

	Invitation to Tender E2984DXKZNOU	Document Identifier	240-114238630	Rev	28
		Effective Date	07 April 2026		
		Review Date	April 2031		

ESKOM HOLDINGS SOC LTD
INVITATION TO TENDER (ITT)
FOR

The hire of Portable Toilet facilities, VIP Toilets and applicable servicing including disposal of sewage from septic tanks at various sites on an “as and when” required basis in the Kwa-Zulu Natal, Eastern Cape and Mpumalanga areas for a period of thirty-six (36) months.

Tender number	E2984DXKZNOU
Issue date	29 May 2026
Closing date and time	30 June 2026 at 10h00
Tender validity period	180 days from the closing date and time
Non-Compulsory Clarification meeting	<p><u>DATE: 12 June 2026</u> <u>TIME: 09h00 AM</u></p> <p>MS Teams Clarification Meeting Join on your computer, mobile app or room device</p> <p>Microsoft Teams Need help? <u>Join the meeting now</u></p> <p>Join: https://teams.microsoft.com/meet/314429856790476?p=4FPFrYclBYCGsi1qRZ Meeting ID: 314 429 856 790 476 Passcode: 7QT9s4fB</p>
<p>Tenders are to be submitted electronically via Eskom E-tendering site by the stipulated closing date and time.</p> <p><i>Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time</i></p>	<p><i>Open Tenders are uploaded and published on the Eskom Tender Bulletin.</i></p> <p>eTendering site address: (https://eTendering.eskom.co.za).</p>

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Invitation to Tender

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

The hire of Portable Toilet facilities, VIP Toilets and applicable servicing including disposal of sewage from septic tanks at various sites on an “as and when” required basis in the Kwa-Zulu Natal, Eastern Cape and Mpumalanga areas for a period of thirty-six (36) months.

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

1. Free of charge

Eskom has delegated the management of this Invitation to Tender to the *Eskom Representative* whose name and contact details are set out in the Tender Data. The submission of a tender by you in response to this Invitation to Tender will be deemed as your acceptance of the Eskom Standard Conditions of Tender which may be uploaded on the Eskom Tender Bulletin and National Treasury E Portal.

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

Yours faithfully



Thandi Xaba

Procurement Manager

KwaZulu Natal Operating Unit


Date: 29 May 2026

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1.1 Annexures to the Tender

The following document listed hereunder are attached to this Invitation to Tender/Request for Proposal.

Number	Description	Annexure	Attached (Y / N / N/A)
1.1.1	*Authorisation Form	Annexure A	Y
1.1.2	*Acknowledgement form	Annexure B	Y
1.1.3	*Tenderer's particulars	Annexure C	Y
1.1.4	*Integrity Declaration Form	Annexure D	Y
1.1.5	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure F	Y
1.1.6	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure G	Y
1.1.7	*SBD 1 Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure H	Y
1.1.8	*SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure I	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure J	Y
1.1.12	E-tendering Help Manual acknowledgement form	Annexure K	Y
1.1.13	E-tendering Help Manual for supplier	Refer to the commercial folder located on the Eskom Tender Bulletin.	Y
1.1.14	Technical Criteria	Refer to the technical folder located on the Eskom Tender Bulletin.	Y
1.1.15	Scope of Work	Refer to the commercial folder located on the Eskom Tender Bulletin.	Y
1.1.16	NEC3 Term Service Contract including the Pricing Schedules in PDF format. The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes.	Refer to the commercial folder located on the Eskom Tender Bulletin.	Y

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1.2 Tender Data

The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. The **Eskom Standard Conditions of Tender** will be uploaded together with the **Invitation to Tender**, then tenderers are required to download this from Eskom Tender Bulletin and the National Treasury E Portal. The “**Tender Data**” as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.


Clause Number from Standard Conditions of Tender	Tender Data														
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Danny Rajkumar Tel: 031 710 5735 E-mail: Danny.Rajkumar@eskom.co.za</p>														
1.3 Tender documents	<p>The Invitation to tender number is: E2984DXKZNOU</p> <p>See the content list above for the tender documents. All Relevant tender documents will be uploaded onto:</p> <ul style="list-style-type: none"> • Eskom Tender Portal • National Treasury E-Tender Portal <p>It is the responsibility of the tendering party to ensure all required documentation is completed and submitted in the following folders:</p> <table border="1"> <thead> <tr> <th>Section</th> <th>Original</th> </tr> </thead> <tbody> <tr> <td>Section 1- will comprise of the commercial and financial requirements</td> <td>✓</td> </tr> <tr> <td>Section 2- will comprise of the SDL & I requirements</td> <td>✓</td> </tr> <tr> <td>Section 3- will comprise of the Technical requirements</td> <td>✓</td> </tr> <tr> <td>Section 4- will comprise of the Safety requirements</td> <td>✓</td> </tr> <tr> <td>Section 5- will comprise of the Quality requirements</td> <td>✓</td> </tr> <tr> <td>Section 6- will comprise of the Environmental requirements</td> <td>✓</td> </tr> </tbody> </table>	Section	Original	Section 1- will comprise of the commercial and financial requirements	✓	Section 2- will comprise of the SDL & I requirements	✓	Section 3- will comprise of the Technical requirements	✓	Section 4- will comprise of the Safety requirements	✓	Section 5- will comprise of the Quality requirements	✓	Section 6- will comprise of the Environmental requirements	✓
Section	Original														
Section 1- will comprise of the commercial and financial requirements	✓														
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Clause Number from Standard Conditions of Tender	Tender Data
1.4 Type of Invitation to Tender/ RFP	This Invitation to Tender is: 1. An open Invitation to Tender
1.6 Eskom's right to accept or reject any tender	The tender shall be for the whole or part of the contract. This procurement process may result in the award of single contract to a single service provider or the award of multiple contracts to multiple service providers The award will be based on the first and second highest ranked tenderers in terms of the PPPFA price and scoring system.
2.1 Eligibility	Tenderers (whether a single company or an incorporated or unincorporated joint venture or consortium) must meet the eligibility criteria stated in the Tender Data. The tenderer, or any of its principals, must not be under any restriction to do business with Eskom or State-Owned Companies. <u>Tenderers are ineligible to submit a tender if:</u> 1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be found to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. 2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). 3. Tenders submitted by a joint venture or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. 4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering] process is: (a) they have a controlling partner or majority shareholder in common; or

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	<p>(b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender of another tenderer, or to influence the decisions of the Employer regarding this bidding process;</p> <ol style="list-style-type: none"> 5. Tenders signed by non-authorized persons. 6. Any tenderer that is restricted by National Treasury. 7. Any tenderer on the Tender Defaulters list. 8. Any tenderer and/or its director/s that is restricted by Eskom. 9. A tenderer that sub-contracts 100% of the Scope of Work <p>Eskom will disqualify tenderers that are found not to have met the eligibility criteria.</p>
2.2 - 2.5 Tender Closing	<p>The deadline for <i>Tender submission</i> is: Date 30 June 2026 Time 10H00</p> <p>Late Tenders will not be accepted.</p> <p>Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page.</p>
2.7-.2.11 Submitting a tender	<p>For Electronic Tender Submissions:</p> <p>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be upload under the folder Technical, Commercial, Financial, and SHEQ folders. All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). No Zip/condense files can be uploaded No hard copy will be accepted</p> <p>If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void.</p> <p>Please ensure that the submission status is indicated as complete.</p> <p>Supplier Help Manual guide and video can be found on Eskom E- Tendering page</p>
2.12 Tender Validity Period	The tender validity period is 180 days from tender closing.

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2.15 Site visit and/or clarification meeting	<p>A non-compulsory clarification meeting with representatives of Eskom will take place as follows:</p> <p><u>DATE: 12 June 2026</u> <u>TIME: 09h00 AM</u></p> <p>MS Teams Clarification Meeting Join on your computer, mobile app or room device</p> <p>Microsoft Teams Need help?</p> <p>Join: https://teams.microsoft.com/meet/314429856790476?p=4FPFrYcIBYCGsi1qR7 Meeting ID: 314 429 856 790 476 Passcode: 7QT9s4fB</p> <p>A non-compulsory “Online Meeting” will take place on Microsoft Teams, whereby a Presentation will be made in order to assist all service providers in complying with Eskom’s tender requirements. Although this will not be a Compulsory Meeting, Suppliers are encouraged to attend this MS Team Meeting to ensure that all Contracting Companies clearly understand the Technical and Contractual Requirements and are able to submit a responsive tender.</p> <p>Tenderers can also submit clarification questions via email to Danny.Rajkumar@eskom.co.za</p> <p>The deadline for the submission of Clarification Questions is 5 days prior to tender closing. All Clarification Questions with Answers will be published on Eskom’s Tender Bulletin and the National Treasury e-Tender Publication Portal.</p> <p>Tenderers can access the MS Teams meeting on the following link: Tenderers must confirm their intention to attend with the Eskom Representative, stating the name, position and contact details of each proposed attendee.</p>
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.

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	The onus is upon the tenderers to continuously check both the Eskom's Tender Bulletin and the National Treasury e-Tender Publication Portal for information pertaining to clarifications.
2.22 Alternative tenders	Alternative tenders are not allowed .
2.33 Cataloguing	Cataloguing will not be applicable.
2.34 Provision of Security for Performance	<p>The following forms of security may be required for this enquiry:</p> <p>If the provision of security for performance in the form of a performance bond or a demand guarantee is a requirement for this tender, then the tenderer must select a minimum of two (2) financial institutions that it is likely to approach from the list provided of Eskom-approved financial institutions.</p> <ol style="list-style-type: none"> 1. ABSA Bank Limited 2. Development Bank of South Africa 3. First Rand Bank Limited 4. Investec Bank Limited 5. Land & Agricultural Development Bank of South Africa 6. Nedbank Limited 7. Standard Bank of South Africa
3.4 Tender Opening	For E-tendering, there will be no public opening of tenders. Tenders will be downloaded electronically.
3.5 Tender Prices	Prices will not be read out .
3.9 Basic Compliance	<p>Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements:</p> <p>Basic compliance for this invitation to tender are:</p> <p><u>Commercial Mandatory Returnable (Disqualifiable)</u></p> <p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender will be disqualified.</p> <ol style="list-style-type: none"> 1. Tenders are to be submitted electronically via Eskom E-tendering site by the stipulated closing date and time. 2. Meet the eligibility criteria for a tender 3. Completed and signed NEC3 Term Services Contract with the Price schedule.

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	<p>A tenderer's failure to have submitted/uploaded tender documents on the date and time of submission will render the tender non-responsive.</p> <p><u>Commercial Mandatory Returnable Required prior to contract award (non-Disqualifiable)</u></p> <p>The returnable (s) requested are required to be received by the Procurement Practitioner upon request by contract award; failure to provide the document will deem tender non-responsive.</p> <ul style="list-style-type: none"> • CSD Registration – Companies are required to provide a valid CSD starting with (MAAA.....) number. <p><u>Commercial Mandatory Returnable (Non - Disqualifiable)</u></p> <p>These returnables are also required to be fully completed, signed, and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable (s) are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</p> <ul style="list-style-type: none"> • Fully complete and sign the SBD1 Invitation to bid form in the invitation to tender. • Fully complete and sign the SBD 6.1 preference claim form in the invitation to tender. • Fully complete and sign the SBD 4 Bidders Disclosure form in the invitation to tender. • Integrity Declaration form. • E- Tenderers' E-Tendering Training Acknowledgement Form to be fully completed and signed in its entirety and submitted at tender closing.
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents by or the complete information required in mandatory documents by the

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	<p>deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender will be deemed non-responsive.</p> <p><u>Evaluation Process</u></p> <p>Step 1 – Basic Compliance. Step 2 – Functionality. Step 3 – Price & Preference. Step 4 – Contractual requirements</p> <p>The Preferential Procurement Policy Framework Act (“PPPFA”) scoring methodology will be applicable to this enquiry. The 80/20 preference points scoring will be used to evaluate the responsive submissions.</p> <p>All responsive tenders will be evaluated for basic compliance as follows:</p> <p><u>Step 1: Basic Compliance/Commercial Evaluation</u></p> <p><u>Commercial Mandatory Returnable (Disqualifiable)</u></p> <p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender must be disqualified.</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer. • Tenders are to be submitted electronically via Eskom E-tendering site by the stipulated closing date and time. 4. Completed and signed NEC3 Term Services Contract with the Price schedule. • Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before closing time. <p>A tenderer’s failure to have submitted/uploaded tender documents on the date and time of submission will render the tender non-responsive.</p> <p><u>Commercial Mandatory Returnable (Non - Disqualifiable)</u></p> <p>These returnables are also required to be fully completed, signed, and submitted with Tender at Tender closing date and</p>

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3.13 Functionality requirements	<p>Functionality requirements are <i>applicable</i>.</p> <p>The following criteria will be applicable for this transaction under functionality criteria:</p> <table border="1" data-bbox="596 1601 1493 1742"> <thead> <tr> <th>Criteria</th> <th>Weight</th> </tr> </thead> <tbody> <tr> <td>Full score</td> <td>100</td> </tr> <tr> <td>Pass score</td> <td>70</td> </tr> <tr> <td>Threshold</td> <td>70%</td> </tr> </tbody> </table> <p>Tenderers who do not meet the threshold for functionality scoring of 70 points will be disqualified.</p>	Criteria	Weight	Full score	100	Pass score	70	Threshold	70%
Criteria	Weight								
Full score	100								
Pass score	70								
Threshold	70%								

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	<p><u>Technical Mandatory Returnable (Disqualifiable)</u></p> <p>Technical Evaluation Criteria</p> <p>The documentation evaluation will consist of the following sections: A weighted score-card approach is used to evaluate the technical compliance of the tenderers against the specification.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 65%;">Technical Evaluation Criteria</th> <th style="width: 10%;">Weight</th> <th style="width: 20%;">Score - Received</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td> Tenderer to provide 2 letters of reference of the tendering company, from 2 different customers, with contactable telephone numbers and email addresses where similar services have been rendered successfully. -Score of 10 for 2 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring -Score of 5 for 1 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring. -Score of 0 for no valid references </td> <td style="text-align: center;">10</td> <td></td> </tr> <tr> <td style="text-align: center;">2</td> <td> The tenderer to provide proof of experience of the tendering company for this type of service by means of CV. <ul style="list-style-type: none"> Score 10 for more than 2 years Score 0 for experience less than 2 years </td> <td style="text-align: center;">10</td> <td></td> </tr> <tr> <td style="text-align: center;">3</td> <td> Proof of ownership/evidence or Memorandum Of Understanding with capable contractors of standard portable toilets – Standard non-flush units <ul style="list-style-type: none"> Score 10 for 30 - 50 units Score 15 for 76 and more units </td> <td style="text-align: center;">15</td> <td></td> </tr> </tbody> </table>				No.	Technical Evaluation Criteria	Weight	Score - Received	1	Tenderer to provide 2 letters of reference of the tendering company, from 2 different customers, with contactable telephone numbers and email addresses where similar services have been rendered successfully. -Score of 10 for 2 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring -Score of 5 for 1 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring. -Score of 0 for no valid references	10		2	The tenderer to provide proof of experience of the tendering company for this type of service by means of CV. <ul style="list-style-type: none"> Score 10 for more than 2 years Score 0 for experience less than 2 years 	10		3	Proof of ownership/evidence or Memorandum Of Understanding with capable contractors of standard portable toilets – Standard non-flush units <ul style="list-style-type: none"> Score 10 for 30 - 50 units Score 15 for 76 and more units 	15	
No.	Technical Evaluation Criteria	Weight	Score - Received																	
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	Invitation to Tender E2984DXKZNOU	Document Identifier	240-114238630	Rev	28	
		Effective Date	07 April 2026			
		Review Date	April 2031			

Clause Number from Standard Conditions of Tender	Tender Data				
	4	Proof of ownership/evidence or Memorandum Of Understanding with capable contractors of VIP portable toilets. <ul style="list-style-type: none"> • Score 5 for 5 - 10 units • Score 15 for 11 and more units 	15		
	5	Proof of ownership of 2 ton motor vehicles or a letter from rental company showing capability/eligibility of hiring a motor vehicle or Valid copy of a motor vehicle registration certificates, which is in the name of the tendering company or in the name of the owner of the company. <ul style="list-style-type: none"> • Score 5 for 4 x 2 ton motor vehicles • Score 8 for 6 x 2 ton motor vehicles • Score 10 for 8 or more 2 ton motor vehicles 	10		
	6	Material Safety Data Sheets (National Environmental Management: Waste Act, 59 of 2008- Waste classification and Management Regulations, 2013 (GN R634) contractor needs to provide MSDS. (Legal Requirement) <ul style="list-style-type: none"> • Contractor to have permit for the provision of service for the removal of human excrement or urine relevant to the municipality of operation prior to providing the service. 	40		
Total weighted scorecard of 100 A minimum 70% is required to pass the technical compliance of the tenderers against the criteria in order to move on to the next stage of evaluations.					
3.15 Evaluation of Price	Prices will be evaluated as follows:				

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	<ol style="list-style-type: none"> 1. Exclusive of VAT. 2. Corrected for arithmetical errors. <p>Prices will be scored out of 80 points</p>																				
3.18 Evaluation of Specific Goals	<p>Specific goals will be scored out of 20 points in accordance with the PPPFA.</p> <p>Specific Goals A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #cccccc;">B-BBEE Status Level of Contributor</th> <th style="background-color: #cccccc;">Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr><td style="text-align: center;">1</td><td style="text-align: center;">20</td></tr> <tr><td style="text-align: center;">2</td><td style="text-align: center;">18</td></tr> <tr><td style="text-align: center;">3</td><td style="text-align: center;">14</td></tr> <tr><td style="text-align: center;">4</td><td style="text-align: center;">12</td></tr> <tr><td style="text-align: center;">5</td><td style="text-align: center;">8</td></tr> <tr><td style="text-align: center;">6</td><td style="text-align: center;">6</td></tr> <tr><td style="text-align: center;">7</td><td style="text-align: center;">4</td></tr> <tr><td style="text-align: center;">8</td><td style="text-align: center;">2</td></tr> <tr><td style="text-align: center;">Non-compliant contributor</td><td style="text-align: center;">0</td></tr> </tbody> </table> <p>NB: The following documents are required to claim preference points,</p> <ul style="list-style-type: none"> • Valid BBBEE certificate issued by a SANAS accredited verification agency or a valid sworn affidavit or a valid BBBEE Certificate issued by CIPC for EME companies or for joint ventures a valid BBBEE certificate issued by a SANAS accredited verification agency in the name of the joint venture. <p>NB: Supporting documents may be requested during evaluation (This list is not exhaustive):</p>	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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	<ul style="list-style-type: none"> • Proof of ownership / shareholding (CIPC registration documentation) inclusive of shareholding breakdown • ID copies of shareholder(s) or owner(s) of the business • Proof of Disability of owner(s) of the business (where applicable) <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but'</p> <ul style="list-style-type: none"> • May only score point out of 80 for price Scores 0 points out of 20 for specific goals <p>If a tenderer fails to submit evidence of its points claim for a Specific Goal, it will not be disqualified. However, it will be awarded 0 points for that Specific Goal.</p>								
3.19 Ranking of tenders	Tenderers will be ranked by applying the preferential point scoring for the 80/20 system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.								
3.20 Objective Criteria (if applicable)	<p>The following objective criteria apply to the tender:</p> <p>The inclusion of objective criteria is not mandatory but a condition for contract award. If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.</p> <p>Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom's core, scarce and critical skills and the scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from the Free State and KZN area, and their composition shall be representative of the population demographics of South Africa.</p> <table border="1" data-bbox="603 1581 1378 1834"> <thead> <tr> <th>Skill type / Occupation</th> <th>Eskom Target</th> </tr> </thead> <tbody> <tr> <td>Introduction to Cleaning (Theory Workshop)</td> <td></td> </tr> <tr> <td>Introduction to Cleaning (Practical Workshop)</td> <td></td> </tr> <tr> <td>SAMTRAC Training</td> <td></td> </tr> </tbody> </table>	Skill type / Occupation	Eskom Target	Introduction to Cleaning (Theory Workshop)		Introduction to Cleaning (Practical Workshop)		SAMTRAC Training	
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	<p>Note: Successful supplier/s to deliver on 1 Skill (from the list above) for every R3 000 000.00 invoiced to Eskom.</p> <p>The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.</p> <p>Note: That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives.</p>
Contractual Requirements	<p><u>Mandatory Contractual Requirements that must be included in all tenders is the following: -</u></p> <ul style="list-style-type: none"> • Proof of CSD registration <p><u>Additional Contractual Requirements that may be included if applicable:</u></p> <ul style="list-style-type: none"> • SHEQ requirements; and/or • Financial viability (submission of financial statements) / (financial analysis is compulsory as a contractual requirement) • Any other as may be stipulated. <p>The tenderers still in the running for this contract will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation, they will be advised of their shortcomings and have 7 working days in which to correct their shortcomings. Failure to correct the shortcomings within the stipulated time will result in the service providers being deemed non-responsive and ineligible in terms of their contractual requirements and will not be considered.</p>

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Quality Criteria:			
	Supplier Quality Management: List of Tender Returnables Documents	Unique Identifier	240-12248652
		Revision	7
		Effective Date	2022/01/26
		Specification	240-105658000
Category 4 : Quality Requirements	Deliverables to be evaluated indicator = 1		
SECTION A : Quality Management System Requirements ISO 9001 Objective evidence of documented QMS that is not certified but complies with ISO 9001			Apply =1
A.1 Quality Method statement based on scope.(Method Statement Template-Ref 240-126469599)			1
A.2 Quality Policy Approved by top management.			1
A.3 Quality Objectives Approved by top management.			1
Section A Score Option 2			3
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)			Apply =1
B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)			1
B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)			1
Section B Score			2
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here			Apply (Yes=1)
E.1 Form A is completed and signed.			1
Section E Score			1
NAME OF ESKOM REPRESENTATIVE		Noxolo Mngadi	
DATE ISSUED		04-May-26	
PROJECT: TENDER TITLE		Hire and Servicing of VIP and Portable Toilets	
SIGNATURE			

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	<p><u>FINANCIAL EVALUATION:</u></p> <p>Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether:</p> <ol style="list-style-type: none"> Whether the AFS were internally or externally prepared. Whether the company was owner managed or not owner managed. The PIS does NOT apply to companies that have been AUDITED. <ul style="list-style-type: none"> Latest approved financial statements including comparative amounts. <p>AFS must be valid and not outdated, received within 18 months after year-end.</p> <ul style="list-style-type: none"> A signed director's / member's report. Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above. <p>Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.</p> <ul style="list-style-type: none"> Approved Annual Financial statements must comprise <ul style="list-style-type: none"> Statement of financial position (Balance Sheet) Statement of comprehensive income (income statement) Statement of changes in Equity Statement of cash flows Notes to the financial statements ITA 34C Income Tax Assessment for companies that have NOT been AUDITED. The ITA-34C assessments must be provided for the current and previous financial years. The turnover amount shown in the income statement must correspond to the amount shown in the ITA-34C. Should the amounts not correspond, a financial analysis will not be performed. The notes to the AFS specifically referring to Accounts Receivable and Accounts Payable must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest. The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest.

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	<ul style="list-style-type: none"> • Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates. • Name of Holding company if the company is a subsidiary company. • Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage. • Information requested from companies via Procurement Office not received within five working days from date of Finance request will result in the financial evaluation being closed. Finance will issue a 1-page report stating that an opinion could not be expressed due to insufficient information. <p>Note: Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted. Soft copies of the AFS submitted with the tender documents may be requested at a later stage.</p>
3.24 Sign form of Agreement/ Contractual Conditions	The conditions of the contract will be the NEC3 Term Service Contract .

Please note:

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

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

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

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

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

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

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

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

1.3 TENDER RETURNABLES

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

NOTE THE FOLLOWING: -

* Returns required at Tender closing (disqualifiable): -

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

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

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

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

Returns required at Tender Closing date and time for evaluation: -

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

Returnable required prior to Contract Award.

Returnables that are mandatory for contract award must be submitted prior to award, completed if completion is a requirement and signed if signature is a requirement.

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	<p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender will be disqualified.</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer. • Electronic copy of the tender in a PDF format. • Completed and signed NEC3 Term Services Contract with the Price schedule. <p>A tenderer's failure to have submitted/uploaded tender documents on the date and time of submission will render the tender non-responsive.</p> <p>All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). No Zip/condense files can be uploaded</p> <p>No hard copy will be accepted</p> <p>If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void.</p> <p>Please ensure that the submission status is indicated as complete.</p> <p>Supplier Help Manual guide and video can be found on Eskom E-Tendering page.</p>	√		
Annexure A	Authorisation Form		√	
Annexure B	Acknowledgement Form		√	
Annexure C	Tenderers Particulars		√	
Annexure D	Integrity Pact Declaration form		√	
Annexure E	SBD 1- to be completed and submitted by all tenderers.			√

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	Invitation to Tender E2984DXKZNOU	Document Identifier	240-114238630	Rev	28	
		Effective Date	07 April 2026			
		Review Date	April 2031			


Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
(applicable for all suppliers including Foreign suppliers)				
# Annexure I	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		√	
Annexure J	SBD 4 – Bidders Disclosure		√	
E-tendering Help Manual acknowledgement form (If applicable)	E-tendering Help Manual		√	
Additional Documents required in the event of JV: -	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.		√	
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.			√
# Specific Goals	A tenderer's failure to submit proof that it meets the specific goals will not result in its disqualification. The tenderer will, however, be scored zero for Specific Goals for purposes of PPPFA scoring and ranking.			
Tax Clearance Certificates	A certified copy of a tax clearance certificate is required from foreign tenderers (with a footprint in South Africa but that are not registered on CSD and have not provided a SARS pin number) and local tenderers (that have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa must complete the SBD1 document; however, no proof of tax compliance is required.			√

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Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)			√
NEC3 Term Service Contract	NEC3 Term Services Contract (TSC) completed in full.	√		
Pricing schedule	Complete pricing schedule in the NEC3 Term Service Contract. For e-tendering price schedule needs to be submitted in PDF format . The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes.	√		
			√	
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work))	Kindly refer to Technical Criteria for requirements.	√		
	MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE			
Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD number/CSD Report)			√

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	ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE			
Safety	Please refer to the following pages in the Invitation to tender for the Safety criteria. (Page 17)			√
Quality	Please refer to the following pages in the Invitation to tender for the Quality criteria. (Page 19)			√
Environmental	Please refer to the following pages in the Invitation to tender for the Environment criteria. (Page 18)			√
Due Diligence/financial analysis	<ul style="list-style-type: none"> • Latest, approved (No draft annual financial statements or managements accounts are allowed for this process) annual financial statements of the tendering company (Not Parent or ultimate holding company) , including: <ul style="list-style-type: none"> ○ Background to the company ○ A signed director's report. ○ A signed auditor's/reviewer's/compiler's/accounting officer's report ○ Statement of financial position ○ Statement of comprehensive income ○ Statement of changes in equity ○ Statement of cash flows ○ Notes to the financial statements. • A signed copy of the public interest score (only applicable to South African entities that are not audited) <ul style="list-style-type: none"> ○ Giving the actual score ○ Indicating whether the company is owner managed or not ○ Confirming whether the annual financial statements were externally prepared or not. • Copies of the ITA34C for the current & previous years of assessment (only applicable to South African entities that are not audited) 			√

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	<ul style="list-style-type: none"> For unincorporated JV or a SPV, each partner in the JV or a SPV must submit its annual financial statements including all items listed above. 											
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA											
Functionality/Technical <i>[required for evaluation /scoring]</i>	Functionality <u>Technical Mandatory Returnable (Disqualifiable)</u> Refer to the annexure below for the technical evaluation requirements. The technical returnable documents are required to be submitted with the tender at Tender closing date and time. The complete technical requirements for this tender are attached. <table border="1"> <thead> <tr> <th>Criteria</th> <th>Weighting</th> </tr> </thead> <tbody> <tr> <td>Technical Evaluation Criteria</td> <td>100</td> </tr> <tr> <td>TOTAL</td> <td>100</td> </tr> <tr> <td>OVERALL MINIMUM THRESHOLD FOR QUALIFICATION</td> <td>70%</td> </tr> </tbody> </table> <u>Technical Evaluation Criteria</u> The documentation evaluation will consist of the following sections: A weighted score-card approach is used to evaluate the technical compliance of the tenderers against the specification.	Criteria	Weighting	Technical Evaluation Criteria	100	TOTAL	100	OVERALL MINIMUM THRESHOLD FOR QUALIFICATION	70%	v		
Criteria	Weighting											
Technical Evaluation Criteria	100											
TOTAL	100											
OVERALL MINIMUM THRESHOLD FOR QUALIFICATION	70%											

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	No	Technical Evaluation Criteria	Weight	Score - Received			
	1	Tenderer to provide 2 letters of reference of the tendering company, from 2 different customers, with contactable telephone numbers and email addresses where similar services have been rendered successfully. -Score of 10 for 2 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring -Score of 5 for 1 valid reference letters with good feedback, which Eskom reserves the right to verify before scoring. -Score of 0 for no valid references	10				
	2	The tenderer to provide proof of experience of the tendering company for this type of service <ul style="list-style-type: none"> • Score 10 for more than 2 years • Score 0 for experience less than 2 years 	10				
	3	Proof of ownership/evidence or Memorandum Of Understanding with capable contractors of standard portable toilets – Standard non-flush units <ul style="list-style-type: none"> • Score 10 for 50 - 75 units 	15				

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	<ul style="list-style-type: none"> Score 15 for 76 and more units 			
4	Proof of ownership/evidence or Memorandum Of Understanding with capable contractors of standard portable toilets –flush units <ul style="list-style-type: none"> Score 10 for 50 - 75 units Score 15 for 76 and more units 	15		
5	Proof of ownership of 2 ton motor vehicles or a letter from rental company showing capability/eligibility of hiring a motor vehicle or Valid copy of a motor vehicle registration certificates, which is in the name of the tendering company or in the name of the owner of the company. <ul style="list-style-type: none"> Score 5 for 4 x 2 ton motor vehicles Score 8 for 6 x 2 ton motor vehicles Score 10 for 8 or more 2 ton motor vehicles 	10		
6	Material Safety Data Sheets (National Environmental Management: Waste Act, 59 of 2008- Waste classification and Management Regulations, 2013 (GN R634) contractor needs to	40		

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	provide MSDS. (Legal Requirement) <ul style="list-style-type: none"> Contractor to have permit for the provision of service for the removal of human excrement or urine relevant to the municipality of operation prior to providing the service. 			
<p>A minimum 70 is required to pass the technical compliance of the tenderers against the criteria in order to proceed to the next stage of evaluations.</p>				

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ANNEXURE A

AUTHORISATION FORM

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

A COMPANY	B CLOSE CORPORATION	C PARTNERSHIP	D JOINT VENTURE	E SOLE PROPRIETOR	F TRUST

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

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

A. Certificate for company

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

Signed:	Date:
Name:	Position:

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B. Certificate for close corporation

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

Signed:	Date:
Name:	Position:

C. Certificate for partnership

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

Name	Address	Signature	Date

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

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D. Certificate for Joint Venture

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

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

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

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

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

E. Certificate for sole proprietor

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

Signed:	Date:
Name:	Position:(Sole Proprietor)

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F. Certificate for trust

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

Signed:	Date:
Name:	Position:

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

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

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ANNEXURE B

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender/Proposal 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 / RFP Content List, and that each document is complete.

Or: Incorrect or incomplete for the following reasons:

Cataloguing Acknowledgement:

Please select the relevant statement by ticking the appropriate box below:

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

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

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Invitation to Tender/Request for Proposal No: _____

Name of Tenderer: _____

Country of registration: _____

Full names of contact person: _____

Contact details:

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

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


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ANNEXURE C

TENDERER'S PARTICULARS

The tenderer must furnish the following particulars where applicable:

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

Please complete the following:

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

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

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

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Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

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

YES		NO	

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

7.1 Confirm if you intend sub-contracting


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

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

7.3 To whom do you intend sub-contracting? _____

7.4 Is the said sub-contractor registered on CSD?

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

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

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

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

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

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

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

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

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

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

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ANNEXURE D

INTEGRITY DECLARATION FORM

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

1 DECLARATION OF INTEREST

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

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

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

Related:

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


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

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

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

Control:

- (2) For the purpose of subsection (1) above, a person controls a juristic person, or its business, if-
- (a) in the case of a juristic person that is a company-
- (i) that juristic person is a subsidiary of that first person, as determined in accordance with the Companies Act¹; or
 - (ii) that first person together with any related or inter-related person, is-
 - (aa) directly or indirectly able to exercise or control the exercise of a majority of the voting rights associated with securities of that company, whether pursuant to a shareholder agreement or otherwise; or
 - (bb) has the right to appoint or elect, or control the appointment or election of, directors of that company who control a majority of the votes at a meeting of the board;
- (b) in the case of a juristic person that is a close corporation, that first person owns the majority of the members’ interest, or controls directly, or has the right to control, the majority of members’ votes in the close corporation;

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

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

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

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

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


If Yes, attach proof. to this declaration

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2 DECLARATION OF FAIR TENDERING PRACTICES

The tenderer declares that it has taken all reasonable steps to address and 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 Eskom's procurement process (e.g. bid rigging/collusion); or
2. committed fraud or any other improper conduct in relation to such procurement process.

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

Item	Question	Yes	No
1.1	Is the tenderer/s or any of its shareholders/ directors/ members/ partners/ owners/ trustees/ beneficiaries listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector. The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Is the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.3	Was the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries convicted by a court of law (including a court outside South Africa) of fraud and/or corruption in respect of any procurement/tendering processes/procedures during the past five years?		
1.3.1	If "Yes", provide details including a case number and a copy of the judgement.		
1.4	Was the tenderer/s or any of its shareholders/ directors/ members/ partners/ owners/ trustees/ beneficiaries prohibited from doing business with any International Financial/Lending Institution or Development/ Funding Agency?		
1.5	Is there any history/record of the tenderer/s or any of its shareholders/directors/members/partners/owners/turstees/beneficiaries failing to meet their contractual obligation with the State or any State Owned Entity(SOC)?		
1.5.1	If "Yes", provide details		
1.6	Is the tenderer/s or any of its directors restricted by Eskom?		

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3. DECLARATION OF SHAREHOLDING / BENEFICIARY INFORMATION

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

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

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

Individuals:

Full Name	Identity Number	Shareholding Percentage / Beneficiary Share

Other Entities*:

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

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

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

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

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

Joint Ventures

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

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

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

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

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ANNEXURE H

SBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON		CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS		E-MAIL ADDRESS	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS		TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO					

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DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
 DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
 DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
 IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

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PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."</p>

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

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ANNEXURE I

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) The **80/20 preference point system** will be applicable in this tender. The **lowest** 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 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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


1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this

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tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 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.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

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

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The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify

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that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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ANNEXURE J

SBD 4

TENDERER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. TENDERER'S DECLARATION

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

[YES/NO]

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

Full Name	Identity Number	Name of State Institution

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

[YES/NO]

If so, furnish particulars:

.....

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

[YES/NO]

If so, furnish particulars:

.....

3. DECLARATION

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

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


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SDL&I SKILLS DEVELOPMENT

Section 1: Specific Goals

A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.

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

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

- **Valid** BBBEE certificate issued by a SANAS accredited verification agency **or** a **valid** sworn affidavit **or** a **valid** BBBEE Certificate issued by CIPC for EME companies

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

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

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

- May only score point out of 90/80 for price
- Scores 0 points out of 10/20 for specific goals

Section 2: Objective criteria

The inclusion of objective criteria is not mandatory but a condition for contract award. If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.

2.1 Designated Sectors

When applicable the following stipulated minimum threshold for Local Production and Content must be achieved in full by the tenderer

a) Is this Commodity or part of it a Designated Sector?

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

Please indicate below Designated Components

Commodity	Components	Local Content Threshold
Not Applicable	Not Applicable	Not Applicable

NOTE: SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are therefore **mandatory at contract award** and must be tender returnables if applicable.

2.2 CIDB Skills Development

Continuation of Requirements

a) Is there CIDB compulsory training?

If Yes, what is the % of the Construction Skills Development Goal % (CSDG)

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not applicable	

If the answer above is Yes, it will then be mandatory for the supplier to match Eskom's targets

Criteria	Eskom Target	Tenderer Commitment
CSDG Percentage	N/A	

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Description	N/A
<p>NOTE: Failure by the Contractor/Service Provider/Supplier to meet the CIDB CSDG mandatory % will render their tender non-responsive.</p>	

2.3 National Industrial Participation Programme – Not Applicable

Eskom will implement the NIPP requirement, which determines that the contractor/supplier must contact the Department of Trade, Industry and Competition (dtic) to arrange for support and development of local businesses. Eskom is required to inform the tenderers of this requirement. NIPP will only be applicable for contracts with an FGN component or content of USD 5 million or more.

The following narrative must be captured in all tenders that have import/foreign content equal to or in excess of USD 5 million:

“NIPP is a programme that seeks to leverage economic benefits and support the development of South African industry by effectively utilising the instrument of government procurement. The NIPP programme is mandatory for all government and parastatal purchases or lease contracts (goods and services) with an imported content equal to or exceeding USD 5 million.

“The programme targets South African and foreign industries, enterprises, and suppliers of goods and services to government/parastatals, where the imported content of such goods and services equals to or exceeds USD 5 million. The first customer of NIPP is the South African industry that benefits through the NIPP business plans, which, when implemented, generate new or additional business activities through one or more of the following: investment, export opportunities, job creation, increased local sales, SMME and BEE promotion, R&D, and technology transfer.

“Companies with an NIPP obligation must sign this obligation agreement with the Department of Trade, Industry and Competition (dtic) before the contract with Eskom Holdings SOC Ltd, as a purchasing entity, is signed. The obligation agreement governs the relationship between the dtic and the supplier. It defines the NIPP obligation value(s), requirements to fulfil the NIPP obligation, performance milestones, performance monitoring processes, and the NIPP credit allocation criteria.

“All tenders with an import content that is equal to or exceeds the threshold of USD 5 million compels the winning bidder to negotiate and enter into a NIPP obligation agreement with the dtic before signing the contract with Eskom.”.

2.4 Mandatory Subcontracting as condition of award – Not Applicable

Subcontracting is mandatory on contracts above R30 million and is a **condition for contract award**.

If feasible, tenderers can subcontract a minimum of 20% of the contract value to the following designated groups:

- an EME or QSE which is at least 51% owned by black people;
- an EME or QSE which is at least 51% owned by black people who are youth;

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- an EME or QSE which is at least 51% owned by black people who are women;
- an EME or QSE which is at least 51% owned by black people with disabilities;
- an EME or QSE which is 51% owned by black people living in rural or underdeveloped area or townships;
- a cooperative which is at least 51% owned by black people;
- a EME or QSE which is at least 51% owned by black people who are military veterans

NOTE 1: Tenderers shall submit the following returnables for Subcontracting

- Subcontracting agreement signed by both parties or
- Copies of signed letters from the tenderer to the sub-contractors stating the intent to sub-contract
- Subcontractors' Company registration documents
- Subcontractor's valid BBEE certificate issued by a SANAS accredited verification agency or valid sworn affidavit or valid BBEE Certificate issued by CIPC for EME companies

Potential scope to be subcontracted and/or outsourced:

- Not Applicable

Subcontracting, in this instance, will be treated as a condition for contract award. A supplier awarded a contract may not subcontract more than 25% of the value of the contract to any other entity that does not have an equal or higher B-BBEE status level of a contributor than the supplier concerned unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract

Section 3: SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals

Tenderers who complete and submit the objectives as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations

1. Transformation – BBEE Improvement or Retention Plan

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.

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.

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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.

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 thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.

Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract.

NB: 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

2. Local Procurement Content

“Local Procurement Content” refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.

Tenderers are required to submit their proposals in the table below.

Local Procurement Content	Eskom target	Tenderer Proposal
	100%	

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3. Procurement spend on entities with a minimum 51% black ownership

The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:

- the indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and
- direct spend on goods and services supplied by the subcontractors for the execution of the scope of work.

Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises must be submitted in a table below.

Procurement from Designated Group	Eskom Target	Tenderer Proposal
Black Owned	4.0%	
Black Women Owned	3.0%	
Black Youth Owned	2.0%	
Black Persons with Disability	1.0%	

4. Jobs. Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.

Jobs to be created	Jobs to be retained

5. Skills development

Tenderers to take note of the skills below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom’s core, scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the

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Government Gazette 43937. Candidates shall only be from **Kwa Zulu Natal and Free State** and their composition shall be representative of the population demographics of South Africa

Skill type / Occupation
Introduction to Cleaning (Theory Workshop)
Introduction to Cleaning (Practical Workshop)
SAMTRAC Training

Note: Successful supplier/s to deliver on 1 Skill (from the list above) for every R3 000 000 invoiced to Eskom.

The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.

Note: That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives

Section 4: SDL&I Penalty and Performance Security

Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.

For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon:

- Eskom receives the SDL&I progress report/s from the contractor.
- Fulfilment of all SDL&I obligations by the contractor.
- Submission of an approved compliance report by SDL&I Department.

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Section 5: Reporting and Monitoring

- The suppliers shall on a **yearly** basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- Eskom shall review the SDL&I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.
- Every contract shall be accompanied by the SDL&I Implementation Schedule, which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring and reporting on the supplier's progress in delivering on their stated SDL&I commitments

Section 7: General Information on Validity of Sworn Affidavits

The following must be considered when it comes to validity of Affidavits;

Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as the **director, owner** or **member** must be indicated in order to know that person is duly authorised to depose of an affidavit. **(Mark the applicable option).**
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. **(No blank spaces to be left).**
- Indicate total revenue for the year under review and whether it is based on **audited financial statements** or **management account. (Mark the applicable option).**
- Financial year end as per the **enterprise's registration documents**, which was used to determine the total revenue. **(Financial year end to be stipulated by day/month/year).**
- B-BBEE Status level. An enterprise can only have one status level. **(Tick applicable level)**
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same. **(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)**
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

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