

	<b>Invitation to Tender E2860DXKZNOU</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	27
		<b>Effective Date</b>	30 October 2025		
		<b>Review Date</b>	October 2030		

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER (ITT)**

**FOR**

**The manufacture, supply, installation, commissioning, training and delivery of an 8 Ton coiling and winding machine to New Germany Regional Distribution Centre (RDC), KwaZulu Natal Operating Unit**

<b>Tender number</b>	<b>E2860DXKZNOU</b>
<b>Issue date</b>	<b>07 May 2026</b>
<b>Closing date and time</b>	<b>26 May 2026 at 10h00</b>
<b>Tender validity period</b>	<b>90 days from the closing date and time</b>
<b>Clarification meeting</b>	<p>A non-compulsory "Online MS Teams Meeting will take place as follows:</p> <p>Date: <b>15 May 2026</b>  Time: <b>10h30 am</b>  Join:  <a href="https://teams.microsoft.com/meet/327993799461180?p=U5MkaPXeiNnsGAuCha">https://teams.microsoft.com/meet/327993799461180?p=U5MkaPXeiNnsGAuCha</a></p> <p><b>Meeting ID: 327 993 799 461 180</b>  <b>Passcode: Bz6k4jE2</b></p> <p>Tenderers that do not attend the clarification meeting will not be disqualified for not attending and may still submit their tenders.</p>
<p><b>Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time.</b></p> <p><b><i>Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time</i></b></p>	

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## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for **the manufacture, supply, installation, commissioning, training and delivery of an 8 Ton coiling and winding machine to New Germany Regional Distribution Centre (RDC), KwaZulu Natal Operating Unit**

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

1. Free of charge

Eskom has delegated the management of this Invitation to Tender to the *Eskom Representative* whose name and contact details are set out in the Tender Data. The submission of a tender by you in response to this Invitation to Tender will be deemed as your acceptance of the Eskom Standard Conditions of Tender which forms part of the annexures to this tender.

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

Yours faithfully



Thandi Xaba

Procurement Manager - KZN Operating Unit


Date: 19 May 2026

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## 1.1 Annexures to the Tender

The following document listed hereunder are attached to this Invitation to Tender.


Number	Description	Annexure	Attached (Y/N/A)
1.1.1	*Authorisation Form	Annexure A	Y
1.1.2	*Acknowledgement form	Annexure B	Y
1.1.3	*Tenderer's particulars	Annexure C	Y
1.1.4	*Integrity Declaration Form	Annexure D	Y
1.1.5	*SBD 1 Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure E	Y
1.1.6	*SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure F	Y
1.1.7	*SBD 4 – Bidders Disclosure	Annexure H	Y
1.1.8	E-tendering Help Manual acknowledgement form	Annexure I	Y
1.1.9	- NEC3 Supply Short Contract - E-tendering Help Manual for supplier - Standard Conditions of Tendering	Commercial/ Financial folder	Uploaded on the portals
1.1.10	Technical Schedule - 8 Ton coiling and winding machine	Technical folder	Uploaded on the portals
1.1.11	- B_BBEE_Affidavit-EME-General (Template) - B_BBEE_Affidavit-QSE- General (Template) - Bidders Document – 8 Ton coiling and winding machine - EXAMPLE - Completed EME Sworn Affidavit - EXAMPLE - Completed QSE Sworn Affidavit - KEY Elements when completing a Sworn Affidavit - SDL & I Check list – 8 Ton coiling and winding machine	SDL & I	Uploaded on the portals
1.1.12	- <b>240-77471651</b> Medium Risk Evaluation Criteria - 240-43921804 Acknowledgement Form for Eskom SHE Rules and other Requirements	Safety folder	Uploaded on the portals
1.1.13	- <b>Category 4 Quality Requirements</b> - 240-105658000 - Supplier Quality Management: Specification - 240-68099512 – Form A - 240-43921804 - Supplier QM Category 4 Method Statement Template	Quality folder	Uploaded on the portals

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## 1.2 Tender Data

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

Clause Number from Standard Conditions of Tender	Tender Data															
1.1 Parties	<p>The <i>Employer</i> is <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:  Name: <b>Thabile Sibiya</b>  Tel: <b>+2731 7105396</b>  E-mail: <a href="mailto:sibiyath@eskom.co.za">sibiyath@eskom.co.za</a></p>															
1.3 Tender documents	<p>The Invitation to tender number is: <b>E2860DXKZNOU</b></p> <p>See the content list above for the tender documents.</p> <p>All Relevant tender documents will be uploaded onto:</p> <ul style="list-style-type: none"> <li>▪ Eskom Tender Portal - <a href="https://tenderbulletin.eskom.co.za">https://tenderbulletin.eskom.co.za</a></li> <li>▪ National Treasury E-Tender Portal - <a href="https://www.etenders.gov.za">https://www.etenders.gov.za</a></li> </ul> <p>It is the responsibility of the tendering party to ensure all required documentation is completed and submitted.</p>															
1.4 Type of Invitation to Tender	<p>This Invitation to Tender is:</p> <ol style="list-style-type: none"> <li>1. An open Invitation to Tender</li> </ol>															
1.6 Eskom's right to accept or reject any tender	<p>The tender shall be for the [<b>whole</b>] of the order.</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>ESKOM SAP NO</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>17441</td> <td>MACHINE:8 TON COILING AND WINDING;380 V</td> </tr> <tr> <td>2.</td> <td>N/A</td> <td>Supplied with built in overcurrent, earth fault protection and motor starter</td> </tr> <tr> <td>3.</td> <td>N/A</td> <td>Supplied with 15m of 3-phase armoured cable</td> </tr> <tr> <td>4.</td> <td>N/A</td> <td>Fitted with a 17A 5-pin red IEC 60309 plug (male plug) that plugs into a Gewiss GW 66 453 Industrial socket</td> </tr> </tbody> </table>	NO.	ESKOM SAP NO	DESCRIPTION	1.	17441	MACHINE:8 TON COILING AND WINDING;380 V	2.	N/A	Supplied with built in overcurrent, earth fault protection and motor starter	3.	N/A	Supplied with 15m of 3-phase armoured cable	4.	N/A	Fitted with a 17A 5-pin red IEC 60309 plug (male plug) that plugs into a Gewiss GW 66 453 Industrial socket
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Clause Number from Standard Conditions of Tender	Tender Data		
	5.	N/A	Installation: Machine to be ground mounted and bolted to a concrete floor in a space of 10 m long and 3m wide
	6.	N/A	Machine to be supplied with spindles that can fit in drum spindle holes with a spindle diameter range of 80mm to 96mm
	7.	N/A	Commissioning of machine after installation
	8.	N/A	Training for 5 Staff at Eskom – New Germany
	9.	N/A	Transport / Delivery (Truck with crane and crane operator required for off-loading and installation)
	10.	N/A	Dismantling and relocation of old unit at Eskom store (New Germany).
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 Eskom or State-Owned Companies.</p> <p><b><u>Tenderers are ineligible to submit a tender if:</u></b></p> <ol style="list-style-type: none"> <li>1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be 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.</li> <li>2. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes).</li> <li>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.</li> </ol>		

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	<p>4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering] process is:</p> <p>(a) they have a controlling partner or majority shareholder in common; or</p> <p>(b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender of another tenderer, or to influence the decisions of the Employer regarding this bidding process;</p> <p>5. Tenders signed by non-authorized persons.</p> <p>6. Any tenderer that is restricted by National Treasury.</p> <p>7. Any tenderer on the Tender Defaulters list.</p> <p>8. A tenderer that sub-contracts 100% of the Scope of Work</p> <p><b>Eskom will disqualify tenderers that are found not to have met the eligibility criteria.</b></p>												
2.2 - 2.5 Tender Closing	<p>The deadline for <b>Tender submission</b> is: Date <b>26 May 2026</b> Time <b>10h00am</b></p> <p><b>Late Tenders will not be accepted.</b></p>												
2.7-.2.11 Submitting a tender	<p>For Electronic Tender Submissions</p> <p><b>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page.</b></p> <p>The documents need to be uploaded under the following folders:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: center;">SECTION</th> <th style="text-align: center;">Documents are Uploaded in the Relevant Folders/Sections</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><b>SECTION 1</b></td> <td style="text-align: center;"><b>Commercial and Financial</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION 2</b></td> <td style="text-align: center;"><b>Technical</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION 3</b></td> <td style="text-align: center;"><b>SDL &amp; I</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION 4</b></td> <td style="text-align: center;"><b>Safety</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION 5</b></td> <td style="text-align: center;"><b>Quality</b></td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>▪ All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes).</li> <li>▪ No Zip/condense files can be uploaded</li> </ul>	SECTION	Documents are Uploaded in the Relevant Folders/Sections	<b>SECTION 1</b>	<b>Commercial and Financial</b>	<b>SECTION 2</b>	<b>Technical</b>	<b>SECTION 3</b>	<b>SDL &amp; I</b>	<b>SECTION 4</b>	<b>Safety</b>	<b>SECTION 5</b>	<b>Quality</b>
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	<ul style="list-style-type: none"> <li>▪ No hard copy will be accepted</li> <li>▪ If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void.</li> <li>▪ Please ensure that the submission status is indicated as complete.</li> </ul> <p>Supplier Help Manual guide and video can be found on Eskom E-Tendering page.</p>
2.12 Tender Validity Period	The tender validity period is <b>90 days from the closing date and time</b>
2.15 Clarification meeting	<p>A non-compulsory clarification meeting with representatives of Eskom will take place as follows:</p> <p>Date: 20 May 2026 Time: 10h00am Venue: MS Teams <a href="https://teams.microsoft.com/meet/327993799461180?p=U5MkaPXelNnsGAuCha">https://teams.microsoft.com/meet/327993799461180?p=U5MkaPXelNnsGAuCha</a></p> <p><b>Tenderers that do not attend the clarification meeting will not be disqualified for not attending and may still submit their proposals.</b></p>
2.16 Seeking clarification	<p>The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is <b>5</b> working days before the deadline for tender submission.</p> <p>All clarification and additional information sought during the tendering process must be submitted <b>in writing</b> to the Eskom Representative via the following email address: <a href="mailto:sibiyath@eskom.co.za">sibiyath@eskom.co.za</a></p> <p>All Clarification queries and responses will be published on Eskom's Tender Bulletin and the National Treasury e-Tender Portal</p> <p><b>Tenderers are encouraged to continuously check the bulletins for the latest updates or addendums during the tender process, as there may be amendments/additional information included in the tender before the tender closing date.</b></p>
2.22 Alternative tenders	Alternative tenders are <b>not allowed</b> .
2.33 Cataloguing	Not applicable

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2.34 Provision of Security for Performance	<p>Tenderers may be required to provide a performance bond if the financial evaluation result of the contractor is negative.</p> <p>If 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 <b>minimum of two (2)</b> financial institutions that it is likely to approach from the list provided of Eskom-approved financial institutions.</p> <ol style="list-style-type: none"> <li>1. ABSA Bank Limited</li> <li>2. Development Bank of South Africa</li> <li>3. First Rand Bank Limited</li> <li>4. Investec Bank Limited</li> <li>5. Land &amp; Agricultural Development Bank of South Africa</li> <li>6. Nedbank Limited</li> <li>7. Standard Bank of South Africa</li> </ol>
3.4 Tender Opening	For E-tendering. There will be no public opening of tenders. Tenders will be downloaded electronically.
3.5 Tender Prices	Prices will not be read out.
3.9 Basic Compliance	<p>Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements:</p> <p>Basic compliance for this invitation to tender are:</p> <ol style="list-style-type: none"> <li>1. Meet the eligibility criteria for a tenderer</li> <li>2. Submit a complete tender with commercial, financial and technical information</li> <li>3. Submission of the mandatory tender returnables as at stipulated deadlines - NEC3 Supply Short Contract, CPA for local goods/services (if applicable), CPA(IG) for imported goods/services (if applicable)</li> </ol> <p><b>For E-Tendering, a tenderer's failure to have submitted/uploaded tender documents will render the tender non-responsive.</b></p>
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents by or the complete information required in mandatory documents by the deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender will be deemed non-responsive.

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	<p><b><u>Disqualifiable - Returnables required at Tender closing.</u></b></p> <p>These returnables are required to be fully completed, signed and submitted with the tender at Tender closing date and time. If not fully completed, signed and submitted by tender closing date, the tender will be disqualified.</p> <ul style="list-style-type: none"> <li>▪ Meet the eligibility criteria for a tenderer.</li> </ul> <p><b><u>Tenderers are ineligible to submit a tender if:</u></b></p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ Tenderers submit more than one [tender] either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes).</li> <li>○ 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.</li> <li>○ A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering] process is: <ul style="list-style-type: none"> <li>(a) they have a controlling partner or majority shareholder in common; or</li> <li>(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</li> </ul> </li> </ul>

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	<p>of the Employer regarding this bidding process.</p> <ul style="list-style-type: none"> <li>○ Tenders signed by non-authorized persons.</li> <li>○ Any tenderer that is restricted by National Treasury.</li> <li>○ Any tenderer on the Tender Defaulters list</li> <li>○ A tenderer that sub-contracts 100% of the Scope of Work.</li> </ul> <ul style="list-style-type: none"> <li>▪ Completed and signed NEC3 Supply Contract together with pricing schedule and contract data.</li> <li>▪ CPA for local goods/services (if applicable).</li> <li>▪ CPA(IG) for imported goods/services (if applicable)</li> </ul> <p>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be uploaded under the folders; Commercial &amp; Financial, Technical, SDL &amp; I and SHEQ.</p> <ul style="list-style-type: none"> <li>○ All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes).</li> <li>○ No Zip/condense files can be uploaded</li> <li>○ No hard copy will be accepted</li> </ul> <p><b><u>Mandatory Returnable (Non - Disqualifiable)</u></b></p> <p>These returnable are also required to be fully completed, signed, and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable (s) are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</p> <ul style="list-style-type: none"> <li>▪ Authorisation Form – Annexure A</li> <li>▪ Acknowledgement form – Annexure B</li> <li>▪ Tenderer’s particulars – Annexure C</li> <li>▪ Integrity Declaration Form – Annexure D</li> <li>▪ SBD 1 Invitation to Bid – Annexure E</li> <li>▪ SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations – Annexure F</li> <li>▪ SBD 4 – Bidders Disclosure – Annexure G</li> </ul>

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	<p><b>Technical</b></p> <p><b>Mandatory Returnable Criteria</b></p> <p>Failure to provide the stipulated evidence will result in the submission being disqualified and the evaluation will not proceed further. There will be no scoring linked to these requirements. A “Yes” or “No” result will be allocated. It is required that the tender submission achieve “Yes” allocation for all mandatory requirements in order to proceed to the next part of the evaluation. If a “No” is allocated to one or more criteria then the submission will be considered non-responsive and will be disqualified.</p> <p><b>Functional Returnable Criteria</b></p> <p>The returnable will be assessed and scores will be allocated accordingly. Negative marking will apply. Final scores shall be stated in percentage terms.</p> <p>The threshold for these criteria is set at 70%. Submissions failing to meet the stipulated threshold will be deemed non-compliant; the submission will be disqualified and not evaluated further</p> <p><b>Factory Assessment and Verification</b></p> <p>A factory assessment and sample inspection shall be conducted by the Eskom Evaluation team to validate the evidence submitted throughout the tender process. In addition, the following areas shall be assessed during the manufacturing evaluation:</p> <ul style="list-style-type: none"> <li>• Machinery capability</li> <li>• Plant setup</li> <li>• Raw material and compounds type tested</li> <li>• Production process and critical check points</li> <li>• Design and software design capability</li> <li>• Material handling and storage</li> <li>• Testing facilities including certification and calibration of testing equipment</li> <li>• Packaging</li> </ul> <p>The need for a Factory Assessment and Verification shall be determined by the TET once the functional evaluation has been concluded. If it is determined that the Factory</p>

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	<p>Assessment and Verification is not required, then the Bidder's evaluation will be concluded at this point.</p> <p>If the Factory Assessment and Verification identifies a deviation from the Bidder's tender submission that is not rectifiable within an acceptable timeline, then the submission will be disqualified.</p>												
3.13 Functionality requirements	<p>Functionality requirements are <b>applicable</b>.</p> <table border="1"> <thead> <tr> <th>Criteria</th> <th>Criteria Detailed Requirements</th> <th>Returnable</th> <th>Weight and Scoring</th> </tr> </thead> <tbody> <tr> <td>Completed Technical Schedule</td> <td> <p>The technical schedule completed by the Bidder where Schedule A is the Purchasers specific requirements and Schedule B is the guarantees and technical particulars of material offered by the Bidder.</p> <p>Where the response in column B does not match the column A, then the details of the deviation must be stated on the deviation schedule. Where deviations are noted on the AB Schedules and not described in detail on the Deviation Schedule then the Technical Schedule will be disqualified entirely. Stating "No Deviations" can only be stated if there are no valid deviations.</p> </td> <td>A copy of the completed Technical Schedule.</td> <td>20%</td> </tr> <tr> <td>Manufacturer Drawings</td> <td>A copy of manufacturer drawings showing markings and dimensions.</td> <td>A copy of manufacturer drawings</td> <td><b>30%</b></td> </tr> </tbody> </table>	Criteria	Criteria Detailed Requirements	Returnable	Weight and Scoring	Completed Technical Schedule	<p>The technical schedule completed by the Bidder where Schedule A is the Purchasers specific requirements and Schedule B is the guarantees and technical particulars of material offered by the Bidder.</p> <p>Where the response in column B does not match the column A, then the details of the deviation must be stated on the deviation schedule. Where deviations are noted on the AB Schedules and not described in detail on the Deviation Schedule then the Technical Schedule will be disqualified entirely. Stating "No Deviations" can only be stated if there are no valid deviations.</p>	A copy of the completed Technical Schedule.	20%	Manufacturer Drawings	A copy of manufacturer drawings showing markings and dimensions.	A copy of manufacturer drawings	<b>30%</b>
Criteria	Criteria Detailed Requirements	Returnable	Weight and Scoring										
Completed Technical Schedule	<p>The technical schedule completed by the Bidder where Schedule A is the Purchasers specific requirements and Schedule B is the guarantees and technical particulars of material offered by the Bidder.</p> <p>Where the response in column B does not match the column A, then the details of the deviation must be stated on the deviation schedule. Where deviations are noted on the AB Schedules and not described in detail on the Deviation Schedule then the Technical Schedule will be disqualified entirely. Stating "No Deviations" can only be stated if there are no valid deviations.</p>	A copy of the completed Technical Schedule.	20%										
Manufacturer Drawings	A copy of manufacturer drawings showing markings and dimensions.	A copy of manufacturer drawings	<b>30%</b>										

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	Manufacturers Technical Data Sheet	A manufacturers Technical Data Sheet demonstrating compliance to the minimum requirements stipulated in the AB Schedule	A copy of the manufacturers Technical Data Sheet	<b>5%</b>
	Operating Manuals	A copy of operation manuals: Full English O&M (Operation & Maintenance) manuals and wiring diagrams	Operation Manuals	<b>5%</b>
	Installation, commissioning and training confirmation letter	A letter to indicate the works comprise of installation, commissioning and a training session for 5 people	Official letter from the tendering company. Letter to be signed and on the company letterhead	<b>5%</b>
	Eskom requirements confirmation letter	A Letter to confirm the following: Machine power supply is 3-phase 380V - 420V supplied with built in overcurrent, earth fault protection and motor starter where required Machine will be supplied with 15m of 3-phase armoured cable fitted with a 17A 5-pin red IEC 60309 plug (male plug) that plugs into a Gewiss GW 66453 Industrial socket Machine is ground mounted and bolts to a concrete floor in a space of 10 m long and 3m wide	Official letter from the tendering company. Letter to be signed and on the company letterhead .	<b>35%</b>

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		Max size of drum is: flange diameter is 2.4m, barrel diameter is 1.2m and drum width 1.5m Min size of drum is flange diameter is 0.5m, barrel diameter is 0.4m and drum width 0.5m Hydraulic lifting of drums Machine can redrum from a coil or drum to a drum Machine must be capable to handle drums up to a mass of 8 Tons Machine to be supplied with spindles that can fit in drum spindle holes with a spindle diameter range of 80mm to 96mm  Machine to be capable of redrumming: ACSR / AAAC overhead conductors LV ABC cable LV / MV underground cable			
	<b>The detailed technical criteria is as per document: KZNZE26TC01 - TECHNICAL EVALUATION STRATEGY AND CRITERIA FOR THE PROCUREMENT OF AN 8 TON COILING AND WINDING MACHINE IN KZN OU</b>				
3.15 Evaluation of Price	Prices will be evaluated as follows: <ol style="list-style-type: none"> <li>1. Inclusive of VAT;</li> <li>2. Corrected for arithmetical errors;</li> <li>3. Excluding contingencies in any bill of quantities or activity schedule'</li> <li>4. Adjusted for any other acceptable variations, deviations, or alternative tenders submitted; and</li> </ol>				

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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 <b>80</b> points</p>																				
3.18 Evaluation of Specific Goals	<p>Specific goals will be scored out of <b>20</b> points in accordance with the PPPFA.</p> <p>A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">B-BBEE Status Level of Contributor</th> <th style="text-align: center;">Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr><td style="text-align: center;">1</td><td style="text-align: center;">20</td></tr> <tr><td style="text-align: center;">2</td><td style="text-align: center;">18</td></tr> <tr><td style="text-align: center;">3</td><td style="text-align: center;">14</td></tr> <tr><td style="text-align: center;">4</td><td style="text-align: center;">12</td></tr> <tr><td style="text-align: center;">5</td><td style="text-align: center;">8</td></tr> <tr><td style="text-align: center;">6</td><td style="text-align: center;">6</td></tr> <tr><td style="text-align: center;">7</td><td style="text-align: center;">4</td></tr> <tr><td style="text-align: center;">8</td><td style="text-align: center;">2</td></tr> <tr><td style="text-align: center;">Non-compliant contributor</td><td style="text-align: center;">0</td></tr> </tbody> </table> <p>NB: The following documents are required to claim preference points,</p> <ul style="list-style-type: none"> <li>• <b>Valid</b> BBEE certificate issued by a SANAS accredited verification agency <b>or</b> a <b>valid</b> sworn affidavit <b>or</b> a <b>valid</b> BBEE Certificate issued by CIPC for EME companies or for joint ventures a <b>valid</b> BBEE certificate issued by a SANAS</li> </ul>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
B-BBEE Status Level of Contributor	Number of points (80/20 system)																				
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	<p>accredited verification agency in the <b>name of the joint venture</b></p> <ul style="list-style-type: none"> <li>• Proof of ownership / shareholding (CIPC documentation) inclusive of shareholding breakdown</li> <li>• Certified ID copies of shareholder(s)</li> <li>• Proof of Disability (where applicable)</li> </ul> <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but</p> <ul style="list-style-type: none"> <li>• May only score point out of 80 for price.</li> <li>• Scores 0 points out of 20 for specific goals Valid B-BBEE certificate [Mandatory for contract award].</li> </ul> <p>If a tenderer fails to submit evidence of its points claim for a Specific Goal, it will not be disqualified. However, it will be awarded 0 points for that Specific Goal.</p> <p><b>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</b></p> <ul style="list-style-type: none"> <li>• Name/s of deponent as they appear in the identity document and the identity number.</li> <li>• Designation of the deponent as the <b>director, owner or member</b> must be indicated in order to know that person is duly authorised to depose of an affidavit. <b><u>(Mark the applicable option).</u></b></li> <li>• Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.</li> <li>• Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. <b><u>(No blank spaces to be left).</u></b></li> <li>• Indicate total revenue for the year under review and whether it is based on <b>audited financial statements or management account.</b> <b><u>(Mark the applicable option).</u></b></li> <li>• Financial year end as per the <b>enterprise's registration documents</b>, which was used to determine the total revenue. <b><u>(Financial year end to be stipulated by day/month/year).</u></b></li> <li>• B-BBEE Status level. An enterprise can only have one status level. <b><u>(Tick applicable level)</u></b></li> </ul>

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	<ul style="list-style-type: none"> <li>Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.</li> <li>Date deponent signed and date of Commissioner of Oath must be the same. <b><u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore, the Commissioner must also sign and stamp)</u></b></li> <li>Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.</li> </ul>
3.19 Ranking of tenders	Tenderers will be ranked by applying the preferential point scoring for the <b>80/20</b> system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.
3.20 Objective Criteria	<p><b>SDL&amp;I Objectives in line with Reconstruction and Development Programme (RDP) Goals</b></p> <p><b>1. Transformation – BBEE Improvement or Retention Plan</b></p> <p>Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.</p> <p>Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.</p> <p>Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the</p>

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	<p>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><b>NB:</b> A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate</p> <p><b>2. Local Procurement Content</b></p> <p>"Local Procurement Content" refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.</p> <p>Tenderers are required to submit their proposals in the table below:</p> <table border="1" data-bbox="746 1659 1525 1756"> <thead> <tr> <th>Local Procurement Content</th> <th>Eskom target</th> <th>Tenderer Proposal</th> </tr> </thead> <tbody> <tr> <td></td> <td>100%</td> <td></td> </tr> </tbody> </table>	Local Procurement Content	Eskom target	Tenderer Proposal		100%	
Local Procurement Content	Eskom target	Tenderer Proposal					
	100%						

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	<p><b>3. Procurement spend on entities with a minimum 51% black ownership</b></p> <p>The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:</p> <ul style="list-style-type: none"> <li>▪ the indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and</li> <li>▪ direct spend on goods and services supplied by the subcontractors for the execution of the scope of work.</li> </ul> <p>Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises must be submitted in a table below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Procurement from Designated Group</th> <th style="text-align: center;">Eskom Target</th> <th style="text-align: center;">Tenderer Proposal</th> </tr> </thead> <tbody> <tr> <td>Black Owned</td> <td style="text-align: center;">4.0%</td> <td></td> </tr> <tr> <td>Black Women Owned</td> <td style="text-align: center;">3.0%</td> <td></td> </tr> <tr> <td>Black Youth Owned</td> <td style="text-align: center;">2.0%</td> <td></td> </tr> <tr> <td>Black Persons with Disability</td> <td style="text-align: center;">1.0%</td> <td></td> </tr> </tbody> </table> <p><b>4. Jobs</b></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> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Jobs to be created</th> <th style="text-align: center;">Jobs to be retained</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> </tr> </tbody> </table>	Procurement from Designated Group	Eskom Target	Tenderer Proposal	Black Owned	4.0%		Black Women Owned	3.0%		Black Youth Owned	2.0%		Black Persons with Disability	1.0%		Jobs to be created	Jobs to be retained		
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Jobs to be created	Jobs to be retained																			
Contractual Requirements	<p><u>Mandatory Contractual Requirements that <b>must</b> be included in all tenders is the following: -</u></p> <ul style="list-style-type: none"> <li>• Proof of CSD registration</li> </ul> <p><u>Additional Contractual Requirements that are included:</u></p> <ul style="list-style-type: none"> <li>• Safety and Quality requirements.</li> <li>• Financial viability (submission of financial statements, PIS, ITA34C);</li> </ul> <p>Contractual Requirements are not evaluation criteria. They will be assessed after the evaluation and ranking of the tenders.</p>																			

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	<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> <p>The recommended tenderer still in the running for this contract will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation, they will be advised of their shortcomings and have seven (7) working days in which to correct their shortcomings.</p> <p><b>Safety requirements</b></p> <table border="1"> <thead> <tr> <th>Ref</th> <th>KPIs</th> </tr> </thead> <tbody> <tr> <td>1</td> <td><b>Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses?</b></td> </tr> <tr> <td>2</td> <td><b>OH&amp;S Organogram- Including names, appointment and referenced. (Approved by CEO/Director)</b></td> </tr> <tr> <td>3</td> <td><b>Occupational, Health and Safety Plan (OHS Plan)</b>  This must be relevant to the Scope of work (8 Ton coiling and winding Machinery including delivery). Review date to be included in the document). To be signed off by the Owner / CEO / MD</td> </tr> <tr> <td>4</td> <td><b>Baseline Risk Assessment to be in line with the Scope of Work</b> (include Driving &amp; Next review date) (Approved by CEO/Director)</td> </tr> <tr> <td>5</td> <td><b>Valid Letter of Good Standing or equivalent, i.e. COID, RMA or FEMA, (Nature of Business to be applicable)</b>  The letter of good standing must state the relevant services rendered by the company, e.g. Electrical related construction work in line with the Scope of Work applicable for this tender</td> </tr> <tr> <td>6</td> <td><b>Health and Safety Policy- signed by the Owner / CEO or MD,</b></td> </tr> <tr> <td>7</td> <td><b>SHE Competency; proof of the following training certificates and appointment letters for each of the following.</b> <ul style="list-style-type: none"> <li>• Crane truck operator (appointment &amp; certificate)</li> <li>• Risk Assessor (appointment &amp; certificate)</li> </ul> </td> </tr> <tr> <td>8</td> <td><b>Medical Fitness Certificate done by Occupational Health Practitioner.</b></td> </tr> <tr> <td>9</td> <td><b>Substance Abuse Procedure</b></td> </tr> </tbody> </table>	Ref	KPIs	1	<b>Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses?</b>	2	<b>OH&amp;S Organogram- Including names, appointment and referenced. (Approved by CEO/Director)</b>	3	<b>Occupational, Health and Safety Plan (OHS Plan)</b>  This must be relevant to the Scope of work (8 Ton coiling and winding Machinery including delivery). Review date to be included in the document). To be signed off by the Owner / CEO / MD	4	<b>Baseline Risk Assessment to be in line with the Scope of Work</b> (include Driving & Next review date) (Approved by CEO/Director)	5	<b>Valid Letter of Good Standing or equivalent, i.e. COID, RMA or FEMA, (Nature of Business to be applicable)</b>  The letter of good standing must state the relevant services rendered by the company, e.g. Electrical related construction work in line with the Scope of Work applicable for this tender	6	<b>Health and Safety Policy- signed by the Owner / CEO or MD,</b>	7	<b>SHE Competency; proof of the following training certificates and appointment letters for each of the following.</b> <ul style="list-style-type: none"> <li>• Crane truck operator (appointment &amp; certificate)</li> <li>• Risk Assessor (appointment &amp; certificate)</li> </ul>	8	<b>Medical Fitness Certificate done by Occupational Health Practitioner.</b>	9	<b>Substance Abuse Procedure</b>
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Clause Number from Standard Conditions of Tender	Tender Data														
	<p><b>Quality Requirements</b></p> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>SECTION A: Quality Management System Requirements ISO 9001 (Option 2) Objective evidence of documented QMS that is not certified but complies with ISO 9001</b></td> </tr> <tr> <td>A.1 Quality Method statement based on scope. (Method Statement Template-Ref 240-126469599)</td> </tr> <tr> <td>A.2 Quality Policy Approved by top management.</td> </tr> <tr> <td>A3 Quality Objectives Approved by top management.</td> </tr> <tr> <td style="text-align: center;"><b>Section A Score Option 2</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION B: Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION B: Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)</b></td> </tr> <tr> <td>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)</td> </tr> <tr> <td>B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)</td> </tr> <tr> <td style="text-align: center;"><b>Section B Score</b></td> </tr> <tr> <td style="text-align: center;"><b>SECTION E: User defined additional Requirements &amp; miscellaneous (Ref 240-105658000)</b></td> </tr> <tr> <td style="text-align: center;"><b>Customer specific requirements &amp; other standards and required can be listed and evaluated here</b></td> </tr> <tr> <td>E.1 Form A is completed and signed.</td> </tr> <tr> <td style="text-align: center;"><b>Section E Score</b></td> </tr> </table> <p><b>Financial requirements</b></p> <ul style="list-style-type: none"> <li>▪ Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether: <ul style="list-style-type: none"> <li>✓ Whether the AFS were internally or externally prepared.</li> <li>✓ Whether the company was owner managed or not owner managed.</li> </ul> </li> </ul> <p>The PIS does <b>NOT</b> apply to companies that have been <b>AUDITED</b>.</p>	<b>SECTION A: Quality Management System Requirements ISO 9001 (Option 2) Objective evidence of documented QMS that is not certified but complies with ISO 9001</b>	A.1 Quality Method statement based on scope. (Method Statement Template-Ref 240-126469599)	A.2 Quality Policy Approved by top management.	A3 Quality Objectives Approved by top management.	<b>Section A Score Option 2</b>	<b>SECTION B: Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)</b>	<b>SECTION B: Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)</b>	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 - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	<b>Section B Score</b>	<b>SECTION E: User defined additional Requirements &amp; miscellaneous (Ref 240-105658000)</b>	<b>Customer specific requirements &amp; other standards and required can be listed and evaluated here</b>	E.1 Form A is completed and signed.	<b>Section E Score</b>
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	<ul style="list-style-type: none"> <li>▪ Latest approved financial statements including comparative amounts.</li> <li>▪ AFS must be valid and not outdated, received within 18 months after year-end.</li> <li>▪ A signed director's / member's report.</li> <li>▪ Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above.</li> <li>▪ Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.</li> <li>▪ Approved Annual Financial statements must comprise: <ul style="list-style-type: none"> <li>✓ Statement of financial position (Balance Sheet)</li> <li>✓ Statement of comprehensive income (income statement)</li> <li>✓ Statement of changes in Equity</li> <li>✓ Statement of cash flows</li> <li>✓ Notes to the financial statements.</li> <li>✓ ITA 34C Income Tax Assessment for companies that have <b>NOT</b> been <b>AUDITED</b>. The <b>ITA-34C assessments must be provided for the current and previous financial years. The turnover amount shown in the income statement must correspond to the amount shown in the ITA-34C. Should the amounts not correspond, a financial analysis will not be performed.</b></li> </ul> </li> <li>▪ The notes to the AFS specifically referring to <b>Accounts Receivable</b> and <b>Accounts Payable</b> must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest.</li> <li>▪ The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest.</li> <li>▪ Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates.</li> <li>▪ Name of Holding company if the company is a subsidiary company.</li> <li>▪ Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage.</li> </ul>

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Clause Number from Standard Conditions of Tender	Tender Data
	<b>Note:</b> <ul style="list-style-type: none"> <li>▪ Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted.</li> </ul>
3.24 Sign form of Agreement/ Contractual Conditions	The conditions of the contract will be the <b>NEC3 Supply Short Contract</b>

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**Pease note:**

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

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

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

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

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

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

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

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

**1.3 TENDER RETURNABLES**

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

**NOTE THE FOLLOWING: -**

**\* Returnables required at Tender closing (disqualifiable): -**

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

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


These returnables are required to be fully completed, signed and submitted with Tender at Tender closing date and time; however, if not submitted by Tender closing, or submitted with incomplete information or without a required signature, the Procurement Practitioner will, in writing, request the tenderer to submit

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the returnable within 5 working days. If the returnable is not fully completed, signed if required and/or received by the Procurement Practitioner within 5 working days of the request, the tenderer will be disqualified.

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

**# 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.

**Returnable required prior to Contract Award.**

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


Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
<b>Basic Compliance</b>	<ul style="list-style-type: none"> <li>▪ Meet the eligibility criteria for a tenderer.</li> <li>▪ Completed and signed NEC3 Supply Short Contract together with pricing schedule and contract data.</li> <li>▪ CPA for local goods/services (if applicable).</li> <li>▪ CPA(IG) for imported goods/services (if applicable)</li> <li>▪ The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page <ul style="list-style-type: none"> <li>○ The documents need to be uploaded under the folder Technical, Commercial &amp; Financial, SDL&amp;I and Safety and Quality.</li> <li>○ All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). <ul style="list-style-type: none"> <li>○ No Zip/condense files can be uploaded</li> <li>○ No hard copy will be accepted</li> </ul> </li> </ul> </li> </ul>	√		
<b>Annexure A</b>	Authorisation Form		√	
<b>Annexure B</b>	Acknowledgement Form		√	
<b>Annexure C</b>	Tenderers Particulars		√	
<b>Annexure D</b>	Integrity Pact Declaration form		√	

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<b>Annexure E</b>	CPA for local goods/services (if applicable)	√		
<b>Annexure F</b>	CPA(IG) for imported goods/services (if applicable)	√		
<b>Annexure G</b> (applicable for all suppliers including Foreign suppliers)	SBD 1		√	
<b># Annexure H</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		√	
<b>Annexure I</b>	SBD 4 – Bidders Disclosure		√	
<b>Annexure J</b> E-tendering Help Manual acknowledgement form	E-tendering Help Manual acknowledgement form		√	
<b>Additional Documents required in the event of JV: -</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		√	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		√	
	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.			√
<b># Specific Goals</b>	A tenderer's failure to submit proof that it meets the <b>specific goals</b> will not result in its disqualification. The tenderer will, however, be scored zero for Specific Goals for purposes of PPPFA scoring and ranking.		√	
<b>Tax Clearance Certificates</b>	A certified copy of a tax clearance certificate is required from foreign tenderers (with a footprint in South Africa but that are not registered on CSD and have not provided a SARS pin number) and local tenderers (that have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa must complete the SBD1 document; however, no proof of tax compliance is required.			√

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<b>Compliance with Employment Equity Act</b>	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)			√												
<b>NEC Contract</b>	NEC3 Supply Short Contract, with completed pricing schedule completed in full. <b>(COMMERCIAL/FINANCIAL FOLDER)</b>	√														
	<b>MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE</b>															
<b>Mandatory Contractual Requirement</b>	Proof of valid and current CSD Registration (CSD number/CSD Report)			√												
	<b>ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE</b>															
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E.1 Form A is completed and signed.							
<b>Section E Score</b>							
<b>Due Diligence/financial analysis</b>	<p style="text-align: center;"><b>(COMMERCIAL/FINANCIAL FOLDER)</b></p> <ul style="list-style-type: none"> <li>▪ Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether: <ul style="list-style-type: none"> <li>✓ Whether the AFS were internally or externally prepared.</li> <li>✓ Whether the company was owner managed or not owner managed.</li> </ul> </li> </ul> <p>The PIS does <b>NOT</b> apply to companies that have been <b>AUDITED</b>.</p> <ul style="list-style-type: none"> <li>▪ Latest approved financial statements including comparative amounts.</li> <li>▪ AFS must be valid and not outdated, received within 18 months after year-end.</li> <li>▪ A signed director's / member's report.</li> <li>▪ Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above.</li> <li>▪ Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.</li> <li>▪ Approved Annual Financial statements must comprise: <ul style="list-style-type: none"> <li>✓ Statement of financial position (Balance Sheet)</li> <li>✓ Statement of comprehensive income (income statement)</li> <li>✓ Statement of changes in Equity</li> <li>✓ Statement of cash flows</li> <li>✓ Notes to the financial statements.</li> <li>✓ ITA 34C Income Tax Assessment for companies that have <b>NOT</b> been <b>AUDITED</b>. The <b>ITA-34C assessments must be provided for the current and previous financial years. The turnover amount shown in the income statement must correspond to the amount shown in the ITA-34C.</b></li> </ul> </li> </ul>			v			

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	<p style="text-align: center;"><b>Should the amounts not correspond, a financial analysis will not be performed.</b></p> <ul style="list-style-type: none"> <li>▪ The notes to the AFS specifically referring to <b>Accounts Receivable</b> and <b>Accounts Payable</b> must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest.</li> <li>▪ The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest.</li> <li>▪ Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates.</li> <li>▪ Name of Holding company if the company is a subsidiary company.</li> <li>▪ Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage.</li> </ul> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>▪ Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted.</li> </ul>			
	<b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA</b>			
Functionality/Technical	<p style="text-align: center;">(TECHNICAL FOLDER)</p> <p><b>The detailed technical criteria is detailed in the document: KZNZE26TC01 - TECHNICAL EVALUATION STRATEGY AND CRITERIA FOR THE PROCUREMENT OF AN 8 TON COILING AND WINDING MACHINE IN KZN OU</b></p>	√		

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**ANNEXURE A**

**AUTHORISATION FORM**

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

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

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

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

**A. Certificate for company**

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

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b>

**B. Certificate for close corporation**

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

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b>

**C. Certificate for partnership**

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

Name	Address	Signature	Date

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

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**D. Certificate for Joint Venture**

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

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

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

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

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

**E. Certificate for sole proprietor**

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

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

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**F. Certificate for trust**

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

<b>Signed:</b>	<b>Date:</b>
<b>Name:</b>	<b>Position:</b>

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

<b>Name of tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Designation and capacity:</b>	
<b>Signature of authorised signatory</b>	
<b>Date of signature:</b>	

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**ANNEXURE B**

**ACKNOWLEDGEMENT FORM**

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


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

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

Or: Incorrect or incomplete for the following reasons:

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**Cataloguing Acknowledgement:**

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

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

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

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Invitation to Tender No: \_\_\_\_\_

Name of Tenderer: \_\_\_\_\_

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

Full names of contact person: \_\_\_\_\_

Contact details:

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

<b>Name of tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Designation and capacity:</b>	
<b>Date:</b>	


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## ANNEXURE C

### TENDERER'S PARTICULARS

The tenderer must furnish the following particulars where applicable:

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

Please complete the following:

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

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

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

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

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

YES		NO	

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

7.1 Confirm if you intend sub-contracting

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

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

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

7.4 Is the said sub-contractor registered on CSD?

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

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

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

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

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

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

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

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

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


<b>Name of tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Designation and capacity:</b>	
<b>Date:</b>	

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## ANNEXURE D

### INTEGRITY DECLARATION FORM

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

#### 1 DECLARATION OF INTEREST

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

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

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

#### **Related:**

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

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

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

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

**Control:**

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

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

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

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

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

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

If Yes, attach proof. to this declaration

## 2 DECLARATION OF FAIR TENDERING PRACTICES

The tenderer declares that it has taken all reasonable steps to address and prevent the exploitation of the procurement process and the use of any unfair tendering practices.

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

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

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

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

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### 3. DECLARATION OF SHAREHOLDING / BENEFICIARY INFORMATION

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

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

**Note that the information in the tables hereunder must be completed 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.**

#### Individuals:

Full Name	Identity Number	Shareholding Percentage / Beneficiary Share

#### Other Entities\*:

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

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

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

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

<b>Name of Tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Designation and capacity:</b>	
<b>Date:</b>	

### Joint Ventures

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

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

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

<b>Name of Tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Designation and capacity:</b>	
<b>Date:</b>	

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

**Eskom 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>				
<b>Total</b>	<b>100%</b>					

**Note:** Tenderers to take note that, if the Eskom 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 Eskom’s proposed CPA breakdown.

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### Eskom CPA Conditions/Requirements

- Tenderers are required to submit CPA that is aligned to Eskom’s proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom’s CPA proposal, and this will be considered if deemed acceptable to Eskom;
- 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: Eskom 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 tender 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 tender 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.

OR

<b>Closing date of tender:</b>	
<b>Name of tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Date of signature:</b>	

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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 12 months.
- If the contractual duration will be less than or equal to 12 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.
- Eskom 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**

**Eskom Proposed CPA breakdown for Foreign Goods and Service**

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


**Note:** Tenderers to take note that, if the Eskom 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 Eskom’s proposed CPA breakdown.

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### **Eskom CPA Conditions/Requirements**

- Tenderers are required to submit CPA that is aligned to Eskom’s proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom’s CPA proposal and this will be considered if deemed acceptable to Eskom;
- 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: Eskom 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 tender 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 tender 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, Eskom 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 Eskom.
- 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, Eskom will require proof of importation.
- Who import goods into stock, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases, Eskom 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 Eskom'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 Eskom SOC Limited must be the direct importer of the goods**

#### **Documentation to be submitted with payment:**

- Commercial invoice (from the foreign supplier)

#### **Import payments**

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

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- 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, Eskom 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. Eskom 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 Eskom, and for Eskom to pay the invoiced currency into the contracting party’s CFC account.
  - 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 Eskom in foreign currency.

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**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 Eskom 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 Eskom 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.
  - 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 Eskom.
- 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

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**NB: If a supplier is unable to produce or provide Eskom 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 Eskom's Treasury on the date that the forward cover is cancelled. Eskom 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 Eskom 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 Eskom 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 Eskom 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
- 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

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**NB: If a supplier is unable to produce or provide Eskom 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:

- Eskom 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 Eskom. If the tenderer's exchange rate/s is/are more expensive than the exchange rate/s indicated by Eskom, the exchange rate/s to convert the foreign values into ZAR will be the Eskom exchange rate/s.
- Once the exchange rate/s has/have been agreed by both parties, Eskom 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 Eskom 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.
- 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

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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

**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 Eskom with a commercial invoice, the contract will be concluded in RAND's Not in Currency**

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

**Please note: Eskom 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 Eskom, the price quoted must be in South African Rand. In such cases, Eskom will not undertake any foreign exchange commitment or arrange forward cover.

**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 Eskom 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

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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](http://www.resbank.co.za)) Please note that the tenderer is required to submit proof of the SARB rate/s used.

<b>Date of advertisement of tender:</b>	
<b>Closing date of tender:</b>	
<b>Name of tenderer:</b>	
<b>Full names of authorised signatory:</b>	
<b>Signature:</b>	
<b>Date of signature:</b>	

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**ANNEXURE G**

**SBD 1**

**PART A  
INVITATION TO BID**

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

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

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## PART B TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

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**ANNEXURE H**

**SBD 6.1**

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

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

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

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to 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**

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

- 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:

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

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

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in any manner required by the organ of state.

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

Where

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

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points Allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
1	20	
2	18	
3	14	

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4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	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 proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Trust
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

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of that person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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

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*tx*

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**ANNEXURE I**

**SBD 4**

**TENDERER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

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

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, 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

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

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[YES/NO]

If so, furnish particulars:

.....  
 .....

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

[YES/NO]

If so, furnish particulars:

.....  
 .....

**3. DECLARATION**

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

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

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- 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.
- 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.

.....	.....
<b>Signature</b>	<b>Date</b>
.....	.....
<b>Position</b>	<b>Name of bidder</b>

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ANNEXURE NO.: J

**ACKNOWLEDGEMENT FORM – E-TENDERING TRAINING**

Enquiry no: [.....]

Business name/JV: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Tel (landline): \_\_\_\_\_

Cellphone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**Acknowledgment: [Select and complete in full applicable paragraph below]**

I \_\_\_\_\_ (Tenderer's Name) acknowledge that I have undergone self-training though the e- Tendering Noddy Guide or video or via a clarification meeting for me to understand. I am satisfied with my self-training and confirm that I will be able to operate the E- Tendering Solution.

Authorized Signature: \_\_\_\_\_

Designation: \_\_\_\_\_

Date: \_\_\_\_\_

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