

	Invitation to Tender	Document Identifier	240-114238630	Rev	23
		Effective Date	21 February 2025		
		Review Date	February 2030		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER (ITT)

FOR

WETLAND OFFSET AT KUSILE POWER STATION 60Y ADF PROJECT

Tender number	E1046GCDMPKUSR
Issue date	23 May 2025
Closing date and time	09 June 2025 at 10h00am
Tender validity period	90 days from the closing date and time
Non-Compulsory Clarification meeting	<p>Date: 28 May 2025 at 10h00 Venue: Kusile Power Station; Group Capital Offices; Auditorium</p> <p>Tenderers must confirm their intention to attend the clarification by 26 May 2025. Confirmation must be sent to Eskom Representative on e-mail makgaini@eskom.co.za/setouK@eskom.co.za, stating the company name, representative name, identification number, position and contact details of each proposed attendee. The confirmation is for access arrangement in the Kusile Power Station.</p> <p>It is highly advisable for potential tenderers to attend the site clarification meeting to get clarifications on queries and clear understanding of the requirements for the tender.</p> <p>A Site Walk for the Kusile 60 Year ADF will be held on the same day.</p> <p>Tenderers are urged to bring their own PPE, i.e hard hats with chin straps, safety boots, safety goggles, overall, ear protection and reflector vests/jackets.</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>Tenders are submitted via Eskom Tender bulletin site on the Eskom E- tendering page.</p>

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the **Wetland Offset at Kusile Power Station 60Y ADF Project**.

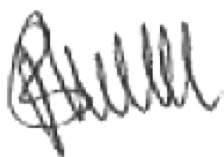
The tender documents are supplied to you on the following basis:

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 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



Raisibe Mphahlele

Procurement Manager

Procurement and Supply Chain Management

Date: 23 May 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 (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	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	Annexure G1	Y
	Annexure C Local Content Declaration- Summary Schedule	Annexure G2	Y
	Annexure D Imported Content Declaration – Supporting Schedule to Annexure C	Annexure G3	N
	Annexure E Local Content Declaration- Supporting Schedule to Annexure C	Annexure G4	Y
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	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	N/A	
1.1.12	Reverse e-auction training acknowledgement form (if applicable)	N/A	
1.1.13	Reverse e-auction process (if applicable)	N/A	

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Number	Description	Annexure	Attached (Y / N / N/A)
1.1.14	E-tendering Help Manual acknowledgement form	Annexure K	Y
1.1.15	E-tendering Help Manual for supplier	Annexure L	Y
1.1.16	<p>CIDB Contract Skills Development Goals (CSDG)</p> <p><i>[CSDG is applicable to a contract, or an order issued in terms of a framework agreement that has a duration of 12 months or more, and to:</i></p> <p><i>a) a contract of R5 million or more, in the case of a professional service or service contract or an order issued in terms of such a contract; or</i></p> <p><i>b) a CIDB grading designation of grade 7 or higher, in case of an engineering and construction works, or design and build contract or an order issued in terms of such a contract.</i></p> <p><i>The contractor shall achieve in the performance of the contract the CSDG established in the CIDB Standard for Developing Skills through Infrastructure contracts published in GN 1779, Government Gazette No. 48481 of 28 April 2023].</i></p>	<p><i>[To be downloaded from CIDB (Form A1 List of Recognised Skills Development Agencies, Form A2 Baseline Training Plan, Form A3 Project Interim Report, Form A4 Supervisor Agreement, Form A5 Project Completion Report)]</i></p>	Y
1.1.17	<p>Contract Participation Goals (CPG)</p> <p><i>[Note that the requirements of a contract participation goal relating to the engagement of targeted enterprises as established in the aforesaid standard applies to:</i></p> <p><i>(a) construction works contracts in the General Building (GB) and to Civil Engineering (CE) classes of construction works;</i></p> <p><i>(b) construction works contracts of an estimated minimum project duration of 6 months; and</i></p> <p><i>(c) construction works contracts in which at least 25% of the main contract could reasonably be expected to be subcontracted out in one or more of the following CIDB classes of construction works:</i></p> <p><i>i) Civil Engineering (CE)</i></p> <p><i>ii) General Building Works (GB)</i></p>	<p><i>[To be downloaded from CIDB (Annexure A-Targeted Enterprise Declaration Affidavit; Project Interim Report, Project Completion Report and Declaration)]</i></p>	Y
1.1.18	Scope of Work		Y

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Number	Description	Annexure	Attached (Y / N / N/A)
1.1.19	NEC3 Engineering and Construction Contract		Y
1.1.20	BOQ (if not contained in Contract) PDF and excel format		Y

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**, 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 Employer is Eskom Holdings SOC Ltd</p> <p>The Eskom Representative is: Name: Ngwanamahula Makgai/ Kopano Setou Tel: 013 296 3837/ 017 612 6022 E-mail: makgani@eskom.co.za / setouk@eskom.co.za</p>
1.3 Tender documents	<p>The Invitation to tender number is: E1046GCDMPKUSR</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.
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

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>subcontractors or suppliers for any part of the Contract including related services.</p> <ol style="list-style-type: none"> 2. Tenderers submit more than one tender 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. 3. 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. 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: <ol style="list-style-type: none"> (a) they have a controlling partner or majority shareholder in common; or (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; 5. Tenders signed by non-authorized persons. 6. Any tenderer that is restricted by National Treasury. 7. Any tenderer on the Tender Defaulters list. 8. A tenderer that sub-contracts 100% of the Scope of Work <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: Date: 09 June 2025 Time: 10h00am Late Tenders will not be accepted.</p> <p>Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page.</p>
2.7-.2.11 Submitting a tender	<p>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 upload under the folder Technical, Commercial, Financial, and other.</p>

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	<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. 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 12 weeks.
2.15 Site visit and/or clarification meeting	<p>A non-compulsory clarification meeting with representatives of Eskom will take place as follows: Date: 27 May 2025 Time: 10:00 Venue: Kusile Power Station Group Capital Offices, Auditorium Boardroom.</p> <p>Tenderers must confirm their intention to attend the clarification by 26 May 2025. Confirmation must be sent to Eskom Representative on e-mail makgaini@eskom.co.za / setouK@eskom.co.za, stating the company name, representative name, identification number, position and contact details of each proposed attendee. The confirmation is for access arrangement in the Kusile Power Station.</p> <p>It is highly advisable for potential tenderers to attend the site clarification meeting to get clarifications on queries and clear understanding of the requirements for the tender.</p> <p>A Site Walk for the Kusile 60 Year ADF will be held on the same day.</p> <p>Tenderers are urged to bring their own PPE, i.e hard hats with chin straps, safety boots, safety goggles, overall, ear protection and reflector vests/jackets.</p>
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before closing time for clarification queries, which is 2 (two) working days before the deadline for tender submission.

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2.22 Alternative tenders	Alternative tenders are not allowed .
2.33 Cataloguing	The successful tenderer may be required to provide the cataloguing information per item after contract award and will need to ensure that all materials delivered to Eskom are labelled in line with Eskom's labelling specifications as may be stipulated by Eskom. Where cataloguing is a requirement, the Pricing Schedule must also include a line item for cataloguing, which tenderers are required to quote for. Eskom will pay for the cataloguing.
2.34 Provision of Security for Performance	<p>The following forms of security are required for this tender:</p> <p>1. Performance Bond</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 2 (two) financial institutions that it is likely to approach from the list provided of Eskom-approved financial institutions.</p> <p>NOTE: List of Eskom Acceptable Guarantors attached with the enquiry as annexure M.</p>
3.4 Tender Opening	E-tendering. There will be no public opening of tenders. Tenders will be downloaded electronically.
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>Basic compliance for this invitation to tender are:</p> <ol style="list-style-type: none"> 1. Meet the eligibility criteria for a tenderer; 2. Submit a complete tender with commercial, financial and technical information; 3. Submission of the mandatory commercial tender returnables as at stipulated deadlines; and 4. Central Supplier Database (CSD) number (MAA.....).

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3.10 Mandatory tender returnables	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.		
	MANDATORY TECHNICAL EVALUATION CRITERIA		
		Mandatory Technical Criteria Description	Tender Returnable (s)
			Motivation for use of Criteria
	1	Company experience: Relevant experience (track record) as the main contractor in similar scope. The tenderer submits a completion certificate supplemented by a list of verifiable references (in a case where the completion certificate does not include all the required minimum requirements) that adequately proves that the tenderer has at least completed one (1) contract successfully of similar scope in the last ten (10) years.	Legible completion Certificate as proof for projects undertaken in the last 10 years in similar works. Completion certificates should include the following as a minimum or be accompanied by a project list which includes the following: 1) Name of company where project was executed. 2) Detailed description of works done by the tenderer. 3) Contact details of Client from previous project. 4) Value of project.
			Demonstrate contractor's prior experience and capability to undertake the project.

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	2	Compliance letter.	Provide a signed letter of compliance without any exclusions to full scope of work, Eskom's requirements/specifications, OHS legislations and national and international standards.	Demonstrate compliance to the full scope of works, national and international standards and Eskom Technical Requirements, without any exclusions to the scope if works. Ensure adherence to minimum standards.																				
3.13 Functionality requirements	<p>The following criteria will be applicable for this transaction under functionality criteria:</p> <table><tr><th>Evaluation Criteria</th><th>Scores</th><th>Technical</th><th>Weight</th></tr><tr><td>Civil Engineering</td><td></td><td></td><td>90%</td></tr><tr><td>System Integration</td><td></td><td></td><td>10%</td></tr><tr><td>Total</td><td></td><td></td><td>100%</td></tr><tr><td colspan="4">Overall minimum threshold for qualification (70%)</td></tr></table> <p>For a detailed evaluation criteria breakdown, refer to document identify number 559-395126590.</p> <p>Tenderers who do not meet the threshold for functionality scoring will be disqualified.</p>				Evaluation Criteria	Scores	Technical	Weight	Civil Engineering			90%	System Integration			10%	Total			100%	Overall minimum threshold for qualification (70%)			
Evaluation Criteria	Scores	Technical	Weight																					
Civil Engineering			90%																					
System Integration			10%																					
Total			100%																					
Overall minimum threshold for qualification (70%)																								
3.15 Evaluation of Price	<p>Prices will be evaluated as follows:</p> <ol style="list-style-type: none">1. Inclusive of VAT;2. Corrected for arithmetical errors;3. Excluding contingencies in any bill of quantities or activity schedule;4. Adjusted 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																							

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	<p>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;</p> <p>6. Unconditional discounts will be taken into account for evaluation purposes; and</p> <p>7. Conditional discounts will not be taken into account for evaluation purposes but will be implemented when payment is affected.</p> <p>Prices will be scored out of 80 points.</p>																				
3.18 Evaluation of Specific Goals	<p>Specific goals will be scored out of 20 points in accordance with the PPPFA.</p> <p>A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.</p> <table border="1"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th><th>Number of points (80/20 system)</th></tr> </thead> <tbody> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>18</td></tr> <tr><td>3</td><td>14</td></tr> <tr><td>4</td><td>12</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>6</td></tr> <tr><td>7</td><td>4</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td>Non-compliant contributor</td><td>0</td></tr> </tbody> </table> <p>Tender Returnable if the above elements are requirements.</p> <ul style="list-style-type: none"> Valid original or certified copy of a sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or Valid Copy B-BBEE Certificate issued by CIPC for EME's. OR Valid original or certified copy of the B-BBEE certificate / affidavit in the case of QSE's must be submitted, or 	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
B-BBEE Status Level of Contributor	Number of points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-compliant contributor	0																				

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	<ul style="list-style-type: none">Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, orFor JV's only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV. <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>									
3.19 Ranking of tenders	Tenderers will be ranked by applying the preferential point scoring for the 80/20 system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.									
3.20 Objective Criteria	<p>Objective criteria are applicable.</p> <p>Please note that Eskom may award the contract to a tenderer other than the highest scoring if objective criteria justify the award.</p> <p>The following objective criteria apply to the tender:</p> <p>Section 2: Objective Criteria -- may change award from the highest ranked tenderer to another tenderer in accordance with the requirements of the PPPFA [clause 2(1)(f)] and be clearly stated in the enquiry together with the consequence of such objective criteria.</p> <p>Objective Criteria - may change award from the highest ranked tenderer to another tenderer in accordance with the requirements of the PPPFA [clause 2(1)(f)] and be clearly stated in the enquiry together with the consequence of such objective criteria.</p> <table><tr><th>Commodity</th><th>Components</th><th>Local Content Threshold</th></tr><tr><td>Steel Products and Components for Construction</td><td>Reinforcement steel (rebar)</td><td>100%</td></tr><tr><td>Plastic Pipes</td><td>High density polyethylene (HDPE) pipes</td><td>100%</td></tr></table>	Commodity	Components	Local Content Threshold	Steel Products and Components for Construction	Reinforcement steel (rebar)	100%	Plastic Pipes	High density polyethylene (HDPE) pipes	100%
Commodity	Components	Local Content Threshold								
Steel Products and Components for Construction	Reinforcement steel (rebar)	100%								
Plastic Pipes	High density polyethylene (HDPE) pipes	100%								

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	PPE	Reflector Vests, Jackets, Boots, Textiles, Clothing, Leather & Footwear, etc.	100%
	Bagged and Bulk Cement		
	Cement type	Description	Local Content Threshold
	Cem I	Pure Portland cement with a 95-100% clinker.	100%
	Cem II	Portland cement containing varying additions of secondary materials, i.e., fly ash, pozzolana, slag, silica fume, or limestone.	100%
	Cem III	Blast furnace cement, 50% OPC, 50% blast furnace slag.	100%
	Cem IV	Pozzolan cement, OPC and fly ash.	100%
	Cem V	Composite cement: slag and ash cement. Blended cements with more than one blending material.	100%
	Masonry cement	Mixture of Portland cement and plasticizing materials such as limestone to improve setting time.	100%
	<p>NOTE 1: The Declaration Certificate for Local Production and Content (SBD / MBD 6.2) together with the following:</p> <ul style="list-style-type: none"> (F1) - SBD 6.2 Declaration Form. (F2) - Annexure C (Local Content Declaration-Summary Schedule. 		

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	<ul style="list-style-type: none">(F4) - Annexure E-Local Content Declaration- Supporting Schedule to Annexure C. <p>Skills Development</p> <p>The 0.25% of the contract amount for Construction Skills Development Goal (CSGD) is a requirement for this scope of work.</p> <table><tr><th>Skills Type</th><th>Number of learners</th><th>Intake</th><th>Outcome</th></tr><tr><td>Yellow Plant operator</td><td>10</td><td>N3/Matric</td><td>Certificate of Competence</td></tr><tr><td>Steel Fixer</td><td>10</td><td>N1/Grade 10</td><td>Steel Fixer Level 1</td></tr><tr><td>Concrete Hand</td><td>10</td><td>N1/Grade 10</td><td>Concrete Hand Level 1</td></tr><tr><td>Shutter Hand</td><td>10</td><td>N1/Grade 10</td><td>Shutter Hand Level 1</td></tr><tr><td>Construction Safety Officer</td><td>5</td><td>Qualified Safety Officer</td><td>Qualification towards SACPCMP</td></tr><tr><td colspan="2">Total</td><td colspan="2">Total</td></tr></table> <p>Subcontracting and Local-to-site Procurement:</p> <p>Bidders are expected to commit to subcontract a minimum of 5% of the Contract Value to one or more of the following Designated Groups:</p> <ul style="list-style-type: none">an EME or QSE, which is at least 51% owned by black people;an EME or QSE, which is at least 51% owned by black people who are youth;an EME or QSE, which is at least 51% owned by black people who are women;an EME or QSE, which is at least 51% owned by black people with disabilities;an EME or QSE, which is 51% owned by black people living in rural or underdeveloped areas or townships;a cooperative, which is at least 51% owned by black people; and an EME or QSE, which is at least 51% owned by black people who are military veterans. <p>Possible opportunities for subcontracting:</p> <ul style="list-style-type: none">Plant hire:	Skills Type	Number of learners	Intake	Outcome	Yellow Plant operator	10	N3/Matric	Certificate of Competence	Steel Fixer	10	N1/Grade 10	Steel Fixer Level 1	Concrete Hand	10	N1/Grade 10	Concrete Hand Level 1	Shutter Hand	10	N1/Grade 10	Shutter Hand Level 1	Construction Safety Officer	5	Qualified Safety Officer	Qualification towards SACPCMP	Total		Total	
Skills Type	Number of learners	Intake	Outcome																										
Yellow Plant operator	10	N3/Matric	Certificate of Competence																										
Steel Fixer	10	N1/Grade 10	Steel Fixer Level 1																										
Concrete Hand	10	N1/Grade 10	Concrete Hand Level 1																										
Shutter Hand	10	N1/Grade 10	Shutter Hand Level 1																										
Construction Safety Officer	5	Qualified Safety Officer	Qualification towards SACPCMP																										
Total		Total																											

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	<ul style="list-style-type: none"> • Rebar Supply; • Transportation; • Supply of consumables; • Supply of Horticultural services; • Accommodation; and • Labour Recruitment, etc. <p>B-BBEE Certificate:</p> <ul style="list-style-type: none"> • A valid B-BBEE Certificate should be submitted before the Contract is awarded if it was not submitted as part of the Tender Returnable for the preference points scoring evaluation. <p>SDL&I Penalty for non-performance</p> <ul style="list-style-type: none"> • Eskom reserves its right to penalise the non-performing Contractor through the cash retention of 2.5% of the invoice amount, until the Contractor has closed the variance and/or achieved its SDL&I's obligations. <p>Reporting and Monitoring</p> <ul style="list-style-type: none"> • The suppliers shall on a quarterly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above. • Eskom shall review the SDL&I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met. • Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked. • Every contract shall be accompanied by the SDL&I Implementation Schedule, which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring, and reporting on the

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	supplier's progress in delivering on their stated SDL&I commitments.
3.21 Reverse e-auction	Reverse e-auction is not applicable.
Contractual Requirements	<p><u>Mandatory Contractual Requirements that must be included in all tenders is the following: -</u></p> <ul style="list-style-type: none"> • Proof of CSD registration. <p>Please Note: Unlike the Additional Contractual requirements hereunder that may be applied for a specific tender, proof of CSD registration is a mandatory requirement for all tenders.</p> <p>Pre-Contract award</p> <p>The following pre-contractual requirements will apply:</p> <p>SHEQ requirements; and/or</p> <p>Occupational Health and Safety (OHS) Requirements</p> <ul style="list-style-type: none"> • Annexure B- Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer? • OHS plan (Must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements. • Costing for Health and Safety management Has the tenderer submitted detailed costing for SHE (the cost should be broken down not provided as a lump sum)? The costing must be based on the overall scope of work/service to be performed. The scope of work and the risk assessment may serve as a guideline. • Baseline Risk Assessment (BRA) Identification, assessment, and management of OHS risks related to the scope of work. The methodology and applicable risk matrix used for the risk assessment must be provided together with the BRA. • Valid Letter of Good Standing (COIDA or equivalent).

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	<ul style="list-style-type: none"> SHE policy signed by CEO- The submitted policy document must comply to OHS Act Section 7. Registered Safety Officer with SACPCMP with minimum of 2 years' experience in Construction sector. National Diploma in Safety Management/Environmental Health. Comprehensive CV with training certificate for National Diploma, HIRA certificate, Root cause analysis/Incident management and Audit training certificates. <p>Environmental Requirements</p> <ul style="list-style-type: none"> Environmental Officer qualification; National Diploma/BTech/Degree in Environmental science or Management (Qualifications and Certificates required); Environmental Officer experience; At least 04 years' experience working in construction projects and working within the wetlands (CV required); Relevant Environmental Method Statements; Environmental Management Requirements Checklist Form (Annexure C); and The certified Pest Control Operator in terms of Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947. (Certificate shall be attached). <p>Quality Requirements</p> <ul style="list-style-type: none"> The supplier shall complete and sign Form A (Enquiry/Contract/Quality Requirements for Supplier Quality Management Specification 240-105658000/ QM 58 and ISO 9001: 2015); The supplier shall submit objective evidence of a developed, implemented and maintained QMS that complies with ISO 9001: 2015 or any applicable standard of quality management system (the latest applicable revision). The following documents (approved/ signed copies) shall be submitted; Quality Management System manual or a documented information that have defines and describes the QMS and its scope; Quality Policy, aligned with the supplier's strategic direction (documented information); Quality Objectives (documented information);

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	<ul style="list-style-type: none"> Control of documented information (both maintain and retain documented information); Control of nonconforming outputs (documented information); Nonconformity and Corrective action procedure (documented information); The supplier shall submit the latest copy of the management system internal audit reports. The audit reports must include, if applicable, nonconformity identified, and the resulting remedial actions (correction and/ or corrective action reports); The supplier shall submit a draft contract quality plan that is specific to the scope of work as described in the tender documents. The plan must address the minimum requirements as per ISO 10005; Where applicable; the supplier shall submit an example of inspection and test plan (ITP) or quality control plan (QCP) on similar or previous work done; The supplier shall submit documented information for Control of Externally Provided Processes, Products and Services; The supplier shall submit a copy of documented information for roles, responsibilities and authorities in relation to the QMS; Examples of relevant documented information are; organization charts, job descriptions, work instructions, duty statements, manuals, procedures; and The supplier shall submit documented information retained (records) of management review meetings that include agenda, meeting minutes, attendance registers, reports, presentations, etc. <p>Note: The Supplier shall submit a proposed Quality Table of Payments (Quality Payment Schedule) showing the relationships between BoQ/Activity Schedule Items, draft programme items, Inspection & Test Plans/Quality Control Plans.</p> <p>Sign off by the Employer's Quality department and proposed Payment Applications (Invoices) which will attest to the works having been done to required quality. This table must be finalized and approved by the Employer within 30 days of contract award. An assessment/visit of the Suppliers facilities will be conducted if required by Eskom.</p> <ul style="list-style-type: none"> Quality Resources: Submit Quality Manager's qualifications (B-Tech Quality Management /Civil/Construction Engineering) and Curriculum Vitae.

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	<p>The following minimum competency requirements shall be met:</p> <ul style="list-style-type: none"> - ISO 9001:2015 Implementation. - ISO 9001:2015 Auditing. - 5 years' experience in Construction Quality Management. - Qualifications/Certificates and Curriculum Vitae required. <p>Quality Officer/Control /Coordinator:</p> <ul style="list-style-type: none"> • National Diploma in Quality Management/Civil Engineering. • Minimum competency requirements of 3 years in Construction Quality Management (Assurance, Control and Assessments/Auditing/Risk Management). • Qualifications, Certificates and Curriculum Vitae required. <p>Financial viability (submission of financial statements); and/or</p> <ul style="list-style-type: none"> • Latest & approved annual financial statements (Not older than 18 months); • Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, latest & approved annual financial statements for each participant in the JV / SPV is required; and • Public Interest Score & ITA34C (Tax return) for the same accounting period as the annual financial statements (only applicable to South African Organizations that are not required to audited by Companies Act 71 of 2008). <p>Performance Bond</p> <ul style="list-style-type: none"> • Guarantees and performance bond: Pro-forma bonds and guarantees and or letter from the bank (use Eskom list of approved banks) that states that the Contractor does qualify to obtain a bond and guarantee of 10% of his/her tendered price. <p>SDL&I Penalty for non-performance</p> <ul style="list-style-type: none"> • Eskom reserves its right to penalise the non-performing Contractor through the cash retention of 2.5% of the invoice amount, until the Contractor has closed the variance and/or achieved its SDL&I's obligations.

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	<p>Planning Requirements</p> <p>The Contractor shall use Eskom approved planning tool (Oracle Primavera P6) for planning, scheduling and reporting of all works as per Reporting Data Requirement Specification. The following minimum requirements must be met:</p> <ul style="list-style-type: none"> • Assign a Qualified and experienced Project planner to the project; • Develop a Level 5 Schedule; • Add Resources: Assign required resource (s) (i.e Labor, Non-Labor and Commodity units); • Hold Points activities; • Interface activities with Others, if applicable; • Plant and Materials provided by the Client, if applicable; • Key Dates, but not limited to; • Start Date; • Procurement Start Date; • Long Lead Delivery Dates; • Site Delivery Dates; • Site Access Dates; • Drop Structures Completion Date; • Cattle Crossings Completion Date • Head cut erosion protection & reshaping and revegetation Completion Date; • Infilling of artificial channels Completion Date; • Removal of berms Completion Date; • Removal of agricultural scars Completion Date; • Removal of existing embankment dam walls Completion Date; • Plugging of diversion channels / redirecting flow to wetland Completion Date; • Retaining of dam wall and formalization of dam Completion Date; • Removal of alien Invasive species Completion Date; • Fixing of collapsed bridge / future access Completion Date; • Ameliorate and rehabilitate eroded areas Completion Date; • Commissioning Start Date; • Commissioning Completion Date; • Completion Date; • Minimize the use of activity constraints;

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	<ul style="list-style-type: none"> • Conduct Schedule Integrity Test to ensure schedule quality acceptance; • Submit P6 contractor xer and PDF file; • Columns: Activity ID, Activity Name, Units % Complete; Planned % Complete, Original Duration, Remaining Duration, Start, Finish, Baseline Start, Baseline Finish, Free Float and Total Float; • Gantt Chart; • Basis of Schedule report. Strong Narratives on the following, but not limited to; • Project estimation methodology; • Assumptions; • Contingency Float; • Risk and Limitations; • Constrained Activities, if applicable; • Assigned Calendars and • Critical Path. <p>Contractual Requirements are not evaluation criteria. They will be assessed after the evaluation and ranking of the tenders. Proof that the tenderer recommended for award has met the stipulated contractual requirements must be submitted prior to contract award.</p> <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 the contract will be:</p> <p>NEC 3 Engineering and Construction Contract (ECC) with the following clauses:</p> <p>Main Option B- Priced contract with bill of quantities</p> <p>W1: Dispute resolution procedure.</p> <p>Secondary Options</p> <p>X1: Price adjustment for inflation;</p> <p>X2: Changes in the law;</p> <p>X7: Delay damages;</p> <p>X5: Section completion;</p> <p>X13: Performance bond;</p> <p>X16: Retention;</p>

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	<p>X18: Limitation of liability; and Z: Additional conditions of the contract.</p> <p>[For contracts to which CIDB Contract Participation Goals (CPG) are applicable] The recommended supplier shall submit all the documentation (Form A2 Baseline Training Plan, Form A3 Project Interim Report, Form A4 Supervisor Agreement, Form A5 Project Completion Report) that may be required as returnables after contract award as stipulated by Clause 4 of the Contract Skills Development Goals Standard published in GGN 36760 of March 2020.</p> <p>[For contracts to which CIDB Contract skills development goals (CSDG) are applicable] The recommended supplier shall submit all the documentation (Annexure A-Targeted Enterprise Declaration Affidavit; Project Interim Report, Project Completion Report and Declaration) that may be required as returnables after contract award and as stipulated by Clause 3.3 of the Standard for Indirect Targeting for Enterprise Development through Construction Works Contract (<i>published in GN 1779, Government Gazette No. 48481 of 28 April 2023</i>)..</p> <p><i>In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.</i></p>
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<p>CIDB Requirements are applicable.</p> <ol style="list-style-type: none"> It is estimated that tenderers must have a Construction Industry Development Board (CIDB) Contractor grading of 7CE or higher. <p>Joint ventures are eligible to submit tenders provided that: -</p> <ol style="list-style-type: none"> every member of the Joint venture (JV) is registered with the CIBD. the lead partner has a contractor grading designation in the 7CE or higher *class of construction work; or not lower than one level below the required grading designation in the class of works construction works under consideration and possesses the required recognition status. the combined contractor grading designation calculated in accordance with the CIBD regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 7CE or higher* class of construction work or a value determined in

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	<p>accordance with Regulations 25 (1B) or 25 (7A) of the CIBD Regulations.</p> <p>Please note that only those tenderers that are registered with the Construction Industry Development Board or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works are eligible to submit tenders.</p> <p>Eskom must, within 21 working days from date when contractors offer to perform a construction works contract is accepted in writing, register and publish the award of all contracts equal to or exceeding R10M inclusive of VAT.</p>
2.29 Contract Skills Development Goals (CSDG) is applicable	<p>1. The CSDG is applicable to this tender is in terms of the Engineering and Construction Works contract with respect to the 7CE class of works and the applicable percentage is 0.25% and is contained in the relevant BOQ/Pricing schedule attached.</p> <p>Please note:</p> <p>Contractor shall achieve in the performance of the contract the CSDG established in the CIDB Standard for Developing Skills through Infrastructure contracts (published in GN 1779, Government Gazette No. 48481 of 28 April 2023).</p> <p>CSDG is applicable to a contract or an order issued in terms of a framework agreement that has a duration of 12 months or more, and to:</p> <p>a) contract of R5 million or more, in the case of a professional service or service contract or an order issued in terms of such a contract; or</p> <p>b) a cidb grading designation of grade 7 or higher, in case of an engineering and construction works, or design and build contract or an order issued in terms of such a contract].</p>
2.30 Contract Participation Goals is applicable	<p>[Please note:</p> <p>Contractor shall achieve in the performance of the contract the Contract Participation Goals (CPG) relating to the engagement of targeted enterprises as established in the CIDB Standard for Indirect Targeting for Enterprise development through Construction Works Contract (published in Government Gazette No. 36190 of 25 February 2013)</p>

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	<p><i>The requirements of a contract participation goal relating to the engagement of targeted enterprises as established in the aforesaid standard applies to:</i></p> <ul style="list-style-type: none"> <i>a) construction works contracts in the General Building (GB) and to Civil Engineering (CE) classes of construction works;</i> <i>b) construction works contracts of an estimated minimum project duration of 6 months; and</i> <i>c) construction works contracts in which at least 25% of the main contract could reasonably be expected to be sub-contracted out in one or more of the following CIDB classes of construction works:</i> <ul style="list-style-type: none"> <i>• Civil Engineering (CE).</i> <i>• General Building Works (GB).</i> <p><i>The contractor shall engage targeted enterprise/s in the performance of the contract to the extent that at least 5 % contract participation goal is achieved.</i></p> <p><i>The contractor shall determine the contract skills participation goals expressed in Rands which shall not be less than the contract amount multiplied by a percentage factor.]</i></p>

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Please note:

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

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

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

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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: -

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.

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable) *	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	Electronic copy of the tender in a PDF format. The price list needs to be submitted in PDF format (The limit is 50MB per file and total submission of 900MB per submission)	✓		
	The price list copy needs to be submitted in excel format (The limit is 50MB per file and total submission of 900MB per submission)		✓	
Annexure A	Authorisation Form		✓	
Annexure B	Acknowledgement Form		✓	
Annexure C	Tenderers Particulars		✓	
Annexure D	Integrity Pact Declaration form		✓	
Annexure E	CPA for local goods/services (if applicable)		✓	
Annexure F	CPA(IG) for imported goods/services (if applicable)	N/A		
Annexure G1-G4	SBD 6.2 -Declaration certificate for local production and content and Annexures Annexure G2 Annexure G3 Annexure G4		✓	
Annexure H (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓	
# Annexure I	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		✓	
Annexure J	SBD 4 – Bidders Disclosure		✓	
Reverse e-auction training acknowledgement form				✓
E-tendering Help Manual acknowledgement form				N/A

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Additional Documents required in the 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.			✓
Tax Evaluation Questionnaire (if services contract and was included as annexure)	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE			✓
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a "designated Employer" as			✓

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	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)			
CIDB	Valid proof of the required CIDB grading designation for the main contractor; JV and /or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer.		✓	
NEC Contract	NEC Contract, completed in full. Completed C1.2 Contract Data – Part two – Data provided by the Contractor.	✓		
Pricing schedule	Completed pricing schedule. For e-tendering price schedule needs to be submitted in PDF.	✓		
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work))			✓	
	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 [where applicable and as stipulated under tender Data]			
Safety	Documents will be required as per the scope of work.			✓
Quality	Documents will be required as per the scope of work.			✓
Other safety/quality documents as required per scope of works				✓
Environmental	Documents will be required as per the scope of work.			✓
Planning	Documents will be required as per the scope of work.			✓
Due Diligence/financial analysis	<p>Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such statements are not available, for the last year.</p> <p>In the case of a joint venture or special purpose vehicle (SPV) specially formed for this tender, audited financial statements for each participant in the JV / SPV must be submitted.</p> <p>Start-up enterprises formed within the last 12 months are not required to submit audited financial statements, but if successful in this Invitation to Tender ; will be required to furnish statements for the first year once available.</p>			✓

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	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA			
Functionality/Technical [required for evaluation /scoring]	1. Qualitative Technical Evaluation Criteria.	✓		

QUALITATIVE TECHNICAL EVALUATION CRITERIA.					
	Qualitative Technical Criteria Description	Tender Returnable	Reference to Technical Specification	Criteria Weighting (%)	Criteria Sub Weighting (%)
1	CIVIL ENGINEERING			90	
1.1	Comprehension of scope			45	
1.1.1	<p>Project specific (Kusile Power station wetland offset project) High level project Method Statements (Construction Approach):</p> <p>The Project specific method statements shall clearly provide details of the construction method to be adopted to execute the Works.</p> <p>Minimum high-level requirements:</p> <ul style="list-style-type: none"> • Description of the Works. • Resource (People) responsibilities. • Construction approach. 	High level Project specific Method statements as per Criteria Description	As per Employers Technical Specification 366-513553 section 3		100

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	<ul style="list-style-type: none"> Resource (Plant and Tools) responsibilities. <p>The following are the minimum method statements required and each will contribute as detailed below to the final score:</p> <ol style="list-style-type: none"> 1. Method Statement for Site establishment, de-establishment, and traffic management (30%); 2. Method Statement for earthworks including dealing with stormwater management, dust control and construction in Wetlands (40%); and 3. Method Statement for concrete works construction (30%). 				
1.2	Experience in Comparable Projects			25	
1.2.1	<p>Overall civil works experience:</p> <p>A description of projects with similar work, that have been successfully completed in the last 10 years.</p> <p>Completion certificates should include the following as a minimum or be accompanied by a project list which includes the following:</p> <ol style="list-style-type: none"> 1) Name of company where project was executed; 2) Detailed description of works done by the tenderer; 3) Contact details of Client from previous project; and 4) Value of project. <p>A letter of intent signed by both parties to be submitted where a subcontractor's records for Works is also included in experience otherwise the experience of the subcontractor will not be considered.</p>	Verifiable completion certificate and a supplementary reference list, signed letter of subcontracting	As per Employers Technical Specification 366-513553, Section 3		100

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1.3	Key Resources:			20	
1.3.1	<p>Project Organogram:</p> <p>The Tenderer is to submit the organisational structure (site based). Project organogram shall include names, roles, responsibilities and duties. In case of an association/joint venture/consortium, it should be indicated how the duties and responsibilities are to be shared. If the tenderer intends making use of the services of subcontractor(s) for sections of the Works, the delegation of duties and responsibilities should be clearly indicated. To the extent that such information is available, provide the subcontractor organization and staffing as per requirements above.</p> <p>Organogram should include key personnel as follows.</p> <ul style="list-style-type: none"> • Construction Manager (CM). • At least 1 site Civil Engineer. 	Organogram as per Criteria Description	As per Employers Technical Specification 366-513553		30
1.3.2	<p>Experience of key staff:</p> <p>Experience of key staff in relation to the Scope of Works.</p> <p>Demonstrate how many proposed key personnel have worked on similar projects. Relevant Qualifications for each key resource (Degree/Diploma/Certificates) & Curriculum Vitae of key resources to be used on the project. Key personnel shall include the following as a minimum:</p> <ul style="list-style-type: none"> • Construction Manager (CM) registered with SACPCMP; and • At least 1 site Civil Engineers(s). 	Curriculum Vitae with verifiable certificates as per Criteria Description	As per Employers Technical Specification 366-513553		70

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	Demonstrate that each of the proposed key resources have a minimum of 10 years' experience in similar scope.				
1.4	Key Plant & Equipment			10	
1.4.1	<p>Tenderer to submit plant & equipment schedule/histogram demonstrating plant & equipment requirements, applications as per method statements and durations for the full scope of work over the contract period.</p> <p>The schedule/histogram of Plant & Equipment to be used to execute the work states the availability of the required Plant and Equipment as per the proposed key date schedule/construction schedule taking the project start and end date into consideration. The Contractor provides indication of intent to hire/lease equipment where applicable.</p>	Plant & equipment schedule/histogram as per Criteria Description	As per Employers Technical Specification 366-513553		100
	Subtotal (Item 1 of the Qualitative Technical Evaluation Criteria).			Subtotal:100	
	Total (Weighted Percentages According to Disciplines).			Total:90	
	Qualitative Technical Criteria Description	Tender Returnable	Reference to Technical specification	Criteria Weighing (%)	Criteria sub weighing (%)
2	SYSTEM INTEGRATION			10	
2.1	Configuration Management			55	

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2.1.1	<p>See Configuration Management section in Appendix B of Technical Specification.</p> <p>Contractor to provide a signed letter of compliance in line with VGB-R 171e "Guideline for the supply of technical documentation for fossil-fired and regenerative power stations.</p> <p>Contractor to provide a signed letter of compliance in line with the ISO 10007 Guidelines for Configuration Management and submit Configuration Management Plan.</p>	Signed Compliance letters	As per Employers Technical Specification on 366-513553		50
2.1.2	<p>Refer to Plant Labelling and Coding section in Appendix B of Technical Specification.</p> <p>Provide a letter of compliance to the Plant Coding and labelling standard 240-71432150 and 240-93576498 KKS Coding Standard.</p> <p>The contractor is to provide a portfolio of evidence reflecting work completed on previous project(s).</p>	Portfolio of evidence and signed letter of compliance.	As per Employers Technical Specification on 366-513553		50
2.2	Document Management			45	
2.2.1	<p>Refer to Document Management section Appendix B of Technical Specification.</p> <p>Contractor to confirm compliance to the VDSS on a signed letter See Handover section appendix B of Technical Specification</p> <p>Provide Handover Plan in alignment to Handover Specification and a letter confirming compliance to the specification</p>	Signed Compliance letter and Handover plan.	As per Employers Technical Specification 366-513553		50

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2.2.2	<p>See Document and Configuration Management Section Appendix B of Technical Specification.</p> <p>The Contractor shall confirm that drawings/documentation will be submitted in the compatible formats as indicated in the works.</p> <p>Contractor to indicate compliance to Eskom systems and processes i.e. 240-86973501 Engineering Drawing Standard and 240-53114186 Document and Record Management Procedure.</p>	Signed Compliance letter	As per Employers Technical Specification on 366-513553		50
	Subtotal (Item 1 of the Qualitative Technical Evaluation Criteria).			Subtotal: 100	
	Total (Weighted Percentages According to Disciplines).			Total: 100	

Note: The Tenderer shall refer to Appendix A: Kusile Power Station 60 Year ADF Wetland Offset Phase 1 scorecard, for detailed qualitative scoring.

SUPPLIER DEVELOPMENT, LOCALISATION, AND INDUSTRIALISATION (SDL&I)

Designated Sector: This Package contains equipment, construction components/parts, plant, etc. that has been designated therefore the following stipulated minimum threshold for Local Production and Content must be achieved in full by the tenderer:

a) Is this Commodity or part of it a Designated Sector?

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

Please indicate below Designated Components:


Commodity	Components	Local Content Threshold
Steel Products and Components for Construction	Reinforcement steel (rebar)	100%
Plastic Pipes	High density polyethylene (HDPE) pipes	100%

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PPE	Reflector Vests, Jackets, Boots, Textiles, Clothing, Leather & Footwear, etc.	100%
Bagged and Bulk Cement		
Cement type	Description	Local Content Threshold
Cem I	Pure Portland cement with a 95-100% clinker.	100%
Cem II	Portland cement containing varying additions of secondary materials, i.e., fly ash, pozzolana, slag, silica fume, or limestone	100%
Cem III	Blast furnace cement, 50% OPC, 50% blast furnace slag	100%
Cem IV	Pozzolan cement, OPC and fly ash	100%
Cem V	Composite cement: slag and ash cement. Blended cements with more than one blending material	100%
Masonry cement	Mixture of Portland cement and plasticizing materials such as limestone to improve setting time	100%

NOTE 1: The Declaration Certificate for Local Production and Content (SBD / MBD 6.2) together with the following:

- (F1) - SBD 6.2 Declaration Form;
- (F2) - Annexure C (Local Content Declaration-Summary Schedule;
- (F3) - Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C; and
- (F4) - Annexure E-Local Content Declaration- Supporting Schedule to Annexure C.

Skills Development Requirements:

a) Is there CIDB compulsory training?

If yes, what is the% of the Construction Skills Development Goal % (CSDG).

YES	NO
<input checked="" type="checkbox"/>	
0.25% of Contract Amount	

However, Eskom's Policy allows for Skills Development Targets as part of objective criteria.

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Skills Type	Number of learners	Intake	Outcome
Yellow Plant Operator	10	N3/Matric	Certificate of Competence
Steel Fixer	10	N1/Grade 10	Steel Fixer Level 1
Concrete Hand	10	N1/Grade 10	Concrete Hand Level 1
Shutter Hand	10	N1/Grade 10	Shutter Hand Level 1
Construction Safety Officer	5	Qualified Safety Officer	Qualification towards SACPCMP
Total	45		

Bidders are free to propose any other relevant Skills Development that will be feasible and benefit the previously disadvantaged communities. This may even include Workplace Integrated Learning (WIL) from the Nkangala TVET Colleges and around Nkangala District Municipality as well as Bronkhorstspuit Local Municipality.

Subcontracting and Local-to-site Procurement:

Bidders are expected to commit to subcontract a minimum of 5% of the Contract Value to one or more of the following Designated Groups:

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

Possible opportunities for subcontracting:


- Plant hire;
- Rebar Supply;
- Transportation;
- Supply of consumables;
- Supply of Horticultural services;

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- Accommodation; and
- Labour Recruitment, etc.

B-BBEE Certificate:

A valid B-BBEE Certificate should be submitted before the Contract is awarded if it was not submitted as part of the Tender Returnable for the preference points scoring evaluation.

Contractual Requirements

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

B-BBEE Contribution Status Level:

The Contractor is expected to retain/maintain the B-BBEE Contribution Status Level that it obtained at Contract Award.

Job Opportunities and Upskilling of Employees:

Tenderer to indicate number of Jobs to be created and/or retained due to this contract.

Number of Jobs to be created	Number of Jobs to be retained

The Contractor should ensure that ALL its General Workers and Semi-Skilled Workers and at least 30% of the skilled workers are recruited from within the Nkangala District and Bronkhorstspuit Municipality Areas.

SDL&I Penalty for non-performance

SDL&I Penalty of 2.5%

Eskom reserves its right to penalise the non-performing Contractor through the cash retention of 2.5% of the invoice amount, until the Contractor has closed the variance and/or achieved its SDL&I's obligations.

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Reporting and Monitoring

- The suppliers shall on a quarterly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above;
- Eskom shall review the SDL&I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met;
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked; and
- Every contract shall be accompanied by the SDL&I Implementation Schedule, which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring, and reporting on the supplier's progress in delivering on their stated SDL&I commitments.

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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 TenderNo: _____

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		NO	
-----	--	----	--

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		NO	
-----	--	----	--

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

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

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 tenderingprocess 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 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 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

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.

2. Tender Submissions

Eskom Proposed CPA breakdown for Local Goods and Service

Formula A						
Index Reference	Proposed portions/Weightings of each index	Description of Index	Full Title of Index published as	Source Publisher of Index	Base Month	Base Price/Base Index Figure
A1						
A2						
A3						
	15%	Fixed portion not subject to CPA				
Total	100%					


Note: Tenderers to take note that, if the Eskom proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for Eskom's proposed CPA breakdown.

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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 tender 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 tender 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.

OR

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

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ANNEXURE G1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

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

Where:

x is the imported content in Rand

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

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

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


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

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

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

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

(Tick applicable box)

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

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO.

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

.....
NB

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

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

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

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

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

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

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

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

Annexure G2- _Local content Declaration-Summary Schedule (annex C)



Adobe Acrobat Document

Annexure G3 - Imports Declaration-Supporting schedule to Annex C (annex D)



Adobe Acrobat Document

Annexure G4 - Local Content Declaration-Supporting Schedule to Annex C (annex E)




Adobe Acrobat Document

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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:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS		E-MAIL ADDRESS			
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
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					

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DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

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:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
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.
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.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
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.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
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.
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."

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) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 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	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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- 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 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 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where


- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest 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 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.)

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

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

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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 *audit alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.


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

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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 / request for proposal. 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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		Review Date	February 2030		

- 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

Controlled Disclosure

Anonymously report fraud, corruption at 0800 11 2722/ forensic@eskom.co.za

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