style-type: none"> • SHEQ Requirements - Safety, Health, Environmental (SHE) - requirements will form part of the tender enquiry. The tender enquiry must be accompanied by a specific project base line risk assessment, SHE specification, Annexure B (Acknowledgement

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	<p>of SHE rules and requirements) and the applicable Annexure C (Annexure C1: SHE tender evaluation and scoring card). Refer attachment 6_SHE Tender Evaluation Template (High risk) C1.</p> <ul style="list-style-type: none"> Annexure B must be returned with the supplier's tender document whereas Annexure C provides guidance to suppliers on the minimum SHE evaluation. Supplier's financial viability - A financial analysis of the supplier's financial statements will be performed to establish the supplier's ability to meet all its contract financial obligations and ability to uphold a contract of this magnitude. Supplier Qualification Process - If the preferred supplier is not on the KOU Approved Suppliers List for the intended scope of work, then the preferred supplier will be subjected to a qualification process. <p>Please note:-</p> <ul style="list-style-type: none"> "Eskom reserves the right to award the tender to a supplier who may not be the highest scoring/highest ranked tenderer, in line with Section (2) (1) (f) of the PPPFA; subject to the right to negotiate on the objective criteria with the three highest ranked tenderers respectively before award is made. Tenderers will not be disqualified if they do not comply with the objective criteria. Functionality and any element of the B-BBEE scorecard may not be used as objective criteria.
3.20 Reverse e-auction (if applicable)	Reverse e-auction is not applicable.
Contractual Requirements (if applicable)	<p>Contractual Requirements may include the following :</p> <ul style="list-style-type: none"> SHEQ requirements <p>Please Note: 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 is able to meet the contractual requirements, must be submitted prior to contract award. Failure to meet "Contractual Requirements "by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award. 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>

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CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements <i>are not applicable</i>

Please note:

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

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

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

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

- (a) the B-BBEE status level certificate issued by an 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;**

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1.3 **TENDER RETURNABLES**

The tenderer must submit the returnables set out hereunder as part of its tender. Returnables that are mandatory for evaluation will result in disqualification if not submitted at tender closing.

Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
Basic Compliance	One (1) hard copy of the tender (the tenderer must submit the tender as a complete ORIGINAL tender, plus 1 (one) HARD COPY of the original at tender submission deadline)	✓	
Annexure A	Acknowledgement Form	✓	
Annexure B	Tenderers Particulars	✓	
Annexure C	Integrity Pact Declaration form	✓	
Annexure D	CPA for local goods/services (if applicable)	✓	
Annexure E	CPA(IG) for imported goods/services (if applicable)	✓	
Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E [only applicable where designated materials are included]	✓	
Annexure G (applicable for all suppliers including foreign suppliers)	SBD 1- to be submitted with the tender at tender submission deadline	✓	
Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	✓	
Supplier Development & Localisation (SD&L) Undertaking	Refer attachment 7_WCKBG2412SB_SDLI Undertaking - V-Service		✓
Additional Documents required in event of JV:-	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)		✓
	“proof of B-BBEE status level of contributor” means:-	✓	

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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
	(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.		✓
**“proof of B-BBEE status level of contributor” 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;	Failure on the part of the supplier to submit “proof of B-BBEE status level of contributor” 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 criterion). The tenderer will, however, be scored zero on B-BBEE for purposes of PPPFA scoring and ranking.	✓	
Tax Clearance Certificates	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.		✓
Tax Evaluation Questionnaire (if services contract and was included as annexure)	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE		✓
Compliance with Employment Equity Act	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).		✓

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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
Shareholding	Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	✓	
NEC Documentation	Completed NEC pricing schedule and contract data.	✓	
Attachment 8	Supplier Evaluation Pack Template for 01 March 2022 to 28 February 2023		✓
Attachment 9	Contract Deviations Annex A	✓	
Attachment 10	Company information Form (if applicable)		✓
Attachment 11	Non-Disclosure Agreement (NDA) Vendors	✓	
Attachment 12	Standard Bidding Document_SBD4_Bidders Disclosure	✓	
DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS			
Safety	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)		✓
Quality	Documents that may be required per scope of work Refer attachment 5.1_Supplier Quality Requirements DSG-318-087 Rev 2 (To be signed as acceptance by the tenderers)		✓
Other safety/quality documents as required per scope of works	Documents that may be required per scope of work		✓
Environmental	Documents that may be required as per scope of work		✓
Due Diligence	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. Ensure the financial statements are in English.		✓

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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
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Technical (Required for functionality scoring)	FUNCTIONAL TENDER RETURNABLES Refer attachment 4 - Mandatory Evaluation Criteria_V-Inspections and attachment 4.1 - Technical Evaluation V-Service for the Functional evaluation criteria Please note that compliance is Mandatory for further evaluation.	✓	

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ANNEXURE A

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender from Eskom Holdings SOC Ltd and the following addenda issued by Eskom:

1. _____
2. _____
3. _____

We confirm that the documentation received by us is: **(Indicate by ticking the box)**

Correct as stated in the Invitation to Tender / RFP Content List, and that each document is complete. ☐

Or: Incorrect or incomplete for the following reasons: ☐

Cataloguing Acknowledgement:

[Please select the relevant statement by ticking the appropriate box below]:

1. We agree to provide the cataloguing information as described in the *tender submission*. ☐
2. We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [***insert previous invitation to tender/RFQ number***] ☐ _____
3. We do not intend to provide the cataloguing information for the required scope / specifications. for the reasons stated hereunder: ☐

4. I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position. ☐

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Invitation to Tender No: WCKBG2412SB

Name of company/JV: _____

Country of registration_____

Name of contact person:_____

Kindly note that the contact person(s) detailed above will be contacted for any clarifications and should have the needed authorisation to do so on behalf of the tenderer. Include a signed delegation letter, where applicable.

Contact details of contact person:

Tel (landline) _____

Cell phone_____

e-mail address_____

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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 (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)	
Shareholding information (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entity shareholders (provide full legal/trading name and respective identifying registration/trust numbers)	Include as separate tender returnable if required.
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)	

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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	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names& ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	
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_____

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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
5. Alternatively, you may contact [•] ***[insert the name and contact details of the relevant person from Eskom's Vendor Management department, who can assist you further with the registration on CSD].***
6. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status_____
7. 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	
-----	--	----	--

8. If sub-contracting is prescribed in the specific enquiry, you need to compete 8.1- 8.7

- 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. Black people
 - b. Black people who are youth
 - c. Black people who are women
 - d. Black people with disabilities
 - e. Black people living in rural or underdeveloped areas or townships
 - f. Cooperatives which are 51% owned by Black people
 - g. Black people who are military veterans

If Eskom decides to apply the sub-contracting provision as specified in Regulation 4(c) all tenders above the prescribed maximum threshold for quotations must be advertised through an open competitive bidding process subject to potential

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tenderers meeting the 30% minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises:

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	
-----	--	----	--

A. Single tenderers

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 the tenderer).

Signature: _____

Designation: _____

Date: _____

B. Joint Ventures

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms _____(full names), an authorised signatory of _____, (insert the full legal name of the business entity serving as the lead partner) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.

We attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

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Legal Name of Joint Venture Member	Full Name and Capacity of Authorised Signatory	Signature

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ANNEXURE C

INTEGRITY DECLARATION FORM

(Form to be completed and signed by supplier/tenderer as Invitation to Tender/RFP returnable or as part of contract modification documentation)

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 similar to 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/RFP 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 of another tenderer, or influence the decisions of Eskom regarding this bidding process;

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

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

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/RFP 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._____

2. DECLARATION OF FAIR TENDERING PRACTICES

This serves as a declaration that when goods/services are being procured, all reasonable steps have been taken to address and/or prevent the exploitation of the procurement process and the use of any unfair tendering practices.

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

- abused the institution's procurement process (e.g. bid rigging/collusion)
- committed fraud or any other improper conduct in relation to such system.

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

Item	Question	Yes/No	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>[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].</p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</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 (www.treasury.gov.za).</p>		
1.3	<p>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?</p>		
1.3.1	Provide details.		
1.4	<p>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</p>		
1.5	<p><i>Is there any history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC?</i></p>		

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I, the undersigned, _____ 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 the 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 may be rejected, and that Eskom will act against the tenderer should any aspect of this this declaration prove to be false.

Signature:	
Designation and capacity in which signing:	
Date:	

Joint Ventures

I, the undersigned, _____ hereby confirm that acting in the capacity of lead partner, I am duly authorised to sign all documents in connection with the tender and any contract resulting from it on behalf of _____ (insert the full legal name of the JV).

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 JV's tender may be rejected, and that Eskom will act against the JV should any aspect of this this declaration prove to be false.

Signature:	
Designation and capacity in which signing :	
Date:	

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender.

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ANNEXURE D

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS

This Section will not be applicable to professional services contract

1. APPLICATION OF CPA

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned. Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable

CPA conditions may apply if the contractual duration is to be longer than 12 months. If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.

2. TENDER SUBMISSIONS

Tenderers shall comply with the following requirements:

a. Main offer:

- A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry.
- This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer.

Failure to do so may result in the supplier's offer(s) being disqualified.

b. Additional/Alternative offer:

Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable:

- A fixed priced offer in addition to the fully CPA compliant main offer; or
- Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However it is compulsory that all such deviations are sufficiently substantiated.

Additional/Alternative Offers must be clearly indicated as such

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3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Tables 1 and 2. The index list comprises indices that could be used in the Tenderers main offer.

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:

- 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.
- The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index.

5. 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.

6. 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.

7. BASE DATE

- 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
- 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
- In this case, the following shall apply:
 - 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
 - Where a high, low and mean are published:
The mean
 - Where other prices than the Cash Settlement or Cash Sellers Price are published:

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The Cash Settlement or Cash Sellers Price

- Where applicable, these principles, must also apply for the CPA “cut-off” date.

8. 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

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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
Labour general (hourly paid) SEIFSA, C3, actual labour cost	Steel StatsSA, P0142.1 Table 2, basic iron and steel	Mechanical engineering material SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI)
	Copper SEIFSA, F, copper metric ton	Electrical engineering material SEIFSA, G-1, electrical engineering material		
Labour general SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid	Aluminium SEIFSA, R, aluminium	Building and construction material SEIFSA, G, building and construction material		StasSA, PO142.1), PPI <ul style="list-style-type: none">Final Manufactur ed GoodsOr• Intermediate Manufactur ed Goods OR• SEIFSA Table U Producer Price Index (PPI - final manufactured GOODS OR Intermediate Manufactured Goods
	Zinc SEIFSA, F, zinc			
	Lead SEIFSA ,F, lead			

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Table 2: Preferred Foreign Index List

Labour	Commodities	Processed material	Transport	Others
National Statistical Institute, Country-specific general labour index	MEPS, Country-specific general steel index	National Statistical Institute, Country-specific mechanical engineering material	National Statistical Institute, Country-specific general transport cost index	National Statistical Institute, Country-specific CPI (Headline) National Statistical Institute, Country-specific PPI
	LME, Copper	National Statistical Institute, Country-specific electrical engineering material		
	LME, aluminium			
	LME, zinc	National Statistical Institute, Country-specific building and construction material		
	LME, lead			

Closing date of tender _____ / _____ / _____

TENDERER'S SIGNATURE _____

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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:

- The contracting party must be the direct importer
- For payment purposes, Eskom will require both the foreign (commercial) invoice and the local tax invoice
- The foreign currency values on both the commercial and local invoice must be the same. Eskom will not pay any profit in foreign currency.
- 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.

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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.

Please note:

- The contracting party has to be the direct importer of the goods.
- This payment option is not applicable for the payment of services

Applicable (Y/N).....

An indemnity in writing confirming that the supplier will not buy forward cover is required where Payment Method 1 or 2 is contracted.

[Payment Method 2 must be accepted by the Commercial Policy and Procedure Manager before the tender documentation is sent out, but at the latest before the tender closing date. If it is not approved before tender closing, Payment Method 1 will be the default.]

Fixed ZAR pricing

The tenderer may elect to be responsible for the hedging of the exposure of the imported content. However, Eskom reserves the right to have line of sight of the exchange rates to be quoted by the tenderer. This entails a simultaneous exercise of the verification of the exchange rates to be used.

Applicable (Y/N).....

Please note: Eskom will require substantiating proof of importation at the time of invoicing, if payment methods 1A,1B and 2 are selected.

Where goods were previously imported into stock by the supplier, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases Eskom will not undertake any foreign exchange commitment or arrange forward cover.

PART 2: EXCHANGE RATES

The tenderer shall use the exchange rate as at 12H00 on the date of the advertisement of the tender. The source of the exchange rates shall be the South African Reserve Bank (www.resbank.co.za)

Please note that the tenderer is required to submit proof of the SARB rate/s used.

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PART 3: ADJUSTMENT OF IMPORTATION COSTS, ETC

The values in Rand included in the tender/contract price for the following costs shall be based on rates ruling for the month prior to the closing date of the tender and any variation in these rates applied to the value included in the tender price will be for Eskom's account.

	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.

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4.1 MANUFACTURING CPA METHOD (LABOUR AND MATERIAL)

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

4.2 EXPATRIATE LABOUR METHOD

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

4.3 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

- 1 When the percentage increase or decrease between two indices/prices/tariffs is calculated, the earlier figure shall be taken as the base.
- 2 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.
- 3 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.
- 4 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.
- 5 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.
- 6 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.
- 7 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 in the Preferential Procurement Regulations, 2017, 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. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) 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. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. 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.
- 1.5. 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.

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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.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

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LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below 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 which has been consolidated in Declaration C:

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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 14 of the Preferential Procurement Regulations, 2017 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)

Annexure F3 - Imports Declaration-Supporting schedule to Annex C(annex D)



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



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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:	WCKBG2412SB	CLOSING DATE:	02 August 2022	CLOSING TIME:	10:00
DESCRIPTION	PROVISION OF ACOUSTIC LEAK DETECTION TEST (V-SERVICE) TO QUANTIFY VALVE LEAKAGE INTO CONDENSER AND CONTRIBUTION TO PCLF ON AN AS AND WHEN REQUIRED BASIS AT NUCLEAR OPERATING UNIT (NOU)				
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)					
Tender Centre, Block 'E' Stores Building, Brackenfell Complex, Eskom Road, Brackenfell (7560), Western Cape, South Africa					
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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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED	TOTAL BID PRICE (ALL INCLUSIVE)		
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	ESKOM (NOU)	CONTACT PERSON	SHEILAH BROWN
CONTACT PERSON	SHEILAH BROWN	TELEPHONE NUMBER	+27 (0) 21 522 1221
TELEPHONE NUMBER	+27 (0) 21 522 1221	FACSIMILE NUMBER	+86 539 0517
FACSIMILE NUMBER	+86 539 0517	E-MAIL ADDRESS	tenderclarifications@eskom.co.za
E-MAIL ADDRESS	BrownSe@eskom.co.za		

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE
1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

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2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

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 / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:


.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

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Annexure H

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.


1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

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3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:


B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (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

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:-

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6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: =(maximum of 10 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(***Tick applicable box***)


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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		

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OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.


[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....


SIGNATURE(S) OF BIDDERS(S)

DATE:

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	CONFIRMATION OF VENDOR REGISTRATION WITH ESKOM	Tender Returnable
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Are you currently registered as a vendor with Eskom?

Yes	No
-----	----

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, refer below leaflet for more information.



5. Alternatively, you may contact, Nuclear Commercial | Eskom Holdings SOC Limited, Office: +27 (021) 983 4080

SIGNATURE (Please use block letters where applicable)			
NAME	DESIGNATION	SIGNATURE	DATE

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 Eskom	TAX CLEARANCE CERTIFICATE	Tender Returnable
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Tenderer to provide Eskom with their SARS Pin Number for verification purposes

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	Supplier's PAYE Evaluation Questionnaire	Tender Returnable
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Eskom Holdings Ltd
2002/015527/30
Suppliers' PAYE evaluation questionnaire

Please answer the questions by marking the appropriate column with an "X".

Please do not leave out any question relating to your specific circumstances.

VENDOR NAME		VENDOR NO	
REGISTRATION NO (ID, Company or CC no, Trust no)	VAT REGISTRATION NUMBER	PAYE REGISTRATION NUMBER	
NO	QUESTION	YES	NO
A1.	For the duration of this proposed contract, will your entity provide Eskom with "people" or a "person" whom will receive remuneration payable by way of a salary, leave pay, allowances, wages, overtime, commission, fees, hourly rates?		
A2.	If the answer to question 1 is "Yes". You are classified as a labour broker according to SARS forth schedule of Income Tax Act.		
A3.	As a labour broker, you have to supply Eskom with a valid, original or certified copy of an IRP30/IRP3 for the current tax year, with this tender or PAYE will be deducted until such certificate is received. It remains your entities responsibility to provide Eskom with a new certificate if the contract extends into a new financial year. PAYE will automatically be deducted after the expiry date of the certificate until a new certificate is provided.		
NO	QUESTION	YES	NO

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B1.	Do you render the services to Eskom through a Company, Close Corporation or Trust?		
B2.	Is any of the services provided to Eskom, through your entity, provided personally by any connected person (shareholders, members, beneficiaries, any relative) of the entity.		
B3.	Does the entity employ four or more full-time employees (other than shareholders, members, beneficiaries, any relative)? (Implied that the tea lady and gardener would not be considered in determining the full time staff rendering services to clients)		
B4.	Do you, the Company, Close Corporation or Trust receive any form of training supplied or paid for by Eskom? If "yes", please specify the nature and extent of training.		
B5.	Are you, the Company, Close Corporation or Trust free to choose which tools or equipment, or staff, or raw materials, or routines, patents and technology to use in performing your main duties?		
B6.	In order to perform your main duties, do you, or does such a person, Company, Close Corporation or Trust, use any tools or equipment supplied or paid for by Eskom? If "yes", please state the nature thereof:		
B7.	Does the Company, Close Corporation or Trust, during its financial year, receive or anticipate to receive more than 80% of the income relating to services from Eskom?		
B8.	Does Eskom control or prescribe your, the Company, Close Corporation or Trust's hours of work? (not allowable hours but the hours that you should work)		
B9.	Are you, the Company, Close Corporation or Trust controlled and supervised in any way by Eskom? If "yes", state the nature.		
B10.	Does your contract contain any elements of an employment contract? (i.e. Job titles, reporting structure in organisation, fixed working hours, employment benefits, performance bonuses (excluding bonus and penalties for early or late delivery))		
B11.	Does your contract contain any clause that will enable you to receive payment, even if no work was done?		

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B12.	Have you ever been classified as a labour broker or personal services company (including Close Corporation and Trust) by SARS or any other client?		
B13.	If the answer to B12 was "yes", did anything change that no longer classifies you as a labour broker or personal services company? If "yes", elaborate:		

particulars OF PERSON ACTING AS REPRESENTATIVE OF THE ENTERPRISE

I, the undersigned, confirm that the information provided above is accurate, and that while in receipt of payment from Eskom, will inform Eskom of any changes that take place pertaining the information provided above.

REPRESENTATIVE'S FULL NAMES	CAPACITY	CONTACT NUMBER
SIGNATURE		DATE

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 Eskom	B-BBEE Certificate	Tender Returnable
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3.19 Evaluation of B-BBEE	<p>B-BBEE status will be scored out of 20 in accordance with PPPFA.</p> <p>Tenderers are required to submit an original valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their tenders to substantiate the B-BBEE claims.</p> <p>Tenderers who do not submit B-BBEE Status Level Verification Certificates or non-compliant contributors to B-BBEE will not qualify for preference points for B-BBEE however will not be disqualified from the tender process. Such a tenderer will score points out of 80 for price and 0 points out of 20 for B-BBEE.</p> <p>The points scored for price will be added to the points scored for B-BBEE status level of contribution to obtain the tenderers total points scored out of a 100.</p>
---------------------------	---

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	LIST OF DIRECTORS AND AUTHORISED SIGNATORIES	Tender Returnable
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Tenderer attaches list here as tender returnable.


List the shareholders & directors (company), members (CC) or partners (partnership / JV), and their percentage of ownership in the business.	Name of Director / Name of Member / Name of Partner	Executive / Non-Executive	Authorised Signatory (Y/N)

The above can be attached as a separate page.

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	DECLARATION OF SHAREHOLDING ORGANOGRAM /BREAKDOWN	Tender Returnable
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Eskom prospective Suppliers are requested to declare the names of Shareholders in their Company. Kindly disclose all the names of individuals or/and companies that own shares in your organisation and submit a Shareholding organogram/breakdown.

Details of Disclosure

I, the undersigned _____ (Position) _____ hereby declare that I am the authorised representative of my organisation _____ (Name of Company or Trust). I further declare that the following people are Shareholders/Beneficiaries in _____ (Name of Company or Trust)

Name of the Company/Trust	Registration number of the Company/Trust	Names of all Shareholders	Number/ percentage of Shares

(Tick applicable box)

Are any of the shareholders or beneficiaries declared above employed by or close family members* to employees of Eskom Holdings and/or its subsidiaries? ☐ Yes ☐ No.

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If Yes, please provide details of position held in Eskom by employee or relationship with Eskom Holdings employee and such shareholder/beneficiary's interest in your organisation:

SIGNATURE: _____ DATE: _____

DESIGNATION: _____


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

Enclose a copy of company organogram

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	PROBITY ON CLOSE FAMILY MEMBERS OR BENEFICIARIES	Tender Returnable
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Please indicate, by completing the table set out below, the names of all persons, (natural or Juristic), who are Beneficiaries of the *tenderer*.

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

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

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

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

** Please indicate in the table above if any juristic person named above has as a Beneficiary a director of Eskom Holdings SOC Ltd or a subsidiary thereof, or an employee of Eskom

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Holding SOC Ltd involved in the procurement and approval process associated with this tender, or whether any Beneficiary of a juristic person named above is a Close Family Member of a director of Eskom Holdings SOC Ltd or a subsidiary thereof, or an employee of Eskom Holdings SOC Ltd involved in the procurement and approval process associated with this tender.

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

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

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

SIGNATURE <i>(Please use block letters where applicable)</i>			
NAME	DESIGNATION	SIGNATURE	DATE

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Tender Returnable

	Supplier Declaration of Interest	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-59385360	Rev	3
		Effective Date	01 February 2015		
		Review Date	February 2021		

DECLARATION

I, the undersigned **[insert full name of signatory]**....., in my capacity as **[insert capacity, i.e., member, director, partner, etc.]** of the supplier **[insert registered full legal name of the supplying entity AND their company registration number]**, certify under oath that, to the best of my knowledge, the information furnished herein is true and correct. I accept that Eskom reserves its right to act against the supplier named above or me personally in terms hereof, should this declaration prove to be false.

Eskom employees and directors that engage in **private work** for or on behalf of the Supplier are not permitted to financially benefit from the procurement associated with this **enquiry / tender / negotiation** **[delete whichever option is not applicable]**

In order to manage situations where conflicts of interests may exist, involving Eskom employees and/or directors engaging in **private work** with the Supplier (named above) associated with this **enquiry / tender / negotiation** **[delete whichever option is not applicable]**, you are hereby required to declare their positions to Eskom and take an oath declaring their interests.

For the purposes of this Declaration:

- **Private Work** includes private interests, and means any employment or commercial activity, or any other interests embarked on by an employee outside the scope of his/her Eskom employment.
- A **commercial activity** means any activity an employee engages in outside Eskom for the purpose of generating income, whether or not the activity actually produces income and/or is profitable.
- 3. **Close Family** means persons related to the employee or director by birth, marriage, domestic partnership, adoption, guardianship or the like, who may influence, or be seen to influence the objectivity of the employee or director **OR** related persons who may be influenced by the employee or director in their dealings with Eskom;
- 4. **Associate** means any person (i.e. a friend, rival, business partner, neighbour or the like) who has

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a relationship with an employee or director who may influence, or be seen to influence the objectivity of the employee or director **OR** who may be influenced by the employee or director in their dealings with Eskom;

- 5. Participation in the Procurement Process** means conceptualisation, proposal, specification, feasibility studies, sourcing, evaluation, benchmarking, negotiation, approval and awarding or withdrawal of offers / tenders in relation to orders / contracts for performing any work, providing any services, or supplying any material, article or equipment or performing any other act; and
- 6. Business Courtesy** means a gift or favour received from a person or a firm for which fair market value is not paid, and includes non-monetary gifts, meals, drinks, entertainment, hospitality, recreation, transportation, attendance prizes, discounts, tickets, passes, promotional items, materials, equipment and the like.

In order to give effect to the above, the following questionnaire must be completed and submitted as a returnable with your enquiry / tender/ attendance at a negotiation.

*** Delete whichever is not applicable.**

Are you or any other person who holds an interest in the Supplier named above (i.e. a shareholder, a director, or a member or partner, a line manager, or a fellow employee), employed by Eskom or serves as a director at Eskom?

***YES/NO**

If so, state particulars

.....

Are you, or any other person who holds an interest in the Supplier named above, a **close family** member to or an **associate** of an Eskom employee and/or director, who may be **participating in the procurement process** associated with this enquiry / tender / negotiation?

***YES/NO**

If so, state particulars

.....

Are you aware of any relationship which amounts to that of **close family** (i.e. related by birth, marriage, domestic partnership, adoption, guardianship or the like) or that of an **associate** (i.e. a friend, rival, business partner, neighbour, etc.) between person/s acting for or on behalf of the Supplier and an Eskom employee and/or director, who may be **participating in the procurement process** associated with this enquiry / tender / negotiation?

***YES/NO**

If so, state particulars

.....

Have you, or any other person who holds an interest in the Supplier named above, given a **business courtesy** to or received a business courtesy from an Eskom employee and/or director over the last

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12 (twelve) months?

***YES/NO**

If so, state particulars

.....
.....
.....

If providing services as a consultant to Eskom, please state the particulars of any other services that the Supplier named above is currently rendering to any other Eskom business units, Eskom Divisions, Eskom subsidiaries, Eskom suppliers of primary energy (coal, water, fuel and associated logistics), Eskom suppliers of strategic commodities (specifically primary plant, IT hardware, IT software, construction services, consulting services and professional services), and key industrial customers. For purposes of this declaration a consultant is deemed to be a supplier that is providing Eskom with advice / contracted deliverables linked to specific technical and /or strategic issues that are core to Eskom's approved strategic direction, and /or where the services of a registered professional are required (e.g. attorneys, auditors, engineers, etc.).

Declaration of other work			
Name of Client	Nature of Services	Date/s of contract	Contact person/s and contact details

Name	Designation	Signature	Date
Telephone number	Fax and/or e-mail address		

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	Supplier Development & Localisation (SDL&I) Undertaking	Tender Returnable
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Refer Attachment 7_WCKBG2412SB_SDLI Undertaking - V-Service

The tenderer to ensure that they complete the needed information on the template and return as returnable. A separate document can be completed but ensure that ALL aspects of this requirement is included.

SIGNATURE <i>(Please use block letters where applicable)</i>			
NAME	DESIGNATION	SIGNATURE	DATE

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T1.4 FINANCIAL TENDER RETURNABLES

The tenderer must submit the returnables set out hereunder as part of its tender. (Mandatory returnables are indicated by a tick (✓), and if they are not included by tender deadline, the tenders will be disqualified from further evaluation).

Reference Tender Returnable	Returnables from supplier	Mandatory returnable for evaluation	Mandatory returnable for contract award
1.	Pricing Schedule (C2.1 Pricing Data)		
	C2.2 the activity schedule	✓	
2.	Data provided by the <i>Contractor</i>		
	C1.2 Contract Data	✓	
3.	Audited Financial Statements of the <i>tenderer</i> for the previous two financial years, 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.		✓

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 Eskom	PRICING DATA	Tender Returnable
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C2.1 Pricing assumptions: Option A

How work is priced and assessed for payment

Clause 11 in NEC3 Term Service Contract (TSC3) core clauses and Option A states:

Identified and defined terms 11

11.2 (12) The Price List is the *price list* unless later changed in accordance with this contract.

(17) The Price for Services Provided to Date is the total of

- the Price for each lump sum item in the Price List which the *Contractor* has completed and
- where a quantity is stated for an item in the Price List, an amount calculated by multiplying the quantity which the *Contractor* has completed by the rate.

(19) The Prices are the amounts stated in the Price column of the Price List. Where a quantity is stated for an item in the Price List, the Price is calculated by multiplying the quantity by the rate.

This confirms that Option A is a priced contract where the Prices are derived from a list of items of service which can be priced as lump sums or as expected quantities of service multiplied by a rate or a mix of both.

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Function of the Price List

Clause 54.1 in Option A states: “Information in the Price List is not Service Information”. This confirms that instructions to do work or how it is to be done are not included in the Price List but in the Service Information. This is further confirmed by Clause 20.1 which states, “The *Contractor* Provides the Service in accordance with the Service Information”. Hence the *Contractor* does **not** Provide the Service in accordance with the Price List. The Price List is only a pricing document.

Link to the *Contractor's* plan

Clause 21.4 states “The *Contractor* provides information which shows how each item description on the Price List relates to the operations on each plan which he submits for acceptance”. Hence when compiling the *price list*, the tendering contractor needs to develop his first clause 21.2 plan in such a way that operations shown on it can be priced in the *price list* and result in a satisfactory cash flow in terms of clause 11.2(17).

Preparing the *price list*

Before preparing the *price list*, both the *Employer* and tendering contractors should read the TSC3 Guidance Notes pages 14 and 15. In an Option A contract, either Party may have entered items into the *price list* either as a process of offer and acceptance (tendering) or by negotiation depending on the nature of the *service* to be provided. Alternatively, the *Employer*, in his Instructions to Tenderers or in a Tender Schedule, may have listed some items that he requires the *Contractor* to include in the *price list* to be prepared and priced by him.

It is assumed that in preparing or finalising the *price list* the *Contractor*:

- Has taken account of the guidance given in the TSC3 Guidance Notes relevant to Option A;
- Understands the function of the Price List and how work is priced and paid for;
- Is aware of the need to link operations shown in his plan to items shown in the Price List;
- Has listed and priced items in the *price list* which are inclusive of everything necessary and incidental to Providing the Service in accordance with the Service Information, as it was at the time of tender, as well as correct any Defects not caused by an *Employer's* risk;
- Has priced work he decides not to show as a separate item within the Prices or rates of other listed items in order to fulfil the obligation to complete the *service* for the tendered total of the Prices.
- Understands there is no adjustment to items priced as lump sums if the amount, or quantity, of work within that item later turns out to be different to that which the *Contractor* estimated at time of tender. The only basis for a change to the (lump sum) Prices is as a result of a compensation event.

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Format of the *price list*

(From the example given in an Appendix within the TSC3 Guidance Notes)

Entries in the first four columns in the *price list* in section C2.2 are made either by the *Employer* or the tendering contractor.

If the *Contractor* is to be paid an amount for the item which is not adjusted if the quantity of work in the item changes, the tendering contractor enters the amount in the Price column only, the Unit, Expected Quantity and Rate columns being left blank.

If the *Contractor* is to be paid an amount for an item of work which is the rate for the work multiplied by the quantity completed, the tendering contractor enters the rate which is then multiplied by the Expected Quantity to produce the Price, which is also entered.

If the *Contractor* is to be paid a Price for an item proportional to the length of time for which a service is provided, a unit of time is stated in the Unit column and the expected length of time (as a quantity of the stated units of time) is stated in the Expected Quantity column.

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C2.2 the *price list*

1. STAFF RATES

	Description	Charge out rate = Total + Profit				Overtime rates		Special rate
			Direct	Indirect	Total = Direct + Indirect	OT 1	OT 2	FFD training rate
		Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate
1	Inspector							
2	Supervisor							
3	Semi-skilled artisan							

NOTES:

- a) The above rates exclude VAT.
- b) No quantities or amounts of work are guaranteed.
- c) The rates and prices are to remain fixed for the first 12 months of the contract period. Thereafter, the rates and prices will be subject to an annual adjustment with 10% of the rates remaining fixed for the contract period and 90% subject to adjustment. The applicable index shall be as per Option X1 of the Contract Data.
- d) All work under this contract will be carried out by Task Order, as and when the *Employer* requires it, under its sole discretion.
- e) The *Employer* may at any given time request the services of additional personnel as listed in the above Price List.
- f) The **charge out rate** is to include the charges for payment of at least all conditions of service as stipulated in the Basic Conditions of Employment Act and any administration/head office charges related to this contract such as PPE, medicals, etc.
 - The Direct rate is the rate paid to the individual.
 - The Indirect rate is all cost paid to institutions by the *Contractor* as legislated.
- g) Overtime can only be worked under the following conditions:
 - Overtime will only be paid if the Task Order specifically makes provision for overtime.
 - All overtime must be approved by the relevant Service Manager prior to work commencement.
 - Not more than Ministerial determination per week.
 - Not more than Ministerial determination per day over weekdays.

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Pricelist, continue

- The **Overtime** rate is calculated using the applicable factors (1.5, 1.75 or 2.0), and includes *Contractor's* profit on the normal time, but not the overtime portion, i.e. Charge Out Rate for OT = (Total Rate x OT factor) + (NT Charge Out Rate - Total Rate).
- h) Night allowance will be calculated at 10% on the total rate for a two-shift cycle and will only be applicable if the task order specifically provides for it.
- i) Shift allowance will be calculated at 15% on the total rate for a two-shift cycle and will only be applicable if the task order specifically provides for it.
- j) Working days shall be limited to 8 hours per day during non-outage periods.
- k) The FFD training rate is applicable when personnel come for training only.

2. OTHER EXPENSES:

Description	Comments	Cost
Air travel, economy return	As per National Treasury guidelines	
Accommodation per day including meals	As per National Treasury guidelines	
Car hire (Group B)	As per National Treasury guidelines	
Travel Time	Maximum up to 6 hours per return trip	

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	DATA PROVIDED BY THE CONTRACTOR	Tender Returnable
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C1.2 Contract Data

Part two - Data provided by the *Contractor*

Notes to a tendering contractor:

1. Please read both the both the NEC3 Term Service Contract April 2013 and the relevant parts of its Guidance Notes (TSC3-GN)¹ in order to understand the implications of this Data which the tenderer is required to complete.
2. The number of the clause which requires the data is shown in the left hand column for each statement however other clauses may also use the same data.
3. Where a form field like this [] appears, data is required to be inserted relevant to the option selected. Click on the form field **once** and type in the data. Otherwise complete by hand and in ink.

Completion of the data in full, according to Options chosen, is essential to create a complete contract.

Clause	Statement	Data
10.1	The <i>Contractor</i> is (Name):	
	Address	
	Tel No.	
	Fax No.	

¹ Available from Engineering Contract Strategies Tel 011 803 3008 Fax 086 5391902 or www.ecs.co.za

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11.2(8) The *direct fee percentage* is %

[The direct fee percentage is the figure that represents the *Contractor's* head office overheads and profit in respect of the *Contractor's* own work. This is used as the *direct fee* which is added to Defined Cost.]

The *subcontracted fee percentage* is %

[The subcontracted fee percentage is the figure that represents the *Contractor's* head office overheads and profit in respect of subcontracted work. This is used as the *subcontracted fee* which is added to Defined Cost.]

11.2(14) The following matters will be included in the Risk Register

Minutes of early warning meetings and all deviations from the Scope of Work

- **Early Warnings**
- **Minutes of early warning meetings**
- **Decisions resulting from risk reduction meetings.**
- **Service Manager's Instruction**
- **Notifications of Compensation Event**
- **Significant delays experienced**
- **Major anomalies noted**

11.2(15)	The Service Information for the <i>Contractor's</i> plan is in:	Part 3: Scope of Work and all documents to which it refers.
21.1	The plan identified in the Contract Data is contained in:	Part 3.1.2 Employer's requirements for the service`

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24.1 The key people are:

1 Name:

Job:

Responsibilities:

Qualifications:

Experience:

2 Name:

Job

Responsibilities:

Qualifications:

Experience:

Please insert the name, job, responsibilities, qualifications and experience of its key people. Provide for additional key persons if necessary

CV's (and further key person's data including CVs) are in .


Note: Ensure that the key people listed have direct involvement with the contract (not CEO, MD, ED's of company or parent company unless the individual has an active role in the contract)

A	Priced contract with price list	
11.2(12)	The price list is in	Part 2: Pricing data
11.2(19)	The tendered total of the Prices is	Rates based

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	Latest Audited Annual Financial Statements	Tender Returnable
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Audited Financial Statements in **English** of the tenderer for the previous three financial years, or to the extent that such statements are not available, for the last two years. 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.

If submitted previously, Tenderer to note the previous Enquiry Number on Exception Sheet.

Notes:

- The Financial Statements need to be in English (if translated a sworn affidavit of written translation into English needs to be provided)
- The Financial Statements need to be compiled using IFRS, if not the basis of compilation need to be stated
- The Financial Statements need to be the latest Annual Financial Statements
- The Financial Statements need to be signed and audited
- The Financial Statements need to provide comparative figures

SIGNATURE <i>(Please use block letters where applicable)</i>			
NAME	DESIGNATION	SIGNATURE	DATE

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T1.5 FUNCTIONAL TENDER RETURNABLES


The tenderer must submit the returnables set out hereunder as part of its tender. (Mandatory returnables are indicated by a tick (✓), and if they are not included by tender deadline, the tenders will be disqualified from further evaluation).

Reference Tender Returnable	Returnables from supplier	Mandatory returnable for evaluation	Mandatory returnable for contract award
1.	Schedule of Proposed Sub-contractors (if applicable)	✓	
2.	CVs of Proposed Key Persons	✓	
3.	List of Previous Similar Works	✓	
4.	Functional Evaluation Criteria (Compliance is Mandatory)	✓	
5.	Project Organogram	✓	
6.	Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements		✓
7.	Annexure C 1: OHS Tender Evaluation Template		✓

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	SCHEDULE OF PROPOSED SUB-CONTRACTORS	Tender Returnable
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If the *Tenderer* intends making use of the *services* of sub-contractors, a list of the proposed Sub-contractors must be provided. The *Tenderer* must also indicate the Sub-contractor's vendor registration number with the *Employer* (where applicable) as well as the Sub-contractor's Level of Contribution to B-BBEE, where such information is available to the *Tenderer*.


Name and address of proposed Sub-contractor	Nature and extent of work	Vendor Registration Number with the <i>Employer</i>	Level of Contribution to B-BBEE

SIGNATURE (Please use block letters where applicable)			
NAME	DESIGNATION	SIGNATURE	DATE

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	CVS OF PROPOSED KEY PERSONS	Tender Returnable
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Please describe the management arrangements for the required scope.

You are requested to include:

1. An organisation chart showing on-site and off-site management;
2. CVs for proposed key persons (proof of qualifications to be provided);
3. Details of the location (and functions) of offices from which the *works/services* will be managed; and
4. An explanation of how you propose to allocate adequate resources to enable you to comply with the requirements and prohibitions imposed on you by or under the statutory provisions relating to health and safety.


Summary of items attached to this Schedule:

SIGNATURE <i>(Please use block letters where applicable)</i>			
NAME	DESIGNATION	SIGNATURE	DATE

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	EXPERIENCE OF PREVIOUS	Tender Returnable
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PLEASE CHECK ALL SECTIONS – ALL INFORMATION WILL BE TREATED AS CONFIDENTIAL

		SUPPLY HISTORY REFERENCES		Doc No	Supply History Ref		
				Allocation Centre	Rev	0	
ENQUIRY No.	WCKBG2412SB	SUPPLIER					
PRODUCT/SERVICE		CUSTOMER & CONTACT DETAILS		YEAR OF CONTRACT			
COMMENTS							
SIGNATURE (Please use block letters where applicable)							
NAME		DESIGNATION		SIGNATURE		DATE	

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	FUNCTIONAL EVALUATION CRITERIA	Tender Returnable
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Refer 04_Attachment 4_Mandatory Evaluation Criteria - V-Inspections and 05_Attachment 4.1_Technical Evaluation V-Service for the Functional evaluation criteria, this is for Evaluation for functionality (**Compliance is Mandatory**).

A supplier which does not meet the Employer's Mandatory Evaluation requirements (refer attachment 4_Mandatory Evaluation Criteria - V-Inspections) will disqualified for further functional evaluation.

The assessment of the Mandatory Evaluation Criteria is conducted as follows:
A tenderer is scored a YES or NO, based on their response.

An assessment of "NO" shall technically disqualify the tenderer and shall not be further evaluated against Functional Evaluation Criteria.

An assessment of "YES" means that the tenderer's submission will be evaluated further against the Functional Evaluation Criteria .

The use of functionality (technical and quality evaluation) as a gatekeeper, Only Suppliers who meet the Employer's Mandatory Evaluation and Functionality threshold of **80%** will be further evaluated.

The scoring of the Functional Evaluation is conducted as follows:
A supplier is given a score in each of the sub-categories. These sub-categories are requirements detailed in the specification or contract. Scores are allocated as follows

0 - 0% - Does not meet
1 - 75% - Partial meet
2 - 100% -Meet

The score is then summed to a weighted average per category. The category scores are analysed as follows:
0% - 79% - Does not meet
80% - 100% - Meet

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	ORGANOGRAM	Tender Returnable
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Tenderer attaches the Project Organogram

SIGNATURE (Please use block letters where applicable)			
NAME	DESIGNATION	SIGNATURE	DATE

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	Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77471499	Rev	3
		Effective Date	May 2021		

NOTE: the supplier/contractor/tenderer has to ensure that he/she understands the OHS requirements listed hereunder.

<p>1. The supplier/contractor/tenderer is expected to comply to the following documents when working at/rendering a service to Eskom but not limited to the following:</p> <ul style="list-style-type: none"> a. Eskom contractor Health and Safety requirements standards 32-136 b. OHS specification/requirements provided c. Occupational Health and Safety Act 85 of 1993 d. Compensation for Occupational Diseases and Illnesses Act 130 of 1993 <p>Note: Please note that after contract award, it is your responsibility to fully align the company's processes to Eskom's OHS requirements (policies, procedures, standards etc).</p>
<p>2. Penalties shall be enforced on the main supplier for non-conformance/s (identified for the main supplier and/or its contractor and/or supplier) pertaining to Eskom and/or Statutory OHS requirement/s.</p>
<p>4. Ensure that all employees (contractors/suppliers) undergo the relevant Eskom induction and the company's</p>
<p>5. Management of Contractors/ Suppliers</p> <p>The main contractor/supplier:</p> <ul style="list-style-type: none"> a) Has to demonstrate to Eskom the process and selection criteria applied when appointing contractors and suppliers. b) Has to provide notification to Eskom, prior to the appointment of contractors or suppliers for the commencement of work. c) Has to ensure that contractors/ suppliers have adequate resources and competencies. d) Is accountable for the management of its contractors/ suppliers in order to ensure that the applicable legal and Eskom requirements (that are applicable to the main supplier during contract execution) are complied with by the contractors or suppliers. e) The main supplier shall monitor contractors or suppliers through audits and assessments with regard to OHS compliance during the execution of the work. f) The grounds for the termination of work done by contractors/suppliers shall be provided by the main supplier. g) All non-conformances/non-compliance by the contractors/suppliers (all tiers) to the main supplier shall be dealt with directly with the main contractor/supplier in terms of performance and penalty processes. h) Eskom reserves the right to verify this when deemed necessary. The contractor may be instructed to provide copies of testimonials/references and the contact detail of clients (including Eskom) for whom the Company has done previous work of a similar nature

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	Invitation to Tender	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

I, the undersigned, hereby acknowledge that I have obtained copies of the above documents and confirm that I fully understand them and the consequences of non-compliance.

Signed at on day of 20.....

Company/Supplier Name:

.....

Name of Authorised person (CEO/Director/ Managing Director)

.....

Signature

.....

Date

Witness 1


Witness 2

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Tender Returnable

	Annexure C 1: OHS Tender Evaluation Template	Template Identifier	240-43921898	Rev	5
		Document Identifier	240-106084699	Rev	2
		Effective Date	May 2021		

Refer Attachment 6_SHE Tender Evaluation Template (High risk) C1.

The below documents must be read in conjunction with the evaluation template

For Info_SHE Risk Register signed_V-Service

For Info_SHE Specification V-service High Risk_signed

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APPENDICES:

1. Attachment 1_Eskom - Standard Conditions of Tender Rev 8
2. Attachment 2_Term Services Contract NEC3 V-service with PQE&SDLI Input
3. Attachment 3_User Requirement Spec (URS) V-Inspection Service
4. Attachment 3.1_KOE 1 0811_A Leak Detection on Unit 1 Conventional Island_URS_V-Service
5. Attachment 3.2_KOE 2 0907_A Leak Detection on Unit 2 Conventional Island_URS_V-Service
6. Attachment 4_Mandatory Evaluation Criteria V-Service
7. Attachment 4.1_Functional Evaluation Criteria V-Service
8. Attachment 5_Supplier Quality Requirements DSG-318-087 Rev 2
9. Attachment 5.1_Supplier Quality Requirements DSG-318-087 Rev 2
10. Attachment 6_SHE Tender Evaluation Template (High risk) C1
11. Attachment 7 _WCKBG2412SB_SDL&I Undertaking - V-Service
12. Attachment 8_Supplier Evaluation Pack Template for 01 March 2022 to 28 February 2023
13. Attachment 9_Contract Deviations Annex-A
14. Attachment 10_Company information Form
15. Attachment 11_Non-Disclosure Agreement (NDA) Vendors
16. Attachment 12_Standard Bidding Document_SBD4_Bidders_Disclosure

The below documents are for information only, but MUST be read by the tenderer in conjunction with its associated documents

For Info_Contractors Health and Safety Requirements Rev 4

For Info_DSG-310-087(Rev 2a) Generic Service Specification

For Info_Eskom Supplier Integrity Pact_v0

For Info_Fitness for Duty Requirements Rev 3

For Info_Implementation Guide PPPFA Regulations 2017

For Info_PPPFA Regulations 2017

For Info_SHE Risk Register signed_V-Service

For Info_SHE Specification V-service High Risk_signed

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