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|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

**LAND MANAGEMENT SERVICES FOR PLATTEKLOOF NATURAL HERITAGE SITE,
PINOTAGE OPEN SPACE AND OTHER NATURAL SITES WITHIN ESKOM
TRANSMISSION WESTERN GRID FOR THE PERIOD OF 3 YEARS.**

| | |
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| Tender number | WCTX1039SL |
| Issue date | 20 June 2022 |
| Closing date and time | 12 JULY 2022 at 10h00 |
| Tender validity period | 90 days from the closing date and time |
| Non- compulsory Clarification meeting | 28 June 2022 @ 11:00 am which will be held online using Microsoft Teams. |
| Tenders are to be delivered to the following address on the stipulated closing date and time: | TENDER CENTRE BLOCK 'E', STORES BUILDING BRACKENFEL COMPLEX ESKOM ROAD BRACKENFELL, 7560 |

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| | | | | | |
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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the **LAND MANAGEMENT SERVICES FOR PLATTEKLOOF NATURAL HERITAGE SITE, PINOTAGE OPEN SPACE AND OTHER NATURAL SITES WITHIN ESKOM TRANSMISSION WESTERN GRID FOR THE PERIOD OF 3 YEARS**

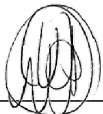
The enquiry documents are supplied to you on the following basis:

- Free of charge

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a tender by you in response to this [Invitation] will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via www.eskom.co.za).

Queries relating to these Invitation documents may be addressed to the Eskom *Representative*.

Yours faithfully



Ayanda Velani


Procurement Manager

(Full name and Designation)

Date: 20 June 2022

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| | | | | | |
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The following documents listed hereunder are attached to this enquiry.

| Number | Description | Annexure/to be downloaded and attached | Attached (Y/N/ N/A) |
|--------|---|--|---------------------|
| 6.1 | *Acknowledgement form | Annexure A | Y |
| | Standard Bidding Document (SBD) 4 | Annexure A | Y |
| 6.2 | *Tenderer's particulars | Annexure B | Y |
| 6.3 | *Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read) | Annexure C | Y |
| 6.4 | CPA Requirements for Local Goods/Services | Annexure D | Y |
| 6.5 | CPA(IG) for Foreign Goods/Services (if applicable) | Annexure E | Y |
| 6.6 | SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included). | Annexure F1 | Y |
| | Annexure C-Local Content Declaration-Summary Schedule | Annexure F2 | |
| | Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C | Annexure F3 | |
| | Annexure E-Local Content Declaration-Supporting Schedule to Annexure C | Annexure F4 | |
| 6.7 | SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline | Annexure G | Y |
| 6.8 | SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations | Annexure H | Y |
| 6.9 | Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE <i>[only to be attached for services type of contracts]</i> | Attached | Y |
| 6.10 | Supplier Development & Localisation (SDL&I) Undertaking (if applicable) | | Y |
| 6.11 | Reverse e-auction training acknowledgement form (if applicable) | <i>[To be uploaded from Sharepoint]</i> | N/A |

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| 6.12 | Reverse e-auction process (if applicable) | [To be uploaded from Sharepoint] | N/A |
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- 1.2 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** is not attached to the **Invitation to Tender**; then the 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 <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Sandi Bokveldt-Lize Tel: 021 980 3003 E-mail: LizeSN@eskom.co.za</p> | | | | | | | | | | | | | | | | | | |
| 1.3 Enquiry documents | <p>The Invitation to tender number is: WCTX1039SL</p> <p>All Relevant tender documents will be uploaded onto:</p> <ul style="list-style-type: none">Eskom Tender PortalNational Treasury <p>It is the responsibility of the tendering party to ensure all required documentation is downloaded, completed, and submitted as follows:</p> <table><tr><th>SECTION</th><th>ORIGINAL</th><th>COPY</th></tr><tr><td>SECTION 1- will comprise of the commercial and SD and L requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 2- will comprise of the technical requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 3- will comprise of the SHE requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 4- will comprise of the Quality requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 5- will comprise of the environmental requirements</td><td>✓</td><td>✓</td></tr></table> <p>See the content list above for the enquiry documents.</p> | SECTION | ORIGINAL | COPY | SECTION 1- will comprise of the commercial and SD and L requirements | ✓ | ✓ | SECTION 2- will comprise of the technical requirements | ✓ | ✓ | SECTION 3- will comprise of the SHE requirements | ✓ | ✓ | SECTION 4- will comprise of the Quality requirements | ✓ | ✓ | SECTION 5- will comprise of the environmental requirements | ✓ | ✓ |
| SECTION | ORIGINAL | COPY | | | | | | | | | | | | | | | | | |
| SECTION 1- will comprise of the commercial and SD and L requirements | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 2- will comprise of the technical requirements | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 3- will comprise of the SHE requirements | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 4- will comprise of the Quality requirements | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| SECTION 5- will comprise of the environmental requirements | ✓ | ✓ | | | | | | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | | | | | | | |

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| 1.6 Eskom's rights to accept or reject any tender | The tender shall be for the whole of the contract. |
| 2.1 Eligible tenders | <p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a [tender if</p> <ul style="list-style-type: none"> • Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed 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 subcontractors or suppliers for any part of the Contract including related services. • Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium. • [Tenders/proposals] submitted by a JV 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. • A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering/RFP] process, if: <ul style="list-style-type: none"> ○ (a) they have a controlling partner/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/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process; • Tenders signed by non- authorized persons. • Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers). • A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of PPPFA Regulations. • Any tenderer that is restricted by National Treasury. • A tenderer that sub-contracts 100% Scope of Work. <p>Ineligible tenderers will be disqualified.</p> |
| 2.2 -2.5 Tender Closing | <p>The deadline for Tender submission is: Date 12 July 2022 Time 10h:00 am</p> <p>Late Tenders will not be accepted.</p> <p>Tenders are to be submitted to the Eskom tender box at the following physical address:</p> <p>THE TENDER OFFICE BLOCK 'E', STORES BUILDING</p> |

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| | <p>BRACKENFEL COMPLEX ESKOM ROAD BRACKENFELL, 7560</p> <p>NB: The onus is upon the tenderer to ensure that their tender reach the Tender Office on or prior to the due date and time when making use of the post or courier services.</p> <p>NB: Eskom employees are not permitted to deposit a tender into the Eskom tender box on behalf of a tenderer.</p> <p>If your tender document is too big to fit into the tender box, the documents can be submitted to an Eskom Tender office Official at the Eskom Tender Office, during the following times:</p> <p>Monday to Friday: 07h30-16h00 prior to the tender closing date.</p> <p>No tender documents will be accepted after the stipulated tender closing date and time.</p> |
| 2.9 Copy of original tender | <p>The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline. Eskom may also require that one (1) additional complete soft copy of the original tender is required in electronic format.</p> <p>Where a tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p> |
| 2.13 Tender Validity Period | The tender validity period is 12 weeks from the closing date and time. |
| 2.16 Site/clarification meetings | <p>A non-compulsory clarification meeting will be held on the 28 June 2022 at 11h00 to 13h00 via MS Teams.</p> <p>All clarification matters must be emailed to the buyer and will be communicated with the end-user. Clarifications must be sent in time (5 working days before tender closing) in order to ensure that matters are addressed in time before tender close. Suppliers to ensure that they revisit tender bulletin for amendments on documentation and clarification during tender period.</p> |
| 2.17 Clarification on enquiry documents | The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission. |
| 2.23 Alternative tender | Alternative tenders are not allowed. |
| 2.25 Conditions of contract | The conditions of contract will be the NEC (TSC3) Term Service Contract. |
| 2.31 Provision of security for performance | If security for performance (e.g. Performance Bond) is required, the names of two financial institutions that the tenderer will approach must be submitted with the tender. |
| 3.4 Opening of tenders | There will be no public tender opening, due to the current coronavirus pandemic and social distancing requirements. |

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| | | Review Date | February 2027 | | |

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| 3.5 Prices to be read out | Prices will not be read out . |
| 3.9 Basic Compliance | <p>Basic compliance for this invitation to tender are:</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer • Submit one (1) hard copy of the original tender to Eskom • Submit a complete original tender with commercial, financial and technical information • Submission of the mandatory commercial tender returnables as at stipulated deadlines. • Central Supplier Database (CSD) number (MAA.....) • Fully completed and signed NEC with pricing. |
| 3.10 Mandatory tender returnables | <p>A tenderer that does not submit mandatory documents/information in required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.</p> <p>Commercial mandatory requirements:</p> <ol style="list-style-type: none"> 1) Annexure C of the invitation to tender (Supplier declaration of interest as well as fair bidding tendering practices). 2) Annexure B of the Invitation to tender (Appointment letter of signatory). 3) Standard Bidding Document (SBD) 4 (Annexure A) 4) Fully completed and signed NEC with pricing. <p>Mandatory SDL&I requirements:</p> <ol style="list-style-type: none"> 1) BBBEE status and/or level required: EME and QSE Level 1. <p>Tenders that do not submitted the above commercial mandatory and SDL & I requirements will be disqualified from further evaluations.</p> |
| 3.11 Pre-qualification criteria | <p>Pre-qualification criteria are applicable</p> <p>The following mandatory pre-qualification criteria are applicable herein:-</p> <p>Mandatory SDL&I - Pre-qualification Criteria for Preferential Procurement:</p> <p>BBBEE status and/or level required: EME and QSE Level 1 only will apply to this tender.</p> <p>Tender Returnable if the above elements are requirements;</p> <ul style="list-style-type: none"> • Copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or • Copy B-BBEE Certificate issued by CIPC for EME's. OR • Copy of the B-BBEE certificate / sworn affidavit in the case of QSE's must be submitted, or • Copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or • 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. |

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| | | Review Date | February 2027 | | |

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| | <p>Mandatory requirement for the above:</p> <p>Valid BBBEE certificate from a SANAS accredited verification agency or a Valid Sworn Affidavit.</p> <p>The following must be considered when it comes to validity of Affidavits;</p> <p>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</p> <ul style="list-style-type: none"> 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. <p>Tenders that do not meet the above commercial mandatory requirements will be disqualified from further evaluations.</p> <p>Where B-BBEE levels, EME/ QSE status or sub-contracting to designated groups is used as pre-qualification criteria; then tenderers are required to provide "proof of B-BBEE status level of contributor" at tender submission deadline.</p> <p>If the relevant documentation/information as stipulated in the enquiry is not submitted; said tenders will be disqualified.</p> |
| | <p>3.12 Designated materials and thresholds</p> <p>Designated material thresholds not applicable.</p> |
| | <p>3.13 Functionality requirements</p> <p>Functionality requirements are applicable</p> <p>Functionality the review will be done by the cross-function team consisting of technical team: Adrian Francis and Rodger Peense.</p> |
| | |

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| | | | |
|---------------------------|---|--------------------------|---|
| | Functionality Criteria | Maximum number of points | Tenderers will be expected to score at least the minimum threshold per functional area to proceed to the next phase |
| | Technical | 100 | 85 |
| | Overall Minimum Threshold for Qualification | 85 | |
| | Criteria | | |
| | Brush cutter and chainsaw operating certificate (operational staff only) | | 10% |
| | Off-Road driving certificate (at least one member of local team) | | 10% |
| | Veld Firefighting training certificate (team leaders) | | 10 |
| | Horticulture certificate of training (at least one | | 15% |
| | Snake handling course (Snake institute or accredited institution) | | 10% |
| | Indigenous Plant and weed identification | | 10% |
| | Pest Control Operator Licence | | 15% |
| | 2 x favourable reference letters from clients where the same or similar service was provided. (20% for 2 reference letters, 5 % for 1 favourable reference letter, 0 % for no reference letters). | | 20% |
| | Tenderers who do not meet the 85% threshold for functionality scoring will be disqualified and not be evaluated further. | | |
| 3.15 Evaluation of price | Prices will be evaluated as follows: <ul style="list-style-type: none">• Inclusive of VAT• Making the specified correction for arithmetical errors• Excluding contingencies in any bill of quantities or activity schedule.• Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.• Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and 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.• Unconditional discounts must be taken into account for evaluation purposes;• Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected. Prices will be scored out of 80 points | | |
| 3.17 Evaluation of B-BBEE | B-BBEE status will be scored out of 10 or 20 points in accordance with PPPFA. If a tenderer fails to submit proof of B-BBEE status level, the tenderer will not be disqualified (except if B-BBEE level is a pre-qualification criterion). The tenderer will, however, be awarded 80 points for price and will score 0 points for B-BBEE level /status (out of 20) “In terms of the Preferential Procurement Policy Framework Act (PPPFA), the 80/20 scoring system will be applicable to this tender” | | |

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$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

80% Price

20% BBEE

The tenderers will submit a complete tender **with prices** as stated in the enquiry.

Price and preference principles will be applied using the (80/20 preferential points).

| B-BBEE | Qualification | Number of Points (80/20 system) For procurement above R30 000.00 including VAT |
|---------------------------|--------------------------|---|
| 1 | ≥ 100 points | 20 |
| 2 | ≥ 85 points < 100 points | 18 |
| 3 | ≥ 75 points < 85 points | 14 |
| 4 | ≥ 65 points < 75 points | 12 |
| 5 | ≥ 55 points < 65 points | 8 |
| 6 | ≥ 45 points < 55 points | 6 |
| 7 | ≥ 40 points < 45 points | 4 |
| 8 | ≥ 30 points < 40 points | 2 |
| Non-compliant contributor | < 30 points | 0 |

3.18 Ranking of tenders

Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder]:-

- 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) or state that either 80/20 will apply should there be a degree of uncertainty on which PPPFA Point allocation system will apply; the lowest acceptable tender will be used to determine the applicable preference system


Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.

3.19 Objective Criteria (if applicable)

The objective criteria is no longer applicable.

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| 3.20 Reverse e-auction (if applicable) | Reverse e-auction not applicable |
| Contractual Requirements (if applicable) | <p>Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Proof that the highest ranked tenderer is able to meet the contractual requirements, must be submitted prior to order award. Tenderers will be afforded an opportunity to correct and resubmit their corrections within 5 working days.</p> <p>Failure to meet “Contractual Requirements “by the stipulated deadlines, may result in the tenderer being regarded as non-responsive and ineligible for contract award.</p> <p>CONTRACTUAL REQUIREMENTS</p> <ul style="list-style-type: none"> ➤ Commercial compliance ➤ Health and Safety compliance ➤ Environmental compliance ➤ Quality compliance ➤ SDL & I Undertakings <p>The requirements as listed below; SHE tender returnables must all be submitted with the tender documents and labelled as SHEQ File. These requirements will be analysed under this criterion.</p> <p>Contractual Requirements includes the following:</p> <p>1. COMMERCIAL TENDER RETURNABLES</p> <ul style="list-style-type: none"> • Tax verification pin • Shareholders certificate • CSD Registration number (Please note that it is mandatory for supplier to register on National Treasury’s Central Supplier Database, if you intend doing work with any State department or State-owned entity/company.) <p>2. HEALTH AND SAFETY COMPLIANCE</p> <ul style="list-style-type: none"> • Acknowledgement form for Eskom's rules and requirements (in Annexure B) signed and submitted • Health and Safety Plan (must address the project / scope of work OHS risk(s) and aligned with health and safety specification or requirement. • Costing for Health and Safety management: Has the tenderer submitted detailed costing for OHS (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: Identification, assessment and management of OHS risks related to the scope of |

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|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

work. The methodology used for the risk assessment must be provided together with the BRA

- **Valid Letter of Good Standing** (COIDA or equivalent)
- **OHS policy** signed by CEO.
- OHS Competency


(Consider scope of work, risks, OHS plan and applicability) CV's and qualifications / certificates (List competencies required)

3. ENVIRONMENTAL COMPLIANCE

| CONTRACTOR/SUPPLIER | | |
|--|---|--|
| 2.3 EVALUATION CRITERIA | | |
| ENVIRONMENTAL EVALUATION CRITERIA | | |
| DOCUMENT REQUIREMENTS: | | SCORE |
| EMS, ENVIRONMENTAL MANAGEMENT PLAN, ENVIRONMENTAL AUTHORISATION AND ENVIRONMENTAL REQUIREMENTS FOR CONTRACTORS | | |
| Objective evidence must be given to each of the items in this document. Organisation must show compliance to the ISO 14001:2015 Standard as per the Tender Evaluation conducted for this contract: | | |
| Identify the high risk environmental Aspects and provide method statements to address them, where relevant : | | |
| <ul style="list-style-type: none">Oil Management: handling, storage, recycling, disposal,Handling and disposal of AsbestosTransport, Placement and storage of materials onsiteWaste management-disposal, recycling and reuse of offcut materialsWaste management-registered disposal agent, registered recycling agent, reusing offcut material onsite agreement with Eskom, recycling wood waste, plastic waste and steel waste generated from packaging. | | |
| The contractor must use the Eskom Environmental Management Plan and Environmental specifications to develop their own organisational Environmental documents. | | |
| Organisation documentation must have a training plan for staff and show accreditation and registration where required. Present a communication plan that demonstrates response to public, staff and Eskom during different scenarios. | | |
| 1. ENVIRONMENTAL MANAGEMENT SYSTEM (e.g ISO 14001) | | |
| 1.1 Environmental Policy | 1 | Includes a commitment to fulfilling conformances and compliance obligations, setting measurable environmental outcomes /objectives to ensure continual improvement, protection of the environment including prevention of pollution, compliance with applicable legal and other requirements to which the organization subscribes. The organization must show how it will proactively manage its environmental footprint as well as a commitment to open communication in engaging with stakeholders where required. |
| 1.2 Objectives and Targets | 1 | The organisation must established and shall implement maintain and document Environmental Objectives and Targets. These should be practicable and consistent with the |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

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| | | | SHEQ Policy of the company. Programmes shall be established, implemented maintained and documented to achieve objectives & measurable targets through assigned responsibilities with means and timeframes that are realistic and relevant to the company |
| | 1.3 Roles and Responsibilities | 1 | Organisational Structure, Environmental Management structure, reporting structure training, incidents, complaints etc |
| | 1.4 Communication | 1 | How you communicate with staff Environmental Management System. How you communicate with client on Environmental Management System. How you will communicate with Third Party and stakeholders of your Environmental Management System. |
| | 1.5 Internal Audits | 1 | Demonstrate what environmental audits you do and engage with on your sites, What's your frequency and by who it is done. What do you do with findings and how is it communicated, addressed and monitored in terms of success rate of actions and follow up thereof in your organisation drawing from past experiences |
| | 1.6 Emergency Preparedness (Environmental related emergencies) | 1 | Detail how all environmental emergencies will be addressed. List of contractors that will fight fires, clean cement spills, sewage or oil clean-up etc. include trained staff for fires, oil clean up, chemical clean up etc. Compile a Plan to explain how fires, spills and contamination prepared for. Indicate emergency numbers and service providers that will be used in the event of these emergencies. List subcontractors that you have that will assist in managing the incidents most likely to occur in your line of work. |
| | 1.7 Monitoring, measurement and evaluation of compliance | 1 | Who monitors compliance in your organisation Environmental Management Legal requirements. who develops your legal register and how is it communicated to your teams to ensure all understand their responsibility to the Environmental legal compliance. |
| | 1.8 Non Conformance, Corrective action and preventive action | 1 | What processes do you have to identify non-conformances, How corrective actions are determined and what preventative measures are decided upon and monitored |
| | 1,9 Management Review | 1 | At least one review per year whereby your Environmental Management System is Managed and measured and reviewed. |
| | 2. ENVIRONMENTAL MANAGEMENT PLAN | | |
| | 2.1 Handling of Hazardous Chemical Substances | 1 | For every chemical used onsite include oil, petrol, herbicides etc |
| | 2.2 Vegetation Management | 1 | State organisational approach to scope and management of vegetation. Grubbing, barricading to protect plants, process to identify and protect plants, transfer plants, avoid plants and last option of destroying plants with permission from the CapeNature |
| | 2.3 Site Establishment | 1 | Explain the organisation process, what they put in place for vehicles, equipment, staff rest areas, smoking areas, visitors areas, firefighting, kitchens etc. Transporter management must be specific in terms of inducting sub-contractors they meet requirements for transport and include oil spill kit and readiness in case of emergency. |
| | 2.4 Water Management | 1 | How will water be supplied for fire fighting, construction, potable purposes, What permits will be required for obtaining water supply from rivers through water affairs, arrangement with landowners from lawfull boreholes, agreements with |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | | | |
|---|---|--|---|
| | | | landowners for water use. Explain options that your as organisation will follow. Measure all water use for the project and detail where and how will it be kept. Will transport your water etc. Illustrate which options will best suit you. |
| 2.5 Access Control | 1 | | Explain landowner access, communication with landowner, marked vehicles, methods for communicating with landowner prior to access. The forms that you will use to record landowner grievances, complaints and records of communication. Detail what you require for stockpiling of excavated material and road material, how you would communicate to landowner, what you need to have in place for the arrangements with the landowner and any clean up once task is complete. Inform site in advance when transport is coming to site, ensure oil spill kit on transporter. Vehicles must be maintained and not in poor condition |
| 2.6 Dust and Noise control | 1 | | Explain how dust and noise suppression will be completed for the duration of this scope of work for this project. If relevant to project |
| 2.7 Environmental Human Resources | 1 | | Appointed and trained person per team that will be used per site. |
| 2.8 Environmental Training | 1 | | Evidence of PCO training, Plant identification, oil spill clean up, env appointment training. The organisation must have a training plan for the duration of the contract for all its staff on the environmental documentation provided in this Environmental file. Evidence of upskilling all staff must be kept on file. SHE rep, oil spill, incident investigation training –not limited to these. |
| 2.9 Environmental Incident Reporting | 1 | | Detail what are the Environmental Incidents likely to be experienced through the course of the project. Develop and explain how environmental incidents will be reported |
| 2.10 Landowner Liaison | 1 | | Have a designated process and person to consult and deals with landowners and stakeholders. Ensure records and evidence of communications is kept on record at all times. |
| 2.11 Rehabilitation | 1 | | Based on organisational experience and scope of work tendered, what are the rehabilitation measure that you will have in place to manage your likely or unlikely impact on site. Need to show realistically in the event of what could go wrong and whether you prepared to address at this tender stage. |
| 2.12 Compliance to Other Legal Requirements | 1 | | Ensure that you review and list all possible environmental Legislation that you likely to engage or encounter based on the scope and nature of the work proposed. Demonstrate how you will give Eskom assurance that your company takes responsibility for legal compliance. |
| 2.13 Wildlife Interaction | | | Detail how you would management game farms, nature reserves, snakes and reptiles, bird activity. Also detail how you as an organisation will protect landowner cattle and stock. Demonstrate what you would do if there's a damage and loss reported by a landowner. |
| 2.13 Other Documentation | 1 | | Organisational EMP that details all aspects that can impact your environmental performance. Must be signed by the owner. Evidence of information sharing with staff must be attached as well to the document |
| 3. WASTE MANAGEMENT PLAN | | | |
| 3.1 Procedure/method statement submitted | 1 | | Describe waste separation onsite and at depot. Which landfills will be use, explain toilet use and waste removal when working in servitudes, describe bins to be used, waste records |

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | | | |
|--|---|--|---|
| | | | to be kept and waste registers. Stacking, disposing, recycling. Detail what will be scrapped, what will be recycled, what will be dumped and where it will be dumped. Provide explanation of how waste will be stored onsite and in what it will be stored. |
| 3.2 Register of possible waste to be generated by the project | 1 | | Waste streams in your organisation line of business e.g. Hazardous waste where it will be disposed, domestic waste where it will be disposed, waste for recycling-where will it be disposed. |
| 3.3 Waste separation | 1 | | What system do you implement to ensure waste separation for general and Hazardous waste |
| 3.4 Waste minimisation | 1 | | What system do your organisation have for waste that is recycled, and reused. Need to explain where recycled and what you have experienced in previous works/jobs. List the wastes like wood , plastic, steel identified for recycling, how it will be done, registered service provider with evidence that allowed to function as a recycler by the Department of Environmental affairs. |
| 3.5 Records of waste quantities disposed (Template) | 1 | | List all the waste landfills that you will use for the course of this project in the western and Northern Cape Sites that the contractor will use to dispose of general and general waste whether here or in Jhb. must include templates that will be used to record waste disposed, recycled, reused Landfill site documentation must be kept on env file, sewage collection manifests and records must be kept on file. |
| 3.6 Legislation requirements | 1 | | Must have a list of all Environmental Legislation that you would comply with in your line of business. |
| 4. ENVIRONMENTAL BILL OF QUANTITIES | | | |
| 4.1 Environmental Bill of quantities submitted | 1 | | BOQ with price estimate of all the items that will be used to manage environmental risks identified. |
| 4.2 Waste management | 1 | | Waste services for removal of hazardous waste, costs for recycling, disposing, costs for bins skips, cost for oil spill kits, toilet hire, toilet disposal at a register Waste Water Treatment Works. Use registered waste landfill sites for general and hazardous wastes. Vissershok Hazardous landfill site must be used for Hazardous waste from site. The organisation must have register of the general and hazardous waste you likely to generate in this type of scope. |
| 4.3 Land management (e.g. Rehabilitation costs, Erosion control/berms, maintenance of access roads, No Go fencing, vegetation clearing) | 1 | | Requires a Percentage of the contract to address an emergency or damage to private property or indigenous vegetation. |
| 4.4 Pollution (e.g. dust suppression, building of bund walls, building of wash bays and workshops) | 1 | | Indicate costs for dust suppression, water tankers, netting etc. Service providers for pollution events like cement, oil, chemical spills. Damage to crop or vegetation. Drip trays, oil spill kit for vehicles and construction sites. Mixing boards for cement. |
| 4.5 Water Management | 1 | | Water tankers used for construction works, water for potable supply. Water supply from a lawful landowner abstraction rights. Bottled water for drivers, water supply only for team for drinking. |
| 4.6 Human Resources (Environmental Officer Services) | 1 | | Environmental Representative for the organisation, training of the person and the possibility of a rehabilitation services in light of the damage caused |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | | |
|-------------------------------------|---------------|--|
| 4.7 Environmental Management System | 1 | Entire management system developed for the submission of the tender documentation , EMS for the duration of the project. |
| Final Score Total | Maximum Total | Actual Total |

QUALITY COMPLIANCE - (CATEGORY 4)

| Category 4: Quality Requirements | Deliverables to be evaluated indicator = 1 | Weights |
|--|---|---------|
| SECTION A : Quality Management System Requirements ISO 9001:2008 | | 40% |
| | Apply (Yes=1) | |
| A.1 Quality Method Statement based on Scope of Work | 1 | |
| A.2 Quality Policy signed by top management. | 1 | |
| A.3 Quality Objectives Approved by top management. | 1 | |
| Sub-Section A Score Option 2 | 3 | |
| SECTION B : Evidence of QMS in operation (Tender Quality Requirements - 240-105658000 /240-105658000 | | 40% |
| | Apply (Yes=1) | |
| B.1 Documented information for defined roles, responsibilities and authorities | 1 | |
| B.2 Documented information for Control of Externally Provided Processes, Products and Services | 1 | |
| Section B Score | 2 | |
| SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be and evaluated here | | 20% |
| | Apply (Yes=1) | |
| E.1 Form A is completed and signed. | 1 | |
| Section B Score | 1 | |

4. SDL&I QUALITY TENDER RETURNABLES

SDL&I Undertaking

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

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | <p><u>Skills Development</u></p> <p>Tenderers are required to propose against the following training initiatives;</p> <table><tr><th>Category</th><th>Eskom’s target</th><th>Supplier ‘s proposal</th></tr><tr><td>Brush Cutter</td><td>1</td><td></td></tr></table> | Category | Eskom’s target | Supplier ‘s proposal | Brush Cutter | 1 | |
|---|---|----------------------|----------------|----------------------|--------------|---|--|
| Category | Eskom’s target | Supplier ‘s proposal | | | | | |
| Brush Cutter | 1 | | | | | | |
| | <p>SDL&I Penalty and Performance Security</p> <p>Eskom will apply a penalty of 2.5% of the invoice amount for failure to meet SDL&I obligations.</p> <p>As security for the fulfilment of all SDL&I obligations, Eskom will apply a penalty of 2.5% of every invoice amount (excluding VAT) for failure to submit SDL&I performance reports every quarter; or failure to meet the SDL&I obligations in a contract.</p> | | | | | | |
| | <p>Reporting and Monitoring</p> <ul style="list-style-type: none">• The suppliers shall on a monthly/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 60 (sixty) 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. | | | | | | |
| CIDB Requirements (where applicable for Engineering and Construction Works Contracts) | CIDB Requirements are not applicable | | | | | | |

Please note:

Eskom reserves the right to negotiate with preferred bidders after a competitive bidding process or price quotations; should the tendered prices not be deemed 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 tender documents.

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |


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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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |


1.3 TENDER RETURNABLES

The tenderer must submit the returnables set out hereunder as part of its tender. Returnables that are mandatory for evaluation will result in disqualification if not submitted at tender closing.

| Reference | Returnables from supplier | Returnables mandatory for evaluation purposes and due at tender closing | Returnables mandatory for contract award and due prior to contract award |
|--|---|---|--|
| Basic Compliance | One (1) hard copy of the tender | ✓ | |
| Pre-qualification criteria : <ul style="list-style-type: none"> • B-BBEE levels/EME/QSE • <i>Sub-contracting to designated groups</i> Please Note that : “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; If “proof of B-BBEE status level of contributor” is required for pre-qualification purposes in terms of PPPFA regulations, and is either not submitted by tender submission deadline or deemed invalid; , the respective tenderer must be disqualified | “Proof of B-BBEE status level of contributor” for main contractor | ✓ | |
| | CSD number | ✓ | |
| | Signed Sub-contracting intent agreement | N/A | |
| | “Proof of B- BBEE status level of contributor” for sub-contractor belonging to designated group | N/A | |
| | Any other supporting documents to verify the status of the main contractor or sub-contractor(as may be stipulated in 3.11) | ✓ | |
| Annexure A | Acknowledgement Form | ✓ | |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

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|--|---|-----|---|
| Annexure A | Standard Bidding Document (SBD) 4 | ✓ | |
| Annexure B | Tenderers Particulars | ✓ | |
| Annexure C | Integrity Pact Declaration form | ✓ | |
| Annexure D | CPA for local goods/services (if applicable) | ✓ | |
| Annexure E | CPA(IG) for imported goods/services (if applicable) | ✓ | |
| Annexure F1-F4 | SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E <i>[only applicable where designated materials are included]</i> | N/A | |
| Annexure G (applicable for all suppliers including Foreign suppliers) | SBD 1- to be submitted with the tender at tender submission deadline | ✓ | |
| Annexure H | SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations | ✓ | |
| Supplier Development & Localisation (SD&L) Undertaking (if applicable) | | | ✓ |
| Reverse e-auction training acknowledgement form (if applicable) | Not applicable | N/A | |
| Additional Documents required in event of JV:- | Letter of intent to form a JV/consortium | | ✓ |
| | Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios. | | |
| | Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement) | | ✓ |
| | “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; (as may be applicable for the particular tendering entity) | ✓ | |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | | | |
|--|---|---|---|
| | 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. | | ✓ |
| *“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; | Failure on the part of the supplier to submit “proof of B-BBEE status level of contributor” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects and it is not a pre-qualification criterion). The tenderer will, however, be scored zero on B-BBEE for purposes of PPPFA scoring and ranking. | ✓ | |
| 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. | | ✓ |
| 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 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) | | ✓ |

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

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|--|--|-----|---|
| CIDB (where applicable) | 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 | N/A | |
| Shareholding | Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers) | ✓ | |
| NEC/FIDIC Documentation | Completed NEC pricing schedule and contract data. | ✓ | |
| Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work)) | | | |
| DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS | | | |
| Safety | COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (Coid) or a licensed compensation insurer (South African tenderers only) | | ✓ |
| Quality | Documents that may be required per scope of work | | ✓ |
| Other safety/quality documents as required per scope of works | Documents that may be required as per scope of work | | ✓ |
| Environmental | Documents that may be required as per scope of work | | ✓ |
| Due Diligence | Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender | | ✓ |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | | | |
|---|---|------------|--|
| | will be required to send statements for the first year when once available. | | |
| DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA | | | |
| | Brush cutter and chainsaw operating certificate (operational staff only | 10% | |
| | Off-Road driving certificate (at least one member of local team) | 10% | |
| | Veld firefighting training certificate (team leaders) | 10% | |
| | Horticulture certificate of training (at least one | 15% | |
| | Snake handling course (Snake institute or accredited institution) | 10% | |
| | Indigenous Plant and weed identification | 10% | |
| | Pest Control Operator Licence | 15% | |
| | 2 x favourable reference letters from clients where the same or similar service was provided. (20% for 2 reference letters, 5 % for 1 favourable reference letter, 0 % for no reference letters). | 20% | |

Tenderers who do not meet Eskom's minimum technical requirements **of 85%** will result in the tenderer not being evaluated further.

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|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE A
ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender from Eskom Holdings SOC Ltd and the following addenda issued by Eskom:

1. _____
2. _____
3. _____
-
-

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 *tender submission*. ☐
2. We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [***insert previous invitation to tender number***]
☐ _____
3. We do not intend to provide the cataloguing information for the required scope / specifications. for the reasons stated hereunder: ☐

4. I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position. ☐

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

Invitation to Tender No: **WCTX1039SL**

Name of company/JV: _____

Country of registration_____

Name of contact person:_____

Contact details of contact person:


Tel (landline) _____

Cell phone_____

e-mail address_____

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE B

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 (for each individual company / JV member) | |
| VAT registration number (for each individual company / JV member) | |
| CIDB registration number (for each individual company/JV member if applicable), respective contractor grading designation for each individual company/JV member , and combined cidb contractor grading designation (for JVs) | |
| Shareholding information (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entity shareholders (provide full legal/trading name and respective identifying registration/trust numbers) | Include as separate tender returnable if required. |
| 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 of the JV) | |

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |


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 | |
| VAT registration number | |
| CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data | |
| Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names& ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers) | |
| 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 Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury_____

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company.
4. You may register online at National Treasury website on www.treasury.gov.za
5. Alternatively, you may contact **[•] [insert the name and contact details of the relevant person from Eskom's Vendor Management department, who can assist you further with the registration on CSD].**
6. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status_____
7. 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 Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

8. If sub-contracting is prescribed in the specific enquiry, you need to compete 8.1- 8.7

- 8.1 Confirm if you intend sub-contracting

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

- 8.2 What percentage will you be sub-contracting? _____%
- 8.3 To whom do you intend sub-contracting? _____
- 8.4 Is the said sub-contractor registered on CSD?

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|


- 8.5 If yes to 8.4, please provide CSD number._____
- 8.4 Please confirm B-BBEE level of said sub-contractor_____

- 8.5 Which designated group does the sub-contractor belong to:-
 - a. Black people
 - b. Black people who are youth
 - c. Black people who are women
 - d. Black people with disabilities
 - e. Black people living in rural or underdeveloped areas or townships
 - f. Cooperatives which are 51% owned by Black people
 - g. Black people who are military veterans

If Eskom decides to apply the sub-contracting provision as specified in Regulation 4(c) all tenders above the prescribed maximum threshold for quotations must be

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

advertised through an open competitive bidding process subject to potential tenderers meeting the 30% minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises:

8.6 Please confirm that you have attached your signed intent to sub-contract document.

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

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

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

A. Single tenderers

I, the undersigned, _____ (Full names) 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).

Signature: _____

Designation: _____

Date: _____

B. Joint Ventures

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms _____ (full names), an authorised signatory of _____, (insert the full legal name of the business entity serving as the lead partner) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.

We attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| Legal Name of Joint Venture Member | Full Name and Capacity of Authorised Signatory | Signature |
|------------------------------------|--|-----------|
| | | |
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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE C

INTEGRITY DECLARATION FORM

(Form to be completed and signed by supplier/tenderer as Invitation to Tender returnable or as part of contract modification documentation)

1. 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 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 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.

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| 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 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 |
|--|--------------------|--|--|--|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

1. 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.

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

2. 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:

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

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

Please complete the declaration with an 'X' under YES or NO

| Item | Question | Yes/No | No |
|------|--|--------|----|
| 1.1 | <p>Is the tenderer/s(or any of its directors / members / shareholders) listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector</p> <p><i>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</i></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</p> | | |
| 2. | <p>Is the tenderer/s (or any of its directors / members / shareholders)? 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)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).</p> | | |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

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| .3 | Was the <i>tenderer/s</i> (or any of its Directors /members /shareholders) 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? | | |
| 1.3.1 | Provide details. | | |
| 1.4 | Was the <i>tenderer/s</i> (or any of its Directors /members /shareholders) prohibited from doing business with any International Financial Development/funding Agency or Lending Institution | | |
| 1.5 | Is there any history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC? | | |

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: | |

Joint Ventures

I, the undersigned, _____ hereby confirm that acting in the capacity of lead partner, I am duly authorised to sign all documents in connection with the tender and any contract resulting from it on behalf of _____ (insert the full legal name of the JV).

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |


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 JV's tender/proposal may be rejected, and that Eskom will act against the JV should any aspect of this this declaration prove to be false.

| | |
|---|--|
| Signature: | |
| Designation and capacity in which signing : | |
| Date: | |

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender/Request for proposal)

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE D

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS

This Section will not be applicable to professional services contract

1. APPLICATION OF CPA

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned. Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable

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.

2. TENDER SUBMISSIONS

Tenderers shall comply with the following requirements:

a. Main offer:

- A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry.
- This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer.

Failure to do so may result in the supplier's offer(s) being disqualified.

b. Additional/Alternative offer:


Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable:

- A fixed priced offer in addition to the fully CPA compliant main offer; or
- Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However it is compulsory that all such deviations are sufficiently substantiated.

Additional/Alternative Offers must be clearly indicated as such

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Tables 1 and 2. The index list comprises indices that could be used in the Tenderers main offer.

4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

In instances where the preferred index list does not specify a foreign index which is required for the specific agreement, the following must apply:

- The source of an index must be that of the national statistical institute of the relevant country or a generally acknowledged statistical (e.g. industry) body in or for that country, e.g. BEAMA and MEPS.
- The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index.

5. NUMBER OF FORMULAE & INDICES

- The Tenderer is limited to a maximum of 10 (ten) indices in total, i.e.: a maximum of 5 local indices and maximum of 5 foreign indices, excluding the fixed portion per CPA formula, per offer/agreement.

6. CPA FIXED PORTION


A minimum of 15% of the total agreement value is to be fixed when a CPA formula applies; except in the case of professional services or consulting agreements.

7. BASE DATE

- In instances of indices or other references published monthly, the Base Date is to be:
The month before the month in which the Enquiry closes
- In instances where the reference figures, e.g. market prices, are published daily or at more intervals than once a month:
The average for the month before the month in which the Enquiry closes
- In this case, the following shall apply:
 - Where the average is published:
The average published price in the currency Eskom will be exposed to. e.g. The currency in which Eskom will effect payment
 - Where a high, low and mean are published:
The mean
 - Where other prices than the Cash Settlement or Cash Sellers Price are published:

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

The Cash Settlement or Cash Sellers Price

- Where applicable, these principles, must also apply for the CPA “cut-off” date.

8. 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 base 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.

No fixed portion is mandatory.

Signed

Date

Name

Position

Tenderer

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

Table 1: Preferred Local Index List -this list of indices needs to be relevant to the commodity.
Buyers need to check and include the relevant indices.

| Labour | Commodities | Processed material | Transport | Others |
|---|--|--|--------------------------------|---|
| Labour general (hourly paid) SEIFSA, C3, actual labour cost | Steel StatsSA, P0142.1 Table 2, basic iron and steel | Mechanical engineering material SEIFSA, G, mechanical engineering material | SEIFSA, L2, road freight costs | StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI) |
| | Copper SEIFSA, F, copper metric ton | Electrical engineering material SEIFSA, G-1, electrical engineering material | | |
| Labour general SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid | Aluminium SEIFSA, R, aluminium | Building and construction material SEIFSA, G, building and construction material | | StasSA, PO142.1), PPI <ul style="list-style-type: none">Final Manufactured GoodsOrIntermediate Manufactured Goods ORSEIFSA Table U Producer Price Index (PPI) - final manufactured GOODS OR Intermediate Manufactured Goods |
| | Zinc SEIFSA, F, zinc | | | |
| | Lead SEIFSA ,F, lead | | | |

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|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

Table 2: Preferred Foreign Index List


| Labour | Commodities | Processed material | Transport | Others |
|--|--|---|---|---|
| National Statistical Institute, Country-specific general labour index | MEPS, Country-specific general steel index | National Statistical Institute, Country-specific mechanical engineering material | National Statistical Institute, Country-specific general transport cost index | National Statistical Institute, Country-specific CPI (Headline) National Statistical Institute, Country-specific PPI |
| | LME, Copper | National Statistical Institute, Country-specific electrical engineering material | | |
| | LME, aluminium | | | |
| | LME, zinc | National Statistical Institute, Country-specific building and construction material | | |
| | LME, lead | | | |

Closing date of tender _____/_____/_____

TENDERER'S SIGNATURE _____

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE E

CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS – IMPORTATION

Failure to propose contract price adjustment methods, either by completing this document or proposing alternative methods for any portion of the tender price, will lead to that portion of the tender price being considered fixed.

Where space in this document is insufficient, the tenderer shall submit the required information on separate schedules, duly referenced to this document.

Where foreign exchange is involved, and Eskom will cover the risk forward, the methods of payment listed in Part 1 are the only acceptable methods. It must be noted that Eskom considers Payment **Method 1** to be the default payment method.

PART 1: PAYMENT OF FOREIGN COMMITMENTS

Payment of Eskom's foreign commitment in foreign currency will be made either:

Payment Method 1A:

To a nominated bank account in a foreign country in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party);

Please note that the contracting party must be the direct importer of the goods

Applicable (Y / N)

Payment Method 1B;

To a valid SARB approved CFC account in South Africa, in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party).

Please note:

- The contracting party must be the direct importer
- For payment purposes, Eskom will require both the foreign (commercial) invoice and the local tax invoice
- The foreign currency values on both the commercial and local invoice must be the same. Eskom will not pay any profit in foreign currency.
- Service related payments are excluded from this option;


Applicable(Y/N) or

Payment Method 2:

In South African Rand at the selling spot rate of exchange obtained by Eskom's Treasury on the date that the forward cover is cancelled. Eskom will notify the supplier of the date that the forward cover is cancelled as well as the intended payment date, which will be as per the agreed payment terms. Any exchange rate adjustment after Eskom has notified the supplier of the date and the rate which the forward cover is cancelled, will be for the account of

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

the supplier.

Please note:

- The contracting party has to be the direct importer of the goods.
- This payment option is not applicable for the payment of services

Applicable (Y/N).....

An indemnity in writing confirming that the supplier will not buy forward cover is required where Payment Method 1 or 2 is contracted.

[Payment Method 2 must be accepted by the Commercial Policy and Procedure Manager before the tender documentation is sent out, but at the latest before the tender closing date. If it is not approved before tender closing, Payment Method 1 will be the default.]

Fixed ZAR pricing

The tenderer may elect to be responsible for the hedging of the exposure of the imported content. However, Eskom reserves the right to have line of sight of the exchange rates to be quoted by the tenderer. This entails a simultaneous exercise of the verification of the exchange rates to be used.

Applicable (Y/N).....

Please note: Eskom will require substantiating proof of importation at the time of invoicing, if payment methods 1A,1B and 2 are selected.

Where goods were previously imported into stock by the supplier, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases Eskom will not undertake any foreign exchange commitment or arrange forward cover.

PART 2: EXCHANGE RATES

The tenderer shall use the exchange rate as at 12H00 on the date of the advertisement of the tender. The source of the exchange rates shall be the South African Reserve Bank (www.resbank.co.za)

Please note that the tenderer is required to submit proof of the SARB rate/s used.


PART 3: ADJUSTMENT OF IMPORTATION COSTS, ETC

The values in Rand included in the tender/contract price for the following costs shall be based on rates ruling for the month prior to the closing date of the tender and any variation in these rates applied to the value included in the tender price will be for Eskom's account.

| | RATES/TARIFFS |
|-----------------|---------------|
| Sea/Air Freight | |

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | |
|--|--|
| Bunker Adjustment Factor | |
| Currency Adjustment Factor | |
| Marine Risk Insurance (MRI) (Eskom will provide cover) | |
| Rate for Extension of MRI after Arrival of Goods at Site (if required) | |
| Wharfage | |
| Landing Charges | |
| Customs Duties | |
| RSA Port on which Import Charges are Based | |

PART 4: ADJUSTMENT OF OVERSEAS MANUFACTURE, EXPATRIATE LABOUR AND OTHER COSTS *(To be read in conjunction with Eskom CPA Index)*

Eskom requires a fixed portion (free of price adjustment) appropriate to the nature of the contract.

The methods/formulae proposed in this part shall clearly identify the base month, the period over which adjustment will apply, the elements of labour and materials and source of the indices/rates/prices to be used.

The source of indices/prices/rates nominated in this part shall be from a recognised publishing authority. It must be clearly and completely defined. Supplier in-house indices are not acceptable.

The value of overseas manufacture, labour and material costs (ex-works), inland transportation, expatriate labour, etc. included in the tender/contract price shall be subject to adjustment in accordance with the methods stated hereunder.

The base indices/prices/rates shall be those ruling for the month prior to the month of the closing of the enquiry.

4.1 MANUFACTURING CPA METHOD (LABOUR AND MATERIAL)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

4.2 EXPATRIATE LABOUR METHOD

Please submit your proposals for this section on a separate sheet of paper as an annexure.

4.3 OTHER VALUES METHOD (e.g. Engineering fees, design fees, barging, inland transportation, etc.)

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

Please submit your proposals for this section on a separate sheet of paper as an annexure.

PART 5: ADJUSTMENT OF LOCAL MANUFACTURE/SUPPLY MATERIAL, TRANSPORT AND ERECTION COSTS

The contract price adjustment method for local manufacture or partly local manufacture from imported stock, equipment or plant cost, transport cost within the RSA and local erection/installation cost shall be in accordance with the attached Eskom CPA Principles

PART 6: GUIDELINES FOR CONTRACT PRICE ADJUSTMENT CLAIMS --- PART 2, 3 AND 4


- 1 When the percentage increase or decrease between two indices/prices/tariffs is calculated, the earlier figure shall be taken as the base.
- 2 Where portions of the works are delivered at different times, contract price adjustments shall be made in respect of appropriate portions of the contract price.
- 3 Where the terms of payment of the contract allow progress payments, other than Eskom's standard payment terms, the agreed contract price adjustment method shall be applied to the value of such payment and to the date and level of completion to which payment is linked.
- 4 Where any figure given in a table is therein stated to be a provisional figure or is subsequently amended, the figure as ultimately confirmed or amended in the publication concerned shall apply.
- 5 Where the appropriate claim indices/prices, as defined in terms of the agreed formulae, are not available or are provisional, interim claims based on the last published confirmed or revised indices/prices as at the date of delivery/installation may be submitted. When the confirmed or revised index/price becomes available the final claim may be submitted, provided that such claim is received within 180 days of the date of delivery/installation.
- 6 Where requested by Eskom, the contractor shall submit publications showing base indices/prices/rates as they become available as well as updated values at three monthly intervals during the course of the contract.
- 7 Where it is considered necessary Eskom reserves the right to call for any documentary evidence to substantiate claims.

Closing date of tender _____/_____/_____

TENDERER'S SIGNATURE _____

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE F1

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 in the Preferential Procurement Regulations, 2017, 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. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) 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. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. 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.
- 1.5. 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.

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

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.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
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: Not applicable

| <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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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

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. WCTX1039SL.....

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

ESKOM HOLDINGS SOC.....

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 together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. 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 with the bid documentation at the closing date and time 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:

| | |
|--|---|
| Bid price, excluding VAT (y) | R |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | |
|--|--|
| 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 14 of the Preferential Procurement Regulations, 2017 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 F2- _Local content Declaration-Summary Schedule (annex C)

Annexure F3 - Imports Declaration-Supporting schedule to Annex C(annex D)




Annexure F4 - Local Content Declaration-Supporting Schedule to Annex C (annex E)



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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

ANNEXURE G


SBD 1

PART A INVITATION TO BID

| | | | | | |
|--|--|--|--|---------------|-------|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY) | | | | | |
| BID NUMBER: | WCTX1039SL | CLOSING DATE: | 12 July 2022 | CLOSING TIME: | 10:00 |
| DESCRIPTION | LAND MANAGEMENT SERVICES FOR PLATTEKLOOF NATURAL HERITAGE SITE, PINOTAGE OPEN SPACE AND OTHER NATURAL SITES WITHIN ESKOM TRANSMISSION WESTERN GRID FOR THE PERIOD OF 3 YEARS. | | | | |
| THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7). | | | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET 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 | | | | | |
| | | | | | |
| | TCS PIN: | | OR | CSD No: | |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX] | <input type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| IF YES, WHO WAS THE CERTIFICATE ISSUED BY? | | | | | |
| AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX | <input type="checkbox"/> | AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) | | | |
| | <input type="checkbox"/> | A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS) | | | |
| | <input type="checkbox"/> | A REGISTERED AUDITOR | | | |
| | <input type="checkbox"/> | NAME: | | | |
| [A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE] | | | | | |

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| | | | |
|--|--|--|---|
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW] |
| SIGNATURE OF BIDDER | | DATE | |
| CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.) | | | |
| TOTAL NUMBER OF ITEMS OFFERED | | TOTAL BID PRICE (ALL INCLUSIVE) | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | |
| DEPARTMENT/ PUBLIC ENTITY | | CONTACT PERSON | |
| CONTACT PERSON | | TELEPHONE NUMBER | |
| TELEPHONE NUMBER | | FACSIMILE NUMBER | |
| FACSIMILE NUMBER | | E-MAIL ADDRESS | |
| E-MAIL ADDRESS | | | |

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 ONLINE 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT. |
| 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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS. 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA. 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE |

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

Annexure H

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE ESKOM PROCUREMENT & SUPPLY CHAIN MANAGEMENT PROCEDURE (32-1034) REV 4.

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN ESKOM PROCUREMENT & SUPPLY CHAIN MANAGEMENT PROCEDURE (32-1034) REV 4.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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

a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

| | POINTS |
|--|------------|
| PRICE | |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR | |
| Total points for Price and B-BBEE must not exceed | 100 |

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

status level of contribution are not claimed.


- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

In terms of Eskom Procurement & Supply Chain Management Procedure (32-1034) Rev 4 preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:


| B-BBEE Status Level of Contributor | Number of points (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1 | 10 | 20 |
| 2 | 9 | 18 |
| 3 | 6 | 14 |
| 4 | 5 | 12 |
| 5 | 4 | 8 |
| 6 | 3 | 6 |
| 7 | 2 | 4 |
| 8 | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:-

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

- 7.1 Will any portion of the contract be sub-contracted?
(**Tick applicable box**)

| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

- 7.1.1 If yes, indicate:

- i) What percentage of the contract will be sub-contracted%
ii) The name of the sub-contractor
iii) The B-BBEE status level of the sub-contractor

- iv) Whether the sub-contractor is an EME or QSE
(**Tick applicable box**)


| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of **Eskom Procurement & Supply Chain Management Procedure (32-1034) Rev 4.:**

| Designated Group: An EME or QSE which is at least 51% owned by: | EME √ | QSE √ |
|---|----------|----------|
| Black people | | |
| Black people who are youth | | |
| Black people who are women | | |
| Black people with disabilities | | |
| Black people living in rural or underdeveloped areas or townships | | |
| Cooperative owned by black people | | |
| Black people who are military veterans | | |

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| | | | | | |
|---|----------------------|---------------------|------------------|-----|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

| OR | | |
|---------|--|--|
| Any EME | | |
| Any QSE | | |

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....
.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.


[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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| | | | | | |
|---|-----------------------------|----------------------------|------------------|------------|----|
|  | Invitation to Tender | Document Identifier | 240-114238630 | Rev | 11 |
| | | Effective Date | 18 February 2022 | | |
| | | Review Date | February 2027 | | |

- 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

| | |
|--|--|
| <p>WITNESSES</p> <p>1.</p> <p>2.</p> | <p style="text-align: center;">.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> |
|--|--|

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