	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER**

**FOR**

The establishment of an Enabling agreement for the Provision of SPU Meter Reading Services for the various areas in KZN Operating Unit, in Central East Cluster for Distribution Division (on an as when required basis) for a period of Thirty-Six (36) months.

<b>Tender number</b>	<b>KZN112</b>
<b>Issue date</b>	<b>15 January 2024</b>
<b>Closing date and time</b>	<b>20 February 2024</b>
<b>Tender validity period</b>	<b>Six (6) months from the closing date and time</b>
<b>Clarification meeting</b>	<b>30 January 2024 - 09:00AM</b>  <b>Microsoft Teams meeting</b> <b>Join on your computer, mobile app or room device</b> <a href="#">Click here to join the meeting</a> Meeting ID: 327 563 749 045 Passcode: ySiSu3 <a href="#">Download Teams</a>   <a href="#">Join on the web</a>
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>	<b>THE TENDER OFFICE</b> <b>Eskom Commercial Building</b> <b>Procurement Offices</b> <b>25 Valley View Road</b> <b>New Germany</b> <b>3620</b>

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
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## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the:

**The establishment of an Enabling agreement for the Provision of SPU Meter Reading Services for the various areas in KZN Operating Unit, in Central East Cluster for Distribution Division (on an as when required basis) for a period of Thirty-Six (36) months.**

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

1. 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/proposal by you in response to this Invitation will be deemed as your acceptance of the Eskom Standard Conditions of Tender.

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

Yours faithfully



Thandi Xaba

Acting Procurement Manager


(Ref : KZN5273)

Date: 10 January 2024

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
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1.1 The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure	Attached
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 <a href="http://www.eskom.co.za">www.eskom.co.za</a> for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	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		Uploaded on the Eskom Tender Bulletin

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

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](http://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 <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:  Name: <b>Yvonne Hadden</b>  Tel: <b>031-7105290</b>  E-mail: <a href="mailto:hadden@eskom.co.za">hadden@eskom.co.za</a></p>																					
1.3 Enquiry documents	<p>The Invitation to tender number is: <b>KZN112</b></p> <p>All Relevant documentation for this tender will be uploaded onto:</p> <ul style="list-style-type: none"> <li>• Eskom Tender Bulletin</li> <li>• National Treasury E-Tender Portal</li> </ul> <p><b><u>It is the responsibility of the tendering party to ensure all the required documentation is downloaded and completed and submitted as follows:</u></b></p> <table border="1"> <thead> <tr> <th>SECTION</th> <th>ORIGINAL</th> <th>COPY</th> </tr> </thead> <tbody> <tr> <td><b><u>SECTION 1</u></b> – Will comprise of the Commercial and SD&amp;L Requirements</td> <td>✓</td> <td>✓</td> </tr> <tr> <td><b><u>SECTION 2</u></b> – Will comprise of the Technical Requirements</td> <td>✓</td> <td>✓</td> </tr> <tr> <td><b><u>SECTION 3</u></b> – Will comprise of the Safety Requirements</td> <td>✓</td> <td>✓</td> </tr> <tr> <td><b><u>SECTION 4</u></b> - Will comprise of the Quality Requirements</td> <td>✓</td> <td>✓</td> </tr> <tr> <td><b><u>SECTION 5</u></b> – Will comprise of the Environmental Requirements</td> <td>✓</td> <td>✓</td> </tr> <tr> <td><b><u>SECTION 6</u></b> – Will comprise of the Financial Requirements</td> <td>✓</td> <td>✓</td> </tr> </tbody> </table>	SECTION	ORIGINAL	COPY	<b><u>SECTION 1</u></b> – Will comprise of the Commercial and SD&L Requirements	✓	✓	<b><u>SECTION 2</u></b> – Will comprise of the Technical Requirements	✓	✓	<b><u>SECTION 3</u></b> – Will comprise of the Safety Requirements	✓	✓	<b><u>SECTION 4</u></b> - Will comprise of the Quality Requirements	✓	✓	<b><u>SECTION 5</u></b> – Will comprise of the Environmental Requirements	✓	✓	<b><u>SECTION 6</u></b> – Will comprise of the Financial Requirements	✓	✓
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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

1.4 Type of Invitation to Tender	<p>This invitation to tender is:</p> <ol style="list-style-type: none"> <li>An open Invitation to tender.</li> </ol>
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract.
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 <b>ineligible</b> to submit a tender if :</p> <ol style="list-style-type: none"> <li>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.</li> <li>Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium</li> <li>[Tenders/proposals] 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.</li> <li>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 : <ol style="list-style-type: none"> <li>(a)they have a controlling partner/majority shareholder in common; or</li> <li>(b)they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process;</li> </ol> </li> <li>Tenders signed by non- authorized persons</li> <li>Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)</li> <li>Any tenderer that is restricted by National Treasury</li> <li>Any tenderer on the Tender Defaulters list.</li> <li>A tenderer that sub-contracts 100% Scope of Work.</li> </ol> <p><b>Ineligible tenderers will be disqualified.</b></p>

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
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<p>2.2 -2.5 Tender Closing</p>	<p>The deadline for Tender KZN112 submission is:</p> <p>Date: <b>20 FEBRUARY 2024</b></p> <p>Time: <b>10:00AM - Late Tenders will not be accepted.</b></p> <p>Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p><b>THE TENDER OFFICE Eskom Commercial Building Procurement Offices 25 Valley View Road New Germany 3620</b></p> <p>If your document is too big to fit into the tender box, the documents can be submitted to an Eskom Tender Office Official at the Eskom Tender Office, during the following times:</p> <p>Monday to Friday – 07h30 to 15h00 prior to the tender closing date. No Tender documents will be accepted after the stipulated tender closing date and time.</p> <p><b>NB: The onus is upon the tenderer to ensure that their tender reaches the Tender Office on or prior to the due date and time when making use of the post or courier services.</b></p>
<p>2.9 Copy of original tender</p>	<p>The tenderer must submit the tender as a complete original tender, plus one (1) <b>hard copy</b> of the original tender at tender submission deadline.</p> <p><b>Where a Tenderer complete original tender, plus one (1) hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</b></p>
<p>2.13 Tender Validity Period</p>	<p>The tender validity period is <b>SIX (6) MONTHS from the closing date.</b></p>

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2.16 Site/clarification meetings	<p>A Non-Compulsory Online Meeting will take place on Microsoft Teams, Presentations will be made by the subject matter experts in order to assist all tenderers in complying with Eskom’s Tender Requirements. Although this will not be a compulsory meeting, suppliers are encouraged to join the MS Teams Clarification Meeting to ensure that all tendering companies clearly understand the requirements and are able to submit a responsive tender.</p> <p><b>An Online Clarification Meeting via MS Teams</b> will be held with representatives of the <i>Employer</i> will take place as follows:</p> <p><b>Date : 30 January 2024 - 09:00AM</b></p> <p><b>Microsoft Teams meeting</b>  <b>Join on your computer, mobile app or room device</b>  <a href="#">Click here to join the meeting</a>  Meeting ID: 327 563 749 045  Passcode: ySiSu3  <a href="#">Download Teams</a>   <a href="#">Join on the web</a></p>
2.17 Clarification on enquiry documents	<p>Tenderers can submit clarification questions via email to yvonne.hadden@eskom.co.za. It must be noted <b><u>only clarification questions received via email will be addressed.</u></b></p> <p>The deadline for the submission of clarification questions is five (5) days prior to the Tender Closing Date.</p> <p>Clarification feedback will be posted on the Eskom Tender Bulletin and National Treasury E Tender Portal.</p> <p><b>Tenderers are encouraged to continuously check the bulletins for the latest updates or addendums during the tender process.</b></p>
2.23 Alternative tenders	Alternative tenders are <b>not allowed</b> .
2.31 Provision of security for performance	<b>NB:</b> Tenderers may be requested to provide Performance Bond if required.
3.4 Opening of tenders	There will be no public tender opening applicable to this tender enquiry.
3.5 Prices to be read out	Prices will <b>not be read out</b> .

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<p>3.9 Basic Compliance</p>	<p>Basic compliance for this invitation to tender:</p> <p><b>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</b></p> <ol style="list-style-type: none"> <li>1. Meet the eligibility criteria for a tenderer</li> <li>2. Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom.</li> <li>3. CSD Registration – Companies are required to provide a valid CSD (MAAA.....) number.</li> <li>4. Acceptance of the terms and conditions of the enquiry (i.e. return of the NEC 3 TSC offer and acceptance as well as deviations)</li> <li>5. Technical Threshold of 80% must be met in order for tenderers to be evaluated further.</li> </ol>
<p>3.10 Mandatory tender returnables</p>	<p>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.</p> <p><b><u>Commercial Mandatory Returnable (Disqualifiable)</u></b></p> <p><b>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.</b></p> <ul style="list-style-type: none"> <li>• Meet the eligibility criteria for a tenderer</li> <li>• Submit one (1) original plus one (1) complete hard copy of the original tender to Eskom.</li> <li>• CSD Registration – Companies are required to provide a valid CSD (MAAA.....) number.</li> <li>• Acceptance of the terms and conditions of the enquiry (i.e. return of the NEC 3 TSC offer and acceptance as well as deviations)</li> <li>• Technical Threshold of 80% must be met in order for tenderers to be evaluated further.</li> </ul>

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

	<p><b><u>Commercial Mandatory Returnable (Non - Disqualifiable)</u></b></p> <p>These returnable are also required to be fully completed, signed and submitted with Tender at Tender closing date and time, however, if not submitted by Tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable (s) are not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender will be disqualified.</p> <ul style="list-style-type: none"> <li>• Fully complete and sign the SBD1 Invitation to bid form in the invitation to tender.</li> <li>• Fully complete and sign the SBD 6.1 preference claim form in the invitation to tender.</li> <li>• Fully complete and sign the SBD 4 Bidders Disclosure form in the invitation to tender.</li> <li>• Acknowledgement form- Annexure A</li> <li>• Tenderers Particulars- Annexure B</li> <li>• Annexure C – Integrity Declaration form.</li> <li>• Supplier Evaluation Pack</li> </ul>				
<p>3.13 Functionality requirements</p>	<p>Functionality requirements <b>are applicable to enquiry KZN112.</b></p> <p>The following criteria will be applicable for this transaction under functionality criteria:</p> <table border="1" data-bbox="624 1339 1522 1411"> <thead> <tr> <th>Criteria</th> <th>Weight</th> </tr> </thead> <tbody> <tr> <td>Threshold</td> <td>80%</td> </tr> </tbody> </table> <p><b>Tenderers who do not meet the 80% threshold for functionality scoring will be disqualified and not be evaluated further.</b></p>	Criteria	Weight	Threshold	80%
Criteria	Weight				
Threshold	80%				
<p>3.15 Evaluation of price</p>	<p>Prices will be evaluated as follows:</p> <p>A maximum of 80 points is allocated for price on the following basis:</p> <p>Proposed standard rates will be offered to all tenderers that meet the functionality threshold, all Technically compliant tenderers that accept the proposed rates will score 80 points for price.</p> <p>Prices will be scored out of 80 points</p>				

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		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			


<b>3.17 Evaluation of Specific Goals</b>	<p>Specific goals will be scored out of 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 points for price and will score 0 points for Specific goals (out of 20)</p> <p>Note:</p> <p><b>Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by 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.</b></p> <p><b>Specific Goals will be scored as follows:</b></p> <p>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.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr style="background-color: #c00000; color: white;"> <th>B-BBEE Status Level of Contributor</th> <th>Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr><td style="text-align: center;">1</td><td style="text-align: center;">20</td></tr> <tr><td style="text-align: center;">2</td><td style="text-align: center;">18</td></tr> <tr><td style="text-align: center;">3</td><td style="text-align: center;">14</td></tr> <tr><td style="text-align: center;">4</td><td style="text-align: center;">12</td></tr> <tr><td style="text-align: center;">5</td><td style="text-align: center;">8</td></tr> <tr><td style="text-align: center;">6</td><td style="text-align: center;">6</td></tr> <tr><td style="text-align: center;">7</td><td style="text-align: center;">4</td></tr> </tbody> </table>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4
B-BBEE Status Level of Contributor	Number of points (80/20 system)																
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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
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	<table border="1" data-bbox="643 282 1350 477"> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">Non-compliant contributor</td> <td style="text-align: center;">0</td> </tr> </table> <p>NB: The following documents are required to claim preference points,</p> <ul style="list-style-type: none"> <li>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</li> </ul> <div style="border: 1px solid black; padding: 5px;"> <p>The following will be considered when it comes to validity of Affidavits;  <b>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</b></p> <ul style="list-style-type: none"> <li>Name/s of deponent as they appear in the identity document and the identity number.</li> <li>Designation of the deponent as the <b>director, owner or member</b> must be indicated in order to know that person is duly authorised to depose of an affidavit. <b><u>(Mark the applicable option).</u></b></li> <li>Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.</li> <li>Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. <b><u>(No blank spaces to be left).</u></b></li> <li>Indicate total revenue for the year under review and whether it is based on <b>audited financial statements or management account. (Mark the applicable option).</b></li> <li>Financial year end as per the <b>enterprise's registration documents</b>, which was used to determine the total revenue. <u>(Financial year end to be stipulated by day/month/year).</u></li> <li>B-BBEE Status level. An enterprise can only have one status level. <b>(Tick applicable level)</b></li> <li>Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.</li> <li>Date deponent signed and date of Commissioner of Oath must be the same. <b><u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)</u></b></li> <li>Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.</li> </ul> </div>	8	2	Non-compliant contributor	0
8	2				
Non-compliant contributor	0				
<p>3.18 Ranking of tenders</p>	<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"> <li>80/20 for tender with rand value equal to or below R50 million</li> </ol> <p>Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.</p>				

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

	<p><b>Criteria for breaking deadlock in scoring</b></p> <p>(1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.</p> <p>(2) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.</p>
3.21 Contractual Requirements	<p><b><u>Financial Requirements</u></b></p> <p>Financial evaluations will be conducted on the recommended suppliers' financial statements to determine if the supplier is financially viable to execute the scope of work.</p> <p><b>Requirements for Financial Evaluation of Companies</b></p> <ul style="list-style-type: none"> <li>• Public Interest Score (PIS) and the calculations to arrive at the score (refer to annexure attached for calculation of PIS). The PIS letter must specify whether: <ul style="list-style-type: none"> <li>1. Whether the AFS were internally or externally prepared.</li> <li>2. Whether the company was owner managed or not owner managed.</li> </ul> </li> <li>• Latest approved financial statements including comparative amounts. AFS must be valid and not outdated, received within 18 months after year-end.</li> <li>• A signed director's / member's report.</li> <li>• Signed Compilers / Accounting Officers / Independent Reviewers / Audit report whichever is applicable, based on the PIS above.</li> </ul> <p>Where the PIS requires an Audit or Independent Reviewers report, the Compilers / Accounting Officers report must still be submitted.</p> <ul style="list-style-type: none"> <li>• Approved Annual Financial statements must comprise: <ul style="list-style-type: none"> <li>o Statement of financial position (Balance Sheet)</li> <li>o Statement of comprehensive income (income statement)</li> <li>o Statement of changes in Equity</li> <li>o Statement of cash flows</li> <li>o Notes to the financial statements</li> <li>o ITA 34C Income Tax Assessment for companies that have NOT been AUDITED</li> </ul> </li> </ul>

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

	<ul style="list-style-type: none"> <li>• The notes to the AFS specifically referring to <b>Accounts Receivable</b> and <b>Accounts Payable</b> must give a complete breakdown of the amounts. A clear distinction must be made between Trade Debtors and other receivables as well Trade Creditors and other payables. The note must clearly show the amounts subject to interest and the terms and condition of interest.</li> <li>• The notes to the AFS must clearly specify the current and non-current liabilities that are subject to interest.</li> <li>• Member / Directors loans must be accompanied by a note specifying the terms of the loan, whether secured or unsecured, terms of repayment and interest rates.</li> <li>• Name of Holding company if the company is a subsidiary company.</li> <li>• Where there is a Holding company the Latest Signed Group Annual Financial Statements of the Holding Company may be requested at a later stage.</li> <li>• 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.</li> </ul> <p><b>Note:</b> Draft, bi-annual, management accounts and unsigned financial statements will NOT be accepted. Soft copies of the AFS submitted with the tender documents may be requested at a later stage.</p> <p>Should the outcome of the Financial Evaluation results be unfavourable/ Financially not sound, the service provider may be requested to provide Performance Bond to mitigate the Financial risk to Eskom.</p> <p><b><u>SAFETY, QUALITY AND ENVIRONMENTAL CRITERIA</u></b></p> <p>The recommended contractor will be evaluated in terms of their contractual requirements. Should they not pass the initial evaluation they will be advised of their shortcomings and have 7 days in which to correct their shortcomings. Failure to correct the shortcomings within the stipulated time period will result in the contractor being deemed unacceptable in terms of their contractual requirements and will not be considered for the contract.</p>
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<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
<b>Effective Date</b>	February 2023		
<b>Review Date</b>	February 2028		

The following requirements form the part of the contractual requirements:

**SAFETY REQUIREMENTS**

<u>Ref</u>	<u>OHS Tender Returnable</u>
1	<b>Annexure B</b> Is the acknowledgement of <b>Eskom's OHS</b> legal and other requirements form signed and submitted by the tenderer?
2	<b>OHS plan</b> (Must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements)
3	<b>Baseline OHS Risk Assessment (BRA)</b> Identification, assessment and management of Safety, Health and Environmental risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA
4	Valid Letter of Good Standing ( <b>COIDA or equivalent</b> )
5	<b>OHS policy signed by CEO</b> The submitted policy document must comply to OHS Act Section 7

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<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
<b>Effective Date</b>	February 2023		
<b>Review Date</b>	February 2028		

**OR PART B**

<u>Ref</u>	<u>OHS Tender Returnable</u>
1	<b>Annexure B</b> Is the acknowledgement of <b>Eskom's OHS</b> legal and other form signed and submitted by the tenderer?
2	ISO 45001 certificate or equivalent
3	Valid Letter of Good Standing ( <b>COIDA or equivalent</b> )

**ENVIRONMENTAL REQUIREMENTS**

<u>Ref.</u>	<u>KPIs</u>
1	<b>Pre-requisite</b> Is the acknowledgement of Eskom's SHEQ rules and requirements form (Annexure B) signed and a copy thereof attached to this tender submissions by the tenderer?
2	<b>All: Supplier's Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD:</b>  Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.

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<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
<b>Effective Date</b>	February 2023		
<b>Review Date</b>	February 2028		

**OR PART B**

<u>Ref</u>	<u>KPIs</u>
1	Annexure B Is the acknowledgement of <b>Eskom's SHEQ rules</b> and requirements form ( <b>Annexure B</b> ) signed and submitted by the tenderer?
2	ISO 14001 Environmental Management Standard certificate.

**QUALITY CRITERIA**


	<b>Supplier Quality Management: List of Tender Returnables Documents</b>	Unique Identifier	240-12248652
		Revision	7
		Effective Date	2022/01/26
		Specification	240-105658000
Category 3 : 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			
Or			Apply =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.4 Control of documented information (i.e. document and record control)		1	
A.6 Documented information for Nonconformity and Corrective action		1	
A.7 Documented information for Internal audit		1	
<b>Section A Score Option 2</b>			<b>5</b>
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)			
			Apply =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	
<b>Section B Score</b>			<b>2</b>
SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698).			
Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)			
			Apply (Yes=1)
NB! Draft Contract/Project Quality Plan has important QA deliverables		1	
<b>Section C Score</b>			<b>1</b>
SECTION D: Quality Control Plan Requirements (Ref 240-105658000 or 240-109253302)			
QCP /checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005)			
			Apply = 1
NB! Draft/ Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/ or previous work done		1	
<b>Section D Score</b>			<b>1</b>
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000)			
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	
<b>Section E Score</b>			<b>1</b>

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

<p>2.25 Contractual Condition</p>	<p>The conditions of contract will be the <b>NEC3 Terms Services Contract</b></p> <p><b>Main Options</b> W1: Dispute resolution procedure</p> <p><b>Secondary Options</b></p> <ul style="list-style-type: none"> <li>- X1: Price adjustment for inflation</li> <li>- X2 Changes in the law</li> <li>- X13 Performance Bond</li> <li>- X17: Low service damages</li> <li>- X18: Limitation of liability</li> <li>- X19: Task Order</li> </ul> <p>Standard Z clauses</p> <p>In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.</p>
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**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.**

**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](http://www.csd.gov.za)**

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

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

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

### 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 and submitted with the tender at Tender closing date and time. If not fully completed, signed and 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 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 and/or received by the Procurement Practitioner within 5 working days of the request; the tender must be disqualified.**

**# 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.
<b>Basic Compliance</b>	<b>Where a Tenderer complete original tender, plus one (1) hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</b>	✓		
<b>Annexure A</b>	Acknowledgement Form		✓	
<b>Annexure B</b>	Tenderers Particulars		✓	
<b>Annexure C</b>	Integrity Pact Declaration form		✓	
<b>Annexure G</b> (applicable for all suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓	

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
including Foreign suppliers)				
<b># Annexure H</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		✓	
<b>Annexure I</b>	SBD 4 – Bidders Disclosure		✓	
<b>Additional Documents required in event of JV:-</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		✓	
	<b># proof of compliance to the stipulated Specific goals.</b>		✓	
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.			✓
<b># Specific Goals</b>	Failure on the part of the supplier to submit “ <b>proof of specific goals</b> 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.		✓	
<b>Tax Clearance Certificates</b>	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			✓

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
	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.			
<b>Tax Evaluation Questionnaire (if services contract and was included as annexure)</b>	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE			✓
<b>Compliance with Employment Equity Act</b>	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)			✓
<b>NEC Documentation</b>	Completed NEC and contract data. <ul style="list-style-type: none"> <li>Acceptance of the terms and conditions of the enquiry (i.e. return of the NEC 3 TSC offer and acceptance)</li> </ul>	✓		

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
	<b>DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)</b>  <b><i>NB : The documents required for Safety, Quality, Environmental and Financial are required at Tender Closing for Tender Evaluation Purposes.</i></b>			
<b>Safety</b>	Documents required as per the Safety Evaluation Criteria			
<b>Quality</b>	Documents required as per the Quality Evaluation Criteria			
<b>Environmental</b>	Documents required as per the Environmental Evaluation Criteria			
<b>Due Diligence</b>	<p>Latest 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.</p> <p>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.</p> <p>*NB For Financial Evaluation – Documents are to be submitted as per the Financial Evaluation Requirements.</p>			
	<b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA</b>			
Technical (required functionality scoring) for	Tender Returnables to be submitted as per the Technical Evaluation Criteria.	✓		

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

## **SCOPE OF WORK**

The Scope of Works as provided by the End User:

1.1 The *Contractor* is required to obtain meter readings of all Small Power Users (SPU) Meters for the KwaZulu Natal Operating Unit, as specified on the predetermined route schedule that will be provided to them by Eskom. Each reading is to be accompanied by a photograph of the reading. The reading will not be paid for unless it is accompanied by a photograph. The reading with the photograph will be paid for as one unit. If a photograph of the actual read cannot be supplied then a photograph indicating why it could not be taken is to accompany it (e.g. Meter box could not be opened, a customer took the reading, etc.) The rate for the payment of no accesses will be lower than that of where an actual read is obtained.

1.2 All Small Power User (SPU) meters will be read on a quarterly basis on predetermined routes generated by Eskom's automated Billing System as amended from time to time. This schedule and or number of customers can be changed by Eskom as new customers are added or removed from the system. The meters can be identified by means of a physical address, Installation Number as well as a meter identification number or badge number visible on or in the meter kiosk and on the meters.

1.3 Once appointed the *Contractor* will have to develop knowledge of the geographical area, the Eskom network, the different reading routes as well as the dates on which these routes should be read. The *Contractor* will be expected to read and understand Eskom's single line diagrams, route maps, and GPS co-ordinates to find installations where necessary.

1.4 Note: Eskom pay per customer installation readings i.e. an installation could have one or three meters but payment is only made for the single installation.

1.5 All SPU meter readings will be captured on Hand Held Data Capture devices (HHU) which will be provided by Eskom.

1.6 All documentation / equipment / Downloads etc. to perform the required meter reading must be collected from the relevant Eskom office.

1.7 On completion of each route, readings are to be uploaded into the Route Master System at the relevant Eskom office on the end read date or as stipulated.

1.8 All installations on the route including Terminated points of delivery within a route must be read and if any movement or tampering is noted this must be reported immediately to the relevant accountable Eskom Official.

1.9 The routes are classified as either Rural or Urban depending on the geographical area with different rates as agreed in this contract being charged for each of the categories.

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

Urban Routes and Rural Routes will be as defined in the enquiry document and in this agreement.

1.10 If the *Contractor* fails to complete a route or to submit readings that are accepted and used by the automated billing system, unless as a direct result of an Eskom act or omission, no payment will be made for the unusable readings.

1.11 Where access is not gained due to, vicious dogs, bad roads, locked premises etc., payment will be considered if the Hand Held Unit remarks section is updated with the appropriate comment. A Digital photograph is also to be taken and provided to Eskom electronically. Such photographs are to comply with the requirements as specified under the heading Special Conditions of Contract, Eskom will audit the remarks and photographs for validity. Where Eskom finds that readings could have been taken, the *Contractor* will not be paid for such readings.

1.12 If it is found at a later stage that a reading could have been obtained or the meter was in fact accessible or where discrepancies have been identified by Eskom staff, Eskom may deduct an amount from the next invoice payable for the incorrect no accesses paid for previously. The amount deducted will be the number of incorrect no accesses submitted multiplied by the no access rate applicable to the contract at the time of the deduction.

1.13 Eskom can dispatch the *Contractor* again or an Eskom resource or another service provider to take the respective reading/s. Eskom will also be entitled to invoice the *Contractors* invoice. (See penalties and incentives paragraph)

1.14 The *Contractor* is to read and validate each meter badge number as required by the route master system whilst on site reading the meters. This may require opening meter boxes in many cases and the Contractor is to ensure that all staff are adequately trained and authorized by Eskom to do so.

1.15 Timeline schedule - The relevant Eskom official is responsible for the co ordination of the reading dates with the *Contractor*. These dates are determined by the Eskom Billing system billing window. The *Contractor* has 4 days to read the Meter route. All readings must be captured directly into the hand held unit whilst in the field at the respective meter/s.


1.16 Whatever information is provided to or by Eskom belongs to Eskom & should the *Contractor* leave Eskom for any reason, information must be returned to Eskom and not to any other third party.

1.17 The *Contractor* must update / correct the data on the HHU on site in cases where data in the HHU is different from that in the meter box. Any tampering on meters must be recorded on the HHU

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

1.18 Eskom reserves the right to change the meter reading cycles from time to time as needed to optimize the reading routes.

1.19 Eskom will provide magnetic stickers, for vehicle identification, that clearly indicates that the *Contractor* is an Eskom Contractor.

#### CONTRACTOR'S RESPONSIBILITIES

- Any incident that may occur between the *Contractor* and any Eskom customer must be reported immediately to the relevant Eskom Delivery Controller, or Eskom Dispatching Official.
- The *Contractor* is not allowed to sub-contract the work out to a third party/parties.
- The *Contractor* will report all factors prohibiting the *Contractor* from carrying out any work in terms of this agreement i.e. bad roads, vicious dogs, access denied, gate locked etc. to Eskom at the time of submitting the route. Where the system provides for such feedback to be captured into the route master hand held units this must be done. Failing to report these factors will result in Eskom not paying for the specific activity and may result in Eskom imposing penalties as set out in this agreement. (see section 6 Penalties and Incentives).
- Other than equipment specifically supplied to the contractor by Eskom, under no circumstances may the *Contractor* use Eskom' or the customer's resources (Staff equipment or vehicles etc) to carry out their duties.
- The *Contractor* will ensure that the *Contractor's* employees are equipped with suitable vehicles that will allow them to get access to all meters at all times. The only exception to this would be when access conditions are such that a 4x4 vehicle cannot get to within reasonable walking distance of the meter. Under such conditions the *Contractor* is to provide the required report back and digital photographs as detailed above. The vehicles to be used will be 4X4 vehicles.
- The vehicles will be in road worthy condition at all times and will be in good general condition with no visible damage to the body. The vehicles must at all times reflect and support the image of Eskom. Eskom reserves the right to request that a vehicle be repaired or replaced where it does not do so. Eskom also reserves the right to request a road worthy certificate from an AA accredited testing authority should Eskom deem the road worthiness of any vehicle to be questionable. Any defects identified in such a test are to be rectified before the vehicle is again deployed in the field. Notwithstanding this contractor remains fully accountable to ensure that all vehicles are completely road worthy at all times.
- All glass in the cab of the vehicles is to be clear and free from any form of tinting.
- A maximum of two people are to occupy any vehicle whilst executing duties in terms of this agreement.

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

- The contractor is obligated to ensure that the vehicles required to execute its responsibilities in terms of this agreement are available at all times. In the event of a vehicle becoming unavailable for any reason what so ever the contractor is to ensure that a replacement vehicle is made available within twenty four hours of such a vehicle becoming unavailable for use.
- Other than equipment that is specified to be provided by Eskom in this contract, the *Contractor* will ensure that all staff are properly equipped with any other tools and equipment required to execute the work in accordance with this contract. e.g. Digital Camera, Cell phone (including appropriate air time) Garmin GPS equipment, dog taser/repeller etc.
- While carrying out the duties as agreed to in this agreement the *Contractor* will report to Eskom any faulty equipment identified on the Eskom network which is damaged, broken and / or a safety risk, i.e. low hanging conductor, damaged meter kiosks, etc. This needs to be submitted monthly in a consolidated spreadsheet. Should the fault be a safety hazard (e.g. low hanging conductor) it should be reported immediately.
- On completion of any duties performed as agreed to in this agreement the *Contractor* will leave all Eskom equipment at the installation in an electrical safe condition and the meter box must be locked with an Eskom lock. Where necessary such locks will be supplied by Eskom.
- The *Contractor's* employees will attend the relevant Eskom training to be accredited to do meter reading, and to use the Route Master hand held units properly., All staff must be fully accredited and authorized to do the work before being allowed to do field work. All transport to and from the training as well as any accommodation costs will be for the *Contractor's* account.
- The *Contractor* shall ensure that all equipment supplied by Eskom is protected and properly treated and used to prevent damage. Where equipment is damaged or lost due to the *Contractor's* lack of due diligence the *Contractor* will be responsible for the cost of repair or replacement of such equipment.
- All access to rural properties will be done as described in the Eskom procedure - "Access to Farms". A copy of this procedure will be provided by Eskom on request and must be adhered to at all times.
- The *Contractor* shall at all times treat the Eskom Customers and other landowners' with due respect and courtesy and shall adhere to all landowners' requirements in respect of access and closing of gates etc.
- Contractors'* staff will at all times be smartly dressed in appropriate PPE clothing suggested by Eskom. The shirts/reflective vests that they wear will be branded with the *Contractor's* name so as for them to be identifiable.

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

•Where Eskom deems that any member of the *Contractor's* staff is not conforming to an acceptable dress standard as described above or where a member of the contractors' staff is contravening any other condition contained in this agreement, Eskom reserves the right to withdraw the authorization of any such staff member to execute the work. Such staff members will not be permitted to carry out work in terms of this agreement until such time as the issue has been addressed to the satisfaction of Eskom and until such time as that person has again been authorized to carry out the work. Any such withdrawal of authorization does not absolve the *Contractor* of any obligation to perform and to provide the services that form part of this agreement.

•The *Contractor* shall report anything that the *Contractor* experiences or encounters that could affect the Contractor's ability to execute the duties of this contract effectively and efficiently or that could have any impact on Eskom's customers or Eskom's image or which could lead to any form of liability claim against Eskom.

•Should the *Contractor* not be complying with their responsibilities, nor with conditions of the contract, a Notification of default letter or a letter of termination may be issued to the *Contractor*.


Prior to a Task Order being awarded to any *Contractor* to perform the above tasks for Eskom, a physical site inspection will be conducted at the *Contractor's* Premises which must be based in KZN:

- A Roadworthy vehicle (Certificate of Roadworthiness to be provided on day of visit)
- Garmin GPS Unit
- Digital Camera
- Dog repeller/taser
- Admin Office with Computer, Fax Machine, and Telephones
- Admin Support Officer
- All Certificates of Competence for the various staff

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

who will be performing work such Low Voltage regulations, Meter Reading, First aid etc.

- OHS Act Training Certificate
- Any other Business Related Training Certificates such as Financial Management Training, HR Training.

### TIME LINES

SPU route meter readings

- The Eskom Billing Support Clerk is responsible for the co-ordination of the reading dates with the *Contractor*.
- The reading dates are determined by the Eskom billing system window. On average the *Contractor* has 4 days to read the meter round as provided by Eskom.

### Ad hoc SPU Route readings

- If for any reason Eskom requires a route to be read on an ad hoc basis then the *Contractor* can be requested to do an ad hoc reading of the specified route at the agreed prices as defined in this contract
- The Eskom Billing Official is responsible for the co-ordination of such reading dates with the *Contractor*.
- The reading dates are also determined by the Eskom billing system window. The *Contractor* has 4 days to read the meter route as provided by Eskom.

The *Contractor* is to ensure that all staff are equipped with suitable digital cameras capable of taking digital photographs that comply with the following. The digital photographs submitted are to be time and date stamped when the photograph is taken, and the image is to be less than 1 Meg in data size. The meter reading as well as the badge/meter number must be clearly visible in the photograph submitted. The digital photographs submitted to substantiate why a read could not be taken and for extras are to be Geo referenced with the

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

GPS co-ordinates of where the photograph was taken, named and cross referenced to the respective installation as detailed in this agreement.

The photographs are to be submitted together with the readings for that particular route electronically in a folder named with the Route Name month, year and route number.

The folder can be submitted via email or on a memory stick. However, the method of submission must be agreed with the relevant Eskom Official

## **RATES**

Rates for the first year will be fixed and firm thereafter the rates will be adjusted using CPI on the anniversary of the contract.

Base date: One month prior to the tender closing date.

Over and above and independent of this provision, the rates will be evaluated if and when the need arises and adjusted either upwards or downwards in terms of the Fuel Price Adjustment clause and formula contained in this document below.

## **FUEL PRICE ADJUSTMENT CLAUSE AND FORMULA**

- Eskom reserves the right to review and adjust for fuel price variations as detailed below when necessary. Please note that this adjustment process is over and above and independent of any other price adjustment referred to elsewhere in this contract.
- A base fuel price based on the Price per liter of unleaded fuel in Durban will be defined on commencement of the contract.

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

**DETAILED FUNCTIONAL/ TECHNICAL CRITERIA APPLICABLE TO TENDER KZN112**

Experience				
Section	Criteria	Evidence	Points	Max
Meter Reading Experience	Demonstrate meter reading experience in terms of years. 0 years (deduct 30) <2 years (deduct 22.5) 2 to 3 years (deduct 15) Greater than 3 years to 5 years (deduct 7.5) >5 years (deduct 0)	Demonstrate the number of years of experience by providing proof of meter reading contract information showing the period of the contract (start and end date) and the scope of work of the contract, issued to the Tendering Company. If the Tendering Company has no experience it can be based on the meter reading authorisation of an employee/s. If the evidence is concurrent, it will not be considered as cumulative. Marks will be deducted if less than 5 cumulative years' experience is demonstrated by the evidence. All copies must be certified and no older than 3 months		30
Skills				
<i>To score max points: 4 different certificates/authorisations will be required for each of the criteria in the section below</i>				
Section	Criteria	Evidence	Points per certificate	Max
Training and Skills	Meter Reading Course	Copy of the Meter Reading Course Certificate (Eskom EAL or accredited external training provider).	2.5	10
	ORLVS	Copy of ORLVS Training Certificate. The Certificate must be valid within the last 9 months at the time of tender close.  The valid LV permit/authorization document will also be accepted as evidence of ORLVS training. Must be valid within the last 9 months at the time of tender close.	3.5	14

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

	Meter Reading Authorizations	Eskom KZN OU Meter Reading Authorization, Other Eskom OU Meter Reading Authorization, Municipality Meter Reading Authorization  Authorizations are to be valid within the last 9 months at the time of tender close.	3.5	14
	Fire Fighting	Fire Fighting Training Certificate - Basic	1.125	4.5
	First Aid	First Aid Training Certificate - <i>minimum level 2</i>	1.125	4.5
	Hazard Identification and Risk Assessment	HIRA Training Certificate	0.75	3
<b>Tools and Equipment</b>				
<b><i>To score max points: 4 units of equipment will be required for each of the criteria in the section below</i></b>				
Section	Criteria	Evidence	Points per unit of equipment	Max
Tools and Equipment	Digital GPS	To be owned by the Tendering Company.  Evidence of ownership to be provided as evidence as follows: Serial Number, Make and Model or Proof of purchase e.g. receipt or Photo of item	0.5	2

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<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
<b>Effective Date</b>	February 2023		
<b>Review Date</b>	February 2028		

	Digital Camera	To be owned by the Tendering Company.  Evidence of ownership to be provided as evidence as follows: Serial Number, Make and Model or Proof of purchase e.g. receipt or Photo of item	0.5	2
	Dog Repelling Tazer or Dazer	To be owned by the Tendering Company.  Evidence of ownership to be provided as evidence as follows: Make and Model or Proof of purchase e.g. receipt or Photo of item	0.5	2
	Company branded PPE	To be owned by the Tendering Company.  Evidence of ownership to be provided as evidence as follows: Photos of branded items or design thereof and quote for branding to be done	1	4

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<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
<b>Effective Date</b>	February 2023		
<b>Review Date</b>	February 2028		

<b>Vehicles</b>				
<i>To score max points: 4 different vehicles will be required</i>				
<b>Section</b>	<b>Criteria</b>	<b>Evidence</b>	<b>Points per vehicle</b>	<b>Max</b>
Vehicles	4x4 Vehicle	<p>Vehicle can be owned or hired.</p> <p>Evidence for vehicle ownership: Copy of Logbook</p> <p>The vehicle can be owned by the Tendering Company, in the company name, or by the Company owner.</p> <p>The vehicle can also be owned by the meter reading employee.</p> <p>If the vehicle is in not in the company name then an affidavit must be included to explain the ownership of the vehicle i.e. if the vehicle is in the Company owner name or employee's name, clarify the ownership with an affidavit for each vehicle.</p> <p>Evidence for vehicle hiring: Letter from Bona Fide vehicle leasing/hiring agency</p> <p>The letter must be issued from a Bona Fide agency. Letters from other contractors will not be considered as valid evidence.</p>	2.5	10

**The Pass Mark is 80%**


100

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**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:

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**Cataloguing Acknowledgement:**

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

1. We agree to provide the cataloguing information as described in the *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/RFQ number***]  \_\_\_\_\_
3. We do not intend to provide the cataloguing information for the required scope / specifications. for the reasons stated hereunder:

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

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: \_\_\_\_\_

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

Name of contact person: \_\_\_\_\_

Contact details of contact person:

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

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

## 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	

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with 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](http://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	<input type="checkbox"/>	NO	<input type="checkbox"/>
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8. If sub-contracting is prescribed in the specific enquiry, you need to compete 8.1- 8.7

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

8.1 Confirm if you intend sub-contracting

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

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

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

8.4 Is the said sub-contractor registered on CSD?

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

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

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


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

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**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.

<b>Legal Name of Joint Venture Member</b>	<b>Full Name and Capacity of Authorised Signatory</b>	<b>Signature</b>

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

## **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

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

tenderer, or influence the decisions of Eskom regarding this bidding process;

6.

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

Full Name & Capacity/ Position within tenderer (e.g. employee/Director/member/ owner/shareholder)	Identity Number	Confirm and provide details (including employee number) if you are 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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Document Identifier	240-114238630	Rev	16
Effective Date	February 2023		
Review Date	February 2028		


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><b>[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].</b></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>).</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 (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>).</p>		
1.3	<p>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?</p>		
1.3.1	Provide details.		
1.4	<p>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</p>		
1.5	<p><i>Is there any history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC?</i></p>		

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

### 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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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

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.


<b>Signature:</b>	
<b>Designation and capacity in which signing</b>	
<b>Date:</b>	

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**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.


<b>Signature:</b>	
<b>Designation and capacity in which signing</b>	
<b>Date:</b>	

(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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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

**ANNEXURE G**

**SBD 1**

**PART A  
INVITATION TO BID**


<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		<b>OR</b>	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes	
	<input type="checkbox"/> No			<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:			
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs&amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

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 ]
<b>SIGNATURE OF BIDDER</b> .....	<b>DATE</b>		
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</b>			
<b>TOTAL NUMBER OF ITEMS OFFERED</b>		<b>TOTAL BID PRICE (ALL INCLUSIVE)</b>	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
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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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>BID SUBMISSION:</b>	
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.
<b>TAX COMPLIANCE REQUIREMENTS</b>	
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.
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
<p><b>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.</b></p>	


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

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**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**

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

1. The 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.

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**1. To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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

- 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.
- 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**

- “**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;
- “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- “**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
- “**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 PREFERENCE POINT SYSTEMS**

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
		<b>Effective Date</b>	February 2023			
		<b>Review Date</b>	February 2028			

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

$$80/20 \qquad \text{or} \qquad 90/10$$

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

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

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

### 1. POINTS AWARDED FOR PRICE

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

$$80/20 \qquad \text{or} \qquad 90/10$$

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

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

### 7. POINTS AWARDED FOR SPECIFIC GOALS

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

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	<b>Invitation to Tender KZN112</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

1. an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
2. any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (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)

**DECLARATION WITH REGARD TO COMPANY/FIRM**

1. Name of company/firm.....
2. Company registration number: .....

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3. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
  - One-person business/sole propriety
  - Close corporation
  - Public Company
  - Personal Liability Company
  - (Pty) Limited
  - Non-Profit Company
  - State Owned Company
- [TICK APPLICABLE BOX]


4. 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.

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.....

**SIGNATURE(S) OF TENDERER(S)**

**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 interest<sup>1</sup> 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

<sup>1</sup> 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 consortium<sup>2</sup> 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

<sup>2</sup> 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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