national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

TO: ACCOUNTING OFFICERS OF ALL NATIONAL DEPARTMENTS AND CONSTITUTIONAL INSTITUTIONS

ACCOUNTING OFFICERS OF ALL MUNICIPALITIES AND MUNICIPAL ENTITIES

ACCOUNTING AUTHORITIES OF ALL SCHEDULE 2 AND 3 PUBLIC ENTITIES

HEAD OFFICIALS OF PROVINCIAL TREASURIES

INVITATION AND EVALUATION OF BIDS ON A STIPULATED MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT FOR:

- **STEEL POWER PYLONS**
- **MONOPOLE PYLONS**
- **STEEL SUBSTATION STRUCTURES;**
- **POWERLINE HARDWARE**
- **STREET LIGHTING STEEL POLES; AND**
- **STEEL LATTICE TOWERS AND MASTS**

1. PURPOSE

1.1 The purpose of this instruction is to:

1.1.1 Introduce amendments to the original instruction for steel power pylon dated 16 July 2012 by insertion of monopole pylons; steel substation structures; powerline hardware; street lighting steel poles and steel lattice towers and masts.

1.1.2 Regulate the environment within which accounting officers (AOs) and accounting authorities (AAs) may procure the aforementioned products which have been designated as a sector for local production and content.

2. BACKGROUND

2.1. The Preferential Procurement Regulations, 2011 (the regulations) made in terms of section 5 of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) which came into effect on 7 December 2011, make provision for Department of Trade and Industry (**the dti**) to designate sectors in line with national development and industrial policies for local production.

2.2. Regulation 9(1) of the regulations prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

2.3. **The dti** has designated and determined the stipulated minimum threshold for the Steel Power and Monopoles Pylons; Steel Substation Structures; Powerline Hardware; Street Lighting Steel Poles and Steel Lattice Towers and Masts for local production and content.

3. PRODUCT DESIGNATION

3.1 Power pylons and substation structures are steel fabricated (cut, punched and galvanised) components erected for the transmission, distribution and/or reticulation of electrical power from the power station through to the consumer. At every transition between power generation, power transmission and power distribution there is a need for the erection of a substation which serves as a facility for the stepping up or down of power in preparation for the requirements of the next phase of the power transfer process. Substations are erected using steel structures which are fabricated by way of cutting, punching and galvanising.

3.2 Depending on the procuring entity's design requirements, galvanised steel monopole structures can be specified for the transfer of power from the power station through to reticulation to the end user. Galvanised steel monopoles are fabricated following a cutting, bending, welding and galvanising process.

3.3 In the construction of power pylons, a variety of auxiliary components are used to fulfil such requirements as providing stability to the power pylon structures, attachment and fastening of components, provision of platforms and foundations etc. They are made in a variety of metals including cast aluminium, galvanised steel and brass. These components are collectively referred to as powerline hardware.

3.4 The structures are classified under the harmonisation system as follows:

- H730890: Structures and parts of structures iron/steel (Including Steel Powerlines Hardware)
- H730820: Towers and Lattice Masts (including Monopole Pylons and Street Lighting Poles)
- H761090 : Aluminium structures and parts for construction (Including Aluminium Powerlines Hardware)

3.5 To ensure that local production and content is discharged on manufacturing activities, the following *steel structures* have been designated and must be included in bid invitations:

Product for designation	Minimum local content
Steel Power Pylons	100%
Monopole Pylons	100%
Steel Substation Structures	100%
Powerline Hardware (listed in Appendix A)	100%
Street Lighting Steel Poles	100%
Steel Lattice Towers and Masts	100%

3.6 Excluded in the designation are mainly primary steel products (i.e. hot rolled profiles and channels, ex-mill); aluminium billets; and zinc ingots used for fabrication of powerline, street lighting and substation structures. This is to encourage local fabricators to seek the best global competitive prices for primary materials. Hence the competitive imported primary steel used in the manufacture of fabricated power pylons, substation structures, powerline hardware, street lighting poles and lattice towers and masts will be deemed to have been sourced locally for the purposes of calculating local content.

3.7 Only locally manufactured steel power and monopole pylons, steel substation structures, powerline hardware, street lighting steel poles and steel lattice towers and masts should be used for the construction of powerlines, substations and steel lattice towers and masts (including street lighting poles).

3.8 Organs of state may contact **the dti** in instances where the stipulated minimum threshold for local content cannot be met in order for **the dti** to verify and in consultation with the AO/AA provide directives in this regard.

3.9 For further information, bidders and procuring state organs may contact the Metals Fabrication, Capital and Rail Transport unit within **the dti** at telephone 012 394 4522 or email Muzi Manzi MManzi@thedti.gov.za

3.10 Bid specifications for the designated products in this instruction may be may be done in collaboration with **the dti**

4. INVITATION OF BIDS FOR:

4.1 Bids in respect of Steel Power Pylons, Monopole Pylons; Steel Substation Structures; Powerline Hardware; Street Lighting Poles and Lattice Towers and Masts must contain a specific bidding condition which states that:

4.1.1 Only locally produced or locally manufactured products with a stipulated threshold for local production and content will be considered;

4.1.2 If the quantity; input materials; and/or components of steel power pylons, monopole pylons, steel substation structures, power line hardware, street lighting steel poles, and lattice towers and masts required cannot be wholly sourced from South African (SA) based manufacturers to achieve the designated local content threshold at any particular time, bidders should request and obtain written exemption from the dti. Such exemption applications should be submitted and approvals should be obtained prior to the closure of the bid(s) concerned. the dti, in consultation with the procuring organ of state and the local industry, will consider the exemption applications on a case-by-case basis and will consider the following:

- Required volumes in the particular bid;
- Available collective SA industry manufacturing capacity at that time;
- Delivery times;
- Availability of input materials and components;
- Technical considerations including operating conditions; and
- Materials of construction

4.1.3 Bidders must clearly indicate in their bids the quantities to be supplied and the level of local content for each product.

4.2 AOs/AAs must stipulate in bid invitations that

4.2.1 The exchange rate to be used for the calculation of local production and content must be the exchange rate published by the South African Reserve Bank (SARB) on the date of advertisement of the bid.

4.2.2 Only the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content.

4.3 The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the following formula which must be disclosed in the bid documentation:

$$LC = \left(1 - \frac{x}{y}\right) * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by SARB on the date of advertisement of the bid.

4.4 AOs/AAs must clearly stipulate in the bid documentation that the SABS approved technical specification number SATS 1286:2011 and the Guidance on the Calculation of Local Content together with the Local Content Declaration Template [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)] are accessible to all potential bidders on the dti's official website http://www.thedti.gov.za/industrialdevelopment/ip.jsp at no cost.

4.5 For the purpose of paragraphs 4.1, 4.2 and 4.3 above, the attached Declaration Certificates for Local Production and Content (SBD/MBD 6.2) must form part of the bid documentation. The SBD 6.2 is for use by all national and provincial departments, constitutional institutions and public entities listed in schedules 2, 3A, 3B, 3C and 3D to which the Public Finance Management Act apply, whilst the MBD 6.2 is for use by all municipalities and municipal entities to which the Municipal Finance Management Act (MFMA) apply.

4.6 AOs/AAs must stipulate in the bid documentation that:

4.6.1 The Declaration Certificate for Local Production and Content (SBD/MBD 6.2) together with the **Annex C** (Local Content Declaration: Summary Schedule) must be completed, duly signed and submitted by the bidder at the closing date and time of the bid; and

4.6.2 The rate of exchange quoted by the bidder in paragraph 4.1 of the Declaration Certificate will be verified for accuracy.

5. EVALUATION OF BIDS FOR:

- **STEEL POWER PYLONS**
- **MONOPOLE PYLONS;**
- **SUBSTATION STRUCTURES;**
- **POWERLINE HARDWARE;**
- **STREET LIGHTING STEEL POLES; AND**
- **STEEL LATTICE TOWERS AND MASTS**

5.1 A two stage evaluation process must be followed to evaluate the bids received

5.1.1 **First stage: Evaluation in terms of the stipulated minimum threshold for local production and content**

(a) Bids must be evaluated in terms of the minimum threshold stipulated in the bid documents.

(b) The declaration made by the bidder in the Declaration Certificate for Local Content (SBD / MBD 6.2) and Annex C (Local Content Declaration: Summary Schedule) must be used for this purpose. If the bid is for more than one product, the local content percentages for each product contained in Annex C must be used.

(c) The amendment of the stipulated minimum threshold for local production and content is not allowed.

(d) AOs/AAs must ensure that the **Declaration Certificate for Local Content** (SBD/MBD 6.2) and **Annex C** (Local Content Declaration: Summary Schedule) are submitted as part of the bid documentation.

(e) AOs/AAs must verify the accuracy of the rates of exchange quoted by the bidder in paragraph 4.1 of the Declaration Certificate for Local Content (SBD/MBD 6.2).

5.1.2 Second stage: Evaluation in terms of the 80/20 or 90/10 preference point systems

(a) Only bids that achieve the minimum stipulated threshold for local production and content must be evaluated further. The evaluation must be done in accordance with the 80/20 or 90/10 preference point systems prescribed in the Preferential Procurement Regulations, 2011.

(b) AOs/AAs must ensure that bids for products that are designated in this instruction are awarded at prices that are market related taking into account, among others, benchmarking prices, value for money and economies of scale.

(c) Where appropriate, prices may be negotiated with short listed or preferred bidders. Such negotiations must not prejudice other bidders.

5.2 **Benchmark/market related prices**

5.2.1 AOs/AAs are required to ensure that reasonable or market related prices are secured for the products being procured taking into account factors such as benchmark prices, value for money and economies of scale.

5.2.2 For this purpose, AOs/AAs may approach **the dti** to assist, where possible, with benchmark prices. **The dti** will be in a position to provide price references for the different products that have been designated for local production and content.

6. EVALUATION OF BIDS BASED ON FUNCTIONALITY

Whenever it is deemed necessary to evaluate bids on the basis of functionality, the prescripts contained in Regulation 4 of the PPPFA regulation and paragraph 6 and 11 of the Implementation Guide must be followed.

7. POST AWARD AND REPORTING REQUIREMENTS

7.1. Once bids are awarded **the dti** must be:

7.1.1 Notified of all the successful bidders and the value of the contracts; and

7.1.2 Provided with copies of the contracts, the SBD/MBD 6.2 Certificates together with the annex C submitted by the successful bidder(s).

7.2. The purpose of the requirements of paragraph 7.1 above is for **the dti** to, among others, conduct compliance audits with a view to monitor the implementation of industrial development strategies.

7.3. Contractors must not be allowed to 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.

7.4. Where, after the award of a bid, contractors experience challenges in meeting the stipulated minimum threshold for local content **the dti** must be informed accordingly in order for the department to verify and in consultation with the AO/AA provide directives in this regard.

8. CONTACT INFORMATION

8.1 Any enquiries in respect of Local Production and Content and all documents to be submitted to the dti in respect of paragraph 7.1 above must be directed as follows:

The Department of Trade and Industry
Private Bag X84
Pretoria
0001

For attention:

Dr Tebogo Makube

Chief Director: Industrial Procurement
Tel: (012) 394 3927
Fax: (012) 394 4927
Email: TMakube@thedti.gov.za

9. APPLICABILITY

This instruction note applies to all national and provincial departments, constitutional Institutions, public entities listed in schedule 2 and 3 to the PFMA and municipalities and municipal entities to which MFMA apply.

10. DISSEMINATION OF INFORMATION CONTAINED IN THIS INSTRUCTION NOTE

10.1 Heads of provincial treasuries are requested to bring the contents of this instruction note to the attention of accounting officers and supply chain management officials of their respective provincial departments.

10.2 Accounting officers of national and provincial departments are requested to bring the contents of this instruction note to the attention of accounting authorities and the supply chain management officials of Schedule 3A and 3C public entities reporting to their respective executive authorities.

10.3 Accounting officers of municipalities and municipal entities are requested to bring the contents of this instruction note to the attention of the supply chain management officials of their municipalities and municipal entities.

10.4 Accounting authorities of Schedule 2, 3B and 3C public entities are requested to bring the contents of this instruction note to the attention of the supply chain management officials of their public entities.

11. NOTIFICATION TO THE AUDITOR GENERAL

A copy of this Instruction will be forwarded to the Auditor-General for notification.

12. AUTHORITY FOR THIS INSTRUCTION NOTE AND EFFECTIVE DATE

12.1 The Minister of Finance has approved the issuance of this instruction in terms of regulation 9(2) of the regulations.

12.2 The instruction takes effect on **21 October 2015**

KENNETH W BROWN
CHIEF PROCUREMENT OFFICER
DATE: 28/9/2015

APPENDIX A: DESIGNATED LINE HARDWARE COMPONENTS

The stipulated minimum threshold for local content is 100% for each of the items below

Designated Components		
Adaptor plates	Guy Grips	Termination bracket
Adjustable extension links	Helical line items	Threaded rods
Adjustable Stay rod,	Hip stay assembly	Tie strap
Adjustable U bolts	H-Pole Cross-arms	Triangle yokes
Adjustor plate	Insulator spindles & hardware	Trimble
A-Frame Cross-arms	Interim cross-arm	Turnbuckles
Anchor links	Joints & compression fittings	Vibration dampers
Ancillary materials - strain	Jumper terminals	X Arm – A Frames
Arcing horns	Light bracket	Yoke Plates
Armour rods	LV ancillary materials	
Ball clevis	Meter box bracket	
Ball hooks	Midspan joints	
Ball oval eyes	Non-Adjustable stay rod	
Ball tongues	PG clamps	
Base assembly	Pigtail	
Big guards	Pistol clamps	
Bird diverters	Pole clamps	
Bolted connectors	Pole top bracket	
Bolted strain clamps	Pole top make-offs	
Bonding clip	Repair sleeves	
Castings line hardware	Rigid spacers	
Composite/ Silicone Insulators	Rock anchor	
Compression strain clamps	Sag Adjustor	
Conductor clamps	Shackles	
Corona rings	S-Hook	
Counterweights	Socket clevis	
Crosby clamps	Socket tongues	
Cross-arm	Soil Anchors	
Curved washer	Spacer dampers	
Dampers	Spacer yokes	
D-Iron	Spindles	
Earth anchor	Stay bracket	
Earthing	Stay plate	
Equipment platform / Transformer platform	Stay steel components	
Equipment platform bracket	Stay Wire / Steel Wire	
Eye bolt	Steel Poles	
Eye nut	Steel rope terminal fittings	
Fasteners - threaded rods	Strain bracket	
Fasteners (Bolts, nuts, washers, threaded rod)	Strain cross-arm	
Fasteners bolt, nuts & washers	Strapping	
Fasteners strain nuts, strain bolts & forgings	Streetlight brackets	
Forging line hardware	Strut bracket	
Fuse Cut-out Brackets	Support cradle	
Fuse Holder brackets	Suspension cross-arm	
Galvanised pre-fabricated steel	Swivel bracket	