

Request for Proposal (RFP) reference number	CORP5613
Issue date	03 November 2021 21 January 2022
Original Submission date and time	26 November 2021 at 10h00
Extended Submission date and time	16 February 2022 at 10h00
RFP validity period	12 months from the submission date and time
RFPs are to be delivered to the following address on the stipulated closing date and time	Eskom Holdings SOC Limited Tender Office Megawatt Park (Retail Centre) 1 Maxwell Drive Sunninghill 2157

Dear Sir/Madam

REQUEST FOR PROPOSAL: INVITATION TO SUBMIT A PROPOSAL FOR THE APPOINTMENT OF CENTRAL SECURITIES DEPOSITARY PARTICIPANT (CSDP).

Please take note that this is a confidential request and all information, including this request for proposal (“RFP”), should be treated as such. You are therefore prohibited from discussing or divulging the existence or contents of this RFP or any other information relating to this RFP to any third party without our prior written consent.

1. DEFINITIONS

"B-BBEE Act"	the Broad-Based Black Economic Empowerment Act No. 53 of 2003
"Tenderer"	Any corporate service provider or consortium that submits responses to this RFP as per procurement procedures
"RFP Response"	any reply submitted by a Tenderer in response to the requirements of this invitation
" Submission Date"	the date identified as the RFP Response Submission Date
"Eskom"	Eskom Holdings SOC Ltd, registration number 2002/015527/30, as incorporated pursuant to the Eskom Conversion Act No. 13 of 2001
"PFMA"	the Public Finance Management Act No. 1 of 1999
"Preferential Procurement Policy Framework Act" or "PPPFA"	the Preferential Procurement Policy Framework Act No. 5 of 2000

2. OBJECTIVE

Eskom Holdings SOC LTD is an active participant in the domestic interest rate market making use of both listed and unlisted instruments. All instruments are issued under the company's Commercial Paper Programme and its R160 billion Domestic Multi Term Note (DMTN) programme (which DMTN programme is registered with the Johannesburg Stock Exchange (JSE)). Eskom has in the past acted in the role of Central Securities Depository Participants (CSDP) for its money market and bond instruments in order to ensure compliance with the Strate Rules and Directives. Market norm in the state owned companies has however informed us that the role of CSDP should ideally be fulfilled by an external party.

Eskom hereby makes this open invitation to tender through this RFP process for the services of a CSDP as defined in the Strate Rules.

3. ELIGIBLE TENDERERS

Tenderers must be registered financial services institutions offering corporate and investment banking, advisory, capital raising and other treasury related services.

Tenderers are deemed **ineligible** to submit a proposal if they have the nationality of a country on any international sanctions list. A Tenderer shall be deemed to have the nationality of a country if it has the status of a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country.

4. CONFLICT OF INTEREST

A Tenderer shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Tenderers must submit a form, see Annexure B, stating that none of its personnel have any involvement or interest in Eskom and any of its subsidiaries and likewise no Eskom personnel have any involvement or interest in the Tenderer's business with the response to this document or influence the decisions of Eskom during the bidding process.

A Tenderer may also be considered to have a conflict of interest with one or more parties in this RFP process, if 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 proposal of another Tenderer.

Alternatively, the bidder must disclose **ALL** such information in its response submission containing sufficient disclosure regarding any interests that may result in an actual or potential conflict of interest. Where any potential or actual conflict of interest arises after the submission of the proposal or during the term of the potential mandate, the Tenderer shall be obliged to immediately notify Eskom thereof in writing. Note that Eskom reserves the right to disqualify a Tenderer or terminate the services as service provider if there is, in the opinion of Eskom, any actual or perceived conflict of interest.

5. COSTS OF TENDERING

The Tenderer shall bear all costs related to the preparation and submission of their RFP responses. Eskom shall in no way be responsible or liable for any of these costs regardless of the conduct or outcome of the procurement process.

6. SCOPE OF REQUIREMENT

The successful bidder/s will, be required to assist Eskom and its subsidiaries with all the CSDP related activities which include, but not limited to, the following:

- Ensuring that Eskom is guided and advised as to the application of the Strate Rules and Directives;
- Providing to Strate any information or explanation known to it in such form and within such time limit as Strate may reasonably require for the purpose of verifying compliance with the Strate Rules by it or by Eskom;
- Carrying out any activities which are requested by Strate in respect of the application of the Strate Rules;
- Assisting with trade matching in Nutron, exception management, settlement alignment to custodian and settlement order processing and management,
- Settlement confirmation: confirmations of transactions due for settlement, confirmation of settlement amount and CSDP and Strate settlement.
- Processing of security and cash settlement by CDSP
- Daily holdings reconciliations on all Eskom accounts with Strate

7. MANDATORY PROPOSAL RESPONSES

The RFP response should cover all the criteria stipulated in the attached Annexure A and must be a maximum of 20 pages, Arial font size 11. The Tenderer must submit the following:

- one (1) original, and four (4) copies of the original response,
- signed integrity declaration form,
- original or certified copy of B-BBEE verification certificate,
- original or certified copy of B-BBEE Partner's verification certificate,

Failure to submit the original response, associated copies and integrity declaration form will disqualify your submission. Failure to submit B-BBEE verification certificates will not result in disqualification but will impact the scoring.

8. EVALUATION CRITERIA

Responses to cover the criteria in Annexure A will be scored out of 90. B-BBEE status will be scored out of 10 in accordance with PPPFA. Tenderers will be ranked by applying the preferential point scoring based on the 90/10 principle. RFP Proposals who do not meet the threshold for the technical scoring will not qualify to be evaluated further and subsequently disqualified. Functionality criteria for technical scoring will be as stipulated in Annexure A, with a threshold of 70%:

- Following the scoring of the technical criteria the highest ranking tenderer after consideration for pricing will be considered for contracting.

9. LODGING OF PROPOSALS

Your proposal titled “**TREASURY RFP – CENTRAL SERVICES DEPOSITARY PARTICIPANT (CSDP)**” must be lodged with the Eskom Tender Office and sent by email to: langame@eskom.co.za and dlreylg@eskom.co.za **before 10:00 on 16 February 2022.**

Please take note that proposals may be submitted before the closing date. Late proposals will not be accepted and will be returned to the sender.

10. DISCUSSIONS

Eskom reserves the right to call upon a prospective Tenderer to discuss its proposal in more detail as and when deemed necessary

Short listed candidates should expect that on short notice, the core implementation team will be required to attend a one (1) hour clarification meeting during which thirty (30) minutes will be dedicated to the presentation of the proposal followed by a thirty (30) minutes question and answer session.

11. QUERIES/CLARIFICATION

Should there be questions/clarification or queries regarding this RFP please contact at all times the following Eskom representatives listed below. Please note that correspondence should only be in writing by email.

- **Name:** Mapotla Langa
Email: langame@eskom.co.za
- **Name:** Lynette De La Rey
Email: dlreylg@esko.co.za

Questions will not be responded to two (2) business days before the Submission Date.

12. IMPORTANT NOTICES

Even though Eskom has exercised all efforts in good faith to prepare the information contained in this document, neither it nor any of its directors, partners, employees, sub-contractors, intermediaries or agents, provide any assurances or guarantees, explicit or implied, in relation to this RFP. No representation or warranty, express or implied, is given by Eskom, or any of its respective directors, partners, employees, sub-contractors, intermediaries or agents as to the accuracy or completeness of any of the contents of this RFP.

By issuing this RFP, Eskom does not undertake any obligation to provide any further information, or to correct any inaccuracies in this proposal, or to correct any omissions, which become known at any time. Any costs and expenses incurred by the persons who replied to this RFP, or by their agents or advisers, will be the sole responsibility of such persons and Eskom does not undertake to cover such costs.

This enquiry may be cancelled by Eskom at any time prior to deciding on it, if it is not deemed necessary to continue with the procurement process due to a substantial change in circumstances, or if public interest and welfare dictate such.

Eskom reserves the right to accept or reject any RFP Response, and to cancel the RFP and reject all replies prior to the announcement of the successful Tenderers.

Yours sincerely



Richard Vaughan

GENERAL MANAGER, TREASURY

Date: 21 January 2022

ANNEXURE A

Proposal Format and Evaluation Criteria	Weighting
Experience	
<ul style="list-style-type: none"> • Company experience • Staff compliment experience • Engagements with Strate 	35%
Clients	
<ul style="list-style-type: none"> • Number of clients and Number of years servicing the clients • List of all State Owned Companies and private sector issuances acted as CSDP in the last two (2) years • Referrals from clients 	30%
Fees Structure	
<ul style="list-style-type: none"> • How the fees are calculated? 	25%
B-BBEE Partner	
<ul style="list-style-type: none"> • History of the partnership • How has this partnership been mutually beneficial? • Highlight the major skills and knowledge transfers that has taken place during this tenor of this partnership 	10%

ANNEXURE B

INTEGRITY DECLARATION FORM

(Form to be completed and signed by tenderer as Invitation to RFP 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/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.

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

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

I declare that I have read and understood the provisions of the Integrity declaration form, that all information furnished herein is correct, that it is understood that the Tenderer’s proposal may be rejected, and that Eskom will act against the Tenderer should any aspect of this this declaration prove to be false.

Signature:	
Designation and capacity in which signing:	

Date:	
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