

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

## ESKOM HOLDINGS SOC LTD

### INVITATION TO TENDER

#### FOR

The provision of Facilities Management Services (Technical Maintenance Services) for Free State Operating Unit, on an as and when required basis for the Bethlehem, Bloemfontein, Kroonstad and Welkom Sector, as well as for the Corporate Buildings in Bloemfontein for a period of 3 years.

<b>Tender number</b>	<b>FS007</b>
<b>Issue date</b>	<b>15 June 2022</b>
<b>Closing date and time</b>	<b>21 July 2022 @ 10:00am</b>
<b>Tender validity period</b>	<b>20 Weeks from the closing date and time</b>
<b>Tenders are to be submitted to the following address on the stipulated closing date and time:</b>	<p>The place for delivery of the enquiry is the:  <b>Eskom Tender Box located at:</b>  <b>ESKOM CENTRE</b>  <b>120 HENRY STREET</b>  <b>BLOEMFONTEIN</b>  <b>ENTRANCE AT THE SECURITY GATE</b></p> <p>Look for tender office signage on the left side of the main building  <b>PLEASE: - Ask Security at the main gate for Assistance</b></p>

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

## Invitation for a Request for Proposal

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

**The provision of Facilities Management Services (Technical Maintenance Services) for Free State Operating Unit, on an as and when required basis for the Bethlehem, Bloemfontein, Kroonstad and Welkom Sector, as well as for the Corporate Buildings in Bloemfontein for a period of 3 years.**

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

- Free of charge

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a proposal by you in response to this *RFP* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via [www.eskom.co.za](http://www.eskom.co.za)).

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

Yours faithfully

*K. Lekutle*

Kenosi Lekutle

Procurement Manager

Date: 15 June 2022

## Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

The following documents listed hereunder are attached to this enquiry:

Annexures

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N)
1	Acknowledgement form	Appendix A	Y
2.	Tenderer's particulars	Annexure B	Y
3.	Integrity Declaration Form (refer to <a href="http://www.eskom.co.za">www.eskom.co.za</a> for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
4.	SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure D	Y
5.	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure E	Y
6.	SBD 4	Annexure F	Y
7.	Supplier Development & Localisation (SDL&I) Undertaking	Covered in this document	Y

- 1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. If the **Eskom Standard Conditions of Tender** is not attached to the **Request for Proposal**; then the 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	The <i>Employer</i> is <b>Eskom Holdings SOC Ltd</b>  The Eskom <i>Representative</i> is: Name: <b>Sherusha Govender</b> Tel: <b>051 404 2043</b> E-mail: <b>govendsh@eskom.co.za</b>
1.2 Enquiry documents	The Invitation to tender number is: <b>FS007</b>

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11	
		<b>Effective Date</b>	18 February 2022			
		<b>Review Date</b>	February 2027			

	<p>All relevant documentation for this Tender Enquiry will be published on:</p> <ol style="list-style-type: none"> <li>1. Eskom's Tender Bulletin</li> <li>2. National Treasury eTender Portal</li> <li>3. Construction Industry Development Board (CIDB) Website</li> </ol> <p>It is the responsibility of the Tendering Company to ensure that all the requested documentation is downloaded, completed in full and submitted.</p>
1.3 Type of Invitation to Tender	<p>This invitation to tender is: <b>FS007</b></p> <ol style="list-style-type: none"> <li>1. An open Invitation to tender</li> </ol>
1.4 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole of the contract (3 year tender).</p>
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed <b>ineligible</b> to submit a [<b>tender</b>] if</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium</li> <li>• [Tenders/proposals] 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.</li> <li>• 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 process, if : <ul style="list-style-type: none"> <li>○ (a) they have a controlling partner/majority shareholder in common; or</li> <li>○ (b) they have a relationship with each other, directly or through common third parties, that puts them in a</li> </ul> </li> </ul>

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	<p>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;</p> <ul style="list-style-type: none"> <li>• Tenders signed by non- authorized persons</li> <li>• Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)</li> <li>• A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of PPPFA Regulations</li> <li>• Any tenderer that is restricted by National Treasury</li> <li>• A tenderer that sub-contracts 100% Scope of Work.</li> </ul> <p><b>Ineligible tenderers will be disqualified.</b></p>
<p>2.2 -2.5 Tender Closing</p>	<p>The deadline for submission is :</p> <p><b>Date : FS007</b>  <b>Time: 10h00AM</b>  <b>Late Tenders will not be accepted</b></p> <p>Tenders are to be submitted to the Eskom tender box at the following physical address:</p> <p><b>THE TENDER OFFICE:</b>  <b>Eskom Tender Box located at:</b></p> <p><b>ESKOM CENTRE</b>  <b>120 HENRY STREET</b>  <b>BLOEMFONTEIN</b>  <b>ENTRANCE AT THE SECURITY GATE</b></p> <p><b>Look for tender office signage on the left side of the main building</b></p> <p><b>PLEASE:- Ask Security at the main gate for assistance</b></p>
<p>2.9 Copy of original tender</p>	<p>The tenderer must submit the tender as a complete original tender, plus one (1) <b>hard copy</b> of the original tender at tender submission deadline. Eskom also require that one (1) additional soft copy of the pricing schedule be submitted on a USB in electronic format.</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>

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

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

**Tenders should be submitted as follows:**

SECTION	Original	Copy
Folder 1 will comprise of the <u>Commercial</u> Requirements, including the <u>Mandatory Requirement</u> and the <u>FULLY completed and signed NEC</u>	√	√
Folder 2 will comprise of the <u>Technical Requirements</u>	√	√
Folder 3 will comprise of the <u>Pre-qualification Requirements</u>	√	√
Folder 4 will comprise of the <u>Safety &amp; Health Requirements</u>	√	√
Folder 5 will comprise of the <u>Environmental Requirements</u>	√	√
Folder 6 will comprise of the <u>Quality Requirements</u>	√	√
1 USB will comprise of the <u>Pricing Schedule</u> in electronic format attached to the copy		√

2.13 Tender Validity Period	<b>The tender validity period is 20 Weeks</b>
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is <b>5</b> working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are <b>not allowed</b>
2.25 Conditions of contract	The conditions of contract will be the <b>NEC Term Services Contract (TSC3)</b>
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline; Tenders will be opened on: Place: Bloemfontein Tender Office Date: 21 July 2022 Time:10:00am
3.5 Prices to be read out	Prices will <b>not be read out.</b>
3.9 Basic Compliance	Basic compliance for this invitation to tender are:

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	<ul style="list-style-type: none"> <li>• Meet the eligibility criteria for a tenderer</li> <li>• Submit one (1) hard copy of the original tender to Eskom</li> <li>• Submit a complete original tender with commercial, financial and technical information</li> <li>• Submission of the mandatory commercial tender returnables as at stipulated deadlines. Central Supplier Database (CSD) number (MAA.....)</li> </ul>
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information required as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p> <ul style="list-style-type: none"> <li>• Valid B-BBEE Affidavit for EME or QSE Level 1 and 2 companies only</li> <li>• Valid CIDB Registration in a GB PE class</li> <li>• Valid Registration with CSD</li> <li>• Fully priced Schedule of prices</li> <li>• Acknowledgement Form (Annexure A)</li> <li>• Tenderer's Particulars (Annexure B)</li> <li>• Integrity Declaration Form (Annexure C)</li> <li>• SBD 1 – Invitation to Bid (Annexure D)</li> <li>• SBD 6.1 – Preference Points Claim Form (Annexure E)</li> <li>• SBD 4 (Annexure F)</li> <li>• Fully completed and fully signed NEC</li> </ul>
3.11 Pre-qualification criteria	<p><b>Step 1 – Basic Compliance</b></p> <p>All responses will be evaluated for overall compliance to the conditions of tender and the test for responsiveness.</p> <p><b>Step 2 – Pre-qualification criteria</b></p> <p>EME and QSE Level 1 and 2 companies only</p> <ul style="list-style-type: none"> <li>• Valid original or certified copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or</li> <li>• Valid Copy B-BBEE Certificate issued by CIPC for EME's, or</li> <li>• Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of QSE's must be submitted, or</li> <li>• For JV's only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV (consolidated)</li> </ul>

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	<p><b>Step 3 – Functionality</b></p>  <p>Technical Evaluation Criteria - Technical M:</p> <p><b>A minimum threshold of 70% must be achieved in order to move forward in the evaluation process</b></p> <p><b>Step 4 – Price and Preference</b></p> <p>Price and preference will be evaluated using the 80/20 principle for projects below R50m.</p>
3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ul style="list-style-type: none"> <li>• Inclusive of VAT</li> <li>• Making the specified correction for arithmetical errors</li> <li>• Excluding contingencies in any bill of quantities or activity schedule.</li> <li>• Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.</li> <li>• 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>• Unconditional discounts must be taken into account for evaluation purposes;</li> <li>• Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected.</li> </ul> <p>Prices will be scored out of 80 points</p>
3.17 Evaluation of B-BBEE	<p>B-BBEE status will be scored out of 20 points in accordance with PPPFA.</p> <p>If a tenderer fails to submit proof of B-BBEE status level, the tenderer will not be disqualified (except if B-BBEE level is a pre-qualification criterion). The tenderer will, however, be awarded 80 points for price and will score 0 points for B-BBEE level /status (out of 20).</p>
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:-</p> <ul style="list-style-type: none"> <li>• 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT)</li> </ul>

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.
3.19 Objective Criteria (if applicable)	<ul style="list-style-type: none"> <li>Objective criteria <b>are not applicable</b></li> </ul>
3.20 Contractual Requirements	<p>Contractual Requirements may include the following :</p> <ul style="list-style-type: none"> <li>SHEQ requirements; and</li> <li>SDL&amp;I Undertaking; and</li> <li>Share holder Certificates and ID's of share holders</li> <li>Audited Financial Statements</li> </ul> <p><b>Please Note:</b>  <b>Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Proof that the highest ranked tenderer is able to meet the contractual requirements, must be submitted prior to contract award.</b>  <b>Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award.</b></p> <ul style="list-style-type: none"> <li><b>In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.</b></li> </ul>
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<p>CIDB Requirements <i>are applicable</i></p> <ol style="list-style-type: none"> <li>It is estimated that tenderers must have a Construction Industry Development Board (CIDB) contractor grading of a Level 1 <b>GB PE</b> or higher.</li> </ol> <p><b>[Please note]:</b>  <b>That only those tenderers who are registered with the Construction Industry Development Board, or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works herein are eligible to submit tenders.</b></p> <p><b>Employer (Eskom) must within 21 working days from date when contractors offer to perform a construction works contract is accepted in writing ; register and publish the award of all contracts equal to or exceeding R10 M inclusive of VAT. ]</b></p>

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

**Please note:**

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

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

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

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

**1.3 TENDER RETURNABLES**

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

<b>Reference</b>	<b>Returnables from supplier</b>	<b>Returnables mandatory for evaluation purposes and due at tender closing</b>	<b>Returnables mandatory for contract award and due prior to contract award</b>
<b>Basic Compliance</b>	<ul style="list-style-type: none"> <li>• Meet the eligibility criteria for a tenderer</li> <li>• Submit one (1) hard copy of the original tender to Eskom</li> <li>• Submit a complete original tender with commercial, financial and technical information</li> <li>• Submission of the mandatory commercial tender returnables as at stipulated deadlines.</li> <li>• Central Supplier Database (CSD) number (MAA.....)</li> </ul>	✓	

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

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

<p><b>Pre-qualification criteria :</b></p> <ul style="list-style-type: none"> <li><b>B-BBEE levels/EME/QSE</b></li> </ul> <p><b>Please Note that :</b> “proof of B-BBEE status level of contributor” means-</p> <p>(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;</p> <p>If “proof of B-BBEE status level of contributor” is required for pre-qualification purposes in terms of PPPFA regulations, and is either not submitted by tender submission deadline or deemed invalid; , the respective tenderer must be disqualified</p>	<p><b>“Proof of B-BBEE status level of contributor”</b> for main contractor</p>	✓	
	CSD number	✓	
	Any other supporting documents to verify the status of the main contractor (as may be stipulated in 3.11)	✓	
<b>Annexure A</b>	<b>Acknowledgement Form – Mandatory</b>	✓	
<b>Annexure B</b>	<b>Tenderers Particulars – Mandatory</b>	✓	
<b>Annexure C</b>	<b>Integrity Pact Declaration form – Mandatory</b>	✓	
<b>Annexure D</b> (applicable for all suppliers including Foreign suppliers)	<b>SBD 1- to be submitted with the tender at tender submission deadline – Mandatory</b>	✓	
<b>Annexure E</b>	<b>SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations – Mandatory</b>	✓	
<b>Annexure F</b>	<b>SBD 4 – Mandatory</b>		

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

<b>Supplier Development &amp; Localisation (SD&amp;L) Undertaking</b>	<b>Job Opportunities</b> Number of Jobs to be created – 20  <b>Skills Development -</b>  For all sectors as follows:			✓																		
	<table border="1"> <thead> <tr> <th>Category</th> <th>Eskom Target</th> <th>Tenderer Proposal</th> </tr> </thead> <tbody> <tr> <td> <b>Bethlehem Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> </ul> </td> <td style="text-align: center;">1 1</td> <td></td> </tr> <tr> <td> <b>Bloemfontein Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul> </td> <td style="text-align: center;">1 1 1</td> <td></td> </tr> <tr> <td> <b>Kroonstad Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul> </td> <td style="text-align: center;">1 1 1</td> <td></td> </tr> <tr> <td> <b>Welkom Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul> </td> <td style="text-align: center;">1 1 1</td> <td></td> </tr> <tr> <td> <b>Corporate buildings</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul> </td> <td style="text-align: center;">3 3 3</td> <td></td> </tr> </tbody> </table>	Category	Eskom Target	Tenderer Proposal	<b>Bethlehem Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> </ul>	1 1		<b>Bloemfontein Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	1 1 1		<b>Kroonstad Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	1 1 1		<b>Welkom Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	1 1 1		<b>Corporate buildings</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	3 3 3				
	Category	Eskom Target	Tenderer Proposal																			
	<b>Bethlehem Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> </ul>	1 1																				
	<b>Bloemfontein Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	1 1 1																				
	<b>Kroonstad Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	1 1 1																				
	<b>Welkom Sector</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	1 1 1																				
	<b>Corporate buildings</b> <ul style="list-style-type: none"> <li>Fire Fighter</li> <li>First Aid (Level 1 &amp; 2)</li> <li>Handyman</li> </ul>	3 3 3																				
<b>Additional Documents required in event of JV:-</b>	Letter of intent to form a JV/consortium	✓																				
	Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.			✓																		

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement)		✓
	<b>“proof of B-BBEE status level of contributor”</b> 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; (as may be applicable for the particular tendering entity )	✓	
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.		✓
<b>*“proof of B-BBEE status level of contributor”</b> means:- <b>(a) the B-BBEE status level certificate issued by an authorised body or person; or</b> <b>(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or</b> <b>(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;</b>	Failure on the part of the supplier to submit <b>“proof of B-BBEE status level of contributor”</b> for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects and it is not a pre-qualification criterion). The tenderer will, however, be scored zero on B-BBEE for purposes of PPPFA scoring and ranking.	✓	
<b>Tax Clearance Certificates</b>	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number ) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number) .		✓

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11	
		<b>Effective Date</b>	18 February 2022			
		<b>Review Date</b>	February 2027			

<b>Compliance with Employment Equity Act</b>	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)		✓
<b>CIDB</b>	Valid proof of the required CIDB grading designation for the main contractor; JV and /or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer	✓	
<b>Shareholding</b>	Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	✓	
<b>NEC/FIDIC Documentation</b>	Fully Completed and signed NEC Term Contract (TSC3), pricing schedule printed and signed and on USB in electronic format and contract data.	✓	
<b>DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS</b>			
<b>Safety</b>	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)		✓
<b>Quality</b>	Documents that may be required per scope of work uploaded under the Quality Folder		✓
<b>Safety &amp; Health</b>	Documents that may be required per scope of work uploaded under the Safety & Health Folder		✓
<b>Environmental</b>	Documents that may be required per scope of work uploaded under the Environmental Folder		✓
<b>Due Diligence</b>	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	✓	

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.		
--	--	--	--

**Please tick YES/NO**

CRITERIA	YES	NO
Are you registered on the Central Supplier Database (CSD)?		
If Yes, Provide the MAAA number		
If NO, are you willing to register on CSD		
<b><i>NB. CSD registration is mandatory at tender award</i></b>		

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

**ANNEXURE A**

**ACKNOWLEDGEMENT FORM**

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

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

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

Or: Incorrect or incomplete for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Cataloguing Acknowledgement:**

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

Invitation to Tender No: FS007

Name of company or JV: \_\_\_\_\_

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

Name of contact person: \_\_\_\_\_

Contact details of contact person:

Tel (landline) \_\_\_\_\_

Cell phone \_\_\_\_\_

e-mail address \_\_\_\_\_

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

## **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 in case of company or member in case of JV	
CIPC Registration Number (for each individual company / JV member)	
VAT registration number (for each individual company / JV member)	
CIDB registration number (for each individual company/JV member if applicable), respective contractor grading designation for each individual company/JV member , and combined cidb contractor grading designation (for JVs)	
Shareholding information (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entity shareholders (provide full legal/trading name and respective identifying registration/trust numbers)	Include as separate tender returnable if required.
Contact person	
Telephone number	
E-mail address	
Postal address (also of each member in the case of a JV)	
Physical address (also of each member of the JV)	

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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

Name of contractor	X
CIPC Registration number	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names& ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom. \_\_\_\_\_
2. If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury \_\_\_\_\_
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.

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

4. You may register online at National Treasury website on [www.treasury.gov.za](http://www.treasury.gov.za)
5. Alternatively, you may contact [•] ***[insert the name and contact details of the relevant person from Eskom’s Vendor Management department, who can assist you further with the registration on CSD].***
6. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status \_\_\_\_\_
7. If you are required to be tax compliant as per SBD 1, but are not registered on CSD ( foreign suppliers) or have not provided your SARS Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

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

8. If sub-contracting is prescribed in the specific enquiry, you need to complete 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? \_\_\_\_\_%
- 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. Black people
  - b. Black people who are youth
  - c. Black people who are women
  - d. Black people with disabilities
  - e. Black people living in rural or underdeveloped areas or townships
  - f. Cooperatives which are 51% owned by Black people
  - g. Black people who are military veterans

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

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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

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

YES	<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"/>
-----	--------------------------	----	--------------------------

**A. Single tenderers**

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

Signature: \_\_\_\_\_

Designation: \_\_\_\_\_

Date: \_\_\_\_\_

**B. Joint Ventures**

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

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

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

<b>Legal Name of Joint Venture Member</b>	<b>Full Name and Capacity of Authorised Signatory</b>	<b>Signature</b>

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

## **ANNEXURE C**

### **INTEGRITY DECLARATION FORM**

*(Form to be completed and signed by supplier/tenderer as Invitation to Tender returnable)*

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

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

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

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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

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

1. If any employee/director/member/shareholder/owner of tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation (Y/N) to undertake remunerative work outside public sector employment, and attach proof to this declaration. \_\_\_\_\_
2. Do the tenderer/s and other tenderer in this tendering process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If Yes, attach proof to this declaration. \_\_\_\_\_

## 2. DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

## Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

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

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

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

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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

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

<b>Signature:</b>	
<b>Designation and capacity in which signing:</b>	
<b>Date:</b>	

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

**Joint Ventures**

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

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

<b>Signature:</b>	
<b>Designation and capacity in which signing :</b>	
<b>Date:</b>	

**(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).**

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11	
		<b>Effective Date</b>	18 February 2022			
		<b>Review Date</b>	February 2027			

**ANNEXURE D**

**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:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS		E-MAIL ADDRESS			
<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
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

- 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.**

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

**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, 2017, 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 WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

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

DATE:

.....

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

## Annexure E

## SBD 6.1

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

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

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

#### 1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	<b>POINTS</b>
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor

#### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

## 2. DEFINITIONS

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

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20** or **90/10**

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

Where

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

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

### 5. BID DECLARATION

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

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11	
		<b>Effective Date</b>	18 February 2022			
		<b>Review Date</b>	February 2027			

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

6.1 B-BBEE Status Level of Contributor: = .....(maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?  
 (*Tick applicable box*)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted .....%?
- ii) The name of the sub-contractor .....
- iii) The B-BBEE status level of the sub-contractor .....
- iv) Whether the sub-contractor is an EME or QSE (*Tick applicable box*)

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

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

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

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11	
		<b>Effective Date</b>	18 February 2022			
		<b>Review Date</b>	February 2027			

Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

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

8.2 VAT \_\_\_\_\_ registration  
number:.....

8.3 Company \_\_\_\_\_ registration  
number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
  - One person business/sole propriety
  - Close corporation
  - Company
  - (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

- Manufacturer
  - Supplier
  - Professional service provider
  - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

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

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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

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

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p>
---

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

**ANNEXURE F**

**SBD4**

**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 interest<sup>1</sup> 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.

<b>Full Name</b>	<b>Identity Number</b>	<b>Name of State institution</b>

<sup>1</sup> 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.

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		


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**

2.3.1 If so, furnish particulars:

.....  
 .....

**3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned,  
 (name)..... in submitting the

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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 consortium<sup>2</sup> 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 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.
- 3.6 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

---

<sup>2</sup> 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.

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender</b> <b>ERE-Technical FMS Contract - FSOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

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

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the Authorized Version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30