SD & L EXECUTION SUPPORT REPRESENTATIVE:	Mosa Makhubo	Tel: Date:	011 800 3809 16 November 26
BUSINESS UNIT: **NAME OF END-USER:**	Gauteng Cluster Tlou Mashilo	Document Revision no:	1
DESCRIPTION:	The provision of High Voltage (HV) Lines Construction project within Gauteng Cluster to establish multiple contracts on "an as and when required" basis over a period of Twelve (12) Months		
BUDGET VALUE:			
DURATION:	12 Months		

Suppliers are obligated to contribute towards the six elements of SD&L, namely: B-BBEE, Localisation, Industrialisation, Skills Development, Job Creation and Supplier Development for the duration of the contract.

1. B-BBEE

Eskom prefers to do business with companies that are more than 50% Black Owned; this includes Black Woman Owned (BWO), Black Youth Owned (BYO), and Black People Living with Disability (BPLwD).

In this contract the preference will be given to suppliers that are Black Owned and has a B-BBEE Level of 1 to 3 as per Eskom's preference.

The existing Panellists members shall maintain or improve upon their current B-BBEE level to level 1-3 during the life contract. The Panellists members that are less than 51% BO will also improve on the Black Ownership of the companies/institutions as per Eskom preference (if applicable), for future business relationship with Eskom. The Panellists members will be required to submit a new certificate should ownership of the company change during the life of the contract.

Local suppliers shall be allocated points in accordance with the B-BBEE Evaluation Scorecard (figure 1) shown below:

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

***Note:** the following element (A, 2, 3,4,5,6 & 7) will form part of the Eskom's objectives and they will be negotiated with the successful supplier(s)*

A. Specific goals

Specific Objective of Tender (Application of other criteria in terms of section 2(1)(d-f) of PPPFA)

The objective criteria for this tender are the following:

- Transforming this industry by appointing small emerging black businesses with 51% black ownership (further preference will be given to BYO/BPLwD),
- Job creation for previously disadvantaged people.

To achieve the above the following aspects will apply

- Appoint companies with 51% black ownership, or
- In the event where the contract is awarded to a **Generic firm**, 20% shall be sub-contracted/incubate to emerging BYO/BPLwD (100% shareholding) with the purpose of supplier development (where necessary) or
- Joint venture where the lead firm is 51% black owned.

NB. The joint venture may be:

i) Black Owned Company and Black Owned Company or

ii) Black Owned Company (Majority shareholder) and non- Black Owned Company or

iii) Black Women Owned Company and Black Owned Company or

iv) Black Women Owned Company(Majority shareholder) and non- Black Owned Company

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Figure 1: B-BBEE Evaluation Scorecard (90/10 application)

B-BBEE	Qualification	Number of Points (80/20 system)	Number of Points (90/10 system)
1	≥ 100 points	20	10
2	≥ 85 points < 100 points	18	9
3	≥ 75 points < 85 points	16	8
4	≥ 65 points < 75 points	12	5
5	≥ 55 points < 65 points	8	4
6	≥ 45 points < 55 points	6	3
7	≥ 40 points < 45 points	4	2
8	≥ 30 points < 40 points	2	1
Non-compliant	< 30 points	0	0

Note :

Eskom prefers to contract with but is not limited to compliant BBEEE level 1-3 contractors. Any tenderer who does not comply with this criterion should provide a migration plan that will form part of the contractual obligation. The terms and conditions will be negotiated ad agreed prior to contract award. The migration plan will be accepted based on partial fulfilment or as a whole depending on the time period allocated for the transaction/s.

Where there is a partial acceptance of a migration plan, should the same tenderer be awarded further contracts with Eskom the agreed migration plan must be shared with Eskom officials responsible for the tender for continued compliance monitoring.

SD&L will apply the following pre-qualification criteria as envisaged in PPPFA 2017 regulation 4

a) Is this commodity or part of it a Designated Sector?

If *Yes,* it is mandatory to complete **Section 2**

YES	NO
☑	☐

b) Is there CIDB compulsory training?

If *Yes,* what is the what is the% of the Construction Skills Development Goal % (CSDG)

If *Yes,* it is mandatory to complete **Section 3**

YES	NO
☑	☐
0.25%	

NOTE 1: If subcontracting is part of the pre-qualification criteria (c), Sub-contracting agreement/s must be submitted as a tender returnable (Not applicable).

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

2. Mandatory Subcontracting

Mandatory Subcontracting as condition of award

Subcontracting is mandatory on contracts above R30 million and is a condition for contract award.

Tenderers shall subcontract a minimum of 20% of the contract value to the following designated groups:

an EME or QSE which is 51% owned by black people living in rural or underdeveloped area or townships.

NOTE 1: Tenderers shall submit the following mandatory returnable for Subcontracting:

Subcontracting agreement signed by both with subcontractors' company registration documents (CK and B-BBEE certificate or sworn affidavit) or

Copies of sub-contracting contracts (agreements) or copies of letters from the tenderer to the sub-contractors, stating the intent to sub-contract. The Tenderer should sign both documents and the Sub-contractor(s) earmarked.

Possible scope to be subcontracted and/or outsourced: (not limited to the suggested list. The tenderers value chain should be considered in support of your proposal)

- Transport
- Design Engineering
- Building and Construction

Grass Cutting

Subcontracting, in this instance, will be treated as a condition for contract award. A supplier awarded a contract may not subcontract more than 25% of the value of the contract to any other entity that does not have an equal or higher B-BBEE status level of a contributor than the supplier concerned unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract

Subcontracting, in this instance will be treated as a condition for contract award.

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

3. Industrialisation

There is no requirement for industrialisation as most resources are sourced from within South Africa.

4. Enterprise Development mandatory on contract award

The main contractor is required to spend 2% Net profit after tax on Enterprise Development initiative. This will be submitted in a form of a detailed proposal with specific milestones in the following areas.

Support Description	Tenderer Proposal
The successful tenderer is required to identify an incubate SMME (EME -QSE 1-2) from the designated groups in one or more of the areas to be sub-contracted. Assistance could be in the form of business support, equipment and/or finance. The successful tenderer will be required to draft an Enterprise Development program and agreement within eight weeks of contract award. The ED agreement must be signed with the beneficiary and sent to Eskom for review and acceptance. The accepted ED program will be monitored throughout the duration of the contract.	

Eskom requires suppliers to purchase all their materials, products or any other services required within the borders of South Africa. The Local Content to South Africa will be 100% because Eskom do not expect any skills to be imported for these services and the industry is matured enough to possess all the skills required. It will form part subcontracting, skills development, and supplier development.

Designated material thresholds **is applicable** The following materials are identified as designated materials and the thresholds the tenderers must meet in order to be evaluated further:

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

Description	Designated %
Steel value added products / components	100%
Electrical Cables (if supplied by contractor not Eskom stores)	90%
Concrete works	100%
Poles (Steel / Concrete)	100%
Fasteners Wire Products Ducting and Structural pipework Plates Coated Coils Wire Rod and Drawn Wire	100%
Power Line hardware	Ref attached DTI Designated Sectors
Protective clothing	100%
Switch Gear	Ref attached DTI Designated Sectors
Steel Production and components for construction	100%
Building material for construction/ cement Sector	100% (Ref attached DTI Designated Sectors)
Steel HV monopole structures	100%

Declaration Certificates for Local Production and Content for designated sectors (SBD 6.2) and National Treasury Instruction on: Invitation and evaluation of bids based on a stipulated minimum threshold for local production and content hereto as evidence of compliance with this requirement.

The implication of the local production and content drive is, should your transaction include products of a specific designation as listed by the dti, the following needs to be done:

A tender that fails to meet the minimum stipulated threshold for local production and content is an unacceptable tender.

NOTE 2: SBD 6.2 Declaration Form is therefore mandatory and must be a tender returnable.

Note: For this section (Special Conditions of Tendering) the following documents should also be completed and signed:

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

A completed and duly signed SBD 6.2 – Local Content Declaration Certificate

Note: For this section (Special Conditions of Tendering) the following documents should also be completed and signed:

- A completed and duly signed SBD 6.2 – Local Content Declaration Certificate.
- A completed and duly signed Annexure C, D and E.
- Completed and duly signed Preference point Claim form.

NOTE:

When the above cannot be wholly sourced from South Africa (SA) based manufactures to achieve the designated local content threshold at any particular time, bidders should request and obtain written exemption from DTI. Such exemption application should be submitted and approvals should be obtained prior to the closure of the bid.

For local content related enquiries, please call the helpline on +27 (12) 394 1435.

For technical enquiries please contact Ms Cathrine Matidza:

Director: Fleet Procurement

Tel: +27 (12) 394 5598

E-mail: cmatidza@thedti.gov.za

5. Skills Development

Successful supplier will be obligated submit a proposal to train **1** candidate for every **2 Million Rand** cumulated through task order awarded to the supplier; this obligation will be for the duration of the contract. The duration of the task order will not be linked with the supplier's obligation to train; therefore the supplier will have to ensure that the skills committed are successfully achieved by the end of the contract period. Skills candidates shall be sourced from previously disadvantage groups in South Africa. The purpose is to provide these candidates with skills and workplace experience in order to increase the opportunity for them to be employable within the industry. The supplier may develop the candidates directly, through their supply network or through the SETA accredited training providers.

Skills development candidates should be currently unemployed graduates from FET Colleges and universities and/or matriculants. The composition of the candidates shall be representative of the population demographics of South Africa. The supplier will be provided will the list of skills as per respective discipline to choose from, this will mean this supplier will train candidate with skill type that is relevant to their area of expertise.

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

List of proposed skills (only critical, scarce and core) that are scope specific.

Skills type	Proposed no.	Intake	Outcome
Design Engineer	1	Post / undergraduate	Certificate of complication
Technicians / Electrician	1	Post / undergraduate	Certificate of complication
Wearhouse / Logistics Manager	1	Post / undergraduate	Certificate of complication
Accounting Officer	1	Post / undergraduate	Certificate of complication
Quantity Surveyor	1	Post / undergraduate	Certificate of complication
SHEQ Officer	1	Post / undergraduate	Certificate of complication

3.1. Completion certificate to be issued at the end of the project

3.2. Compile a training program.

3.3. Submit a signed contract with the selected candidates.

6. Job Opportunities

Tenderer to indicate number of Jobs to be created and/or retained from this contract;

Figure 2

Number of Jobs to be created	Number of Jobs to be retained

Suppliers shall propose the number of jobs to be created as a direct result of being awarded this contract. Suppliers must also propose the number of jobs to be retained as a direct result of this contract. These proposals shall be made in the SD&L Compliance Matrices (Figure 2).

Type of jobs	Target set (local-to-site)	Suppliers Proposal
General workers	100%	
Semi-skilled	20%	

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.

NB: See List of Skills to be developed below

The monitoring and report will provide implementation schedule and supplier data collection templates to ensure that the above obligations to train candidates are achieved successfully through regular monitoring of task order value awarded to suppliers.

7. SDL&I Retention

SDL&I has a mandate to achieve maximum and sustainable local development impact through leveraging Eskom's procurement spend in a manner that allows flexibility within the business to contribute towards addressing the socio-economic ills like unemployment, poverty, and economic growth, through government local development initiatives and policies.

Suppliers will be required to report progress towards achieving SDL&I's contractual obligations, on a quarterly basis. The SDL&I retention is to encourage and ensure that the Suppliers implement the agreed targets.

Failure to comply with the contracted SDL&I obligations will enforce the application of the 2% penalty at the end of the contract.

- Monitoring and Reporting of SDL&I Commitments
  a. Panel suppliers that have been awarded task orders with SDL&I commitments shall submit reports on their SDL&I performance in accordance with the SDL&I function Data Collection Template.
  b. Eskom shall review the quarterly reports submitted by the suppliers within fifteen (15) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
  c. Upon notification by Eskom that the suppliers have not met their SDL&I obligations, suppliers shall be required to implement corrective measures to meet those SDL&I obligations.

8. Concluding

The commitment of any of SD&L elements will form part of the NEC contract and shall be monitored throughout the duration of the contract to ensure all the obligations and undertakings are fulfilled.

Compiled by: Mosa Makhubo **Signature:**  **Date:** 16 November 26

Accepted by contractor: **Signature:** **Date:**

Confidential

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorised version on the system. No part of this document may be reproduced without the expressed consent of the copyright holder, Eskom Holdings SOC Ltd, Reg No 2002/015527/30.