	Invitation to Tender KZN0138/TS	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-114238630	Rev	10
		Effective Date	03 March 2020		
		Review Date	March 2023		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR


The Manufacture, Test and Supply Ex-works of estimated quantities (X4300) of Switch Disconnectors (Material Number 0582355) on an 'as and when' required basis for a period of two (2) years for the Central East Cluster (KwaZulu Natal and Free State Operating Units).

Tender number	KZN0138/TS
Issue date	18 November 2021
Closing date and time	09 December 2021
Tender validity period	Sixteen (16) weeks from the closing date and time.
Clarification meeting	<p>A non-compulsory <i>clarification meeting</i> with representatives of the <i>Employer</i> will take place as follows: Date: 30 November 2021 Time: 10h00 Venue: MS Teams</p> <p><i>Tenderers</i> must confirm their intention to attend with the Eskom <i>Representative</i> stating the name, position and contact details (email address) of each proposed attendee.</p>
Tenders are to be delivered to the following address on the stipulated closing date and time:	Commercial Building The Tender Office 25 Valley View Road New Germany 3620

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for **The Manufacture, Test and Supply Ex-works of estimated quantities (4300) of Switch Disconnectors (Material Number 0582355) on an ‘as and when’ required basis for a period of two (2) years for the Central East Cluster (KwaZulu Natal and Free State Operating Units).**

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 found in the commercial folder).**

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

Yours faithfully



Acting Procurement Manager kzn4346


Thandi Xaba

Date: 17 November 2021

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The following documents listed hereunder are attached to this enquiry:


Number	Description	Annexure	Attached (Y/N)
6.1	*Acknowledgement form must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure A	Y
6.2	*Tenderer's particulars must be filled out by all tenderers	Annexure B	Y
6.3	* Integrity Declaration Form (refer to the Supplier Integrity Pact that suppliers are required to read) must be filled out by all tenderers	Annexure C	Y
6.4	SBD 1 - Invitation to Bid	Annexure G	Y
6.5	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Y
6.6	Annexure A.1 Acknowledgement Form" - Reverse E-auctioning Training	Annexure A.1	Y
6.7	Supplier Development & Localisation (SDL&I) Undertaking (if applicable)	NEC3 Supply Contract	Y

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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. 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: Thabile Sibiya Tel: +2731 710 5396 E-mail: Sibiyath@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is : KZN0138/TS</p> <p>All relevant documentation for this Tender will be published on: 1. Eskom's Tender Bulletin 2. National Treasury e-Tender Portal</p> <p>The tender information is uploaded into different folders as follows:</p> <ul style="list-style-type: none"> ▪ COMMERCIAL FOLDER ▪ TECHNICAL FOLDER ▪ SHE, ENVIRONMENTAL & QUALITY (SHEQ) FOLDER ▪ SUPPLIER DEVELOPMENT AND LOCALISATION FOLDER <p>It is the responsibility of the tendering party to ensure that all the applicable documentation is downloaded and completed in full.</p>
1.4 Type of Invitation to Tender	<p>This invitation to tender is</p> <p>1. An open Invitation to tender</p>
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the goods
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 [<i>tender/proposal</i>] 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

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	<p>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.</p> <ul style="list-style-type: none"> • 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 09 December 2021 Time 10:00AM Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p>THE TENDER OFFICE Commercial Building 25 Valley View Road New Germany 3620</p>

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	<p>Late Tenders will not be accepted</p> <p>The onus is upon the supplier to ensure that their tenders reach the Tender Office on or prior to the due date and time when making use of the post or courier services.</p> <p>If the document is too big to fit into the tender box, the documents can be submitted to an Eskom Tender Office Official at the Tender Office during the following times:</p> <p>MONDAY – FIRDAY: 07H30 - 16H00</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.</p> <p><u>Where a Tenderer does not submit the original tender plus one (1) hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</u></p>
2.13 Tender Validity Period	<p>The tender validity period is Sixteen (16) weeks from closing date and time.</p>
2.16 Site/clarification meetings	<p>A [non-compulsory clarification meeting] with representatives of the <i>Employer</i> will take place as follows: Date: 30 November 2021 Time: 10h00 Venue: MS Teams</p> <p><i>Tenderers</i> must confirm their intention to attend with the Eskom <i>Representative</i> stating the name, position and contact details of each proposed attendee.</p>
2.17 Clarification on enquiry documents	<p>The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is five (5) working days before the deadline for tender submission.</p> <p>All clarification and additional information sought during the tendering process must be submitted in writing to the Eskom Representative (Buyer) (sibiyath@eskom.co.za).</p> <p>Responses for the queries and clarification raised will be uploaded on the Eskom Tender Bulletin as well as the National Treasury Tender portals. Tenderers are therefore encouraged to continuously check the bulletins for the latest updates or addendums during the tender process.</p>

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2.23 Alternative tenders	Alternative tenders <i>are not allowed.</i>
2.25 Conditions of contract	The conditions of contract will be the <i>NEC3 Supply Contract.</i>
3.5 Prices to be read out	Prices will <i>not be read out.</i>
3.9 Basic Compliance	Basic Compliance <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.....) • Copy of valid Tax Clearance Certificate. • Central Supplier Database (CSD) number (MAA.....). • Certificate of Good Standing or Proof of Application issued by the Compensation Fund (COID) or a licenced compensation Insurer. • SBD 6.1- Preference Points claim form in terms of Preferential Procurement Regulation 2017. • SBD1 - Invitation to Bid • Integrity Declaration Form • List of Directors/Shareholding • CIPC Registration Documents • Identity Documents of the owners • Shareholding Certificates for Companies • Signed NEC3 Supply Contract confirming commercial conditions
3.10 Mandatory tender returnables	<p>A tenderer that does not submit mandatory documents/information by the required deadlines as stipulated in the Tender Returnable section/stated below; will be disqualified.</p> <ul style="list-style-type: none"> ▪ Submit a complete original tender, plus one (1) hard copy of the original tender to Eskom. ▪ Registration on the National Treasury Central Supplier Database (CSD), and the provision of a MAAA.....number. ▪ Completed and signed “Annexure A.1 Acknowledgement Form” - Reverse E-auctioning Training.

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3.11 Pre-qualification criteria	<p>Pre-qualification criteria <i>[are applicable]</i></p> <p>The enquiry is open to tenderers with a B-BBEE status level of contributor of 1 – 4</p> <p>Tender Returnable for the requirements are as follows;</p> <ul style="list-style-type: none"> Valid copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or Valid Copy B-BBEE Certificate issued by CIPC for EME's. Valid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for QSE or Valid copy of sworn affidavit in the case of QSE's must be submitted, or Valid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or For JV's only valid certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV. <p><u>COMPLETION OF SWORN AFFIDAVITS</u></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. <u>(Mark the applicable option).</u> 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. <u>(No blank spaces to be left).</u> Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. <u>(Mark the applicable option).</u> Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. <u>(Financial year end to be stipulated by day/month/year).</u> B-BBEE Status level. An enterprise can only have one status level. <u>(Tick applicable level)</u> Empowering supplier status must be indicated. For QSEs, the
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	<p>deponent must select the basis for the empowering supplier status.</p> <ul style="list-style-type: none"> ▪ Date deponent signed and date of Commissioner of Oath must be the same. <u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)</u> ▪ 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.
3.12 Designated materials and thresholds	Designated material thresholds are not applicable:
3.13 Functionality requirements	<p>Functionality requirements <i>[are applicable.]</i></p> <p>Document 240-170000162 sets out the standardised technical evaluation criteria and evaluation methodology and must be read in conjunction with the Addendum to Technical Evaluation Criteria.</p> <p>The Technical Evaluation methodology has two main parts, namely a paper evaluation (stages 1 and 2) and a factory visit (stage 3). The requirements of each stage must be met, as stipulated, in order for a tenderer to proceed to the next stage. Stage 3 (the factory evaluation) will not be undertaken if a tenderer has not met the minimum requirements/threshold of stages 1 and 2.</p> <p><u>Stage 1</u></p> <p>The required mandatory (gatekeeper) tender returnable are verified. A tender only fully complies with stage 1 gatekeepers, if all the stipulated mandatory documents, in the prescribed format, were submitted at the tender closing deadline. Only tenders that fully comply with the stage 1 gatekeepers will proceed to stage 2 for further evaluation.</p> <p><u>Paper Evaluation Stage 2</u></p> <p>The clause by clause requirements are evaluated. A score will be allocated per requirement that has been met. For example: clause 3.1 from standard 240-130403197 has 9 requirements with a weighting of 6%. If 4 requirements are met, a score of 2.67% will be allocated ($4/9 \times 6\% = 2.67\%$)</p> <p>Tenderers need to score a minimum of 80% for stage 2 in order to be considered for factory evaluations. Tenderers who do not meet the 80% threshold will be disqualified and will not be further evaluated.</p>

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Factory Evaluation Stage 3

The evaluation is performed at the Original Equipment Manufacturers' (OEM) premises to assess the manufacturing capability in order for the supplier to supply the required product and to enter into a contract with Eskom. At the factory, the Eskom evaluation representative(s) conducts the evaluation by using the checklists and the evaluation documents. The checklists are used to verify compliance to the equipment specification and the tender submission documents.

The evaluation will follow a documented supplier capability and capacity assessment criteria as shown in annexure C. The criteria is intended to assess the technical capabilities of the supplier and the product offered for tender, to ensure it meets the technical requirements.

Section 1:

A minimum threshold of 80% is required to pass the factory and practical assessment of section 1. There is a total of 33 points in section 1. These points are indicated as "Yes" and "No" questions. Each "Yes" counts 1 point and indicates that the factory complies with the requirement. A "No" counts as 0 and indicates that the factory does not comply with the requirement.

The evaluation member(s) will mark the "Yes" or "No" blocks during the evaluation to indicate compliance or non-compliance. At the end of the assessment, all the point will be tallied and converted to a percentage. For example, if 28 out of the 33 requirements were met, it will result in a percentage score of 84.85% ($28/33 \times 100 = 84.85\%$).

Section 2:


The minimum threshold for compliance to standards 240-68973356 is 100% and must be met at the factory. The factory must also have the capability to do all the routine tests and the tested sample/specimen must pass all routine tests. All the type tests must pass and be valid, less than 10 year old and conducted by an independent test authority, before it will be accepted. A point will be allocated per requirement met in section 2 and converted to a percentage. For example, if there are 9 requirements and only 3 was met, the allocated score will be 33% ($3/9 \times 100 = 33\%$).

It is to be noted that if a technical evaluation was performed by Eskom at the Original Equipment Manufacturers' (OEM) premises within the last 12 months and all technical deficiencies identified for

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	<p>the product had been resolved, then a factory evaluation will not be conducted provided that the Original Equipment Manufacturer (OEM) CEO provides a letter in their submission to guarantee that there has been no subsequent technical change in the OEMs product manufacturing processes, sourcing of associated materials, suppliers or services for the product since the last technical evaluation completed by Eskom in the last 12 months.</p> <p>The following documents shall apply for functional:</p> <ol style="list-style-type: none"> 1. D-DT-3087, Rev 6A 2. 240-170000162 - Technical Evaluation Criteria For Outdoor, Pole-Mounted, Distribution Single-Phase, Off-Load Dis-Connectors For MV Applications (Fixed And Removable), Rev1 3. 240-68973356 Outdoor, Pole-Mounted, Distribution Single-Phase, Off-Load Disconnectors For MV Line Application With Removable Link For Nominal A.C. Voltages Of 22 kV, Rev 3. 4. Addendum to Technical Evaluation Criteria 5. Test Report Summary Sheet 6. A&B Technical Schedules 7. Deviation Schedule
3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ul style="list-style-type: none"> • Inclusive of VAT • Making the specified correction for arithmetical errors <p>Prices will be scored out of 80.</p>
3.17 Evaluation of B-BBEE	<p>B-BBEE status will be scored out of 20 points in accordance with PPPFA. If a tenderer fails to submit proof of B-BBEE status level, the tenderer will be disqualified.</p>
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:</p> <ul style="list-style-type: none"> ▪ 80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT). <p>Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.</p> <p>When bidding on auction platform, Price embedded with B-BBEE-systems already takes into account the B-BBEE score (taken based on the certificate provided at the closure of the tender) - every time a price is inputted, simultaneously does a formula and compares across all suppliers who are putting the price to be able to do the correct ranking.</p>

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Contractual Requirements	<p><u>Contractual Requirements</u></p> <p>Contractual requirements are not evaluation criteria. Contractual requirements are mandatory for contract award. Failure to meet “Contractual Requirements” by the stipulated deadlines, will result in the tenderer being regarded as non-responsive and ineligible for contract award.</p> <p>The specific contractual requirements include the following:</p> <p><u>Financial Evaluation</u></p> <p>A financial evaluation of the qualifying tenderers financial statements will be conducted for the purposes of establishing the tenderers financial viability and ability to meet all of its contractual obligations for the duration of the contract, should the tenderer be awarded the contract. Audited signed Annual Financial Statements not older than eighteen months will be required.</p> <p><u>Health and Safety Requirements</u></p> <p>Score: 0 = Document not submitted. 1 = Document submitted and content satisfy the minimum requirements</p> <ul style="list-style-type: none"> ▪ Acknowledgement of Eskom rules – signed (Annexure B). ▪ Health and Safety Plan consisting of Incident Management, SHE Communication, Emergency Management. ▪ Base line risk assessment including Driving. ▪ Valid Letter of Good Standing. ▪ SHE Policy signed by the CEO / Director. <p><u>Quality Requirements</u></p> <ul style="list-style-type: none"> ▪ Form A - to be completed and signed by the supplier ▪ 240-105658000: Supplier Quality Management Specification (QM58) ▪ Recommended templates- CQP and ITP/QCP
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	Supplier Quality Management:	Unique Identifier	240-12248652
	List of Tender Returnables Documents	Revision	5
		Effective Date	2019/10/07
		Specification	240-105658000
Category 3: Quality Requirements		Deliverables to be evaluated indicator = 1	Weights
SECTION A : Quality Management System Requirements ISO 9001			
Objective evidence of documented QMS that is not certified but complies with ISO 9001			
			Apply (Yes=1)
A.1 QMS Manual or a document that defines and describes the QMS and its scope or Quality Method statement based on scope.			1
A.2 Quality Policy Approved by top management.			1
A.5 Control of documented information			1
A.7 Documented information for Nonconformity and Corrective action			1
A.8 Documented information for Internal audit			1
Section A Score			5
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000 /240-105658000)			
			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 C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698).			
Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)			
NB! Draft Contract/Project Quality Plan has important QA deliverables			Apply (Yes=1)
Section C Score			1
SECTION D: Quality Control Plan Requirements (Ref QM-58 or 240-109253302)			
QCP /Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005 & 240-105658000)			
NB! Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/ or previous work done			Apply (Yes=1)
			1
Section D Score			1
SECTION E : User defined additional Requirements & miscellaneous (Ref 240-105658000)			
Customer specific requirements & other standards and required can be listed and evaluated here			
			Apply (Yes=1)
E.1 Form A is completed and signed.			1
Section E Score			1
NAME OF ESKOM REPRESENTATIVE		Denise Govindan	
DATE ISSUED		13/07/2021	
PROJECT: TENDER TITLE		The Manufacture, Test and Supply Ex-works of Switch Disconnectors	
SIGNATURE			

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Environmental Requirements

Ref.	KPIs
1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?
2	Environmental Management Plan for the Scope of work addressing the following as a minimum: Applicable to low risk: <ul style="list-style-type: none"> Waste management (reduction, re-use, recycling, disposal). Environmental induction. Applicable to medium risk: <ul style="list-style-type: none"> Waste management (reduction, re-use, recycling, disposal). Environmental induction. Environmental incident management. Emergency planning for environmental incidents. Applicable to high risk: <ul style="list-style-type: none"> Waste management (reduction, re-use, recycling, disposal). Environmental induction. Environmental incident management. Emergency planning for environmental incidents. Environmental management structure within the Company: Professional Registration of environmental resources(s), responsibility and accountability. Method statements related to activities that have significant environmental impacts (methodology and approach) illustrating how environmental impacts and risks are managed. Approach to ensuring compliance with environmental compliance obligations. Environmental competency, training, appointments. Environmental Communication and awareness
3	High Risk Only: Costing for Environmental Management: <ul style="list-style-type: none"> Has the tenderer submitted detailed (the cost should be broken down not provided as a lump sum) costing for environmental management related to the overall scope of work/service to be performed.

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4	Medium and High Risk Only: Identification of Environmental Aspects and Impacts: <ul style="list-style-type: none"> - Identification, assessment and control of activities that have or may have an impact on the environment. - The methodology used must be provided together with the identified activities (if applicable) that have been identified, based on the scope of work, that have an impact on the environment and the controls that will be in place in contract execution.
	5 All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD: <ul style="list-style-type: none"> - Commitment to: - (1) compliance to environmental compliance obligations; and - (2) Environmental duty of care.
	6 High Risk Only: Environmental Competency (Consider scope of work, risks, Environmental Management Plan and applicability) CV,s and qualifications / certificates e.g. <ul style="list-style-type: none"> - Environmental Officer - Environmental Control Officer - Incident investigator(s)

Score:

0 = Document not submitted OR submitted but does not satisfy the minimum requirements

1 = Document submitted and the content satisfy the minimum requirements

OR


PART B

Ref	KPIs
1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?
2	ISO 14001 Environmental Management Standard certificate.

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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.

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;

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 complete original tender, plus one (1) hard copy of the original tender”	✓	
Pre-qualification criteria : <ul style="list-style-type: none"> B-BBEE levels 1 - 4 Please Note that : “proof of B-BBEE status level of contributor” means- (a) the B-BBEE status	“ Proof of B-BBEE status level of contributor ” for main contractor	✓	
	CSD MAAA.....number	✓	
	Completed and signed “Annexure A.1 Acknowledgement Form” - Reverse E-auctioning Training	✓	

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<p>level certificate issued by an authorised body or person; or</p> <p>(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or</p> <p>(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;</p> <p>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 will be disqualified</p>			
Annexure A	Acknowledgement Form		✓
Annexure B	Tenderers Particulars		✓
Annexure C	Integrity Pact Declaration form		✓
Annexure D	CPA for local goods/services (if applicable)		✓
Annexure G	SBD 1- to be submitted with the tender at		✓
Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations		✓

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Supplier Development & Localisation (SD&L) Undertaking	SDL&I Undertaking Tenderers who complete and submit the undertaking as required, but who do not meet Eskom’s targets, will not be disqualified. SD&L undertakings do not form part of scoring but commitments will form part of contractual obligations Job Opportunities Tenderer to indicate number of Jobs to be created and/or retained from this contract. <table><tr><td>Number of Jobs to be created</td><td>Number of Jobs to be retained</td></tr><tr><td></td><td></td></tr></table> Skills Development Tenderers are required to propose against the following training initiatives: <table><tr><td>Category</td><td>Eskom Target</td><td>Tenderers Proposal</td></tr><tr><td>N4 – N6 Mechanical or Electrical Engineering</td><td>X 3</td><td></td></tr></table> To be found in the NEC Contract document	Number of Jobs to be created	Number of Jobs to be retained			Category	Eskom Target	Tenderers Proposal	N4 – N6 Mechanical or Electrical Engineering	X 3			✓
	Number of Jobs to be created	Number of Jobs to be retained											
	Category	Eskom Target	Tenderers Proposal										
	N4 – N6 Mechanical or Electrical Engineering	X 3											
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	✓											

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	particular tendering entity)		
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.		✓
Tax Clearance Certificates	<p>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) .</p> <p>Foreign suppliers (even those with no deemed footprint in South Africa) must still complete the relevant section in Part A of the SBD1 document, however, no proof of tax compliance is required if the supplier answers “no” to all questions. If they answer “yes” to any of the questions, however, they are required to register and be tax compliant as per Part B- section 2 of the SBD 1 document and relevant legislation governing tax compliance.</p>		✓
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)		✓
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)		✓
CIPC Documents	CIPC Registration Documents		✓
Identity Documents	Identity Documents of the owners		✓
Shareholding Certificate	Shareholding Certificates for Companies		✓
NEC Documentation	Completed NEC and contract data.		✓

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DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS																		
Safety	<ul style="list-style-type: none">Acknowledgement of Eskom rules – signed (Annexure B).Health and Safety Plan consisting of Incident Management, SHE Communication, Emergency Management.Base line risk assessment including Driving.Valid Letter of Good Standing.SHE Policy signed by the CEO / Director. <p>The above requirements can be found in the SHEQ folder uploaded on the tender portals</p>			✓														
Quality	<ul style="list-style-type: none">Category 3 Quality Requirement will applyForm A - to be completed and signed by the supplierQuality Management Specification – to be read and understoodRecommended templates- CQP and ITP/QCP, Method Statement <p>The above requirements can be found in the SHEQ folder uploaded on the tender portals</p>			✓														
Environmental	<table><tr><th>Ref.</th><th>KPIs</th></tr><tr><td>1</td><td>Annexure B</td></tr><tr><td>2</td><td>Environmental Management Plan for the Scope of work addressing the following as a minimum</td></tr><tr><td>3</td><td>High Risk Only: Costing for Environmental Management</td></tr><tr><td>4</td><td>Medium and High Risk Only: Identification of Environmental Aspects and Impacts</td></tr><tr><td>5</td><td>All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD</td></tr><tr><td>6</td><td>High Risk Only: Environmental Competency</td></tr></table>		Ref.	KPIs	1	Annexure B	2	Environmental Management Plan for the Scope of work addressing the following as a minimum	3	High Risk Only: Costing for Environmental Management	4	Medium and High Risk Only: Identification of Environmental Aspects and Impacts	5	All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD	6	High Risk Only: Environmental Competency		
	Ref.	KPIs																
	1	Annexure B																
	2	Environmental Management Plan for the Scope of work addressing the following as a minimum																
	3	High Risk Only: Costing for Environmental Management																
	4	Medium and High Risk Only: Identification of Environmental Aspects and Impacts																
	5	All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD																
	6	High Risk Only: Environmental Competency																
	OR																	
	<table><tr><th>Ref.</th><th>KPIs</th></tr><tr><td>1</td><td>Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?</td></tr><tr><td>2</td><td>ISO 14001 Environmental Management Standard certificate.</td></tr></table>		Ref.	KPIs	1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?	2	ISO 14001 Environmental Management Standard certificate.										
Ref.	KPIs																	
1	Annexure B Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?																	
2	ISO 14001 Environmental Management Standard certificate.																	
The above requirements can be found in the SHEQ folder uploaded on the tender portals																		

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Due Diligence	<p>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 will be required to send statements for the first year when once available.</p>		✓
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Technical (required for functionality scoring)	<p>The following technical documents will apply to this tender:</p> <p>The following documents shall apply for functional:</p> <ol style="list-style-type: none"> 1. D-DT-3087, Rev 6A 2. 240-170000162 - Technical Evaluation Criteria For Outdoor, Pole-Mounted, Distribution Single-Phase, Off-Load Dis-Connectors For MV Applications (Fixed And Removable), Rev 1 3. 240-68973356 Outdoor, Pole-Mounted, Distribution Single-Phase, Off-Load Disconnectors For MV Line Application With Removable Link For Nominal A.C. Voltages Of 22 kV, Rev 3. 4. Addendum to Technical Evaluation Criteria 5. Test Report Summary Sheet 6. A&B Technical Schedules 7. Deviation Schedule <p>The above requirements can be found in the Technical Pack folder uploaded on the tender portals</p>	✓	

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ANNEXURE A

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender/Proposal 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 / RFP 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/RFQ 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. ☐

Invitation to Tender/Request for Proposal No: _____


Name of company/JV: _____

Country of registration _____

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Name of contact person:_____

Contact details of contact person:

Tel (landline) _____


Cell phone_____

e-mail address_____

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ANNEXURE A.1

Acknowledgement Form - Reverse E-auctioning Training

Invitation to Tender No. [.....]

Name of company/JV _____

Name of contact person: _____

Contact person's details:

Tel (landline): _____

Cellphone: _____

E-mail address of the individual who will conduct the auction: _____

Acknowledgment:

I _____ (supplier name) acknowledge that I have attended Reverse E-auction training presented during the clarification meeting held on _____ at _____. I am satisfied with the training and I can confirm that I will be able to operate the Reverse E-auction system should I be the recommended supplier.


I _____ (supplier name) acknowledge that I have undergone self-training of the uploaded Reverse E-auction video (<https://www.youtube.com/watch?v=2OzleM6x-fs>), and did not have to attend the clarification meeting for me to understand it. I am satisfied with my self-training and confirm that I will be able to operate the Reverse E-auction system should I be the recommended supplier.

Signature:	
Date:	

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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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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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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. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status_____
6. If you are required to be tax compliant as per SBD 1, but are not registered on CSD (foreign suppliers) or have not provided your SARS 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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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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Legal Name of Joint Venture Member	Full Name and Capacity of Authorised Signatory	Signature

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ANNEXURE C

INTEGRITY DECLARATION FORM

(Form to be completed and signed by supplier/tenderer as Invitation to Tender/RFP 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/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

To give effect to the provisions above, please complete the table hereunder with all required information.

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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/RFP 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/proposal]** 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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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>[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].</p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</p>		
1.2	<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>		
1.3	<p>Was the tenderer/s (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?</p>		
1.3.1	Provide details.		

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1.4	Was the tenderer/s(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:	

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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).

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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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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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

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- Where other prices than the Cash Settlement or Cash Sellers Price are published:

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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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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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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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:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
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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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.

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- 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 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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Annexure H

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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 THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

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

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- 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 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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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

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, 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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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 subcontracted.....%
- 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 Preferential Procurement Regulations,2017:

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		

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Black people who are military veterans		
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:.....

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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:

- 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>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p>
--	--

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