	Invitation to Tender KZN132	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ESKOM HOLDINGS SOC LTD
INVITATION TO TENDER NO KZN132
FOR

The Establishment of an Enabling Agreement with a maximum Panel of 40 Contractors for the Provision of Supervision, Labour, Equipment, Material (Except the “Big Five” material which include Meters, Poles/Cross Arms, Transformers, Cable and Conductor), Transport (as it will be required and authorised) for Electrification of New Household Connections (Above R3 000 000,00 per project) for a period of thirty (30) months (Twenty-Four (24) months for allocation of task orders and six (6) months for the close-out of projects and finalisation of the payment process) for Distribution Division in the KZN Operating Unit, Central East Cluster as and when required.

Tender number	KZN132
Issue date	23 APRIL 2024
Closing date and time	31 MAY 2024 at 10H00
Tender validity period	12 weeks (23 August 2024) from the closing date and time.
Non-Compulsory Clarification meeting	07 MAY 2024 at 09H00 Microsoft Teams Join the meeting now Meeting ID: 354 883 919 404 Passcode: jguGxJ
Tenders are to be delivered to the following address on the stipulated closing date and time:	THE TENDER OFFICE Eskom Commercial Building Procurement Offices 25 Valleyview Road New Germany 3620

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Invitation to Tender

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

The Establishment of an Enabling Agreement with a maximum Panel of 40 Contractors for the Provision of Supervision, Labour, Equipment, Material (Except the “Big Five” material which include Meters, Poles/Cross Arms, Transformers, Cable and Conductor), Transport (as it will be required and authorised) for Electrification of New Household Connections (above R3 000 000,00 per project) for a period of thirty (30) months (Twenty-Four (24) months for allocation of task orders and six (6) months for the close-out of projects and finalisation of the payment process) for the Distribution Division in the KZN Operating Unit, Central East Cluster as and when required.

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

1. Free of charge

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a tender by you in response to this Invitation will be deemed as your acceptance of the Eskom Standard Conditions of Tender.

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

Yours faithfully



Thandi Xaba

Acting Procurement Manager


(Ref: CEC KZN5438)

Date: 23 April 2024

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1.1 The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure	Attached
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form (Refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included). Annexure C-Local Content Declaration-Summary Schedule Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C Annexure E-Local Content Declaration-Supporting Schedule to Annexure C	Annexure F1 Annexure F2 Annexure F3 Annexure F4	Y
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure H	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure I	Y
1.10	Authorisation Form		To be uploaded on the Eskom Tender Bulletin and NT E-Tender Portal
1.11	Acceptance of Rates		To be uploaded on the Eskom Tender Bulletin and NT E-Tender Portal

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

Clause Number from Standard Conditions of Tender	Tender Data																					
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Rubeshnee Moodaly Tel: 031 7105229 E-mail: moodalru@eskom.co.za</p>																					
1.3 Enquiry documents	<p>The Invitation to tender is: KZN132</p> <p>All relevant documentation for this tender will be uploaded onto:</p> <ul style="list-style-type: none"> • Eskom Tender Bulletin • National Treasury E-Tender Portal • CIDB i Tender Portal <p>It is the responsibility of the tendering party to ensure all the required documentation is downloaded and completed and submitted as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">SECTION</th> <th style="text-align: center;">ORIGINAL</th> <th style="text-align: center;">COPY</th> </tr> </thead> <tbody> <tr> <td>SECTION 1 Will comprise of the Commercial and SDL & I Requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>SECTION 2 Will comprise of the Technical Requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>SECTION 3 Will comprise of the Safety Requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>SECTION 4 Will comprise of the Quality Requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>SECTION 5 Will comprise of the Environmental Requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>SECTION 6 Will comprise of the Financial Requirements</td> <td style="text-align: center;">✓</td> <td style="text-align: center;">✓</td> </tr> </tbody> </table>	SECTION	ORIGINAL	COPY	SECTION 1 Will comprise of the Commercial and SDL & I Requirements	✓	✓	SECTION 2 Will comprise of the Technical Requirements	✓	✓	SECTION 3 Will comprise of the Safety Requirements	✓	✓	SECTION 4 Will comprise of the Quality Requirements	✓	✓	SECTION 5 Will comprise of the Environmental Requirements	✓	✓	SECTION 6 Will comprise of the Financial Requirements	✓	✓
SECTION	ORIGINAL	COPY																				
SECTION 1 Will comprise of the Commercial and SDL & I Requirements	✓	✓																				
SECTION 2 Will comprise of the Technical Requirements	✓	✓																				
SECTION 3 Will comprise of the Safety Requirements	✓	✓																				
SECTION 4 Will comprise of the Quality Requirements	✓	✓																				
SECTION 5 Will comprise of the Environmental Requirements	✓	✓																				
SECTION 6 Will comprise of the Financial Requirements	✓	✓																				
1.4 Type of Invitation to Tender	This invitation to tender is:																					

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	An open Invitation to tender.
1.6 Eskom's rights to accept or reject any tender.	The tender shall be for the whole of the contract.
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <ol style="list-style-type: none"> 1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. 2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium 3. Tenders submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. 4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering/RFP] process, if: <ol style="list-style-type: none"> 1. (a) they have a controlling partner/majority shareholder in common; or 2. (b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process. 5. Tenders signed by non- authorized persons. 6. Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) 7. Any tenderer that is restricted by National Treasury 8. Any tenderer on the Tender Defaulters list. 9. A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p>

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2.2 -2.5 Tender Closing	<p>The deadline for Tender submission is:</p> <p>Date 31 MAY 2024 Time 10h00</p> <p>Late Tenders will not be accepted.</p> <p>Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p>THE TENDER OFFICE Eskom Commercial Building Procurement Offices 25 Valleyview Road New Germany 3620</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline.</p> <p>Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p>
2.13 Tender Validity Period	<p>The tender validity period is 12 weeks.</p>
2.16 Clarification meeting	<p>A Non-Compulsory Online Meeting will take place on Microsoft Teams, Presentations will be made by the subject matter experts in order to assist all tenderers in complying with Eskom’s Tender Requirements. Although this will not be a compulsory meeting, suppliers are encouraged to join the MS Teams Clarification Meeting to ensure that all tendering companies clearly understand the requirements and are able to submit a responsive tender.</p> <p>An Online Clarification Meeting via MS Teams will be held with representatives of the Employer will take place as follows:</p> <p>Date: 07 MAY 2024 Time: 09H00 TO 13H00 Venue: MS TEAMS</p> <p>Microsoft Teams Join the meeting now Meeting ID: 354 883 919 404 Passcode: jguGxJ</p>

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2.17 Clarification on enquiry documents	<p>Tenderers can submit clarification questions via email to moodalru@eskom.co.za. It must be noted only clarification questions received via email will be addressed.</p> <p>The deadline for the submission of clarification questions is five (5) days prior to the Tender Closing Date.</p> <p>Clarification feedback will be posted on the Eskom Tender Bulletin and National Treasury E Tender Portal.</p> <p>Tenderers are encouraged to continuously check the bulletins for the latest updates or addendums during the tender process.</p>
2.23 Alternative tenders	Alternative tenders are not allowed .
2.31 Provision of security for performance	NB: Tenderers may be requested to provide Performance Bond if required.
3.4 Opening of tenders	There will be no public tender opening applicable to this tender enquiry.
3.5 Prices to be read out	Prices will not be read out .
3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <p><u>Step 1: Basic Compliance/Commercial Evaluation</u></p> <p><u>Commercial Requirements Returnable (Disqualifiable)</u></p> <p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by the tender closing, the tender will be disqualified.</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer. • Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom. • Acceptance of standard rates and the terms and conditions of the enquiry (i.e., completed and signed NEC ECC 3 and NEC TSC3 offer and acceptance as well as deviations)

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Commercial Mandatory Returnable (Non - Disqualifiable)

These returnable are also required to be fully completed, signed, and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable (s) are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.

- Acknowledgement form.
- Tenderers Particulars.
- Fully complete and sign the SBD1 Invitation to bid form in the invitation to tender.
- Fully complete and sign the SBD 6.1 preference claim form in the invitation to tender.
- Fully complete and sign the SBD 4 Bidders Disclosure form in the invitation to tender.
- Integrity Declaration form. Annexure C
- Authorisation Form
- Valid proof of CIDB Registration with the EP class at a level 4 EP CIDB grade or higher. However, where valid proof of CIDB Registration is not available at tender closing deadline, proof of CIDB grading must be returned within twenty-one (21) working days of the tender closing.

Commercial Mandatory Tender Returnable for Contract Award

- CSD Registration (MAAA Number)
- Local Content Declaration SB6.2 and Annexures C
- Valid Tax Clearance Certificate /Tax Pin
- COID Registration

3.10 Mandatory tender returnables

A tenderer that does not submit mandatory documents/information required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.

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Commercial Requirements Returnable (Disqualifiable)

These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by the tender closing, the tender will be disqualified.

- Meet the eligibility criteria for a tenderer.
- Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom.
- Acceptance of standard rates and the terms and conditions of the enquiry (i.e., completed and signed NEC ECC 3 and NEC TSC3 offer and acceptance as well as deviations)

MANDATORY TECHNICAL REQUIREMENTS

TECHNICAL REQUIREMENTS

Functionality will be evaluated as a Mandatory Requirement on a total weight of 100% with a minimum threshold of 70%.

The technical evaluation process will follow a chronological order which will start with Stage 1, namely mandatory requirements.

If all Stage 1 requirements have been satisfied then the evaluation will proceed to **Stage 2**, which is the evaluation of the predefined functional requirements.

All functional criteria will be scored, and a threshold will be set for stage 2. If the stage 2 threshold is met, then the qualifying bids will be processed further for selection.

The functional criteria will consist of 3 main sections and each section will be weighted as per the table 2 below:

Table 2. Summary of functional criteria sections and weighting		
No.	Description	Weights
1	Skills and Training	60%
2	Tools and equipment	20%
3	Vehicles	20%

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	<p>Should the tenderer not meet minimum threshold of 70% for the Functionality evaluation, the tenderer will not be evaluated further and the tender will be disqualified.</p> <p>Eskom reserves the right to reduce the functionality threshold to 65% in the event that less than the required number of tenderers (i.e.,40) meet the stipulated functionality threshold of 70 %</p> <p>Refer to the Technical Folder uploaded on the Eskom Tender Bulletin for the detailed Technical Evaluation Criteria</p>															
<p>3.13 Functionality requirements</p>	<p>The following criteria will be applicable for this transaction under functionality criteria:</p> <p>The technical evaluation process will follow a chronological order which will start with Stage 1, namely mandatory requirements.</p> <p>If all Stage 1 requirements have been satisfied then the evaluation will proceed to Stage 2, which is the evaluation of the predefined functional requirements.</p> <p>All functional criteria will be scored, and a threshold will be set for stage 2. If the stage 2 threshold is met, then the qualifying bids will be processed further for selection.</p> <p>The mandatory evidence (see table 1) and the functional evidence (see table 3) must be submitted by the tender closing date.</p> <p>The functional criteria will consist of 3 main sections and each section will be weighted as per the table 2 below:</p> <table border="1" data-bbox="732 1350 1412 1711"> <thead> <tr> <th colspan="3">Table 2. Summary of functional criteria sections and weighting</th> </tr> <tr> <th>No.</th> <th>Description</th> <th>Weights</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Skills and Training</td> <td>60%</td> </tr> <tr> <td>2</td> <td>Tools and equipment</td> <td>20%</td> </tr> <tr> <td>3</td> <td>Vehicles</td> <td>20%</td> </tr> </tbody> </table> <p>The minimum threshold is set at 70%.</p>	Table 2. Summary of functional criteria sections and weighting			No.	Description	Weights	1	Skills and Training	60%	2	Tools and equipment	20%	3	Vehicles	20%
Table 2. Summary of functional criteria sections and weighting																
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1	Skills and Training	60%														
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	<p>Eskom reserves the right to reduce the functionality threshold to 65% in the event that less than the required number of tenderers (i.e.,40) meet the stipulated functionality threshold of 70 %</p> <p>Refer attached Annexure A – Detailed Technical Evaluation.</p> <p>Tenderers who do not meet the threshold of 70% for functionality scoring will be disqualified and not be evaluated further.</p>								
3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <p>The 80/20 PPPFA scoring system will apply to this tender enquiry.</p> <p>10. Rates will be offered to the suppliers in the tender process. All the suppliers that confirm acceptance of the rates, will receive an equal score of 80 Points.</p>								
3.17 Evaluation of Specific Goals [<p>Specific goals will be scored out of 20 points in accordance with PPPFA.</p> <p>If a tenderer fails to meet Specific goals and submit proof, the tenderer will not be disqualified. However, be awarded 80 points for price and will score 0 points for Specific goals (out of 20)</p> <p>Specific Goals</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> <table border="1" data-bbox="748 1451 1396 1852"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>20</td> </tr> <tr> <td>2</td> <td>18</td> </tr> <tr> <td>3</td> <td>14</td> </tr> </tbody> </table>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14
B-BBEE Status Level of Contributor	Number of points (80/20 system)								
1	20								
2	18								
3	14								

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		4	12
		5	8
		6	6
		7	4
		8	2
		Non-compliant contributor	0

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

- **Valid** BBBEE certificate issued by a SANAS accredited verification agency **or** a **valid** sworn affidavit **or** a **valid** BBBEE Certificate issued by CIPC for EME companies or for joint ventures a **valid** BBBEE certificate issued by a SANAS accredited verification agency in the **name of the joint venture**.

NB: Supporting documents may be requested during evaluation (This list is not exhaustive):

- Proof of ownership / shareholding (CIPC registration documentation) inclusive of shareholding breakdown
- ID copies of shareholder(s) or owner(s) of the business
- Proof of Disability of owner(s) of the business (where applicable)

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

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


Note:

Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by tender closing date will not result in disqualification (if tenderer is otherwise deemed to be

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	<p>responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.</p>												
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder]: -</p> <p>80/20 PPPFA scoring methodology will be applicable, as the value of the Task Orders is below R50 Million</p> <p>Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.</p> <p>Criteria for breaking deadlock in scoring</p> <ul style="list-style-type: none"> • If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals. • If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots. 												
3.19 Objective Criteria	<p>Objective Criteria is applicable for KZN132.</p> <p>The material required for this contract is designated by DTI for local content and production.</p> <p>Objective criteria are not mandatory but is a condition for contract award therefore tenderers will have to meet the local content threshold of 100% before contract award.</p> <table border="1"> <thead> <tr> <th>Commodity</th> <th>Component</th> <th>Threshold</th> </tr> </thead> <tbody> <tr> <td>Powerline Hardware</td> <td>Powerline Line Hardware, Distribution Line Hardware (including steel powerline hardware and aluminium powerline hardware), and electrical insulators of composite polymer materials</td> <td>100%</td> </tr> <tr> <td>Electrical and telecom cables</td> <td>Low Voltage Cable, Medium Voltage Cable</td> <td>90%</td> </tr> <tr> <td>Transformers</td> <td>Class 0 Transformers</td> <td>90%</td> </tr> </tbody> </table>	Commodity	Component	Threshold	Powerline Hardware	Powerline Line Hardware, Distribution Line Hardware (including steel powerline hardware and aluminium powerline hardware), and electrical insulators of composite polymer materials	100%	Electrical and telecom cables	Low Voltage Cable, Medium Voltage Cable	90%	Transformers	Class 0 Transformers	90%
Commodity	Component	Threshold											
Powerline Hardware	Powerline Line Hardware, Distribution Line Hardware (including steel powerline hardware and aluminium powerline hardware), and electrical insulators of composite polymer materials	100%											
Electrical and telecom cables	Low Voltage Cable, Medium Voltage Cable	90%											
Transformers	Class 0 Transformers	90%											

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	<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Cement</td> <td style="width: 55%;">Cem I - Pure portland cement with a 95-100% clinker.</td> <td style="width: 25%;">100%</td> </tr> <tr> <td>Plastic Pipes</td> <td>Polyvinyl chloride (PVC) pipes, High density polyethylene (HDPE) pipes</td> <td>100%</td> </tr> </table> <p>NOTE: SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are therefore mandatory prior to contract award.</p> <p>Tenderers need to complete and submit Annexure F1-F4 hereto as evidence of compliance with this requirement.</p> <p>The DTI has appointed SABS as the official verification agency for local content in terms of designated products.</p> <p>A tender that fails to meet the minimum stipulated threshold for local production and content will not be justified for award.</p>	Cement	Cem I - Pure portland cement with a 95-100% clinker.	100%	Plastic Pipes	Polyvinyl chloride (PVC) pipes, High density polyethylene (HDPE) pipes	100%
Cement	Cem I - Pure portland cement with a 95-100% clinker.	100%					
Plastic Pipes	Polyvinyl chloride (PVC) pipes, High density polyethylene (HDPE) pipes	100%					
Contractual Requirements	<p>Contractual Requirements for KZN132 are as follows:</p> <ul style="list-style-type: none"> • Financial • Safety • Environmental • Quality <p>The recommended contractors still in the running for this contract will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation, they will be advised of their shortcomings and have 7 working days in which to correct their shortcomings. Failure to correct the shortcomings within the stipulated time will result in the supplier being deemed unacceptable in terms of their contractual requirements and will not be considered.</p> <p><u>FINANCIAL REQUIREMENTS</u></p> <p>Requirements for Financial Evaluation of Companies</p> <ul style="list-style-type: none"> • Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether: <ol style="list-style-type: none"> 1. Whether the AFS were internally or externally prepared. 2. Whether the company was owner managed or not owner managed. • Latest approved financial statements including 						

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	<p>comparative amounts. AFS must be valid and not outdated, received within 18 months after year – end.</p> <ul style="list-style-type: none"> • A signed director’s / member’s report. • Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above. <p>Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.</p> <ul style="list-style-type: none"> • Approved Annual Financial statements must comprise: <ul style="list-style-type: none"> • Statement of financial position (Balance Sheet) • Statement of comprehensive income (Income statement) • Statement of changes in Equity • Statement of cash flows • Notes to the financial statements. • ITA 34C Income Tax Assessment for companies that have NOT been AUDITED. • The notes to the AFS specifically referring to Accounts Receivable and Accounts Payable must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest. • The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest. • Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates. • Name of Holding company if the company is a subsidiary company. • Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage. • Information requested from companies via
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Procurement Office not received within five working days from date of Finance request will result in the financial evaluation being closed. Finance will issue a 1-page report stating that an opinion could not be expressed due to insufficient information.

Note:

Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted.
Soft copies of the AFS submitted with the tender documents may be requested at a later stage.

The following mitigating factors may be implemented if the result of the contractor is negative:

- obtaining a performance bond from a financial institution that has been pre-approved by Eskom Treasury department.
- a parent Company Guarantee, provided that the parent company is financially sound enough to stand as surety for the subsidiary tendering for the contract. The parent company's latest and approved AFS must be submitted for financial analysis.
- a reduced contract may be recommended, or payment upon delivery of a milestone activity or milestone goods.

SAFETY REQUIREMENTS

<u>Ref.</u>	<u>OHS Tender Returnable</u>
1.	Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed by the CEO/MD and 2 witnesses?
2.	OH&S Organogram- Including names and appointment reference, to be approved by CEO/MD.
3.	Occupational, Health and Safety Plan (OHS plan) Must address the project /scope of work OHS risk(s) and aligned with the health

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			<p>and safety specification or requirements (Numbering must align to the left-hand side numbers in the SHE specification). Next review date to be included and to be signed by the CEO/MD of the company.</p>
		4.	<p>Baseline Risk Assessment (BRA) Identification, assessment, and management of OHS risks related to the scope of work. The methodology and applicable risk matrix used for the risk assessment must be provided together with the BRA. (Driving to be included) Next review date to be added and to be signed by CEO/Director)</p>
		5.	<p>Valid Letter of Good Standing (COIDA or equivalent) The letter of good standing must state the relevant services rendered by the company, e.g., Electrical related construction work in line with the Scope of Work applicable for this tender.</p>
		6.	<p>OHS policy signed by CEO. The submitted policy document must comply to OHS Act Section 7. To be signed by the Owner/CEO/MD and have the next review date.</p>
		7.	<p>OHS Competency: Proof of the training certificates and appointment letters for each of the following: NB Accreditation certificates to be provided by the training service provider to the contractor for each competency.</p> <ul style="list-style-type: none"> • Section 17 Health and Safety Representative (Appointment if not yet trained) • GSR 3(4) First Aid Training • CR 29(h&i) Fire fighters • CR 9(1) Risk Assessor • CR 8(7) Construction Supervisor with Supervision Certificate and MV/LV line Construction

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			<ul style="list-style-type: none"> • CR 8(5) Safety Officer (Registered with SACPCMP) • CR 10(1) Fall Protection planner/developer • Fall Rescuer (Training Certificate only) • GAR 9(2) Incident Investigator • CR 13(1) Competent person for Excavation Work
	8.		Medical Fitness Certificate (Including Annexure3 template) To be done by the Occupational Health Practitioner/Nurse/Doctor (Minimum of 3)
	9.		Fall Protection Plan as per CR 10 (With Rescue Plan & Fall Risks) Next review date to be included, to be signed by the fall protection planner & CEO/MD of the company
	10.		Substance Abuse Procedure or Policy Policy to be signed by the CEO/MD
	11.		Costing for Health and Safety management (The cost should be broken down not provided as a lump sum)? <ul style="list-style-type: none"> • The costing must be based on the overall scope of work/service to be performed.

ENVIRONMENTAL

1. High Categories


<u>Ref.</u>	<u>KPIs</u>
1	Pre-requisite

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tpf

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			<p>Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and a copy thereof attached to this tender submissions by the tenderer?</p>
		2	<p>Environmental Management Plan for the Scope of work addressing the following as a minimum:</p> <p>Applicable to high risk:</p> <ul style="list-style-type: none"> • Waste management (reduction, re-use, recycling, disposal). • Environmental induction. • Environmental incident management. • Emergency planning for environmental incidents. • Environmental management structure within the Company: Professional Registration of environmental resources(s), responsibility and accountability. • Method statements related to activities that have significant environmental impacts (methodology and approach) illustrating how environmental impacts and risks are managed. • Approach to ensuring compliance with environmental compliance obligations. • Environmental competency, training, appointments. • Environmental Communication and awareness
		3	<p>High Risk Only: Costing for Environmental Management:</p> <p>Has the tenderer submitted detailed (the cost should be broken down not provided as a lump sum) costing for environmental management related to the overall scope of work/service to be performed.</p>

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4	Medium and High Risk Only: Identification of Environmental Aspects and Impacts:
	Identification, assessment and control of activities that have or may have an impact on the environment. The methodology used must be provided together with the identified activities (if applicable) that have been identified, based on the scope of work, that have an impact on the environment and the controls that will be in place in contract execution.
	5
	All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD:
	Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.
6	High Risk Only: Environmental Competency (Consider scope of work, risks, Environmental Management Plan and applicability) CV's and qualifications / certificates e.g.
	<ul style="list-style-type: none"> - Environmental Officer - Environmental Control Officer - Incident investigator(s)
	TOTAL

OR PART B

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

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QUALITY REQUIREMENTS

	Supplier Quality Management: List of Tender Returnables Documents	Unique Identifier	240-12248862
		Revision	7
		Effective Date	2022/01/28
		Specification	240-10568000
Category 3 : Quality Requirements		Deliverables to be evaluated indicator = 1	
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 QMS Manual or a document that defines and describes the QMS and its scope			1
A.2 Quality Policy Approved by top management.			1
A.4 Control of documented Information (i.e. document and record control) Clause 7.5 of ISO 9001:2015			1
A.6 Documented Information for Nonconformity and Corrective action Clause 10.2 of ISO 9001:2015			1
A.7 Documented Information for Internal audit Clause 9.2 of ISO 9001:2015			1
Section A Score Option 2			5
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-10568000)			
			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 C: Contract Quality Plan Requirements (Ref 240-10568000 and 240-109253698). Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)			
NBI Draft Contract/Project Quality Plan has important QA deliverables			Apply (Yes=1) 1
Section C Score			1
SECTION D: Quality Control Plan Requirements (Ref 240-10568000 or 240-109253302) QCP / Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005)			
			Apply = 1
NBI Draft/ Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/ or previous work done			1
Section D Score			1
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-10568000) Customer specific requirements & other standards and required can be listed and evaluated here			
E.1 Form A is completed and signed.			Apply (Yes=1) 1
Section E Score			1
NAME OF ESKOM REPRESENTATIVE		Denise Govindan	
DATE ISSUED		15/02/2024	
PROJECT- TENDER TITLE		Electrification Households	
SIGNATURE			

Refer to the Quality Folder uploaded on the Eskom Tender Bulletin for the detailed Quality Criteria

2.25 Contractual Condition

The conditions of contract will be the

NEC Engineering and Construction Contract (ECC3)

Main Options:

- B: Priced contract with bill of quantities
- W1: Dispute resolution procedure


Secondary Options:

- X1: Price adjustment for inflation

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	X2: Changes in the law X5: Sectional Completion X7: Delay damages X13: Performance Bond X16: Retention X18: Limitation of liability Z: Additional conditions of contract NEC 3 Term Services contract (TSC3) Secondary Option: X19: Task Order
CIDB Requirements	CIDB Requirements are applicable. 1. It is estimated that tenderers must have a Construction Industry Development Board (cidb) contractor grading of 4 EP. <i>Please note:</i> <i>That only those tenderers who are registered with the Construction Industry Development Board or are capable of being so registered by contract award for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works herein are eligible to submit tenders.</i>

Pease 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 deemed market related.

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

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

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

- (a) the B-BBEE status level certificate issued by an authorised body or person; or
- (b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or
- (c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act

1.3 TENDER RETURNABLES

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

NOTE:

* Returnable required at Tender closing (disqualifiable) - These returnable are required to be fully completed, signed and submitted with the tender at Tender closing date and time. If not fully completed, signed and/or submitted by tender closing the tender must be disqualified.


** Returnable required at Tender closing. (Non-disqualifiable) – These returnable are also required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners must request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender must be disqualified. The 5 working days requirement does not apply to CIDB proof of grading. (Refer to the returnable table under CIDB reference for prescribed period)

These 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.

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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.
Basic Compliance	<ul style="list-style-type: none"> Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom. 	✓		
Annexure A	Acknowledgement Form		✓	
Annexure B	Tenderers Particulars		✓	
Annexure C	Integrity Pact Declaration form		✓	
Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E			✓
Annexure G (applicable for all suppliers including foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓	
# Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		✓	
Annexure I	SBD 4 – Bidders Disclosure		✓	
Authorisation Form	Completed and signed authorization form		✓	
Acceptance of Rates	Signed acceptance of Rates	✓		
# Specific Goals	Failure on the part of the supplier to submit “ proof of specific goals ” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). 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 still required by foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their			✓

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	SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			
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)			✓
CIDB	Tenderers must have a Construction Industry Development Board Registration (CIDB) contractor grading of 4 EP. Tenderers are required to be registered Prior to the contract award.			✓
NEC Documentation	NEC Engineering and Construction Contract (ECC3) NEC 3 Term Services contract (TSC3) Completed and signed NEC ECC 3 and NEC TSC3 offer and acceptance as well as deviations.	✓		
	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS <i>NB: The documents required for Safety, Quality, Environmental and Financial are required at Tender Closing for Tender Evaluation Purposes.</i>			
Safety	Documents required as per the Safety Evaluation Criteria			
Quality	Documents required as per the Quality Evaluation			
Environmental	Documents required as per the Environmental Evaluation Criteria			
Due Diligence	Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with			✓

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	<p>their tender will be required to send statements for the first year when once available.</p> <p>N.B For Financial Evaluation – Documents are to be submitted as per the Financial Evaluation requirements.</p>			
	<p>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA</p>			
<p>Technical (required for functionality scoring)</p>	<p>Tender Returnables to be submitted as per the Technical Evaluation Criteria.</p>	✓		

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SCOPE OF WORK – ELECTRIFICATION HOUSEHOLD CONNECTIONS

The provision of electrical infrastructure including compilation of all information to successfully upload the PCS files as required for reporting of energized connections for the Households new connections in the KZN Operating Units in the Distribution Business.

The Establishment of the site for:

- The erection of the installation, as per the approved design (Final Design Package).
- The testing and commissioning of the entire installation.
- The provision of acceptable marked up signed, stamped, and dated "as-built" drawings sag and tension charts, compliance, and hand over procedure.
- Making good of house walls where ready boards or passive bases have been installed.
- The handing over of the installation in a working order with all the necessary administration.
- The contractor will fix marketing labels, provided by Eskom Holdings SOC Limited, as per the labelling standard, KZN16SGS017.
- Completing of PCS file for uploading of connections to be done immediately after energization and registering of all connected customers on the Eskom Holdings SOC Limited customer management system within 7 days after energization under dead or live conditions.
- Sealing of all installed customer meters.
- The completion of all the necessary administration work in providing the works. (SACS, Planning, Survey, Project Engineering). Abridged certificate of compliance or installation of certificate to be completed by a competent resource and to be submitted within 7 days after energization.

The term ELECTRIFICATION is used to describe the following categories of work:


1. Electrification – Construction related to MV Line Infrastructure, LV infrastructure, service cable and meter.
2. Schools and Clinics - Construction related to MV and LV infrastructure, service cable and meter for

Schools and Clinics only.

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3. High value extensions (above R3 000 000,00 per project) – Construction related to MV and LV infrastructure required. Extension of MV line or increase in transformer size, LV backbone, service. cable and meter.

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ANNEXURE A

ACKNOWLEDGEMENT FORM

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

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


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

Invitation to Tender No: _____

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Name of company/JV: _____

Country of registration: _____

Name of contact person: _____

Contact details of contact person:

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

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ANNEXURE B

TENDERER'S PARTICULARS

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

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

Please complete the following:

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

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

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

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

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

8.1 Confirm if you intend sub-contracting.


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

8.2 What percentage will you be sub-contracting? _____%

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8.3 To whom do you intend sub-contracting? _____

8.4 Is the said sub-contractor registered on CSD?

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

8.5 If yes to 8.4, please provide CSD number. _____

8.4 Please confirm B-BBEE level of said sub-contractor _____

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

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

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

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


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

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

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1. Single tenderers

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

Signature: _____

Designation: _____

Date: _____

2. Joint Ventures

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


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

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

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ANNEXURE C

INTEGRITY DECLARATION FORM

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

DECLARATION OF INTEREST

I/We understand that any natural/legal person, including employees of the State and/or those related to an Eskom employee/director (as per the definition of “related” set out hereunder), may tender to Eskom. However, in view of possible allegations of favouritism (the practice of showing favour to, or giving preference to some person/group, to the detriment of, or at the expense of another that is entitled to equal treatment or an equal opportunity), should the resulting tender, or part thereof, be awarded to such natural/legal person, as described herein, it is required that the *tenderer/s* declare such interest/relationship where:-

1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state-owned entity.
2. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
3. the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors.
4. the *legal person/s (including its employees/contractors/directors/members/ shareholders)* on whose behalf the tender documents are signed, is in some other way “related” to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender negotiation. “Related” meaning that: -
 1. an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
 2. or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 3. an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of “control” (as per Companies Act section 2(1)); and

1.a juristic person is “related” to another juristic person if: -


1. either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of “control” (as per Companies Act section 2(1));
2. either is a subsidiary of the other; or
3. a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”.
5. the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer or influence the decisions of Eskom regarding this bidding process.

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

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

1. If any employee/director/member/shareholder/owner of tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation(Y/N) to undertake remunerative work outside public sector employment and attach proof to this declaration.

Do the tenderer/s and other tenderer in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If Yes, attach proof to this declaration.

2. DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

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

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

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3. DECLARATION OF SHAREHOLDING INFORMATION

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

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

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

Individuals:

Full Name	Identity Number	Shareholding Percentage


Other Entities*:

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

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

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

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

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


Signature:	
Designation and capacity in which signing	
Date:	

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Joint Ventures

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

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

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

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


Signature:	
Designation and capacity in which signing	
Date:	

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

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ANNEXURE F1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

- 1.1. Dtic makes provision for the promotion of local production and content.
- 1.2. Dtic prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.4. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

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


Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

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

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1.5. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted at the stipulated deadlines.

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

Description of services, works or goods Stipulated minimum threshold

Commodity	Component	Threshold
Powerline Hardware	Powerline Line Hardware, Distribution Line Hardware (including steel powerline hardware and aluminium powerline hardware), and electrical insulators of composite polymer materials	100%
Electrical and telecom cables	Low Voltage Cable, Medium Voltage Cable	90%
Transformers	Class 0 Transformers	90%
Cement	Cem I - Pure portland cement with a 95-100% clinker.	100%
Plastic Pipes	Polyvinyl chloride (PVC) pipes, High density polyethylene (HDPE) pipes	100%

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

(Tick applicable box)

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

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

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

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


Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

- 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.
- Guidance on the Calculation of Local Content is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp.
- Local Content Declaration Templates (Annex C, D and E) is attached to this enquiry and must be submitted at the stipulated deadline.
- 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:

- The facts contained herein are within my own personal knowledge.
- I have satisfied myself that:

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- (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:

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:** _____

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



Adobe Acrobat
Document

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



Adobe Acrobat
Document

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



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Document

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ANNEXURE G

SBD 1


**PART A
INVITATION TO BID**

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

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

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PART B TERMS AND CONDITIONS FOR BIDDING


BID SUBMISSION:	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
TAX COMPLIANCE REQUIREMENTS	
1.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
3.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
4.	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
5.	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
6.	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

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

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ANNEXURE H

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

1. To be completed by the organ of state


(Delete whichever is not applicable for this tender).

1. The applicable preference point system for this tender is the **80/20** preference point system.
2. **80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
 1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 1. Price; and
 2. Specific Goals.

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1. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 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.
- 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.

3. DEFINITIONS


- “**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;
- “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- “**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
- “**The Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

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1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

7. POINTS AWARDED FOR SPECIFIC GOALS

1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 1. an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 2. any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.


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

B-BBEE Status Level of Contributor	Number of points (80/20 system)
--	------------------------------------

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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

1. Name of company/firm.....
2. Company registration number:
3. TYPE OF COMPANY/ FIRM
 - Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company

[TICK APPLICABLE BOX]

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

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1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
4. If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 1. disqualify the person from the tendering process;
 2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 3. cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 4. recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 5. forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

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Annexure I

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State Institution

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

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2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder 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**

1. If so, furnish particulars:

.....

3. DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, 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 bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, 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 bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and


² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

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

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

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

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

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