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ESKOM HOLDINGS SOC LTD

AMENDMENT NO.2

INVITATION TO TENDER (ITT)

FOR

The manufacture, supply and delivery of various padlocks within the LimLanga Cluster on an “as and when” required basis over a period of 60 months.


Tender number	E1334DXMPVOU
Issue date	30 May 2025
Closing date and time	10 July 2025 at 10h00am
Tender validity period	180 days from the closing date and time
Clarification meeting	<p>Date: 12 June 2025 Time: 10h00am A non-compulsory clarification meeting will be held via Microsoft Teams prior tender closure. Tenderers interested in participating in the clarification meeting through online Microsoft teams must click on the link below:</p> <p><u>Join the meeting now</u></p>
<p>Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time.</p> <p><i>Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time</i></p>	<p><u>https://etendering.eskom.co.za</u></p> <p>Padlocks and Key Samples are to be submitted at the below location on the 10 July 2025 at 10:00am:</p> <p>Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane</p> <p>Late Tenders will not be accepted.</p>

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the **manufacture, supply and delivery of various padlocks within the LimLanga Cluster on “as and when required” basis over a period of 60 months.**

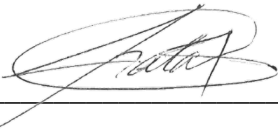
The tender documents are supplied to you on the following basis:

1. Free of charge

Eskom has delegated the management of this Invitation to Tender to the *Eskom Representative* whose name and contact details are set out in the Tender Data. The submission of a tender/proposal by you in response to this Invitation to Tender will be deemed as your acceptance of the Eskom Standard Conditions of Tender which may be accessed at www.eskom.co.za.

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

Yours faithfully



Madimetja Phalane

Procurement Manager

Date: 24/06/2025

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1.1 Annexures to the Tender

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


Number	Description	Annexure	Attached (Y / N / N/A)
1.1.1	*Authorisation Form	Annexure A	Y
1.1.2	*Acknowledgement form	Annexure B	Y
1.1.3	*Tenderer's particulars	Annexure C	Y
1.1.4	*Integrity Declaration Form (Suppliers are required to download and read the Supplier Integrity Pact. It is accessible on the Eskom Tender Bulletin via Eskom Supplier Integrity Pact (eskom.co.za) link)	Annexure D	Y
1.1.5	*CPA Requirements for Local Goods/Services	Annexure E	Y
1.1.6	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure F	N/A
1.1.7	SBD 6.2 Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included and then Tenderers will be required to complete and submit Annexures G1 to G4 as evidence of compliance with this requirement).	Annexure G1	N/A
	Annexure C Local Content Declaration- Summary Schedule	Annexure G2	N/A
	Annexure D Imported Content Declaration – Supporting Schedule to Annexure C	Annexure G3	N/A
	Annexure E Local Content Declaration- Supporting Schedule to Annexure C	Annexure G4	N/A
1.1.8	*SBD 1 Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure H	Y
1.1.9	*SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure I	Y
1.1.10	*SBD 4 – Bidders Disclosure	Annexure J	Y
1.1.11	Reverse e-auction training acknowledgement form	Attached separately	Y
1.1.12	Reverse e-auction process	Attached separately	Y
1.1.13	E-tendering Training acknowledgement form	Attached separately	Y

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Number	Description	Annexure	Attached (Y / N / N/A)
1.1.14	E-tendering Help Manual for supplier	Attached separately	Y
1.1.15	CIDB Contract Skills Development Goals (CSDG) (if applicable)		N/A
1.1.16	Contract Participation Goals (CPG) (if applicable)		N/A
1.1.17	Scope of Work (contained in Contract)	Included in the NEC 3 as attached separately	Y
1.1.18	NEC 3 Supply Contract	Attached separately	Y
1.1.19	Non-disclosure agreement (NDA)	Attached separately	Y
1.1.20	Supplier Quality Management Specification	Attached separately	Y
1.1.21	Supplier QM Category 4 Method Statement Template	Attached separately	Y
1.1.22	Cat 4 – List of Tender Returnables	Attached separately	Y
1.1.23	(Form A) Tender & Contract Quality Requirements for 240-105658000 and Quality Requirements for ISO 9001 Standard	Attached separately	Y
1.1.24	The following technical document is applicable for this tender: <ul style="list-style-type: none"> • 240-137090500 - Technical Evaluation Criteria for Manufacture and Supply of various Padlocks within LimLanga Cluster 	Attached separately	Y
1.1.25	Eskom Standard Conditions of Tender (Rev.12)	Attached separately	Y
1.1.26	List of pre-vetted guarantors as at 30 September 2024	Attached separately	Y

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1.2. Tender Data

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


Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Tihologelo Mahlape Tel: 015 230 1773 E-mail: MahlapT@eskom.co.za</p>
1.3 Tender documents	<p>The Invitation to tender number is: E1334DXMPVOU</p> <p>See the content list above for the tender documents.</p>
1.4 Type of Invitation to Tender	<p>This Invitation to Tender is:</p> <ol style="list-style-type: none"> An open Invitation to Tender
1.6 Eskom's right to accept or reject any tender	<p>The tender shall be for the whole/part of the contract.</p> <p>Suppliers may tender for any single item or multiple items.</p>
2.1 Eligibility	<p>Tenderers (whether a single company or an incorporated or unincorporated joint venture or consortium) must meet the eligibility criteria stated in the Tender Data. The tenderer, or any of its principals, must not be under any restriction to do business with Eskom or State-Owned Companies.</p> <p><u>Tenderers are ineligible to submit a tender if:</u></p> <ol style="list-style-type: none"> Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be found to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (900MB) for submission and the tenderers may submit more than one submission with the same tender number. Tenders submitted by a joint venture or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering] process is:</p> <p>(a) they have a controlling partner or majority shareholder in common; or</p> <p>(b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender of another tenderer, or to influence the decisions of the Employer regarding this bidding process;</p> <p>5. Tenders signed by non-authorized persons.</p> <p>6. Any tenderer that is restricted by National Treasury.</p> <p>7. Any tenderer on the Tender Defaulters list.</p> <p>8. A tenderer that sub-contracts 100% of the Scope of Work</p> <p>Eskom will disqualify tenderers that are found not to have met the eligibility criteria.</p>
2.2 - 2.5 Tender Closing	<p>The deadline for Tender submission is:</p> <p>Date: 10 July 2025 Time: 10:00am</p> <p>Late Tenders will not be accepted.</p> <p>Tenders are uploaded via Eskom Tender bulletin site on the Eskom E-tendering page.</p> <p>Padlocks and Key Samples are to be submitted at the below location on the 10 July 2025 at 10:00am:</p> <p>Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane</p>
2.7-.2.11 Submitting a tender	<p>For Electronic Tender Submissions</p> <p>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E-tendering page. The documents need to be uploaded under the folder Technical, Commercial, Financial, and other.</p> <p>All documents need to be submitted in a PDF and Excel format (The limit is 50MB per file and total submission of 900MB per submissions). The price list needs to be submitted in PDF and a copy in excel format</p> <p>No Zip/condense files can be uploaded</p>

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>No hard copy will be accepted</p> <p>If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void.</p> <p>Please ensure that the submission status is indicated as complete.</p> <p>Supplier Help Manual guide and video can be found on Eskom E-Tendering page</p>
2.12 Tender Validity Period	The tender validity period is 180 days :
2.15 Site visit and/or clarification meeting	<p>A non-compulsory clarification meeting with representatives of Eskom will take place as follows:</p> <p>Date: 12 June 2025 Time: 10:00am Venue: Microsoft Teams</p> <p>Tenderers must confirm their intention to attend with the Eskom Representative, stating the name, position and contact details of each proposed attendee.</p>
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.
2.22 Alternative tenders	Alternative tenders are not allowed .
2.33 Cataloguing	Not applicable
2.34 Provision of Security for Performance	<p>The following forms of security are required for this tender:</p> <p>1. X13 - Performance bond (If applicable).</p> <p>Note: X13 will only be applicable should Financial Analysis report recommends that the parent company guarantee and or performance bond be obtained.</p> <p>If the provision of security for performance in the form of a performance bond or a demand guarantee is a requirement, the tenderer must select a minimum of two (2) financial institutions that it is likely to approach from the list provided of Eskom-approved financial institutions.</p> <p>Refer to the List of pre-vetted guarantors as at 30 September 2024 attached separately.</p>
3.4 Tender Opening	For E-tendering. There will be no public opening of tenders. Tenders will be downloaded electronically.

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Clause Number from Standard Conditions of Tender	Tender Data
3.5 Tender Prices	Prices will not be read out .
3.9 Basic Compliance	<p>Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements:</p> <p>Step 1: Mandatory Basic Compliance</p> <p>Basic compliance for this invitation to tender are:</p> <ol style="list-style-type: none"> 1. Meet the eligibility criteria for a tenderer. 2. For Electronic Tender Submissions: <ul style="list-style-type: none"> - The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be uploaded under the folder Technical, Commercial, Financial, and other. - All documents need to be submitted in a PDF and Excel format (The limit is 50MB per file and total submission of 900MB per submissions). The price list needs to be submitted in PDF and a copy in excel format. - No Zip/condense files can be uploaded. - No hard copy will be accepted. 3. Submission of the mandatory commercial tender returnables as at stipulated deadlines. <p>For E-Tendering, a tenderer's failure to have submitted/uploaded tender documents will render the tender non-responsive.</p>
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents by or the complete information required in mandatory documents by the deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender will be deemed non-responsive.</p> <p>Step 2: Mandatory returnable requirements</p> <p>The following are the Commercial <u>mandatory</u> returnable to be submitted at tender closing:</p> <p>Returnable required at Tender closing (<u>Disqualifiable</u>)</p> <ul style="list-style-type: none"> • CPA for local goods/services (if applicable). (Acceptance of the CPA conditions as stipulated in the tender document. Where CPA conditions are not accepted with the tender, the prices will be deemed fixed for the duration of the contract period) <p>Non-responsive /Unacceptable tenders will be disqualified, and all the responsive tenders will be evaluated further mandatory technical requirements.</p>

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Clause Number from Standard Conditions of Tender	Tender Data								
	<p><u>Returnable required at Tender closing – (Non-disqualifiable, may be requested after tender closing)</u></p> <ul style="list-style-type: none"> Annexure B – Acknowledgement Form Annexure C - Tenderers Particulars Annexure D –Integrity Pact Declaration form Annexure J - SBD 4 – Bidders Disclosure Annexure H - SBD 1 - Invitation to Bid E-tendering Help Manual Annexure A - Submit completed and signed declaration of authority form/ Authorisation Form (A tenderer must declare that the information provided in its tender is true and correct and that the signatory to the tender is duly authorised to sign all documents related to the Enquiry and any ensuing contract) Submit completed and signed non-disclosure agreement (NDA) 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. 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 where responding to this tender as a JV Reverse e-auction acknowledgement form <p>These returnables 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.</p> <ul style="list-style-type: none"> SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations (Annexure H) Proof of compliance to the stipulated Specific goals i.e., BBB-EE certificate or Sworn affidavit. <p>The following are the Technical mandatory returnables to be submitted at tender closing:</p> <p><u>Level 1: Mandatory Requirements</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Criteria</th> <th style="width: 25%;">Evidence</th> <th style="width: 40%;">Minimum Requirement</th> <th style="width: 10%;">Submitted Yesor No</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Criteria	Evidence	Minimum Requirement	Submitted Yesor No				
Criteria	Evidence	Minimum Requirement	Submitted Yesor No						

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Clause Number from Standard Conditions of Tender	Tender Data			
	Technical Schedule A&B	Fully completed and signed technical schedules A&B required per SAP number. Incomplete Technical A&B Schedule will be deemed non-responsive; the submission will be disqualified and not evaluated further.	Technical A&B Schedule will be considered incomplete if any criteria in Column B is returned blank or with non-technical responses such as "N/A", "TBD", "Will be submitted later" etc The information submitted by the tenderer must comply with the requirements provided in the Technical A&B Schedule. Use the Eskom attached technical schedules A&B in encrypted folder.	
	Drawings	Approved Manufacturer (OEM) Drawings, completed and signed, showing product codes, dimensions and markings.	Manufacturer (OEM) Drawings, required per SAP number.	
	Padlocks and Keys Samples	Samples of all Padlocks and Keys to show that the design and structure of locks and keys are unique to Eskom Limlanga cluster. The locks and keys should be aesthetically distinct and similar to those of Eskom Limlanga Cluster.	Refer to table 1 for all types of padlocks and keys samples to be submitted at tender evaluation stage.	
	Concession Letter	Tenderer to submit a written, signed and dated concession letter. Concession letter to include the following: <ul style="list-style-type: none"> • Concession letter should affirm that Locks and Keys will be Eskom property for the duration of contract. • Locks and keys will be unique to Eskom Limlanga Cluster only. 	Locks and keys will not be sold to general public. Complete, sign and date the Eskom attached form, annexure A) Concession letter must be signed by the director or owner of the company.	

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	Keyway Tenderers must ensure that keyway designs supplied are able to open and lock padlocks currently in use in Limlanga Cluster.	If the bid offers padlocks that will contain keyways currently in use in Limlanga Cluster, then the following returnable is applicable: Letter from the Keyway manufacturer/IP holder confirming that the keyway designs are currently in wide scale use in Limlanga Cluster, specifically stating the lock brands that have utilized the keyway for Limlanga Cluster padlocks. The letter must also confirm that the tenderers may source the keyways from the Keyway manufacturer/IP holder to fulfil the technical requirements of this order. If the evaluation process proceeds to Level 4, the tenderer will demonstrate compatibility. Key and keyway compatibility will be tested in Level 4, and if found to deviate from the requirements stated in this mandatory criterion, the submission will be deemed non-compliant; the submission will be disqualified and will not proceed further.																								
	The final outcome shall determine if the submissions will proceed. <ul style="list-style-type: none"> Any "NO" on the above the supplier will be disqualified for that particular item. The tenderer who fail to meet the mandatory requirements will not be evaluated further.																									
3.13 Functionality requirements	Step 3 – Functionality <u>Level 2: Functional scoring</u> All responsive tenders will be evaluated for functionality threshold. The tenderer needs to obtain a weighted score of 85% in order to pass this Evaluation phase. Requirements shall be scored as shown on table below: <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th>Item no</th> <th>Description</th> <th>Weight</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PSIRA Accreditation</td> <td>25%</td> </tr> <tr> <td>2</td> <td>Deviation Schedules</td> <td>25%</td> </tr> <tr> <td>4</td> <td>Type Tests Reports</td> <td>50%</td> </tr> </tbody> </table> <p style="margin-top: 10px;">1. PSIRA Accreditation Requirements.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th>No.</th> <th>Criteria</th> <th>Minimum Requirement</th> <th>Evidence Notes</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				Item no	Description	Weight	1	PSIRA Accreditation	25%	2	Deviation Schedules	25%	4	Type Tests Reports	50%	No.	Criteria	Minimum Requirement	Evidence Notes	Score					
Item no	Description	Weight																								
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Clause Number from Standard Conditions of Tender	Tender Data				
1	PSIRA registration certificate	Submit valid PSIRA registration certificate.	The PSIRA registration must be in the company's employee's name and the registration must be valid (Not expired not forged). If the PSIRA certificate is not yet received, then submit proof of application (with proof of payment), it will be accepted. If the letter has expired, then submit proof of renewal request as well as the expired letter, it will be accepted. Certificates must be certified by the commissioner of oaths and not older than 3 months from tender closing date. Certificate must be valid at tender closing date i.e. not expired.	25	
Total				25	
The final score will be calculated by the formula below:					
$Final\ Score = \frac{Tenderer\ Score}{Total\ points} \times 25\%$					
Scoring Methodology				Allocated Score (%)	
PSIRA certificate is registered under company employee's name and is valid and certified.				100%	
PSIRA proof of application (with proof of payment) Or PSIRA proof of renewal request as well as the expired letter.				80%	
No-compliant				0%	
2. Technical Deviation Schedules Requirements					
No.	Criteria	Minimum Requirement	Evidence Notes	Score	
1	Deviation Schedule	Fully completed Deviation Schedule, required per SAP number Incomplete Deviation Schedule per SAP number will be deemed non-responsive; the submission will be disqualified and not evaluated further.	If no deviations exist then none need to be listed, however the evidence of the Deviation Schedule must still be signed, dated and submitted with a "nil" record. Use the Eskom attached deviation schedules in encrypted folder.	25	
Total				100	
The final score will be calculated by the formula below:					

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	$Final\ Score = \frac{Tenderer\ Score}{Total\ points} \times 25\%$				
	Scoring Methodology			Allocated Score (%)	
	Fully compliant			100%	
	Partially compliant			80%	
	No-compliant			0%	
	3. Type Tests Reports Requirements				
	No.	Criteria	Minimum Requirement	Evidence Notes	Score
	1	Type Tests as per SANS 1533	Copies of the following type test reports, clearly showing the test facility and that the test facility is SANAS (or equivalent) accredited, the standard against which the product was tested, and the product tested (i.e. OEM and product code): <ol style="list-style-type: none"> 1. Tension Test, 2. Hardness of Shackles Test, 3. Locking Test, 4. Thickness test for plating (for steel laminate options only), 5. Adhesion test for plating (for steel laminate options only), 6. Test for corrosion resistance (16h exposure). 	Test report accreditation will be accepted as follows: <ol style="list-style-type: none"> 1. Test reports issued by SABS. Will be accepted. 2. The test reports that demonstrate SANAS accreditation (or international equivalent accreditation e.g. ILAC – MRA) will be accepted. Copy of the type test report must show the name of the test facility and text indicating SANAS/ International accreditation, OR A letter confirming SANAS/ international accreditation.	50
	Total				50
	The final score will be calculated by the formula below: $Final\ Score = \frac{Tenderer\ Score}{Total\ points} \times 50\%$				
	Scoring Methodology			Allocated Score (%)	
	Fully compliant				100%
	No-compliant				0%

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Clause Number from Standard Conditions of Tender	Tender Data												
	<p>Level 3: Factory & Product Sample Requirements</p> <p>The below stipulates evidence to be presented by the tenderers during sample testing. Submitted samples will be tested on the existing padlocks in LimLanga cluster for compliance.</p> <p>The Factory Assessment and Verification shall include a review of the following factors:</p> <ol style="list-style-type: none"> a) Demonstrate that there are good manufacturing practices (factory production technology) established, to assess the degree of automation, sophistication and precision of the production assets installed to produce the required products in a high-volume operation i.e. is the production more reliant on manual methods or fully automated processes. b) There are technical work instructions and supporting technical documents in place ensuring that every product adheres to the required standards, also ensuring that technical changes are controlled and managed from design to manufacturing and ensuring consistency and repeatability in the production process. c) There is a product control system in place ensuring testing of raw material and testing (sample and routine) of finished products, ensuring compliance to Eskom standards, and such test certification is retained in archives and available for inspection. d) That production personnel are competent and imbued with the necessary skills by means of certification and specialised training (certificates from approved authority and skills training certificates), demonstrate the technical capability of design and production personnel. e) That the factory is well equipped with the necessary tools and equipment, listed below, to ensure seamless manufacturing process. <ul style="list-style-type: none"> • Pressing machine minimum 30 ton (Press and punch steel). • Profiling machine: to profile steel. • Slitting machine: to cut a sheet (minimum 3 meters per sheet). • Injection moulding machine minimum 30 ton, to make padlock plastic covers. • Padlock Key Cutting Machine. • Padlock Key Stamping Machine. • Ultrasonic welder machine (To welder the padlock plastic covers together). <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th colspan="4" style="text-align: center;">Compliance to Factory Assessment and Verification Criteria</th> </tr> <tr> <th style="width: 5%;">No.</th> <th style="width: 45%;">Criteria</th> <th style="width: 45%;">Evidence Notes</th> <th style="width: 5%;">Score</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td>Padlocks and Keys Samples</td> <td>Refer to table 1 for all types of padlocks and keys samples to be submitted at Factory evaluation stage.</td> <td style="text-align: center;">100%</td> </tr> </tbody> </table>	Compliance to Factory Assessment and Verification Criteria				No.	Criteria	Evidence Notes	Score	1	Padlocks and Keys Samples	Refer to table 1 for all types of padlocks and keys samples to be submitted at Factory evaluation stage.	100%
Compliance to Factory Assessment and Verification Criteria													
No.	Criteria	Evidence Notes	Score										
1	Padlocks and Keys Samples	Refer to table 1 for all types of padlocks and keys samples to be submitted at Factory evaluation stage.	100%										

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	<p>The specific requirements for the purpose of the evaluation will be sourced from the Factory Assessment and Verification checklist prepared by the Factory Evaluation Team.</p> <p>Positive marking will be applied as follows:</p> <ul style="list-style-type: none"> • 5 points will be awarded for fully compliant production facilities. Fully compliant means no deviations from the factory evaluation criteria were identified. • 4 points will be awarded if the production facility demonstrates compliance to defined criteria however there are deficiencies that are considered by the Factory Evaluation Team to be low risk criteria. • 2 points will be awarded if the production facility demonstrates deviations to most criteria. • 0 points will be awarded if the production facility is completely non-compliant or declines to participate in the Factory Assessment and Verification. <p>The site verification will be conducted to confirm resources required for this tender. Minimum threshold is eighty (80%) percent.</p>
3.15 Evaluation of Price	<p>Step 4: Price and Preference</p> <p>Evaluation of price: Reverse e-Auction The suppliers that have passed the technical evaluation criteria will be invited to go through reverse e-Auction.</p> <p>Prices will be evaluated as follows:</p> <ol style="list-style-type: none"> 1. Inclusive of VAT 2. Making the specified correction for arithmetical errors 3. Excluding contingencies in any bill of quantities or activity schedule. 4. Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted. 5. Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable. 6. Unconditional discounts must be taken into account for evaluation purposes. 7. Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is affected. <p>Prices will be scored out of either 80/90 points.</p> <ul style="list-style-type: none"> • Eskom reserves the right to negotiate market related prices with the highest ranked supplier. • The contract/s will be awarded to the supplier (s) scoring the highest points per item in terms of the PPR 2022 unless objective criteria justify the award to another tenderer.

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	<p>A maximum of 80 or 90 points is allocated for price on the following basis:</p> <p style="text-align: center;">80/20 or 90/10</p> <p style="text-align: center;">$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ or $P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$</p> <p>Where</p> <p>P_s = Points scored for price of tender under consideration</p> <p>P_t = Price of tender under consideration</p> <p>P_{min} = Price of lowest acceptable tender</p> <p>Price and Preference (Evaluation of price and Specific goals)</p> <ul style="list-style-type: none"> • Either 90/10 or 80/20 preference points system will be used to evaluate price. Price points will be calculated out of 90 or 80 for price (Evaluated price including VAT). A maximum of 10 or 20 points will be awarded to a tenderer for the specific goal. • The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. The contract must be awarded to the tenderer scoring the highest points unless objective criteria if any justify the award to another tenderer. The ranking will be based on rates tenderers will quote. • The contract/s will be awarded to the highest ranked supplier/s based on the highest points scored per item, in terms of the PPR 2022 unless objective criteria justify the award to another tenderer. <p>After the scoring and ranking of tender for contract establishment the following shall apply to break deadlock:</p> <ul style="list-style-type: none"> • The points scored for Price must be added to the points scored for B-BBEE status in order to obtain each tenderer's total points scored out of 100. • In the event that two or more tenderers have scored equal points, the recommended tenderer is identified as the tenderer that scored the higher points for Specific Goals. • In the event that two or more tenderers are equal in all respects, the recommended tenderer must be identified by the drawing of lots.
3.18 Evaluation of Specific Goals	<p>Specific Goals</p> <p>A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored</p>

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	<p>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> <p>If a tenderer fails to submit evidence of its points claim for a Specific Goal, it will not be disqualified. However, it will be awarded 0 points for that Specific Goal</p> <p>NB: The following documents are required to claim preference points:</p> <ul style="list-style-type: none"> Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown Certified ID copies of shareholder(s) Proof of Disability (where applicable) <p>General Information on Validity of Sworn Affidavits</p> <div style="border: 1px solid black; padding: 5px;"> <p>The following must be considered when it comes to validity of Affidavits;</p> <p>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</p> <ul style="list-style-type: none"> Name/s of deponent as they appear in the identity document and the identity number. Designation of the deponent as the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit. (Mark the applicable option). Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address. Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. (No blank spaces to be left). Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. (Mark the applicable option). Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. (Financial year end to be stipulated by day/month/year). B-BBEE Status level. An enterprise can only have one status level. (Tick applicable level) Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status. Date deponent signed and date of Commissioner of Oath must be the same. (The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp) Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest. </div>
3.19 Ranking of tenders	<p>Either 80/20 or 90/10 will apply should there be a degree of uncertainty on which system will apply. The lowest acceptable tender will be used to determine the applicable preference system.</p> <p>Tenderers will be ranked by applying the preferential point scoring for the [90/10 or 80/20] system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.</p>

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	<p>The contract(s) will be awarded to the highest ranked supplier(s) based on the highest points scored per item, in terms of the PPR 2022 unless objective criteria justify the award to another tenderer.</p>
3.20 Objective Criteria (if applicable)	<p>Step 5: Objective Criteria</p> <p>Not applicable</p>
3.21 Reverse e-auction	Reverse e-auction is applicable
Contractual Requirements	<p>Step 6: Contractual Requirements</p> <p>The following contractual requirements shall apply:</p> <ul style="list-style-type: none"> • Financial Analysis; • Technical Contractual Requirements; • Quality; • SDL&I Requirements • Commercial compliance; <p>Tenderer/ tenderers recommended for award, including those justified on the bases of objective criteria, must still meet Contractual requirements as set out in the enquiry. Contractual requirements exclude objective criteria and Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders.</p> <p>The tenderer will be allowed 7 working days, to resubmit the contractual requirements that were not met after the tender submission.</p> <p>Proof that the highest-ranked tenderer / preferred tenderer is able to meet the contractual requirements must be submitted before the contract may be awarded.</p> <p>If the tenderer does not meet a contractual requirement, mitigating factors, may be agreed to and be made terms and requirements of the contract. If the tenderer does not agree with the mitigating factors or if there are insufficient suitable mitigating factors or if the risk is deemed too high, the tender may be awarded to a tenderer other than the highest-ranked (the second-ranked).</p> <p>a) Financial Analysis:</p> <p>The analysis of a tenderer’s financial statements is not a criterion for the purposes of the scoring and awarding of points or the determination of competitive ranking, but to determine if the tenderer is financially stable enough to execute a contract / order of the magnitude to be awarded, and if not, the risk to Eskom.</p>

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	<p>Due diligence may be done by the Finance Department through a review of financial viability and risk mitigation steps. The latest and approved Annual Financial Statements (AFS) must be submitted by the tenderer. Where the Annual Financial Statements have not been audited, then a ITA34C tax submission will be required and the Public Interest Score as completed by the accountant / reviewer as required by the Companies Act, 2008.</p> <p>The list of mandatory documents are as follows:</p> <ul style="list-style-type: none"> • Background to the company. • A signed director's report. • A signed auditor's / reviewer's / compiler's / accounting officer's report. • Statement of financial position. • Statement of comprehensive income. • Statement of changes in equity. • Statement of cash flows (if applicable). • Notes to the financial statements. <p>Financial analysis cannot be performed for entities who do not submit all required documentation.</p> <p>Risk mitigation factors may include:</p> <ul style="list-style-type: none"> • Obtaining a performance bond from a financial institution that has been pre-approved by Eskom Treasury department. • A parent Company Guarantee, provided that the parent company is financially sound enough to stand as surety for the subsidiary tendering for the contract. The parent company's latest and approved AFS must be submitted for financial analysis. • A reduced contract may be recommended. • Payment upon delivery of a milestone activity or milestone goods. <p>In the case of an unincorporated JV or a SPV, each partner in the entity must submit its Annual Financial Statements, which will be consolidated to determine their joint capability to execute the contract under award. Where a new company is unable to provide audited financial statements for the last 18 months, it may, at Eskom's discretion, be permitted to provide audited financial statements for the most recent twelve-month operating period.</p> <p>b) Technical Contractual Requirements</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Description</th> <th>Minimum Requirement</th> <th>Evidence Notes</th> </tr> </thead> <tbody> <tr> <td>PDE SCOT Website Access</td> <td>Letter showing username and password</td> <td>PDE registration confirmation letter with login details should be submitted at contract award stage. The registration must be valid at contract award stage.</td> </tr> </tbody> </table>	Description	Minimum Requirement	Evidence Notes	PDE SCOT Website Access	Letter showing username and password	PDE registration confirmation letter with login details should be submitted at contract award stage. The registration must be valid at contract award stage.
Description	Minimum Requirement	Evidence Notes					
PDE SCOT Website Access	Letter showing username and password	PDE registration confirmation letter with login details should be submitted at contract award stage. The registration must be valid at contract award stage.					


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	c) Quality Requirements Eskom will assess the recommended tenderer's compliance to the quality requirements applicable to the product, the tenderer/s has to comply with the requirements prior contracts award.													
		<table border="1"> <tr> <td> Supplier Quality Management: List of Tender Returnables Documents </td> <td> Unique Identifier </td> <td> 240-12248652 </td> </tr> <tr> <td></td> <td> Revision </td> <td> 7 </td> </tr> <tr> <td></td> <td> Effective Date </td> <td> 2022/01/26 </td> </tr> <tr> <td></td> <td> Specification </td> <td> 240-105658000 </td> </tr> </table>	Supplier Quality Management: List of Tender Returnables Documents	Unique Identifier	240-12248652		Revision	7		Effective Date	2022/01/26		Specification	240-105658000
Supplier Quality Management: List of Tender Returnables Documents	Unique Identifier	240-12248652												
	Revision	7												
	Effective Date	2022/01/26												
	Specification	240-105658000												
	Category 4: Quality Requirements	Deliverables to be evaluated indicator = 1												
	SECTION A : Quality Management System Requirements ISO 9001 (Option 1) Valid certification of Quality Management System by an ISO accredited body													
		Apply =1												
	A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant	0												
	A.2 Certificate by Approved and Authorized certification authority	0												
	A.3 Certification Authority has Recognized International Accreditation	0												
	A.4 Validity (expiry date) of certificate	0												
	Section A Score Option 1	0												
	SECTION A : Quality Management System Requirements ISO 9001 Objective evidence of documented QMS that is not certified but complies with ISO 9001													
		Apply =1												
	A.1 Quality Method statement based on scope. (Method Statement Template-Ref 240-126469599)	1												
	A.2 Quality Policy Approved by top management.	1												
	A.3 Quality Objectives Approved by top management.	1												
	Section A Score Option 2	3												
	SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)													
		Apply =1												

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	B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)	1
	B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1
	Section B Score	2
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here		
		Apply (Yes=1)
	E.1 Form A is completed and signed.	1
	Section E Score	1
<p>The following documents are applicable and need to be referred to when compiling the Quality Requirements submissions;</p> <ul style="list-style-type: none"> • 240-105658000 Supplier Quality Management Specification • 240-126469599 Method Statement template Rev 2 • 240-68099512 Form A Cat-4 Rev 9 • 240-12248652 Cat-4 Rev 7 List of Tender Returnables <p>d) SDL&I Requirements</p> <p>1) Transformation - BBBEE Improvement or Retention Plan</p> <p>Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.</p> <p>Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.</p>		

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	<p>Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.</p> <p>Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.</p> <p>Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract.</p> <p>NB: A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate</p> <p style="text-align: center;">2) Local Procurement Content</p> <p>Local Procurement Content refers to value added in South Africa by South African resources. This contract only involves local goods and/or services, thus, local procurement content is 100%.</p> <p style="text-align: center;">3) Jobs</p> <p>Tenderers will be required to report on the number of jobs created and or retained as a result of this contract.</p> <p style="text-align: center;">4) Skills Development</p> <p>Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom's core, scarce and critical skills and the scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from all provinces in the country, and their composition shall be representative of the population demographics of South Africa</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Skill type / Occupation</th> <th style="text-align: center;">Eskom's Target</th> <th style="text-align: center;">Tenderer's Proposal</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Skill type / Occupation	Eskom's Target	Tenderer's Proposal			
Skill type / Occupation	Eskom's Target	Tenderer's Proposal					

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	Artisan (candidates with mechanical engineering qualification – TVET)	5 (1 per annum)					
	Machine Operators	5 (1 per annum)					
	Machine Programmer	5 (1 per annum)					
<p>The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.</p> <p>Note: That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives.</p> <p style="text-align: center;">5) Procurement spend on entities with a minimum 51% black ownership</p> <p>The tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:</p> <ul style="list-style-type: none"> • indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and • direct spend on goods and services supplied by the subcontractors for the execution of the scope of work <p>Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises must be submitted in the table below.</p> <p>The tenderer will be required to propose as follows:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="background-color: #cccccc;">Procurement from Designated Group</th> <th style="background-color: #cccccc;">Tenderer's Proposal</th> </tr> </thead> <tbody> <tr> <td>Procurement from EME/QSE >51% owned by Black People</td> <td></td> </tr> </tbody> </table> <p>e) Commercial Statutory Documents</p> <ul style="list-style-type: none"> • Valid B-BBEE Certificate / Sworn Affidavit • Tax Compliance Status (TCS) e-filing PIN from SARS • Valid Original certificate of good standing or proof of application issued by the Compensation Fund (COID) 				Procurement from Designated Group	Tenderer's Proposal	Procurement from EME/QSE >51% owned by Black People	
Procurement from Designated Group	Tenderer's Proposal						
Procurement from EME/QSE >51% owned by Black People							

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Clause Number from Standard Conditions of Tender	Tender Data
	<ul style="list-style-type: none"> • Proof of National Treasury Central Supplier Database registration (CSD) that has a tax compliant status at award • Compliance with Employment Equity Act - To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only). <p>Failure to meet stipulated Contractual Requirements by the stipulated deadlines may result in the tenderer being regarded as non-responsive and ineligible for contract award.</p>
3.24 Sign form of Agreement/ Contractual Conditions	<p>The conditions of contract will be the NEC 3 Supply Contract</p> <p>Clauses</p> <p>X1: Price adjustment for inflation X2: Changes in the law X7: Delay damages X13: Performance Bond Z: Additional conditions of contract</p>
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements are not applicable
2.29 Contract Skills Development Goals (CSDG) is not applicable	Not applicable
2.30 Contract Participation Goals are not applicable	Not applicable

Please note:

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


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

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

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

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

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

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

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

1.2 TENDER RETURNABLES

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

NOTE THE FOLLOWING: -

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

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

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

These returnables are required to be fully completed, signed (if required on the returnable) and submitted with Tender at Tender closing date and time; however, if not submitted by Tender closing, or submitted with incomplete information or without a required signature, the Procurement Practitioner will, in writing, request the tenderer to submit the returnable within 5 working days. If the returnable is not fully completed, signed if required and/or received by the Procurement Practitioner within 5 working days of the request, the tenderer will be disqualified.

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


Returnables required at Tender Closing date and time for evaluation: -

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These returnables are required to be submitted at tender closing date and time. These returnables will not be requested by the Procurement Practitioner. A tenderer that does not submit the required returnable at stipulated deadline or submits an incomplete returnable; will not be disqualified but will score zero.


Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required at Tender closing (will not be disqualified but score zero) #	Returnable required prior to Contract Award.
Basic Compliance	Electronic copy of the tender in a PDF format.	✓			
Annexure A	Authorisation Form - Completed and signed declaration of authority form / submit the signed resolution by the board confirming the duly authorised personnel to sign all documents in connection with this tender. Note – The authorisation form must be submitted to confirm the authority of the supplier’s representative to act as an authorised agent on behalf of the supplier.		✓		
Annexure B	Acknowledgement Form		✓		
Annexure C	Tenderers Particulars		✓		
Annexure D	Integrity Pact Declaration form		✓		
Annexure E	*CPA Requirements for Local Goods/Services (if applicable)	✓			
Annexure F	*CPA(IG) for Foreign Goods/Services (if applicable)			N/A	
Annexure G1-G4	SBD 6.2 -Declaration certificate for local production and content and Annexures G2,G3,G4 [only applicable where designated materials are included]			N/A	
Annexure H (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓		

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# Annexure I	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			✓	
Annexure J	SBD 4 – Bidders Disclosure		✓		
Reverse Auction Acknowledgement Form			✓		
E-tendering Training acknowledgement form			✓		
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓		
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		✓		
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.				✓
# Specific Goals	A tenderer's failure to submit proof that it meets the specific goals will not result in its disqualification. The tenderer will, however, be scored zero for Specific Goals for purposes of PPPFA scoring and ranking.			✓	
Tax Clearance Certificates	A certified copy of a tax clearance certificate is required from foreign tenderers (with a footprint in South Africa but that are not registered on CSD and have not provided a SARS pin number) and local tenderers (that have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa must complete the SBD1 document; however, no proof of tax compliance is required.				✓
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a "designated Employer" as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)				✓
Non-disclosure agreement (NDA)	Submit completed and signed non-disclosure agreement (NDA).		✓		
NEC Contract	Completed NEC 3 Supply Contract	✓			
MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE [applicable to all tenders]					

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Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD number/CSD Report)				✓
ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE					
Due Diligence/financial analysis	Refer to page 18 - 19 of this invitation for the list of tender returnables				✓
Quality	Refer to page 19 to 21 of this invitation for quality requirements required for the scope of work. The following quality documents are attached separately: <ul style="list-style-type: none"> • Supplier Quality Management Specification • Method Statement Template • List of Returnable Documents • Form A 				✓
SDL&I Requirements	Completed and signed SDL&I Strategy for bidders attached separately				✓
Commercial statutory documents	Refer to page 23 of this invitation for commercial statutory documents required for the scope of work				✓
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA					
Technical (required for functionality scoring)	Mandatory Technical Requirement – submit the requirement as explained on page 9 - 11 of this document (non-submission will result in disqualification) Functionality (Technical) requirements - submit all Technical Requirements as specified on page 11 - 13 of this document.	✓			

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ANNEXURE A

AUTHORISATION FORM

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

A COMPANY	B CLOSE CORPORATION	C PARTNERSHIP	D JOINT VENTURE	E SOLE PROPRIETOR	F TRUST

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

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

A. Certificate for company

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


Signed:	Date:
Name:	Position:

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B. Certificate for close corporation

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

Signed:	Date:
Name:	Position:

C. Certificate for partnership

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

Name	Address	Signature	Date


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

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D. Certificate for Joint Venture

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

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

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

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

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

E. Certificate for sole proprietor

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


Signed:	Date:
Name:	Position: (Sole Proprietor)

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F. Certificate for trust

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

Signed:	Date:
Name:	Position:

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


Name of tenderer:	
Full names of authorised signatory:	
Designation and capacity:	
Signature of authorised signatory	
Date of signature:	

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ANNEXURE B

ACKNOWLEDGEMENT FORM

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

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

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

Or: Incorrect or incomplete for the following reasons:

Cataloguing Acknowledgement:

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

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


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

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Invitation to Tender No: _____

Name of Tenderer: _____

Country of registration: _____

Full names of contact person: _____

Contact details:

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


Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE C

TENDERER'S PARTICULARS

The tenderer must furnish the following particulars where applicable:

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

Please complete the following:

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

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


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

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

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

YES		NO	

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

7.1 Confirm if you intend sub-contracting


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

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

7.3 To whom do you intend sub-contracting? _____

7.4 Is the said sub-contractor registered on CSD?

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

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

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

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

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

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

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

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

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

Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE D

INTEGRITY DECLARATION FORM

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

1 DECLARATION OF INTEREST

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

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

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

Related:

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


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

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

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

Control:

- (2) For the purpose of subsection (1) above, a person controls a juristic person, or its business, if-
- (a) in the case of a juristic person that is a company-
 - (i) that juristic person is a subsidiary of that first person, as determined in accordance with the Companies Act1; or
 - (ii) that first person together with any related or inter-related person, is-
 - (aa) directly or indirectly able to exercise or control the exercise of a majority of the voting rights associated with securities of that company, whether pursuant to a shareholder agreement or otherwise; or
 - (bb) has the right to appoint or elect, or control the appointment or election of, directors of that company who control a majority of the votes at a meeting of the board;
 - (b) in the case of a juristic person that is a close corporation, that first person owns the majority of the members’ interest, or controls directly, or has the right to control, the majority of members’ votes in the close corporation;

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

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

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

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

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

If Yes, attach proof. to this declaration

2 DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

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


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

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3. DECLARATION OF SHAREHOLDING / BENEFICIARY INFORMATION

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

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

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

Individuals:

Full Name	Identity Number	Shareholding Percentage / Beneficiary Share

Other Entities*:

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

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

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

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

Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

Joint Ventures

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

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

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


Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE E (If Applicable)

CONTRACT PRICE ADJUSTMENT (CPA) REQUIREMENTS FOR LOCAL GOODS AND SERVICES.

The application of contract price adjustment (CPA) to tender submissions

Note: This Section will not be applicable to Professional services contracts (See relevant section hereunder for guidelines on this).

1. Application of CPA

- CPA conditions may apply if the contractual duration is to be longer than 12 months.
- If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.
- For contracts with a duration more than twelve (12) months, CPA will not be applicable for the first year. CPA will then only be applied from year two (2) onwards.
- Failure to propose contract price adjustment, or submit a CPA formula with the tender submission, will result in the pricing being considered fixed.
- Eskom will not accept Rate of Exchange adjustment to be included in any CPA formula.
- Local indices may not be used for CPA purposes for any imported component.
- There must be separate CPA formulae for local and foreign CPA. Local and foreign escalation may not be combined into one formula.

Contract Price Adjustment (CPA)

Rates will be fixed and firm for the first 12 months of the contract. At the anniversary date of the contract the prices will be adjusted in accordance with the published SEIFSA INDICES.

2. Tender Submissions

Eskom Proposed CPA breakdown for Local Goods and Service

Proposed table	Weight
Table Q-(A), Hot Rolled Steel Type, 304	85%
Fixed Portion	15%
Total	100%


Tenderer's proposed CPA (if Eskom one is not accepted)

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Eskom CPA Conditions/Requirements

- Tenderers are required to submit CPA that is aligned to Eskom’s proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom’s CPA proposal, and this will be considered if deemed acceptable to Eskom;
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied,
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.
- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted).
- If there are specific line items for Labour and Transport, individual Formulae might be used.

Note: Eskom reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

3. BASE DATE AND BASE PRICE

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the Enquiry closes.
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the Enquiry closes should be used as the Base Price.

4. CPA FOR PROFESSIONAL SERVICES

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


Closing date of tender:	
Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Date of signature:	

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ANNEXURE F - THIS IS NOT APPLICABLE TO THIS TENDER


CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

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ANNEXURE G1 – THIS IS NOT APPLICABLE TO THIS TENDER

SBD 6.2

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ANNEXURE H

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	E1334DXMPVOU	CLOSING DATE:	10 July 2025	CLOSING TIME:	10:00am
DESCRIPTION	Manufacture, supply and delivery of various padlocks within the LimLanga Cluster on "as and when required" basis over a period of 60 months.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time.					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Tihologelo Mahlape		CONTACT PERSON	Tihologelo Mahlape	
TELEPHONE NUMBER	015 230 1773		TELEPHONE NUMBER	015 230 1773	
FACSIMILE NUMBER	Not applicable		FACSIMILE NUMBER	Not applicable	
E-MAIL ADDRESS	MahlapT@eskom.co.za		E-MAIL ADDRESS	MahlapT@eskom.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	

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

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PART B TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER:

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

DATE:

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ANNEXURE I

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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


1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that

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preference points for specific goals are not claimed.

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below

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as may be supported by proof/ documentation stated in the conditions of this tender:

- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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


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

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DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Trust
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

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.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....


.....

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ANNEXURE J

SBD 4

TENDERER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. TENDERER'S DECLARATION

2.1 Is the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise, employed by the state?

[YES/NO]

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in the table below.


Full Name	Identity Number	Name of State Institution

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

[YES/NO]

If so, furnish particulars:

.....

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

[YES/NO]

If so, furnish particulars:

.....

3. DECLARATION

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


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

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- 3.5 The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the tenderer with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the tender submitted where so required by the institution, and the tenderer was not involved in the drafting of the specifications or terms of reference for this tender.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, tenders that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and/or the tenderer maybe restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....

Signature

Date

.....

.....

Position

Name of bidder

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