

	Invitation to Tender	Document Identifier	240-114238630	Rev	24
		Effective Date	21 February 2025		
		Review Date	February 2030		

## ESKOM HOLDINGS SOC LTD

### INVITATION TO TENDER (ITT)

#### FOR

**Refill and lease of 9kg SF6 Gas cylinders on an as and when required basis in the  
Limplanga Cluster for a period of 05 years.**

<b>Tender number</b>	<b>E1541DXMP</b>
<b>Issue date</b>	<b>17 July 2025</b>
<b>Closing date and time</b>	<b>06 August 2025 at 10:00am</b>
<b>Tender validity period</b>	<b>120 days from the closing date and time</b>
<b>Clarification meeting</b>	<p>A non-compulsory clarification meeting will be held.</p> <p>Date: 24 July 2025 Time: 11h00 Venue: Microsoft Teams</p> <p><b>Microsoft Teams</b> <a href="#">Join the meeting now</a> Meeting ID: 317 466 212 037 7 Passcode: Y4RA2j7o</p>
<p><b>Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time.</b></p> <p><b>Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time</b></p>	<p>the documents are uploaded <a href="https://etendering.eskom.co.za">https://etendering.eskom.co.za</a></p> <p><b>Closing date: 06 August 2025</b> <b>Closing time: 10:00am</b></p> <p><b>Note: No late tenders will be accepted</b></p>

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## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the **Refill and lease of 9kg SF6 Gas cylinders on an as and when required basis in the Limlanga Cluster for a period of 05 years.**

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

1. Free of charge

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

All queries and clarifications relating to the Invitation to Tender documents must be addressed in writing to the *Eskom Representative*. No query or clarification may be addressed to any Eskom official other than the *Eskom Representative*.

Yours faithfully



Procurement Manager

Nelly Nkosi

Date: 16/07/2025

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### 1.1 Annexures to the Tender

The following document listed hereunder are attached to this Invitation to Tender.

Number	Description	Annexure	Attached (Y / N / N/A)
1.1.1	*Authorisation Form	Annexure A	Y
1.1.2	*Acknowledgement form	Annexure B	Y
1.1.3	*Tenderer's particulars	Annexure C	Y
1.1.4	*Integrity Declaration Form <b>(Suppliers are required to download and read the Supplier Integrity Pact. It is accessible on the Eskom Tender Bulletin via <a href="https://www.eskom.co.za">Eskom Supplier Integrity Pact (eskom.co.za)</a> link)</b>	Annexure D	Y
1.1.5	*CPA Requirements for Local Goods/Services	Annexure E	Y
1.1.6	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure F	N/A
1.1.7	SBD 6.2 Declaration Certificate for Local Production and Local Content <b>(only applicable if designated materials are included and then Tenderers will be required to complete and submit Annexures G1 to G4 as evidence of compliance with this requirement).</b>  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 G1  Annexure G2  Annexure G3  Annexure G4	Y  Y  Y
1.1.8	*SBD 1 Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure H	Y
1.1.9	*SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure I	Y
1.1.10	*SBD 4 – Bidders Disclosure	Annexure J	Y
1.1.11	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	N/A	N/A
1.1.12	Reverse e-auction training acknowledgement form (if applicable)	N/A	N/A

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Number	Description	Annexure	Attached (Y / N / N/A)
1.1.13	Reverse e-auction process (if applicable)	N/A	N/A
1.1.14	E-tendering Help Manual acknowledgement form	Annexure K	Attached separately
1.1.15	E-tendering Help Manual for supplier	Annexure L	Attached separately
1.1.16	CIDB Contract Skills Development Goals (CSDG) (if applicable)	N/A	N/A
1.1.17	Contract Participation Goals (CPG) (if applicable)	N/A	N/A
1.1.18	Scope of Work		Attached separately
1.1.19	NEC 3 (Supply contract)		Attached separately
1.1.20	Pricing Schedule/BOQ (contained in Nec3 Supply Contract)		Y

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## 1.2. Tender Data

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** are not attached to the **Invitation to Tender**, then tenderers are required to download this from [www.eskom.co.za](http://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 <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:  Name: <b>Tsepiso Moloi</b>  Tel: <b>011 300 2311</b>  E-mail: <a href="mailto:MoloiTAs@eskom.co.za">MoloiTAs@eskom.co.za</a></p>
1.3 Tender documents	<p>The Invitation to tender number is: <b>E1541DXMP</b></p> <p>See the content list above for the tender documents.</p>
1.4 Type of Invitation to Tender	<p>This Invitation to Tender is:</p> <ol style="list-style-type: none"> <li>1. An open Invitation to Tender</li> </ol>
1.6 Eskom's right to accept or reject any tender	<p>The tender shall be for the <b>whole</b> of the contract.</p>
2.1 Eligibility	<p>Tenderers (whether a single company or an incorporated or unincorporated joint venture or consortium) must meet the eligibility criteria stated in the Tender Data. The tenderer, or any of its principals, must not be under any restriction to do business with Eskom or State-Owned Companies.</p> <p><b><u>Tenderers are ineligible to submit a tender if:</u></b></p> <ol style="list-style-type: none"> <li>1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be found 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.</li> <li>2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (900MB) for submission and the tenderers may submit more than one submission with the same tender number.</li> <li>3. Tenders submitted by a joint venture or consortium where the JV/consortium agreement does not explicitly state that the</li> </ol>

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.</p> <p>4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this tendering process is:</p> <p>(a) they have a controlling partner or majority shareholder in common; or</p> <p>(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 to influence the decisions of the Employer regarding this bidding process.</p> <p>5. Tenders signed by non-authorized persons.</p> <p>6. Any tenderer that is restricted by National Treasury.</p> <p>7. Any tenderer on the Tender Defaulters list.</p> <p>8. A tenderer that sub-contracts 100% of the Scope of Work</p> <p><b>Eskom will disqualify tenderers that are found not to have met the eligibility criteria.</b></p>
2.2 - 2.5 Tender Closing	<p>The deadline for <b>Tender submission</b> is:</p> <p>Date: <b>06 August 2025</b></p> <p>Time: <b>10h00</b></p> <p><b>Late Tenders will not be accepted.</b></p> <p><b>Tenders are uploaded via Eskom Tender bulletin site on the <a href="#">Eskom E- tendering</a> page and National Treasury E-tender portal.</b></p>
2.7-.2.11 Submitting a tender	<p>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be upload under the folder Technical, Commercial, Financial, and other.</p> <p>All documents need to be submitted in a PDF and Excel format (The limit is 50MB per file and total submission of 900MB per submissions). The price list needs to be submitted in PDF and a copy in excel format</p> <p>No Zip/condense files can be uploaded</p> <p>No hard copy will be accepted</p> <p>If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void.</p>

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	<p>Please ensure that the submission status is indicated as complete.</p> <p>Supplier Help Manual guide and video can be found on Eskom E-Tendering page.</p>
2.12 Tender Validity Period	The tender validity period is <b>120 days from tender closing date.</b>
2.15 Site visit and/ clarification meeting	<p>A <b>non-compulsory clarification meeting</b> with representatives of Eskom will take place as follows:</p> <p>Date: <b>24 July 2025</b> Time: <b>11h00</b> Venue: <b>Microsoft Teams</b></p> <p>Tenderers must confirm their intention to attend with the Eskom Representative, stating the name, position and contact details of each proposed attendee.</p>
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is <b>05</b> working days before the deadline for tender submission.
2.22 Alternative tenders	Alternative tenders are <b>not allowed.</b>
2.33 Cataloguing	The successful tenderer may be required to provide the cataloguing information per item after contract award and will need to ensure that all materials delivered to Eskom are labelled in line with Eskom's labelling specifications as may be stipulated by Eskom. Where cataloguing is a requirement, the Pricing Schedule must also include a line item for cataloguing, which tenderers are required to quote for. Eskom will pay for the cataloguing.
2.34 Provision of Security for Performance	Not Applicable
3.4 Tender Opening	For E-tendering. There will be no public opening of tenders. Tenders will be downloaded electronically.
3.5 Tender Prices	Prices will not be read out.
3.9 Basic Compliance	<p>Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements:</p> <p>Basic compliance for this invitation to tender are:</p>

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	<p>1. Meet the eligibility criteria for a tenderer (Refer to 2.1 on the top of this document)</p> <p>For Electronic Tender Submissions the following shall apply:</p> <ul style="list-style-type: none"> <li>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be uploaded under the folder Technical, Commercial, Financial, and other.</li> <li>The tenderer must submit electronic copy of the tender in a PDF format. (The limit is 50MB per file and total submission of 900MB per submission).</li> <li>No Zip/condense files can be uploaded</li> <li>No hard copy will be accepted.</li> <li>The latest version of the tender submitted will only be accepted and all previous submission/s will be null and void.</li> </ul> <p>For E-Tendering, a tenderer's failure to have submitted/uploaded tender documents will render the tender non-responsive.</p>
3.10 Mandatory tender returnables	<p><b>Commercial Mandatory Returnable Requirements</b></p> <p><b>MANDATORY COMMERCIAL</b></p> <p>The following are the Commercial mandatory returnable to be submitted at tender closing:</p> <p><b>Returnable required at Tender closing (Disqualifiable)</b></p> <ul style="list-style-type: none"> <li>Completed NEC3 Supply Contract, Pricing schedule and contract data.</li> <li>CPA for local goods and services</li> <li>Completed and signed declaration of authority form / submit the signed resolution by the board.</li> <li>- A tenderer must declare that the information provided in its tender is true and correct and that the signatory to the tender is duly authorized to sign all documents related to the Enquiry and any ensuing contract</li> </ul>

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	<p><b>Mandatory Technical Returnable Requirements</b></p> <p>All returns must be submitted at tender closing and cannot be requested or submitted after tender closing</p> <p>A tenderer that does not submit mandatory documents by or the complete information required in mandatory documents by the deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender will be deemed non-responsive.</p> <p><b>Returnable required at Tender closing – (Non-disqualifiable, may be requested after tender closing)</b></p> <ul style="list-style-type: none"> <li>• Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.</li> <li>- Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement.</li> <li>• A completed and signed Integrity Pact Declaration form.</li> <li>• SBD 4 – Bidders Disclosure – completed and signed.</li> <li>• SBD 1 – Invitation to bid – completed and signed.</li> <li>• Submit completed and signed non-disclosure agreement (NDA)</li> </ul> <p><b>The below returnable are mandatory for evaluation and therefore required at tender closing time and date. These will not be requested by the Procurement Practitioner; however, the tenderer will not be disqualified but score zero</b></p> <ul style="list-style-type: none"> <li>• SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations.</li> <li>• Proof of compliance to the stipulated Specific goals (B-BBEE / Affidavit).</li> </ul> <p>All tenders that comply with the above, will be evaluated further for non- negotiable mandatory technical requirements evaluation.</p> <p>A tenderer that does not submit mandatory documents or the complete information required in mandatory documents by the deadlines stipulated in the Tender Returnable section will be deemed non-responsive.</p>

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	<b><u>Level 1 - MANDATORY TECHNICAL REQUIREMENTS</u></b>  For the detailed Technical Requirements and Evaluation Criteria, refer to the below document, attached separately as Annexure M			
	No	Criteria	Mandatory	Returnable (Evidence)
	1	Completed and signed Technical A&B Schedules for each SAP number stated on the enquiry.	Y	Returnable: Completed and signed Technical A&B Schedules per SAP number <b>Notes:</b> The A&B Schedule documents will be provided by Eskom. Each SAP number will require the submission of its respective schedule. The SAP number must be stated on the schedule. Evidence for any other SAP number will not be accepted. This schedule is considered completed when the Supplier includes the product specific information into the Schedule B column for all criteria. Schedules will be considered incomplete if any criteria in Column B is

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				<p>returned blank or with non-technical responses such as "N/A", "TBD", "Will be submitted later" etc.</p> <p>Specific deviations to the Schedule A requirements are to be clearly stated in the Deviation Schedule with details related to the deviation and motivation for Eskom to consider a concession.</p>
	2	Completed and signed Deviation Schedules for each SAP number per buyers guide drawing stated on the enquiry	Y	<p>Returnable: Completed and signed Deviation Schedules per SAP number</p> <p><b>Notes:</b> The Deviation schedule shall be provided by Eskom. Each SAP number shall require the submission of its respective deviation schedule. The SAP number must be stated on the schedule.</p>

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					<p>Evidence for any other SAP number will not be accepted</p> <p><b>If no deviations exist then none need to be listed, however the evidence of the Deviation Schedule must still be signed and submitted with a “nil” record.</b></p> <p>Deviations stated on the Deviation Schedule may relate to deviations stated on the Technical A&amp;B Schedule or deviations to the testing requirements stated in the Test Report Schedule.</p>
	<p><b>TECHNICAL EVALUATION CRITERIA FOR ESKOM DISTRIBUTION SYSTEMS FOR REFILL AND LEASE OF 9KG SF6 GAS CYLINDERS</b></p> <p>Tenderers that do not meet the Level 1 mandatory technical requirements will not be evaluated further.</p>				

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3.13 Functionality requirements	<p><b><u>Level 2 - FUNCTIONALITY (TECHNICAL)</u></b></p> <p>Functionality requirements are applicable.</p> <p>The desktop evaluation shall also require evidence demonstrating compliance to the Functional (Scoring) Requirements. This forms <b>Level 2 Functional (Scoring) Requirements</b>. This aspect of the desktop assessment determines the compliance of the submission to specific technical criteria, by evaluating the content of the technical tender returnable.</p> <ul style="list-style-type: none"> <li>• The technical criteria set for Level 2 shall be allocated scores. Final scores shall be stated in percentage terms.</li> <li>• The submissions are assumed to have a score of <b>0%</b> prior to evaluation commencement. Positive marking will apply for compliance to the stipulated criteria i.e., marks shall be added from the starting score of <b>0%</b> until a final Level 2 score is achieved for that submission.</li> </ul> <p>Table 2 below indicates the overview formation of the functional requirements and tables 3 and 4 below indicates the scoring methodology for Schedule A &amp; B and Drawing.</p> <p><b><u>Table 2: Functional Requirements</u></b></p> <table> <tr> <th>Criteria</th><th>Weight</th></tr> <tr> <td>Schedule A and B</td><td>75%</td></tr> <tr> <td>Deviation Schedule</td><td>25%</td></tr> <tr> <td>Sum</td><td><b>100%</b></td></tr> </table> <p>The minimum threshold for level 2 is <b>seventy-five (75%) percent</b> compliance of type tests. Compliance to the technical standards included in the criteria is critical, due to the high risk introduced by non-compliance.</p> <p>Tenderers who do not meet the threshold for functionality scoring will be disqualified.</p> <p>For the full Technical Requirements and Evaluation Criteria, refer to the following document, attached separately as <b>Technical Evaluation Criteria Annexure M (Refer page 7-10)</b></p>	Criteria	Weight	Schedule A and B	75%	Deviation Schedule	25%	Sum	<b>100%</b>
Criteria	Weight								
Schedule A and B	75%								
Deviation Schedule	25%								
Sum	<b>100%</b>								

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

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Clause Number from Standard Conditions of Tender	Tender Data																																								
	<table><tr><th>B-BBEE Contributor</th><th>Status</th><th>Level of</th><th>Number of points (80/20 system)</th></tr><tr><td></td><td>1</td><td></td><td>20</td></tr><tr><td></td><td>2</td><td></td><td>18</td></tr><tr><td></td><td>3</td><td></td><td>14</td></tr><tr><td></td><td>4</td><td></td><td>12</td></tr><tr><td></td><td>5</td><td></td><td>8</td></tr><tr><td></td><td>6</td><td></td><td>6</td></tr><tr><td></td><td>7</td><td></td><td>4</td></tr><tr><td></td><td>8</td><td></td><td>2</td></tr><tr><td colspan="3">Non-compliant contributor</td><td>0</td></tr></table> <p><b>NB: The following documents are required to claim preference points,</b></p> <ul style="list-style-type: none"><li>Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit</li><li>Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown</li><li>Certified ID copies of shareholder(s)</li><li>Proof of Disability (where applicable)</li></ul> <p><b>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but'</b></p> <ul style="list-style-type: none"><li>May only score point out of 80 for price</li><li>Scores 0 points out of 20 for specific goals</li></ul> <p><b>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</b></p> <ul style="list-style-type: none"><li>Name/s of deponent as they appear in the identity document and the identity number.</li><li>Designation of the deponent as the <b>director, owner</b> or <b>member</b> must be indicated in order to know that person is duly authorised to depose of an affidavit. <b><u>(Mark the applicable option).</u></b></li><li>Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.</li><li>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. <b>(No blank spaces to be left).</b></li></ul>	B-BBEE Contributor	Status	Level of	Number of points (80/20 system)		1		20		2		18		3		14		4		12		5		8		6		6		7		4		8		2	Non-compliant contributor			0
B-BBEE Contributor	Status	Level of	Number of points (80/20 system)																																						
	1		20																																						
	2		18																																						
	3		14																																						
	4		12																																						
	5		8																																						
	6		6																																						
	7		4																																						
	8		2																																						
Non-compliant contributor			0																																						

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	<ul style="list-style-type: none"> <li>Indicate total revenue for the year under review and whether it is based on <b>audited financial statements</b> or <b>management account</b>. <b>(Mark the applicable option).</b></li> <li>Financial year end as per the <b>enterprise's registration documents</b>, which was used to determine the total revenue. <b>(Financial year end to be stipulated by <u>day/month/year</u>).</b></li> <li>B-BBEE Status level. An enterprise can only have one status level. <b>(Tick applicable level)</b></li> <li>Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.</li> <li>Date deponent signed and date of Commissioner of Oath must be the same. <b><u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore, the Commissioner must also sign and stamp)</u></b></li> </ul> <p>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>
3.19 Ranking of tenders	<p>Tenderers will be ranked by applying the preferential point scoring for the <b>80/20</b> system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.</p> <p>1.80/20 for tender with rand value equal to or below R50 million</p> <p>80/20 will apply should there be a degree of uncertainty on which system will apply. The lowest acceptable tender will be used to determine the applicable preference system.</p> <ul style="list-style-type: none"> <li>In the event that two or more tenderers have scored equal points, the recommended tenderer is identified as the tenderer that scored the higher points for Specific Goals.</li> <li>If two or more tenderers scored equal points, including equal points for Specific Goals, the recommended tenderer is identified as the tenderer that scored the highest score for functionality, if functionality was part of the evaluation process.</li> <li>In the event that two or more tenderers are equal in all respects, the recommended tenderer must be identified by the drawing of lots.</li> </ul> <p><b>Note: The tender will result in an award of two highest ranked suppliers</b></p>

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Clause Number from Standard Conditions of Tender	Tender Data
3.20 Objective Criteria	Objective Criteria is not applicable
3.21 Reverse e-auction	Reverse e-auction is not applicable.
Contractual Requirements	<p><u>Mandatory Contractual Requirements that <b>must</b> be included in all tenders is the following: -</u></p> <ul style="list-style-type: none"> <li>• Proof of CSD registration Valid B-BBEE Certificates/ Sworn Affidavits</li> <li>• Tax Compliance Status (TCS) e-filing PIN from SARS</li> <li>• Valid certificate of good standing or proof of application issued by the Compensation Fund (COID)</li> </ul> <p><u>Additional Contractual Requirements that may be included if applicable:</u></p> <p><b>Safety Requirements</b></p> <ul style="list-style-type: none"> <li>• Identification of SHE hazards</li> <li>• Provide the BRA Procedure with the methodology used for the risk assessment must be submitted</li> <li>• Valid Letter of Good Standing or equivalent</li> <li>• SHE policy signed by CEO/ MD</li> <li>• Certified SHE Competency training certificates</li> <li>• Employees/Driver's Medical fitness certificates</li> <li>• Vehicle management and driver safety procedure related to SF6 gas</li> <li>• Provide Hazardous Substances Handling procedure and Registration certificate as a SF6 Transporter</li> </ul> <p><b>Quality Requirements</b></p> <ul style="list-style-type: none"> <li>• 240-105658000 Supplier Quality Management Specification</li> <li>• 20250130-Form A Cat- 4 Rev 9</li> <li>• 20250130- Cat 4 – Rev 7</li> <li>• 20250130-Form A Cat-4 Rev 9</li> <li>• 240-126469599-Method Statement Rev 2</li> </ul> <p><b>Contractual Requirements are not evaluation criteria. They will be assessed after the evaluation and ranking of the tenders. Proof that the tenderer recommended for award has met the stipulated contractual requirements must be submitted prior to contract award.</b></p> <p><b>Failure to meet stipulated Contractual Requirements by the stipulated deadlines may result in the tenderer being regarded as non-responsive and ineligible for contract award.</b></p>

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3.24 Sign form of Agreement/ Contractual Conditions	<p>The conditions of the contract will be the <b>NEC 3 Supply Contract (SC3)</b></p> <p>X1: Price adjustment for inflation  X2: Changes in the law  X7: Delay damages  Z: Additional conditions of contract</p>
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements are not applicable.
2.29 Contract Skills Development Goals (CSDG) is	Not Applicable
2.30 Contract Participation Goals is	Not Applicable

**Please note:**

Tenderers are requested to bear in mind Eskom's standard payment terms as stipulated hereunder when submitting tenders and concluding contracts with Eskom:

For contracts valued below R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying Suppliers within 30 days of receipt of undisputed invoices.

For contracts valued above R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying suppliers within 60 days of receipt of undisputed invoices.

Eskom reserves the right to negotiate with preferred bidders after a competitive bidding process or price quotations should the tendered prices not be 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 its tender documents.

A report containing a list of potential sub-contractors may be drawn by accessing the following link: [www.csd.gov.za](http://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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## 1.2 TENDER RETURNABLES

The tenderer must submit the returnable set out hereunder as part of its tender at the stipulated deadline.

### NOTE THE FOLLOWING: -

#### - \* Returnables required at Tender closing (disqualifiable): -

These returnables are required to be fully completed, signed (if required on the returnable) and submitted with the tender at Tender closing date and time. If not fully completed, signed (if required on the returnable) and/or submitted by tender closing, the tenderer will be disqualified.

#### \*\* Returnable required at Tender closing (non-disqualifiable): -

These returnables are required to be fully completed, signed (if required on the returnable) and submitted with Tender at Tender closing date and time; however, if not submitted by Tender closing, or submitted with incomplete information or without a required signature, the Procurement Practitioner will, in writing, request the tenderer to submit the returnable within 5 working days. If the returnable is not fully completed, signed if required and/or received by the Procurement Practitioner within 5 working days of the request, the tenderer will be disqualified.

The 5 working days period does not apply to CIDB proof of grading. Refer to the returnable table the prescribed period for CIDB proof of grading.

#### # Returnables required at Tender Closing date and time for evaluation: -

These returnables are required to be submitted at tender closing date and time. These returnables will not be requested by the Procurement Practitioner. A tenderer that does not submit the required returnable at stipulated deadline or submits an incomplete returnable; will not be disqualified but will score zero.

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Reference	Returnable From Suppliers	Returnable required at Tender closing* (disqualifiable)	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
<b>Basic Compliance</b>	Electronic copy of the tender in a PDF format. The price list needs to be submitted in PDF and a copy in excel format (The limit is 50MB per file and total submission of 900MB per submission)	√		
<b>Annexure A</b>	Authorisation Form	√		
<b>Annexure B</b>	Acknowledgement Form		√	
<b>Annexure C</b>	Tenderers Particulars		√	
<b>Annexure D</b>	Integrity Pact Declaration form		√	
<b>Annexure E</b>	CPA for local goods/services (if applicable)	√		
<b>Annexure F</b>	CPA(IG) for imported goods/services (if applicable)	N/A		
<b>Annexure G1-G4</b>	SBD 6.2 -Declaration certificate for local production and content and Annexures G2,G3,G4	N/A		
<b>Annexure H</b> (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		√	
<b># Annexure I</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			
<b>Annexure J</b>	SBD 4 – Bidders Disclosure		√	
Reverse e-auction training acknowledgement form (if applicable)		N/A		
E-tendering Help Manual acknowledgement form			√	
<b>Additional Documents required in the event of JV: -</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		√	

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Reference	Returnable From Suppliers	Returnable required at Tender closing* (disqualifiable)	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		√	
	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.			√
# Specific Goals	A tenderer's failure to submit proof that it meets the <b>specific goals</b> will not result in its disqualification. The tenderer will, however, be scored zero for Specific Goals for purposes of PPPFA scoring and ranking.			
Tax Clearance Certificates	A certified copy of a tax clearance certificate is required from foreign tenderers (with a footprint in South Africa but that are not registered on CSD and have not provided a SARS pin number) and local tenderers (that 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 complete the SBD1 document; however, no proof of tax compliance is required.			√
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)			√
NEC Contract	NEC3 Supply contract, completed in full	√		
Pricing schedule	Completed pricing schedule	√		

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
	For e-tendering price schedule needs to be submitted in PDF and a copy in excel format			
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work)		N/A		
	<b>MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE</b>			
Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD number/CSD Report)			√
	<b>ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE</b>			
Safety	<b>Safety Requirements</b> <ul style="list-style-type: none"> <li>• Identification of SHE hazards</li> <li>• Provide the BRA Procedure with the methodology used for the risk assessment must be submitted</li> <li>• Valid Letter of Good Standing or equivalent</li> <li>• SHE policy signed by CEO/ MD</li> <li>• Certified SHE Competency training certificates</li> <li>• Employees/Driver's Medical fitness certificates</li> <li>• Vehicle management and driver safety procedure related to SF6 gas</li> <li>• Provide Hazardous Substances Handling procedure and Registration certificate as a SF6 Transporter</li> </ul>			√

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Quality	<b>Quality requirements</b> <ul style="list-style-type: none"> <li>240-105658000 Supplier Quality Management Specification</li> <li>20250130-Form A Cat- 4 Rev 9</li> <li>20250130- Cat 4 – Rev 7</li> <li>20250130-Form A Cat-4 Rev 9</li> <li>240-126469599-Method Statement Rev 2</li> </ul>			√
Environmental		N/A		
Due Diligence/financial analysis	<p>Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such statements are not available, for the last year.</p> <p>In the case of a joint venture specially formed for this tender, audited financial statements for each participant in the JV / SPV must be submitted.</p> <p>Start-up enterprises formed within the last 12 months are not required to submit audited financial statements, but if successful in this Invitation to Tender ; will be required to furnish statements for the first year once available.</p>			√
	<b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA</b>			
Functionality/Technical	Refer to <b>Technical Evaluation Criteria on page 57-64 and also attached separately as Annexure M</b>	√		

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## **ANNEXURE A**

### **AUTHORISATION FORM**

Indicate the status of the *tenderer* by ticking the appropriate box below.

<b>A COMPANY</b>	<b>B CLOSE CORPORATION</b>	<b>C PARTNERSHIP</b>	<b>D JOINT VENTURE</b>	<b>E SOLE PROPRIETOR</b>	<b>F TRUST</b>

The *tenderer* must complete the appropriate certificate set out below for its category of organisation. If the *tenderer* is a company, close corporation, joint venture, or trust the *tenderer* must attach a certified copy the document that is proof of the contents of the certificate (resolution of the board of directors of a company, members' resolution of a close corporation, power of attorney in the case of a joint venture, or resolution of the board of trustees of a trust).

Note further that, in addition to completing the relevant certificate for category of organisation, the authorised representative of the *tenderer* is also required to complete and sign the table at the end of this Authorisation Form.

#### **A. Certificate for company**

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_ of the board of directors of \_\_\_\_\_, hereby confirm that by resolution of the board taken on \_\_\_\_\_ (date), Mr/Ms \_\_\_\_\_, acting in his/her capacity of \_\_\_\_\_, is authorised to submit this tender on behalf of the company, and to sign all documents in connection with this tender and any contract that may result from it on behalf of the company. A certified copy of the resolution of the board is annexed to this Form.

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b>

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## B. Certificate for close corporation

I, \_\_\_\_\_, in my capacity as member of \_\_\_\_\_, hereby confirm that by majority vote of the members taken on \_\_\_\_\_ (date), Mr/Ms \_\_\_\_\_, acting in his/her capacity of \_\_\_\_\_, is authorised to submit this tender on behalf of the close corporation, and to sign all documents in connection with this tender and any contract that may result from it on behalf of the close corporation. A certified copy of the members' resolution is annexed to this Form.

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b>

## C. Certificate for partnership

We, the undersigned, being the **key partners** in the business trading as \_\_\_\_\_ hereby authorise Mr/Ms \_\_\_\_\_, acting in his/her capacity of \_\_\_\_\_, to submit this tender on behalf of the partnership, and to sign all documents in connection with the tender and any contract that may result from it on behalf of the partnership.

Name	Address	Signature	Date

**NOTE: This certificate is required to be completed and signed by the full number of Partners necessary to commit the Partnership. Attach additional pages if more space is required.**

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#### D. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms \_\_\_\_\_, an authorised signatory of \_\_\_\_\_, being the lead member in the Joint Venture, to sign all documents in connection with the tender and any contract that may result from it on behalf of all the members in the Joint Venture.

This authorisation is evidenced by the attached power of attorney signed by the legally authorised signatories of all the members in the Joint Venture.

We attach to this Form a certified copy of the Joint Venture Agreement which incorporates a statement that all members in the Joint Venture are liable jointly and severally for the execution of the contract, a term that indicates which member will be the lead member, and terms that indicate the ratios according to which work and payment will be divided amongst the members.

Name of JV member	Address	Authorised signature, name and capacity
Lead member		
Member		
Member		
Member		

**NOTE: This certificate is required to be completed and signed by all members of the joint venture. Attach additional pages if more space is required.**

#### E. Certificate for sole proprietor

I, \_\_\_\_\_, hereby confirm that I am the sole proprietor of the business trading as \_\_\_\_\_

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b> <b>(Sole Proprietor)</b>

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#### F. Certificate for trust

I, \_\_\_\_\_, in my capacity as \_\_\_\_\_ of the board of trustees of \_\_\_\_\_, hereby confirm that by resolution of the board of trustees taken on \_\_\_\_\_ (date), Mr/Ms \_\_\_\_\_, acting in his/her capacity of \_\_\_\_\_, is authorised to submit this tender on behalf of the trust and to sign all documents in connection with this tender and any contract that may result from it on behalf of the trust. A certified copy of the resolution of the board of trustees is annexed to this Form.

Signed:	Date:
Name:	Position:

**NOTE:** The table below must also be fully completed by all *tenderers* in addition to the certificate that was selected and completed above.

Name of tenderer:	
Full names of authorized signatory:	
Designation and capacity:	
Signature of authorized signatory	
Date of signature:	

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## **ANNEXURE B**

### **ACKNOWLEDGEMENT FORM**

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


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

Correct as stated in the Invitation to Tender 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 Invitation to Tender ☐
2. We have already supplied Eskom with the cataloguing information pertaining to this Invitation to Tender in a previous contract/order [***insert previous contract/order number***] ☐ \_\_\_\_\_
3. We do not intend to provide the required cataloguing information for the reasons stated hereunder: ☐

---



---



---

4. We are a Distributor/Importer/Agent and our Principal, being the Original Equipment Manufacturer (OEM), is or is not [***delete whichever is not applicable***] in the position to supply cataloguing information for items. We attach the letter from the OEM confirming its position. ☐

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Invitation to Tender for No: \_\_\_\_\_

Name of Tenderer: \_\_\_\_\_

Country of registration: \_\_\_\_\_

Full names of contact person: \_\_\_\_\_

Contact details:

Tel (landline):
Cell phone:
e-mail address:

<b>Name of tenderer:</b>	
<b>Full names of authorized signatory:</b>	
<b>Signature:</b>	
<b>Designation and capacity:</b>	
<b>Date:</b>	

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## **ANNEXURE C**

### **TENDERER'S PARTICULARS**

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

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

**Please complete the following:**

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

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

Name of contractor	
CIPC Registration number or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	

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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 National Treasury's Central Supplier Database (CSD), please provide your supplier registration number with Treasury \_\_\_\_\_
3. Please note that it is not mandatory for you to be registered on National Treasury's CSD at the time of responding to this tender. It is, however, a mandatory requirement that you be registered on CSD prior to award.
4. You may register online at National Treasury website on [www.treasury.gov.za](http://www.treasury.gov.za)
5. If you are registered on SARS E-filing system, please provide your PIN number in order to verify your tax compliance status \_\_\_\_\_
6. If you are required to be tax compliant as per SBD 1 but are not registered on CSD (foreign suppliers) or have not provided your SARS E-filing PIN, please confirm that you have attached or will furnish a copy of a current valid tax compliance certificate as a tender returnable by contract award stage.

YES		NO	

7. **If sub-contracting is prescribed in the Invitation to Tender, tenderers must complete 7.1 to 7.9.**

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7.1 Confirm if you intend sub-contracting

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

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

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

7.4 Is the said sub-contractor registered on CSD?

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

7.5 If yes to 8.4, please provide CSD number. \_\_\_\_\_

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

7.7 Which designated group does the sub-contractor belong to: -

- a) An EME or QSE;
- b) An EME or QSE which is at least 51% owned by black people;
- c) An EME or QSE which is at least 51% owned by black people who are youth;
- d) An EME or QSE which is at least 51% owned by black people who are women;
- e) An EME or QSE which is at least 51% owned by black people with disabilities;
- f) An EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
- g) A cooperative which is at least 51% owned by black people;
- h) An EME or QSE which is at least 51% owned by black people who are military veterans; or
- i) More than one of the categories referred to in paragraphs (a) to (h).

7.8 Please confirm that you have attached your signed intention to sub-contract document.

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

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

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

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Name of tenderer:	
Full names of authorized signatory:	
Signature:	
Designation and capacity:	
Date:	

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## **ANNEXURE D**

### **INTEGRITY DECLARATION FORM**

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

#### **1 DECLARATION OF INTEREST**

I/We understand that an employee of the State as defined in the Public Service Act of 1994 is prohibited from conducting business with any organ of state and from being a director of a public or private company that conducts business with an organ of state.

I/We understand that any natural/legal person, including any natural legal person related to an Eskom employee/director as per the definition of "related" set out hereunder, may submit a tender to Eskom. However, in order to establish whether a conflict of interest exists tenderers are required to declare such interest/relationships where: -

1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom.
2. the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors.
3. the *legal entity including its employees/contractors/ directors / shareholders /members /partners / owners* on whose behalf the tender documents are signed, is/are in some other way related to an Eskom employee/contractor/consultant/director involved in the tender specification/ tender evaluation/tender adjudication/negotiation.
4. the tenderer/s and one or more other tenderers in this tendering/RFP process have a controlling partner in common, or 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 over the tender/proposal of another tenderer, or influence over the decisions of Eskom regarding the bidding process;

#### **Related:**

(1) When used in respect of two persons, means persons who are connected to one another in any manner contemplated below:

- (a) an individual is related to another individual if they-
  - (i) are married, or live together in a relationship similar to a marriage; or
  - (ii) are separated by no more than two degrees of natural or adopted consanguinity or affinity;

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- (b) 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 set out in subsection (2) below; and
- (c) a juristic person is related to another juristic person if-
  - (i) either of them directly or indirectly controls the other, or the business of the other, as determined in accordance with subsection (2) below;
  - (ii) either is a subsidiary of the other; or
  - (iii) a person directly or indirectly controls each of them, or the business of each of them, as determined in accordance with subsection (2) below.

“related person”, when used in reference to a directors/shareholders/members/partners/owners, has the meaning set out in 3.3.16, but also includes a second company of which the directors/shareholders/members/partners/owners or a related person is also a director directors/shareholders/members/partners/owners, or a close corporation of which the director or a related person is a member.

#### **Control:**

- (2) For the purpose of subsection (1) above, a person controls a juristic person, or its business, if-
  - (a) in the case of a juristic person that is a company-
    - (i) that juristic person is a subsidiary of that first person, as determined in accordance with the Companies Act<sup>1</sup>; or
    - (ii) that first person together with any related or inter-related person, is-
      - (aa) directly or indirectly able to exercise or control the exercise of a majority of the voting rights associated with securities of that company, whether pursuant to a shareholder agreement or otherwise; or
      - (bb) has the right to appoint or elect, or control the appointment or election of, directors of that company who control a majority of the votes at a meeting of the board;
  - (b) in the case of a juristic person that is a close corporation, that first person owns the majority of the members’ interest, or controls directly, or has the right to control, the majority of members’ votes in the close corporation;

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- (c) in the case of a juristic person that is a trust, that first person has the ability to control the majority of the votes of the trustees or to appoint the majority of the trustees, or to appoint or change the majority of the beneficiaries of the trust; or
- (d) that first person has the ability to materially influence the policy of the juristic person in a manner comparable to a person who, in ordinary commercial practice, would be able to exercise an element of control referred to in paragraph (a), (b) or (c) of subsection (2).

“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 an employee/consultant/ contractor and/or director of a State/State owned entity.	Full Names & Capacity/Position of Eskom employee/ consultant/contractor and/or director details of the relationship or interest (marital/ familial/personal/ financial etc.)	To your knowledge is this person involved in the specification/ evaluation/ adjudication/ negotiation of tenders?

If any employee/director/member/shareholder/owner of the tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation to undertake remunerative work outside public sector employment and attach proof to this declaration. \_\_\_\_\_  
[Yes/No]

Do the tenderer/s and any other tenderer/s in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? \_\_\_\_\_(  
[Yes/No]

If Yes, attach proof. to this declaration

## 2 DECLARATION OF FAIR TENDERING PRACTICES

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

1. abused Eskom’s procurement process (e.g. bid rigging/collusion); or
2. committed fraud or any other improper conduct in relation to such procurement process.

Please complete the declaration with an ‘X’ under YES or NO

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Item	Question	Yes	No
1.1	Is the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector.  The Database of Restricted Suppliers can be accessed on the National Treasury's website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ).		
1.2	Is the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries 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)  The Register for Tender Defaulters can be accessed on the National Treasury's website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ).		
1.3	Was the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries convicted by a court of law (including a court outside South Africa) of fraud and/or corruption in respect of any procurement/tendering processes/procedures during the past five years?		
1.3.1	If "Yes", provide details including a case number and a copy of the judgement.		
1.4	Was the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries prohibited from doing business with any International Financial/Lending Institution or Development/Funding Agency?		
1.5	Is there any history/record of the tenderer/s or any of its shareholders/directors/members/partners/owners/turstees/beneficiaries failing to meet their contractual obligation with the State or any State Owned Entity(SOC)?		
1.5.1	If "Yes", provide details		

### 3. DECLARATION OF SHAREHOLDING / BENEFICIARY INFORMATION

I, the undersigned \_\_\_\_\_ [Full names and Position] \_\_\_\_\_

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

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

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

**Individuals:**

Full Name	Identity Number	Shareholding Percentage / Beneficiary Share

**Other Entities\*:**

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

**I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is true and 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 declaration prove to be false, and**

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

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

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Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

### Joint Ventures

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is true and 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 declaration prove to be false; and

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

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

Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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## **ANNEXURE E**

### **CONTRACT PRICE ADJUSTMENT (CPA) REQUIREMENTS FOR LOCAL GOODS AND SERVICES.**

#### **The application of contract price adjustment (CPA) to tender submissions**

**Note:** This Section will not be applicable to Professional services contracts (See relevant section hereunder for guidelines on this).

#### **1. Application of CPA**

- 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.
- For contracts with a duration more than twelve (12) months, CPA will not be applicable for the first year. CPA will then only be applied from year two (2) onwards.
- Failure to propose contract price adjustment, or submit a CPA formula with the tender submission, will result in the pricing being considered fixed.
- Eskom will not accept Rate of Exchange adjustment to be included in any CPA formula.
- Local indices may not be used for CPA purposes for any imported component.
- There must be separate CPA formulae for local and foreign CPA. Local and foreign escalation may not be combined into one formula.

#### **2. Tender Submissions**

#### **Eskom Proposed CPA breakdown for Local Goods and Service**

The standardised rates will be fixed and firm for the first 12 months and thereafter be adjusted annually in accordance with SEIFSA index (Table C3a) 60% for labour, (Table O3) 10% for consumables and (Table L2(A)) 20% for transport price. 10% will be fixed on non-adjustable.

SEIFSA Index	
SEIFSA Tables	Proportion
Table C3A- All hourly paid employees	60%
Table O-3- Coal and gas	10%
Table L2 (A)	20%
Fixed -non-adjustable	10%
Total	100%

**Note:** Tenderers to take note that, if the Eskom proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for Eskom's proposed CPA breakdown.

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### **Eskom CPA Conditions/Requirements**

- Tenderers are required to submit CPA that is aligned to Eskom's proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom's CPA proposal, and this will be considered if deemed acceptable to Eskom;
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied,
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.
- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted).
- If there are specific line items for Labour and Transport, individual Formulae might be used.

**Note:** Eskom reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

### **3. BASE DATE AND BASE PRICE**

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the tender closes.
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the tender closes should be used as the Base Price.

### **4. 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 contract 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.

OR

<b>Closing date of tender:</b>	
<b>Name of tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Date of signature:</b>	

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**Note:** Tenderers to take note that, if the Eskom proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for Eskom's proposed CPA breakdown.

### **Eskom CPA Conditions/Requirements**

- Tenderers are required to submit CPA that is aligned to Eskom's proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom's CPA proposal and this will be considered if deemed acceptable to Eskom;
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied,
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.
- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted).
- If there are specific line items for Labour and Transport, individual Formulae might be used.

**Note:** Eskom reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

### **2. BASE DATE AND BASE PRICE**

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the tender closes
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the tender closes should be used as the Base Price.

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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 is accessible on [http://www.thdti.gov.za/industrial\\_development/ip.jsp](http://www.thdti.gov.za/industrial_development/ip.jsp).
- 3 Local Content Declaration Templates (Annex C, D and E) is attached to this Invitation to Tender and must be submitted at the stipulated deadline.
- 4 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 at the stipulated deadline 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 9.1 of the Preferential Procurement Regulations, 2022 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

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

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

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

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

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

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

Annexure G2 - Local Content Declaration - Summary Schedule (Annex C)



Adobe Acrobat  
Document

Annexure G3 - Imports Declaration - Supporting Schedule to Annex C (Annex D))



Adobe Acrobat  
Document

Annexure G4 - Local Content Declaration - Supporting Schedule to Annex C (Annex E)



Adobe Acrobat  
Document

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## **ANNEXURE H**

**SBD 1**

### **PART A INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	E1541DXMP	CLOSING DATE:	06 August 2025	CLOSING TIME:	10:00AM
DESCRIPTION	Refill and lease of 9kg SF6 Gas cylinders on an as and when required basis in the Limlanga Cluster for a period of 05 years				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>Electronic</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Tsepiso Moloi		CONTACT PERSON	Tsepiso Moloi	
TELEPHONE NUMBER	011 300 2311		TELEPHONE NUMBER	011 300 2311	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:MoloiTAs@eskom.co.za">MoloiTAs@eskom.co.za</a>		E-MAIL ADDRESS	<a href="mailto:MoloiTAs@eskom.co.za">MoloiTAs@eskom.co.za</a>	
<b>SUPPLIER INFORMATION</b>					
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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					

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IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ 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

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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 <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a> .
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 I**

### **SBD 6.1**

#### **PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

#### **1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 **To be completed by the organ of state**

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) **80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

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#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

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### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

##### 3.1.1 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 tender under consideration

$P_t$  = Price of tender under consideration

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

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

##### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

Where

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

$P_t$  = Price of tender under consideration

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

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

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4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

**(Note to organs of state: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such.**

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system)
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

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4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole proprietor
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Trust
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

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.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

.....

.....

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## **ANNEXURE J**

### **SBD 4**

## **TENDERER'S DISCLOSURE**

### **1. PURPOSE OF THE FORM**

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

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

### **2. TENDERER'S DECLARATION**

2.1 Is the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise, employed by the state?

**[YES/NO]**

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

Full Name	Identity Number	Name of State Institution

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2.2 Do you, or any person connected with the tenderer, have a relationship with any person who is employed by the procuring institution?

**[YES/NO]**

If so, furnish particulars:

.....  
.....

2.3 Does the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**[YES/NO]**

If so, furnish particulars:

.....  
.....

### 3. DECLARATION

I, the undersigned, (name).....in submitting the accompanying tender, do hereby make the following statements that I certify to be true and complete in every respect: -

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying tender will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The tenderer has arrived at the accompanying tender independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium will not be construed as collusive bidding.
- 3.4 There have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the tender, tendering with the intention not to win the tender and conditions or delivery particulars of the products or services to which this tender invitation relates.

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- 3.5 The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the tenderer with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the tender submitted where so required by the institution, and the tenderer was not involved in the drafting of the specifications or terms of reference for this tender.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, tenders that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and/or the tenderer maybe restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....	.....
Signature	Date
.....	.....
Position	Name of bidder

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**Table 1: Mandatory Requirements**

All evidence stated below must be included in the tender returnable for the submission to be considered complete. All returns must be submitted at tender closing and cannot be requested or submitted after tender closing.			
No	Criteria	Mandatory	Returnable (Evidence)
1	Completed and signed Technical A&B Schedules for each SAP number stated on the enquiry.	Y	<p>Returnable: Completed and signed Technical A&amp;B Schedules per SAP number</p> <p><b>Notes:</b> The A&amp;B Schedule documents will be provided by Eskom. Each SAP number will require the submission of its respective schedule. The SAP number must be stated on the schedule. Evidence for any other SAP number will not be accepted.</p> <p>This schedule is considered completed when the Supplier includes the product specific information into the Schedule B column for all criteria.</p> <p>Schedules will be considered incomplete if any criteria in Column B is returned blank or with non-technical responses such as "N/A", "TBD", "Will be submitted later" etc.</p> <p>Specific deviations to the Schedule A requirements are to be clearly stated in the Deviation Schedule with details related to the deviation and motivation for Eskom to consider a concession.</p>
2	Completed and signed Deviation Schedules for each SAP number per buyers guide drawing stated on the enquiry	Y	<p>Returnable: Completed and signed Deviation Schedules per SAP number</p> <p><b>Notes:</b> The Deviation schedule shall be provided by Eskom. Each SAP number shall require the submission of its respective deviation schedule. The SAP number must be stated on the schedule. Evidence for any other SAP number will not be accepted.</p> <p><b>If no deviations exist then none need to be listed, however the evidence of the Deviation Schedule must still be signed and submitted with a "nil" record.</b></p> <p>Deviations stated on the Deviation Schedule may relate to deviations stated on the Technical A&amp;B Schedule or deviations to the testing requirements stated in the Test Report Schedule.</p>

The desktop evaluation shall also require evidence demonstrating compliance to the Functional (Scoring) Requirements. This forms **Level 2 Functional (Scoring) Requirements**. This aspect of the desktop assessment determines the compliance of the submission to specific technical criteria, by evaluating the content of the technical tender returnable.

- The technical criteria set for Level 2 shall be allocated scores. Final scores shall be stated in percentage terms.
- The submissions are assumed to have a score of 0% prior to evaluation commencement. Positive marking will apply for compliance to the stipulated criteria i.e., marks shall be added from the starting score of 0% until a final Level 2 score is achieved for that submission. Table 2 below indicates the overview formation of the functional requirements and tables 3 and 4 below indicates the scoring methodology for Schedule A & B and Drawing.

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Table 2: Functional Requirements

Item	Description	Weight Score
1	Schedule A and B	75%
3	Deviation Schedule	25%
Sum		100%

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GAS SUPPLIED IN CYLINDERS

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Table 3: Schedule A & B Scoring Methodology

Item	Description	Weight Score
1	No deviations	100%
2	Less than 2 deviations	80%
3	Deviations are more than 2 and less than 5.	60%
4	Deviations are more than 5 and less than 7.	40%
5	Deviations are more 7	0%
Sum		100%

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Table 4: Drawing Scoring Methodology

Item	Description	Weight Score
1	Revision number	16.6%
2	Drawing Number	16.6%
3	Manufactures Name	16.6%
4	Description	16.6%
5	Signed and Approved	16.6%
6	Detailed Assembly	16.6%
Sum		100%

The Level 2 The minimum threshold is seventy-five (75%) percent compliance of type tests. Compliance to the technical standards included in the criteria is critical, due to the high risk introduced by non-compliance.

#### Type Test Reports:

This criterion is evaluated in two parts. The evaluation must proceed in the correct sequence (i.e., A then B). Completeness of Testing Evidence Reports means:

- The full set of test reports as required by the Test Report Schedule issued by Eskom are submitted as evidence, and
- The test reports contain all relevant information as stated by this criterion.

#### 3.1.2.1 The set of test reports is considered complete if:

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- a) All tests stated with Test Report Numbers in the Test Report Schedule have a corresponding test report contained in the submission, and
- b) Where any test is stated as "Not Available", the details related to the test requirement deviation and motivation are included on the Deviation Schedule and Eskom allows a concession for the testing requirements.

#### 3.1.2.2 Test report content will be considered complete if the following is stated in the report:

- The test facility at which the test was conducted.
- The product that was tested
- The standards against which it was tested.
- The test name / details
- The test result / outcome
- Date of test / Date of report issue

All test reports must comply. Individual test reports per test requirement as well as consolidated test reports containing all the test results will be accepted.

- Submissions meeting seventy-five (75%) percent of the Level 2 requirements will compliant and those failing to meet seventy-five (75%) percent of the Level 2 requirements will be deemed non-compliant.
- Where clarifications are required, the rules as per 32-1034 are to be applied and no tender is to be made responsive via the clarification process.

### 3.2 Technical Tender Criteria and Returnable

It is preferred that the technical returnable be contained within the technical section of the submission.

#### 3.2.1 Technical Requirements

##### 3.2.1.1 Technical Compliance Criteria

Products offered during the Commercial tender process and supplied to Eskom subsequent to the contract awarding process must comply with the latest revision all relevant standards.

The technical team shall provide a comprehensive listing of the relevant standards, in relation to the SAP items included in the scope of the Commercial enquiry. Refer to Annexure A for Schedule A&B to be completed and submitted by the tenderers.

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### 3.2.1.2 Technical Tender Document Pack

The Technical Tender Documents must be consolidated and confirmed by the Technical Evaluation Team and will form part of the Enquiry Documentation. The Technical Tender Document Pack shall contain technical Schedule A & B as listed in Annexure A (as a minimum requirement). The tenderer must complete in full technical schedule A& B they wish to tender for.

SF6 gas shall be supplied in Class 1 steel cylinders, seamless metallic type in accordance with SANS 10019 standard. The seamless metallic type of gas cylinders shall be in line with Annexure B.

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### 3.2.2 Concessions

The Technical Evaluation Team is to consult with the relevant Subject Matter Specialist when considering concessions of a significant nature. Concessions must state the terms of acceptance. Concessions that are awarded are to be documented in the technical evaluation report. Details of the concession must be included in the contract negotiations or award process.

Where clarifications with the Supplier are required, the rules as per 32-1034 are to be applied, and no tender is to be made responsive via the clarification process.

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The details included to the technical requirement must include the following:

- Bidder name
- SAP number
- Deviation
- Statement of acceptance of the deviation
- Limits to the acceptance, if any
- Terms/Conditions of acceptance, if any

### 3.3 Technical Tender Documentation

The Criteria tables contained throughout section 3.2 shall be converted into evaluation sheets by the Technical Evaluation Team for the purpose of conducting the evaluations and for creating a record of the evaluation conducted per submission, per evaluator.

The Technical Evaluation Team shall provide Commercial with a formal report containing the details of the technical outcome of the evaluations.

As per the PCM, Provide Engineering during Project Sourcing, the report may contain the following content:

- Details on the implementation of Tender Technical Evaluation Strategy
- List all tenders (Supplier's name, etc.) received and evaluated.
- Summary of all clarification questions and responses received.
- Summary of evaluation results
- Clarifications related to the product sample evaluation scoring.
- Interpretation of evaluation results (mandatory and scoring criteria)
- Final conclusions and recommendations
- All individual scoring forms and consolidated results
- Minutes of all meetings during evaluation process (internal clarification sessions, Supplier clarification sessions, etc.)

The report must be signed and authorised by appropriate representatives.

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### 3.4 Summary Table of Technical Tender Process

The following table provides a high-level overview of the process described in sections 3.1.2.1 and 3.1.2.2.

Table 5: Summary of Technical Tender Process

Level	Level Description	Threshold	Maximum Score	Minimum Score	Outcomes
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1	Mandatory Requirements	100%	Pass/Fail – no scoring	Pass/Fail – no scoring	<ul style="list-style-type: none"> <li>Submissions meeting 100% - will proceed to the next level.</li> <li>Submissions failing to meet 100% - deemed non-responsive; the submission will be disqualified and not evaluated further.</li> </ul>
2	Functional Requirements	75%	100%	75%	<ul style="list-style-type: none"> <li>Submissions meeting 75% - proceed to the next level of the technical evaluation.</li> <li>Submissions failing to meet 75% - deemed non-compliant; the submission will be disqualified.</li> </ul>

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The details included to the technical requirement must include the following:

- Bidder name
- SAP number
- Deviation
- Statement of acceptance of the deviation
- Limits to the acceptance, if any
- Terms/Conditions of acceptance, if any

### 3.3 Technical Tender Documentation

The Criteria tables contained throughout section 3.2 shall be converted into evaluation sheets by the Technical Evaluation Team for the purpose of conducting the evaluations and for creating a record of the evaluation conducted per submission, per evaluator.

The Technical Evaluation Team shall provide Commercial with a formal report containing the details of the technical outcome of the evaluations.

As per the PCM, Provide Engineering during Project Sourcing, the report may contain the following content:

- Details on the implementation of Tender Technical Evaluation Strategy
- List all tenders (Supplier's name, etc.) received and evaluated.
- Summary of all clarification questions and responses received.
- Summary of evaluation results
- Clarifications related to the product sample evaluation scoring.
- Interpretation of evaluation results (mandatory and scoring criteria)
- Final conclusions and recommendations
- All individual scoring forms and consolidated results
- Minutes of all meetings during evaluation process (internal clarification sessions, Supplier clarification sessions, etc.)

The report must be signed and authorised by appropriate representatives.

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	Annexure C 1: SHE Tender Returnable – MRO Once Off Supply and Delivery <u>of</u> Medical Goods	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77471861	Rev	2
		Effective Date	October 2018		
		Review Date	October 2021		

The following Minimum OHS -related requirements that bidders have to address and respond to when submitting their tender returnable are as follows:

Ref.	Eskom Health and Safety Requirements Checklist	Proof Required	
		Yes	No
Section A: OHS Legal Requirements to be met by Contractors at Tender stage before contract award (Application of Responsive and Non-Responsive Criteria)			
1.	<p><b>2.1 Provide Baseline Risk Assessment (BRA),</b> relevant to the scope of work which must address:</p> <p><b>2.1.1</b> Identification of SHE hazards, i.e. assessment of SHE risks related to the scope of work. The below criteria should be applied</p> <ul style="list-style-type: none"><li>• Consequence rating</li><li>• Likelihood rating</li><li>• Risk rating,</li><li>• Mitigation measures; review and monitoring plan</li></ul> <p><b>2.3 Provide the BRA Procedure</b> with the methodology used for the risk assessment must be submitted</p>	✓	
2.	<p><b>Valid Letter of Good Standing or equivalent,</b> i.e. COID, FEMA or RMA. Your COID must depict the correct/ relevant nature of business, e.g. supply/ delivery of Sulphur hexafluoride (SF6) gas</p>	✓	
3.	<p><b>SHE policy signed by CEO/ MD</b> – Should have the next review date, should comply with OHS Act Section 7</p>	✓	
4.	<p><b>Provide the following certified SHE Competency training certificates</b></p> <p>4.1 First aiders level 2 4.2 Fire Fighting Training 4.3 HIRA Training / Risk assessment training certificate 4.4 Hazardous Chemical Substances training certificate</p>	✓	
5.	<p>5.1 Provide Employees/Driver's Medical fitness certificates 5.2 Provide valid driver's licence 5.3 Provide PDP and Truck Operator appointments</p>	✓	
6.	<p>6.1 Provide Hazardous Substances Handling procedure and 6.2 Registration certificate as a SF6 Transporter (as legal requirement by local municipal by-law)</p>	✓	
7.	<p><b>Provide Vehicle management and driver safety procedure related to SF6 gas</b></p>	✓	

Public

	Annexure C 1: SHE Tender Returnable – MRO Once Off Supply and Delivery <u>of</u> Medical Goods	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77471861	Rev	2
		Effective Date	October 2018		
		Review Date	October 2021		

Ref.	Eskom Health and Safety Requirements Checklist	Proof Required	
		Yes	No
	Including but not limited the inspection and maintenance of vehicles used for business.		
<b>Section B: OHS Eskom Tender Requirements to be met by Contractors (Non-Discussing Criteria)</b>			
8.	Provide Company Incident Management Procedure	✓	

#### Scoring Criteria:

0 = Document not submitted OR submitted but does not satisfy the minimum requirements  
1 = Document submitted, and the content satisfy the minimum SHE requirements

Comments: first evaluation	1 <sup>st</sup> evaluation	2 <sup>nd</sup> evaluation (after 07 days)	Responsive / Non-Responsive
Comments second evaluation (Within 07 working days)	Completed/ outstanding (tick)	Complete/ outstanding	

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	(FORM A) TENDER & CONTRACT QUALITY REQUIREMENTS FOR 240-10555000 AND QUALITY REQUIREMENTS FOR ISO 9001 STANDARD	Document Identifier Effective Date Review Date	240-83089512 January 2022 January 2027	Rev	0
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SECTION A (TENDERER)	QUALITY CONTRACT No:				
	QUALITY CONTRACT DESCRIPTION	Supply and delivery of Sulphur hexafluoride (SF6) gas and rental of 9kg cylinders that contains it on as and when required basis for <del>1000000</del> Cluster for the period of five (5) years (60) Months			
	CLAUSTRATION OF SPECIFICATION	CLAUSTRATION	INDICATE WITH AN (X) AS APPLICABLE OR ( ) IF NOT APPLICABLE		
	CLAUSTRATION	PRE-CONTRACT TYPICAL QUALITY REQUIREMENTS			
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	Invitation to Tender	Document Identifier	240-114238630	Rev	24
		Effective Date	21 February 2025		
		Review Date	February 2030		

	<b>Supplier Quality Management: List of Tender Returnables Documents</b>	Unique Identifier	240-12248652
		Revision	7
		Effective Date	2022/01/26
		Specification	240-105658000
Category 4 : Quality Requirements		Deliverables to be evaluated indicator = 1	
SECTION A : Quality Management System Requirements ISO 9001			
(Option 1) Valid certification of Quality Management System by an ISO accredited body			
		Apply =1	
A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant		0	
A.2 Certificate by Approved and Authorized certification authority		0	
A.3 Certification Authority has Recognized International Accreditation		0	
A.4 Validity (expiry date) of certificate		0	
Section A Score Option 1		0	
SECTION A : Quality Management System Requirements ISO 9001			
Objective evidence of documented QMS that is not certified but complies with ISO 9001			
		Apply =1	
A.1 Quality Method statement based on scope.(Method Statement Template-Ref 240-126469599)		1	
A.2 Quality Policy Approved by top management.		1	
A.3 Quality Objectives Approved by top management.		1	
Section A Score Option 2		3	
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)			
		Apply =1	
B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)		1	
B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)		1	
Section B Score		2	
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000)			
Customer specific requirements & other standards and required can be listed and evaluated here			
		Apply (Yes=1)	
E.1 Form A is completed and signed.		1	
Section E Score		1	
NAME OF ESKOM REPRESENTATIVE		S Baloyi	
DATE ISSUED		30-Jan-25	
PROJECT: TENDER TITLE		Supply and delivery of Sulphur hexafluoride (SF6) gas and rental of 9kg cylinders that contains it on as and when required basis for LimLanga Cluster for the period of five (5) years (60) Months	


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	Invitation to Tender	Document Identifier	240-114238630	Rev	24
		Effective Date	21 February 2025		
		Review Date	February 2030		

	Supplier <u>QM Category 4</u> Method Statement Template	Template Identifier 240-43921804	Rev 8
		Document Identifier 240-128488688	Rev 2
		Effective Date October 2021	
		Review Date October 2025	

Method <u>assessment-plan</u> (as per version 1.0.0.0)	Full form <u>assessment-plan</u> (as per version 1.0.0.0)	Designed by	Reviewed by (if applicable)	Approved by: (if applicable)
	Designation <u>cat</u> (the compiler)			
	Contact No <u>cat</u> (the compiler)			
	Item			
Client (Division/Opening/ Business Unit as per supply RFQ)		Tender RFP Number/Contract Number		
Activity	Detailed Description (type in the information required)		Reference Document/ Revision	Area / Dept to Review
Scope of work as described in the contract document/ order/ order	Outline the scope of work as detailed in the Work Information of the RFP/ document/ RFQ		How the document/ order is validity	Relevant clause (if any)
Scope of <u>assessment-plan</u> Output / contract documents	List 2-3 <u>assessment-plan</u> (SMART) is related to the SOW outputs			
<u>Customer Focus</u> : The primary focus of quality management is meet customer requirements and in order to exceed customer expectations. How are customer needs identified, and effectively communicated to affected personnel?	How are customer needs identified, and effectively communicated to affected personnel in the organisation?			
<u>Competency</u> : Improving and engaging people throughout the organisation to enhance its capability to create value. What Human Resources, training and authority are required for delivering the SOW?	Provide details of skills, competencies and training required to deliver the customer's scope of work?			
<u>Infrastructure</u> : RFP required	RFP item is required in <u>assessment-plan</u> scope of work			
<u>Infrastructure</u> : <u>Infrastructure</u> and equipment are required to deliver the SOW.	List the tools/equipment/infrastructure (including testing/ measurement tools/ done) required to deliver the scope of work?			
<u>Materiality</u> : How is the organisation's mission, vision, strategy, policies and processes communicated throughout the organisation? What are the stated values of the organisation?	The mission, vision, values of the organisation.			
How are <u>data</u> that affect outputs of the processes and overall outcomes of the SOW identified and managed?	List all risks associated with delivering the scope of work, what actions will be taken to mitigate and manage the identified risks.			
What actions will be undertaken for <u>improvement</u>	Explain how the organisation identifies gaps for improvement in business processes to meet or exceed customer/regulatory requirements.			

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<u>Infrastructure</u> : RFP required	RFP item is required in <u>assessment-plan</u> scope of work			
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<u>Materiality</u> : How is the organisation's mission, vision, strategy, policies and processes communicated throughout the organisation? What are the stated values of the organisation?	The mission, vision, values of the organisation.			
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