

The Tenderer

Date:
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Dear Sir/Madam

ENQUIRY NUMBER: MPGXC006008R2

ENQUIRY DESCRIPTION: MAINTENANCE OF BOILER EMISSIONS GAS ANALYSERS AND THE PROVISION OF SPARES "AS- AND- WHEN" REQUIRED FOR BOTH SOUTH AND NORTH STACK AT ARNOT POWER STATION FOR A PERIOD OF 5 YEARS (RE-ISSUE)

ANNEXURE K

SUPPLIER DEVELOPMENT, LOCALISATION AND INDUSTRIALISATION UNDERTAKING

Mandatory Compliance for Contract Award

1.1. B-BBEE level targeted for this transaction is level 1-4

Contractor/s will be required to submit plans to achieve the target level if not met at contract award)

1.2. Local Procurement Content

Local Procurement Content" refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spend minus the imported component.

Local Procurement Content	Eskom Target	Tenderer Proposal
	100%	

1.3. Skills Development

Eskom's Target			
Category	Number	Entry level	Output
Technical or Non-Technical	2	N3/Matric	TVET N6 / National diploma in any Technical or Business field.
Supplier's Commitments			
Category	Number	Entry level	Output

SDL&I Penalty and Performance Security

Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations.

One of the following options will apply for SD, L&I performance security:

- For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon fulfilment of all SDL&I obligations at the end of the contract.
- Alternatively the Contractor shall submit a bond equivalent to 2.5% of the Contract Value and shall only be released to the Contractor upon fulfilment of all SDL&I Obligations.
- Panels- Eskom will apply 2.5% retention on every invoice (excluding VAT) after all cumulative task orders awarded to the Contractor/Service Provider that have reached a stipulated threshold as security for the fulfilment of the SDL&I obligations.

B-BBEE status level tender returnable:

- Valid original or certified copy of sworn affidavit in the case of Exempted Micro Enterprises (EME's) must be submitted (affidavit must be completed fully), or
- Valid Copy of the B-BBEE Certificate issued by Companies and Intellectual Property Commission (CIPC) on behalf of Department of Trade and Industry (DTI) for Exempted Micro Enterprises, or
- Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of Qualifying Small Enterprises (QSE's) must be submitted, or
- Valid original or certified copy of the B-BBEE certificate issued by a South African National Accreditation System Accredited Verification Agency for Generic Entities must be submitted, or
- For Joint Venture (JV's) only valid original or certified copy B-BBEE Certificate issued by a South African National Accreditation System Accredited Verification Agency must for Large Measured Entities must be submitted SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.

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.