

	Investment Recovery Offer to Purchase Template OLT2122925	Template Identifier	240-75978567	Rev	2	
		Effective Date	01 June 2021			
		Review Date	June 2024			

PURCHASE, COLLECTION AND REMOVAL OF VARIOUS E-WASTE EQUIPMENT FROM VARIOUS SITES IN THE NORTH WEST FOR A PERIOD OF 24 MONTHS.

ENQUIRY NUMBER: OLT2122925

CLOSING DATE : 08 November 2024 @ 10:00 AM

Issue Date:
1 November 2024

Ref:
OLT2122925

Enquiry:
Lunga May
051 404 2245/ 071 167 7937
Mayl@eskom.co.za

INVESTMENT RECOVERY SECTION

PURCHASE, COLLECTION AND REMOVAL OF VARIOUS E-WASTE EQUIPMENT (e.g., desktops, computer screens, laptops, printers, projectors, servers, paper shredders, etc) FROM VARIOUS SITES IN THE NORTH WEST FOR A PERIOD OF 24 MONTHS.

TENDER ENQUIRY No. - OLT2122925

Eskom is the owner of **various scrapped and damaged e-waste equipment**, located at various sites in the Gauteng Zone.

You are kindly invited to submit an offer for the purchase, collection and removal scrap **damaged e-waste equipment from various sites in the NORTH WEST** on Behalf of the **NORTH WEST OPERATING UNIT** on "AN AS AND WHEN" required basis as detailed in the Scope of Work and attached OFFER TO PURCHASE.

1. INSPECTION AND VIEWING

There will be a **NO COMPULSORY** viewing/clarification meeting for this contract.

For commercial clarification, direct your questions to Lunga May on email Mayl@eskom.co.za not later than Wednesday, **06 November 2024 at 16:00, 2 working days before tender closing date.**

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1. SUBMISSION OF THE “OFFER TO PURCHASE”

Your quotation, as submitted by you on the “Offer to Purchase” document shall be submitted

- By Email to: Eskom INFORMAL Tender advice Centre –

Informaltendering@eskom.co.za

Please note the following rules with respect to the OLT system (Informal Tendering)

- Please ensure that the email subject line only contains the
- OLT2122925**. Enquiry number as per heading and no other information. Do not add any text to the subject line. Do not add any space in between the prefix and the enquiry number.
- Ensure that all files submitted is in a PDF format.
- Ensure that the enquiry number is stipulated in the subject line on all e- mails if multiple emails are sent
- Ensure that you receive a confirmation email after submitting your documentation. Please follow up immediately via the email address of the respective asset disposal officer if you did not receive this.
- Maximum attachment size per email is 10MB. It is the supplier’s obligation to ensure that the attachments per email do not exceed this limit.
- Please note closing date and time on the RFQ. Your submission will not be evaluated if it is received after the closing date and time of the RFQ.
- All tender returnables/documentation must be submitted to Informaltendering@eskom.co.za only. E-mails to any other address (except for clarifications) will not be accepted. Failure to comply will these rules will result in your tender being disqualified.

Requests for Clarifications must be sent in writing to the respective asset disposal officer at Mayl@eskom.co.za and not to Informaltendering@eskom.co.za. All requests for clarifications and responses must be in writing. Eskom will respond to requests for clarification received within one (1) – two (2) working days before the tender closing deadline, depending on the enquiry duration and complexity.

The closing date is 10:00 AM on FRIDAY, November 2024.

ALL OFFERS TO PURCHASE ARE TREATED AS CONFIDENTIAL!

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NO LATE OFFERS WILL BE ACCEPTED!

2. STANDARD CONDITIONS OF TENDER

- Please quote the tender enquiry number on all correspondence.
- Please take note of the STANDARD CONDITIONS OF TENDER, (July 2018) noted in this letter and any amendments that accompany the TENDER ENQUIRY **OLT2122925**
- The tenderer should understand that his / her signed Offer to Purchase serves as his legal agreement to the Standard conditions of tender.

STANDARD CONDITIONS OF TENDER	AGREEMENT 37.2	TST 41-61
 D:\User\2007\ INVATATION TO TENI	 Section 37 2 Agreement 2010 Esk	 TST 41-61 Standard.doc

3. TENDER RETURNABLES

The tenderer must submit the returnable set out hereunder as part of its tender. (Mandatory returnables are indicated by a tick (✓), and if they are not included by tender deadline, the tenders will be disqualified from further evaluation).

LIST OF TENDER RETURNABLES:

4.1. Tender returnable documents.

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Review Date	June 2024		

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
Annexure A	Declaration of Interest		✓	
Annexure B	Declaration for Fair Tendering Practice		✓	
Annexure C	SBD 4 – Bidders Disclosure		✓	
Additional Documents required in event of JV: -	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Authority to submit tender (Returnable Schedule)		✓	
	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.		✓	
Tax Clearance Certificates	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa - but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who 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 still complete the SBD1 document, however no proof of tax compliance is required.			✓

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	Offer to purchase form (price schedule attached and comments to price schedule)		✓	
B-BBEE	Affidavit (on DTI Template) confirming that the B-BBEE Contribution level of the entity. B-BBEE Verification Certificate from Accredited verification agency		✓	
CSD	Submitted proof of the registration on National Treasury's Central Supplier Database (CSD) registration Report or MAAA registration number (Valid & Current) It should be noted that as per National Treasury Instruction No: 09 of 2017/18; a tender will not be awarded to a recommended tenderer that has a tax non-compliance status		✓	
Second-Hand Good Certificate	Second-hand goods act certificate from SAPS/License (for scrap dealers and recyclers) (Valid & Current)		✓	
Company Registration Documents	The tenderer must submit (Companies and Intellectual Property Commission (CIPC) company registration documents or CIPRO documents or any declaration of Shareholding and Directorship - in order for Eskom to assess any conflict of interest.		✓	
COID	Valid certificate of good standing		✓	
	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)			
SHEQ Requirements per scope of works	SHEQ Requirements <ul style="list-style-type: none"> • Health and Safety Requirements • Environmental requirements 			✓
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Technical (required for functionality scoring)	Technical Requirements <ul style="list-style-type: none"> • Technical inventory list • Method statement based on scope of work 			✓
E-waste Certificate	Certificate of affiliation		✓	

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Data Wipe Software / Degausser	Software certificate/ licence to remove data from devices			
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Tenders must be submitted strictly in accordance with the requirements stipulated above together with the completed offer to purchase form, incomplete tenders will not qualify for consideration and further evaluations, declarations are to accompany the “Offer to Purchase” to qualify for evaluation purposes.

5. EVALUATION PROCESS AND CRITERIA

5.1. BASIC COMPLIANCE

ANNEXURE A

DECLARATION OF INTEREST

I/We understand that any natural/legal person, including employees of the State and/or those related to an Eskom employee/director (as per the definition of “related” set out hereunder), may tender to Eskom. However, in view of possible allegations of favouritism (the practice of showing favour to, or giving preference to some person/group, to the detriment of, or at the expense of another that is entitled to equal treatment or an equal opportunity), should the resulting tender, or part thereof, be awarded to such natural/legal person, as described herein, it is required that the *tenderer/s* declare such interest/relationship where:-

- the *tenderer/s* employees/ directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- the *tenderer/s* employees/ directors are also employees/ contractors/ consultants/ directors of Eskom
- the *tenderer/s* employees/directors are also employees/ contractors/ consultants or directors in another entity together with Eskom employees/ consultants/ contractors/ directors
- the *legal person/s (including its employees/ contractors/ directors/ members/ shareholders)* on whose behalf the tender documents are signed, is in some other way “related” to an Eskom employee/ contractor/ consultant/ director involved in the tender evaluation/tender adjudication/tender negotiation. “Related” meaning that:-
 - an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
 - or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 - 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 per Companies Act section 2(1)) ; and
 - **a juristic person is “related” to another juristic person if :-**
 - 1) Either of them directly/ indirectly controls the other, or the business of the other, as

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		Effective Date	01 June 2021			
		Review Date	June 2024			

determined in accordance with the definition of “control” (as per Companies Act section 2(1));

- 2) Either is a subsidiary of the other; or
 - 3) A person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”
- the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or 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/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

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)	ID Number	Confirm and provide details (including employee number) if you are a State/ State owned entity employee/ contractor/ director.	Full Names & Capacity/Position of Eskom employee/ director/ consultant and details of the relationship or interest (marital/ familial/ personal/ financial, etc.)	To your knowledge is this person involved in the evaluation/ adjudication/ negotiation of tenders

If any employee/ director/ member/ shareholder/ owner of tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation (Y/N) to undertake remunerative work outside public sector employment, and attach proof to this declaration.

Do the tenderer/s and other tenderer in this tendering/ RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If your answer is Yes, attach proof to this declaration.

ANNEXURE B

DECLARATION OF FAIR TENDERING PRACTICES

This serves as a declaration that when goods/services are being procured, all reasonable steps have been taken to address and/or 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:

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		Effective Date	01 June 2021			
		Review Date	June 2024			

- abused the institution’s procurement process (e.g. bid rigging/collusion)
- committed fraud or any other improper conduct in relation to such system.

Please complete the declaration with an ‘X’ under YES or NO

Item	Question	Yes/No	
		Yes	No
1.1	Is the <i>tenderer/s (or any of its directors/members/shareholders)</i> listed on National Treasury’s Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector, or 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 Database of Restricted Suppliers and the Register for Tender Defaulters can be accessed on the National Treasury’s website (www.treasury.gov.za).		
1.2	Was the <i>tenderer/s (or any of its directors/ members/ shareholders)</i> convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/ tendering processes/ procedures during the past five years?		
1.2.1	Provide details.		
1.3	Was the <i>tenderer/s (or any of its directors/ members/ shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		

I, the undersigned, _____ hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of _____ *(insert the full legal name of the tenderer)*

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

Signature:	
Designation and capacity in which signing:	
Date:	

5. SCOPE OF WORK

The scope of work will include the purchase, collection and removal of **various scrapped e-waste equipment (e.g., desktops, computer screens, laptops, printers, projectors, servers, paper shredders, etc)** at various sites in North West on an “as and when” required basis for a period of 24 Months.

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		Effective Date	01 June 2021			
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The purchaser must assure that Eskom site is clean at completion of their collection and removal of the goods

The successful bidder/purchaser will be responsible for the safe collection, handling, removal, loading and transportation of the material and to clean the site and must provide their own qualified labor and suitable certified plant, machinery, equipment and transport for this purpose.

The successful bidder/purchaser must preferably have a scale for the weighing of the e-waste material and/or each load of e-waste equipment, as removed must be weighed at the Eskom Megawatt Park scale or at a suitable weighing facility nearest to the site of collection and will be for the account of the Purchaser. The weighbridge facility must be acceptable for Eskom. An Eskom representative must witness the weighing (must sign the weighbridge documentation, add name and contact details in print) and keep a copy that must be handed to the relevant Eskom Official responsible for the management of the goods on behalf of Eskom.

The purchaser must provide a copy of the weighbridge document to the relevant Eskom Investment Recovery Officer. Collections and payments will be monitored by means of collection registers to be separately maintained by the purchaser and the Eskom Investment Recovery Officer. It will be the duty of the purchaser to provide documentation, on a regular basis as will be requested, to the Eskom Investment Recovery Officer to reconcile information between the contractual parties.

The purchaser must arrive very early (08:00 – 09:00) on the day of collection of the e-waste equipment, to allow for the accurate weighing of the goods collected, accompanied by Eskom personnel.

The goods on sale will be identified by Eskom representatives.

NOTES

- a. Eskom will not be responsible for any damages or losses suffered during the removal of the equipment incurred while working on this project arising from theft, damage or personal injury.
- b. You will be required to adhere to the condition as laid out by the Eskom site agent with regards to site access etc.
- c. Littering is prohibited at all times. Facilities will have to be made available on site during dismantling operations for the collection of disposal waste material. No rubble whatsoever is to be left on site.
- d. Additional precautions must be taken when using cutting equipment. Portable fire fighting equipment must be available on site during all stages of the work programme.

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e. You will be required to be put on an Eskom permit, prior to commencement of and work. After completion of the work, it is imperative that you notify the Eskom site agent, so that the job can be signed off.

f. All work must comply with the OHS Act no 85 of 1993. All Safety requirements and documentation shall be available on the site

g. Any oil spills caused during the work programme will need to be rehabilitated by the successful contractor.

i. No accommodation will be allowed on site.

j. Eskom will not be responsible for any damages or losses suffered during the removal of the equipment incurred while working on this project arising from theft, damage or personal injury.

k. You will be required to adhere to the condition as laid out by the Eskom site agent with regards to site access etc.

6. FINACIAL EVALUATION

The following criteria and their individual weight in % will be used for the evaluation of price.

Evaluation Criteria	Weighting
Financial – Best price	80%
B-BBEE	20%

Eskom’s commercial process will be followed, and this process is dependent on the decisions made by the different Eskom Adjudicating authorities.

7. PRICE SCHEDULE

Note: No price to be submitted at the tender closing date.

- Tenders with prices will be disqualified
- Bidders will be given the chance to bid with their prices on the e-auction platform after the enquiry closing date

e-Auction will be applicable as follows:

- **Pricing will not be submitted** at tender closing but via e-Auction at date to be communicated by Eskom;
- **The following documents are included in the enquiry as part of e-Auction:**

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- **Annexure A.1 – Acknowledgement Form – Reverse e-Auctioning Training** (To be completed & signed and returned)
- **Annexure A.2 – Definition of Reverse E-auctioning** (For Reading)
 - **User Guide** (Information purposes – not be returned to Eskom)

DESCRIPTION/SCOPE
Various e-waste equipment

8. VALUE ADDED TAX (VAT)

Value Added Tax Act no 89 Of 1991 and VAT invoices will be issued on request.

DECLARATION (BY TENDERERS) OF GOOD STANDING REGARDING TAX

IT IS A CONDITION OF TENDERERS THAT:

- 8.1 It is an absolute requirement that the taxes of the successful tenderer must be in order, or that suitable arrangement is made with the Receiver of Revenue to satisfy them.
- 8.2 The tenderer must include with his tender documents a copy of a Tax Clearance Certificate (in respect of Tenders)
- 8.3 If the certificate is not included or found to be incorrect, Eskom may, in addition to any other remedy it may have:
- 8.4 Recover from the contractor all costs, losses or damage incurred or sustained by Eskom as a result of the award of the disposal agreement: and/or
- 8.5 Cancel the disposal agreement and claim any damages, which Eskom may suffer by having to make less favourable arrangements after such cancellation.
- 8.6 Each party to Consortium/Sub-contractor must complete a separate declaration.

The onus will be on the tenderer to obtain “Tax Clearance Certificate (in respect of tenders)”, from the office of the South African Revenue Services (SARS) and submit the same with their tenders.

9 SAFETY REQUIREMENTS

Please attached safety requirements documents.

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10.Environmental requirements

The intended activities at the Eskom Sites will have an impact on the environment and as such have to be properly management. Proper management requires that there is compliance with all the relevant pieces of legislation that impact on the development or intended activities. Therefore, the list below indicates the pieces of legislation that impact on the proposed activities. It is important that the Construction Team complies with these. Non-compliance will be unwise and may prove to be very costly for the organisation.

Please see attached Environmental requirements.

11. GUARANTEE / WARRANTY

Eskom Holdings SOC Limited gives no guarantee or warranty to the workability or condition of the equipment for sale, other than allow each buyer to familiar themselves at the site prior to tendering in terms of the Consumer Protection Act. All equipment will be sold "Voetstoots".

12.OFFERS

Eskom reserves the right not to accept the lowest or any tender / offer or withdraw any item it wishes to retain.

Only the successful purchaser will be notified.

The onus will be on the tenderer to obtain "Tax Clearance Certificate (in respect of tenders)", from the office of the South African Revenue Services (SARS) and submit the same with their tenders.

13.VARIATION

No variation or modification of the proposed agreement shall be in force, unless the same is confirmed in writing.

Yours Faithfully

Lunga May
Investment Recovery
Procurement & Supply Chain Management

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ENQUIRY NO:
CLOSING DATE: 08 November 2024
CONTACT PERSON: Lunga May
Email: Mayl@eskom.co.za

NB! A bidder who has an existing or expired contract with Eskom and has defaulted in terms of that contract will be disqualified and not be awarded a new contract.
 A bidder who has an open non-conformance will be disqualified and not awarded a new contract

This tender proves the tenderer is fully aware of the condition of the tender, proves their full intention and will to purchase the various scrapped KVA transformers “VOETSTOOTS” as is for the price offered (Prices will be offered on E-auction).

Please provide full and proper details according to the requirements below. Incomplete or unclear Tender Documentation can be rejected.

OFFER SUBMITTED BY - NAME:**SIGNATURE:**.....

Date: **CELL:** **E- mail:**.....

Who are legally authorized to provide this tender on behalf of:

BUSINESS NAME:.....**CSD NUMBER:**.....

BUSINESS ADDRESS:.....

TEL:.....

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