

|                                                                                   |                                               |                     |                   |     |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------------|-----|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | Document Identifier | 240-6860265       | Rev | 2 |
|                                                                                   |                                               | Effective Date      | 17 September 2024 |     |   |
|                                                                                   |                                               | Review Date         | September 2027    |     |   |

|                                       |                                                                                                                                              |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Description/<br/>Scope of Work</b> | The supply and delivery of whole or part of the scope for various Miscellaneous (Metals) consumables & components at Koeberg Operating Unit. |
| <b>Duration of the Project</b>        | 12 Months                                                                                                                                    |

## Section 1: Pre-qualification Criteria for set aside Procurement.

SDL&I will apply the following pre-qualification criteria as a set aside for this transaction

a) Is the transaction a set aside?

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

Please tick below the designated group targeted for this transaction.

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

## Section 2: Specific Goals

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

| 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                              |

### Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

|                                                                                   |                                               |                     |                   |     |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------------|-----|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | Document Identifier | 240-6860265       | Rev | 2 |
|                                                                                   |                                               | Effective Date      | 17 September 2024 |     |   |
|                                                                                   |                                               | Review Date         | September 2027    |     |   |

|                           |   |   |
|---------------------------|---|---|
| 5                         | 4 | 8 |
| 6                         | 3 | 6 |
| 7                         | 2 | 4 |
| 8                         | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

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

- Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPC affidavit.

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

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

## Section 3: SDL&I Objective criteria

The inclusion of objective criteria in an enquiry is not mandatory but a condition for contract award, and if included, this must align with the requirements of the PPPFA [clause 2(1)(f)] and be clearly stated in the enquiry together with the consequence of such objective criteria (i.e., if the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award).

### 3.1 Mandatory Subcontracting as condition of award

Where feasible, 30% subcontracting will be considered at task order stage, for every task order above R30 Million. The beneficiaries will be EMEs and or QSEs that are 51% Black owned or more. Progress report on this requirement will be required on a monthly basis by contract management which will include invoices paid to the subcontracting company.

Tenderers shall subcontract with the following designated groups:

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

The following documents must be submitted before contract award:

- Proof of a sub-contract agreement/s

#### Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

|                                                                                   |                                               |                     |                   |     |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------------|-----|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | Document Identifier | 240-6860265       | Rev | 2 |
|                                                                                   |                                               | Effective Date      | 17 September 2024 |     |   |
|                                                                                   |                                               | Review Date         | September 2027    |     |   |

- CSD report of subcontractor/s
- Sub-contractor/s B-BBEE certificate / sworn affidavit

Participating tenderer/s are required to populate the sub-contracting information on the table below:

**Sub – contractor details:**

|                                                          |  |
|----------------------------------------------------------|--|
| Name of contractor / Contractors                         |  |
| Proposed Scope of work to be performed by sub-contractor |  |
| % <b>Subcontracting</b>                                  |  |
| Contact person                                           |  |
| Telephone number                                         |  |
| E-mail address                                           |  |

|                                                          |  |
|----------------------------------------------------------|--|
| Name of contractor / Contractors                         |  |
| Proposed Scope of work to be performed by sub-contractor |  |
| % <b>Subcontracting</b>                                  |  |
| Contact person                                           |  |
| Telephone number                                         |  |
| E-mail address                                           |  |

|                                                          |  |
|----------------------------------------------------------|--|
| Name of contractor / Contractors                         |  |
| Proposed Scope of work to be performed by sub-contractor |  |
| % <b>Subcontracting</b>                                  |  |
| Contact person                                           |  |
| Telephone number                                         |  |
| E-mail address                                           |  |

**Note:** A supplier awarded a contract/purchase order may not subcontract more than 25% of the value of the purchase order to any other entity that does not have an equal or higher B-BBEE status level of a contributor than the supplier concerned unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

**Confidential**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

|                                                                                   |                                               |                     |                   |     |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------------|-----|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | Document Identifier | 240-6860265       | Rev | 2 |
|                                                                                   |                                               | Effective Date      | 17 September 2024 |     |   |
|                                                                                   |                                               | Review Date         | September 2027    |     |   |

## Section 4: SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals

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

### 1. Transformation – BBBEE Improvement or Retention Plan

Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.

Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.

Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.

Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.

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

**NB:** A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate

### 2. Local Procurement Content

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

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

#### Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

|                                                                                   |                                               |                     |                   |     |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------------|-----|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | Document Identifier | 240-6860265       | Rev | 2 |
|                                                                                   |                                               | Effective Date      | 17 September 2024 |     |   |
|                                                                                   |                                               | Review Date         | September 2027    |     |   |

| Local Procurement Content | Eskom target | Tenderer Proposal |
|---------------------------|--------------|-------------------|
|                           | 100%         |                   |

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

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

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

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

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

### 4. Jobs

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

| Type of Jobs to be created | Number of Jobs to be created |
|----------------------------|------------------------------|
|                            |                              |

| Type of Jobs to be retained | Number of Jobs to be retained |
|-----------------------------|-------------------------------|
|                             |                               |

#### Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

|                                                                                   |                                               |                     |                   |     |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|---------------------|-------------------|-----|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | Document Identifier | 240-6860265       | Rev | 2 |
|                                                                                   |                                               | Effective Date      | 17 September 2024 |     |   |
|                                                                                   |                                               | Review Date         | September 2027    |     |   |

## Section 5: SDL&I Retention and Performance Security

Eskom will apply a retention of 2.5% of the invoice amount for failure to meet SDL&I obligations.

As security for the fulfilment of SDL&I obligations, Eskom will apply a retention of 2.5% on every invoice amount (excluding VAT) for failure to submit SDL&I performance reports every quarter; **or** failure to meet the SDL&I obligations in this contract. The retained amounts shall only be released to the contractor upon:

- The tenderer will be expected to submit their performance reports on a quarterly basis towards SDL&I obligations.
- SDL&I will assess the submitted performance report against the Implementation plan then issue a compliance report.
- Should the report yield non-compliance results, Eskom will retain the 2.5%.
- Should the compliance results be positive, Eskom will release the retained funds to the tenderer.

## Section 6: Reporting and Monitoring

- The suppliers shall on a quarterly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- Eskom shall review the SDL&I reports submitted by the suppliers within 60 (sixty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.

## Section 7: General Information on Validity of Sworn Affidavits

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

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

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

### Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.

No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

|                                                                                   |                                               |                            |                   |            |   |
|-----------------------------------------------------------------------------------|-----------------------------------------------|----------------------------|-------------------|------------|---|
|  | <b>SDL&amp;I Strategy Setting for Bidders</b> | <b>Document Identifier</b> | 240-6860265       | <b>Rev</b> | 2 |
|                                                                                   |                                               | <b>Effective Date</b>      | 17 September 2024 |            |   |
|                                                                                   |                                               | <b>Review Date</b>         | September 2027    |            |   |

Name of tenderer:

Tenderer representative:

Representative signature:

Date:

**Confidential**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system.  
No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.