

TENDERER'S SD&L UNDERTAKING

Business Unit	Distribution Gemma Cluster- Northern Cape
Description/ Scope of Work	Provision of Refreshment Services, Maintenance of Coolers and Purifying water dispensers To Eskom ERE Commercial Buildings, and Dx Buildings In Northern Cape Operating Unit: Kimberley and Upington Zones
Duration of the Project	3 years

The tenderer is required to complete this undertaking and submit the completed form as a tender returnable to Eskom prior to contract award. Eskom reserves the right to negotiate with the tenderer the requirements below, and the outcome thereof will form part of the contract obligations

Section 1: Objective criteria

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

Section 2: Other SDL&I Objectives in line with RDP Goals

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

- 1. BBBEE requirements:** Tenderers are required at a minimum to maintain their BBBEE status over the contract term.
- 2. Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract. Below are the minimum targets set for the contract duration.

The employment (Jobs created) shall comply with the Employment Equity Act and represent demographics of the Local to site communities.

Type of Jobs to be created	Tenderer's proposal
Number of Jobs to be created	
Number of Jobs to be retained	

3. Skills development

Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom's core, scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from North West province, and their composition shall be representative of the population demographics of South Africa.

List of proposed skills (Skill type / Occupation)	Eskom target	Contractor Proposal	Outcome
Servicing of Water Coolers (changing of Filters) (Quarterly)	02		Certificate

The process of developing these skills shall involve the participation by tenderers directly and through its supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.

Note: Tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach its relevant SETAs to access grants, subsidies and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives

Additional documents to be submitted:

- CIPC Documents
- Certified copy of Shareholders certificate for Pty Ltd entities
- Certified copy of identity document of either (Director/Owner/Member)
- CSD registration report
- Medical certificate not older than a year (for companies with disability ownership)

General Information on Validity of Sworn Affidavits

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

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

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

BBBEE information is as follows;

- Valid original or certified copy of 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 / sworn affidavit in the case of QSE's must be submitted, or
- Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or
- For 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.

NB: Eskom reserves the right to verify further using various means, including visits to tenderers' premises at short notice. Tenderer(s) shall be disqualified if found to have misrepresented information submitted



Declaration:

Based on the terms laid out above, I

(Company Representative) from.....(Company Name)

Respondent's Signature

Date