	Invitation to Tender KZN0135/AR	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-114238630	Rev	10
		Effective Date	03 March 2020		
		Review Date	March 2023		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR


The De-establishment of Eskom Leased Site located at the Boulevard Office Building, Westway Office Park, Westville and for the identified furniture, equipment, material and documentation to be packaged, transported, off-loaded and re-assembled or stored at various destinations in the KwaZulu Natal province in the Central East Cluster.

Tender number	KZN0135/AR
Issue date	05 November 2021
Closing date and time	25 November 2021 at 10h00AM
Tender validity period	120 days from the closing date and time
Clarification meeting	MS Teams Clarification Meeting 12 November 2021 @ 10H00
Tenders are to be delivered to the following address on the stipulated closing date and time:	THE TENDER OFFICE Eskom Commercial Services Procurement Offices 25 Valley View Road New Germany 3620

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the:

The De-establishment of Eskom Leased Site located at the Boulevard Office Building, Westway Office Park, Westville and for the identified furniture, equipment, material and documentation to be packaged, transported, off-loaded and re-assembled or stored at various destinations in the KwaZulu Natal province in the Central East Cluster.

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, please refer to the attached.

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

Yours faithfully



Thandi Xaba


Acting Procurement Manager KZNOU4346

Date: 05 November 2021

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The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexures	Attached (Y/N)
6.1	*Acknowledgement form	Annexure A	Y
6.2	*Tenderer's particulars	Annexure B	Y
6.3	* Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
6.8	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure J	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 attached	Y


- 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: Anita Rickhoff Tel: 031 710 5436 E-mail: anita.rickhoff@eskom.co.za</p>
1.3 Enquiry documents	The Invitation to tender number is : KZN0135/AR

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	<p>See the content list above for the enquiry documents.</p> <p>All relevant documentation for this tender will be uploaded onto the Eskom Tender Portal, it is the responsibility of the tendering party to ensure all the required documentation is downloaded and completed.</p> <p>The tender must be submitted in the following format:</p> <table><tr><th>SECTION</th><th>ORIGINAL</th><th>COPY</th></tr><tr><td>SECTION 1 – will comprise of the Commercial and S,D and L Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 2 – will comprise of the Technical Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 3 – will comprise of the SHE Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 4 – will comprise of the Quality Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 5 – will comprise of the Environmental Requirements</td><td>✓</td><td>✓</td></tr></table>	SECTION	ORIGINAL	COPY	SECTION 1 – will comprise of the Commercial and S,D and L Requirements	✓	✓	SECTION 2 – will comprise of the Technical Requirements	✓	✓	SECTION 3 – will comprise of the SHE Requirements	✓	✓	SECTION 4 – will comprise of the Quality Requirements	✓	✓	SECTION 5 – will comprise of the Environmental Requirements	✓	✓
SECTION	ORIGINAL	COPY																	
SECTION 1 – will comprise of the Commercial and S,D and L Requirements	✓	✓																	
SECTION 2 – will comprise of the Technical Requirements	✓	✓																	
SECTION 3 – will comprise of the SHE Requirements	✓	✓																	
SECTION 4 – will comprise of the Quality Requirements	✓	✓																	
SECTION 5 – will comprise of the Environmental Requirements	✓	✓																	
1.4 Type of Invitation to Tender	<p>This invitation to tender is:</p> <p>1. An open Invitation to tender</p>																		
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole 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 [<i>tender/proposal</i>] 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 [<i>tender/proposal</i>] either individually or as a partner in a joint venture (JV) or consortium• [<i>Tenders/proposals</i>] 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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	<p>Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering/RFP] 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/proposal 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 : Date 25 November 2021 Time 10h00AM Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p>THE TENDER OFFICE Eskom Commercial Services Procurement Offices 25 Valley View Road New Germany 3620</p> <p>If your document is too big to fit into the tender box, the documents can be submitted to an Eskom Tender Office Official at the Eskom Tender Office, during the following times:</p> <p>Monday – Friday: 07H30 – 16H00 prior to tender closing. <i>No tender documents will be accepted after the stipulated tender closing date and time.</i></p>

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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>Where a Tenderer does not submit (1) one original and (1) one hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p>
2.13 Tender Validity Period	The tender validity period is 16 weeks from tender closing date
2.16 Site/clarification meetings	<p>Due to “National Lockdown Level 1”, no Site Clarification Meeting will be held. However, an online, MS Teams Meeting will be held as follows:</p> <p>A non-compulsory “Online Meeting” will take place on Microsoft Teams, whereby a Presentation will be made in order to assist all contractors in complying with Eskom’s tender requirements. Although this will not be a Compulsory Meeting, Contractors are encouraged via the Invitation to Tender to attend this MS Team Meeting due to the implementation of the revised guidelines on PPPFA, as well as to ensure that all Contracting Companies clearly understand the requirements, and are able to submit a responsive tender.</p> <p>The Technical Requirements will be discussed at the MS Teams Meeting, however should the contractors request a Technical Representative to take them to site, arrangements will be made for a Technical Representative to conduct the site visit.</p> <p>Tenderers can also submit clarification questions via email to anita.rickhoff@eskom.co.za.</p> <p>The deadline for the submission of Clarification Questions is 5 days</p> <p>All Clarification Questions with Answers will be published on Eskom’s Tender Bulletin and the National Treasury eTender Publication Portal.</p> <p>An “Online MS Teams Meeting” with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: 12 November 2021</p> <p>Time: 10H00</p> <p>Venue: MS Teams Meeting</p> <p>Tenderers must confirm their intention to attend this MS Team Meeting with the Eskom Representative (anita.rickhoff@eskom.co.za) stating the name, position and contact details of each proposed attendee.</p> <p>An Appointment will then be sent to the companies who respond (as above mentioned)</p>
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are not allowed.

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2.25 Conditions of contract	The conditions of contract will be the NEC Construction Short Contract.
2.31 Provision of security for performance	Not applicable
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline
3.5 Prices to be read out	Prices will not be read out
3.9 Basic Compliance	<p>Basic Compliance</p> <p>The following tender documents are required for compliance.</p> <ul style="list-style-type: none"> • Original/Certified Tax Clearance certificate and tax Clearance verification pin. • Supply CSD report • COIDA certificate if 1 or more employees. Submit an affidavit if no employees stating as such • Integrity Declaration Form. • Supplier Evaluation Pack <p>Stage 1 : Responsiveness Criteria</p> <ul style="list-style-type: none"> •Meet the eligibility criteria for tenderer •Submitted two (2) hard copies : One original plus one copy of tender at tender submission deadline. •Submission of the list of mandatory tender returnable documents •Submitted proof of the registration on National Treasury Central Supplier Database (CSD) number MAA (.....). <p>Non-responsive tenders will be disqualified and all the responsive tenders will be evaluated further.</p> <p>B-BBEE Evaluation</p> <p>Tenderers shall be allocated points in accordance with the B-BBEE Evaluation Scorecard shown below and 80/20</p>

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	<p>preference point system will be applicable.</p> <table border="1"> <thead> <tr> <th>BBBEE Level</th><th>Number of points (80/20 system)</th></tr> </thead> <tbody> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>18</td></tr> <tr><td>3</td><td>14</td></tr> <tr><td>4</td><td>12</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>6</td></tr> <tr><td>7</td><td>4</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td>Non-compliant</td><td>0</td></tr> </tbody> </table> <p>The tenderers shall as a minimum retain their BBBEE contributor level throughout the contract period.</p> <p>Companies are to provide SANAS Accredited BBBEE Certificate or valid sworn affidavits confirming their level.</p> <p>Preference Points Scorecard BBBEE Level Number of points (80/20 system).</p>	BBBEE Level	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant	0
BBBEE Level	Number of points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-compliant	0																				
3.10 Mandatory tender returnables	<p>In terms of PPPFA, the preference point system to be applied is the 80/20 scoring. All responsive tenders will be evaluated further for mandatory functionality requirements as follows:</p> <ul style="list-style-type: none"> • Proof of Registration with the Central Supplier Database (CSD) • CIDB Grading 3GB and above. • Site Declaration Form. 																				
3.11 Pre-qualification criteria	Pre-qualification criteria is not applicable.																				

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3.12 Designated materials and thresholds	Designated material thresholds are not applicable																		
3.13 Functionality requirements	<p>Functionality requirements are applicable:</p> <p>The following criteria will be applicable for this transaction under functionality criteria:</p> <p>In terms of PPPFA, the preference point system to be applied is the 80/20 scoring. All responsive tenders will be evaluated further for mandatory functionality requirements as follows:</p> <ul style="list-style-type: none">• Proof of Registration with the Central Supplier Database (CSD)• CIDB Grading 3GB and above.• Site Declaration Form. <p><u>Technical Tender Criteria</u></p> <p>It is recommended that the technical evidence be contained within the submission,</p> <table><tr><th colspan="6">TECHNICAL EVALUATION CRITERIA</th></tr><tr><th>No</th><th>K P A</th><th>KPI</th><th>DESCRIPTION OF TECHNICAL CRITERIA</th><th>ACTUAL SCORE</th><th>WHAT THE EVALUATOR TO LOOK FOR?</th></tr><tr><td>1</td><td>Construction/</td><td>Wireman's Licence</td><td>Supply proof of wireman Licence from main contractor or subcontractor</td><td>5</td><td>The evaluator to check if the Wireman's License has been provided and is valid. If provided and valid = 5 If not provided and invalid = 0</td></tr></table>	TECHNICAL EVALUATION CRITERIA						No	K P A	KPI	DESCRIPTION OF TECHNICAL CRITERIA	ACTUAL SCORE	WHAT THE EVALUATOR TO LOOK FOR?	1	Construction/	Wireman's Licence	Supply proof of wireman Licence from main contractor or subcontractor	5	The evaluator to check if the Wireman's License has been provided and is valid. If provided and valid = 5 If not provided and invalid = 0
TECHNICAL EVALUATION CRITERIA																			
No	K P A	KPI	DESCRIPTION OF TECHNICAL CRITERIA	ACTUAL SCORE	WHAT THE EVALUATOR TO LOOK FOR?														
1	Construction/	Wireman's Licence	Supply proof of wireman Licence from main contractor or subcontractor	5	The evaluator to check if the Wireman's License has been provided and is valid. If provided and valid = 5 If not provided and invalid = 0														

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	2	Relevant Construction Experience	The tender returnable is the Tendering Company's Profile/ Reference letters showing the Tendering Company's experience in construction/alterations on Commercial, Industrial and/or Residential buildings.	30	The evaluator to check if company profile /cv supplied with years of relevant experience <3 years' experience = 0 3 - 5 years' experience = 10 >5 years' experience = 30
		Relevant experience in Office moves	The tender returnable is the Tendering Company's Profile/ Reference letters showing the Tendering Company's experience in office moves of furniture/equipment in Commercial/ Industrial buildings.	30	The evaluator to check if company profile /cv supplied with years of relevant experience <3 years' experience = 0 3 - 5 years' experience = 10 >5 years' experience = 30
	3	Reference letters	Tenderer to provide 2 letters of reference of the tendering company, from 2 different customers, with contactable telephone numbers and email addresses where similar services have been rendered successfully.	30	Score of 30 for 2 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring. Score of 10 for 1 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring. Score of 0 for no valid references

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	4	Vehicle for service tendered - LDV vehicle	Proof of vehicle (submit copy of certificate of registration(logbook) of a LDV bakkie; or demonstrate the ability to hire such a vehicle from a registered vehicle rental company)	5	-Score 5 for either a valid copy of logbook either in the owner's name or the business name -Score 5 for a letter from a registered vehicle rental company stating that the tendering company is eligible to hire a LDV bakkie from them -Score 0 if no copy of logbook or no letter from rental company
Total for KPA					
OVERALL SCORE FOR THIS TENDERER				100	Minimum score is 70 for tenderer to pass technical criteria

Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further

Criteria for Breaking deadlock in scoring:

- It two or more tenderers score an equal number of points , the contract must be awarded to the tenderer that scored the highest points for BBBEE.*
- If Functionality is part of the evaluation process and two or more tenderers score equal total points and equal preference points for BBBEE , the contract must be awarded to the tenderer that scored the highest points for functionality.*


If two or more tenderers score equal points in all respects, the award must be decided by the drawing of lots.

3.15 Evaluation of price	Prices will be evaluated as follows: <ul style="list-style-type: none">Inclusive of VATMaking the specified correction for arithmetical errorsExcluding contingencies in any bill of quantities or activity schedule.
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	<ul style="list-style-type: none">• 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:- 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT)</p> <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> <p>Only the highest ranked supplier in terms of the 80/20 PPPFA preferential point scoring will continue to the next stage of being evaluated for compliance to the Contractual criteria</p>						
3.19 Objective Criteria (if applicable)	Objective criteria not applicable.						
Contractual Requirements (if applicable)	<p>Contractual Requirements may include the following : <u>TO BE MET BEFORE THE AWARD OF THE CONTRACT.</u></p> <p><u>Quality:</u></p> <table><tr><td>Category 4: Quality Requirements</td><td>Deliverables to be evaluated indicator = 1</td><td>Weights</td></tr><tr><td colspan="2">SECTION A : Quality Management System Requirements ISO 9001</td><td>40%</td></tr></table>	Category 4: Quality Requirements	Deliverables to be evaluated indicator = 1	Weights	SECTION A : Quality Management System Requirements ISO 9001		40%
Category 4: Quality Requirements	Deliverables to be evaluated indicator = 1	Weights					
SECTION A : Quality Management System Requirements ISO 9001		40%					

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	Objective evidence of documented QMS that is not certified but complies with ISO 9001		
		Apply (Yes=1)	
	A.1 Quality Method statement based on scope.	1	
	A.2 Quality Policy Approved by top management.	1	
	Section A Score	2	
	SECTION B : Evidence of QMS in operation (Tender Quality Requirements -240-105658000 /240-105658000)		
		Apply (Yes=1)	40%
	B.1 Documented information for defined roles, responsibilities and authorities	1	
	Section B Score	1	
	SECTION C: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here		
		Apply (Yes=1)	20%
	C.1 Form A is completed and signed.	1	
	Section C Score	1	


Safety:
Low Risk Category
All of the following are required prior to contract signing

<u>Ref</u>	<u>OHS Tender Returnable</u>

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	1	Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer?
	2	OHS plan (Must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements)
	3	Baseline OHS Risk Assessment (BRA) Identification, assessment and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA
	4	Valid Letter of Good Standing (COIDA or equivalent)
	5	OHS policy signed by CEO The submitted policy document must comply to OHS Act Section 7
	Recommendation	
	OR	
	PART B	
	Annotation: This section is only applicable to suppliers/consultants/contractors that have been certified for an auditable OHS system.	
	1	Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer?
	2	ISO 45001 certificate or equivalent
	3	Valid Letter of Good Standing (COIDA or equivalent)
	Recommendation	

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	<u>Environmental:</u>	
	<u>Ref.</u>	<u>KPIs</u>
	1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?
	2	Environmental Management Plan for the Scope of work addressing the following as a minimum: Applicable to low risk: <ul style="list-style-type: none"> Waste management (reduction, re-use, recycling, disposal). Environmental induction.
	3	All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD: Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.
		TOTAL

OR

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PART B

<u>Ref</u>	<u>KPIs</u>
1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?
2	ISO 14001 Environmental Management Standard certificate.
	TOTAL

Financial Evaluation

A financial evaluation will be conducted by Eskom to further evaluate the financial viability of the tenderer and its ability to meet its contractual obligations for the duration of the contract.

It must be noted that financial statements may be requested after the tender closes.

SD & L

Section 1: Pre-qualification Criteria for Preferential Procurement


SD&L will apply the following pre-qualification criteria as envisaged in PPPFA 2017 regulation 4

Continuation of Mandatory Requirements

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	<table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table> <p>a) Is there CIDB compulsory training?</p> <p>If Yes, what is the % of the Construction Skills Development Goal % (CSDG)</p> <p>If the answer above is Yes, it will then be mandatory for the supplier to match Eskom's targets</p> <table border="1"> <thead> <tr> <th>Criteria</th> <th>Eskom Target</th> <th>Tenderer Commitment</th> </tr> </thead> <tbody> <tr> <td>CSDG Percentage</td> <td></td> <td></td> </tr> <tr> <td>Description</td> <td></td> <td></td> </tr> </tbody> </table> <p>NOTE: Failure by the Contractor/Service Provider/Supplier to meet the CIDB CSDG mandatory % will render their tender non-responsive.</p> <p>Section 3: SD&L Undertaking</p> <p>Tenderers who complete and submit the undertaking as required, but who do not meet Eskom's targets, will not be disqualified. SD&L undertakings do not form part of scoring but commitments will form part of contractual obligations</p>	YES	NO	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Criteria	Eskom Target	Tenderer Commitment	CSDG Percentage			Description			
YES	NO														
<input type="checkbox"/>	<input checked="" type="checkbox"/>														
Criteria	Eskom Target	Tenderer Commitment													
CSDG Percentage															
Description															

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	<p><u>Enterprise or Supplier Development</u> The main contractor will be required to propose development in the following areas;</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Support Description</th> <th style="width: 50%;">Tenderer Proposal</th> </tr> <tr> <td style="height: 40px; vertical-align: top;">N/A</td> <td></td> </tr> </table> <p><u>Job Opportunities</u> Tenderer to indicate number of Jobs to be created and/or retained from this contract;</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Number of Jobs to be created</th> <th style="width: 50%;">Number of Jobs to be retained</th> </tr> <tr> <td style="height: 40px;"></td> <td></td> </tr> </table> <p><u>Skills Development</u> Tenderers are required to propose against the following training initiatives;</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">Category</th> <th style="width: 15%;">Intake</th> <th style="width: 15%;">Exit</th> <th style="width: 15%;">Eskom Target</th> <th style="width: 30%;">Tenderer Proposal</th> </tr> <tr> <td>Basic First Aid</td> <td></td> <td></td> <td>2</td> <td></td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td>2</td> <td></td> </tr> </table> <p>Section 4: SDI&L Penalty and Performance Security Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations. <u>One of the following options will apply for SDI&L performance security:</u> <ul style="list-style-type: none"> For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon fulfilment of all SDL&I obligations at the end of the contract. </p>	Support Description	Tenderer Proposal	N/A		Number of Jobs to be created	Number of Jobs to be retained			Category	Intake	Exit	Eskom Target	Tenderer Proposal	Basic First Aid			2		Total			2	
Support Description	Tenderer Proposal																							
N/A																								
Number of Jobs to be created	Number of Jobs to be retained																							
Category	Intake	Exit	Eskom Target	Tenderer Proposal																				
Basic First Aid			2																					
Total			2																					

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	<ul style="list-style-type: none">Alternatively the Contractor shall submit a bond equivalent to 2.5% of the Contract Value and shall only be released to the Contractor upon fulfilment of all SDL&I Obligations.
Section 5: Reporting and Monitoring	
<div><ul style="list-style-type: none">The suppliers shall on a 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.</div>	
Section 6: Market Research	
The following information demonstrates market analysis and assisted in arriving at the targets above.	
<u>Current Suppliers Providing the Services</u>	<u>Potential Suppliers</u>
N/A	
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:	
<ul style="list-style-type: none">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. <u>(Mark the applicable option).</u>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. <u>(No blank spaces to be left).</u>Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. <u>(Mark the applicable option).</u>Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. <u>(Financial year end to be stipulated by day/month/year).</u>B-BBEE Status level. An enterprise can only have one status level. <u>(Tick applicable level)</u>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. <u>(The sworn affidavit must be signed in the presence of the</u>	

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	<p><u>Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)</u></p> <ul style="list-style-type: none"> 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.
	<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>
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<p>CIDB Requirements: 3 GB and above</p> <ol style="list-style-type: none"> It is estimated that tenderers must have a Construction Industry Development Board (cidb) contractor grading of 3GB or higher Joint ventures are eligible to submit tenders provided that :- <ul style="list-style-type: none"> 2.1 every member of the Joint venture (JV) is registered with the cidb; 2.2 the lead partner has a contractor grading designation in the GB class of construction work; and possesses the required recognition status;

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	<ul style="list-style-type: none"> 2.3 the combined contractor grading designation calculated in accordance with the cidb regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 3 GB or higher class of construction work or a value determined in accordance with Regulations 25 (1B) or 25 (7A) of the cidb Regulations <p>Please note: <i>That only those tenderers who are registered with the Construction Industry Development Board, or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders, in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works herein, are eligible to submit tenders.</i></p>

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 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 authorized 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	Mandatory returnable for evaluation	Mandatory returnable for contract award
Basic Compliance	One original + 1 identical hard copy of the tender	✓	
Annexure A	Acknowledgement Form		✓
Annexure B	Tenderers Particulars		✓
Annexure C	Integrity Pact Declaration form		✓
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		✓
Annexure I	Confirmation of receipt of addenda to enquiry document		✓
	(SD&L) Undertaking		✓
*B-BBEE Certificates	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.	✓	
Site Declaration Form	Acknowledgement that Tenderers are familiar with site.	✓	
Tax Clearance Certificates	Foreign suppliers (who have answered yes to any of the questions in the relevant section of SBD 1 and who have not provided a CSD or SARS Efiling pin number as per Annexure A, will need to provide a copy of a current valid tax compliance certificate		✓

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Tax Questionnaire	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)		✓
Financial statements	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.		✓
CIDB	Valid proof of CIDB (Construction Industry Development Board) Registration. However, where valid proof of CIDB Registration is not available at tender closing deadline, tenderers are at minimum expected to provide valid proof of application for Registration with the CIDB by tender closing deadline and proof of actual registration by contract award.	✓	
CSD	CSD Registration / Proof of registration to be submitted with your tender. This is mandatory	✓	✓

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Shareholding	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)		✓
NEC Documentation	Completed NEC & BOQ and contract data.	✓	
Additional documents required	<i>As per the required documentation stated in the tender documentation loaded on the Eskom Tender Bulletin</i>		
DOCUMENTS REQUIRED UNDER CONTRACTUAL 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		✓
Other safety/quality documents as required per scope of works			✓
Environmental -	Documents that may be required as per scope of work		✓
Due Diligence	Financial statements etc. that may be required for due diligence purposes.		✓
DOCUMENTS REQUIRED FOR TECHNICAL UNDER FUNCTIONALITY			
Technical (required for functionality scoring)	As stated in 3.13 above	✓	

2.5 FUNCTIONALITY CRITERIA AND SUB-CRITERIA FOR TECHNICAL SCORING

Criteria that will be used to score each tender:	Score
Technical	100%


Minimum Threshold is 70%

Functionality will be evaluated out of 100% Technical for Requirements; the technical requirements can be found at www.eskom.co.za – Eskom Tender Portal (Section 2)

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ANNEXURE A

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender/Proposal 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. ☐

Invitation to Tender/Request for Proposal No: _____

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Name of company/JV: _____

Country of registration_____

Name of contact person:_____

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. _____

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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
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

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- 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 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

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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.

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/proposal of

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another tenderer, or influence the decisions of Eskom regarding this bidding process;
To give effect to the provisions above, please complete the table hereunder with all required information.

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/proposal]** 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 tenderer/s(or any of its directors/members/shareholders) 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 tenderer/s (or any of its directors / members / shareholders)? 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 tenderer/s (or any of its directors/members/shareholders) 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>		

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1.3.1	Provide details.			
1.4	Was the tenderer/s(or any of its directors/members/shareholders) prohibited from doing business with any International Financial Development/funding Agency or Lending Institution			
1.5	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, 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/proposal 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:	

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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/proposal 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/Request for proposal).

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**ANNEXURE G
SBD 1**


**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[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 THE QUESTIONNAIRE BELOW]
---	--	---	---


QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.	

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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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. 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 SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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	

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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.
- 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 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

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

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 or 20 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		NO	
-----	--	----	--

- 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		NO	
-----	--	----	--


- 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		

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Cooperative owned by black people		
Black people who are military veterans		
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]

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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:

- 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p style="text-align: center;">.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p>
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ANNEXURE I



CONFIRMATION OF RECEIPT OF ADDENDA TO THE ENQUIRY

We confirm that the following communications received from the *Employer* before the submission of this **[tender/proposal]**, amending the tender documents, have been taken into account in the **[tender/proposal]**:

Item	Date Received	Title or Description
1.		
2.		
3.		
4.		
5.		
6.		

(Attach additional pages if more space is required)

Name and Designation

Signature

Confidential

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