

	Invitation to Tender	Document Identifier	240-114238630	Rev	27
		Effective Date	30 October 2025		
		Review Date	October 2030		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER (ITT)

FOR

**Security Guarding Services for Peaking Operating Unit
Northern Region (Drakensberg Pumped Storage
Scheme (NKP); Ingula Pumped Storage Scheme
(NKP), Gariep Power Station, Vanderkloof Power
Station)
Southern Region (Ankerlig 1, 2 and 3 (NKP),
Gourikwa (NKP), Palmiet Pumped Storage
Scheme, Port Rex, Sere Windfarms).**

Tender number	E2419GXPOU
Issue date	13 January 2026
Closing date and time	03 February 2026 at 10h00
Tender validity period	150 days from the closing date and time
Clarification meeting	23 January 2026 @ 10:00 – Non-Compulsory Microsoft Teams meeting Join: https://teams.microsoft.com/meet/32281537445387?p=QJ6WRN9xnKQGXTlbO8 Meeting ID: 322 815 374 453 87 Passcode: kk2z9ZJ6
	Need help? System reference Dial in by phone +27 21 834 0825,,778340662# South Africa, Cape Town Find a local number Phone conference ID: 778 340 662#
Tenders are to be submitted electronically via Eskom E-tendering site by the stipulated closing date and time. <i>Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time</i>	03 February 2026 at 10h00 South African Standard Time

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the **ecurity Guarding Services for Peaking Operating Unit**

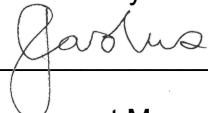
The tender documents are supplied to you on the following basis:

1. Free of charge

Eskom has delegated the management of this Invitation to Tender to the *Eskom Representative* whose name and contact details are set out in the Tender Data. The submission of a tender/proposal by you in response to this Invitation to Tender will be deemed as your acceptance of the Eskom Standard Conditions of Tender which may be accessed at www.eskom.co.za.

All queries and clarifications relating to the Invitation to Tender documents must be addressed in writing to the *Eskom Representative*. No query or clarification may be addressed to any Eskom official other than the *Eskom Representative*.

Yours faithfully



Procurement Manager/Snr Advisor Procurement

Zodidi Mavume/Judith Carolus

Date: 2026-01-13

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1.1 Annexures to the Tender

The following document listed hereunder are attached to this Invitation to Tender/Request for Proposal.

Number	Description	Annexure	Attached (Y / N / N/A)
1.1.1	*Authorisation Form	Annexure A	Y
1.1.2	*Acknowledgement form	Annexure B	Y
1.1.3	*Tenderer's particulars	Annexure C	Y
1.1.4	*Integrity Declaration Form (Suppliers are required to download and read the Supplier Integrity Pact. It is accessible on the Eskom Tender Bulletin via Eskom Supplier Integrity Pact (eskom.co.za) link)	Annexure D	Y
1.1.5	*CPA Requirements for Local Goods/Services	Annexure E	Y
1.1.6	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure F	N/A
1.1.8	*SBD 1 Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure H	Y
1.1.9	*SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure I	Y
1.1.10	*SBD 4 – Bidders Disclosure	Annexure J	Y
1.1.11	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] .		Y
1.1.12	Reverse e-auction training acknowledgement form (if applicable)		N/A
1.1.13	Reverse e-auction process (if applicable)		N/A
1.1.14	E-tendering Help Manual acknowledgement form		Y
1.1.15	E-tendering Help Manual for supplier		Y
1.1.16	CIDB Contract Skills Development Goals (CSDG) (if applicable)		Y

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Number	Description	Annexure	Attached (Y / N / N/A)
1.1.17	Contract Participation Goals (CPG) (if applicable)		N/A
1.1.18	Scope of Work (Contained in NEC3 Contract)		Y
1.1.19	NEC (Contained in NEC3 Contract)		Y
1.1.20	Pricing Schedule/BOQ (contained in NEC Contract) PDF and excel format. The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes. The pricing Schedule is available in excel as well		Y

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1.2 Tender Data

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** are not attached to the **Invitation to Tender/Request for Proposal**, then 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: Lorna Hendricks Tel: 021 941 5827 E-mail: hendrial@eskom.co.za
1.3 Tender documents	The Invitation to tender number is: E2419GXPOU See the content list above for the tender documents.
1.4 Type of Invitation to Tender/ RFP	This Invitation to Tender 1. An open Invitation to Tender
1.6 Eskom's right to accept or reject any tender	The tender shall be for the whole of the contract.
2.1 Eligibility	Tenderers (whether a single company or an incorporated or unincorporated joint venture or consortium) must meet the eligibility criteria stated in the Tender Data. The tenderer, or any of its principals, must not be under any restriction to do business with Eskom or State-Owned Companies. <u>Tenderers are ineligible to submit a tender if:</u> 1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be found 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. 2. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). 3. Tenders submitted by a joint venture or consortium where the JV/consortium agreement does not explicitly state that the parties of

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Clause Number from Standard Conditions of Tender	Tender Data
	the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. 4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering/RFP] process is: (a) they have a controlling partner or 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 of another tenderer, or to influence the decisions of the Employer regarding this bidding process; 5. Tenders signed by non-authorized persons. 6. Any tenderer that is restricted by National Treasury. 7. Any tenderer on the Tender Defaulters list. 8. A tenderer that sub-contracts 100% of the Scope of Work Eskom will disqualify tenderers that are found not to have met the eligibility criteria.
2.2 - 2.5 Tender Closing	The deadline for <i>Tender submission</i> is: Date 03 February 2026 Time 10:00 Late Tenders will not be accepted. Tenders are uploaded via Eskom Tender bulletin site on the Eskom E-tendering page
2.7-.2.11 Submitting a tender	For Electronic Tender Submissions The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be upload under the folder Technical, Commercial, Financial, and other. All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). The price list needs to be submitted in PDF and a copy in excel format. If not submitted in excel, it's non-disqualifiable and will be requested afterwards. No Zip/condense files can be uploaded No hard copy will be accepted

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	If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void. Please ensure that the submission status is indicated as complete. Supplier Help Manual guide and video can be found on Eskom E-Tendering page
2.12 Tender Validity Period	The tender validity period is [150] days :
2.15 Site visit and/or clarification meeting	A non-compulsory clarification meeting with representatives of Eskom will take place as follows: Date: 23 January 2026 Time: 10:00 Venue: via Microsoft Teams Microsoft Teams meeting Join: https://teams.microsoft.com/meet/32281537445387?p=QJ6WRN9xnKQGXTIbO8 Meeting ID: 322 815 374 453 87 Passcode: kk2z9ZJ6 Need help? System reference Dial in by phone +27 21 834 0825,,778340662# South Africa, Cape Town Find a local number Phone conference ID: 778 340 662# Tenderers must confirm their intention to attend with the Eskom Representative, stating the name, position and contact details of each proposed attendee. Please note that if the tender stipulates that a site/clarification meeting is mandatory/compulsory, then tenderers must attend such meeting. Tenderers that do not attend such mandatory/compulsory meeting will be disqualified and will not be evaluated.
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is [5] working days before the deadline for tender submission.
2.22 Alternative tenders	Alternative tenders are not allowed
2.33 Cataloguing	Not Applicable

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Clause Number from Standard Conditions of Tender	Tender Data				
2.34 Provision of Security for Performance	N/A				
3.4 Tender Opening	For E-tendering. There will be no public opening of tenders. Tenders will be downloaded electronically.				
3.5 Tender Prices	Prices will <i>not be read out</i> .				
3.9 Basic Compliance	Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements: Basic compliance for this invitation to tender: 1. Meet the eligibility criteria for a tenderer 2. Submit a complete tender with commercial, financial and technical information 3. Submission of the mandatory commercial tender returnables as at stipulated deadlines. For E-Tendering, a tenderer’s failure to have submitted/uploaded tender documents will render the tender non-responsive.				
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents by or the complete information required in mandatory documents by the deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender/RFP will be deemed non-responsive.				
3.13 Functionality requirements	Functionality requirements are <i>applicable</i> Tenderers who do not meet the threshold for functionality scoring will be disqualified				
Phase 1: Mandatory Requirements – Gatekeepers – NB – TO BE SUBMITTED BY ENQUIRY DEADLINE DATE • Company PSIRA Registration • Provide proof of company registration with CFR • CFR = Central Firearms Registry - It is the official body responsible for record-keeping, licensing, and regulation of firearms in South Africa.					
Phase 2: Desktop Evaluation Category score 100 points					
c	1	Management PSIRA Registration	no	Name:	1
	2			Reg No:	1
	3			Date of Registration:	1

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	4				PSIRA Grade:	1
d	1		PSIRA Letter of Good Standing	no	Date:	1
e	1		Certified letter of Company Registration	no	Date:	1
f	1		Provide COID letter of good standing (not older than 12 months from date of issue)	no	Date:	1
g	1		Provide proof of UIF compliance certificate (not older than 12 months from the date of issue)	no	Date:	1
h	1		Provide proof of public liability insurance min R15M (letters of intent will not be accepted)	no	Date:	1
i	Recruitment Strategy					
	1	i	Does the company have the required recruitment strategy or capability to recruit the required numbers?	No		1
	2	i	Strategy document provided?	No	Subjective content evaluation	1
		ii	Screening process detailed?	No	Included as part of strategy?	1
		iii	Medical evaluation strategy?	No	Included as part of strategy?	1
		iv	Competency evaluation strategy?	No	Included as part of strategy?	1
		v	Psychometric testing strategy?	No	Included as part of strategy?	1
		vi	Firearm training evaluation strategy?	No	Included as part of strategy?	1
		vii	Criminal record checks?	No	Included as part of strategy?	1
		viii	Previous employment checks?	No	Included as part of strategy?	1
J	Proof of employee competency / compliance (PSIRA Registration) (8 points)					
K	1		Employee HR list (Not older than 90 days)	No	Are all employees registered and	2

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				are registrations current?		
		Valid Letter from SAPS issued by the NKP office indicating company's application for registration to offer services at National Key Point (20 points)				
	1	Letter provided (Not older than 12 months)	No			2
		Does the company have any vehicles that can be used for the services tendered? (20 points)				
	1	List of vehicles	No			2
		i Owned / leased	No			2
	2	Strategy / method statement provided?	No			2
		Uniform policy (12 points)				
	1	Commitment statement that supplier is issuing uniform with insignia as per PSIRA requirements	No	yes/no		1
	2	Supplier to provide uniform inventory list with the tender	No	yes/no		1
	3	Supplier to include COVID requirements as part of standard uniform,	No	yes/no		1
	4	Supplier to provide uniform standard with what guards are being issued with in terms of (PPE / uniform) (suggest photos / pictures of uniform issued is included).	No	yes/no		1
	5	Statement or standard to clearly indicate how many sets of uniform & quantity of socks that will be issued per guard plus frequency of replacement.	No	yes/no		1
	6	Confirmation is required that uniform is issued free of charge to guard.	No	yes/no		1
Phase 3: On – site evaluation – at Supplier's Premises						
	5	Employment strategy/HR Procedure				

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Clause Number from Standard Conditions of Tender			Tender Data			
	a	i	Personnel Files		Provide proof of payslips of security officers	1
		ii			Provide an attendance register/time sheet	1
		iii			Provide proof of written employment contracts	1
		iv			Provide proof of training	1
	b	i	Human Resources Procedure		Does the procedure detail the process on how staff is employed? Selection, probation, evaluation?	1
		ii			Are employees made aware of relevant standards and procedures they have to comply with? How is this accomplished?	1
		iii			Does the company have a procedure dealing with employee performance, misconduct, development and absenteeism	1
6			Indicate human resource capacity	No	Does the company have at least 200 employees	

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					PLUS the required (60) required staff?	
	a				Can the company prove sufficient employees in order to service the contract, if not what is the strategy on acquiring the services of security staff keeping in mind SD&L requirements? Company to provide proof of employee numbers taking into consideration current contracts and the possibility of an Eskom future contract	2
7			Provide assurance of employee accreditation checks in addition to PSIRA checks	No	Does the company have a screening process before it appoints a security official?	
	a				Psychometric testing	1
	b				Vetting strategy	1
	c				Polygraph strategy	1
	d				SA Citizens check assurance	1
	e				Police Clearance	1

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8	Equipment and facilities					
			Control Room	No		
	a			Radios	1	
	b			Land lines	1	
	c			Fax lines	1	
	d			Reinforced doors and walls	1	
	e			Occurrence book	1	
	f			Emergency call- out procedure	1	
	g			Record Keeping (Reaction units)	1	
	h			Contingency plans	1	
	i			24 Hour availability	1	
	j			Number of control room operators	1	
09		Guard systems and equipment	No			
	a		Guard monitoring/response/communication and guard safety equipment		Does the company have the capacity to monitor guard activities? i.e. guard patrol system / GPS based system	1
	b		Guard equipment		Does the company provide guards with the following?	
		i			-site relevant PPE	1
		ii			- pocket book	1
		iii			- torch/baton	1
		iv			-radio	1
		v			-panic device	1

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10		vi		-cell phones for managers	1	
		vii		-reflective jackets	1	
		viii		-pepper spray	1	
		ix		-water bottle	1	
		x		-handcuffs	1	
	a	Employee transport	No	Does the contractor have capacity to transport employees to site?	1	
	b			-is the vehicle roadworthy lto the Road Traffic Act?	1	
	c			-is the vehicle newer that 24 months and have less than 50000km's?	1	
	d			-Is the allocated driver in possession of a relevant PDP and Drivers license?	1	
	e			-Is the vehicle branded on both sides?	1	
	11	a	Are the vehicles equipped with functioning communication capability ?	Verify	1	
		b	Do the vehicles meet Eskom's safety requirements?	Evaluate against Eskom fleet standard	1	
		c	Are the vehicles fitted with tracking systems?	Request tracking log	1	
		d	Is the vehicle branded on both sides?	Visual inspection	1	
		e	Is a spotlight part of the vehicle equipment? (Mounted / handheld)	Visual inspection	1	

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12	a	i	Site protection Strategy	No	-Does the company have a strategy on dealing with the site protection requirements as per C2 1.1?	2	
		ii			- Does the company keep a Risk Register?	1	
13	a		Strike policy and strategy	No	-Does the company have a policy in place on how to deal with strikes?	1	
	b				-Does the the company have a strategy dealing with a recovery during strike action?	1	
14	a		Availability of vehicles in terms of capacity	No	-is the vehicle roadworthy ito the Road Traffic Act?	1	
	b				-Is the vehicle branded on both sides?	1	
	c				-is the vehicle equipped with communications equipment?	1	
	d				-If a 4x4 is the vehicle equipped with roof mounted search lights?	1	
	e				-Is the vehicle equipped with roof mounted flashing light(s)	1	

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15	a		Uniform policy and availability	No	- Does the company have a policy detailing its uniform for all seasons/weather conditions?	1
	b				-Does the company provide three sets of uniform free of charge?	2
	c				-What is the procedure for security personnel obtaining replacement uniform?	1
16	a		Proof of at least 5 contracts of similar service	No	Yes/No	2
17	a		Firearm safe that is SABS approved		Inspect and verify	1
	b		Firearm Register A7 and A8		available for inspection	1
	c		Firearm Discharge register		available for inspection	1
	d		Firearm inspection		Inspect firearm condition and verify service records	1
	e		Firearm Safe working procedure		available for inspection	1
Threshold					70%	Total 100
Eskom Reserves the right to lower this threshold to 60% and above if no-one meets the minimum threshold Of 70%						
3.15 Evaluation of Price				Prices will be evaluated as follows:		
				1. Inclusive of VAT;		

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		Effective Date	30 October 2025		
		Review Date	October 2030		

Clause Number from Standard Conditions of Tender	Tender Data
	2. Corrected for arithmetical errors; 3. Excluding contingencies in any bill of quantities or activity schedule' 4. Adjusted for any other acceptable variations, deviations, or alternative tenders submitted; and 5. Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable. 6. Unconditional discounts will be taken into account for evaluation purposes. 7. Conditional discounts will not be taken into account for evaluation purposes but will be implemented when payment is effected. Prices will be scored out of [80 or 90] points The evaluation process will be conducted not in any specific order: (can be done in parallel/simultaneously or whichever way is most effective and efficient for cross functional team members) Basic Compliance: • Review tender submission for compliance to all submission requirements; and • Ensure mandatory requirements are met. Functionality (weighted criteria with minimum threshold) • Evaluate submissions against functional criteria. • Rate each submission against each criterion. • Apply weightings and calculate total functional score; and • Eliminate tenders below minimum threshold. Financial Evaluation- Price • Review offers for arithmetical errors and/or conduct technical adjustments (bring to a common base). • Financial Analysis of the Tenderer. Price and Preference scoring • Calculate price points out of 80/90 • Maximum 10/20 points may be allocated to preference points according to SPECIFIC GOALS (B-BBEE LEVEL) level contribution. • Add price points and preference points; and Select tender with highest points (Price Points + Preference Points).

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Clause Number from Standard Conditions of Tender	Tender Data
	Contractual Criterion OHS Tender Requirements Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer? Health and Safety Plan (must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements) Costing for Health and Safety management Has the tenderer submitted detailed costing for OHS (the cost should be broken down not provided as a lump sum). The costing must be based on the overall scope of work/service to be performed; The scope of work and the risk assessment may serve as a guideline. Baseline OHS Risk Assessment (BRA) Identification, assessment and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA Valid Letter of Good Standing (COIDA or equivalent) OHS policy signed by CEO The submitted policy must comply to OHS Act Section 7. OHS Competency (Consider scope of work, risks, OHS plan and applicability) - CV,s and qualifications for personnel participating on activity - Certificates Contractor Supervisor: • Hazard Identification and Risk Assessment • Incident investigation training • Supervisor training • Legal liability Safety Officer: • OHS Diploma • Hazard Identification and Risk Assessment • Incident Investigation Training • Legal liability • Knowledge and understanding of ISO 45001 and Minimum work experience of 2yrs.

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Clause Number from Standard Conditions of Tender	Tender Data
	Quality Quality: The supplier will be expected to comply with supplier quality management specification 240105658000 (previously called QM58) and ISO: 9001 Requirements as per the relevant Category 3 from 240-10565800 and other Eskom Holdings SOC Limited's Standards And specifications. Category 3 Tender Returnables • Form A Cat 3 Rev 9 • CQP and QCP templates for section C & D respectively; and • Supplier QM specification (QM 58) for reference only
3.18 Evaluation of Specific Goals / BBBEE Certificate / Sworn Affidavit	Specific goals will be scored out of [20 or 10] points in accordance with the PPPFA. If a tenderer fails to submit evidence of its points claim for a Specific Goal, it will not be disqualified. However, it will be awarded 0 points for that Specific Goal.
3.19 Ranking of tenders	Tenderers will be ranked by applying the preferential point scoring for the [90/10 or 80/20] system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest. The outcome will result in an award of a single contract to a single supplier or multiple contracts to multiple suppliers. The contract may be split based on regions/geographical locations close to the station or logistical aspects such as regions and reduced transport costs for rendering the service. Suppliers can Tender for one site or all sites in the Southern or Northern Regions.
3.20 Objective Criteria (if applicable)	<i>"Objective Criterion are not applicable (Eskom reserves the right not to award to the highest ranked tenderer)"</i> • Eskom is explicitly stating that while the PPPFA points system applies, they reserve discretion not to award to the top scorer. • This means they are not relying on formal "objective criteria" as defined in PPPFA but instead asserting institutional discretion. • In practice, this gives Eskom flexibility to reject the highest-ranked bidder if they believe awarding would not be in the utility's best interest (e.g., reliability, compliance, or strategic fit) (Eskom reserves the right not to award to the highest ranked tenderer)
3.21 Reverse e-auction (if applicable)	Reverse e-auction is not applicable

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Clause Number from Standard Conditions of Tender	Tender Data						
Contractual Requirements	<u>Mandatory Contractual Requirements that must be included in all tenders is the following: -</u> • Proof of CSD registration • SHEQ (OHS and Quality Returnables) • Due Diligence • The Tenderer is required to submit audited 18 months financial statements. A financial analysis of the supplier's financial statements will be performed to establish the supplier's ability to meet all its contract financial obligations and ability to uphold a contract of this magnitude. Contractual Requirements are not evaluation criteria. They will be assessed after the evaluation and ranking of the tenders. Proof that the tenderer recommended for award has met the stipulated contractual requirements must be submitted prior to contract award. Failure to meet stipulated Contractual Requirements by the stipulated deadlines may result in the tenderer being regarded as non-responsive and ineligible for contract award. SDLI Strategy Provision of Security Guarding Services Peaking Northern Region. <u>Local Procurement</u> <table><tr><td></td><td>Eskom Proposal</td><td>Supplier's Offer</td></tr><tr><td>Local Procurement</td><td>100%</td><td></td></tr></table> <u>Procurement spends on entities with a minimum 51% black ownership.</u> <u>Black Owned 20%</u> <u>Job Opportunities</u>		Eskom Proposal	Supplier's Offer	Local Procurement	100%	
	Eskom Proposal	Supplier's Offer					
Local Procurement	100%						

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Clause Number from Standard Conditions of Tender	Tender Data																													
	Tenderer to indicate number of Jobs to be created and/or retained due to this contract. <table><tr><th>Number of Jobs to be created</th><th>Number of Jobs to be retained</th></tr><tr><td></td><td></td></tr></table> <u>Skills Development</u> Tenderers are required to propose against the following training initiatives: <table><tr><th>Skills Category</th><th>Eskom Target</th><th>Entry</th><th>output</th><th>Tenderers Proposal</th></tr><tr><td>Grade B</td><td>5</td><td>N2/Grade 12 or Equivalent</td><td>Grade A</td><td></td></tr><tr><td>Supervisor</td><td>2</td><td>N2/Grade 12 or Equivalent</td><td>Certificate</td><td></td></tr></table> SDLI Strategy Provision of Security Guarding Services Peaking Southern Region <u>Local Procurement</u> <table><tr><td></td><td>Eskom Proposal</td><td>Supplier’s Offer</td></tr><tr><td>Local Procurement</td><td>100%</td><td></td></tr></table> <u>Procurement spends on entities with a minimum 51% black ownership.</u> <u>Black Owned 25%</u> <u>Job Opportunities</u> <table><tr><th>Number of Jobs to be created</th><th>Number of Jobs to be retained</th></tr><tr><td></td><td></td></tr></table>	Number of Jobs to be created	Number of Jobs to be retained			Skills Category	Eskom Target	Entry	output	Tenderers Proposal	Grade B	5	N2/Grade 12 or Equivalent	Grade A		Supervisor	2	N2/Grade 12 or Equivalent	Certificate			Eskom Proposal	Supplier’s Offer	Local Procurement	100%		Number of Jobs to be created	Number of Jobs to be retained		
Number of Jobs to be created	Number of Jobs to be retained																													
Skills Category	Eskom Target	Entry	output	Tenderers Proposal																										
Grade B	5	N2/Grade 12 or Equivalent	Grade A																											
Supervisor	2	N2/Grade 12 or Equivalent	Certificate																											
	Eskom Proposal	Supplier’s Offer																												
Local Procurement	100%																													
Number of Jobs to be created	Number of Jobs to be retained																													

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Clause Number from Standard Conditions of Tender	Tender Data				
	<u>Skills Development</u>				
	Tenderers are required to propose against the following training initiatives:				
	Skills Category	Eskom Target	Entry	output	Tenderers Proposal
	Grade B	10	N2/Grade 12 or Equivalent	Grade A	
Supervisor	5	N2/Grade 12 or Equivalent	Certificate		
	Tenderer to indicate number of Jobs to be created and/or retained due to this contract.				
	The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.				
	Note: That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives				
3.24 Sign form of Agreement/ Contractual Conditions	The conditions of the contract will be the NEC3 Term Services Contract				
2.28 CIDB Requirements (where applicable for Engineering and	CIDB Requirements are not applicable				

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Clause Number from Standard Conditions of Tender	Tender Data
Construction Works Contracts)	
2.29 Contract Skills Development Goals (CSDG) is <i>applicable</i>	Contract Skills Development Goals (CSDG) are not <i>applicable</i>
2.30 Contract Participation Goals is <i>not applicable</i>	Contract Participation Goals are <i>not applicable</i>

Please note:

Tenderers are requested to bear in mind Eskom's standard payment terms as stipulated hereunder when submitting tenders and concluding contracts with Eskom:

For contracts valued below R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying Suppliers within 30 days of receipt of undisputed invoices.

For contracts valued above R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying suppliers within 60 days of receipt of undisputed invoices.

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

A report containing a list of potential sub-contractors may be drawn by accessing the following link: www.csd.gov.za

“proof of B-BBEE status level of contributor” means-

- (a) the B-BBEE status level certificate issued by an authorised body or person; or
- (b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or
- (c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act

1.3 TENDER RETURNABLES

The tenderer must submit the returnable set out hereunder as part of its tender at the stipulated deadline.

NOTE THE FOLLOWING: -

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*** Returnables required at Tender closing (disqualifiable): -**

These returnables are required to be fully completed, signed (if required on the returnable) and submitted with the tender at Tender closing date and time. If not fully completed, signed (if required on the returnable) and/or submitted by tender closing, the tenderer will be disqualified.

**** Returnable required at Tender closing (non-disqualifiable): -**

These returnables are required to be fully completed, signed (if required on the returnable) and submitted with Tender at Tender closing date and time; however, if not submitted by Tender closing, or submitted with incomplete information or without a required signature, the Procurement Practitioner will, in writing, request the tenderer to submit the returnable within 5 working days. If the returnable is not fully completed, signed if required and/or received by the Procurement Practitioner within 5 working days of the request, the tenderer will be disqualified.

The 5 working days period does not apply to CIDB proof of grading. Refer to the returnable table the prescribed period for CIDB proof of grading.

Returnables required at Tender Closing date and time for evaluation: -

These returnables are required to be submitted at tender closing date and time. These returnables will not be requested by the Procurement Practitioner. A tenderer that does not submit the required returnable at stipulated deadline or submits an incomplete returnable; will not be disqualified but will score zero.

Returnable required prior to Contract Award.

Returnables that are mandatory for contract award must be submitted prior to award, completed in full if completion is a requirement and signed if signature is a requirement.

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	Electronic copy of the tender in a PDF format. The price list needs to be submitted in PDF and a copy in / excel format (The upload size per document is 500	√		

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable) *	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
	megabytes and total submission is restricted to 4 gigabytes) the Price lists are in an excel workbook with TABS per Station, please complete in full, if you have PDF'd, the excel copies will be requested and are preferred.			
Annexure A	Authorisation Form		√	
Annexure B	Acknowledgement Form		√	
Annexure C	Tenderers Particulars		√	
Annexure D	Integrity Pact Declaration form		√	
Annexure E	CPA for local goods/services (if applicable)		√	
Annexure F	CPA(IG) for imported goods/services (if applicable)		N/A	
Annexure H (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.			√
# Annexure I	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			
Annexure J	SBD 4 – Bidders Disclosure		√	
Reverse e-auction training acknowledgement form (if applicable)				√
E-tendering Help Manual acknowledgement form (If applicable)			√	
Additional Documents required in the event of JV: -	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		√	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		√	

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable) *	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.			√
# Specific Goals	A tenderer's failure to submit proof that it meets the specific goals will not result in its disqualification. The tenderer will, however, be scored zero for Specific Goals for purposes of PPPFA scoring and ranking.			
Tax Clearance Certificates	A certified copy of a tax clearance certificate is required from foreign tenderers (with a footprint in South Africa but that are not registered on CSD and have not provided a SARS pin number) and local tenderers (that have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa must complete the SBD1 document; however, no proof of tax compliance is required.			√
Tax Evaluation Questionnaire (if services contract and was included as annexure)	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE			√
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a "designated Employer" as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)			√
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		N/A	

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	deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer			
NEC ECC	NEC3 TSC to completed in full, including price lists for one or more stations.	√		
Pricing schedule	Completed pricing schedule (if not already submitted in the NEC). For e-tendering price schedule needs to be submitted in <i>PDF and or copy in excel format</i> . The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes.		√	
	MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE			
Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD number/CSD Report)			√
Safety	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)			√
Due Diligence/financial analysis	- Latest, approved (No draft annual financial statements or managements accounts are allowed for this process) annual financial statements of the tendering company (Not Parent or ultimate holding company) , including: - Background to the company - A signed director's report. - A signed auditor's/reviewer's/compiler's/accounting officer's report - Statement of financial position - Statement of comprehensive income			√

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required prior to Contract Award.
	○ Statement of changes in equity ○ Statement of cash flows ○ Notes to the financial statements. ● A signed copy of the public interest score (only applicable to South African entities that are not audited) ○ Giving the actual score ○ Indicating whether the company is owner managed or not ○ Confirming whether the annual financial statements were externally prepared or not. ● Copies of the ITA34C for the current & previous years of assessment (only applicable to South African entities that are not audited) ● For unincorporated JV or a SPV, each partner in the JV or a SPV must submit its annual financial statements including all items listed above.			

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ANNEXURE A

AUTHORISATION FORM

Indicate the status of the *tenderer* by ticking the appropriate box below.

A COMPANY	B CLOSE CORPORATION	C PARTNERSHIP	D JOINT VENTURE	E SOLE PROPRIETOR	F TRUST

The *tenderer* must complete the appropriate certificate set out below for its category of organisation. If the *tenderer* is a company, close corporation, joint venture, or trust the *tenderer* must attach a certified copy the document that is proof of the contents of the certificate (resolution of the board of directors of a company, members' resolution of a close corporation, power of attorney in the case of a joint venture, or resolution of the board of trustees of a trust).

Note further that, in addition to completing the relevant certificate for category of organisation, the authorised representative of the *tenderer* is also required to complete and sign the table at the end of this Authorisation Form.

A. Certificate for company

I, _____, in my capacity as _____ of the board of directors of _____, hereby confirm that by resolution of the board taken on _____ (date), Mr/Ms _____, acting in his/her capacity of _____, is authorised to submit this tender on behalf of the company, and to sign all documents in connection with this tender and any contract that may result from it on behalf of the company. A certified copy of the resolution of the board is annexed to this Form.

Signed:	Date:
Name:	Position:

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B. Certificate for close corporation

I, _____, in my capacity as member of _____, hereby confirm that by majority vote of the members taken on _____ (date), Mr/Ms _____, acting in his/her capacity of _____, is authorised to submit this tender on behalf of the close corporation, and to sign all documents in connection with this tender and any contract that may result from it on behalf of the close corporation. A certified copy of the members' resolution is annexed to this Form.

Signed:	Date:
Name:	Position:

C. Certificate for partnership

We, the undersigned, being the **key partners** in the business trading as _____ hereby authorise Mr/Ms _____, acting in his/her capacity of _____, to submit this tender on behalf of the partnership, and to sign all documents in connection with the tender and any contract that may result from it on behalf of the partnership.

Name	Address	Signature	Date

NOTE: This certificate is required to be completed and signed by the full number of Partners necessary to commit the Partnership. Attach additional pages if more space is required.

D. Certificate for Joint Venture

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We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms _____, an authorised signatory of _____, being the lead member in the Joint Venture, to sign all documents in connection with the tender and any contract that may result from it on behalf of all the members in the Joint Venture.

This authorisation is evidenced by the attached power of attorney signed by the legally authorised signatories of all the members in the Joint Venture.

We attach to this Form a certified copy of the Joint Venture Agreement which incorporates a statement that all members in the Joint Venture are liable jointly and severally for the execution of the contract, a term that indicates which member will be the lead member, and terms that indicate the ratios according to which work and payment will be divided amongst the members.

Name of JV member	Address	Authorised signature, name and capacity
Lead member		
Member		
Member		
Member		

NOTE: This certificate is required to be completed and signed by all members of the joint venture. Attach additional pages if more space is required.

E. Certificate for sole proprietor

I, _____, hereby confirm that I am the sole proprietor of the business trading as _____

Signed:	Date:
Name:	Position:(Sole Proprietor)

F. Certificate for trust

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I, _____, in my capacity as _____ of the board of trustees of _____, hereby confirm that by resolution of the board of trustees taken on _____ (date), Mr/Ms _____, acting in his/her capacity of _____, is authorised to submit this tender on behalf of the trust and to sign all documents in connection with this tender and any contract that may result from it on behalf of the trust. A certified copy of the resolution of the board of trustees is annexed to this Form.

Signed:	Date:
Name:	Position:

NOTE: The table below must also be fully completed by all *tenderers* in addition to the certificate that was selected and completed above.

Name of tenderer:	
Full names of authorised signatory:	
Designation and capacity:	
Signature of authorised signatory	
Date of signature:	

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ANNEXURE B

ACKNOWLEDGEMENT FORM

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

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

4. We are a Distributor/Importer/Agent and our Principal, being the Original Equipment Manufacturer (OEM), is or is not [**delete whichever is not applicable**] in the position to supply cataloguing information for items. We attach the letter from the OEM confirming its position. ☐

Invitation to Tender/Request for Proposal No: _____

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Name of Tenderer: _____

Country of registration: _____

Full names of contact person: _____

Contact details:

Tel (landline):
Cell phone:
e-mail address:

Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE C

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 or CIPC disclosure certificate (for individual companies and each JV member) or trust number.	
VAT registration number (for individual companies and each JV member)	
CIDB registration number (for individual companies and each JV member), contractor grading designation (for individual companies and each JV member) and combined cidb contractor grading designation (for JVs)	
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 in the case of a JV)	

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 or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	

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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 National Treasury's Central Supplier Database (CSD), please provide your supplier registration number with Treasury _____
3. Please note that it is not mandatory for you to be registered on National Treasury's CSD at the time of responding to this tender. It is, however, a mandatory requirement that you be registered on CSD prior to award.
4. You may register online at National Treasury website on www.treasury.gov.za
5. If you are registered on SARS E-filing system, please provide your PIN number in order to verify your tax compliance 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 E-filing PIN, please confirm that you have attached or will furnish a copy of a current valid tax compliance certificate as a tender returnable by contract award stage.

YES		NO	

7. **If sub-contracting is prescribed in the Invitation to Tender , tenderers must complete 7.1 to 7.9.**

7.1 Confirm if you intend sub-contracting

YES		NO	
-----	--	----	--

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7.2 What percentage will you be sub-contracting? _____%

7.3 To whom do you intend sub-contracting? _____

7.4 Is the said sub-contractor registered on CSD?

YES		NO	
-----	--	----	--

7.5 If yes to 8.4, please provide CSD number. _____

7.6 Please confirm B-BBEE level of said sub-contractor _____

7.7 Which designated group does the sub-contractor belong to: -

- a) An EME or QSE;
- b) An EME or QSE which is at least 51% owned by black people;
- c) An EME or QSE which is at least 51% owned by black people who are youth;
- d) An EME or QSE which is at least 51% owned by black people who are women;
- e) An EME or QSE which is at least 51% owned by black people with disabilities;
- f) An EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
- g) A cooperative which is at least 51% owned by black people;
- h) An EME or QSE which is at least 51% owned by black people who are military veterans; or
- i) More than one of the categories referred to in paragraphs (a) to (h).

7.8 Please confirm that you have attached your signed intention to sub-contract document.

YES		NO	
-----	--	----	--

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

YES		NO	
-----	--	----	--

Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

ANNEXURE D

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INTEGRITY DECLARATION FORM

Note: This returnable is required to be fully completed, signed and submitted by tenderers at the stipulated deadlines.

1 DECLARATION OF INTEREST

I/We understand that an employee of the State as defined in the Public Service Act of 1994 is prohibited from conducting business with any organ of state and from being a director of a public or private company that conducts business with an organ of state.

I/We understand that any natural/legal person, including any natural legal person related to an Eskom employee/director as per the definition of "related" set out hereunder, may submit a tender to Eskom. However, in order to establish whether a conflict of interest exists tenderers are required to declare such interest/relationships where: -

1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom.
2. the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors.
3. the *legal entity including its employees/contractors/ directors / shareholders /members /partners / owners* on whose behalf the tender documents are signed, is/are in some other way related to an Eskom employee/contractor/consultant/director involved in the tender specification/ tender evaluation/tender adjudication/negotiation.
4. the tenderer/s and one or more other tenderers in this tendering/RFP process have a controlling partner in common, or 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 over the tender/proposal of another tenderer, or influence over the decisions of Eskom regarding the bidding process;

Related:

(1) When used in respect of two persons, means persons who are connected to one another in any manner contemplated below:

- (a) an individual is related to another individual if they-
 - (i) are married, or live together in a relationship similar to a marriage; or
 - (ii) are separated by no more than two degrees of natural or adopted consanguinity or affinity;
- (b) 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 set out in subsection (2) below; and

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- (c) a juristic person is related to another juristic person if-
- (i) either of them directly or indirectly controls the other, or the business of the other, as determined in accordance with subsection (2) below;
 - (ii) either is a subsidiary of the other; or
 - (iii) a person directly or indirectly controls each of them, or the business of each of them, as determined in accordance with subsection (2) below.

“related person”, when used in reference to a directors/shareholders/members/partners/owners, has the meaning set out in 3.3.16, but also includes a second company of which the directors/shareholders/members/partners/owners or a related person is also a director directors/shareholders/members/partners/owners, or a close corporation of which the director or a related person is a member.

Control:

- (2) For the purpose of subsection (1) above, a person controls a juristic person, or its business, if-
- (a) in the case of a juristic person that is a company-
 - (i) that juristic person is a subsidiary of that first person, as determined in accordance with the Companies Act¹; or
 - (ii) that first person together with any related or inter-related person, is-
 - (aa) directly or indirectly able to exercise or control the exercise of a majority of the voting rights associated with securities of that company, whether pursuant to a shareholder agreement or otherwise; or
 - (bb) has the right to appoint or elect, or control the appointment or election of, directors of that company who control a majority of the votes at a meeting of the board;
 - (b) in the case of a juristic person that is a close corporation, that first person owns the majority of the members’ interest, or controls directly, or has the right to control, the majority of members’ votes in the close corporation;
 - (c) in the case of a juristic person that is a trust, that first person has the ability to control the majority of the votes of the trustees or to appoint the majority of the trustees, or to appoint or change the majority of the beneficiaries of the trust; or

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- (d) that first person has the ability to materially influence the policy of the juristic person in a manner comparable to a person who, in ordinary commercial practice, would be able to exercise an element of control referred to in paragraph (a), (b) or (c) of subsection (2).

“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 an employee/consultant/ contractor and/or director of a State/State owned entity.	Full Names & Capacity/Position of Eskom employee/ consultant/contractor and/or director details of the relationship or interest (marital/ familial/personal/ financial etc.)	To your knowledge is this person involved in the specification/ evaluation/ adjudication/ negotiation of tenders?

If any employee/director/member/shareholder/owner of the tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation to undertake remunerative work outside public sector employment and attach proof to this declaration. _____
[Yes/No]

Do the tenderer/s and any other tenderer/s in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? _____(
[Yes/No]

If Yes, attach proof. to this declaration

2 DECLARATION OF FAIR TENDERING PRACTICES

The tenderer declares that it has taken all reasonable steps to address and 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:

1. abused Eskom's procurement process (e.g. bid rigging/collusion); or
2. committed fraud or any other improper conduct in relation to such procurement process.

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

Item	Question	Yes	No
------	----------	-----	----

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1.1	Is the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector. The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Is the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries 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 tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries convicted by a court of law (including a court outside South Africa) of fraud and/or corruption in respect of any procurement/tendering processes/procedures during the past five years?		
1.3.1	If "Yes", provide details including a case number and a copy of the judgement.		
1.4	Was the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries prohibited from doing business with any International Financial/Lending Institution or Development/Funding Agency?		
1.5	Is there any history/record of the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries failing to meet their contractual obligation with the State or any State Owned Entity(SOC)?		
1.5.1	If "Yes", provide details		

3. DECLARATION OF SHAREHOLDING / BENEFICIARY INFORMATION

I, the undersigned _____ [Full names and Position] _____
hereby declare that I am the duly authorised representative of _____ [Name of Tenderer].

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I further declare that the following individuals and/or entities listed hereunder are Shareholders / Beneficiaries in _____ [Name of Tenderer]:

Note that the information in the tables hereunder must be completed in full for each tenderer (including incorporated JVs). If the tenderer is an unincorporated JV, the tables must be completed for each JV member. Please add additional rows if required.

Individuals:

Full Name	Identity Number	Shareholding Percentage / Beneficiary Share

Other Entities*:

Full Legal / Trading Name	Entity Registration Number/Trust Number	Shareholding Percentage / Beneficiary Share	Full name and surname of the /shareholders/ directors/ trustees/ beneficiaries of the shareholding entity	Identification Numbers of the shareholders/directors/ trustees/beneficiaries of the shareholding entity

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is true and 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 declaration prove to be false, and

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I give my consent for this information to be used for the purpose as described in this Integrity Declaration Form and/or in relation to the Supplier Integrity Pact, and

I further consent that information provided in terms of this Integrity Declaration Form may be processed for verification of conflicts of interest and other ancillary purposes by Eskom. Such processing may include the sharing of the information with third parties.

Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

Joint Ventures

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is true and 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 declaration prove to be false; and

I give my consent for this information to be used for the purposes described in this Integrity Declaration Form and/or in relation to the Supplier Integrity Pact, and

I further consent that information provided in terms of this Integrity Declaration Form may be processed for verification of conflicts of interest and other ancillary purposes by Eskom. Such processing may include the sharing of the information with third parties.

Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE E

CONTRACT PRICE ADJUSTMENT (CPA) REQUIREMENTS FOR LOCAL GOODS AND SERVICES.

The application of contract price adjustment (CPA) to tender submissions

Note: This Section will not be applicable to Professional services contracts (See relevant section hereunder for guidelines on this).

1. Application of CPA

- CPA conditions may apply if the contractual duration is to be longer than 12 months.
- If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.
- For contracts with a duration more than twelve (12) months, CPA will not be applicable for the first year. CPA will then only be applied from year two (2) onwards.
- Failure to propose contract price adjustment, or submit a CPA formula with the tender submission, will result in the pricing being considered fixed.
- Eskom will not accept Rate of Exchange adjustment to be included in any CPA formula.
- Local indices may not be used for CPA purposes for any imported component.
- There must be separate CPA formulae for local and foreign CPA. Local and foreign escalation may not be combined into one formula.

2. Tender Submissions

[Procurement Practitioner/QS to populate table hereunder as per scope of work for relevant Tender]

Eskom Proposed CPA breakdown for Local Goods and Service

Formula A						
Index Reference	Proposed portions/Weightings of each index	Description of Index	Full Title of Index published	Source Publisher of Index	Base Month	Base Price/Base Index Figure
A1						
A2						
A3						
	15%	Fixed portion not subject to CPA				
Total	100%					

Note: Tenderers to take note that, if the Eskom proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for Eskom's proposed CPA breakdown.

Eskom CPA Conditions/Requirements

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- Tenderers are required to submit CPA that is aligned to Eskom's proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom's CPA proposal, and this will be considered if deemed acceptable to Eskom;
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied,
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.
- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted).
- If there are specific line items for Labour and Transport, individual Formulae might be used.

Note: Eskom reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

3. **BASE DATE AND BASE PRICE**

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the tender closes.
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the tender closes should be used as the Base Price.

4. **CPA FOR PROFESSIONAL SERVICES**

- The preferred index to be used for adjusting these agreements is the country specific CPI Headline index.
- The price adjustment factor will be effective from each contractual anniversary of the contract date. This must be the average of the country specific CPI Headline index figures published for the last twelve-month period (cycle) ending before the contract anniversary date.

OR

Closing date of tender:	
Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Date of signature:	

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SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS		E-MAIL ADDRESS			
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS		TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES 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					

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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.

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, 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 I

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The **lowest/ highest** acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

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1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

80/20 or 90/10

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Table 1: Specific goals for the tender and points claimed are indicated per the table below.

B-BBEE Status Level	Points (80/20 system)	Points (90/10 system)
Level 1 Contributor	20	10
Level 2 Contributor	18	9
Level 3 Contributor	16	8
Level 4 Contributor	12	5
Level 5 Contributor	8	4
Level 6 Contributor	6	3
Level 7 Contributor	4	2
Level 8 Contributor	2	1
Non-compliant	0	0

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole proprietor
 - ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited
 - ☐ Trust
 - ☐ Non-Profit Company
 - ☐ State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the

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company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

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ANNEXURE J

SBD 4

TENDERER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to tender / request for proposal. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, Eskom requires the tenderer to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the tender process.

2. TENDERER'S DECLARATION

- 2.1 Is the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise, employed by the state?

[YES/NO]

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in the table below.

Full Name	Identity Number	Name of State Institution

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2.2 Do you, or any person connected with the tenderer, have a relationship with any person who is employed by the procuring institution?

[YES/NO]

If so, furnish particulars:

.....
.....

2.3 Does the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

[YES/NO]

If so, furnish particulars:

.....
.....

3. DECLARATION

I, the undersigned, (name)..... in submitting the accompanying tender, do hereby make the following statements that I certify to be true and complete in every respect: -

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying tender will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The tenderer has arrived at the accompanying tender independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium will not be construed as collusive bidding.
- 3.4 There have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the tender, tendering with the intention not to win the tender and conditions or delivery particulars of the products or services to which this tender invitation relates.

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- 3.5 The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the tenderer with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the tender submitted where so required by the institution, and the tenderer was not involved in the drafting of the specifications or terms of reference for this tender.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, tenders that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and/or the tenderer maybe restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE TENDER OR ACT AGAINST THE TENDERER IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

Date

.....

Position

Name of bidder

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