

	Request for Proposal	Document Identifier	559-235050781	Rev	1
		Effective Date	July 2024		
		Review Date	July 2027		

NATIONAL TRANSMISSION COMPANY SOUTH AFRICA SOC LTD.

REQUEST FOR PROPOSAL (RFP)

FOR

THE CONSTRUCTION, MANUFACTURE, TRAINING, SUPPLY, DELIVERY, OFF-LOADING AND ERECTION OF METERING SCHEMES FOR USE IN NTCSA SUBSTATIONS, ON AN “AS AND WHEN” REQUIRED BASIS, OVER A PERIOD OF FIVE (5) YEARS, WITH AN OPTION TO EXTEND BY A FURTHER FIVE (5) YEARS

Tender number	MWP2972NTCSA
Issue date	13 January 2025
Closing date and time	03 March 2025 at 10h00 SAST (GMT+2)
Tender validity period	32 weeks from the closing date and time
Clarification meeting	<p>Date: 10 February 2025 Time: 10h30 SAST (GMT+2) Venue: Microsoft Teams or via e-mail</p> <p>Microsoft Teams Need help?</p> <p>Join the meeting now Meeting ID: 324 570 425 364 Passcode: mT7kF2zR</p> <p>Dial in by phone +27 21 834 0825,,376686242# South Africa, Cape Town Find a local number Phone conference ID: 376 686 242# For organizers: Meeting options Reset dial-in PIN</p> <p>Note: Tenderers to do a regular check on NTCSA Tender Bulletin or eTender Portal for any tender addendums, as all clarification pertaining to this tender will be uploaded on those platforms. It is the responsibility of the Tenderer to check the NTSCA Tender Bulletin or eTender Portal for any updates and to ensure their response to the tender provides for information communicated also through the Tender Bulletin or eTender Portal.</p>

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Tenders are to be delivered to the following address by the stipulated closing date and time	The Tender Office Megawatt Park Tender Office - Northside No. 01 Maxwell Drive Sunninghill Gauteng
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Request for Proposal

National Transmission Company South Africa SOC Ltd (hereinafter “NTCSA”) invites you to submit the proposal for the *construction, manufacture, training, supply, delivery, off-loading and erection of Metering Schemes for use in NTCSA Substations, on an “as and when” required basis, over a period of five (5) years, with an option to extend by a further five (5) years.*

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

- **Free of charge**

NTCSA has delegated the management of this enquiry to the NTCSA Representative whose name and contact details are set out in the Tender Data. The submission of a proposal by you in response to this enquiry will be deemed as your acceptance of the Standard Conditions of Tender, which may be accessed at www.ntcsa.co.za.

All queries and clarifications relating to the enquiry documents must be addressed in writing to the NTCSA Representative. No query or clarification may be addressed to any NTCSA official other than the NTCSA Representative. *Tenderers* must not in any way contact any NTCSA employee who is involved in the *proposal* during the *proposal* process, either telephonically, by email or through private appointments, before and after submitting *proposals*. NTCSA employees not involved in this *proposal* are not allowed to contact employees involved in this *proposal* or provide information about the *proposal* to potential *tenderers*.

Where a potential *tenderer* or a *tenderer* has any question or query on the contents of the *proposal* or any issue related to the *proposal*, the first point of contact is the *NTCSA Representative* whose name and contact details are stated in the *proposal* document.

Should the *tenderer* not be satisfied with a response from the *NTCSA Representative* stated in the tender document, and would like to escalate, the *tenderer* may refer the issue with to the Procurement Manager identified in the letter of *RFP* through the buyer. Should the *tenderer* still be dissatisfied, it can then escalate the matter to the Middle Manager or Senior Manager: Procurement.

Escalation of *proposal* issues to the Group Executive or Group Chief Executive Officer is an avenue of last resort and *tenderers* should refrain from escalating *proposal* issues to this level without following

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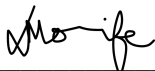
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the escalation process set out above. Escalation not following the above process is not acceptable and will not be attended to.

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

Yours faithfully,



Lerato Morife
Middle Manager: Procurement

Date: 10/01/2025

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1.1 Annexures to the Tender

The documents listed in this paragraph are attached to this RFP:

Number	Description	Annexures	Attached (Y / N / N/A)	Required at Tender Closing
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 (refer to www.ntcsa.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure D	Y	✓
1.1.5	*CPA Requirements for Local Goods/Services	Annexure E	Y	✓
1.1.6	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure F	Y	✓
1.1.7	SBD 6.2 Declaration Certificate for Local Production and Local Content Annexure C Local Content Declaration – Summary Schedule Annexure D Imported Content Declaration – Supporting Schedule to Annexure C Annexure E Local Content Declaration – Supporting Schedule to Annexure C	Annexure G1 Annexure G2 Annexure G3 Annexure G4	Y Y Y Y	✓
1.1.8	*SBD 1 – Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure H	Y	✓
1.1.9	*SBD 6.1 – Preference Points Claim Form in terms of PPPFA 2022 Regulations	Annexure I	Y	✓
1.1.10	*SBD 4 – Bidders Disclosure	Annexure J	Y	✓
1.1.11	NEC3 Supply Contract (SC) - Data by Supplier	<i>Attached</i>	Y	✓
1.1.12	Pricing Schedule including completed Transport, and Off-loading Schedules	<i>Attached</i>	Y	✓
1.1.13	Standard Terms and Conditions	<i>Attached</i>	Y	No
1.1.14	Vendor's Non-Disclosure Agreement (NDA)	<i>Attached</i>	Y	✓
1.1.15	Supplier Development Localisation and Industrialisation (SDL&I) Undertaking	<i>Attached</i>	Y	✓
1.1.16	Insurance Deductibles	<i>Attached</i>	Y	No

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1.1.17	Shipping Evaluation Form	Attached	Y	✓
1.1.18	Technical / Functionality Requirements	Attached	Y	✓
1.1.19	Quality Requirements	Attached	Y	✓
1.1.20	Safety (OHS) Requirements	Attached	Y	✓
1.1.21	Environmental Requirements	Attached	Y	✓
1.1.22	List of Acceptable Guarantors – March 2023	Attached	Y	No

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1.2. Tender Data

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

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is NTCSA SOC Ltd.</p> <p>The NTCSA <i>Representative</i> is: Name: Didimalang Motsemme Tel: 011 800 5081 E-mail: MotsemD@ntcsa.co.za</p>
1.3 Enquiry documents	<p>The RFP number is: MWP2972NTCSA.</p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of enquiry	This enquiry is: An open request for proposal (RFP).
1.6 NTCSA's rights to accept or reject any tender	<p>The tender shall be for the whole or part of the contract.</p> <p>Tenderers may propose to supply whole or part of the scope of work. Whole denotes the construction, manufacture, training, supply, delivery, off-loading and erection of metering schemes.</p> <p>Part denotes that the suppliers shall at minimum, provide the required metering panels and modules and at least one (1) meter type that supports Ethernet communications, which would constitute a metering scheme, to qualify for the awarding of a part of the contract.</p> <p>Allocation of contract/s: Multiple contract award up to a maximum of the highest-ranked three (3) suppliers in proportion to the PPPFA scoring.</p>
2.1 Eligibility	<p>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 NTCSA or State-Owned Companies.</p> <p><u>Tenderers are ineligible to submit a tender if:</u></p>

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	<ol style="list-style-type: none"> 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 or consortium. 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 RFP process is: <ol style="list-style-type: none"> (a) they have a controlling partner or majority shareholder in common; or (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. 5. Tenders signed by non-authorised persons. 6. Any tenderer that is restricted by National Treasury. 7. Any tenderer on the Tender Defaulters list. 8. A tenderer that sub-contracts 100% of the Scope of Work. 9. Flagged suppliers. Ineligibility of the flagged suppliers / tenderers will be due to the following reasons: <ol style="list-style-type: none"> a) Those suppliers implicated in serious misconduct by the Zondo Report or the SIU pending the finalisation of supplier disciplinary measures against these suppliers; and b) Other suppliers implicated in serious misconduct and a breach of the Eskom Supplier Integrity Pact by a forensic report or other source of credible information, such as the SAPS, the NPA, the SIU or other related source.
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	<p>The implications of this “flag” are as follows:</p> <ul style="list-style-type: none"> No new contracts or extension of existing contracts may be awarded to the supplier pending finalisation of supplier disciplinary processes against the supplier. Where as such, the supplier’s bid should be removed from any tender evaluation at the “eligibility” or “compliance” assessment stage of the evaluation. <p>NTCSA will disqualify tenderers that are found not to have met the eligibility criteria.</p>
2.2 - 2.5 Tender Closing	<p>The deadline for tender submission is:</p> <p>Date: 03 March 2025 Time: 10h00 SAST (GMT+2)] Late Tenders will not be accepted.</p> <p>Tenders are to be submitted to the NTCSA <i>tender box</i> at the following physical address:</p> <p>THE TENDER OFFICE Megawatt Park Tender Office - Northside No. 01 Maxwell Drive Sunninghill Gauteng</p>
2.9 Submitting a tender - Original tender and copy	<p>The tenderer must submit a complete original tender in paper form, plus one (1) complete copy of the original tender, also in paper form, at tender submission deadline.</p> <p>NTCSA also prefers that one (1) additional complete soft copy of the original tender be submitted in electronic form (i.e. in USB / Memory Stick), for all word or excel documents at tender submission deadline.</p> <p>If an original tender is not submitted or a copy of the original tender is not submitted, the tenderer will be disqualified. The tenderer will not be permitted to provide the required copies after the deadline for tender submission has passed and the soft copy will not be replacing the hard copy.</p>
2.12 Tender Validity Period	<p>The tender validity period is 32 weeks.</p> <p>NTCSA may extend the validity period for a specified additional period. Should extension of validity be required by NTCSA,</p>

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	<p>tenderers agreeing to the request will not be required or permitted to modify a tender. If a tenderer modifies a tender, such a tender will be disqualified from the evaluation process.</p>
2.15 Site visit and/or clarification meeting	<p>A <i>non-compulsory clarification meeting</i> with representatives of NTCSA will take place as follows:</p> <p>Date: 10 February 2025 Time: 10h30 SAST (GMT+2) Venue: Microsoft Teams or via e-mail</p> <p>Microsoft Teams Need help?</p> <p>Join the meeting now Meeting ID: 324 570 425 364 Passcode: mT7kF2zR</p> <p>Dial in by phone +27 21 834 0825,,376686242# South Africa, Cape Town Find a local number Phone conference ID: 376 686 242# For organizers: Meeting options Reset dial-in PIN</p> <p>Note: Tenderers to do a regular check on NTCSA Tender Bulletin or eTender Portal for any tender addendums, as all clarification pertaining to this tender will be uploaded on those platforms. It is the responsibility of the Tenderer to check the NTCSA Tender Bulletin or eTender Portal for any updates and to ensure their response to the tender provides for information communicated also through the Tender Bulletin or eTender Portal.</p> <p>Tenderers must confirm their intention to attend with the NTCSA Representative, stating the name, position and contact details of each proposed attendee.</p>
2.16 Seeking clarification	<p>The tenderer will notify NTCSA of any clarifications required before the closing time for clarification queries, which is ten (10) working days before the deadline for tender submission. This includes the requests for extension for tender closing date.</p>
2.22 Alternative tenders	<p>Alternative tenders are <i>not allowed</i>.</p>
2.32 Cataloguing	<p>Cataloguing is applicable to provide visibility of what is being procured by NTCSA and to enable the comparison of prices paid.</p> <p>The successful vendor will be required to provide the cataloguing information after contract award and will have to ensure that all</p>

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	materials are delivered to NTCSA labelled in line with NTCSA's labelling specifications. Only once a contract has been awarded to a supplier will the supplier be required to provide the cataloguing information per item. The successful tenderer may be required to provide the cataloguing information per item after contract award, and in that instance, will need will to ensure that all materials delivered to NTCSA are labelled in line with NTCSA's labelling specifications as may be stipulated. Where cataloguing is a requirement, the Pricing Schedule must also include a line item for cataloguing, which tenderers are required to quote for. NTCSA will pay for the cataloguing.
2.33 Provision of Security for Performance	<p>The following forms of security are required for this enquiry in case the tenderer is not financially viable:</p> <ol style="list-style-type: none"> 1. Parent Company Guarantee (PCG) by the holding company; or 2. Performance Bond from their bank. <p>Since the provision of security for performance in the form of a performance bond or a demand guarantee is a requirement, the tenderer must select a minimum of two (2) financial institutions that it is likely to approach from the list provided of NTCSA-approved financial institutions.</p>
3.4 Tender Opening	Tenders will be opened at the same date and time as the tender deadline.
3.5 Prices to be read out or not	Prices will <i>not be read out</i> .
3.9 Basic Compliance	<p>Basic compliance with this enquiry requires a tenderer to meet all the following requirements:</p> <ol style="list-style-type: none"> 1. Meet the eligibility criteria; 2. Submit a complete original tender with commercial, financial and technical information; 3. Submit the original tender in paper form, plus a copy of the original, also in paper form; and 4. Submit the mandatory commercial tender returnables at the stipulated deadlines.
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents or the complete information required in mandatory documents by the deadlines stipulated in the Tender Returnable section will be deemed non-responsive.
3.12 Functionality requirements	<p>Functionality requirements are applicable as follows:</p> <p>Functionality evaluation entails technical requirements. The evaluation exercise is performed by the NTCSA Technical Tender Evaluation</p>

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Team. The tenderers will be evaluated using the following criteria:
Document: Overview of requirements for Transmission Metering Schemes, UI: 240-171000309 Rev. 1 to assess their technical capability to enter into a contract with NTCSA with respect to the required products and to meet NTCSA's requirements.

The technical evaluation process has seven (7) stages as follows:

1. Mandatory Requirements Evaluation (see the above)
2. Supplier Equipment Tendered Declaration
3. Technical Qualitative Requirements Evaluation
4. Practical Demonstration Evaluation
5. Laboratory Evaluation
6. Factory Assessment/Prototype Evaluation
7. Deemed Offer Risk(s) Evaluation.

Tenderers' offers must achieve the minimum threshold for each stage to qualify for evaluation under a subsequent stage. Tenderers that do not achieve the minimum threshold for a stage will not be evaluated further.

6.1 Mandatory Requirements Evaluation

The NTCSA technical evaluation team will evaluate the returnable submissions that are required and will ensure that all the Mandatory Requirements are met. Mandatory requirements are **only** applicable to meters within the metering scheme and Tenderers are required to complete the Mandatory Requirements for each meter type offered. Submissions that receive a "No" for any of these requirements will not be able to proceed to the 'Supplier Equipment Tendered Declaration' stage and will therefore fail the technical evaluation.

Table 3: Mandatory Requirements Evaluation

Mandatory Criteria	Enquiry Returnable	Comply	Returnable required at tender closing	Returnable required prior to contract award
Are completed A&B Technical Schedules submitted	Completed A&B Technical Schedules as in the normative reference [13-AB] to [26-AB]	Yes/No	Yes	

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	Are completed A&B Support Requirements Schedules, submitted	Completed A&B Support Schedules as in the normative reference [13-AB] to [26-AB]	Yes/No	Yes	
	Type test certificates for each meter type offered	Type test certificate from an approved test facility (test facility accredited by a full member facility that is listed at ILAC) ¹	Yes/No		Yes
	MV90 compatibility certificate/documentation for each meter offered where the meter is not listed on the standard Itron MV90 Device Supported list ²	MV90 Certificate of compatibility / Letter from Itron or Enerweb confirming meter compatibility with MV90	Yes/No	Yes	
	Is all information supplied in English	Documents, brochures, manuals and supporting documents supplied in English	Yes/No	Yes	
	Completed Annexure B of 240-171000309	Completed Annexure	Yes/No	Yes	
	Proof of IEC 61000-4-30 class A certification ³	Certificate of compliance to IEC 61000-4-30	Yes/No		Yes
	<p>Note 1: It must be clearly stated for which meter type or meter types each type test certificate is applicable.</p> <p>Note 2: Itron MV90 Device Supported list provided with the technical tender documentation.</p> <p>Note 3: Mandatory requirement is only applicable to integrated tariff metering and power quality meters for items 5 to 10 in table 18. Suppliers that are not tendering for an integrated power quality and tariff meter are not required to specify compliance to this requirement.</p> <p>6.2 Supplier Equipment Tendered Declaration</p> <p>Suppliers are to complete the 'Supplier Equipment Tendered Declaration' form in Annex A of the Overview Requirements for</p>				

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Transmission Metering Schemes. At NTCSA's discretion previously evaluated equipment may be exempt from further technical evaluation, where NTCSA's specifications have not changed, and the Tenderer has submitted a technical bid comprising of equipment previously tendered and having been evaluated as acceptable by NTCSA.

6.3 Technical Qualitative Requirements Evaluation

This stage shall comprise of scoring of A&B schedules for the various meter types, modems, metering panels and modules and metering seals. There are fourteen (14) A&B schedules pertaining to the RFP.

All the A&B schedules pertaining to the various commodities of the metering scheme, shall be completed. Annexures B, pertaining to the metering scheme shall also be completed to support the relevant A&B Schedule.

This stage shall comprise of scoring in two sub-categories for the meters and modems with each sub-category weighted and scored as a percentage in Table 4. The metering panels and modules and the metering seals comprise scoring in a single category.

Table 4: Weight allocation for Technical Qualitative Evaluation per Commodity

Evaluation subcategory name	Score %	Threshold
Meters		
A&B Technical schedules		85
A&B Engineering & Support Schedules		85
Power Quality (applicable to integrated tariff metering and power quality instruments i.e., Items 5 - 10)		
A&B Technical schedules		80
Modems		
A&B Technical schedules		80
A&B Engineering & Support Schedules		80
Panels & Modules		
A&B Technical schedules		85
Seals (Tool-less)		
A&B Technical schedules		85

Only submissions that pass the Technical Qualitative Requirements Evaluation scoring a threshold as stipulated in Table 4 per commodity will proceed to the 'Practical Evaluation' stage for that commodity.

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6.4 Practical Demonstration Evaluation

The practical demonstration evaluation will include a physical demonstration of the various meter types and modems. Suppliers that have met the minimum threshold for Stage 2 of the evaluation will be notified of their respective dates for the Practical Evaluation. The Practical Evaluation will be conducted at the Suppliers premises.

Only submissions that pass the 'Practical Evaluation' scoring threshold of **80%** will be deemed as compliant and will proceed to the 'Laboratory Evaluation' stage.

Suppliers that qualified for this stage of the evaluation will be required to provide NTCSA with two (2) sample meters, per meter type for the laboratory evaluation. Sample meters must be made available at the practical demonstration evaluation.

6.5 Laboratory Evaluation

The laboratory evaluation will include laboratory testing on the various meter types. The laboratory evaluation will be conducted at Eskom Rosherville Metering laboratory. NTCSA reserves the right to invite Suppliers to witness the laboratory evaluations.

6.6 Factory Assessment/Prototype Evaluation

Suppliers shall be advised of their qualification for this stage of the evaluation whereby Suppliers will be required to prepare samples of metering panels and modules. The samples must be ready for inspection six (6) weeks after notification. The exact date of the evaluation will be decided between NTCSA and the Supplier.

The evaluations will be conducted at the Suppliers factory/premises. Successful tenderers shall be required to provide samples of the following items:

1. Swing frame cabinet (Front entry)
2. Meter module – Surface mount 6-way
3. Meter module – 19" rack mount 6 -way
4. Voltage Selection module C.

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	<p>Only submissions that pass the 'Practical Evaluation' scoring threshold of 90% will be deemed as compliant and will proceed to the 'Deemed Offer Risk(s)' stage.</p> <p>7 Deemed Offer Risk(s)</p> <p>NTCSA's evaluation team shall compile a narrative summarising risk(s) associated with any aspect of the offer:</p> <ul style="list-style-type: none"> • noted during the Technical Qualitative Requirements Evaluation, • noted during the Practical Evaluation, • noted during the Laboratory Evaluation, • noted during the Factory Assessment Evaluation • based on the deviations provided in excel sheet 'Deviation Schedule'. • based on the tenderer's response to the respective Questionnaire i.e. Annexure B • noted during a review of any pricing anomalies that cannot be acceptably clarified. The pricing will only be reviewed after an initial technical report on tenders is compiled, any additional deemed risks will be included as a revision to this report. <p>This narrative shall be used to determine and motivate whether the risk is deemed low / acceptable / high and will serve as input to the recommendation as to whether the offer should be accepted as shown in Table 17.</p> <p>Refer to the detailed evaluation criteria on Document: Overview of requirements for Transmission Metering Schemes, UI: 240-171000309 Rev. 1.</p> <p>Note: All tenderers obtaining the minimum qualifying score for functionality qualifies to be evaluated further for price and specific goals. Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further.</p>
3.14 Evaluation of Price	<p>Prices will be evaluated as follows:</p> <ol style="list-style-type: none"> 1. Inclusive of VAT; 2. Corrected for arithmetical errors; 3. Excluding contingencies in any bill of quantities or activity schedule' 4. Adjusted for any other acceptable variations, deviations, or alternative tenders submitted; and

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	<p>5. Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable.</p> <p>6. Unconditional discounts will be taken into account for evaluation purposes.</p> <p>7. Conditional discounts will not be taken into account for evaluation purposes but will be implemented when payment is effected.</p> <p>Prices will be scored out of 80 or 90 points.</p>																														
3.16 Evaluation of Specific Goals	<p>Specific Goals will be scored out of 10 or 20 points in accordance with PPPFA. The Specific Goals for this proposal will be the following: Valid B-BBEE Certificate issued by a SANAS accredited verification agency / Affidavit / CIPC Affidavit.</p> <p>The following Specific Goals scorecard applies:</p> <table><tr><th>B-BBEE Level</th><th>Number of points (80/20 system)</th><th>Number of points (90/10 system)</th></tr><tr><td>1</td><td>20</td><td>10</td></tr><tr><td>2</td><td>18</td><td>9</td></tr><tr><td>3</td><td>14</td><td>6</td></tr><tr><td>4</td><td>12</td><td>5</td></tr><tr><td>5</td><td>8</td><td>4</td></tr><tr><td>6</td><td>6</td><td>3</td></tr><tr><td>7</td><td>4</td><td>2</td></tr><tr><td>8</td><td>2</td><td>1</td></tr><tr><td>Non-compliant</td><td>0</td><td>0</td></tr></table> <p>If a tenderer fails to meet Specific Goals and submit proof, the tenderer will not be disqualified. However, be awarded 80/90 points for price and will score zero (0) points for Specific goals (out of 10/20). All tenderers must at a minimum maintain their B-BBEE status throughout the contract period.</p> <p>Note: Failure on the part of the supplier to submit supporting documents / proof of specific goals for purposes of evaluation and scoring by RFP closing will not result in disqualification (if tenderer is otherwise deemed to be responsive / acceptable in all other aspects). The tenderer will, however, be scored zero (0) for Specific goals for purposes of PPPFA scoring and ranking.</p>	B-BBEE Level	Number of points (80/20 system)	Number of points (90/10 system)	1	20	10	2	18	9	3	14	6	4	12	5	5	8	4	6	6	3	7	4	2	8	2	1	Non-compliant	0	0
B-BBEE Level	Number of points (80/20 system)	Number of points (90/10 system)																													
1	20	10																													
2	18	9																													
3	14	6																													
4	12	5																													
5	8	4																													
6	6	3																													
7	4	2																													
8	2	1																													
Non-compliant	0	0																													

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3.17 Ranking of tenders	Tenderers will be ranked by applying the 90/10 or 80/20 preferential point scoring system. NTCSA will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.						
3.18 Objective Criteria	<p>Objective criteria is applicable as follows:</p> <p>The inclusion of objective criteria in an enquiry is not mandatory but a condition for contract award in line with the requirements of the PPPFA Clause 2(1)(f) and if the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.</p> <p>The following objective criteria will apply to this enquiry:</p> <p>1. Designated material and threshold</p> <p>Designated material and threshold are applicable as follows:</p> <p>The following materials are identified as designated materials and the threshold thereof that the tenderers must meet in order to be evaluated further are tabulated as follow:</p> <table><tr><th>Commodity</th><th>Components</th><th>Local Content Threshold</th></tr><tr><td>Steel products and components</td><td>Fabricated structural steel, fasteners, joining components, frames</td><td>100%</td></tr></table> <p>Tenderers need to complete and submit Annexure G1 and Annexure G2–G4 attached, hereto as evidence of compliance with this requirement.</p> <p>The dtic has appointed SABS as the official verification agency for Local Content in terms of designated products.</p> <p>A tender that fails to meet the minimum stipulated threshold for Local Production and Content will not be justified for award.</p> <p>2. Subcontracting (if applicable)</p> <p>Mandatory subcontracting of a minimum of 30% shall be applicable as a condition for contract award. If feasible to subcontract for a contract above R30 million, NTCSA:</p>	Commodity	Components	Local Content Threshold	Steel products and components	Fabricated structural steel, fasteners, joining components, frames	100%
Commodity	Components	Local Content Threshold					
Steel products and components	Fabricated structural steel, fasteners, joining components, frames	100%					

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	<p>a) must apply subcontracting to previously designated groups;</p> <p>b) must advertise the tender with a specific condition for contract award that the successful tenderer must subcontract a minimum of 30% of the value of the contract to:</p> <ol style="list-style-type: none"> 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. 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 areas or townships. A cooperative which is at least 51% owned by black people. An EME or QSE which is at least 51% owned by black people who are military veterans. <p>Tender returnable if the above element is a requirement:</p> <ul style="list-style-type: none"> • Proof of a sub-contract agreement/s must be submitted. • CSD report of subcontractors. • Sub-contractor/s B-BBEE certificate / sworn affidavit must be submitted. <p>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.</p> <p>3. SDL&I objectives in line with RDP Goals <i>are applicable.</i></p> <p>Transformation – B-BBEE Improvement or Retention Plan</p> <p>Transformation remains an area of focus, where NTCSA continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.</p>
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	<p>NTCSA 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, NTCSA also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.</p> <p>Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.</p> <p>Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.</p> <p>Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract.</p> <p>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</p> <p>Suppliers will be required to maintain or improve their B-BBEE status for the duration of the contract.</p> <p>Job Opportunities</p> <p>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.</p>
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Type of Jobs to be created	Number of Jobs to be created

Type of Jobs to be retained	Number of Jobs to be retained

Skills development

Category	NTCSA Target	Tenderer Commitment
Bursaries for University students	5	
Electrical Technician	5	

SDL&I Penalty and Performance Security

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

For the duration of the contract, NTCSA 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:

- NTCSA 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.

Reporting and Monitoring

- The suppliers shall on a monthly/quarterly basis submit a report to NTCSA in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- NTCSA shall review the SDL&I reports submitted by the suppliers within 60 (sixty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by NTCSA 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.

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	<p>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.</p> <p>Please note that:</p> <ol style="list-style-type: none"> 1. NTCSA may award the contract to a tenderer other than the highest scoring if objective criteria justify the award. 2. Functionality and elements of Contractual requirements will not be used as objective criteria.
3.19 Reverse e-auction	Reverse e-auction is <i>not applicable</i> .
Contractual Requirements	<p><u>Mandatory Contractual Requirements that must be included in all tenders are 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"> • Financial analysis: <p>Financial analysis of the recommended tenderer will be conducted to determine if the tenderer is financially stable enough to execute a contract / order of the magnitude or if mitigation strategies should be implemented to mitigate any risks identified during the analysis.</p> • Quality Requirements – Category 1: <p>NTCSA will evaluate the recommended tenderer's compliance to the Quality Requirements applicable to the project, the tenderer has to comply with the requirements prior contract award.</p> • Safety (OHS) Requirements <p>NTCSA will evaluate the recommended tenderer's compliance to the Safety (OHS) Requirements applicable to the project, the tenderer has to comply with the requirements prior to contract award.</p> • Environmental Requirements <p>NTCSA will evaluate the recommended tenderer's compliance to the Environmental Requirements applicable to the project, the tenderer has to comply with the requirements prior to contract award.</p>

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	<ul style="list-style-type: none"> • Company screening <p>Company screening of the recommended supplier will be conducted by State Security Agency. NTCSA reserves the right not to award a contract to a supplier or terminate a contract with a supplier should the results of the screening deem it necessary to terminate.</p> <p>Note: Contractual Requirements are not evaluation criteria. They will be assessed after the evaluation and ranking of the tenders. Proof that the tenderer recommended for award has met the stipulated contractual requirements must be submitted prior to contract award.</p> <p>Failure to meet stipulated Contractual Requirements by the stipulated deadlines may result in the tenderer being regarded as non-responsive and ineligible for contract award.</p>
3.22 Sign form of Agreement / Contractual Conditions	<p>The conditions of contract will be the NEC3 Supply Contract with secondary clauses as per below:</p> <p>X1: Price adjustment for inflation X2: Changes in the law X3: Multiple currencies (if applicable) X4: Parent company guarantee (if applicable) X7: Delay damages X13: Performance bond (if applicable) X17: Low performance damages (if applicable), and Z: Additional conditions of contract</p> <p>Note: X4 or X13 will be applicable based on the outcome of the financial analysis. X17 will be applicable when the goods do not achieve the performance standard specified in the Scope and the Defect causing the low performance is not corrected by the Supplier.</p> <p>In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.</p>
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements are not applicable .

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Please note:

Evaluations will run concurrently where possible.

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

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

NTCSA 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.

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

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1.3 TENDER RETURNABLES

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

NOTE THE FOLLOWING:

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

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

Returnables 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 (0).

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	Original tender plus one copy, both in paper form	✓		
	Note: NTCSA also prefers that one (1) additional complete soft copy of the original tender be submitted in electronic format (in USB / Memory Stick), for all word or excel documents.			
Annexure A	Authorisation Form		✓	

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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.
Annexure B	Acknowledgement Form		✓	
Annexure C	Tenderers Particulars		✓	
Annexure D	Integrity Pact Declaration form		✓	
Annexure E	CPA for Local Goods/Services (if applicable) <i>Note: If not submitted, suppliers will not be disqualified but prices will be evaluated as fixed and firm for the full duration of the contract.</i>	✓		
Annexure F	CPA(IG) for Imported Goods/Services (if applicable) <i>Note: If not submitted, suppliers will not be disqualified but prices will be evaluated as fixed and firm for the full duration of the contract.</i>	✓		
Annexure G1-G4	SBD 6.2 -Declaration Certificate for Local Production and Content and Annexures G2, G3, G4 Annexure C: Local Content Declaration – Summary Schedule Annexure D: Imported Content Declaration – Supporting Schedule to Annexure C Annexure E: Local Content Declaration – Supporting Schedule to Annexure C		✓	
Annexure H (applicable for all suppliers including Foreign suppliers)	SBD 1 – to be completed and submitted by all tenderers <i>[Foreign suppliers will be subjected to SARS verification and confirmation of whether the respective supplier is liable to be registered for tax in South Africa]</i>		✓	
# Annexure I	SBD 6.1 – Preference Points Claim Form in terms of PPPFA 2022 Regulations		✓	
Annexure J	SBD 4 – Bidders Disclosure		✓	

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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.
Additional Documents required in 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	Valid B-BBEE certificate issued by a SANAS accredited verification agency / Sworn Affidavit / CIPC Affidavit. In the case of a joint venture (including unincorporated consortia and joint ventures), a consolidated B-BBEE Status Level Verification Certificate. 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 NTCSA 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.			✓
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			✓

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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.
	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)			
NEC Contract	NEC3 Supply Contract – Data by Supplier		✓	
Pricing schedule	Completed Pricing Schedule, including completed Transport and Off-loading Schedules. Note: All completed pricing schedules should be submitted at tender closing, failure to submit any pricing schedule will result in the tender being non-responsive and not being evaluated further	✓		
NDA for Vendors	Vendor's Non-Disclosure Agreement (NDA)		✓	
Shipping	Shipping Evaluation Sheet		✓	
MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE				
Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD Number / CSD Report) <i>[applicable to all tenderers of local origin and foreign tenderers with local footprint]</i>			✓
ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE				
Financial Analysis	Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such statements are not available, for the last year. In the case of a Joint Venture or Special Purpose Vehicle (SPV) specially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to submit audited financial statements, but if successful in this enquiry; will be required to furnish statements for the first year once available.			✓

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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.
Safety	<ul style="list-style-type: none"> • Annexure B - Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer? • Baseline SHE Risk Assessment (BRA) - Identification, assessment and management of Safety, Health and Environmental risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA. • OHS Plan: Must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements. • Valid Letter of Good Standing (COIDA or equivalent) • OHS Policy signed by CEO - The submitted policy document must comply to OHS Act Section 7. 			✓
Quality	<ul style="list-style-type: none"> • SECTION A: Quality Management System Requirements ISO 9001. Valid certification of Quality Management System by an ISO accredited body: <ul style="list-style-type: none"> - A.1 Product / Service Scoping on ISO 9001 Certificate is defined and relevant - A.2 Certificate by Approved and Authorized Certification Authority - A.3 Certification Authority has Recognized International Accreditation - A.4 Validity (expiry date) of certificate 			✓

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	<p>SECTION A: Quality Management System Requirements ISO 9001. Objective evidence of documented QMS that is not certified but complies with ISO 9001</p> <ul style="list-style-type: none"> - A.1 QMS Manual or a document that defines and describes the QMS and its scope - A.2 Quality Policy Approved by top management. - A.3 Quality Objectives Approved by top management - A.4 Control of documented information (i.e. document and record control) Clause 7.5 of ISO 9001:2015 - A.5 Documented information for Control of nonconforming outputs Clause 8.7 of ISO 9001:2015 - A.6 Documented information for Nonconformity and Corrective action Clause 10.2 of ISO 9001:2015 - A.7 Documented information for Internal audit Clause 9.2 of ISO 9001:2015 <p>• SECTION B: Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000):</p> <ul style="list-style-type: none"> - 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) - B.2 Documented information for Control of Externally Provided Processes, Products and Services (Clause 5.3 of ISO 9001:2015) - B.3 Latest Copy of an Internal Management System Audit Report (with Non-conformity, Correction and/or Corrective Action Reports) – Report must include but not 			

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	<p>limited to Objective, Scope, Criteria and outcomes of the audit (Clause 9.2 of ISO 9001:2015)</p> <ul style="list-style-type: none"> - B.4 Latest copy of a certification management system audit report not older than 12 months (with Nonconformity, Correction and/ or Corrective Action Reports) - B.5 Records of Management Review Meetings (minutes, attendance registers, etc.) <ul style="list-style-type: none"> • SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698). Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005): <ul style="list-style-type: none"> - NB! Draft Contract / Project Quality Plan has important QA deliverables. • SECTION D: Quality Control Plan Requirements (Ref QM-58 or 240-109253302). QCP / Checklist / ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005 & 240-105658000): <ul style="list-style-type: none"> - NB! Draft / Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/or previous work done. • SECTION E: User defined additional requirements & miscellaneous (240-105658000). Customer specific requirements & other standards and required can be listed and evaluated here: <ul style="list-style-type: none"> - E.1 Form A is completed and signed. 			

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	E.2 Add other requirements (if applicable) as per the scope of work and/or specification.			
Environmental	<p>The Contractor / Service Provider shall provide objective evidence of documented but not limited to:</p> <ul style="list-style-type: none"> • SECTION A: Environmental Management System Requirements. Objective evidence of documented EMS that is not certified but conforms with Environmental Management System. Ref- Environmental Requirements for Contractors and/or Suppliers (240-180100134): <ul style="list-style-type: none"> - A.1 EMS Manual or a document that defines and describes the EMS and its scope - A.2 Environmental Policy Signed and Authorized by Company Owner/CEO/MD - A.3 Project environmental objectives and planning to achieve them - A.4 Project Roles, Responsibilities and Authorities (Environmental Rep / Environmental Officer / SHEQ Rep, Environmental management organogram within the Company) - A.5 Organisation Interested Parties - Needs and expectations - A.6 Environmental Communication - A.7 Non-conformity and Corrective action - A.8 Environmental Emergency Preparedness and Response - A.9 Performance Evaluation (monitoring, measurement, analysis and evaluation) - A.10 Internal Audit and Internal Audit Programme - A.11 Management Review 			✓

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	<ul style="list-style-type: none"> • SECTION B: Environmental Management Programme and Environmental Authorisation Ref-Tender & Contract Scope of Work and Environmental Requirements for Contractors and/or Suppliers (240-180100134): Environmental Management Programme (EMPr) or Method Statements in line with the Scope of Work. Items below are minimum requirements: <ul style="list-style-type: none"> - B.1 Handling of Hazardous Chemical Substances (including contaminated waste or materials) - B.2 Vegetation Management - B.3 Site establishment - B.4 Water Management (Consumption, Uses, Water Source, Storm Water, Testing, Construction and Drinking Water) - B.5 Access Control and Routes - B.6 Landowner Liaison - B.7 Environmental Noise Control (Management controls) - B.8 Environment ambient Air Quality (i.e., Dust Control / Management) - B.9 Rehabilitation - B.10 Wildlife Interaction - B.12 Resources, Competence and Awareness (Proof of training and skills of persons performing significant activities, Training Matrix) - B.13 Environmental Incident Reporting (i.e., oil spills, fire, biodiversity) - B.14 Complaints / Grievance Management - B.15 Environmental Compliance Obligations 			

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	<ul style="list-style-type: none"> - B.16 Environmental Human Resources (CV and competences of person based on site full time who will be responsible for environmental monitoring, reporting and incident management). <i>A qualified person (National Diploma or a degree e.g., Environmental Sciences/Management or Nature Conservation or relevant Natural Sciences) having the responsibility for monitoring environmental planning and activities and their relationship within the management structure according to the project EMP/EMP and/or EA requirement. For low-risk projects an environmental representative with two weeks environmental training will be sufficient to be an environmental representative.</i> • SECTION C: Waste Management Plan. Ref - Tender & Ref: National Environmental Management: Waste Act (Act No. 59 of 2008) and Transmission Industry Waste Management Plan. The Contractor / Service Provider shall provide objective evidence of documented but not limited to: <ul style="list-style-type: none"> - C.1 Possible Waste Types and/or Streams to be generated - C.2 Applicable Waste Management Legislation - C.3 Waste Segregation and Minimisation - C.4 Waste Handling and Disposal on site - C.5 Waste Reporting Template • SECTION D: Aspect and Impact Register. Ref-Tender Enquiry or Project Scope as per Invitation for Tender & Environmental Requirements for Contractors and/or Suppliers (240-180100134). The Contractor / Service 			

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	<p>Provider shall provide objective evidence of documented but not limited to: D.1 Environmental Aspect and Impact Register (Project Specific/SOW) (including ratings of aspects and impacts).</p> <ul style="list-style-type: none"> • SECTION E: Employer defined additional requirements & miscellaneous. Ref-Tender & Contract Scope of Work, EMPr, EA and Environmental Requirements for Contractors and/or Suppliers (240-180100134). <ul style="list-style-type: none"> - E.1 Environmental Bill of Quantity (<i>with items relevant to environmental aspects as per scope of work</i>) <ul style="list-style-type: none"> • E.1a Waste Management Activities • E.1b Pollution Control Measures (e.g. dust suppression, building of bund walls, building of wash bays and workshops) • E.1c Water Management • E.1d Land Management (e.g., Rehabilitation costs, Erosion control / berms, maintenance of access roads, No Go fencing, vegetation clearing) • E.1e Human resources (Environmental Officer) - E.2 Environmental Requirements Proforma - E.2a Environmental Requirements Proforma: 240-110600836 completed and signed (by the Contractor) 			
DOCUMENTS REQUIRED UNDER OBJECTIVE CRITERIA				
SDL&I OBJECTIVES IN LINE WITH RDP GOALS	<ul style="list-style-type: none"> - Transformation – B-BBEE Improvement or Retention Plant - Job Opportunities - Job Creation - Skills Development 			✓
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA				
Technical documents required for	Completed A&B Technical Schedules as in the normative reference [13-AB] to [26-AB]	✓		

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Functionality Evaluation and Scoring as per Technical Evaluation Criteria document: 240-171000309	Compliance to Referenced Technical Standards (Annex A), including any deviations, with the associated declaration signed by the duly authorised Tenderer's representative.	✓		
	Type test certificate from an approved test facility (test facility accredited by a full member facility that is listed at ILAC)	✓		
	Product manuals and data sheets for all products offered.	✓		
	MV90 Certificate of compatibility / Letter from Itron or Enerweb confirming meter compatibility with MV90	✓		
	Documents, brochures, manuals and supporting documents supplied in English	✓		
	Completed Annexure B of 240-171000309	✓		
	Certificate of compliance to IEC 61000-4-30	✓		

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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

The *tenderer* must complete the appropriate certificate set out below for its category of organisation. If the *tenderer* is a company, close corporation or joint venture, 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, or power of attorney in the case of a joint venture).

Note further that the authorised representative of the *tenderer* will in addition be required to sign the form at the end in addition to the relevant certificate for category of organisation.

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. The resolution of the board is annexed to this Form.

Signed:	Date:
Name:	Position:

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

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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. The members' resolution is annexed to this Form.

Signed:	Date:
Name:	Position: (Member)

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 our behalf, and to sign all documents in connection with the tender and any contract that may result from it on our behalf.

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.

D. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms _____, an authorised signatory of the company _____, 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.

Furthermore, we attach to this Form a 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 the member that will be the lead member, and terms that indicate the ratios according to which work, and payment will be divided amongst the members.

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

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)

NOTE: The table hereunder to also be fully completed by all *tenderers* irrespective of the category of organisation 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 Proposal from NTCSA SOC Ltd. and the following addenda issued by NTCSA:

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

Correct as stated in the 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 enquiry. ☐
2. We have already supplied NTCSA with the cataloguing information pertaining to this enquiry 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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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)	
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)	

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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	
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 NTCSA, please provide your Vendor registration number with NTCSA. _____
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	
-----	--	----	--

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

7.1 Confirm if you intend sub-contracting.

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

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		NO	
-----	--	----	--

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		NO	
-----	--	----	--

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

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

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 NTCSA employee / director as per the definition of “related” set out hereunder, may submit a tender to NTCSA. 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 NTCSA.
2. the *tenderer/s* employees / directors are also employees / contractors / consultants or directors in another entity together with NTCSA 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 NTCSA 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 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 proposal of another tenderer, or influence over the decisions of NTCSA 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 / owner, 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 / owner, 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;

(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).

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“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 NTCSA 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 NTCSA, 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 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.

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

1. abused NTCSA'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:

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Item	Question	Yes	No
1.1	Is the tenderer/s or any of its shareholders / directors / members / partners / owners 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 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 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 (5) 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 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 failing to meet their contractual obligation with the State or any State-owned entity?		
1.5.1	If "Yes", provide details		

3 DECLARATION OF SHAREHOLDING 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 in
_____ [Name of Tenderer]:

Note that the information in the table below must be completed in full 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.

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Individuals:

Full Name	Identity Number	Shareholding Percentage

Other Entities*:

Full Legal / Trading Name	Entity Registration Number/Trust Number	Shareholding Percentage	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

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 proposal may be rejected, and that NTCSA 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 NTCSA. 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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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 proposal may be rejected, and that NTCSA 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 NTCSA. 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 E

CONTRACT PRICE ADJUSTMENT (CPA) REQUIREMENTS FOR LOCAL GOODS AND SERVICES

The application of contract price adjustment (CPA) to tender submissions

Note: This Section will not be applicable to Professional services contracts (See relevant section hereunder for guidelines on this).

1. Application of CPA

- CPA will kick in after sixteen (16) months from the base date (of one month prior to enquiry closing) for commodities with prices that are less volatile. The sixteen months comprises of one (1) month prior to enquiry closing, three (3) months normal tender validity period as prescribed by the CIDB Act, and the twelve (12) months being the first twelve (12) months of the contract period. **Tenderers to refer to the Pricing Schedule to complete their proposed CPA formula and X1 in the Contract Data.**
- **Failure to propose Contract Price Adjustment or submit a CPA formula with the tender submission, will result in the pricing being considered fixed and firm for the full duration of the contract.**
- NTCSA will not accept Rate of Exchange adjustment to be included in any CPA formula.
- Local indices may not be used for CPA purposes for any imported component.
- There must be separate CPA formulae for local and foreign CPA. Local and foreign escalation may not be combined into one formula.
- The base date for CPA calculation purposes will be one month prior to enquiry closing or as agreed to between the parties (if there is a need to move the base date during contract negotiations).
- The latest / ruling index used for CPA calculation purposes will be aligned to the delivery dates of the equipment on the assessment for payment on a particular payment certificate month.
- For general construction works the latest / ruling index used will be the index published on the month of procuring the payment certificate.

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2. Tender Submissions

Tenderers shall comply with the following requirements:

a. Main offer:

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

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

NTCSA Proposed CPA breakdown for Local Goods and Service:

Formula A						
<i>Index Reference</i>	<i>Proposed portions / Weightings of each index</i>	<i>Description of Index</i>	<i>Full Title of Index as published</i>	<i>Source Publisher of Index</i>	<i>Base Month</i>	<i>Base Price / Base Index Figure</i>
A1						
A2						
A3						
	15%	<i>Fixed portion not subject to CPA</i>				
Total	100%					

Note: Tenderers to take note that, if the NTCSA proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for NTCSA's proposed CPA breakdown.

NTCSA CPA Conditions/Requirements

- Tenderers are required to submit CPA that is aligned to NTCSA's proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from NTCSA's CPA proposal, and this will be considered if deemed acceptable to NTCSA.
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied,
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.

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- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted).
- If there are specific line items for Labour and Transport, individual Formulae might be used.

Note: NTCSA reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

3. **BASE DATE AND BASE PRICE**

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the Enquiry closes.
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the Enquiry closes should be used as the Base Price.

4. **CPA FOR PROFESSIONAL SERVICES**

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

Closing date of tender:	
Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Date of signature:	

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ANNEXURE F

CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

The application of contract price adjustment (CPA) to tender submissions

Note: This Section will not be applicable to Professional services contracts (See relevant section hereunder for guidelines on this).

1. Application of CPA

- CPA conditions may apply if the contractual duration is to be longer than 16 months.
- If the contractual duration will be less than or equal to 16 months, a fixed priced offer must be submitted.
- For contracts with a duration more than twelve (12) months, CPA will not be applicable for the first year. CPA will then only be applied from year two (2) onwards.
- **Failure to propose contract price adjustment, or submit a CPA formula with the tender submission, will result in the pricing being considered fixed.**
- NTCSA will not accept Rate of Exchange adjustment to be included in any CPA formula.
- Local indices may not be used for CPA purposes for any imported component.
- There must be separate CPA formulae for local and foreign CPA. Local and foreign escalation may not be combined into one formula.

2. Tender Submissions

NTCSA Proposed CPA breakdown for Local Goods and Service

Formula A						
Index Reference	Proposed portions / Weightings of each index	Description of Index	Full Title of Index as published	Source Publisher of Index	Base Month	Base Price / Base Index Figure
A1						
A2						
A3						
	15%	Fixed portion not subject to CPA				
Total	100%					

Note: Tenderers to take note that, if the NTCSA proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for NTCSA's proposed CPA breakdown.

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NTCSA CPA Conditions/Requirements

- Tenderers are required to submit CPA that is aligned to NTCSA's proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from NTCSA's CPA proposal, and this will be considered if deemed acceptable to NTCSA;
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied.
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.
- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted.
- If there are specific line items for Labour and Transport, individual Formulae might be used.

Note: NTCSA reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

3. BASE DATE AND BASE PRICE

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the Enquiry closes.
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the Enquiry closes should be used as the Base Price.

4. CPA FOR PROFESSIONAL SERVICES

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

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PAYMENT OF FOREIGN COMMITMENTS

PART 1: The application of importation payment requirements to tender submissions.

Where foreign exchange is involved, NTCSA will take measures to mitigate any exposure to foreign currency exposure or exchange rate risk.

Tenderers:

- Who wish to submit tenders with pricing in foreign currency for imported goods/services must establish **prior** to tender close (via the Procurement Practitioner), that the foreign currency that is being priced in the submission, is an acceptable foreign currency to NTCSA.
- Who are pricing for imported goods/services in a foreign currency or linking their pricing of goods to a foreign currency exchange rate, **must be the direct importers** of the goods/services. For payment purposes, NTCSA will require proof of importation.
- Who import goods into stock, for delivery to various customers, including NTCSA, the price quoted must be in South African Rand. In such cases, NTCSA will not undertake any foreign exchange commitment or arrange forward cover.
- Who have submissions where pricing for imported goods/services in a foreign currency or linked to a foreign currency exchange rate, must ensure that their pricing indicates the foreign currency and the foreign currency values.

Tenderers should note that all domestic value-added process, i.e., costs incurred in the Republic of South Africa, for example, transport costs will only be paid in Rands.

Tenderers who have submitted tenders, which have goods/services priced, are linked to a foreign currency or exchange rate, are required to select one of the payment methods indicated below for the payment relating to those imported goods/services:

Payment of NTCSA's foreign commitment in foreign currency will be made either:

Payment Method 1A:

To a nominated bank account in a foreign country in a foreign currency (Payment will be made to the party and account nominated by the supplier in the contract, and not to any other party).

Please note that the contracting party or NTCSA SOC Limited must be the direct importer of the goods.

Documentation to be submitted with payment:

- Commercial invoice (from the foreign supplier)

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Import payments

- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company
- Marine/ ocean bill of lading

Any one of the following documents as per the mode of transportation:

- Airway bill / air transport document
- Road or rail consignment note.
- Postal receipt "goods despatched".
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the relative goods to the Republic of South Africa

Service-related payments

Documents to submit with payment:

- Commercial invoice (invoice from the overseas supplier)

[Delete which is not applicable (Yes/No)]

OR

Payment Method 1B:

To a valid SARB approved CFC account in South Africa, in a foreign currency (payment will be made to the contracting party).

Please note:

- The contracting party must be the direct importer.
- For payment purposes, NTCSA will require both the foreign (commercial) invoice and the local tax invoice.
- The foreign currency values on both the commercial and local invoice must match. NTCSA will not pay any profit in foreign currency. (Please note that the commercial invoice used in the clearance of the imported goods must be from the country of origin)
- If Payment Method 1B is the option selected for the payment for any imported goods/services, then the following documentation is to be submitted with your submission:
- Copy of tenderers bankers' initial application to the Reserve Bank requesting approval to invoice a local entity or NTCSA, and for NTCSA to pay the invoiced currency into the contracting party's CFC account.

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- Copy of the response from the Reserve Bank regarding the initial application, on the Reserve Bank's letterhead.
- Copy of the latest application to the Reserve Bank to renew the approval.
- Copy of the response from the Reserve Bank to the application to renew the approval to invoice NTCSA in foreign currency.

Documents to submit with payment:

- Commercial invoice (from the foreign supplier, country of origin and used to clear the goods)
- Local invoice or Tax invoice
- Both the commercial invoice and local invoices must match

Import payments

- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company

Any of the following documents as per the mode of transportation:

- Marine/ ocean bill of lading
- Airway bill / air transport document
- Road or rail consignment note
- Postal receipt
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the relative goods to the Republic of South Africa.

All documents submitted to NTCSA should not have any alterations.

The information on the documents should be as originally issued from the authorities, freight companies and overseas suppliers.

Service-related payments

- Should a supplier select this option, they are required to provide proof that the South African Reserve Bank has given them approval to invoice NTCSA in foreign currency for services related payments and to receive foreign currency proceeds into that CFC account. The proof would consist of:
 - A copy of a letter from the supplier's bankers to the Reserve Bank requesting authority to receive services related payments to be made into a CFC account.

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- A copy of the official response from the Reserve Bank authorising payments to be made into the supplier's CFC account. The supplier's documents to the Reserve Bank must make specific reference to NTCSA.
- This approval is only valid for a period of 1 year or as per SARB approval period.

Documents to submit with payment:

- Commercial invoice (invoice from the overseas supplier to proof that we have foreign currency exposure)
- Local Tax invoice (from the local supplier)
- Both the commercial invoice and local invoices must match

NB: If a supplier is unable to produce or provide NTCSA with a commercial invoice, the contract will be concluded in rands. The contract cannot be linked to any Exchange Rate. [Delete which is not applicable (Yes/No)]

OR

Payment Method 2:

In South African Rand at the selling spot rate of exchange obtained by NTCSA's Treasury on the date that the forward cover is cancelled. NTCSA will notify the supplier of the date that the forward cover is cancelled as well as the intended payment date, which will be as per the agreed payment terms.

Any exchange rate adjustment after NTCSA has notified the supplier of the date and the rate which the forward cover is cancelled, will be for the account of the supplier.

Please note:

- The contracting party must be the direct importer of the goods.
- This payment option is not applicable for the payment of services.
- Tenderers are required to indicate and request approval from NTCSA to use Payment Method 2 **prior to tender close**. Where a tenderer has failed to obtain the required approval prior to tender close, the tenderer will have to select one of the other Payment Methods indicated in this document.
- Together with their submission, Tenderers will be required to provide NTCSA with a written indemnity confirming that they will not buy and forward cover.

Documents to submit with payment:

- Commercial invoice (from the foreign supplier)
- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise

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- Customs release notification
- Transport documents from the freight company.

Any of the following documents as per the mode of transportation:

- Marine / ocean bill of lading
- Airway bill / air transport document
- Road or rail consignment note
- Postal receipt
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the relative goods to the Republic.

- Local invoice or Tax invoice.

NB: If a supplier is unable to produce or provide NTCSA with a commercial invoice, the contract will be concluded in rands. The contract cannot be linked to any Exchange Rate. [Delete which is not applicable (Yes/No)]

OR

Fixed ZAR Option (Payment Method 3):

This option is available to those tenderers who are the direct importers of the goods/services for which they have tendered, but do not find Payment Methods 1A, 1B or 2 and allows tenderers to be responsible for the foreign currency and exchange rate risk. If a tenderer selects this payment method, the process is as follows:

- NTCSA and the successful tender will engage, on a simultaneous basis, with their respective bankers and compare the exchange rate/s obtained. This is done to ensure that any exchange rate/s used is/are market related.
- Tenderers will be required to match or better the exchange rate/s obtained by NTCSA. If the tenderer's exchange rate/s is/are more expensive than the exchange rate/s indicated by NTCSA, the exchange rate/s to convert the foreign values into ZAR will be the NTCSA exchange rate/s.
- Once the exchange rate/s has/have been agreed by both parties, NTCSA will not be liable for any further exchange rate adjustments.

From a Commercial perspective, please take note of the following:

- The foreign currency and foreign currency amount/s that NTCSA is/are at risk to, need/s to be indicated in the pricing schedule submitted as part of the tender. If the pricing schedule does not allow for it, the foreign currency and foreign currency amount/s must be indicated in a covering letter.

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- The exchange rate to be used in the tender submission is the exchange rate sourced from the South African Reserve Bank on the date the tender is advertised/published.
- Due to the payments being made in ZAR, but based on an agreed exchange rate, the tenderer will be required to submit proof of importation at time of payment.

[Delete which is not applicable (Yes/No)]

Documents to submit with payment:

- Commercial invoice (from the foreign supplier)
- Local invoice or Tax invoice

Import payments

- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company

Any of the following documents as per the mode of transportation:

- Marine/ ocean bill of lading
- Airway bill / air transport document
- Road or rail consignment note.
- Postal receipt
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the goods to the Republic of South Africa

Documents to submit with payment:

- Commercial invoice (invoice from the overseas supplier to proof that we have foreign currency exposure)
- Local Tax invoice (from the local supplier)

NB: If a supplier is unable to produce or provide NTCSA with a commercial invoice, the contract will be concluded in RAND not in Currency.

[Delete which is not applicable (Yes/No)]

Please note: NTCSA will require substantiating proof of importation at the time of invoicing.

Where the supplier, previously imported goods into stock for delivery to various customers, including NTCSA, the price quoted must be in South African Rand. In such cases, NTCSA will not undertake any foreign exchange commitment or arrange forward cover.

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Take note of the following:

Service-related payment:

When specialist skills are required in South Africa, the local supplier will source the appropriate talent from their network of specialist companies overseas. The specialist is then brought into the country (South Africa) on one of two possible methodologies.

1) **Secondment**

In this approach, the foreign specialist retains their employment contract with their home unit (Employer overseas) but are seconded to the local company that has a contract with NTCSA to work under the direction and control of the local management. Their salaries are paid to the foreign specialist by their home country and that foreign entity then invoices the local supplier (South Africa) in foreign currency for the cost relating to such employees. The invoices would typically be in Euro or GBP, this methodology is usually for short to medium term engagements.

Documents to be attached for payment:

- Commercial invoice from the specialist company
- Local invoice (South African company making use of the specialist services)
- Passport of the specialist and valid work permit
- Activity schedule signed by the contract manager.

2) **Payroll Transfer**

In this approach, the employee's contract with the overseas employer will be suspended and the specialist takes up a local contract with the local company. The remuneration is then **ZAR** based, the overseas employer is unable to provide the foreign invoice because the employment with the specialist is suspended this methodology is usually favoured for long term engagement. There is no foreign commitment, and the contract will be in ZAR.

PART 2: EXCHANGE RATES

The tenderer shall use the exchange rate as at **12h00** on the date of the advertisement of the tender. The source of the exchange rates shall be the South African Reserve Bank (www.resbank.co.za).

Please note that the tenderer is required to submit proof of the SARB rate/s used.

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Date of advertisement of tender:	
Closing date of tender:	
Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Date of signature:	

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ANNEXURE G1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

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

Where:

x is the imported content in Rand,

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

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

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The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedtic.gov.za/sectors-and-services-2/industrial-development/> at no cost.

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

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

Description of services, works or goods Stipulated minimum threshold

Steel products and components **100%**

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

(Tick applicable box)

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

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
 NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content is accessible on <http://www.thedtic.gov.za/sectors-and-services-2/industrial-development/>.
- 3 Local Content Declaration Templates (Annex C, D and E) is attached to this enquiry and must be submitted at the stipulated deadline.
- 4 Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted at the stipulated deadline of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names), do hereby declare, in my capacity as of (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

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- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 9.1 of the Preferential Procurement Regulations, 2022 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

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ANNEXURE 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:	MWP2972NTCSA	CLOSING DATE:	03 MARCH 2025	CLOSING TIME:	10H00 SAST (GMT+2)
DESCRIPTION	THE CONSTRUCTION, MANUFACTURE, TRAINING, SUPPLY, DELIVERY, OFF-LOADING AND ERECTION OF METERING SCHEMES FOR USE IN NTCSA SUBSTATIONS, ON AN "AS AND WHEN" REQUIRED BASIS, OVER A PERIOD OF FIVE (5) YEARS, WITH AN OPTION TO EXTEND BY A FURTHER FIVE (5) YEARS				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
THE TENDER OFFICE					
MEGAWATT PARK TENDER OFFICE – NORTHSIDE					
NO. 01 MAXWELL DRIVE					
SUNNINGHILL					
GAUTENG					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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

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PART B TERMS AND CONDITIONS FOR BIDDING

1.	BID SUBMISSION:	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE.	
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION (NAMELY, BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.	
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION (NAMELY, BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS) MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.	
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.	
2.	TAX COMPLIANCE REQUIREMENTS	
1.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
3.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
4.	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
5.	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.	
6.	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
3.	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/>
	YES <input type="checkbox"/> NO	
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/>
	YES <input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.		

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

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ANNEXURE 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**

Either the 90/10 or 80/20 preference point system will be applicable in this tender.

The lowest / highest acceptable tender will be used to determine the accurate system once tenders are received.

- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
- (a) Price; and
 - (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80/90
SPECIFIC GOALS	20/10
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 tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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- 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:

80/20	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where:

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{max} = 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—
 - (a) 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
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (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)
1	20	10		
2	18	9		
3	14	6		
4	12	5		
5	8	4		
6	6	3		
7	4	2		
8	2	1		
Non-compliant	0	0		

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 propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ 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 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, NTCSA 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, 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.
- 3.5 The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening or of the awarding of the contract.

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3.6 There have been no consultations, communications, agreements or arrangements made by the tenderer with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the tender submitted where so required by the institution, and the tenderer was not involved in the drafting of the specifications or terms of reference for this tender.

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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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