

	Invitation to Tender	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

THE PROVISION OF 5 CONTRACTS FOR STATIC SECURITY GUARDS, ARMED RESPONSE AND SPECIALISED TACTICAL RESPONSE IN THE FREE STATE OPERATION UNIT (CENTRALEAST CLUSTER) VARIOUS SITES FOR A PERIOD OF 36 MONTHS

Tender number	FS057
Issue date	12 January 2024
Closing date and time	08 February 2024 at 10h00
Tender validity period	20 weeks from the closing date and time
Clarification meeting	Microsoft Teams Clarification Meeting Click here to join the meeting 18 January 2024 at 10h00-12h00
Tenders are to be delivered to the following address on the stipulated closing date and time:	ESKOM CENTRE 120 HENRY STREET BLOEMFONTEIN ENTRANCE AT THE SECURITY GATE Look for tender office signage on the left side of the main building PLEASE: - Ask Security at the main gate for assistance

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		Effective Date	February 2023		
		Review Date	February 2028		

Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the provision of 5 contracts of Static Security guards, Armed response and Specialised Tactical response in the Free State Operation Unit (CentralEast Cluster) various sites for a period of 36 months.

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

- Free of charge

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

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

Yours faithfully

K. Lekutle

Procurement Manager

Kenosi Y Lekutle

Date: 12/01/2023

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1.1 The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Y
1.1.5	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	N/A
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included).	Annexure F1	Y
	Annexure C-Local Content Declaration-Summary Schedule	Annexure F2	Y
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure H	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure I	Y
1.1.10	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Annexure J	Y

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

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Thandiwe Gxabuza Tel: 051 404 5073 E-mail: gxabuzT@eskom.co.za/kometsmm@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is: FS057</p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender	<p>This invitation to tender is: An open Invitation to tender.</p>
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole.</p>
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <ol style="list-style-type: none"> 1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. 2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium 3. Tenders submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.

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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. A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if :</p> <ol style="list-style-type: none"> 1. (a)they have a controlling partner/majority shareholder in common; or 2. (b)they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process; <p>5. Tenders signed by non- authorized persons</p> <p>6. Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)</p> <p>7. Any tenderer that is restricted by National Treasury</p> <p>8. Any tenderer on the Tender Defaulters list.</p> <p>9. A tenderer that sub-contracts 100% Scope of Work.</p> <p>Ineligible tenderers will be disqualified.</p>
2.2 -2.5 Tender Closing	<p>The deadline for Tender submission is: Date 08 February 2024 Time 10h00</p> <p>Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: THE TENDER OFFICE</p> <p>ESKOM CENTRE 120 HENRY STREET BLOEMFONTEIN</p> <p>ENTRANCE AT THE SECURITY GATE</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline. Eskom also require that one (1) additional complete soft copy of the original tender is required in electronic format.</p> <p>Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p>

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	Tenders should be submitted as follows:		
	SECTION	Original	Copy
	Folder 1 will comprise of the <u>Commercial</u> Requirements, including the <u>Mandatory</u> Requirement and the <u>FULLY</u> completed and duly signed NEC	√	√
	Folder 2 will comprise of the <u>Technical</u> Requirements	√	√
	Folder 3 will comprise of the <u>SDL & I</u> Requirements	√	√
	Folder 4 will comprise of the <u>Health & Safety</u> Requirements	√	√
	Folder 5 will comprise of the <u>Environmental</u> Requirements	√	√
	Folder 6 will comprise of the <u>Quality</u> Requirements	√	√
	Folder 7 will comprise of the <u>Financial</u> Requirements	√	√
2.13 Tender Validity Period	The tender validity period is 20 weeks.		
2.16 Clarification meetings	<p>A clarification meeting with representatives of the Employer will take place as follows: Date: 18 January 2024 Time: 10h00-12h00 Venue: Microsoft Teams Clarification Meeting</p> <p>Join the meeting in the below link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTVjZmVhNzUtMGUwMy00YjQ5LWl3YTUtYmY4OTFIZWNjNmQw%40thread.v2/0?context=%7b%22Tid%22%3a%2293aedbdc-cc67-4652-aa12-d250a876ae79%22%2c%22Oid%22%3a%220bb30d02-4797-4ef4-83f2-998ddfd3d4ee%22%7d</p>		
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.		
2.23 Alternative tenders	Alternative tenders are not allowed .		
2.31 Provision of security for performance	If security for performance (e.g., Performance Bond) is required, the names of two financial institutions that the tenderer will approach will be requested during negotiations.		

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3.4 Opening of tenders	<p>Tenders will be opened at the same date and time as the tender deadline;</p> <p>Tenders will be opened on: Place: THE TENDER OFFICE ESKOM CENTRE 120 HENRY STREET BLOEMFONTEIN</p> <p>Date: 08 February 2024 Time: 10h00</p>
3.5 Prices to be read out	Prices will not be read out.
3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <ol style="list-style-type: none"> 1. Meet the eligibility criteria for a tenderer 2. Submit one (1) hard copy of the original tender to Eskom 3. Submit a complete original tender with commercial, financial and technical information 4. Submission of the mandatory commercial tender returnables as at stipulated deadlines. 5. Central Supplier Database (CSD) number (MAA.....)
3.10 Mandatory tender returnables	<p>The following will be mandatory thresholds:</p> <p><u>Commercial Mandatory Returnable (Disqualifiable)</u></p> <p>These returnables are required to be submitted with the tender at Tender closing date and time. If not submitted by tender closing the tender must be disqualified.</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer. • Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom. • CSD Registration – Companies are required to provide a valid CSD (MAAA.....) number. • Fully completed priced BOQ • Completed and duly signed NEC3 Term Service Contract (TSC3) documents. • Technical (required for functionality scoring) <p><u>Commercial Mandatory Returnable (Non - Disqualifiable)</u></p> <p>These returnables are also required to be fully completed, signed (if required on the returnable) and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be</p>

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<p>submitted within 5 working days. If the requested returnable (s) are not fully completed, signed (if required on the returnable) and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</p> <ul style="list-style-type: none"> • Acknowledgement Form • Tenderers Particulars • Integrity Pact Declaration form • SBD 1- to be completed and submitted by all tenderers. • SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations. • SBD 4 – Bidders Disclosure • Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE. <p>Functionality Mandatory Returnables</p> <table border="1"> <thead> <tr> <th>Item No.</th><th>Requirement</th><th>Returnables</th></tr> </thead> <tbody> <tr> <td>1</td><td>Company registered with PSIRA as a security service provider: <ul style="list-style-type: none"> - Chapter 3, Section 20, Par 1(a) & Section 25 - PSIRA registration number - PSIRA registration number - Date issued. </td><td>PSIRA Certificate (certified copy of not older than 90 Days at the date of submission) <ul style="list-style-type: none"> - CK number must be same with the one on PSIRA certificate with company CK1 or CK2 registration number </td></tr> <tr> <td>2</td><td>Are security officials' files available / kept? Record of the following documents for all security officials must be kept at the company's office where the required documents must be filed in the personnel file:</td><td>PSIRA Manpower listing <ul style="list-style-type: none"> - minimum 10 employees (Written contract with security officials and Training certificates (certified) </td></tr> <tr> <td>3</td><td>PSIRA Letter of good standing</td><td>Document Downloaded from PSIRA With <ul style="list-style-type: none"> - Date issued. </td></tr> </tbody> </table>			Item No.	Requirement	Returnables	1	Company registered with PSIRA as a security service provider: <ul style="list-style-type: none"> - Chapter 3, Section 20, Par 1(a) & Section 25 - PSIRA registration number - PSIRA registration number - Date issued. 	PSIRA Certificate (certified copy of not older than 90 Days at the date of submission) <ul style="list-style-type: none"> - CK number must be same with the one on PSIRA certificate with company CK1 or CK2 registration number 	2	Are security officials' files available / kept? Record of the following documents for all security officials must be kept at the company's office where the required documents must be filed in the personnel file:	PSIRA Manpower listing <ul style="list-style-type: none"> - minimum 10 employees (Written contract with security officials and Training certificates (certified) 	3	PSIRA Letter of good standing	Document Downloaded from PSIRA With <ul style="list-style-type: none"> - Date issued.
Item No.	Requirement	Returnables												
1	Company registered with PSIRA as a security service provider: <ul style="list-style-type: none"> - Chapter 3, Section 20, Par 1(a) & Section 25 - PSIRA registration number - PSIRA registration number - Date issued. 	PSIRA Certificate (certified copy of not older than 90 Days at the date of submission) <ul style="list-style-type: none"> - CK number must be same with the one on PSIRA certificate with company CK1 or CK2 registration number 												
2	Are security officials' files available / kept? Record of the following documents for all security officials must be kept at the company's office where the required documents must be filed in the personnel file:	PSIRA Manpower listing <ul style="list-style-type: none"> - minimum 10 employees (Written contract with security officials and Training certificates (certified) 												
3	PSIRA Letter of good standing	Document Downloaded from PSIRA With <ul style="list-style-type: none"> - Date issued. 												

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			- Expiry date (Certified copy of not older than 90 Days at the date of submission)
	4	Private Security Sector Provident Fund and or any other registered fund - Letter of participation	Valid certified copy letter of participation not older than 90 days at the time of tendering
	5	Firearms available in stock for dedication to the contract: 9mm Handgun (minimum 18 or more) Shot Gun [For TRT services (minimum 12 or more)] Company firearm licenses for business purposes. Authority to be in possession of firearms License numbers Armoured Vehicle (TRT)	- Copies firearm Licenses 18 (9mm Handgun) and 12 (Shotgun) in the name of the company -Armoured vehicle registered in the name of the company or lease agreement
	6	Appointment of the responsible person (Armory Manager) if not company owner must be in writing. - Details and appointment letter of the responsible person if not the owner - Certified copy of identity documents - Date issued - Competency certificate	CFR letter certified copy or Appointment letter and certified copy of the Identity document valid on the day of submission
	7	Firearm competency certificates of owner or appointed responsible person – all prescribed firearms.	Copy of certified Competency certificate not older than 90 days at the time of tendering

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		SAPS Competency Certificate (valid for 5 years)	
	8	Training records of owner or appointed responsible person for handle and use of firearms for business purposes – all prescribed firearms and Knowledge of Firearm Control Act (FCA) from a SASSETA accredited institution.	Certified copies of the training Certificates not older than 90 days at the time of tendering
	9	<p>Training records of security officials to demonstrate proof of annual practical training sessions in the safe handling and use of relevant firearms and ammunition.</p> <ul style="list-style-type: none"> - Do security officials annually attend a briefing session? - To determine whether security officials are kept updated on legal principles, rules, and procedures. - Training session/attendance registers - Firearm refresher training records - Competency certificates of security officials. 	Copies of Certificates for Training; Refresher Training Attendance Register; Copies of the Firearm issuing Register and copies Ammunition issuing Register
	10	<p>Firearm permits issued to armed security officials by an authorised person.</p> <p>To ensure written authorisation is given to security officials in</p>	Copies of the Firearm Permits

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		possession of company firearms whilst on duty.	
		<ul style="list-style-type: none"> - Full names, ID number and registration number - Employment address - Name, address, and registration number of security company - License number and date of issue of the license as reflected on the license - Type, caliber, make and model - Serial number - Period and place for which possession of firearm is granted 	
	11	Proof of service and maintenance of Firearms <ul style="list-style-type: none"> - Details of the Gun Smith - Qualifications of the Gun Smith - Proof of PSIRA Registration of the Gun Smith and the company - All Firearms service records 	Copies of the Service and Maintenance contract; copy PSIRA certificate of the Gun Smith
A tenderer that does not submit mandatory documents/information required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.			
3.13 Functionality requirements	Functionality requirements are applicable. The following criteria will be applicable for this transaction under functionality criteria:		

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Functionality Mandatory requirements (Desktop Evaluation)		
<p>The tenderer must meet all of the below requirements. Failure to meet any of the 11 requirements will result in-no further site evaluation being conducted for that service provider.</p>		
Item No.	Requirement	Returnables
1	Company registered with PSIRA as a security service provider: <ul style="list-style-type: none"> - Chapter 3, Section 20, Par 1(a) & Section 25 - PSIRA registration number - PSIRA registration number - Date issued. 	PSIRA Certificate (certified copy of not older than 90 Days at the date of submission) <ul style="list-style-type: none"> - CK number must be same with the one on PSIRA certificate with company CK1 or CK2 registration number
2	Are security officials' files available / kept? Record of the following documents for all security officials must be kept at the company's office where the required documents must be filed in the personnel file:	PSIRA Manpower listing <ul style="list-style-type: none"> - minimum 10 employees (Written contract with security officials and Training certificates (certified))
3	PSIRA Letter of good standing	Document Downloaded from PSIRA With <ul style="list-style-type: none"> - Date issued. - Expiry date (Certified copy of not older than 90 Days at the date of submission)
4	Private Security Sector Provident Fund and or any other registered fund <ul style="list-style-type: none"> - Letter of participation 	Valid certified copy letter of participation not older than 90 days at the time of tendering
5	Firearms available in stock for dedication to the contract: <ul style="list-style-type: none"> 9mm Handgun (minimum 18 or more) Shot Gun [For TRT services (minimum 12 or more)] Company firearm licenses for business purposes. 	<ul style="list-style-type: none"> - Copies firearm Licenses 18 (9mm Handgun) and 12 (Shotgun)in the name of the company -Armoured vehicle registered in the name of the company or lease agreement

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		Authority to be in possession of firearms License numbers Armoured Vehicle (TRT)	
	6	Appointment of the responsible person (Armory Manager) if not company owner must be in writing. - Details and appointment letter of the responsible person if not the owner - Certified copy of identity documents - Date issued - Competency certificate	CFR letter certified copy or Appointment letter and certified copy of the Identity document valid on the day of submission
	7	Firearm competency certificates of owner or appointed responsible person – all prescribed firearms. SAPS Competency Certificate (valid for 5 years)	Copy of certified Competency certificate not older than 90 days at the time of tendering
	8	Training records of owner or appointed responsible person for handle and use of firearms for business purposes – all prescribed firearms and Knowledge of Firearm Control Act (FCA) from a SASSETA accredited institution.	Certified copies of the training Certificates not older than 90 days at the time of tendering
	9	Training records of security officials to demonstrate proof of annual practical training sessions in the safe handling and use of relevant firearms and ammunition. - Do security officials annually attend a briefing session? - To determine whether security officials are kept updated on legal principles, rules, and procedures. - Training session/attendance registers	Copies of Certificates for Training; Refresher Training Attendance Register; Copies of the Firearm issuing Register and copies Ammunition issuing Register

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		<ul style="list-style-type: none"> - Firearm refresher training records - Competency certificates of security officials. 	
	10	<p>Firearm permits issued to armed security officials by an authorised person.</p> <p>To ensure written authorisation is given to security officials in possession of company firearms whilst on duty.</p> <ul style="list-style-type: none"> - Full names, ID number and registration number - Employment address - Name, address, and registration number of security company - License number and date of issue of the license as reflected on the license - Type, caliber, make and model - Serial number - Period and place for which possession of firearm is granted 	Copies of the Firearm Permits
	11	<p>Proof of service and maintenance of Firearms</p> <ul style="list-style-type: none"> - Details of the Gun Smith - Qualifications of the Gun Smith - Proof of PSIRA Registration of the Gun Smith and the company - All Firearms service records 	Copies of the Service and Maintenance contract; copy PSIRA certificate of the Gun Smith

Site Visit Technical Evaluation:

2ND step evaluations

On–Site Supplier Evaluation Control Room and Company Facility checklist in respect of all Service Categories. The supplier must meet all the requirements in the On-Site Armory Compliance

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questionnaire. The tenderer who does not meet all requirements will not be evaluated further.		
Item No.	Armory Compliance verification applicable to all companies that are tendering. Should the supplier scored no from the Armory compliance, will not be awarded	Evidence
1	Firearm Safe / Strong Room (applicable to two-man rule requirements)	Proof of two-man rule and SABS compliance
2	Firearm Register A7 and A8	Ammunition and Firearm Control registers
3	Firearm Discharge Register	Firearm Discharge Register
4	Firearm Inspection	<ul style="list-style-type: none">• Number of Firearms available on site• Inspect on site (depending on the site minimum - 9mm (handgun) 18, -12 shotgun type of firearm available
5	Firearm Safe Work Procedure	Handing over and receiving of firearm, storing of firearm and ammunition (Written procedure)

3rd step evaluations

Functionality is made up 100% of technical criteria. A threshold of 75% is required to be met in order to be deemed technically acceptable.

No.	Item	Evidence	Weighting
Facility/Office			30%
1	Control Room should be in an immovable	Building and walls or steel reinforcement (Should the supplier	6

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		structure made of brick and cement walls (in the event that the structure is made out of prefabricated walls, such walls must contain steel reinforcement) in the Free State Operating Unit	not meet any of the requirement, they will be scored 0)	
	2	24/7 Operational Call Centre with Communication Facilities / Mobile and Fixed Two-way Radio Communication Facilities and e-mail in the Free State Operating Unit	Functionality Test to be conducted on site and personnel appointments to be verified (Should the supplier not meet any of the requirement, they will be scored 0)	5
	3	Lockable door to control room (access restriction, burglar door / security door, alarms / cameras)	Functionality Test to be conducted on site (Should the supplier not meet any of the requirement, they will be scored 0)	5
	4	Lockable Key Control Storage Cabinet and Key Control Register	Lockable Key Control Storage Cabinet and Key Control Register (Should the supplier not meet all of the requirement, they will be scored 0)	4
	5	Ablution Facility with easy access for control	Ablution facility (Should the supplier not meet any of the requirement, they will be scored 0)	5

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		room operators or employees		
6	Uninterrupted power supply to the control room building (electrified)	UPS/Generator Certificate of Compliance (CoC) (Should the supplier not meet any of the requirement, they will be scored 0)	5	
Control Room Equipment / System Evidence			30%	
1	Computer(s) / Laptops that are operational and used for Security Services	Desktops/Laptops (Should the supplier not meet any of the requirement, they will be scored 0)	6	
2	Printer / Fax / Scan Machine	Printer/Fax/ Scan (Should the supplier not meet any of the requirement, they will be scored 0)	6	
3	Live Vehicle Tracking System (The system must be able to produce reports regularly and as and when required)	Functionality Test to be conducted on site. Sample report (Should the supplier not meet any of the requirement, they will be scored 0)	6	
4	Operational Panic Button Receiver established in the control linked to all operational sites	Functionality Test to be conducted on site (Should the supplier not meet any of the requirement, they will be scored 0)	6	
5	First Aid Box and Fire Extinguisher	Serviced Fire Extinguisher First Aid Box Proof of training (Fire Fighter and First Aider) (Should the supplier not meet all of the	6	

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			requirements, they will be scored 0)	
	Registers/Procedures			20%
	1	Occurrence Book Available on site	Inspect registers on site Should the supplier not meet any of the requirement, they will be scored 0)	3
	2	Panic Button Test Register	Inspect registers on site Should the supplier not meet any of the requirement, they will be scored 0)	3
	3	Incident Register	Inspect registers on site Should the supplier not meet any of the requirement, they will be scored 0)	1
	4	Equipment Register	Inspect registers on site Should the supplier not meet any of the requirement, they will be scored 0)	1
	5	Duty Rooster displayed on the wall	Duty Rooster displayed on the wall Should the supplier not meet any of the requirement, they will be scored 0)	3
	6	Emergency Preparedness Procedure displayed on the wall	Emergency Preparedness Procedure displayed on the wall Should the supplier not meet any of the requirement, they will be scored 0)	3
	7	Emergency Contact List displayed on the wall	Emergency Contact List displayed on the wall Should the supplier not meet any of the requirement, they will be scored 0)	3
	8	Uniform Issuing Register	Riot Gear, Combat, Corporate and Uniform for Inclement Weather (Should the supplier not meet any of the	3

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			above requirements, they will be scored 0)	
	Vehicle On-site Evaluation			20%
	1	Are the vehicles equipped with functioning communication capability?	Communication (Two-way / mobile) capability to be checked on-site in vehicle (Should the supplier not meet any of the requirement, they will be scored 0)	4
	2	Do the vehicles meet all Eskom vehicle safety standards? (Standard to be issued with the tender)	Fire Extinguisher and first aid kit in vehicle, spare wheel; Check on-site (Should the supplier not meet all of the requirement, they will be scored 0)	4
	3	Are vehicles fitted / equipped with Live Tracking System? The system must be able to produce reports as and when required.	Request sample of tracking reports on site (Should the supplier not meet any of the requirement, they will be scored 0)	4
	4	Vehicles must be branded with the logo of the service providers	Vehicle branding (Should the supplier not meet any of the requirement, they will be scored 0)	4
	5	Vehicles must be equipped with a mounted spotlight or handheld spotlight	Vehicle spotlights to be in working condition (Should the supplier not meet any of the requirement, they will be scored 0)	4
	Total score			100
	<p>Tenderers who do not meet the 75% threshold for functionality scoring will be disqualified and not be evaluated further.</p>			

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3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ol style="list-style-type: none">1. Inclusive of VAT2. Making the specified correction for arithmetical errors3. Excluding contingencies in any bill of quantities or activity schedule.4. Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.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. <ol style="list-style-type: none">1. Unconditional discounts must be taken into account for evaluation purposes;2. Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected. <p>Prices will be scored out of 80 or 90 points</p>																					
3.17 Evaluation of Specific Goals	<p>Specific goals will be scored out of 10 or 20 points in accordance with PPPFA.</p> <p>If a tenderer fails to meet Specific goals and submit proof, the tenderer will not be disqualified. However, be awarded 80/90 points for price and will score 0 points for Specific goals (out of 10/20)</p> <table><tr><th>B-BBEE Status Level of Contributor</th><th>Number of points (90/10 system)</th><th>Number of points (80/20 system)</th></tr><tr><td>1</td><td>10</td><td>20</td></tr><tr><td>2</td><td>9</td><td>18</td></tr><tr><td>3</td><td>6</td><td>14</td></tr><tr><td>4</td><td>5</td><td>12</td></tr><tr><td>5</td><td>4</td><td>8</td></tr><tr><td>6</td><td>3</td><td>6</td></tr></table>	B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)	1	10	20	2	9	18	3	6	14	4	5	12	5	4	8	6	3	6
B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)																				
1	10	20																				
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	7	2	4
	8	1	2
	Non-compliant contributor	0	0
	<p>NB: The following documents are required to claim preference points,</p> <ul style="list-style-type: none"> Valid BBBEE certificate issued by a SANAS accredited verification agency or a valid sworn affidavit or a valid BBBEE Certificate issued by CIPC for EME companies or for joint ventures a valid BBBEE certificate issued by a SANAS accredited verification agency in the name of the joint venture <p><u>NB: Supporting documents may be requested during evaluation (This list is not exhaustive):</u></p> <ul style="list-style-type: none"> Proof of ownership / shareholding (CIPC registration documentation) inclusive of shareholding breakdown ID copies of shareholder(s) or owner(s) of the business Proof of Disability of owner(s) of the business (where applicable) <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but</p> <ul style="list-style-type: none"> May only score point out of 90/80 for price Scores 0 points out of 10/20 for specific goals <p>Note:</p> <p>Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by RFQ closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.</p>		
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder]:-</p> <ol style="list-style-type: none"> 90/10 for tender with a rand value above R50 million or 80/20 for tender with rand value equal to or below R50 million <p style="text-align: center;">OR</p>		

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	<p>state that either 80/20 or 90/10 will apply should there be a degree of uncertainty on which PPPFA Point allocation system will apply; the lowest acceptable tender will be used to determine the applicable preference system.</p> <p>Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.</p> <p>The outcome will result to the award of 5 separate contracts to 5 different service providers.</p> <p>Allocation of the 5 contracts will be as follows:</p> <ul style="list-style-type: none"> • One (1) Service Provider for each sector, as the distance between these sectors are vast therefore the deployment of the supplier per sector can reduce the workload of administration. The risk that was encountered is when there is default in the contracted service, the impact on Eskom becomes enormous. • Tenderers who tendered for more than one sector must indicate their preferred sector if they are successful in more than one sector. <ul style="list-style-type: none"> • Bloemfontein • Welkom 1 • Welkom 2 • Bethlehem • Kroonstad • In the event that the above is not possible i.e., due to less than 5 Service Providers be successful in all aspects, the approval will be requested to award the contract to the successful service providers to allow for business continuity. • PPPFA principles will be applied to rank suppliers per sector. The selection of Service Providers per sector will take place in order of ranking, in the eventuality that all Service Providers score equally for price and preference the drawing of lots will be used to determine the successful supplier per sector. • Should the highest ranked tenderer be common to more than one sector, the highest scoring contractor will be afforded the opportunity to decide which sector they wish to participate in. <p>Multiple contracts will be awarded according to the scope allocation requirements.</p>
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3.19 Objective Criteria	Objective criteria are not applicable.																
3.20 Reverse e-auction	Reverse e-auction is not applicable.																
Contractual Requirements	<p>Contractual Requirements may include the following:</p> <p>1. SHEQ requirements</p> <p>OHS</p> <table border="1"> <thead> <tr> <th><u>Ref.</u></th><th><u>Tender Returnable</u></th></tr> </thead> <tbody> <tr> <td>1</td><td> Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer? </td></tr> <tr> <td>2</td><td> Health and Safety Plan (must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements) </td></tr> <tr> <td>3</td><td> Costing for Health and Safety management Has the tenderer submitted detailed costing for OHS (the cost should be broken down not provided as a lump sum). <ul style="list-style-type: none"> The costing must be based on the overall scope of work/service to be performed; The scope of work and the risk assessment may serve as a guideline. </td></tr> <tr> <td>4</td><td> Baseline OHS Risk Assessment (BRA) Identification, assessment, and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA </td></tr> <tr> <td>5</td><td> Valid Letter of Good Standing (COIDA or equivalent) </td></tr> <tr> <td>6</td><td> OHS policy signed by CEO The submitted policy must comply to OHS Act Section 7 </td></tr> <tr> <td>7</td><td> OHS Competency (Consider scope of work, risks, OHS plan and applicability) CV, s and qualifications / certificates (List competencies required) </td></tr> </tbody> </table> <p style="text-align: center;">and</p>	<u>Ref.</u>	<u>Tender Returnable</u>	1	Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer?	2	Health and Safety Plan (must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements)	3	Costing for Health and Safety management Has the tenderer submitted detailed costing for OHS (the cost should be broken down not provided as a lump sum). <ul style="list-style-type: none"> The costing must be based on the overall scope of work/service to be performed; The scope of work and the risk assessment may serve as a guideline. 	4	Baseline OHS Risk Assessment (BRA) Identification, assessment, and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA	5	Valid Letter of Good Standing (COIDA or equivalent)	6	OHS policy signed by CEO The submitted policy must comply to OHS Act Section 7	7	OHS Competency (Consider scope of work, risks, OHS plan and applicability) CV, s and qualifications / certificates (List competencies required)
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Environmental			
<u>Ref.</u>	<u>Tender Returnable</u>		
<u>Ref.</u>	<u>KPIs</u>		
1	Pre-requisite Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and a copy thereof attached to this tender submissions by the tenderer?		
2	Environmental Management Plan for the Scope of work addressing the following as a minimum: Applicable to low risk: <ul style="list-style-type: none"> Waste management (reduction, re-use, recycling, disposal). Environmental induction. 		
3	All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD: Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.		
and			
Quality			
	Supplier Quality Management: List of Tender Returnables Documents	Unique Identifier	240-12248652
		Revision	7
		Effective Date	2022/01/26
		Specification	240-105658000
Category 4: Quality Requirements		Deliverables to be evaluated indicator = 1	
SECTION A: Quality Management System Requirements ISO 9001			
(Option 1) Valid certification of Quality Management System by an ISO accredited body			
			Apply (Yes=1)
A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant			0
A.2 Certificate by Approved and Authorized certification authority			0

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	A.3 Certification Authority has Recognized International Accreditation	0
	A.4 Validity (expiry date) of certificate	0
	Section A Score Option 1	0
	Or	Apply (Yes=1)
	A.1 QMS Manual or a document that defines and describes the QMS and its scope	1
	A.2 Quality Policy Approved by top management.	1
	A.3 Quality Objectives Approved by top management.	1
	A.4 Control of documented information (i.e., document and record control)	1
	A.5 Documented information for Control of nonconforming outputs	1
	A.6 Documented information for Nonconformity and Corrective action	1
	A.7 Documented information for Internal audit.	1
	Section A Score Option 2	7
	SECTION B: Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000 /240-105658000)	
		Apply (Yes=1)
	B.1 Documented information for defined roles, responsibilities and authorities- Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)	1
	B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1
	Section B Score	2
	SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000)	

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	Customer specific requirements & other standards and required can be listed and evaluated here	
		Apply (Yes=1)
	E.1 Form A is completed and signed.	1
	Section E Score	1

and

2. Financial statements

Tenderers should submit recent 18 months audited financial statements for Financial Analysis to be conducted by Financial Representative for the purpose of establishing the tenderers financial viability and ability to meet of its contractual obligations. Financial analysis evaluates a company's performance through a company's Statement of comprehensive income and Statement of financial position.

Requirements for Financial Evaluation of Companies

- 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:

- Whether the AFS were internally or externally prepared.
- Whether the company was owner managed or not owner managed.

- Latest approved financial statements including comparative amounts.

AFS must be valid and not outdated, received within 18 months after year-end.

- A signed director's / member's report.
- Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above.

Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.

- Approved Annual Financial statements must comprise: Statement of financial position (Balance Sheet)
- Statement of comprehensive income (income statement)
- Statement of changes in Equity

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	<ul style="list-style-type: none"> • Statement of cash flows • Notes to the financial statements. • ITA 34C Income Tax Assessment for companies that have NOT been AUDITED. <ul style="list-style-type: none"> • The notes to the AFS specifically referring to Accounts Receivable and Accounts Payable must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest. • The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest. • Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates. • Name of Holding company if the company is a subsidiary company. • Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage. • Information requested from companies via Procurement Office not received within five working days from date of Finance request will result in the financial evaluation being closed. Finance will issue a 1-page report stating that an opinion could not be expressed due to insufficient information. <p>Note: Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted.</p> <p>Soft copies of the AFS submitted with the tender documents may be requested at a later stage.</p> <p>Should the tenderers be financially not sound after being evaluated, the request to negotiate a performance bond Clause X13 will be requested.</p> <p style="text-align: center;">and</p> <p>3. SDL&I (Bidders document) attached as Annexure K</p>
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	<p>Please Note: Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Proof that the highest ranked tenderer/ tenderer recommended for award (on the basis of objective criteria) is able to meet the contractual requirements, must be submitted prior to contract award.</p> <p>Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award.</p>
2.25 Contractual Condition	The conditions of contract will be the NEC3 Term Service Contract (TSC3)
CIDB Requirements	CIDB Requirements are not applicable.

Please note:

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

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

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

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

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

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

“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

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1.3 TENDER RETURNABLES

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

NOTE:

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

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

These returnable are mandatory for evaluation and therefore required at tender closing time and date. These will not be requested by the Procurement Practitioner; however, the tenderer will not be disqualified but score zero.

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	One (1) hard copy of the tender	✓		
Annexure A	Acknowledgement Form		✓	
Annexure B	Tenderers Particulars		✓	
Annexure C	Integrity Pact Declaration form		✓	
Annexure D	CPA for local goods/services (if applicable)			✓
Annexure E	CPA(IG) for imported goods/services (if applicable)	N/A		

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Annexure F1-F2	SBD 6.2 -Declaration certificate for local production and content and Annexures C.			✓
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓	
# Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		✓	
Annexure I	SBD 4 – Bidders Disclosure		✓	
Additional Documents required in event of JV: -	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement.		✓	
	# proof of compliance to the stipulated Specific goals.			
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.			✓
# Specific Goals	Failure on the part of the supplier to submit “ proof of specific goals ” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.			✓
Tax Clearance Certificates	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			✓
Annexure J Tax Evaluation Questionnaire	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]		✓	
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment			✓

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	Equity report to the Department of Labour. (South African tenderers only)			
NEC Documentation	Completed and duly signed NEC pricing schedule and contract data.	✓		
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work))	Part of technical evaluation, please refer to Annexure M_ Technical Evaluation Criteria			
	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)			
Safety	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)			✓
Quality	Documents that may be required per scope of work			✓
Other safety/quality documents as required per scope of works				✓
Environmental	Documents that may be required as per scope of work			✓
Due Diligence	Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.			✓
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Technical (required for functionality scoring)	Please refer to Annexure M_ Technical Evaluation Criteria	✓		

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ANNEXURE A

ACKNOWLEDGEMENT FORM

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

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

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

Or: Incorrect or incomplete for the following reasons: ☐

Cataloguing Acknowledgement:

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

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

4. I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position. ☐

Invitation to Tender/Request for Proposal No: _____

Name of company/JV: _____

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Country of registration: _____

Name of contact person: _____

Contact details of contact person:

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

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ANNEXURE B

TENDERER'S PARTICULARS

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

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

Please complete the following:

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

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

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 Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury _____
3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company.
4. You may register online at National Treasury website on www.treasury.gov.za
5. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status _____
6. If you are required to be tax compliant as per SBD 1, but are not registered on CSD (foreign suppliers) or have not provided your SARS Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

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

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

8.1 Confirm if you intend sub-contracting

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

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

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8.3 To whom do you intend sub-contracting? _____

8.4 Is the said sub-contractor registered on CSD?

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

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

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

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

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

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

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

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

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

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1. Single tenderers

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

Signature: _____

Designation: _____

Date: _____

2. Joint Ventures

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms _____ (full names), an authorised signatory of _____, (*insert the full legal name of the business entity serving as the lead partner*) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.

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

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

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ANNEXURE C

INTEGRITY DECLARATION FORM

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

DECLARATION OF INTEREST

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

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

1.a juristic person is “related” to another juristic person if:-

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

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

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

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

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

2. DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

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

Item	Question	Yes	No
1.1	<p>Is the <i>tenderer/s (or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector</p> <p><i>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</i></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</p>		
1.2	<p>Is the <i>tenderer/s (or any of its directors / members / shareholders)?</i> listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).</p>		
1.3	Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?		
1.3.1	Provide details.		
1.4	Was the <i>tenderer/s(or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		
1.5	Is there any history/record of the <i>tenderer/s (or any of its directors/members/shareholders)</i> failing to meet their contractual obligation with any SOC?		

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3. DECLARATION OF SHAREHOLDING INFORMATION

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

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

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

Individuals:

Full Name	Identity Number	Shareholding Percentage

Other Entities*:

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

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

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

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

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

Signature:	
Designation and capacity in which signing	
Date:	

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Joint Ventures

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

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

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

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

Signature:	
Designation and capacity in which signing	
Date:	

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender/Request for proposal).

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ANNEXURE D

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

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

This Section will not be applicable to professional services contract

1. APPLICATION OF CPA

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

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

2. TENDER SUBMISSIONS

Tenderers shall comply with the following requirements:

a. Main offer:

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

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

b. Additional/Alternative offer:

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

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

Additional/Alternative Offers must be clearly indicated as such

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3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Tables 1 and 2. The index list comprises indices that could be used in the Tenderers main offer.

4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

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

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

3. NUMBER OF FORMULAE & INDICES

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

4. CPA FIXED PORTION

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

5. BASE DATE

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

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The Cash Settlement or Cash Sellers Price

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

3. CPA FOR PROFESSIONAL SERVICES

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

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

No fixed portion is mandatory.

Signed	Date
Name	Position
Tenderer	

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

Labour	Commodities	Processed material	Transport	Others	
Labour general (hourly paid) SEIFSA, C3, actual labour cost	Steel StatsSA, P0142.1 Table 2, basic iron and steel	Mechanical engineering material SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI)	
	Copper SEIFSA, F, copper metric ton	Electrical engineering material SEIFSA, G-1, electrical engineering material			
Labour general SEIFSA, C3 (a), actual labour cost (field force) where subsistence	Aluminium SEIFSA, R, aluminium	Building and construction material		StasSA, PO142.1), PPI 4. Final Manufacture d Goods	
	Zinc SEIFSA, F, zinc				

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allowance is paid	Lead SEIFSA ,F, lead	SEIFSA, G, building and construction material		<p>Or</p> <p>5. Intermediate Manufacture d Goods OR</p> <p>6. SEIFSA Table U Producer Price Index (PPI</p> <p>- final manufactured GOODS OR Intermediate Manufactured Goods</p>
-------------------	--------------------------------	---	--	---

Table 2: Preferred Foreign Index List

Labour	Commodities	Processed material	Transport	Others
National Statistical Institute, Country-specific general labour index	MEPS, Country-specific general steel index	National Statistical Institute, Country-specific mechanical engineering material	National Statistical Institute, Country-specific general transport cost index	National Statistical Institute, Country-specific CPI (Headline) National Statistical Institute, Country-specific PPI
	LME, Copper	National Statistical Institute, Country-specific electrical engineering material		
	LME, aluminium	National Statistical Institute, Country-specific building and construction material		
	LME, zinc			
	LME, lead			

Closing date of tender _____/_____/_____

TENDERER'S SIGNATURE _____

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ANNEXURE E

Not applicable

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ANNEXURE F1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

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

Where

x is the imported content in Rand

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

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

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

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

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

Description of services, works or goods Stipulated minimum threshold

Commodity	Components	Local Content Threshold
Textile, clothing, leather and footwear sector	All protective clothing eg. thermal jackets, pants, shirts, socks, overalls, (clothing & textiles COVID 19 PPE) etc	100%
Two Way radio Terminals and associated equipment	Portable radios – for static guarding sites Mobile radios – for vehicle patrols and escorts Repeaters – that must be installed at the security company's offices or control	60%

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

(Tick applicable box)

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

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO.

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

.....
NB

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


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

- (a) The facts contained herein are within my own personal knowledge.

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- (b) I have satisfied myself that:
- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

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

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

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

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

Annexure F2- _Local content Declaration-Summary Schedule (annex C) is attached.

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ANNEXURE G

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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

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PART B TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
TAX COMPLIANCE REQUIREMENTS	
1.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
3.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
4.	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
5.	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
6.	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

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

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ANNEXURE 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. The following preference point systems are applicable to invitations to tender:
 1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1. To be completed by the organ of state

1. Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
 1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 1. Price; and
 2. Specific Goals.

1. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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2. 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.
3. The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

3. DEFINITIONS

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

6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

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:

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

Where

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

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below.

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
1	10	20		
2	9	18		
3	6	14		
4	5	12		
5	4	8		
6	3	6		
7	2	4		
8	1	2		
Non-compliant contributor	0	0		

DECLARATION WITH REGARD TO COMPANY/FIRM

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

[TICK APPLICABLE BOX]

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

1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
4. If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 1. disqualify the person from the tendering process;
 2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 3. 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;
 4. 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
 5. forward the matter for criminal prosecution, if deemed necessary.

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

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Annexure I

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ 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 table below.

Full Name	Identity Number	Name of State Institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

1. If so, furnish particulars:

.....
.....

3. DECLARATION

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

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

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

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

.....
Signature	Date
.....
Position	Name of bidder

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