|  |  |
| --- | --- |
| **Business Unit** | Group IT |
| **Description/ Scope of Work** | Contracts Management Solution |
| **Duration of the Project** | 4 years |
| **Name of Buyer** | Herman Mhlongo |

**Section 1: Pre-qualification Criteria for Preferential Procurement**

|  |
| --- |
| SDL&I will apply the following pre-qualification criteria as envisaged in PPPFA 2017 regulation 4 |
| |  |  |  | | --- | --- | --- | |  | **YES** | **NO** | | 1. **Minimum BBBEE status level of contributor?** |  |  | | If *Yes,* what is the BBBEE status and/or level required | **Not applicable** | |  |  |  |  | | --- | --- | --- | |  | **YES** | **NO** | | 1. **Is there BBBEE category targeted for this enquiry?** |  |  | | If *Yes,* BBBEE category | **Not applicable** | |   Tender Returnable if the above elements are requirements;   * Valid original or certified copy of sworn affidavit in the case of EME’s must be submitted (affidavit must be completed fully), or * Valid Copy B-BBEE Certificate issued by CIPC for EME’s. OR * Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of QSE’s must be submitted, or * Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or * For JV’s only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.  |  |  |  | | --- | --- | --- | |  | **YES** | **NO** | | 1. **Minimum subcontracting requirement for this?** |  |  | | If *Yes,* what is the minimum percentage? | **Not applicable** | |   Tender Returnable if the above element is a requirement;   * **Proof of a sub-contract agreement/s must be submitted.** * **CSD report of subcontractors** * **Sub-contractor/s B-BBEE certificate / sworn affidavit must be submitted.** * Sub-contracting agreements can be concluded with anyone of the following entities; * an EME or QSE which is at least 51% owned by black people; * an EME or QSE which is at least 51% owned by black people who are youth; * an EME or QSE which is at least 51% owned by black people who are women; * an EME or QSE which is at least 51% owned by black people with disabilities; * an EME or QSE which is 51% owned by black people living in rural or underdeveloped area or townships; * a cooperative which is at least 51% owned by black people; * a EME or QSE which is at least 51% owned by black people who are military veterans |

**2: Mandatory Requirements**

**2.1 Designated Sectors**

|  |
| --- |
| When applicable the following stipulated minimum threshold for Local Production and Content must be achieved in full by the tenderer |
| |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | | **YES** | | **NO** | | 1. Is this Commodity or part of it a Designated Sector? | |  | |  | | Please indicate below Designated Components | |  | | | | **Commodity** | **Components** | | **Local Content Threshold** | | | | Not Applicable | Not Applicable | | Not Applicable | | |   **NOTE**: SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are therefore **mandatory** and must be tender returnables if applicable. |

**2.2 CIDB Skills Development**

|  |
| --- |
| **Continuation of Mandatory Requirements** |
| |  |  |  | | --- | --- | --- | |  | **YES** | **NO** | | 1. **Is there CIDB compulsory training?** |  |  | | If *Yes,* what is the% of the Construction Skills Development Goal % (CSDG) | **Not applicable** | | |  |  | |   If the answer above is Yes, it will then be mandatory for the supplier to match Eskom’s targets   |  |  |  | | --- | --- | --- | | **Criteria** | **Eskom Target** | **Tenderer Commitment** | | CSDG Percentage | N/A |  | | Description | N/A |  |   **NOTE**: Failure by the Contractor/Service Provider/Supplier to meet the CIDB CSDG mandatory % will render their tender non-responsive. |

**Section 3: SDL&I Undertaking**

|  |
| --- |
| Tenderers who complete and submit the undertaking as required, but who do not meet Eskom’s targets, will not be disqualified. SDL&I undertakings do not form part of scoring but commitments will form part of contractual obligations |
| 1. **BBBEE requirements:** All tenderers are required at a minimum maintain their BBBEE status throughout the contract period: 2. **Local Procurement Content**   “Local Procurement Content” refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.  Tenderers are required to submit their proposals in the table below.   |  |  |  | | --- | --- | --- | | **Local Procurement Content** | **Eskom target** | **Tenderer Proposal** | | 100% |  |  1. **Subcontracting to entities with a minimum 51% black ownership**   Subcontracting refers to activities which the tenderer outsources to other enterprises in its supply chain during the execution of the contract scope of work. Some of the subcontracted activities may include training and overheads.   |  |  |  | | --- | --- | --- | | **Subcontracted Designated Group** | **Eskom Target** | **Tenderer Proposal** | | Black Owned | 4.0% |  | | Black Women Owned | 3.0% |  | | Black Youth Owned | 2.0% |  | | Black Persons with Disability | 1.0% |  |  1. **Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.  |  |  | | --- | --- | | **Type of Jobs to be created** | **Number of Jobs to be created** | |  |  |  |  |  | | --- | --- | | **Type of Jobs to be retained** | **Number of Jobs to be retained** | |  |  |  1. **Skills development**   Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom’s core, scarce and critical skills and the Mict SETA scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from any province in the country, and their composition shall be representative of the population demographics of South Africa   |  |  |  | | --- | --- | --- | | **Skill type / Occupation** | **Eskom target** | **Proposed Number of Candidates** | | Software analyst | 7 |  | | Software developer | 7 |  | | Certified cloud security professional | 10 |  |   The process of developing these skills shall involve the participation by tenderers directly and also through their supply network. In certain cases, the SETA’s accredited training providers can be approached to participate in developing critical and scarce skills.  Note: Tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives. |

**Section 4: SDL&I Penalty and Performance Security**

|  |
| --- |
| Eskom will apply a penalty of 2.5% of the invoice amount for failure to meet SDL&I obligations. |
| As security for the fulfilment of all SDL&I obligations, Eskom will apply a penalty of 2.5% of every invoice amount (excluding VAT) for failure to submit SDL&I performance reports every quarter; **or** failure to meet the SDL&I obligations in a contract. |

**Section 5: Reporting and Monitoring**

|  |
| --- |
|  |
| * The suppliers shall on a monthly/quarterly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above. * Eskom shall review the SDL&I reports submitted by the suppliers within 60 (sixty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met. * Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked. * Every contract shall be accompanied by the SDL&I Implementation Schedule which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. |

**Section 6: Market Research**

|  |  |
| --- | --- |
| The following information demonstrates market analysis and assisted in arriving at the targets above. | |
| Current Suppliers Providing the Services   * None | Potential Suppliers:   * Open market |

**Section 7: General Information on Validity of Sworn Affidavits**

|  |
| --- |
| The following must be considered when it comes to validity of Affidavits; |
| **Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:**   * Name/s of deponent as they appear in the identity document and the identity number. * Designation of the deponent as the **director**, **owner** or **member** must be indicated in order to know that person is duly authorised to depose of an affidavit. **(Mark the applicable option).** * Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address. * Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. (**No blank spaces to be left**). * Indicate total revenue for the year under review and whether it is based on **audited financial statements** or **management account**. **(Mark the applicable option).** * Financial year end as per the **enterprise’s registration documents**, which was used to determine the total revenue. (Financial year end to be stipulated by **day/month/year).** * B-BBEE Status level. An enterprise can only have one status level. **(Tick applicable level)** * Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status. * Date deponent signed and date of Commissioner of Oath must be the same. **(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)** * Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest. |

|  |  |  |
| --- | --- | --- |
| Compiled by: Rojane Qacha |  |  |
| ……………………………..  Senior Advisor |  |  |
| Supplier Development, Localisation and Industrialisation |  |  |
| Date:22 June 2022 |  |  |