

	Investment Recovery INVITATION TO TENDER KZN097	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

INVITATION TO TENDER – An enquiry and disposal process in order to establish an Enabling Sale Agreement with a pre-qualified panel of Auctioneers for the appointment of Auctioneers to a panel to sell Eskom Redundant vehicles to Eskom staff first and then the balance remaining to the open market, on an “as and when” required basis, for a period of twenty four (24) months for the entire of Eskom and Eskom subsidiary companies nationally.

Tender number	KZN097
Issue date	18 AUGUST 2023
Closing date and time	08 SEPTEMBER 2023 at 10h00
Tender validity period	90 Days from Tender Close
Clarification meeting	An “Online MS Teams Meeting” with representatives of the Employer, will take place as follows: Date: 24 August 2023 Time: 14H00 Venue: MS Teams Meeting Microsoft Teams meeting Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 380 763 224 631 Passcode: MSgj9g Download Teams Join on the web Or call in (audio only) +27 21 834 0825,,922130310# South Africa, Cape Town Phone Conference ID: 922 130 310#
Tenders to be submitted to :	tenderofficekzn@eskom.co.za

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AUCTIONING AND DISPOSAL OF REDUNDANT ESKOM VEHICLES NATIONALLY BY ESTABLISHING A PANEL OF AUCTIONEERS FOR A 2 YEAR CONTRACT PERIOD

TENDER ENQUIRY NUMBER : KZN097

TENDER CLOSING DATE : 08 SEPTEMBER 2023 @ 10H00

CLARIFICATION MEETING : 24 AUGUST 2023 @ 14H00

Issue Date:
18 AUGUST 2023

Ref:
KZN097

Enquiry:
Regeba Kamroodeen
☎ 031 – 710 5674

INVESTMENT RECOVERY SECTION INVITATION TO TENDER

AUCTIONING AND DISPOSAL OF REDUNDANT ESKOM VEHICLES NATIONALLY BY ESTABLISHING A PANEL OF AUCTIONEERS FOR A 2 YEAR CONTRACT PERIOD

TENDER ENQUIRY KZN097

You are kindly invited to submit an offer for the **AUCTIONING AND DISPOSAL OF REDUNDANT ESKOM VEHICLES NATIONALLY BY ESTABLISHING A PANEL OF AUCTIONEERS FOR A 2 YEAR CONTRACT PERIOD**

1. INSPECTION AND VIEWING

Appointment of a Panel of Auctioneers

LIAISON

Kindly liaise with **Regeba Kamroodeen** at telephone number **(031) 710-5674**, for commercial information required.

2. SUBMISSION OF THE “OFFER TO PURCHASE”

Your quotation, as submitted by you on the “Offer to Purchase” document shall be marked, **Offer to Purchase Confidential Enquiry No. KZN097** and submitted as follows :

2.1 By Faxed / Emailed to: Eskom KZN Tender Advice Centre –

- ✓ **Confidential Fax Number : 0866072657**
- ✓ **Confidential Email : tenderofficekzn@eskom.co.za**

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Please note the following rules with respect to the TENDER system

- a. Please ensure that the email subject line only contains the **KZN097**. Enquiry number as per heading and no other information. Do not add any text to the subject line. Do not add any space in between the prefix and the enquiry number. Tenders may be faxed / emailed to this number and address only. Please do not send any confidential emails to this address as tender office staff do not have access to open confidential documents. This email address and fax number is confidential and only at tender close will the information be released and recorded.
- b. Ensure that all files submitted is in a PDF format.
- c. Ensure that the enquiry number is stipulated in the subject line on all e- mails if multiple emails are sent
- d. Maximum attachment **size per email is 10MB**. It is the supplier's obligation to ensure that the attachments per email do not exceed this limit.
- e. Please note closing date and time on the RFQ. Your submission will not be evaluated if it is received after the closing date and time of the RFQ.
- f. All tender returnables/documentation must be submitted to tenderofficekzn@eskom.co.za only. E-mails to any other address (except for clarifications) will not be accepted. Failure to comply with these rules will result in your tender being disqualified.
- g. Requests for Clarifications must be sent in writing to the respective asset disposal officer at Regeba.Kamroodeen@eskom.co.za and not to tenderofficekzn@eskom.co.za. All requests for clarifications and responses must be in writing. Eskom will respond to requests for clarification received within one (1) – two (2) working days before the tender closing deadline, depending on the enquiry duration and complexity.

The closing date is 10:00am on FRIDAY, 08 SEPTEMBER 2023.

ALL OFFERS TO PURCHASE ARE TREATED AS CONFIDENTIAL!

NO LATE OFFERS WILL BE ACCEPTED!

3. STANDARD CONDITIONS OF TENDER

- Please quote the tender enquiry number on all correspondence.
- Please take note of the STANDARD CONDITIONS OF TENDER, (July 2000)

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noted in this letter and any amendments that accompany the **TENDER ENQUIRY KZN097**. The tenderer should understand that his / her signed Offer to Purchase serves as his legal agreement to the Standard conditions of tender.

4. SCOPE OF WORK

AUCTIONING AND DISPOSAL OF REDUNDANT ESKOM VEHICLES NATIONALLY BY ESTABLISHING A PANEL OF AUCTIONEERS FOR A 2 YEAR CONTRACT PERIOD,

Collect the money, deposit in Eskom Bank Account and submit full recons for the vehicles sold.

NB: The offer price will include the following functions:

1. Advertisements and Posters
2. Have a mobile office (Printer, Scanner and Fax machine) (no office will be provided on site.)
3. Have full access to internet
4. Cleaning of vehicles
5. Numbering / Lotting of vehicles
6. Executing and facilitating the Auction
7. Provide your own security personnel
8. **All Admin related costs will be borne by the Auctioneer and no hidden costs will be charged to Eskom, only buyers commission**

NB: This sale will be open to Eskom staff first and then to the Public.

Kindly note the successful Auctioneer will prepare an advert and send it to Eskom so that Eskom representative can communicate this to the Eskom Employees.

The Auctioneer will charge buyers commission and will be added on the invoice. No hidden costs (i.e. Administrative costs and etc) will be charged; only the percentage that was tendered will be charged and will reflect on the invoice. Your tendered price will include advertising costs, cleaning of vehicle costs, administrative costs and etc.

The purchaser will be responsible for the safe collection, handling, removal, loading and transportation of the vehicles and to clean the site and must provide their own qualified labour and suitable certified machinery, equipment and transport for this purpose.

The purchaser must assure the site be left clean at completion of their collection and removal of the goods.

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NOTES

- a. Kindly note that the vehicles are offered “voetstoots, as is” and no guarantee as to its condition and/or functionality will be given by Eskom.
- b. Eskom will not be responsible for any damages or losses suffered during the removal of the **VEHICLES (REFERRING TO THE INDIVIDUAL BUYERS ON AUCTION DAY)** incurred while working on this project arising from theft, damage or personal injury.
- c. You will be required to adhere to the condition as laid out by the Eskom site agent with regards to site access etc
- d. Littering is prohibited at all times. Facilities will have to be made available on site during operations for the collection of **VEHICLES**. No rubble whatsoever is to be left on site.
- e. All work must comply with the OHSA Act no 85 of 1993. All Safety requirements and documentation shall be available on the site.
- f. Kindly note that Eskom’s payment terms is 3 days and failure to comply will result in you been flagged as non-compliant, an NCR will be issued for non- payment and you will be added to the defaulters list for non-payment. A repeat non-payment will have you suspended from the tender process. Kindly refrain from future tenders if you are unable to abide by the 3 days payment terms.
- g. All Eskom insignia must be removed prior to removal of the vehicle from Eskom premises.
- d. Eskom will not be liable for any damage or claims that might arise from the removal of the vehicle.
- e. Eskom will not bind itself to accept the highest / lowest and/or any tender and reserves the right to withdraw any vehicle it wishes to retain.
- f. The tendered price is not negotiable.
- g. Only the successful tenderer will be notified.

5. GUARANTEE / WARRANTY

Eskom Holdings SOC Limited gives no guarantee or warranty to the workability or condition of the VEHICLES for sale, other than allow each tenderer to familiar themselves at the site prior to tendering in terms of the Consumer Protection Act. All VEHICLES will be sold “Voetstoots”. “AS IS”

6. OFFERS

Offers received for this tender will be deemed valid for a period of 3 months (90 days) from tender closing date.

Eskom reserves the right not to accept the highest / lowest or any tender / offer or withdraw any item it wishes to retain.

Only the successful tenderer will be notified.

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7. VALUE ADDED TAX (VAT)

Value Added Tax Act no 89 Of 1991 and VAT invoices will be issued on request.

DECLARATION (BY TENDERERS) OF GOOD STANDING REGARDING TAX

IT IS A CONDITION OF TENDERERS THAT:

- 7.1 It is an absolute requirement that the taxes of the successful tenderer must be in order, or that suitable arrangement is made with the Receiver of Revenue to satisfy them.
- 7.2 The tenderer must include with his tender documents a copy of a Tax Clearance Certificate (in respect of Tenders)
- 7.3 If the certificate is not included or found to be incorrect, Eskom may, in addition to any other remedy it may have:
- 7.4 Recover from the contractor all costs, losses or damage incurred or sustained by Eskom as a result of the award of the disposal agreement: and/or
- 7.5 Cancel the disposal agreement and claim any damages, which Eskom may suffer by having to make less favourable arrangements after such cancellation.
- 7.6 Each party to Consortium/Sub-contractor must complete a separate declaration.

The onus will be on the tenderer to obtain "Tax Clearance Certificate (in respect of tenders)", from the office of the South African Revenue Services (SARS) and submit the same with their tenders.

8. VARIATION

No variation or modification of the proposed agreement shall be in force, unless the same is confirmed in writing.

9. SURETY

The appointed Agent must provide the seller, Eskom Holdings SOC Limited an upfront surety for payment to the value of **50 % of ESKOM RESERVE PRICE, SURETY AMOUNT FOR THIS AUCTION WILL BE THE REQUIRED UPFRONT PAYMENT TO ESKOM BY THE AUCTIONEERS 3 DAYS BEFORE THE AUCTION DATE** that will only be released once Eskom Holdings SOC Limited have received full proceeds from the sales (VAT included). This amount will be used to off-set the final payment due to Eskom after auction has taken place.

10 CRITERIA USED FOR EVALUATION OF OFFERS

In terms of the ESKOM Purchasing Pact, the following criteria will be used in the evaluation and awarding of the contract:

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Supplier Development and Localisation

10.1. The evaluation criteria and corresponding weightings are as follows:

EVALUATION CRITERIA	WEIGHTING
Financial – Best Price	80%
BBBEE Preference Points	20%

a. THE FOLLOWING DOCUMENTATION FORMS AND A COMPLETE TENDER TO BE SUBMITTED TOGETHER WITH YOUR TENDER DOCUMENT:

b. LIST OF TENDER RETURNABLES:

10.2 Tender returnable documents.

Commercial Requirements	Mandatory for evaluation (If not submitted, you will be disqualified)	Contract award	Points allocation
Offer to purchase form (price schedule attached and comments to price schedule)	✓		
SBD-4 FORM (attached)	✓		
Annexure A.1 – Acknowledgement Form E-Auction Training (attached)	✓		
Valid original Tax Clearance Certificate / SARS Tax Pin Confirmation	✓		
Declaration of fair bidding/ tendering (Annexure B attached)	✓		
Declaration of interest (Annexure A attached)	✓		
Affidavit (on DTI Template) confirming that the B-BBEE Contribution level of the entity. B-BBEE Verification Certificate from Accredited verification agency (SANA approved)	✓		
CSD registration doc (Valid & Current)	✓		
Share Certificate	✓		
Certified Copy of Shareholders ID	✓		
Second-hand goods act certificate from	✓		

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SAPS/License for (for scrap dealers and recyclers) (Valid & Current)			
CIPRO Registration Documents	✓		
Letter of good standing with COID or insurance body.	✓		
Auctioneering Accreditation and or Auctioneering Licence	✓		
Letter Of Reference of your last Vehicle Auction with Details	✓		
A company Organogram	✓		
A method statement for disposal/auction	✓		
Valid SAIA membership certificate	✓		
Valid Insurance Cover with an approved Insurer and the amount insured	✓		
Bank Confirmation Letter for a Trust account in the name of the auctioneer	✓		

11. EVALUATION PROCESS AND CRITERIA

11.1 BASIC COMPLIANCE

ANNEXURE A

DECLARATION OF INTEREST

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

- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
- the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
- the *legal person/s (including its employees/contractors/directors/members/ shareholders)* on whose behalf the tender documents are signed, is in some other way “related” to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender

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negotiation. "Related" meaning that:-

- an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
- or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
- an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of "control" (as per Companies Act section 2(1)); and

• **a juristic person is "related" to another juristic person if :-**

- (1) either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of "control" (as per Companies Act section 2(1));
- (2) either is a subsidiary of the other; or
- (3) a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of "control"
- the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

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

1. If any employee/director/member/shareholder/owner of tenderer/s is also currently employed by

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

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Eskom, state whether this has been declared and whether there is authorisation(Y/N) to undertake remunerative work outside public sector employment, and attach proof to this declaration.

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

ANNEXURE B

DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

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

Item	Question	Yes/No
1.1	Is the <i>tenderer/s(or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector, or 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 Database of Restricted Suppliers and the Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).	
1.2	Was the <i>tenderer/s</i> (or any of its directors/members/shareholders) convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?	
1.2.1	Provide details.	
1.3	Was the <i>tenderer/s(or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution	

I, the undersigned, _____ hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of

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(insert the full legal name of the tenderer)

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

Signature:	
Designation and capacity in which signing:	
Date:	

Your tender must be submitted strictly in accordance with the requirements stipulated in the above sections and below offer to purchase form and/or documents on the basis that tenders out of time or incomplete tenders will not qualify for consideration and the mentioned documents and required declarations are to accompany the "Offer to Purchase" to qualify for evaluation purposes.

Yours Faithfully

REQEBA KAMROODEEN
Asset Disposal Officer
Investment Recovery Section
KZN Operating Unit

This has been sent electronically and must be considered as signed.

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TENDER ENQUIRY NUMBER : KZN097

TENDER ENQUIRY NO: KZN097

CLOSING DATE: **10:00 AM, FRIDAY, 08 SEPTEMBER 2023**

CONTACT PERSON: Regeba Kamroodeen

EMAIL: tenderofficekzn@eskom.co.za

Commercially required Returnable Documentation:

Your tender must be submitted strictly in accordance with the requirements stipulated in this section and as per section 10.2 Tender Returnables, forms and/or documents on the basis that tenders out of time or incomplete tenders will not qualify for consideration and the under mentioned documents and required declarations are to accompany the “Offer to Purchase” to qualify for evaluation purposes.

NB! A bidder who has an existing or expired contract with Eskom and has defaulted in terms of that contract will be disqualified and not be awarded a new contract. A bidder who has an open non-conformance will be disqualified and not be awarded a new contract.

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TENDER ENQUIRY - KZN097 - PRICE SCHEDULE

LISTINGS

For costing purposes the following table and text messages have been compiled. Please bear in mind that each material classification is for a type of scrap and you must factor your costs into your prices.

Companies/ Buyers must show their interest to participate on the e-Auction by completing and submitting the attached Forms, **ANNEXTURE 1 (ACKNOWLEDGEMENT FORM EAUCTION TRAINING)**

Pricing will be conducted via e-AUCTION

Submission of this document confirms the tenderer is fully aware of the condition of the tender and that their offer price will be submitted through the eAuction process. The tenderer proofs their full intention TO AUCTION THE VEHICLES “VOETSTOOTS” “AS IS” for their price as will be offered via eAuction.

THE RAND RATE PER ITEM WILL BE DETERMINED AFTER EVALUATION AND VIA THE E-AUCTION PRICING TOOL.

For each disposal transaction the rand price will be calculated by the Final Bid Price per item **INCLUDING VAT, BUYERS COMMISSION ONLY**

QUANTITY OF VEHICLES	DESCRIPTION	BUYERS' COMMISSION (PERCENTAGE)
As and When	Fee to handle the complete sale of redundant Eskom vehicles on behalf of Eskom Nationally at the Eskom, through the disposal mechanism of Auctioning. The offered fee is the only charge allowed and includes all costs to provide and assure the completion of the full Auctioneering service and all requirements and consists of Buyer's commission the Auctioneer will recover directly from buyers at the offered percentage that will be charged on the sales value of the goods excluding VAT.	YOU WILL BE INVITED TO AN ONLINE AUCTION FOR BIDDING ON BUYERS COMMISSION

FULL COMPANY NAME: _____

This tender proof the tenderer is fully aware of the condition of the tender and the price they have offered on the tender proofs their full intention and will to Auction the vehicles “VOETSTOOTS” AS IS for their price as offered.

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TENDER ENQUIRY NUMBER : KZN097

Please provide full and proper details according to the requirements below. Incomplete or unclear Tender Documentation will be rejected.

OFFER SUBMITTED BY – FULL NAME : _____

SIGNATURE : _____

Date: _____ **ID NUMBER :** _____

E- mail : _____ **CONTACT NUMBER :** _____

Who are legally authorized to provide this tender on behalf of:

FULL COMPANY NAME: _____

CSD REGISTRATION NUMBER : MAAA _____

BBBEE LEVEL CONTRIBUTOR : _____

CONTACT PERSON NAME: _____

EMAIL ADDRESS: _____

TELEPHONE NUMBER : _____

COMPANY PHYSICAL ADDRESS:

SIGNED: _____

DATE : _____

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