

	Invitation to Tender for Cleaning and/or Gardening Services for Limpopo Enquiry Number: LP0071SW	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-114238630	Rev	10
		Effective Date	03 March 2020		
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ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

Appointment of multiple contractors for the provision of Cleaning and/ or Gardening Services to Eskom Real Estate within Limlanga Cluster - Limpopo for a period of 36 months.

Tender number	LP0071SW
Issue date	15 December 2021
Closing date and time	08 February 2022 at 10h00
Tender validity period	16 weeks / 120 days from the closing date and time
Clarification meeting	Date: 25 January 2022 Time: 10h00 AM Tenderers interested to participate in the clarification meeting through online Microsoft teams must click on the link below: Click here to join the meeting
Tenders are to be delivered to the following address on the stipulated closing date and time:	Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane

Note:

- 1) One (1) enquiry with Six (6) sets of NEC 3 Term Services Contract (TSC) documents, detailing the scope requirements is issued with this tender**
- 2) Each zone requirements as per NEC3 TSC will be evaluated and ranked separately.**
- 3) The resource's requirements on the technical evaluation criteria will be taken into considerations when appointing more than one contract**

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per supplier. Where a tenderer is submitting a tender for more than one zone, each must be supported by the required resources, (No duplication of resources on different zones shall be accepted).

- 4) Tenderers will have an option to submit the tender/s for the Zone that they are interested on.
- 5) 1-5 suppliers will be appointed for cleaning services. For gardening services one (1) supplier to be appointed for the whole of Limlanga Cluster-Limpopo
- 6) Eskom reserves the right to make use of the e-auctioning process on this transaction (refer to Annexure A1 and Annexure A2 and E-auction user guide)
- 7) The tenderers will submit a complete tender without prices as stated in the enquiry when following the reverse e-auction process.

The zones as included in the different NEC 3 TSC are reflected below and tenderers are requested to indicate by a tick (✓) the zone they are tendering on:

The scope for cleaning service for LimLanga Cluster-Limpopo has been divided into five (5) zones as follows:

Zones	Indicate by a tick (✓) the zone you are interested on
Thohoyandou Zone	
Lephalale Zone	
Groblersdal Zone	
Tzaneen Zone	
Polokwane Zone	

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit tender for the provision of Cleaning and/ or Gardening Services to Eskom Real Estate within Limlanga Cluster -Limpopo

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).

Tender documentation can be downloaded from the following:

1. <http://tenderbulletin.eskom.co.za/>
2. www.etenders.gov.za

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

Yours faithfully



Procurement Manager

Mr. Madimetja Phalane

Date: 15/12/2021

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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)	Page No.
6.1	*Acknowledgement form	Annexure A	Y	26-27
6.2	*Tenderer's particulars	Annexure B	Y	28-32
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	33-37
6.4	CPA Requirements for Local Goods/Services	Annexure D	Y	Page 38
6.5	CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	N/A	
6.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included). Annexure C-Local Content Declaration-Summary Schedule Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C Annexure E-Local Content Declaration-Supporting Schedule to Annexure C	Annexure F1 Annexure F2 Annexure F3 Annexure F4	Y	Page 39-42
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	Page 43-45
6.8	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Y	Page 46-51
6.9	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE [only to be attached for services type of contracts] .	Procurement Practitioner to download from Hyperwave	Attached Separately	
6.10	Supplier Development & Localisation (SDL&I) Undertaking (if applicable)	To be obtained from SDL&I)	Y	Page 22

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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	The <i>Employer</i> is Eskom Holdings SOC Ltd The Eskom <i>Representative</i> is: Name: Sylvia Maluleke Tel: 015 299 0035 E-mail: malulesw@eskom.co.za
1.3 Enquiry documents	The Invitation to tender number is : LP0071SW See the content list above for the enquiry documents.
1.4 Type of Invitation to Tender	This invitation to tender is: 1. An open Invitation to tender
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	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. Tenderers are deemed ineligible to submit a tender if • 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

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	• [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 : ○ (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. Ineligible tenderers will be disqualified.
2.2 -2.5 Tender Closing	The deadline for tender submission is: Date 08 February 2022 Time 10:00am Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: THE TENDER OFFICE ESKOM HOLDING SOC LTD LIMLANGA CLUSTER- LIMPOPO MILLENNIUM BUILDING 90 HANS VAN RENSBURG STREET POLOKWANE
2.9 Copy of original tender	The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline.

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	Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.
2.13 Tender Validity Period	The tender validity period is 16 weeks/ 120 days
2.16 Site/clarification meetings	A non-compulsory clarification with representatives of the <i>Employer</i> will take place as follows: Date: 25 January 2022 Time: 10h00 AM Tenderers interested to participate in the clarification meeting through online Microsoft teams must click on the link below: Click here to join the meeting Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee.
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 tenders	Alternative tenders are not allowed .
2.25 Conditions of contract	The conditions of contract will be the NEC3 Term Service Contract (TSC3)
2.31 Provision of security for performance	Will be detailed in the NEC
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline.
3.5 Prices to be read out	Not Applicable
3.9 Basic Compliance	Basic compliance for this invitation to tender are: • Meet the eligibility criteria for a tenderer • Submitted two (2) hard copies; One original and one exact copy of the original tender to Eskom; • Submission of the list of mandatory tender returnable documents. Mandatory tender returnable and requirements documents: • Submission of JV agreement or intent to form a JV, only for suppliers tendering as JV; • Completed and signed declaration of authority form as

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	attached with this tender / submit the signed resolution by the board confirming the duly authorised personnel to sign all documents in connection with this tender. Note - The authorisation form must be submitted to confirm the authority of the supplier's representative to act as an authorised agent on behalf of the supplier. • Declaration of Shareholding and Directorship - The tenderer must submit (Companies and Intellectual Property Commission (CIPC) company registration documents or CIPRO documents or any declaration of Shareholding and Directorship - in order for Eskom to assess any conflict of interest. • Submit completed and signed Integrity Pact Declaration form. • Submitted proof of the registration on National Treasury's Central Supplier Database (except Foreign Suppliers / Central Supplier Database (CSD) or number MAAA (.....)) • Submit completed and signed SBD 1 (Annexure G) as included in the invitation to tender document. • Submit completed and signed SBD 6.1 (Annexure H) Preference Points Claim Form in terms of PPPFA 2017 regulations as included in the invitation to tender document. • Submit completed and signed Non-Disclosure agreement (NDA). Non -responsive /Unacceptable tenders will be disqualified and all the responsive tenders will be evaluated further.																					
3.10 Mandatory tender returnables	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.																					
3.11 Pre-qualification criteria	Not Applicable																					
3.12 Designated materials and thresholds	This tender does concern a designated sector. This will be incorporated into the contract. <table><tr><th>Sector</th><th>Item</th><th>Local Content Threshold</th></tr><tr><td>Clothing and Textile</td><td>Overall</td><td>100%</td></tr><tr><td>Leather and Footwear</td><td>Safety Boots</td><td>100%</td></tr><tr><td>Clothing and Textile</td><td>Jersey</td><td>100%</td></tr><tr><td>Clothing and Textile</td><td>Drymack</td><td>100%</td></tr><tr><td>Goggles</td><td>Goggles</td><td>80%</td></tr><tr><td>Clothing and Textile</td><td>Surgical Mask</td><td>100%</td></tr></table> NOTE 1: SBD 6.2 Declaration Form and Annex C (Local Content	Sector	Item	Local Content Threshold	Clothing and Textile	Overall	100%	Leather and Footwear	Safety Boots	100%	Clothing and Textile	Jersey	100%	Clothing and Textile	Drymack	100%	Goggles	Goggles	80%	Clothing and Textile	Surgical Mask	100%
Sector	Item	Local Content Threshold																				
Clothing and Textile	Overall	100%																				
Leather and Footwear	Safety Boots	100%																				
Clothing and Textile	Jersey	100%																				
Clothing and Textile	Drymack	100%																				
Goggles	Goggles	80%																				
Clothing and Textile	Surgical Mask	100%																				

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	Declaration-Summary Schedule) are a tender returnable and will be mandatory for tender evaluation. The tender will be disqualified from further evaluation where it fails to achieve the clearly specified minimum threshold for local production and content and where the Declaration Certificate for local content is not submitted in the tender. Tenderers need to complete and submit Annexure F1-F4 hereto as evidence of compliance with this requirement. DTI has appointed SABS as the official verification agency for local content in terms of designated products.				
3.13 Functionality requirements	Functionality requirements are applicable Refer to page 21-22 for detailed technical evaluation criteria Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further				
3.15 Evaluation of price	Price and Preference evaluation The prescribed (PPPFA) formulae for the determination of scoring and ranking will be used for price and B-BBEE. The 80:20 preference points system will be applicable. Price Evaluation (80) Price will be evaluated where the highest score is 80 points, as follows; - Review offers for arithmetical errors and/or conduct adjustments - Price for evaluation must include 15% VAT - The totals of the price list per tender will be used for the price evaluation <table border="1"> <thead> <tr> <th>Adjudication Criteria</th><th>Points</th></tr> </thead> <tbody> <tr> <td> $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ </td><td>80</td></tr> </tbody> </table>	Adjudication Criteria	Points	$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	80
Adjudication Criteria	Points				
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	80				

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	Where: Ps = Points scored for price of tender under consideration Pt = Rand value of tender under consideration Pmin = Rand value of the lowest acceptable tender NOTE: Eskom reserves the right to e-auctioning on this transaction. ❖ The tenderers will submit a complete tender <u>without</u> prices as stated in the enquiry when following the reverse e-auction process. ❖ Price and preference principles will be applied using the reverse e-auction (80/20 preferential points) per zone , per service.																				
3.17 Evaluation of B-BBEE	B-BBEE status will be scored out of 20 points in accordance with PPPFA. • A tenderer failing to submit proof of its B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE will not be disqualified but will score 0 points out of 20 for B-BBEE; • Maximum of twenty (20) points will be allocated to the relevant B-BBEE compliant level; Points awarded to a tenderer for attaining the B-BBEE Status Level of contribution in accordance with the table below: <table border="1"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th><th>Number of points (80/20 system)</th></tr> </thead> <tbody> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>18</td></tr> <tr><td>3</td><td>14</td></tr> <tr><td>4</td><td>12</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>6</td></tr> <tr><td>7</td><td>4</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td>Non-compliant contributor</td><td>0</td></tr> </tbody> </table> •Apply preference points according to B-BBEE level	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
B-BBEE Status Level of Contributor	Number of points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-compliant contributor	0																				

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	contribution BBBEE Certificates and Sworn Affidavits Tender Returnables: - Valid original or certified copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or - Valid Copy B-BBEE Certificate issued by CIPC for EME's. OR - Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of QSE's must be submitted, or - Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or - For JV's only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV. Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity: - Name/s of deponent as they appear in the identity document and the identity number. - Designation of the deponent as the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit. <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>
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	- 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. (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. <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. Tenderers will be ranked by applying the preferential point scoring based on the 80/20. - Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest. Joint ventures are allowed to participate on this tender
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) Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest. Tenderers will have an option to submit the tender/s for the Zone that they are interested on. 1-5 suppliers will be appointed for cleaning services. For gardening services one (1) supplier to be appointed for the whole of Limlanga Cluster-Limpopo ❖ The tenderers will submit a complete tender <u>without</u> prices as stated in the enquiry when following the reverse e-auction process.

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	❖ Price and preference principles will be applied using the reverse e-auction (80/20 preferential points). Conclude and award the contract with the winning tenderer who scored the highest points, unless contractual requirements justified the award to a 2nd ranked Supplier.
3.19 Objective Criteria (if applicable)	Objective criteria are not applicable
Contractual Requirements (if applicable)	Contractual Requirements include the following: • SHEQ requirements; • Financial statements; and • Commercial statutory documents Please Note: 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 contract award. Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award. In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements 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.

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-

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- (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;

THE ADDITIONAL CONDITIONS OF THE TENDER ARE:

- Refer to the attached standard conditions of tendering
- The Buyer is the single point of contact regarding queries associated with this enquiry
- The record of the clarifications queries and the associated responses from Eskom will be published on the Tender Bulletin and e-Tender Portal
- Failure to comply with the said conditions of tender or failure to provide any compulsory/mandatory documentation required for purposes of tender evaluation and the determination of competitive ranking will render a tender non-responsive.
- The tenderer is requested to submit the commercial, technical, SHEQ and financial documents separated with dividers and clearly indexed and bind together. Please ensure that all pages are securely bound with file fasteners.
- The use of Arch Lever files is discouraged on this tender.
- No Tippex/Correction pen is to be used on any page or pages of the documents to be submitted. Failure to comply with this, your tender will be deemed commercially unacceptable.
- The suppliers must complete the Integrity Pact declaration form and Non-disclosure forms attached, to indicate that none of its personnel have any involvement or interest in Eskom and likewise no Eskom personnel have any involvement or interest in the respondent's business with regard to this tender.
- All costs incurred in the preparation, presentation/ demonstration, and submission of your tender response will be for the Tenderer's account.
- Tenderers are encouraged to continuously check Eskom tender bulletin for the latest tender updates during this clarification period. This will enable tenderers to familiarise themselves with any new developments in order to tender accurately.

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1.3 TENDER RETURNABLES

The tenderer must submit the returnable 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 One original and one exact copy of the original tender to be submitted to Eskom	✓	
Pre-qualification criteria : • 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	“Proof of B-BBEE status level of contributor” for main contractor	N/A	
	CSD number	N/A	
	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)	N/A	

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deemed invalid; , the respective tenderer must be disqualified			
Authority to Submit a Tender	Completed and signed declaration of authority form as attached with this tender / submit the signed resolution by the board confirming the duly authorised personnel to sign all documents in connection with this tender. Note - The authorisation form must be submitted to confirm the authority of the supplier's representative to act as an authorised agent on behalf of the supplier	✓	
CSD	Submitted proof of the registration on National Treasury's Central Supplier Database (except Foreign Suppliers / Central Supplier Database (CSD) or number MAAA (.....))	✓	
Annexure A	Acknowledgement Form		
Annexure A.1	Acknowledgement Form - Reverse E-auctioning Training		
Annexure B	Tenderers Particulars		
Annexure C	Completed and Signed Integrity Pact Declaration form	✓	
Annexure D	CPA for local goods/services To be submitted only where applicable) The tenderers will not be disqualified for failing to complete and submit CPA for local goods/services (Appendix D) document at tender closure however their tendered rates will be considered fixed for the duration of the contract period	✓	
Annexure E	CPA(IG) for imported goods/services (if applicable)	N/A	

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Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E(only applicable where designated materials are included)	✓	Attached Separately
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)	Service providers will be required to report on the number of jobs created and or retained as a result of this contract		
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)	✓	
	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		✓

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	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 (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.		✓
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 Supplier Evaluation Pack 2021/2022		✓

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	Please make sure that the whole document and appendices are attached		
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)		✓
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	Not Applicable	
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 contract data. Eskom reserves the right to e-auctioning on this transaction. ❖ The tenderers will submit a complete tender <u>without</u> prices as stated in the enquiry when following the reverse e-auction process. ❖ Price and preference principles will be applied using the reverse e-auction (80/20 preferential points) per zone , per service.	✓	

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Annexure I Non-Disclosure Agreement (attached separately)	Non-Disclosure Agreement NDA document to be completed, signed and submitted with the tender documents by tender submission deadline	✓	
--	---	---	--

DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS

Reference	Returnable from supplier		
Environmental	Refer to page 24-25 below for environmental requirements		✓
Safety	Refer to page 25 below for safety requirements		✓
Due Diligence	- An analysis of the tenderers financial statements will be conducted on all shortlisted Service Providers 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 Instance where the recommended suppliers is not financially viable, the following mitigation factors will be proposed: - Official letter from the accredited financial institution will be required from the shortlisted service providers for the purposes of establishing the tenderer's financial viability and ability to meet all of its contractual obligations for the duration of the contract, should the tenderer be awarded the contract		✓

DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA

Technical (required for functionality scoring)	Refer to detailed functionality evaluation criteria below	✓	
--	---	---	--

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All responsive tenders will be evaluated further for non-negotiable functionality threshold

Apply the threshold evaluation (Functionality- Technical)

Functionality	Weightings
Technical	100%
Total	100%
Overall minimum threshold for qualification	70%

Technical evaluation Cleaning

Criteria	Evidence	Weight
Previous Company Work Experience	Tenderers to submit proof of completed or current projects from previous or current employer that include the name of client, contact number and duration of the service rendered, with a contract number or an order number stipulating cleaning services experience	40%
	13 Months or more cleaning service experience = 40%	
	6 Months to 12 months cleaning service experience = 20%	
Clients/Customer service contract performance evaluation for the tendering company	Tenderers to submit customer/client service contract performance evaluation from previous or current employer	20%
	2 or more Clients/Customer service contract performance evaluation = 20%	
	1 Client/Customer service contract performance evaluation= 10%	
Tools Register (It should be noted that the minimum tools and equipment listed on this criterion it's the requirement for one zone)	Tenders to submit cleaning Signed off Tools register owned by the tendering company on their company letterhead or signed leased agreement in the name of the tendering company.	40%
	List of Core tools or equipment required for Cleaning (minimum 16 of each of the below listed tools and equipment) - Low noise vacuum cleaner - Wet floor warning sign - Feather dust - Broom - Trolley bucket with Mop wringer - Window squeegee with extendable handle - Dusters, etc=30%	
	List of industrial machines required for deep cleaning (minimum 8 of each of the below listed tools and equipment) - Carpert cleaning machines - Steam cleaner - Dry steam cleaning machine - Upholstery cleaning machine - Scrubby cleaning machine, etc=10%	
Total		100%

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Technical evaluation Gardening

Criteria	Evidence	Weight
Previous Company Work Experience	Tenderers to submit proof of completed or current projects from previous or current employer that include the name of client, contact number and duration of the service rendered, with a contract number or an order number stipulating gardening service experience	40%
	13 Months or more gardening service experience =40%	
	6 Months to 12 months gardening service experience=20%	
Clients/Customer service contract performance evaluation for the tendering company	Tenderers to submit customer/client service contract performance evaluation from previous or current employer	20%
	2 or more Clients/Customer service contract performance evaluation=20%	
	1 Client/Customer service contract performance evaluation=10%	
Tools register (It should be noted that the minimum tools and equipment listed on this criterion it's the requirement for one zone)	Tenders to submit gardening signed off tools register on company letterhead or signed leased agreement	40%
	List of Core tools or equipment required for gardening=30% (minimum 16 of each of the below listed tools and equipment) • Wheelbarrow • Lawn mower • Garden Spade • Garden fork Garden Rake • Garden weed fork • Garden flower trimmer • Digging fork • Garden Pick • Grass lasher • Hose pipes with watering nozzles • Extension cord, etc	
	List of industrial machines required for gardening =10% (minimum 16 of each of the below listed tools and equipment) • Industrial heavy-duty mower • Brush cutter • Tree Trimmer	
Total		100%

NB: Shared resources shall not be accepted. Tender(s) shall be disqualified if found to have misrepresented information on the tender document.

Note: Eskom reserves the right to conduct reference checks if a need arises. Tenderer(s) shall be disqualified if found to have misrepresented information on the tender document.

SDL&I Undertaking;

Job Opportunities

Contractors will be required to report on the number of jobs created and or retained as a result of this contract.

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THE FOLLOWING CONTRACTUAL REQUIREMENTS SHALL APPLY:

Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Tenderers failing to meet contractual requirements will be ineligible for contract award.

A) Commercial statutory documents

- B-BBEE Certificates and Sworn Affidavits Tender Returnable:
 - Exempted Micro Enterprises to submit sworn affidavit for EME (template on the Department of Trade and Industry website) commissioned by the South African Police Services or CIPC certificate.
 - Qualifying Small Enterprises to submit sworn affidavits for QSE (template on the Department of Trade and Industry website) commissioned by the South African Police Services or BBBEE certificate issued by a SANAS accredited verification agency.
 - Large Enterprises to submit BBEE certificate issued by a SANAS accredited verification agency.
- Tax Compliance Status (TCS) e-filing PIN from SARS.
- Valid Original certificate of good standing or proof of application issued by the Compensation Fund (COID)
- Proof of National Treasury Central Supplier Database registration (CSD) that has a tax compliant status at award
- Completed and signed Supplier Evaluation Pack for Service Providers - PAYE
- For JV's only valid original or certified copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.

It should be noted that as per National Treasury Instruction No: 09 of 2017/18; a tender will not be awarded to a recommended tenderer that has a tax non-compliance status.

B) Financial Analysis

- An analysis of the tenderers financial statements will be conducted on all shortlisted Service Providers 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

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Instance where the recommended suppliers is not financially viable , the following mitigation factors will be proposed:

- Official letter from the accredited financial institution will be required from the shortlisted service providers for the purposes of establishing the tenderer's financial viability and ability to meet all of its contractual obligations for the duration of the contract, should the tenderer be awarded the contract.

C) SHE CONTRACTUAL REQUIREMENTS

C1) Environmental Contractual Requirements

	ENVIRONMENTAL SPECIFICATIONS FOR LOU
Part A	Minimum Requirements
1	Environmental Management Policy
	Environmental Policy must Commit to Compliance to all relevant Environmental Legislation/ Laws, Pollution Prevention and Continual Improvement. Environmental policy must be signed-off by the company senior member (MD/CEO)?
2	Environmental Training
2.1	2.1 Proof of Environmental Law Training done with Eskom or any accredited Institution (Requested proof is for company owners and site managers/or supervisors)
3.	Company organogram Company's organogram showing an Environmental Position
4	Waste management Plan Company's Waste Management plan addressing how waste will be managed.
5	Environmental Representative's Appointment letter committing to, but not limited to the following responsibilities:
5.1	Environmental Induction is done prior to construction work.
5.2	Environmental compliance on site.
5.3	Housekeeping (construction site should be kept clean/ tidy at all time.
5.4	Proper waste management (All waste generated should be disposed-of at a legal /registered dumping site.
5.5	Site Specific Environmental Management Plan (EMP) requirements from Eskom LD&E department are adhered to.

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Document Name: Environmental Training Matrix for Company X??													
Date Compiled:													
Next revision date:													
Company Ref number:													
Revision:													
Environmental Courses		Man Grades											
		Mod. 1: Environmental Induction											
		Mod. 2: Eskom & Environment:											
		Mod. 3: Environmental Law:											
		Mod. 4: Herbicide Management:											
		Mod. 5: Oil Management.											
		Mod. 6: EWT Wildlife Interactions Management:											
		Mod. 7: DESD training.											
		Mod. 8: Vegetation Awareness / Tree ID											
		Mod. 9: Waste & Hazardous Substance Management											
		Mod.10: EA / EMP											
		Mod. 11 EMS AWARENESS											
PEOPLE WORKING FOR ESKOM DX LOU													
Cleaning Contractors (Only the owner must have attended environmental Law Training)		NM		M							NM		NM
NB: PLEASE NOTE THAT THE ABOVE MENTIONED TRAINING COULD BE DONE WITH ANY ACCREDITED COMPANIES/ ORGANISATIONS. VERIFICATION WILL BE DONE WHERE NECESSARY.													
Conditions:									Legend				
Mandatory Courses must be completed before commencement of work									M	Mandatory			
Non -Mandatory Courses must be completed within 6 months commencement of any work.									NM	Non-Mandatory			

C2) Safety Contractual Requirements

No.	Criteria
1	OHS Plan - The plan explaining the Occupational Health and safety activities associated with the construction and erection, and operation and maintenance of a project. - The OHS plan explaining OHS management system as well as the resources required to implement. It must include the minimum requirements for compliance with local OHS laws and regulations in order to prevent injuries to workers, and damage to property. - The plan must outline the framework of OHS plan that will be followed by the contractor, and employees during the course of the contract.
2	Hazardous Chemical Substance List of HCS. Material safety data sheets for all the chemicals listed.
3	Incident Management (procedure & statistics to be submitted) - Procedure on incident investigation. - Previous Health and Safety Statistics record for the past three years.
4	OHS Policy signed by the CEO of the Company

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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/RFP 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: **LP0071SW**

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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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 advertised through an open competitive bidding process subject to potential

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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

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another tenderer, or influence the decisions of Eskom regarding this bidding process;
To give effect to the provisions above, please complete the table hereunder with all required information.

Full Name & Capacity/ Position within tenderer (e.g. employee/Director/member/ owner/shareholder)	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	Is the <i>tenderer/s(or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector [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]. The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za)		
1.2	Is the <i>tenderer/s (or any of its directors / members / shareholders)</i>? listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.3	Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?		
1.3.1	Provide details.		
1.4	Was the <i>tenderer/s(or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		
1.5	<i>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>		

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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

The rates will be fixed for the duration a period of twelve (12) months and will only be escalated on the second and the third year in accordance with Government Gazette Rate for Labour.

Consumables and equipment rates will be escalated annually by CPI.

Signed	_____	Date	_____
Name	_____	Position	_____
Tenderer	_____		

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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)

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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.

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:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
Overall	100%
Safety Boots	100%
Jersey	100%
Drymack	100%
Goggles	80%
Surgical Mask	100%

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.

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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.

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: LP0071SW

ISSUED BY: Eskom Holdings SOC Ltd.

- 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

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been consolidated in Declaration C:

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



Adobe Acrobat Document

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



Adobe Acrobat Document

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



Adobe Acrobat Document

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ANNEXURE G

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ESKOM HOLDINGS SOC LTD					
BID NUMBER:	LP0071SW	CLOSING DATE:	08 February 2021	CLOSING TIME:	10:00
DESCRIPTION	Appointment of multiple contractors for the provision of Cleaning and/ or Gardening Services to Eskom Real Estate within Limlanga Cluster -Limpopo for a period of 36 months.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO					
CONTACT PERSON	Sylvia Maluleke				
TELEPHONE NUMBER	015 299 0035				
FACSIMILE NUMBER	086 663 5550				
E-MAIL ADDRESS	malulesw@eskom.co.za				
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
---	--	---	---

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.	

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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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. 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 SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

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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

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;

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	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
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 status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is

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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;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

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

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 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.

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7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(*Tick applicable box*)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

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	☐	NO	☐
-----	--------------------------	----	--------------------------

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		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name _____ of _____

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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:

- 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

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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.

WITNESSES 1. 2.	 SIGNATURE(S) OF BIDDERS(S) DATE:
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