ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER (ITT)

FOR

THE DESIGN, MANUFACTURE AND TESTING EX-WORKS OF VARIOUS TYPES OF POLE TOP AND GROUND MOUNTED TRANSFORMERS ON AN "AS AND WHEN" REQUIRED BASIS OVER A 12-MONTH PERIOD FOR DISTRIBUTION DIVISION.

Tender number	E3830DXECOU
Issue date	12 November 2026
Closing date and time	04 December 2026 at 10h00am SAST
Tender validity period	90 days from the closing date and time
Clarification meeting	20 November 2026 from 10h00am to 12h00pm on MS Teams as per the following link
Microsoft Teams meeting **Join:** https://teams.microsoft.com/meet/3555685708871036?p=jOn9LQrOLKeNZGjt9a Meeting ID: 355 568 570 887 103 6 Passcode: Vu2Wj2FE **Dial in by phone** +27 21 834 0825,,640605920# South Africa, Cape Town Find a local number Phone conference ID: 640 605 920# For organizers: Meeting options | Reset dial-in PIN	
Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time.	Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the design, manufacture and testing ex-works of various types of Pole Top and Ground Mounted Transformers on an “as and when” required basis over a 12-month period for Distribution Division.

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 (Acting)

(Lerato Noko)

Date: 12/11/2026

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1.1 Annexures to the Tender

The following document listed hereunder are attached to this Invitation to Tender

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
1.1.7	SBD 6.2 Declaration Certificate for Local Production and Local Content **(only applicable if designated materials are included and then Tenderers will be required to complete and submit Annexures G1 to G4 as evidence of compliance with this requirement).** Annexure C Local Content Declaration- Summary Schedule Annexure D Imported Content Declaration – Supporting Schedule to Annexure C Annexure E Local Content Declaration- Supporting Schedule to Annexure C	Annexure G1 Annexure G2 Annexure G3 Annexure G4	Y Y Y Y
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		N/A

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Number	Description	Annexure	Attached (Y / N / N/A)
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)		N/A
1.1.17	Contract Participation Goals (CPG) (if applicable)		N/A
1.1.18	Scope of Work		Y
1.1.19	NEC 3 Supply Contract		Y
1.1.20	Pricing Schedule/BOQ (if not contained in Contract) PDF and a copy in excel format. The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes.		Y

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,** 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.

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Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	The *Employer* is **Eskom Holdings SOC Ltd** The Eskom *Representative* is: Name: Lonwabo Mavukwana Tel: 043 703 2023 E-mail: Mavukwlm@eskom.co.za
1.3 Tender documents	The Invitation to tender number is: E3830DXECOU See the content list above for the tender documents.
1.4 Type of Invitation to Tender/ RFP	This Invitation to Tender is: **1.** An open Invitation to Tender
1.6 Eskom's right to accept or reject any tender	The tender shall be for the [**whole /part**] of the contract. The Whole refers to full scope of work (all the items) and part refers to part of the scope of work (some of the items)).
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. **Tenderers are ineligible to submit a tender if:** **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 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 process is:

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Clause Number from Standard Conditions of Tender	Tender Data
	(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-authorised persons. **6.** Any tenderer that is restricted by National Treasury. **7.** Any tenderer on the Tender Defaulters list. **8.** Any tenderer and/or its director/s that is restricted by Eskom. **9.** 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 **Tender submission** is: Date **04 December 2026** Time **10h00am SAST** **Late Tenders will not be accepted.** **Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page.**
2.7-.2.11Submitting a tender	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. No Zip/condense files can be uploaded No hard copy will be accepted 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

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Clause Number from Standard Conditions of Tender	Tender Data
2.12 Tender Validity Period	The tender validity period is **90** days:
2.15 Site visit and/or clarification meeting	A **non-compulsory clarification meeting** with representatives of Eskom will take place as follows: 20 November 2026 from 10h00am to 12h00pm on MS Teams as per the following link **Microsoft Teams meeting** **Join:** https://teams.microsoft.com/meet/3555685708871036?p=jOn9LQrOLKeNZGjt9a Meeting ID: 355 568 570 887 103 6 Passcode: Vu2Wj2FE **Dial in by phone** +27 21 834 0825,,640605920# South Africa, Cape Town Find a local number Phone conference ID: 640 605 920# For organizers: Meeting options | Reset dial-in PIN
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**. If alternative tender(s) are allowed, it may be based only on the following criteria and subject to acceptance by Eskom*:* **1.** A different completion date; **2.** A different payment method; **3.** Different technical methods and specifications; and/or **4.** A different main option and other combinations of secondary option clauses, acceptable to Eskom as the Employer, selected from the NEC Supply Contract.
2.33 Cataloguing	The successful tenderer may be required to provide the cataloguing information per item after contract award and will need to ensure that all materials delivered to Eskom are labelled in line with Eskom's labelling specifications as may be stipulated by Eskom. Where cataloguing is a requirement, the Pricing Schedule must also include a line item for cataloguing, which tenderers are required to quote for. Eskom will pay for the cataloguing.
2.34 Provision of Security for Performance	If the provision of security for performance in the form of a performance bond or a demand guarantee is a requirement, the tenderer must select a minimum of two (2) financial institutions that it

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	is likely to approach from the list provided of Eskom-approved financial institutions.
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 **not be read out**.
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 are: 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 will be deemed non-responsive. • 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 limit is 50MB per file and total submission of 900MB per submission) • Priced BOQ • Signed Contract Data by contractor. • Completed NEC 3 Offer and acceptance. • Technical requirements.
3.13 Functionality requirements	Functionality requirements are **applicable**

This evaluation criteria will be used to measure the bidders in their ability to supply Eskom with pole and ground mounted transformers in accordance with the specific requirements of **240-45395762 Rev 4**. This will be achieved by doing both the desktop evaluation using technical tender returnable and by undertaking a factory assessment for the purpose of evaluating each factory at which the equipment supplied to Eskom will be manufactured.

Evaluation of Tender Documents will be based the technical evaluation criteria for Pole Top and Ground Mounted Transformers document number **240-128700801.**

The methodology and relevant scoring can be summarized as follows:
Methodology and Relevant Criteria:

Item	Marks	Remarks

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Clause Number from Standard Conditions of Tender		Tender Data
Tender returns: Mandatory	N/A	Mandatory evaluation criteria must meet criteria. If any one of the mandatory requirements is not met, the submission for the specific SAP number shall be deemed non-responsive and will be disqualified and removed from the evaluation process.
Tender returns: Functional	100%	Bids meeting the Mandatory evaluation criteria shall be evaluated against the Functional evaluation criteria to allocate an evaluation result (score). Each tender submission will start with a score of 0. Each criterion is allocated a score. Scores shall be allocated to each bid per SAP number, and per criterion, if the tender returnable complies and demonstrates compliance to the tender and criterion requirements.
Factory assessment	Bids meeting the requirements of the Functional threshold shall be eligible for the factory assessment. Only the factories that have been declared accredited after the factory assessment, i.e. no risks outstanding, can proceed to the next stage of evaluation. Any risk identified during the assessment must be addressed within 30 calendar days, from the date of written notification.	

Phase 1:

Mandatory Requirements
Completeness of Mandatory Returnable:

The Mandatory returnable will be reviewed for completeness against the criteria stipulated in section 4. Completeness checks shall include verification that the required document has been returned and that the document contains the required information.

The bidder is required to submit all the information required and the document must be correctly completed.

The gaps (blanks), TBA, and similar remarks that are not an appropriate/relevant response shall render the document incomplete. Cases where the required information is provided as an attachment or accompanying page and the details are not recorded in the AB Schedule must be so indicated as such in the AB Schedule and made easy to reference.

If any of the required documents or information is not available, the submission shall be deemed non-responsive; the submission shall be disqualified and not evaluated further.

Phase 2:

Functional Requirements:

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Clause Number from Standard Conditions of Tender	Tender Data

Functional criteria will only be evaluated for bids that have passed the mandatory requirements.

Scoring will be in accordance with Table below. Submissions achieving a minimum score of 80.00% shall proceed to the next stage of the technical evaluation.

Scoring Criteria: Functional Requirements

The following criteria and returnable will be assessed per SAP number contained in the bid documents that has met the Mandatory requirements:

Scored Criteria			
General Requirements			
Item	**Functional Criteria**	**Points Awarded**	**Tender Returnable Requirements**
1.	Does the insulation level BIL comply completely with the requirements of schedule A (5 marks each for LV and MV)?	10	Technical A&B Schedule and Deviation Schedule (and relevant supporting evidence
2.	Does the Power frequency withstand voltage comply completely with the requirements of schedule A (5 marks each for LV and MV)?	10	Technical A&B Schedule and Deviation Schedule (and relevant supporting evidence
3.	Are all the temperature rise figures complying with the requirements as indicated in SANS780?	10	Temperature Rise Test Reports

Item	Functionality Criteria	Points Awarded	Tender Returnable Requirements
4.	Regarding tapping Range (a for single phase, b for dual and three phase) For single phase transformers, is the tapping range 0 to 5% in steps of 2.5% via external tapping connections? For dual and three phase transformers, is the tapping range -5 to +5% in steps of 2.5%?	10	Technical A&B Schedule and Deviation Schedule Technical A&B Schedule and Deviation Schedule
5.	Is the Inter-turn winding Insulation stress less than 5 kV/mm?	10	Technical A&B Schedule and Deviation Schedule

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6.	The Highest Interlayer Stress in the non-tapping part of the winding must be stipulated in the schedules, and must be less than 5 kV/mm. (Note: an answer of <5 kV/mm is not acceptable as the calculated value must be presented)	10	Technical A&B Schedule and Deviation Schedule
7.	The Highest Interlayer Stress in the tapping part of the winding must be stipulated in the schedules, and must be less than 5 kV/mm. (Note: an answer of <5 kV/mm is not acceptable as the calculated value must be presented)	10	Technical A&B Schedule and Deviation Schedule
8.	Is the minimum clearance between live terminals and from live terminals to any part of the tank greater than twice the BIL? e.g. for 22 kV = 2x 150= 300mm AND Is a minimum mechanical clearance of 100 mm between the brackets and LV bushings maintained?	10	OEM General Arrangement Drawing (minimum requirements as per 3.5 of 240-45395762)
9.	Are the other specific requirements offered in the B schedule compliant with the requirements in the A schedule (i.e. specific requirements not evaluated in criteria 1 to 8)	10	Technical A&B Schedule and Deviation Schedule
10.	As per the Eskom standard 240-45395762 and SANS780. 1. Have the type and routine test lists been provided? 2. Have the type test reports/certificates been provided for the specific designs offered on the tender? Important note: reports with failed tests will not be awarded points. (10 points if the test lists and all the type tests certificates are provided, 0 if any list, or test on the list or test reports/certificates are not provided.)	10	Type Test lists, Routine Test Lists and Type Test Reports
	Total	**100**	

Tenderers will be expected to score an overall threshold of **80%** for technical to be prequalified to proceed the next phase.

Phase 3:

Factory assessment and accreditations:

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This is a pre-contract award requirement for each factory as stipulated in section 3.1 above. Factory Capability Assessments shall be undertaken in accordance with the principles contained in CIGRE Technical Brochure 530 and the supplier evaluation requirements of ISO 9001 Clause 8.4 relating to the control and evaluation of external providers. The assessment shall verify the manufacturer's design capability, manufacturing capacity, quality management systems, testing facilities, engineering competence, and ability to consistently manufacture transformers compliant with IEC/SANS 60076 requirements.

Suppliers will be evaluated against a predetermined Factory Assessment Checklist. Each assessment criterion will be graded as follows:

- **3** = Fully Compliant
- **2** = Partially Compliant / Inconsistent Compliance
- **1** = Not Compliant

Where a supplier receives a grade of 2 or 1, feedback will be provided detailing the identified gaps and required corrective actions. The supplier will be required to submit and implement corrective action plans within agreed timelines. Failure to satisfactorily implement the corrective actions within the specified period may result in disqualification from the tender process. The Factory Assessment requirement may be waived for manufacturing facilities that possess a valid factory accreditation or assessment report recognised by the Employer and issued within the preceding twelve (12) months, provided that the accreditation covers the scope of supply under this tender. Manufacturing facilities that have not previously been assessed by the Employer shall be subject to a full Factory Assessment in accordance with the requirements contained in Annexure B. Where a supplier is represented by a distributor, agent, or local representative, the actual manufacturing facility responsible for the production of the transformers shall be assessed in accordance with the above process.

The Factory Assessment is a risk management and supplier qualification process aimed at protecting public safety, ensuring network reliability, and safeguarding Eskom Distribution's investment in strategic infrastructure assets. Accreditation is granted based on the demonstrated capability of the manufacturing facility and not on the commercial structure through which the products are offered. Accordingly, it ensures that all suppliers are evaluated against the same objective criteria and that the factory producing the equipment is capable of consistently delivering compliant transformers. A supplier who does not own the factory is welcomed to tender but the factory where transformers will be manufactured will have to be assessed. The supplier is required to communicate this requirement to their OEM (original equipment manufacture). Companies that have more than one factory will not be getting a blanket assessment and/or approval; each factory will be evaluated on its own merit. The checks shall be done as per the factory capability assessment spreadsheet on annexture B. Oil filling requirements as stated in 240-45395762 Section 3.2.6 and anti-corrosive/ painting procedures will be assessed at this point.

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Note: The Employer reserves the right to conduct additional assessments or verification visits where deemed necessary to confirm the supplier's manufacturing capability, quality management systems, production capacity, or compliance with tender requirements. **Phase 4:** To place all technically acceptable suppliers on the Eskom Distribution Data base known as "Technically Evaluated and Acceptable Products" (TEAP). Standard 240-128700801 Rev 3. Governance Rules and Processes for Managing the Technically Evaluated and Accepted Products (TEAP) database in Eskom Distribution.	
3.15 Evaluation of Price	Prices will be evaluated as follows: **1.** Inclusive of VAT; **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
3.18 Evaluation of Specific Goals	Specific goals will be scored out of [**20 or 10**] points in accordance with the PPPFA. **Tenderers must submit:** The following must be submitted to claim preference points, • Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit

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Clause Number from Standard Conditions of Tender	Tender Data
	• Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown • Certified ID copies of shareholder(s) • Proof of Disability (where applicable) 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 [**80/20 or 90/10**] system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest. Either 80/20 or 90/10 will apply should there be a degree of uncertainty i.e. based on technical outcome and tendered price per item or SAP number on which system will apply. The lowest acceptable tender will be used to determine the applicable preference system.
3.20 Objective Criteria	Objective criteria are **not applicable.**
3.21 Reverse e-auction	Reverse e-auction is **not applicable**
Contractual Requirements	Mandatory Contractual Requirements that **must** be included in all tenders is the following: - • CSD registration
Additional Contractual Requirements that may be included if applicable:	

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Clause Number from Standard Conditions of Tender	Tender Data

SDL&I and Designated Sector Requirements

Manufacturers and suppliers are required to meet the prescribed thresholds for the goods that are designated for local production and content to be supplied by them under this contract. The items and applicable thresholds are listed below. The quantities are estimated however the desired result is to award to multiple manufacturers / suppliers and the demand will be determined by need for the goods over a period of twelve (12) months. Manufacturers / suppliers need to price per each item they will be supplying, and the Bid Price must therefore be the total all the different goods they will be supplying per unit.

Commodity	Components	Local Content Threshold
Transformers	Class 0 (0.001MVA to 1MVA power rating: 220V-33kV voltage rating)	90%

The following are mandatory returnables for contract award:

- SBD 6.2: **Local Content Declaration Certificate** duly completed and signed. (Mandatory)
- Annexure C: **Local Content Declaration Summary Schedule** duly completed and signed. Summarizes the tender's calculation results, tender value, and exact local content percentages (Mandatory)
- Annexure D: **Imported Content Declaration - Supporting Schedule.** Breaks down all imported components, raw materials, values, foreign exchange rates, freight costs, and landing charges. (Mandatory)
- Annexure E: **Local Content Declaration - Supporting Schedule.** Provides local goods, services, raw materials, manpower, and factory overhead costs sourced within South Africa. (Mandatory)
- Exemption letter from the Department of Trade Industry and Competition (DTIC) if the stipulated threshold for local content for any designated items cannot be met (Mandatory).
- Duly signed delegation of authority letter from someone in executive authority if the person signing the SBD 6.2 and the Annexure C is not someone ordinarily in executive authority in the entity. (Mandatory)

Quality Requirements

The evaluation for quality requirement compliance will be based on category 1, with the following sections.

- SECTION A: Quality Management System Requirements ISO 9001 (Option 1) valid certification of Quality Management System by an ISO accredited body
- SECTION B: Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)
- SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698), Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)
- SECTION D: Quality Control Plan Requirements (Ref 240-105658000 or 240-109253302), QCP /Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005)

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Clause Number from Standard Conditions of Tender	Tender Data
• SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000), Customer specific requirements & other standards and required can be listed and evaluated. **Financial Viability Requirements** 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: o Background to the company o A signed director's report. o A signed auditor's/reviewer's/compiler's/accounting officer's report o Statement of financial position o Statement of comprehensive income o Statement of changes in equity o Statement of cash flows o Notes to the financial statements. • A signed copy of the public interest score (only applicable to South African entities that are not audited) o Giving the actual score o Indicating whether the company is owner managed or not o 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.	
3.24 Sign form of Agreement/ Contractual Conditions	The conditions of the contract will be the **NEC 3 Supply Contract**
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements are **not applicable**
2.29 Contract Skills Development Goals (CSDG)	Not Applicable
2.30 Contract Participation Goals	Not Applicable

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:

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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

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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: -

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

These returnables are required to be completed, signed (if required on the returnable) and submitted with the tender at Tender closing date and time. If not 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 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 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 if completion is a requirement and signed if signature is a requirement.

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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.
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 megabytes and total submission is restricted to 4 gigabytes)	√		
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)	√		
Annexure G1-G4	SBD 6.2 -Declaration certificate for local production and content and Annexures G2, G3, G4			√
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		√	

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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.
	the duration of the contract or this may be included as an obligation within the JV agreement.			
	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)			√

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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.
CIDB (where applicable)	Valid proof of the required CIDB grading designation for the main contractor; JV and /or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer		√	
NEC or other Contract	NEC 3 Supply Contract document.	√		
Pricing schedule	Completed pricing schedule (if not already submitted in the NEC or other Contract). For e-tendering price schedule needs to be submitted in *PDF*	√		
	and a copy in excel format. The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes.		√	
MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE				
Mandatory Contractual Requirement	CSD Registration (CSD number/CSD Report)			√
ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE				
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)			√
Quality	Quality requirements as listed on the ITT			√
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:			√

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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.
	○ 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 ○ 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.			
DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA				
Functionality/Technical	• Technical evaluation criteria for Pole Top and Ground Mounted Transformers document number **240-128700801.** • Eskom with pole and ground mounted transformers in accordance with the specific requirements of **240-45395762 Rev 4**.	√		

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Pole Top and Ground Mounted Transformers

SAP No	Description	QTY	Unit Price	Total Price
175077	TFR 16KVA 11KV/240V COASTAL D3021	600		
175078	TFR 16KVA 22KV/240V COASTAL D3021	350		
175081	TRF 25KVA 11KV/415V COASTAL D3021	500		
175082	TFR 25kVA 22kV/415V COASTAL D3021	300		
175083	TFR 50KVA 11KV/415V COASTAL D3021	350		
175084	TFR 50kVA 22kV/415V COASTAL D3021	350		
175085	TFR 100KVA 11KV/415V COASTAL D3021	300		
175086	TFR 100KVA 22KV/415V COASTAL D3021	300		
175091	TFR 200kVA 11kV/415V COASTAL D3021	100		
175092	TFR 200kVA 22kV/415V COASTAL D3021	100		
175093	TFR 500KVA 11KV/415V COASTAL D3021	70		
175094	TFR 500KVA 22KV/415V COASTAL D3021	65		
175095	TFR 315kVA 11kV/415V COASTAL D3021	70		
175096	TFR 315KVA 22KV/415V COASTAL D3021	70		
175097	TFR 32kVA 11kV/?240V COASTAL D3021	400		
175098	TFR 32kVA 22kV/240V COASTAL D3021	800		
180189	TFR 200kVA 11kV/415V W/CBL BOX CSTLD8022	2		
180193	TFR 315kVA 11kV/415V W/CBL BOX CSTLD8022	1		
180199	TFR 500kVA 22kV/415V W/CBL BOX CSTLD8022	2		
180282	TFR 50kVA 22kV/19kV SWER ISOL CSTLD3201	2		
180288	TFR 400kVA 22kV/19kV SWER ISOL CSTLD3201	3		
182441	TFR 100kVA 11kV/415V W/CBL BOX CSTLD8022	2		
182445	TFR 1000kVA 11kV/415V W/CBLBOX CSTLD8022	5		
182712	TFR 16kVA 33kV/240V COASTAL D3192	15		
182713	TFR 25kVA 33kV/415V COASTAL D3192	22		
182714	TFR 50kVA 33kV/415V COASTAL D3192	15		
182716	TFR 200kVA 33kV/415V COASTAL D3192	5		
182719	TFR 32kVA 33kV/?240V CSTL D3192	30		
182724	TFR 16kVA 19kV/240 COASTAL D3200	10		
182725	TFR 32kVA 19kV/?240V CSTL D3200	30		
180287	TRFR DISTR:CSTLSWER ISOL;400 KVA;11/19	8		
189923	TFR 64kVA 22kV/240V COASTAL D3021	1010		
189925	TFR 64kVA 33kV/?240V COASTALD3192	50		
205437	TFR 64kVA 19kV/240/-240V COASTAL D3200	15		
205439	TFR 200kVA 33kV/19kV SWER ISOLCSTL D3201	5		
TOTAL (Dx)		**5957**		

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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,_ _ _ _

B. Certificate for close corporation

I,_ _ _ _

D. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms _, an authorised signatory of _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

F. Certificate for trust

I,_ _ _ _

ANNEXURE B

ACKNOWLEDGEMENT FORM

We are in receipt of the Invitation to Tender 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 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. ☐

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Invitation to Tender No: _____

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:	

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ANNEXURE D

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;

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(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

(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;

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(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

(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

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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
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/turstees/beneficiaries failing to meet their contractual obligation with the State or any State Owned Entity(SOC)?		
1.5.1	If "Yes", provide details		
1.6	Is the tenderer/s or any of its directors restricted by Eskom?		

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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*].

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 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

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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

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:	

<u>Joint Ventures</u>

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

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 as 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 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.

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Eskom CPA Conditions/Requirements

- 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.

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

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ANNEXURE G1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed by the dtic, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

1.1. Dtic makes provision for the promotion of local production and content.

1.2. Dtic prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

1.3. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

1.4. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

LC = [1 - x / y] * 100

Where:
x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)
Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http:/www.thedti.gov.za/industrial development/ip.jsp at no cost.

1.5. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted at the stipulated deadlines.

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2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods	Stipulated minimum threshold
_____	_____%
_____	_____%
_____	_____%

3. Does any portion of the goods or services offered have any imported content?

(*Tick applicable box*)

YES		NO	

3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

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

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LOCAL CONTENT DECLARATION (REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO. .....

ISSUED BY: (Procurement Authority / Name of Institution):
.....
NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content is accessible on http://www.thdti.gov.za/industrial development/ip.jsp.

3 Local Content Declaration Templates (Annex C, D and E) is attached to this Invitation to Tender and must be submitted at the stipulated deadline.

4 Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted at the stipulated deadline of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ……..... (full names), do hereby declare, in my capacity as …… ……..
of .....(name of bidder entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.
The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 9.1 of the Preferential Procurement Regulations, 2022 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____ **DATE:** _____

WITNESS No. 1 _____ **DATE:** _____

WITNESS No. 2 _____ **DATE:** _____

Annexure G2 – Local Content Declaration - Summary Schedule (Annex C)

Adobe Acrobat Document

Annexure G3 – Imports Declaration – Supporting Schedule to Annex C (Annex D))

Adobe Acrobat Document

Annexure G4 – Local Content Declaration – Supporting Schedule to Annex C (Annex E)

Adobe Acrobat Document

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ANNEXURE H

SBD 1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF DEPARTMENT/ PUBLIC ENTITY*)					
BID NUMBER:	E3830DXECOU	CLOSING DATE:	04 December 2026	CLOSING TIME:	10h00am SAST
DESCRIPTION	Supply of Pole and Ground Mounted Transformers based on as an when required basis				
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

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DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

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PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 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**

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.

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.

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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:

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \text{ or } \quad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

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80/20 **or** **90/10**

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) \text{ or } \quad Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.*)**

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

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

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[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 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, including Restriction by Eskom, 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 **T**here 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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