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## **NEC3 Engineering and Construction Contract**

### **PART ONE COMMERCIAL REQUIREMENTS**

AN ENQUIRY PROCESS IN ORDER TO SUPPLEMENT THE EXISTING PRE-APPROVED PANEL OF TWO (02) CONTRACTORS WITH AN ADDITIONAL EIGHT (8) CONTRACTORS, FOR CIVIL WORKS PERFORMED WITHIN THE SUB TRANSMISSION PORTFOLIO, IN THE KWAZULU NATAL (KZN), AND FREE STATE (FS) OPERATING UNITS (CENTRAL EAST CLUSTER), ON AN "AS AND WHEN" REQUIRED BASIS, FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR CONSTRUCTION AND TWELVE MONTHS (12) FOR PROJECT COMPLETION.

**ENQUIRY NUMBER : E1207DXKZN**

**TENDERER NAME :** \_\_\_\_\_  
\_\_\_\_\_

**TENDER CLOSING  
DATE : Tuesday,  
17 June 2025  
AT 10H00**

Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements:

### **Commercial Mandatory Returnable (Disqualifiable)**

These returnables are required to be submitted electronically by the tenderer at tender closing date and time. If not submitted electronically by the tender closing date, the tender will be disqualified.

- Meet the eligibility criteria for a tenderer.
- Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page. Refer to the e-Tendering “User Guide” attached.
- Completed and signed acceptance of NEC 3 Engineering and Construction Contract, Offer and Acceptance and the Schedule of Deviations pages.

### **Commercial Mandatory Returnable (Non-Disqualifiable).**

These returnables are also required to be fully completed, signed, and submitted electronically with the tender at tender closing date and time however, if not submitted electronically by tender closing, the Procurement Practitioners will request in writing the outstanding returnable to be submitted within five (5) working days.

If the requested returnable/s are not fully completed, signed and/or received by the Procurement Practitioner within five (5) working days of the request, the tender will be disqualified.

- Fully completed and signed the SBD1 Invitation to bid form in the invitation to tender.
- Fully completed and signed the SBD 6.1 preference claim form in the invitation to tender
- Fully completed and signed the SBD 4 Bidders Disclosure form in the invitation to tender.
- Fully completed and signed Annexure A – Authorisation Form.
- Fully completed and signed Annexure B - Acknowledgement form.
- Fully completed and signed Annexure C -Tenderer’s particulars.
- Fully completed and signed Annexure D - Integrity Declaration Form

### **Commercial Mandatory Returnable (Non-Disqualifiable)**

Valid proof of CIDB (Construction Industry Development Board) Registration or application for registration with the CIDB for a grade of **4CE** or higher is required to be submitted with the tender at tender closing date and time. However, if not submitted by tender closing, the Procurement Practitioner will request in writing the outstanding returnable to be submitted. The period of request is twenty-one (21) working days. If the requested returnable is not received by the Procurement Practitioner within twenty-one (21) working days of the period of request, the tender will be disqualified.

### **Commercial Mandatory Returnable required prior to Contract Award. (Non-Disqualifiable)**

The requested returnable/s are required to be received by the Procurement Practitioner upon request by contract award; failure to provide the document will deem the tender non-responsive.

- CSD Registration – Companies are required to provide a valid CSD (MAAA.....) number.

**For E-Tendering, a tenderer’s failure to have submitted / uploaded tender documents will render the tender non-responsive.**

<b>CHECKLIST OF REQUIREMENTS FOR E1053DXKZN</b>		<b>✓</b>	<b>x</b>
<b>1</b>	<b>Meet the eligibility criteria for a tenderer.</b>		
<b>2</b>	<b>Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page. Refer to the e-Tendering “User Guide” attached.</b> <b>E-tendering Help Manual acknowledgement form</b>		
<b>3</b>	<b>Completed and signed acceptance of NEC 3 Engineering and Construction Contract, Offer and Acceptance and the Schedule of Deviations pages.</b>		
<b>4</b>	<b>Fully completed and signed the SBD1 Invitation to bid form in the invitation to tender.</b>		
<b>5</b>	<b>Fully completed and signed the SBD 6.1 Preference claim form in the invitation to tender.</b>		
<b>6</b>	<b>Fully completed and signed the SBD 4 Bidders Disclosure form in the invitation to tender</b>		
<b>7</b>	<b>Fully completed and signed Annexure A Authorisation Form.</b>		
<b>8</b>	<b>Fully completed and signed Annexure B Acknowledgement form.</b>		
<b>9</b>	<b>Fully completed and signed Annexure C Tenderer’s particulars</b>		
<b>10</b>	<b>Fully completed and signed Annexure D Integrity Declaration Form.</b>		
<b>11</b>	<b>Valid proof of CIDB (Construction Industry Development Board) Registration or application for registration with the CIDB for a grade of 4CE or higher.</b>		
<b>12</b>	<b>CSD Registration (MAAA Number)</b>		
<b>13</b>	<b>Valid Tax Clearance Certificate /Tax Pin</b>		
<b>14</b>	<b>COID Registration</b>		
<b>15</b>	<b>BBBEE Certificate / Certified Sworn Affidavit</b>		
<b>16</b>	<b>Section 37(2) Agreement</b>		
<b>17</b>	<b>Non-Disclosure Form (NDA)</b>		
<b>18</b>	<b>Supplier Declaration Form</b>		
<b>19</b>	<b>Financial Requirements</b>		

**Attach the completed and signed  
NEC 3 Engineering Construction  
Contract – Form of Offer and  
Acceptance and the Schedule of  
Deviations, to this page.**

**Attach the completed and signed  
SBD1, to this page.**

**Attach the completed and signed  
SBD 6.1, to this page.**

**Attach the completed and signed  
SBD 4, to this page.**

**Attach the completed and signed  
Annexure A, to this page.**



**Attach the completed and signed  
Annexure B, to this page.**

**Attach the completed and signed  
Annexure C, to this page.**

**Attach the completed and signed  
Annexure D, to this page.**

**Attach your CIDB Grading  
of 4CE or higher, to this page**

**Attach the CSD Registration  
(MAAA Number), to this page.**

**Attach the Valid Tax Clearance  
Certificate /Tax Pin, to this page.**

# **Attach the COLD Registration, to this page**

**Please note that this must be valid and the Nature of  
Business must be relevant to this Scope of Work**

**Attach the BBBEE Certificate /  
Certified Sworn Affidavit,  
to this page.**



**Attach the completed and signed  
Off Non-Disclosure Form (NDA),  
to this page**

**Attach the completed and signed  
Off Section 37(2) Agreement,  
to this page**

**Attach the completed and signed  
Off Supplier Declaration Form,  
to this page.**

**Attach the audited & signed Annual  
Financial Statement, to this page.**

## CONTRACTOR INFORMATION

It is important that this information is completed accurately and completely.

1.	<b>Eskom Vendor Registration Number</b>	
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If you are not currently a registered vendor with Eskom, you are not required to register for tender submission. Registration on the Eskom Vendor Database is not a prerequisite for submitting a tender. Companies who are not currently registered will not be prejudiced in any way for the evaluations.

Note: The successful supplier / service provider will be notified upon contract award to submit the following documents for registration purposes. These documents should be submitted within five working days upon receipt of the notification

2.	<b>Company Registered Name</b>	
3.	<b>Company Trading Name</b>	
4.	<b>Company Registration Number as per SARS Tax Clearance Certificate</b>	
5.	<b>Expiry Date as per SARS Tax Clearance Certificate</b>	
6.	<b>Central Supplier Database Registration (CSD) MAAA.....</b>	
7.	<b>Expiry Date as per Compensation for Occupational Injuries and Diseases Act (COID)</b>	
8.	<b>Nature of Business as per COID certificate</b>	
9.	<b>B-BBEE Status as per SANAS Accredited Certificate or Sworn Affidavit</b>	
10.	<b>CIDB CRS Number as per CIDB Registration</b>	
11.	<b>CIDB Category of work and Level (e.g., CE and above)</b>	

12.	<b>Shareholders as per Declaration of Shareholding or Beneficiaries</b>	
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<b>Names of all Shareholders</b>	<b>Identity Number of all Shareholders</b>	<b>Number / Percentage of Shares</b>

<b>13.</b>	<b>Are any shareholders employed by or close family members to employees of Eskom Holdings and/or its subsidiaries?</b>	
<b>14.</b>	<b>If Yes, provide details</b>	
<b>15.</b>	<b>Office Telephone Number</b>	
<b>16.</b>	<b>Your cell phone contact details</b>	
<b>17.</b>	<b>Your email address</b>	

## **19. COMPANY BANK DETAILS**

<b>Name of Account Holder:</b>	
<b>Bank:</b>	
<b>Account Number:</b>	
<b>Branch:</b>	
<b>Branch Code:</b>	
<b>Type of Bank Account:</b>	

<b>E1207DXKZN</b>	<b>DECLARATION OF SHAREHOLDING OR BENEFICIARIES</b>	
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Eskom prospective Suppliers are requested to declare the names of Shareholders in their Company. Kindly disclose all the names of individuals or/and companies that own shares in your organisation.

**Details of Disclosure**

I, the undersigned \_\_\_\_\_ (Position) \_\_\_\_\_ hereby  
 declare that I am the authorised representative of my organisation \_\_\_\_\_ (Name  
 of Company or Trust). I further declare that the following people are Shareholders/Beneficiaries in  
 \_\_\_\_\_ (Name of Company or Trust)

Name of the Company/Trust	Registration number of the Company/Trust	Names of all Shareholders	Identity Number of all Shareholders	Number/percentage of Shares

(Tick applicable box)

Are any of the shareholders or beneficiaries declared above employed by or close family members\* to employees of Eskom Holdings and/or its subsidiaries? ☐ Yes ☐ No

If Yes, please provide details of position held in Eskom by employee or relationship with Eskom Holdings employee and such shareholder/beneficiary's interest in your organisation:

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SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**DESIGNATION:** \_\_\_\_\_

\* Close family member means: person related by birth or marriage or similar relationship, including domestic partnership, adoption or a guardianship

E1207DXKZN	<b>Authority to submit a tender</b>	Tender Schedule T2.2a No.1
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Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for his category of organisation or alternatively attach a certified copy of a company / organisation document which provides the same information for the relevant category as requested here.

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

### A. Certificate for company

I, \_\_\_\_\_, chairperson of the board of directors of \_\_\_\_\_, hereby confirm that by resolution of the board taken on \_\_\_\_\_ (date), Mr/Ms \_\_\_\_\_, acting in the capacity of \_\_\_\_\_, was authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company.

Signed

Date

Name

Position

Chairman of the Board of Directors

### B. Certificate for partnership

We, the undersigned, being the **key partners** in the business trading as \_\_\_\_\_ hereby authorise Mr/Ms \_\_\_\_\_, acting in the capacity of \_\_\_\_\_, to sign all documents in connection with the tender offer for Contract \_\_\_\_\_ and any contract resulting from it on our behalf.

Name	Address	Signature	Date

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



E1207DXKZN	<b>Declaration of Fair Tendering Practices</b>	
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(TO BE PLACED ON THE *Tenderer's* LETTERHEAD)

TO: ESKOM HOLDINGS SOC LTD (“ESKOM”)

**An enquiry process in order to supplement the existing pre-approved panel of two (02) contractors with an additional eight (8) contractors, for Civil Works performed within the Sub Transmission portfolio, in the KwaZulu Natal (KZN), and Free State (FS) Operating Units (Central East Cluster), on an “as and when” required basis, for a period of thirty-six (36) months for construction and twelve months (12) for project completion.**

"We acknowledge that competitiveness is a requirement of the Eskom procurement process and that collusive tendering is prohibited by law. We confirm that we have not engaged in price fixing with any other tenderer or person, or in any way colluded with any other tenderer or person in connection with this Invitation to Tender

Signed	Date
Name	Position
<i>tenderer</i>	

E1207DXKZN	Confirmation of Receipt of Addenda to Tender Documents	
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We confirm that the following communications received from the *Employer* before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

	Date Received	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		

*(Attach additional pages if more space is required)*

Signed

Date

Name

Position

tenderer

## DECLARATION OF INSURANCES

I hereby declare that the insurance policies as required in terms of this Contract are in place and copies thereof will be made available if requested.

Signed this .....day of ..... 2025.....

at ..... (*Place*)

(*Full name*)..... (*Signature*) .....on

behalf of ..... (**Supplier/Contractor**)

## CHECKLIST OF SHEQ POLICIES AND ANNEXURES TO BE READ AND UNDERSTOOD & SIGNED OFF BY THE CONTRACTOR

### Informative

NO	DOCUMENT DESCRIPTION	UNQ IDENTIFIER	ACCEPTANCE
1	SECTION 37(2) AGREEMENT (2 PAGES)	37(2)	
2	SMOKING POLICY (5 PAGES)	32-36	
3	QUALITY MANAGEMENT PACK	QM58 & ITP	
4	ACCESS TO FARMS (7 PAGES)	41-340	
5	PROCEDURE FOR THE EFFECTIVE MANAGEMENT OF SHE RELATED INCIDENTS (94 PAGES)	32-95	
6	HEALTH AND SAFETY SPECIFICATION (31 PAGES)		
7	SHEQ POLICY (9 PAGES)	32-727	
8	SHE REQUIREMENTS TO BE MET BY PRINCIPAL CONTRACTORS (56 PAGES)	34-333	
9	DEVELOPING A SHE SPECIFICATION (96 PAGES)	32-524	
10	ESKOM CARDINAL RULES/LIFE SAVING RULES ( 8 PAGES)	32-421	
11	WORKING AT HEIGHTS (10 PAGES)	32-418	
12	VEHICLE AND DRIVER SAFETY MANAGEMENT (21 PAGES)	32-93	
13	ESKOM VEHICLE SAFETY SPECIFICATION (21 PAGES)	32-345	
14	HEALTH AND SAFETY PLAN (5 PAGES)	34-1787	
15	SHE SPECIFICATION FORM (56 PAGES)	74	
16	CONSTRUCTION SAFETY, HEALTH AND ENVIRONMENTAL MANAGEMENT	32-136	
17	ENVIRONMENTAL PROCEDURE – BUSH CLEARING	32-247	
18	DISTRIBUTION FIRE RISK MANAGEMENT	34-132	
19	IDENTIFYING, ANALYSING, DOCUMENTING AND OBSERVING TASKS	34-380	
20	LEGAL APPOINTMENTS AND AUTHORISATIONS	34-961	
21	EXPANDED PUBLIC WORKS REPORTS	34-1063	
22	PROVISION AND USE OF PERSONAL PROTECTIVE EQUIPMENT	34-1710	
23	SUPERVISION OF PEOPLE IN ELECTRONICALLY HAZARDOUS LOCATIONS	34-1954	
24	SHE REQUIREMENTS FOR COMMERCIAL PROCESS	32-726	
25	TRANSPORTATING PERSONS ON BACK OF VEHICLES	TOC-41-55	
26	ESKOM PROCEDURE ENVIRONMENTAL IMPACT ASSESSMENT FOR DISTRIBUTION ACTIVITIES	34-926 240-72597722	
27	SHE+ENVIRONMENTAL INTRODUCTION		
28	ESKOM'S WASTE MANAGEMENT PROCEDURE	EPC 32-245	
29	ESKOM RISK AUDITING SYSTEM CHECKLIST FOR CONTRACTORS	RAS – FEB 2014	
30	ENVIRONMENTAL MANAGEMENT OF TREES	KZN13TGTI141	
31	ENVIRONMENTAL LEGAL COMPLIANCE	TQTGS011	
32	DESD – PROCESS FOR KZN OU	TQTGP056	

## ADDITIONAL LEGISLATION

Act 108 of 1996	Constitution of the Republic of South Africa
ACT 107 OF 1998	National Environmental Management Act
ACT 84 OF 1998	National Forest Act
ACT 73 OF 1989	Environment Conservation Act
ACT 25 OF 1999	National Heritage Resources Act
Act 36 Of 1998	National Water Act
Act 59 Of 2008	National Environmental Management: Waste Act
Act 43 of 1983	Conservation of Agricultural Resources Act
Act 36 of 1947	Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act
Act 105 of 1991	Game Theft Act
Act 101 of 1998	National Veld and Forest Fire Act
Act 57 of 1976	National Parks Act
Act 7 of 1998	National Roads Act
Act 21 of 1940	Advertising on Roads and Ribbon Development Act
Act 57 of 2003	National Environmental Management: Protected Areas Act
Act 39 of 2004	National Environmental Management: Air Quality Act
Act 10 of 2004	National Environmental Management: Biodiversity Act
Act 85 of 1993	Occupational Health and Safety Act
Act 31 of 1963	Fencing Act
	Provincial Ordinances
	Municipality Bylaws

I hereby acknowledge that I have read and understood all of the above-mentioned SHEQ Policies / Annexures, and they are applicable to this contract.

.....  
**CONTRACTOR'S NAME:**

.....  
**CONTRACTOR'S SIGNATURE:**

.....  
**DATE:**