	<b>Invitation to Tender For Medical Waste Management: Collection, disposal, supply &amp; delivery of medical waste containers and plastics on an “as and when” basis over a period of 60 months LP00140TM</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**ESKOM HOLDINGS SOC LTD  
INVITATION TO TENDER  
FOR**


**1x Medical Waste Management Contract: for the collection, disposal, supply and delivery of medical waste, containers, and plastics within LimLanga Cluster on an “as and when” required basis over a period of 60 months (see full scope of work and specifications in the NEC3 Contract Document)**

<b>Tender number</b>	<b>LP00140TM</b>
<b>Issue date</b>	<b>05 March 2024</b>
<b>Closing date and time</b>	<b>27 March 2024 at 10h00</b>
<b>Tender validity period</b>	<b>150 days from the closing date and time</b>
<b>Clarification meeting</b>	<b>Date: 15 March 2024</b> <b>Time: 10h00 a.m.</b> Tenderers interested to participate in the clarification meeting through online Microsoft teams <b>must click on the link below:</b>  <a href="#">Click here to join the meeting</a>
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>	<b>Eskom Holdings SOC Ltd</b> <b>The Tender Office</b> <b>LimLanga Cluster- Limpopo</b> <b>Millennium Building</b> <b>90 Hans Van Rensburg Street</b> <b>Polokwane</b>
<b>Tendering Company Name</b>	
<b>Eskom Vendor Number (if applicable)</b>	
<b>CSD Number</b>	

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**All costs incurred in the preparation, presentation / demonstration, and submission of your tender response will be for the Tenderer’s account**

**Tenderers are encouraged to continuously check the Eskom Tender Bulletin and the National Treasury Tender Website for the latest tender updates during this clarification period. This will enable tenderers to familiarise themselves with any new developments to tender accurately**

## **SUBMITTING OF TENDER DOCUMENTS**


**ALL TENDER DOCUMENTS MUST BE CLEARLY MARKED WITH THE TENDER NAME AND NUMBER WHEN SUBMITTED**

- **All documents must be bonded securely and clearly marked as follows;**
  - **Tender Number**
  - **Tender Title**
  - **Tender Closing Date and Time**
  - **Supplier Name**
- **No Tippex/Correction pen is to be used on any page or pages of the documents to be submitted. Failure to comply with this, will render the tender commercially unacceptable**
- **Rubber bands are not binders and not to be used to hold papers or documents**
- **No loose pages or documents are allowed. Where loose papers or documents are submitted, Eskom will not be held responsible for lost pages or documents**
- **The submission must be indexed for ease of locating mandatory documents**
- **Contractual requirements may be submitted as a separate bonded document, clearly marked as Contractual Requirements, no loose pages**

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## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the provision of the following service: **Medical Waste Management Contract: for the collection, disposal, supply and delivery of medical waste, containers and plastics within the LimLanga Cluster on an “as and when” required basis over a period of 60 months.**

The service is required at the following Eskom Clinics, on a bi-monthly basis:

- Polokwane Clinic – Limpopo Province
- Eskom Park Clinic Witbank – Mpumalanga Province
- Middleburg Clinic – Mpumalanga Province
- Nelspruit Clinic – Mpumalanga Province

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

1. Free of charge

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

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

Yours faithfully



Madimetja Phalane


Procurement Manager

Date: 04/03/2024

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- 1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender (attached separately)** and in those instances, the clause numbers are referenced hereunder. The “**Tender Data**” as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:</p> <p>Name: <b>Tlhologelo Mahlape</b>  Tel: <b>015 230 1773</b>  E-mail: <a href="mailto:MahlapT@eskom.co.za">MahlapT@eskom.co.za</a></p>
1.3 Enquiry documents	<p>The Invitation to tender number is: <b>LP00140TM</b></p> <p>See the content list above for the enquiry documents</p>
1.4 Type of Invitation to Tender	This invitation to tender is Formal Open Invitation to Tender
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed <b>ineligible</b> to submit a <b>tender</b> if</p> <ol style="list-style-type: none"> <li>1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be 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>2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium</li> </ol>

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	<p>3. Tenders submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.</p> <p>4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if :</p> <p>(a) they have a controlling partner/majority shareholder in common; or</p> <p>(b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process;</p> <p>5. Tenders signed by non- authorized persons</p> <p>6. Where the tenderers are not registered on National Treasury’s Central Supplier Database (except Foreign Suppliers)</p> <p>7. Any tenderer that is restricted by National Treasury</p> <p>8. Any tenderer on the Tender Defaulters list</p> <p>9. A tenderer that sub-contracts 100% Scope of Work</p> <p><b>Ineligible tenderers will be disqualified</b></p>
2.2 -2.5 Tender Closing	<p>The deadline for <b>Tender</b> submission is:</p> <p>Date: <b>27 March 2024</b> Time: <b>10h00</b></p> <p><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:  <b>THE TENDER OFFICE</b>  <b>Eskom Holding SOC Ltd</b>  <b>LimLanga Cluster- Limpopo</b>  <b>Millennium Building</b>  <b>90 Hans Van Rensburg Street</b>  <b>Polokwane</b></p>

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2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) <b>paper, hard copy</b> of the original tender at tender submission deadline.</p> <p>Where a Tenderer does not submit 1 hard paper copy of the original tender at tender submission deadline, the tender will be disqualified</p>
2.13 Tender Validity Period	The tender validity period is 150 days or 20 weeks from closing date of tender
2.16 Clarification meetings	<p>A non-compulsory clarification meeting with representatives of the Employer will take place as follows:</p> <p>Date: <b>15 March 2024</b> Time: <b>10:00</b></p> <p><b>Method: Microsoft Teams, by accessing the link below</b></p> <p><a href="#">Click here to join the meeting</a></p>
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is <b>5</b> working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are <b>not allowed</b>
2.31 Provision of security for performance	Not applicable
3.4 Opening of tenders	<p>Tenders will be opened at the same date and time as the tender deadline;</p> <p>Tenders will be opened on:</p> <p><b>Place: Polokwane Tender Office</b> <b>Date: 27 March 2024</b> <b>Time: 10:00AM</b></p>
3.5 Prices to be read out	Prices <b>will not be read out</b>

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3.9 Basic Compliance	<p><b><u>Evaluation Step 1 –</u></b></p> <p><b><u>BASIC COMPLIANCE</u></b></p> <p>All responses will be evaluated for overall compliance to the conditions of tender and the test for responsiveness as set out below.</p> <ul style="list-style-type: none"> <li>• The tenderer must submit two hard copies of the tender (an original tender plus 1 additional complete paper hard copy of the original tender)</li> <li>• Meet the eligibility criteria for a tenderer <b>(as per page 4 and 5 of this document)</b></li> <li>• Central Supplier Database (CSD) proof of registration</li> </ul> <p><b>Tenderers who do not meet the above requirements will not be evaluated further</b></p>
3.10 Mandatory tender returnables	<p><b><u>Evaluation Step 2 –</u></b></p> <p><b><u>COMMERCIAL REQUIREMENTS</u></b></p> <p><b>Returnables required at Tender closing date (disqualifiable)</b></p> <ul style="list-style-type: none"> <li>• Completed NEC 3 Term Service Contract with the pricing schedule (rates)</li> <li>• CPA for local goods/services</li> <li>• Completed and signed declaration of authority form / submit the signed resolution by the board confirming the duly authorised personnel to sign all documents in connection with this tender.</li> </ul> <p><b>Tenderers who do not meet the above requirements will not be evaluated further.</b></p> <p><b>Returnable required at Tender closing (Non-disqualifiable)</b></p> <ul style="list-style-type: none"> <li>• In case of a Joint Venture – JV agreement and / or letter of intent to form a JV/consortium, where responding to this tender as a JV</li> <li>• Submit completed and signed non-disclosure agreement (NDA)</li> <li>• A completed and signed Integrity Pact Declaration form</li> <li>• SBD 4 – Bidders Disclosure completed and signed</li> <li>• Submit completed and signed SBD 1 as included in the invitation to tender document</li> </ul>

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<p><b>Below returnables are mandatory for scoring of specific goals and are therefore required at tender closing time and date.</b></p> <p><b>It is to be noted that if the documents are not submitted with the tender at tender closing date and time, the documents may not be requested by the Procurement Practitioner. The tender will not be disqualified but will score 0 points for specific goals.</b></p> <ul style="list-style-type: none"> <li>SBD 6.1- Preference Points Claim Form in terms of PPR 2022 regulations (Annexure H)</li> <li>Proof of compliance to the stipulated Specific goals</li> </ul> <p><b>Non-responsive/unacceptable tenders will be disqualified, and all the responsive tenders will be evaluated further.</b></p> <p><b><u>TECHNICAL MANDATORY REQUIREMENTS</u></b></p> <table border="1"> <thead> <tr> <th>No</th><th>Criteria</th></tr> </thead> <tbody> <tr> <td><b>1</b></td><td><b>Legal compliance - (Qualify to All criteria)</b></td></tr> <tr> <td>1.1</td><td>Registration certificate as a Health Care Risk Waste transporter with Department of Environmental Affairs <ul style="list-style-type: none"> <li>Provide certified copies of registration documents</li> </ul> </td></tr> <tr> <td>1.2</td><td>Registration certificate for the treatment and incineration site for infectious waste, sharps, and pharmaceutical waste, (including contractual agreement with the site owner if contracted out)</td></tr> <tr> <td>1.3</td><td>Registration of the disposal site for Health Care Risk Waste, (including contractual agreement with the disposal site, if contracted out)</td></tr> <tr> <td><b>2</b></td><td><b>Technical ability</b></td></tr> <tr> <td>2.1</td><td>Driver's PrDP registration and Driver's Dangerous Goods Permit (From the department of Roads and Transport Municipality)</td></tr> <tr> <td><b>3</b></td><td><b>Equipment Compliance</b></td></tr> <tr> <td>3.1</td><td>Vehicle registration certificate as Medical Waste Transport Vehicle</td></tr> </tbody> </table> <p><b>Tenderers who do not comply with the above requirements will be disqualified.</b></p>		No	Criteria	<b>1</b>	<b>Legal compliance - (Qualify to All criteria)</b>	1.1	Registration certificate as a Health Care Risk Waste transporter with Department of Environmental Affairs <ul style="list-style-type: none"> <li>Provide certified copies of registration documents</li> </ul>	1.2	Registration certificate for the treatment and incineration site for infectious waste, sharps, and pharmaceutical waste, (including contractual agreement with the site owner if contracted out)	1.3	Registration of the disposal site for Health Care Risk Waste, (including contractual agreement with the disposal site, if contracted out)	<b>2</b>	<b>Technical ability</b>	2.1	Driver's PrDP registration and Driver's Dangerous Goods Permit (From the department of Roads and Transport Municipality)	<b>3</b>	<b>Equipment Compliance</b>	3.1	Vehicle registration certificate as Medical Waste Transport Vehicle
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3.13 Functionality requirements	<b><u>Evaluation Step 3 –</u></b>			
	<b>Functionality evaluation criteria</b>			
	<b>No</b>	<b>Criteria</b>	<b>Score Key</b>	<b>Criteria Weighting (%)</b>
	<b>1.1</b>	<b>Track record:</b>	<b>35%</b>	
	1.1	The Service Provider must have a record of experience as Medical Waste Collector & Transporter, on 2 similar companies serviced.  <u>Provider a reference letter(s) (including the period contracted) /Copy of contracts from companies serviced.</u>	<ul style="list-style-type: none"> <li>• &gt;10 years</li> <li>• 5-10 years</li> <li>• &lt;5 years</li> </ul>	<ul style="list-style-type: none"> <li>• 35%</li> <li>• 25%</li> <li>• 15%</li> </ul>
	<b>2</b>	<b>Technical ability (Qualify to criteria 2.1, 2.2 &amp; 2.3</b>	<b>40%</b>	
	2.1	<u>Certified copy of Certificate from accredited institutions:</u>  Degree/Diploma of the Waste Management representative in Handling and Management of Medical Waste (background knowledge of Health Care Risk Waste) / Environmental Management/ Science Related Qualification	<ul style="list-style-type: none"> <li>• Full compliance</li> <li>• Non-compliance</li> </ul>	<ul style="list-style-type: none"> <li>• 15%</li> <li>• 0%</li> </ul>
	2.2	Technical team's proof of training on waste handling and transportation specifically on Health Care Risk Waste.  <u>Provide certified Certificates specifically for Medical Waste Management</u>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>	<ul style="list-style-type: none"> <li>• 10%</li> <li>• 0%</li> </ul>

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	2.3	Drivers Proof of training of Conveyance of Dangerous Goods on road	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>	<ul style="list-style-type: none"> <li>• 15%</li> <li>• 0%</li> </ul>
	<b>3</b>	<b>Equipment Compliance (Qualify to All criteria)</b>	<b>25%</b>	
	3.1	Vehicle Road Worthy Certificate (Valid License disc of the vehicle transporting the waste)	<ul style="list-style-type: none"> <li>• Full compliance</li> <li>• Non-compliance</li> </ul>	<ul style="list-style-type: none"> <li>• 15%</li> <li>• 0%</li> </ul>
	3.2	Provide pictures of vehicles used, to show the hazmat stickers, and Medical Waste UN number	<ul style="list-style-type: none"> <li>• Full compliance</li> <li>• Non-compliance</li> </ul>	<ul style="list-style-type: none"> <li>• 10%</li> <li>• 0%</li> </ul>
		<b>Total</b>	<b>100%</b>	
		<b>Functionality threshold</b>	<b>80%</b>	
The threshold on the overall technical evaluation criteria is 80%. Tenderers who do not meet the threshold will be disqualified from further evaluations.				
3.15 Evaluation of price	<b><u>Evaluation Step 4 –</u></b>  <b><u>PRICE AND PREFERENCE EVALUATION</u></b> <ul style="list-style-type: none"> <li>• The 80/20 preference points system will be used to evaluate price. Price points will be calculated out of 80 for price (Evaluated price including VAT). A maximum of 20 points will be awarded to a tenderer for the specific goal.</li> <li>• The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. The contract must be awarded to the tenderer scoring the highest points unless objective criteria if any justify the award to another tenderer. <b>The price evaluation will be done on the total of the prices/rates.</b></li> <li>• The contract will be awarded to the highest ranked supplier based on the highest points scored, in terms of the PPR 2022 unless contractual / objective criteria justify the award to another tenderer</li> </ul> <p>Price will be scored out of 80 points, using the following formula;</p>			

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	<table><tr><th>Adjudication Criteria</th><th>Points</th></tr><tr><td><math display="block">P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)</math></td><td>80</td></tr></table> <p>Where</p> <p>Ps = Points scored for price of bid under consideration</p> <p>Pt = Price of bid under consideration</p> <p>Pmin = Price of lowest acceptable bid</p>	Adjudication Criteria	Points	$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$	80																
Adjudication Criteria	Points																				
$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$	80																				
3.17 Evaluation of Specific Goals	<p><b><u>B-BBEE Evaluation (20)</u></b></p> <p>A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.</p> <p><b><u>The following Specific Goals score card applies:</u></b></p> <table><tr><th>B-BBEE Status Level of Contributor</th><th>Number of points (80/20 system)</th></tr><tr><td>1</td><td>20</td></tr><tr><td>2</td><td>18</td></tr><tr><td>3</td><td>14</td></tr><tr><td>4</td><td>12</td></tr><tr><td>5</td><td>8</td></tr><tr><td>6</td><td>6</td></tr><tr><td>7</td><td>4</td></tr><tr><td>8</td><td>2</td></tr><tr><td>Non-compliant contributor</td><td>0</td></tr></table>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
B-BBEE Status Level of Contributor	Number of points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-compliant contributor	0																				

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	<p><b>NB: The following documents are required to claim points for specific goals</b></p> <ul style="list-style-type: none"> <li>a) Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit</li> <li>b) Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown</li> <li>c) Certified ID copies of shareholder(s)</li> <li>d) Proof of Disability (where applicable)</li> </ul> <p><b>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but</b></p> <ul style="list-style-type: none"> <li>e) May only score point out of 80 for price</li> <li>f) Scores 0 points out of 20 for specific goals</li> </ul>
	<p><b>Tenderers who complete and submit the objectives as required, but who do not meet Eskom’s targets, will not be disqualified. SDL&amp;I objectives do not form part of scoring, but commitments will form part of contractual obligations</b></p>
	<p><b>1. Transformation – BBEE Improvement or Retention Plan</b></p> <p>Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.</p> <p>Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.</p> <p>Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.</p> <p>Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and</p>

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	<p>thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.</p> <p>Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract.</p> <p><b>NB:</b> A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate</p>
3.18 Ranking of tenders	<p>A contract will be awarded to the highest ranked service provider based on the PPR2022 ranking unless the objective/contractual criteria justify the award to another tenderer.</p> <p>Suppliers will be ranked by applying the 80/20 preferential point scoring system.</p> <p>Maximum of 80 points will be allocated for price and maximum of 20 points will be allocated for specific goals.</p> <p>Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.</p> <p><b>After the scoring and ranking of tenderers the following shall apply to break deadlock:</b></p> <ul style="list-style-type: none"> <li>• In the event that two or more tenderers have scored equal points, the successful tender must be the one that scored the highest points for specific goals;</li> <li>• If two or more suppliers scored equal points, including equal preference points for specific goals, the successful tender must be the one scoring the highest score for functionality, if functionality is part of the evaluation process;</li> <li>• In the event that two or more tenders are equal in all respects, the award must be decided by the drawing of lots.</li> </ul>

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Contractual Requirements	<b><u>Evaluation Step 6 –</u></b>  <b><u>CONTRACTUAL REQUIREMENTS</u></b>									
	<ul style="list-style-type: none"> <li>Tenderer/s recommended for award, including those justified based on objective criteria, must still meet Contractual Requirements as set out in the enquiry. Contractual requirements exclude objective criteria and contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders.</li> <li>Proof that the highest-ranked tenderer / preferred tenderer can meet the contractual requirements must be submitted before the contract may be awarded.</li> <li>If the tenderer does not meet a contractual requirement, mitigating factors may be agreed to and be made terms and requirements of the contract. If the tenderer does not agree with the mitigating factors or if there are insufficient suitable mitigating factors or if the risk is deemed too high, the tender may be awarded to a tenderer other than the highest-ranked (the second-ranked).</li> </ul> <p><b>The following contractual requirements shall apply to this tender:</b></p> <p><b>a) Safety requirements</b></p> <table border="1"> <thead> <tr> <th>Ref.</th><th><u>Eskom Health and Safety Requirements</u></th></tr> </thead> <tbody> <tr> <td>1</td><td>Is the acknowledgement of <b>Eskom's SHE rules</b> and requirements form (<b>Annexure K</b>) signed and submitted by the tenderer?</td></tr> <tr> <td>2</td><td> <b>Emergency Plan</b>  The tenderer must submit the emergency preparedness plan that deal with emergencies involving hazardous waste </td></tr> <tr> <td>3</td><td> <b>Occupational Health and Safety Plan</b>  Occupational Health and Safety Plan for Scope of work </td></tr> <tr> <td>4</td><td> <b>Baseline Risk Assessment (BRA)</b>  Identification, assessment, and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided. </td></tr> </tbody> </table>	Ref.	<u>Eskom Health and Safety Requirements</u>	1	Is the acknowledgement of <b>Eskom's SHE rules</b> and requirements form ( <b>Annexure K</b> ) signed and submitted by the tenderer?	2	<b>Emergency Plan</b> The tenderer must submit the emergency preparedness plan that deal with emergencies involving hazardous waste	3	<b>Occupational Health and Safety Plan</b> Occupational Health and Safety Plan for Scope of work	4
Ref.	<u>Eskom Health and Safety Requirements</u>									
1	Is the acknowledgement of <b>Eskom's SHE rules</b> and requirements form ( <b>Annexure K</b> ) signed and submitted by the tenderer?									
2	<b>Emergency Plan</b> The tenderer must submit the emergency preparedness plan that deal with emergencies involving hazardous waste									
3	<b>Occupational Health and Safety Plan</b> Occupational Health and Safety Plan for Scope of work									
4	<b>Baseline Risk Assessment (BRA)</b> Identification, assessment, and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided.									

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	5	<b>SHE policy signed by CEO/ MD-</b>  Comply to OHS Act Section 7 or ISO 45001:2018	
	6	<b>Valid Letter of Good Standing or equivalent</b> , i.e. COID, FEMA or RMA.  Your COID must depict the correct/ relevant nature of business, e.g. Installation, etc. Copy must be certified not later than 3 months at the time and date of the tender closing.	
	7	<b>Substance abuse management</b>  Provide the company “ <b>Substance Abuse Procedure</b> ” explaining how you would manage Substance abuse while doing work for Eskom	
	<b>b) Environmental Requirements</b>		
	1	Environmental Policy	Environmental policy signed by top management (CEO / managing director), dated and version controlled.
	2	Company organogram	Company’s organogram with an environmental representative.
	3	Environmental Appointment Letter	Appointment letter of the employee responsible for environmental issues within the company. Appointment letter to be accepted and dated.
	4	Communication Plan	Company’s communication plan /procedure on what, how & when relevant environmental issues will be communicated.
	5	Incident/complaints register	Incident/complaints register for environmental incidents
	6	Aspect and Impact register	Aspect and impact register relevant to the services (activity related) tendered for.
	7	Emergency Preparedness Plan (EPP)	Emergency preparedness procedure/plan for environmental emergencies with emergency contact details
	8	Environmental Management Plan	Environmental management programme related to the services (activity related) tendered for.
	9	Waste Management Plan	Waste management plan on how waste generated on site will be managed, to include where disposal occurs.
	10	Environmental related Training	Valid Eskom’s Environmental Law Certificate.

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	<p><b>c) Quality Requirements</b></p> <p>Eskom will assess the recommended tenderer's compliance to the quality requirements applicable to the project, the tenderer/s must comply with the requirements prior contract award.</p> <p><b>Category 4: Quality Requirements</b></p> <ul style="list-style-type: none"> <li>• The supplier shall complete and sign Form A (Enquiry/Contract/Quality Requirements for Supplier Quality Management Specification 240-105658000/ QM 58 and ISO 9001).</li> <li>• The supplier shall submit a <b>quality method statement based on ISO 9001 and specific to the scope of work.</b></li> <li>• The <b>quality method statement</b> should address all the supplier's business management processes to ensure that all of Eskom's requirements are fully met on a consistent basis.</li> <li>• The supplier shall submit a signed/ approved quality policy (aligned with the supplier's strategic direction). (Documented information)</li> <li>• The supplier shall submit a copy of <b>quality objectives</b>. (Documented information)</li> <li>• The supplier shall submit documented information for Control of Externally Provided Processes, Products and Services.</li> <li>• The supplier shall submit a copy of the documented information for roles, responsibilities, and authorities, specific to the project/ scope of work/ technical requirements. Examples of relevant documented information are; organization charts, job descriptions, work instructions, duty statements, manuals, procedures.</li> </ul> <p><b>Note:</b> specific requirements per tender will be selected using the List of Tender Returnables document (240-12248652).</p> <p>The following documents shall apply and will be attached with the tender enquiry:</p> <ul style="list-style-type: none"> <li>• Annexure L - Form A Cat-4 Rev 9</li> <li>• Annexure M - Method Statement Template Rev 2 2021</li> <li>• Annexure N - Cat-4 Rev 7 List of Tender Returnables</li> <li>• Annexure O - Supplier Quality Management Specification for reference</li> </ul>
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	<b>d) Commercial Statutory Documents</b> <ul style="list-style-type: none"> <li>Valid B-BBEE Certificate / Sworn Affidavit</li> <li>Tax Compliance Status (TCS) e-filing PIN from SARS</li> <li>Valid Original certificate of good standing or proof of application issued by the Compensation Fund (COID)</li> <li>Proof of National Treasury Central Supplier Database registration (CSD) that has a tax compliant status at award</li> <li>Completed and signed Supplier Evaluation Pack for Contractors - PAYE</li> </ul>				
2.25 Contractual Condition	NEC3 Term Services Contract (applicable conditions of contract with clauses and options are included in the NEC document)				
SDL&I Obligation	<b>Jobs:</b> Tenderers will be required to report on the number of jobs created and or retained because of this contract. <table border="1" data-bbox="665 981 1386 1144"> <thead> <tr> <th>Number of Jobs to be created</th><th>Number of Jobs to be retained</th></tr> </thead> <tbody> <tr> <td></td><td></td></tr> </tbody> </table>	Number of Jobs to be created	Number of Jobs to be retained		
Number of Jobs to be created	Number of Jobs to be retained				

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**Please note:**

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

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

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

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

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


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

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

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### 1.3 TENDER RETURNABLES

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

#### **NOTE:**

#### **\* Returns required at Tender closing (disqualifiable) –**

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

#### **\*\* Returns required at Tender closing. (Non-disqualifiable) –**

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


#### **# These returnables are mandatory for evaluation and therefore required at tender closing time and date**

These will not be requested by the Procurement Practitioner; however, the tenderer will not be disqualified but score zero.

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Reference	Returnable From Suppliers	Returnable required at Tender closing * (disqualifiable)	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award
<b>Annexure A (page 24 – 25)</b>	<b>Acknowledgement Form</b> Submit as soon as possible, before clarification meeting – email Acknowledgement Form to <a href="mailto:mahlapt@eskom.co.za">mahlapt@eskom.co.za</a>			
<b>*Basic Compliance</b>	One (1) original tender plus one (1) additional complete <u>paper hard copy</u> of the original tender	✓		
<b>*Basic Compliance</b>	<b>CSD Registration</b> Tenderer must be registered on the National Treasury CSD (Central Supplier Database)  Submit the supplier registration summary displaying the supplier's name and MAAA number as proof or provide the MAAA number	✓		
<b>* Annexure B (Page 26 - 29)</b>	<b>Authority to submit a Tender</b> (fully completed and signed)  A tenderer must declare that the information provided in its tender is true and correct and that the signatory to the tender is duly authorized to sign all documents related to the Enquiry and any ensuing contract.	✓		
<b>* Annexure C (attached separately)</b>	<b>NEC 3 Term Services Contract</b> Completed NEC 3 Term Services Contract Pricing Schedule and Contract Data	✓		
<b>* Annexure D (page 30 - 33)</b>	<b>CPA for local goods/services</b> (fully completed and signed)	✓		

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<b>**Annexure E (Page 34 - 37)</b>	<b>Tenderers Particulars</b> (fully completed and signed)		✓	
<b>**Annexure F (Page 38 – 43)</b>	<b>Integrity Declaration form</b> (fully completed and signed)  The Supplier Integrity Pact Document is attached separately		✓	
<b>**Annexure G (Page 44 – 46)</b>	<b>SBD 1- Invitation to Bid</b> – applicable for all suppliers including foreign suppliers  (fully completed and signed)		✓	
<b># Annexure H (Page 47 – 51)</b>	<b>SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations.</b> (Fully completed and signed)			✓
<b>Annexure I (Page 52 – 54)</b>	<b>SBD 4 – Bidders Disclosure</b> (fully completed and signed)		✓	
<b>Annexure J (Attached separately)</b>	<b>Non-Disclosure Agreement</b> (fully completed and signed)		✓	
<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) . Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			✓
<b>Tax Evaluation Questionnaire</b>	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE			✓
<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)			✓

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<b># Specific Goals</b>	Failure on the part of the supplier to submit “ <b>proof of specific goals</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). The tenderer will, however, be scored zero for Specific Goals for purposes of PPPFA scoring and ranking.			✓
<b>Additional Documents required in event of JV:-</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.			
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement.			
	# proof of compliance to the stipulated Specific goals.			
	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.			

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	<b>Invitation to Tender For Medical Waste Management: Collection, disposal, supply &amp; delivery of medical waste containers and plastics on an “as and when” basis over a period of 60 months LP00140TM</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

#### DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA

Requirements under Functionality / Technical Criteria is mandatory with tender closing date and time. If not submitted with the tender at tender closing date and time, it may render your tender technically unacceptable.

Refer to page 8, 9 and 10 of this document

Technical criteria (required for functionality evaluation and scoring)

✓

#### DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS

Although the Contractual requirements are not mandatory with tender closing date, it is advisable to submit ALL requirements and documents with the tender by the tender closing date and time

#### SAFETY REQUIREMENTS

The following criteria must be adhered to, and the documents submitted with the tender.

Safety Requirements and Compliance

Refer to page 14 to 15 of this document for the requirements

**Annexure K** – Safety Acknowledgement  
(Attached separately)

✓

#### ENVIRONMENTAL REQUIREMENTS

following criteria must be adhered to, and the documents submitted with the tender. Refer to page 24 of this document for more information.

Environmental Requirements and Compliance

Refer to page 15 of this document – to submit all required documentation with the tender

✓

#### QUALITY REQUIREMENTS

following criteria must be adhered to, and the documents submitted with the tender

Quality Requirements and Compliance


- Refer to page 16 of this document
- Refer to the following documents, attached separately;
  - **Annexure L** - Form A Cat-4 Rev 9
  - **Annexure M** - Method Statement Template Rev 2 2021
  - **Annexure N** - Cat-4 Rev 7 List of Tender Returnables
  - **Annexure O** - Supplier Quality Management Specification for reference

✓

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## **ANNEXURE A**

### **ACKNOWLEDGEMENT FORM**

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


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

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

Or: Incorrect or incomplete for the following reasons: ☐

### **Cataloguing Acknowledgement:**


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

1. We agree to provide the cataloguing information as described in the *tender submission*. ☐
  2. We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [***insert previous invitation to tender/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. ☐

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

Name of company/JV: \_\_\_\_\_

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

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


Contact details of contact person:

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

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	<b>Authority to Submit a Tender</b>	<b>Document Identifier</b>	240-59384675	<b>Rev</b>	1
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## **ANNEXURE B**

Indicate the status of the *tenderer* by ticking the appropriate box hereunder. The *tenderer* must complete the certificate set out below for his category of organisation or alternatively attach a certified copy of a company or organisation document which provides the same information for the relevant category as requested here.

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

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


I,....., chairperson of the board of directors of ..... hereby confirm that by resolution of the board taken on ..... (date), Mr/Ms ....., acting in the capacity of ....., was authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company.

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b>  <b>(Chairman of the Board of Directors)</b>

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## B. Certificate for close corporation

I, ....., member of ....., hereby confirm that by majority vote of the members taken on ..... (date), Mr/Ms ....., acting in the capacity of ....., was authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company.

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b> <b>(Member)</b>

## C. Certificate for partnership

We, the undersigned, being the **key partners** in the business trading as ..... hereby authorise Mr/Ms ....., acting in the capacity of ....., to sign all documents in connection with the tender offer for Contract ..... and any contract resulting from it on our behalf.


Name	Address	Signature	Date

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

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#### D. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms ....., an authorised signatory of the company ....., acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract ..... and any contract resulting from it on our behalf.

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


Furthermore, 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.

Name of firm	Address	Authorising signature, name and capacity
Lead partner		

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### E. Certificate for sole proprietor

I, ....., hereby confirm that I am the sole owner of the business trading  
as .....


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

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## **ANNEXURE D**

### **CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)**

#### **THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS**

*This Section will not be applicable to professional services contract*

#### **1. APPLICATION OF CPA**

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned. Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable

CPA conditions may apply if the contractual duration is to be longer than 12 months. If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.

#### **2. TENDER SUBMISSIONS**

Tenderers shall comply with the following requirements:

##### **a. Main offer:**

1. A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry.
2. This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer.

**Failure to do so may result in the supplier's offer(s) being disqualified.**

##### **b. Additional/Alternative offer:**

Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable:


1. A fixed priced offer in addition to the fully CPA compliant main offer; or
2. Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However, it is compulsory that all such deviations are sufficiently substantiated.

Additional/Alternative Offers must be clearly indicated as such

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### 3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Table 1. The index list comprises indices that could be used in the Tenderers main offer.

### 4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

In instances where the preferred index list does not specify a foreign index which is required for the specific agreement, the following must apply:

1. The source of an index must be that of the national statistical institute of the relevant country or a generally acknowledged statistical (e.g. industry) body in or for that country, e.g. BEAMA and MEPS.
2. The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index.

### 3. NUMBER OF FORMULAE & INDICES

The Tenderer is limited to a maximum of 10 (ten) indices in total, i.e.: a maximum of 5 local indices and maximum of 5 foreign indices, excluding the fixed portion per CPA formula, per offer/agreement.

### 4. CPA FIXED PORTION

A minimum of 15% of the total agreement value is to be fixed when a CPA formula applies; except in the case of professional services or consulting agreements.


### 5. BASE DATE

1. In instances of indices or other references published monthly, the Base Date is to be:  
*The month before the month in which the Enquiry closes*
2. In instances where the reference figures, e.g. market prices, are published daily or at more intervals than once a month:  
*The average for the month before the month in which the Enquiry closes*
1. In this case, the following shall apply:
  - (a) Where the average is published:  
*The average published price in the currency Eskom will be exposed to. e.g. The currency in which Eskom will effect payment*
  - (b) Where a high, low and mean are published:  
*The mean*

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(c) Where other prices than the Cash Settlement or Cash Sellers Price are published:

*The Cash Settlement or Cash Sellers Price*

2. Where applicable, these principles, must also apply for the CPA “cut-off” date.

### 3. CPA FOR PROFESSIONAL SERVICES

The preferred index to be used for adjusting these agreements is the country specific CPI Headline index.

The price adjustment factor will be effective from each contractual anniversary of the base date. This must be the average of the country specific CPI Headline index figures published for the last twelve month period (cycle) ending before the contract anniversary date.

No fixed portion is mandatory.

Signed

Date

Name

Position

Tenderer


**Table 1: Preferred Local Index List** -this list of indices needs to be relevant to the commodity. Buyers need to check and include the relevant indices.

Labour	Commodities	Processed material	Transport	Others
<b>Labour general (hourly paid)</b> SEIFSA, C3, actual labour cost	<b>Steel</b> StatsSA, P0142.1 Table 2, basic iron and steel	<b>Mechanical engineering material</b> SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 <b>CPI</b> (Headline) all items OR SEIFSA, D-2 (CPI)  <b>CPI will be used for price escalation on an annual basis</b>
	<b>Copper</b> SEIFSA, F, copper metric ton	<b>Electrical engineering material</b> SEIFSA, G-1, electrical engineering material		
<b>Labour general</b> SEIFSA, C3 (a), actual labour	<b>Aluminium</b> SEIFSA, R, aluminium			StasSA, PO142.1), <b>PPI</b>

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cost (field force) where subsistence allowance is paid	<b>Zinc</b> SEIFSA, F, zinc	<b>Building and construction material</b> SEIFSA, G, building and construction material		<b>4.</b>	Final Manufactured Goods
	<b>Lead</b> SEIFSA ,F, lead			<b>5.</b>	Or Intermediate Manufactured Goods OR
				<b>6.</b>	SEIFSA Table U Producer Price Index (PPI)
					- final manufactured Goods or Intermediate Manufactured Goods


Closing date of tender \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

TENDERER'S SIGNATURE \_\_\_\_\_

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## **ANNEXURE E**

### **TENDERER'S PARTICULARS**

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

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

Please complete the following:


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

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

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Name of contractor	
CIPC Registration number or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom.\_\_\_\_\_
2. If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury\_\_\_\_\_
3. Please note that it is mandatory for you to register on National Treasury’s CSD, if you intend doing work with any State department or State-owned entity/company.
4. You may register online at National Treasury website on [www.treasury.gov.za](http://www.treasury.gov.za)
5. If you are registered on SARS E-filing system, please provide your pin number in order to verify your tax compliant status \_\_\_\_\_
6. If you are required to be tax compliant as per SBD 1, but are not registered on CSD

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7. (foreign suppliers) or have not provided your SARS E-filing pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

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

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

- 8.1 Confirm if you intend sub-contracting

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

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

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

- 8.4 Is the said sub-contractor registered on CSD?

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

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

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

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

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

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


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

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

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## 9. 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: \_\_\_\_\_

## 10. Joint Ventures

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms \_\_\_\_\_(full names), an authorised signatory of

\_\_\_\_\_, (*insert the full legal name of the business entity serving as the lead partner*) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.

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


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

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## **ANNEXURE F**

### **INTEGRITY DECLARATION FORM**

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

#### **DECLARATION OF INTEREST**


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

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

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5. the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

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

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

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

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

## 2. DECLARATION OF FAIR TENDERING PRACTICES

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


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

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

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

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

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### 3. DECLARATION OF SHAREHOLDING INFORMATION

I, the undersigned \_\_\_\_\_ [Position] \_\_\_\_\_ hereby declare that I am the duly authorized representative of \_\_\_\_\_ [Name of Tenderer].

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

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

#### Individuals:

Full Name	Identity Number	Shareholding Percentage


#### Other Entities\*:

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

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

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

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


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

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

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### Joint Ventures

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

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

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

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


<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).

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## ANNEXURE G

**SBD 1**

### PART A INVITATION TO BID


<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
<b>BID NUMBER:</b>	LP00140TM	<b>CLOSING DATE:</b>	27 March 2024	<b>CLOSING TIME:</b>	10:00
<b>DESCRIPTION</b>	Medical Waste Management: Collection, disposal, supply & delivery of medical waste, containers and plastics within Limplanga Cluster				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<b>THE TENDER OFFICE</b>					
ESKOM HOLDINGS SOC LTD					
MILLENNIUM BUILDING					
90 HANS VAN RENSBURG					
POLOKWANE					
<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					
		TCS PIN:		<b>OR</b>	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:			

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[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMES& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW ]
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	Eskom Holdings SOC Limited	CONTACT PERSON	Tlhogelo Mahlape
CONTACT PERSON	Tlhogelo Mahlape	TELEPHONE NUMBER	015-230 1773
TELEPHONE NUMBER	015-230 1773	FACSIMILE NUMBER	n/a
FACSIMILE NUMBER	n/a	E-MAIL ADDRESS	MahlapT@eskom.co.za
E-MAIL ADDRESS	MahlapT@eskom.co.za		

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## PART B TERMS AND CONDITIONS FOR BIDDING

### BID SUBMISSION:

- (a) BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- (b) ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE
- (c) BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- (d) WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- (e) THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

### TAX COMPLIANCE REQUIREMENTS

1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2. BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
6. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

### QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- |            |   |  |
|------------|---|--|
| <b>(a)</b> | IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| <b>(b)</b> | DOES THE BIDDER HAVE A BRANCH IN THE RSA?                       | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| <b>(c)</b> | DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| <b>(d)</b> | DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?           | <input type="checkbox"/> YES <input type="checkbox"/> NO |


**IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.**

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

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## ANNEXURE H

## SBD 6.1

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

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

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

#### 1. GENERAL CONDITIONS

1.1 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 The applicable preference point system for this tender is the 80/20 preference point system.

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

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

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


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

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

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


## 2. DEFINITIONS

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

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

#### 3.1 POINTS AWARDED FOR PRICE

##### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender


### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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


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

- 4.1 Name of company/firm.....
- 4.2 Company registration number: .....
- 4.3 TYPE OF COMPANY/ FIRM
- ☐ Partnership/Joint Venture / Consortium
  - ☐ One-person business/sole propriety
  - ☐ Close corporation
  - ☐ Public Company
  - ☐ Personal Liability Company
  - ☐ (Pty) Limited
  - ☐ Non-Profit Company
  - ☐ State Owned Company
- [TICK APPLICABLE BOX]

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


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

<p>.....</p> <p><b>SIGNATURE(S) OF TENDERER(S)</b></p>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....

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## Annexure I

## SBD 4

### BIDDER'S DISCLOSURE

#### 1. PURPOSE OF THE FORM

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

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

#### 2. Bidder's declaration

- 1.2 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**

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

Full Name	Identity Number	Name of State Institution


<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.

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

**YES/NO**

2.2.1 If so, furnish particulars:

.....  
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether they are bidding for this contract?

**YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

### 3. DECLARATION

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

3.1 I have read, and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or 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.

3.5 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.


<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.

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3.6 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.

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

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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