

	Invitation to Tender	Document Identifier	240-114238630	Rev	16
		Effective Date	February 2023		
		Review Date	February 2028		

ESKOM HOLDINGS SOC LTD

AMENDED INVITATION TO TENDER

FOR

The appointment of multiple six (6) service providers based on the standardized rates, for the provision of security guarding services: 24/7 unarmed physical/ static guarding, adhoc security related services, K9 services, crime prevention patrols and armed response for Limlanga Cluster-Limpopo over a period of 36 months (Tender re-issue).

Tender number	LP0093MMR
Issue date	26 April 2024
Closing date and time	04 June 2024 at 10h00 AM
Tender validity period	150 days from the closing date and time
<u>Compulsory</u> Clarification meeting	Date : 08 May 2024 Time : 10h00 AM Venue: Room 3 E – Block Edupark, Polokwane , Limpopo Province Refer to Map to Edupark attached separately.
Tenders are to be delivered to the following address on the stipulated closing date and time:	Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane

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NOTE:

- One (1) Invitation to tender (ITT) is issued with six (6) sets of NEC 3 Term Service Contracts (TSC) detailing the scope of services and the resource requirements per sector.
- Tenderers will have an option to submit the tender for the sector that they are interested on.
- In an event that a tenderer is submitting a tender for more than one sector, Eskom reserves the right to appoint a service provider for only one (1) sector. It should be noted that, none of the companies will be awarded a tender to more than one (1) sector unless the required number of service providers are not met.
 - In an event that a tenderer is considered for more than one sector, each must be supported by the minimum required resources for the sector. (No duplication of resources on different sectors shall be accepted).

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

Sectors	Indicate by a tick (✓) the Sector you are interested on
Thabameetse Sector	
Borwa Bokone Sector	
Sekhukhune Sector	
Baobab Sector	
Elephants Valley Sector	
Maphungubwe Sector	

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the **appointment of multiple six (6) service providers based on the standardized rates, for the provision of security guarding services: 24/7 unarmed physical/ static guarding, adhoc security related services, K9 services, crime prevention patrols and armed response for Limlanga Cluster-Limpopo over a period of 36 months.**

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

- Free of charge

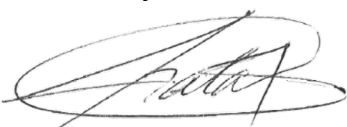
Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a tender by you in response to this *Invitation* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via www.eskom.co.za).

Tender documentation can be downloaded from the following:

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

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

Yours faithfully



Mr Madimetja Phalane

Procurement Manager, Limlanga Cluster (Limpopo)

Date: 17/05/2024

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1.1 The following documents listed hereunder are attached to this enquiry

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Y
1.1.5	*CPA(IG) for Foreign Goods/Services	Annexure E	N
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included). Annexure C-Local Content Declaration- Summary Schedule Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C Annexure E-Local Content Declaration- Supporting Schedule to Annexure C	Annexure F1 Annexure F2 Annexure F3 Annexure F4	N
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure H	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure I	Y
1.1.10	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE <i>[only to be attached for services type of contracts]</i> .	Attached Separately	Y
1.1.11	Reverse e-auction training acknowledgement form (if applicable)	Not applicable	N
1.1.12	Reverse e-auction process	Not applicable	N

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1.1.13	Contract Skills Development Goals (CSDG)	Not applicable	N
1.1.14	Contract Participation Goals (CPG)	Not applicable	N
1.1.15	Amended 6 X NEC 3 Term Services Contract (TSC)	Attached Separately	Y
1.1.16	Non-Disclosure agreement (NDA)	Attached Separately	Y
1.1.17	Authority to submit a tender (returnable schedule)	Attached Separately	Y
1.1.18	Eskom Standard conditions of tendering Rev.11	Attached Separately	Y
1.1.19	Supplier QM Category 4 Method Statement Template	Attached Separately	Y
1.1.20	(Form A) Tender & Contract Quality requirements	Attached Separately	Y
1.1.21	Supplier Quality Management: Specification (QM 58)	Attached Separately	Y
1.1.22	Occupational Health and Safety Act: Section 37(2) Agreement - Form	Attached Separately	Y
1.1.23	Annexure B- Acknowledgement of Eskom's SHE rules	Attached Separately	Y

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- 1.2 The Tender Data makes several references to the **Eskom Standard Conditions of Tender** and in those instances, the clause numbers are referenced hereunder. If the **Eskom Standard Conditions of Tender** is not attached to the **Invitation to Tender**; then the tenderers are required to download this from www.eskom.co.za. The **“Tender Data”** as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	The <i>Employer</i> is Eskom Holdings SOC Ltd The Eskom <i>Representative</i> is: Name: Motsatsi Magwele Tel: +27 15 230 1729 E-mail: Magwelme@eskom.co.za
1.3 Enquiry documents	The Invitation to tender is: LP0093MMR. See the content list above for the enquiry documents.
1.4 Type of Invitation to Tender	This invitation to tender is: An open Invitation to tender
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract.
2.1 Eligible tenders	Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies. Tenderers are deemed ineligible to submit a tender if - Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services. - Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium - Tenders submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.

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	- A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if : (a) they have a controlling partner/majority shareholder in common; or (b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process; - Tenders signed by non- authorized persons - Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) - Any tenderer that is restricted by National Treasury - Any tenderer on the Tender Defaulters list. - A tenderer that sub-contracts 100% Scope of Work. Ineligible tenderers will be disqualified.
2.2 -2.5 Tender Closing	The deadline for Tender submission is : Date : 04 June 2024 Time : 10h00 AM Late Tenders will not be accepted. Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: THE TENDER OFFICE ESKOM HOLDING SOC LTD LIMLANGA CLUSTER- LIMPOPO MILLENNIUM BUILDING 90 HANS VAN RENSBURG STREET POLOKWANE MARKED: CONFIDENTIAL TENDER NO: LP00193MMR NB: No emailed or faxed tenders will be accepted. Tenders must be hand delivered to the above address.
2.9 Copy of original tender	The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline. Eskom may also require that one (1) additional complete soft copy of the original tender is required in electronic format. Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.
2.13 Tender Validity Period	The tender validity period is 20 weeks /150 days.
2.16 Clarification meetings	A <u>compulsory clarification meeting</u> with representatives of the <i>Employer</i> will take place as follows: Date: 08 May 2024 Time: 10h00 AM

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	Venue: Room 3 E – Block Edupark, Polokwane , Limpopo Province <i>Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee.</i> Please note that the clarification meeting is mandatory/compulsory; and the suppliers must attend this meeting. Those suppliers who do not attend the mandatory/compulsory clarification meeting will be disqualified and will not be evaluated.
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is [5] working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are not allowed .
2.31 Provision of security for performance	Will be detailed in the NEC3 Term Services Contract (TSC). If security for performance (e.g. Performance Bond) is required, the names of two financial institutions that the tenderer will approach must be submitted with the tender
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline.
3.5 Prices to be read out	Prices will not be read out .
3.9 Basic Compliance	Step 1: Basic compliance for this invitation to tender are: • Meet the eligibility criteria for a tenderer • The tenderer must submit two hard copies of the tender (an original tender plus 1 additional complete hard copy of the original tender) • Central Supplier Database (CSD) number (MAA.....)
3.10 Mandatory tender returnables	Step 2. Mandatory returnable requirements 2.1 Refer to item 1.3 Tender returnable below on page 21-27 for more details regarding the commercial mandatory returnables to be submitted for this tender. 2.2 Technical mandatory returnables (Disqualifiable) The following Technical mandatory returnables must be submitted at tender closing. Failure to do so will result in the tenderer not being evaluated further.

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	Item no	Proof documentation required	Evidence Notes	Scoring: YES/NO
	1.	Provide proof of registration as a Company in SA in terms of Company Act	- Copies of valid company registration - Name/s of active Director/s	
	2.	Provide proof of valid PSIRA registration certificate(s) for all company Directors minimum Grade A or B	Certified copy or copies of valid PSIRA Certificates of all Directors: Check: - PSIRA registration number. - Date of Issue	
	3.	Provide Proof of a valid company registration with PSIRA as a security service provider	Certified copy of Valid PSIRA Certificate issued by PSIRA. Check - PSIRA registration number. - Date of Issue	
	4.	Provide a valid PSIRA letter of good standing	Certified copy of Valid letter of Good Standing in the company name. Check Expiry date.	
	5.	Provide the valid poof of SAPS clearance certificate for all Company Director (s)	Valid SAPS 365 clearance certificate issued by Criminal Record and Crime Scene Management in Pretoria (6 months from issuance) for all directors and or JV partners directors, as per CK. (Proof of application, SAPS 69 and SAPS 365 with offence not acceptable.)	
	6.	Provide proof of public liability insurance minimum R15 m from accredited insurer or valid Financial Service Provider. Letters of intent with a value R15m or more will be accepted.	Valid public liability insurance Certificate from Financial Service Provider OR Valid letter from insurance stipulating that the company would have immediate cover from start of contract award.	
	7.	Provide proof of UIF compliance certificate (not older than 12 months from the date of issue to tender closing)	Submit UIF Registration number. UIF will verify and confirm supplier compliance	

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	8.	Provide proof of valid company registration with Private Security Sector Provident Fund	Valid Letter of Good Standing									
	9.	Provide proof of valid company registration with National Bargaining Council for Private Security Sector.	Provide confirmation of registration with National Bargaining Council for Private Security Sector through a Valid Letter of Good Standing.									
	A tenderer that does not submit mandatory documents/information (commercial and technical) required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive. Only tenders that meet ALL the above mandatory requirements will proceed to the functional evaluation.											
3.13 Functionality requirements	Functionality requirements are applicable. Functionality will be evaluated on a total weight of 100% with a minimum threshold of 85% . The following is an overview of the functionality criteria: The functionality evaluation process will be a two-stage process comprising of a desktop evaluation and an on-site evaluation. Stage 1 of functionality - Desktop evaluation The following requirements shall be assessed as part of the desktop evaluation. Functionality evaluation criteria <table><tr><th>ITEM NO</th><th>CRITERIA</th><th>PROOF OF DOCUMENTS REQUIRED</th><th>WEIGHT</th></tr><tr><td>1.1</td><td>Company experience in rendering security services. Number of projects Points allocation: 2 Projects =25% 3 Projects =30% 4 projects and above =40% </td><td>Submit (Track record) in the form of copies of - Contract/ task order OR - Completion certificate OR - Letter of award for previously executed or current work </td><td>40%</td></tr></table>				ITEM NO	CRITERIA	PROOF OF DOCUMENTS REQUIRED	WEIGHT	1.1	Company experience in rendering security services. Number of projects Points allocation: 2 Projects =25% 3 Projects =30% 4 projects and above =40%	Submit (Track record) in the form of copies of - Contract/ task order OR - Completion certificate OR - Letter of award for previously executed or current work	40%
ITEM NO	CRITERIA	PROOF OF DOCUMENTS REQUIRED	WEIGHT									
1.1	Company experience in rendering security services. Number of projects Points allocation: 2 Projects =25% 3 Projects =30% 4 projects and above =40%	Submit (Track record) in the form of copies of - Contract/ task order OR - Completion certificate OR - Letter of award for previously executed or current work	40%									

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	1.2	Manpower capability (No duplication of resources between sectors) It should be noted that each scope requirements will be evaluated separately	Provide as per PSIRA manpower list showing a minimum Twelve (12) Grade B Security Guards (for supervisors & armed reaction officers) registered under the tendering company name.	5%
			Provide a PSIRA manpower list showing a minimum Grade C Security Guards registered with PSIRA under the tendering company. (The number of security guards on the list must be equal to the number of security guards required for the sector/s you are tendering for) Refer to NEC's Pricing Data for the required number of Grade C Security Guards required per sector.	15%
	1.3	Company Vehicles (Only 4X2 Bakkies that meet Eskom requirements.	Does the company have Vehicles that are currently being used for Security services? Provide a list of Vehicles OWNED by the tendering company. (<i>Vehicle registered and branded in company name will be verified on site</i>) (Complete Annexure A attached below on page 34 of this invitation to tender document.)	5%
	1.4	Firearm competency	<u>FIREARMS COMPLIANCE</u> Provide a list of only 9 mm firearms registered in the name of the company as per the scope or Sector requirement. (Complete Annexure B attached below on page 35-36 of this invitation to tender document)	10%
			Attach all copies of Firearms Licences Cards provided on the firearms list (<i>Proof of original licenses cards and actual firearms will be verified on site</i>)	5%

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			Provide SAPS Firearm competency certificates for at least one Company Director	10%
			Provide security officers (SAPS) Firearms competency certificates	10%
	THRESHOLD			85%
	Tenderers who do not meet the functionality minimum threshold will be disqualified and not be evaluated further for site inspection. Stage 2 of functionality: Site Assessment Site assessment will only be performed on tenderers that have met the requirements of stage 1 above. On Site evaluation will be conducted by Eskom representatives at the supplier's business premises, to verify the following: On Site evaluation requirements			

	CRITERIA DESCRIPTION	ITEMS TO BE VERIFIED	Compliant /Non-Compliant	Comments
1.	Control Room/Operational Room			
1.1	Operational and Equipped Control Room	Control room fully equipped and Operational 24 hours, 7 days a week.		
		Duty roster and shift roaster to be verified		
1.2	Occurrence Book	Inspect Occurrence Book on site. Verify that records are kept correctly.		
1.3	Communication	Are communication devices available and operational (To be tested on site) - Handheld Radios - Base station radios - Landline/ Cellphone		
1.4	Emergency Response/ Panic button	Ensure that panic buttons are operational (To be tested on site)		

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		Verify that the emergency procedure document is on site (in the control room) and that the controller understands the procedure.		
	2	Production/ Safety requirements capability site inspection		
	2.1	Vehicles Registered and branded in company name will be accepted. (NOTE as per the list submitted)	Confirm the list of Vehicles submitted. (Completed Annexure A)	
			Ensure the Vehicles are fit for purpose and well maintained. (No Flat tyres or Vehicles starting with a push will be accepted)	
			Only 4X2 Bakkies that meet Eskom requirements. (Vehicles like Chevrolet utility, NP200 utility, Nissan 1400, Opel Corsa utility or/and similar utility, Sedans and SUV are not acceptable)	
			Verify registration certificate must be in the name of the company.	
	2.2	Communication inside the vehicles	Confirmation that there is a mounted communication devices in the vehicles that is operational.	
	2.3	Vehicle Tracking System	Confirm if there is actual or live tracking of vehicles.	
	2.4	Visibility	Vehicles should be equipped with mounted or handheld spotlights.	
			Verify if spotlights are operational	
	3	Personal Protective Equipment and Uniforms		
	3.1	Availability of PPE	Availability of level III (Level) Bullet proof vest to protect security officers as per the risk profile of the site	

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	3.2	Availability of uniforms	Availability of fit for purpose branded uniform in the name of the company (Check the uniform stock on site)		
	4	Firearm Competency			
	4.1	Firearms	Confirm the list of firearms submitted (Completed Annexure B) Confirm the exact number of firearms required per Sector (Only Eskom approved firearms namely 9mm pistols are accepted. Revolvers are not accepted.		
	4.2	Service records for the firearms	Confirm service records for the firearms are kept and that services records are conducted by an accredited gunsmith.		
	4.3	Firearm Safe	Confirm availability of firearms safe, mounted on the Brick wall. OR Strong Room with concrete roof or steel. Walls of cement mortar bricks should be at least 230mm thick- Visual inspection will be conducted.		
	4.4	Appointment letter	Inspect official appointment letter of officer responsible for Firearms issuing registers and permits.		
			Initials and the surname and ID Number of the responsible person must appear on the appointment letter.		
			Certified ID Copy of the appointed responsible officer		

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	4.5	Firearm discharge register	Inspect Firearm discharge register.						
	4.6	Firearms Ammunition Stock Register	Inspect Firearms ammunition stock registers Regulation: (15 of Arms and Ammunition Act No: 75 of 1969.)						
	4.7	Arms Stock Book	Arms Stock Book (Regulation 13 of Arms and Ammunition Act No: 75 of 1969.)						
	Tenderers that do not meet all the above criteria on-site inspection/assessment will be disqualified. Where a supplier is rendered non-compliant to any of the above, the evaluator will describe the reason for the non-compliance in the evaluation report.								
3.15 Evaluation of price	Step 4: Price and Preference point system - The 90/10 preferential points (Price evaluation and specific goals) will be applied based on the estimated value per sector. - Price points will be calculated out of 90 for price (Evaluated price, including VAT). A maximum of 10 points will be allocated to specific goals. The prices and preference points will be added together to determine the highest scoring tenderer. - Standardized rates are applicable and all the service providers that meet step 1-3 of the evaluation process will be awarded 90 points for price. Price Evaluation: - A maximum of 90 points is allocated for price on the following basis: <table><tr><td>Adjudication Criteria</td><td>Points</td></tr><tr><td>$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$</td><td>90</td></tr></table> Where Ps = Points scored for price of bid under consideration Pt = Price of bid under consideration Pmin = Price of lowest acceptable bid					Adjudication Criteria	Points	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	90
Adjudication Criteria	Points								
$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	90								

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	Prices will be evaluated as follows: • Inclusive of VAT • Making the specified correction for arithmetical errors • Excluding contingencies in any bill of quantities or activity schedule. • Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted. • 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. • Unconditional discounts must be taken into account for evaluation purposes; • Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected.
3.17 Evaluation of Specific Goals	Specific goals will be scored out of 10 points in accordance with PPPFA. If a tenderer fails to meet Specific goals and submit proof, the tenderer will not be disqualified. However, be awarded 90 points for price and will score 0 points for Specific goals (out of 10) Note: Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by RFQ closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking. • A tenderer failing to submit proof of its B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE will not be disqualified but will score 0 points out of 10 for B-BBEE. The B-BBEE score table below will be used to allocate suitable points to tenderers as per submitted B-BBEE certificate:

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B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

NB: The following documents are required to claim preference points

- Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPC affidavit
- Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown
- Certified ID copies of shareholder(s)
- Proof of Disability (where applicable)

General Information on Validity of Sworn Affidavits

The following must be considered when it comes to validity of Affidavits;

Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as the **director, owner or member** must be indicated in order to know that person is duly authorised to depose of an affidavit. **(Mark the applicable option).**
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. **(No blank spaces to be left).**
- Indicate total revenue for the year under review and whether it is based on **audited financial statements or management account. (Mark the applicable option).**

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	- Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. <u>(Financial year end to be stipulated by day/month/year).</u> - B-BBEE Status level. An enterprise can only have one status level. (Tick applicable level) - Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status. - Date deponent signed and date of Commissioner of Oath must be the same. <u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)</u> - Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.
3.18 Ranking of tenders	Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:- 90/10 for tender with a rand value above R50 million The ranking will be as follows: ➤ The points scored for Price must be added to the points scored for B-BBEE status in order to obtain each tenderer's total points scored out of 100. ➤ In the event that two or more tenderers have scored equal points, the recommended tenderer is identified as the tenderer that scored the higher points for Specific Goals. ➤ If two or more tenderers scored equal points, including equal points for Specific Goals, the recommended tenderer is identified as the tenderer that scored the highest score for functionality, if functionality was part of the evaluation process. ➤ In the event that two or more tenderers are equal in all respects, the recommended tenderer must be identified by the drawing of lots.
3.19 Objective Criteria	Objective Criteria in terms of Section 2(1)(f) of the PPPFA is not applicable

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3.20 Reverse e-auction	Reverse e-auction is not applicable. Please note:- Reverse e-auction is an electronic price and preference point system (aligned to PPPFA) that aims to achieve the most competitive prices. Eskom reserves the right to utilize reverse e-auction in certain enquiries. Where reverse e-auction is utilized in a specific enquiry this will be indicated in the respective enquiry and the relevant reverse e-auction supporting documents will form part of the enquiry. The Tenderers will be required to submit a complete tender but without prices. Where a supplier includes prices in their tender; these prices will not be considered and will be disregarded.
Contractual Requirements	Step 5: Contractual Requirements includes the following : • SHEQ requirements; and/or • Financial statements; and/or • Commercial compliance Please Note: Tenderer/ tenderers recommended for award, including those justified on the bases of objective criteria, must still meet Contractual requirements as set out in the enquiry. Contractual requirements exclude objective criteria and Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. The tenderer will be allowed <u>7 working days</u>, to resubmit the contractual requirements that were not met after the tender submission. Proof that the highest-ranked tenderer / preferred tenderer is able to meet the contractual requirements must be submitted before the contract may be awarded. If the tenderer does not meet a contractual requirement, mitigating factors, may be agreed to and be made terms and requirements of the contract. If the tenderer does not agree with the mitigating factors or if there are insufficient suitable mitigating factors or if the risk is deemed too high, the tender may be awarded to a tenderer other than the highest-ranked (the second-ranked). Refer to page 28 -33 below for contractual requirements for this tender.
2.25 Contractual Condition	The conditions of contract will be the NEC 3 Term Services Contract
CIDB Requirements	CIDB Requirements not applicable

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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 deemed market-related.

Main contractors/ suppliers are discouraged from subcontracting with their subsidiary companies as this may be interpreted as subcontracting with themselves and / or using their subsidiaries for fronting. Where a main contractor subcontracts with a subsidiary this must be declared in tender documents.

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

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

- (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:

*** Returnable required at Tender closing (disqualifiable) -** These returnable 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 tender must be disqualified.

**** Returnable required at Tender closing. (Non-disqualifiable) –** These returnable are also 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, the Procurement Practitioners must request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed (if required on the returnable) and/or received by the Procurement Practitioner within 5 working days of the request; the tender must be disqualified. The 5 working days requirement does not apply to CIDB proof of grading. (Refer to the returnable table under CIDB reference for prescribed period)

These returnable are mandatory for evaluation and therefore required at tender closing time and date. These will not be requested by the Procurement Practitioner; however the tenderer will not be disqualified but score zero.

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required at Tender closing (will not be disqualified but score zero) #	Returnable required prior to Contract Award.
Basic Compliance	Submit an original tender in hard (paper) copy and one complete copy of the original, also in hard (paper) copy	✓			
Completed and signed Authorisation Form	Submit completed and signed declaration of authority form/ Authorisation Form.: A tenderer must declare that the information provided in its tender is true and correct and that the signatory to the tender is duly authorised to sign all	✓			

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required at Tender closing (will not be disqualified but score zero) #	Returnable required prior to Contract Award.
	documents related to the Enquiry and any ensuing contract.				
Non-Disclosure agreement (NDA)	Submit completed and signed Non-Disclosure agreement (NDA)		✓		
CSD registration number	Proof of National Treasury Central Supplier Database registration (CSD) or provide CSD MAAA number (.....)	✓			
Annexure A	Acknowledgement Form		✓		
Annexure B	Tenderers Particulars		✓		
Annexure C	Integrity Pact Declaration form		✓		
Annexure D	CPA for local goods/services (if applicable) Acceptance of the CPA conditions as stipulated in the tender document. Where CPA conditions are not accepted with the tender, the prices will be deemed fixed for the duration of the contract period.	✓			
Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E where applicable.	Not applicable			
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓		
# Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			✓	
Annexure I	SBD 4 – Bidders Disclosure		✓		
Reverse e-auction training acknowledgement form (if applicable)		Not applicable			
Additional Documents	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights		✓		

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required in event of JV:-	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.		✓		
	# proof of compliance to the stipulated Specific goals.			✓	
	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	Failure on the part of the supplier to submit “proof of specific goals for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). 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 still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number) . Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.				✓

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required at Tender closing (will not be disqualified but score zero) #	Returnable required prior to Contract Award.
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	Valid proof of the required cidb grading designation for the main contractor; JV and /or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer	Not applicable			
NEC 3 TSC Documentation	Acceptance of the standardised rates (regulated labour rates and unregulated rates) as included in the NEC 3 TSC PART 2: C2.2 by signing a separate letter in their company’s letterhead or confirm the acceptance of the rates by signing the pricing data as included on the NEC3 Term Services Contract (TSC).	✓			
	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS				
Safety	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed				✓

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	compensation insurer (South African tenderers only)				
	Refer to OHS, list of Tender Returnable Documents on page 30- 32 .				✓
Quality	Refer to supplier quality management, List of Tender Returnable Documents on page 29-30				✓
Environmental	Refer to Environmental list of Tender Returnable Documents on page 32-33				✓
Commercial statutory documents	- Tax Compliance Status (TCS) e-filing PIN from SARS. - Proof of National Treasury Central Supplier Database (CSD) with a tax compliant status at contract award - Valid B-BBEE certificate or proof of B-BBEE Compliance (e.g. Valid sworn affidavit, CIPC affidavit) are mandatory for contract award – as such no contract may be awarded to a supplier without providing status of B-BBEE Compliance				✓
Due Diligence	The analysis of a tenderer's financial statements is not a criterion for the purposes of the scoring and awarding of points or the determination of competitive ranking, but to determine if the tenderer is financially stable enough to execute a contract / order of the magnitude to be awarded, and if not, the risk to Eskom. - The latest and approved Annual Financial Statements (AFS) must be submitted by the tenderer. - Where the AFS have not been audited, then a ITA34C tax submission will be				✓

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	required and the Public Interest Score as completed by the accountant / reviewer as required by the Companies Act, 2008. The list of mandatory documents are as follows: ➤ 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 (if applicable); and ➤ Notes to the financial statements. Financial analysis cannot be performed for entities who do not submit all required documentation. Risk mitigation factors may include: ➤ Obtaining a performance bond from a financial institution that has been pre-approved by Eskom Treasury department; ➤ A reduced contract may be recommended • In the case of an unincorporated JV or a SPV, each partner in the entity must submit its AFS, which will be consolidated to determine their joint				

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	capability to execute the contract under award. Where a new company is unable to provide audited financial statements for the last 18 months, it may, at Eskom's discretion, be permitted to provide audited financial statements for the most recent twelve-month operating period.				
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA				
Technical mandatory requirements	(Refer to page 8-10 above for Mandatory technical requirements)	✓			
Technical (required for functionality scoring)	Refer to detailed functionality evaluation criteria on Page 10- 15 above.	✓			

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Step 5: Contractual Requirements is applicable.

The following contractual requirements shall apply:

- SHEQ requirements; and/or
- Financial statements; and/or
- Commercial compliance

Tenderer/ tenderers recommended for award, including those justified on the bases of objective criteria, must still meet Contractual requirements as set out in the enquiry. Contractual requirements exclude objective criteria and Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders.

The tenderer will be allowed 7 working days, to resubmit the contractual requirements that were not met after the tender submission.

Proof that the highest-ranked tenderer / preferred tenderer is able to meet the contractual requirements must be submitted before the contract may be awarded.

If the tenderer does not meet a contractual requirement, mitigating factors, may be agreed to and be made terms and requirements of the contract. If the tenderer does not agree with the mitigating factors or if there are insufficient suitable mitigating factors or if the risk is deemed too high, the tender may be awarded to a tenderer other than the highest-ranked (the second-ranked).

a) Financial Analysis

The analysis of a tenderer's financial statements is not a criterion for the purposes of the scoring and awarding of points or the determination of competitive ranking, but to determine if the tenderer is financially stable enough to execute a contract / order of the magnitude to be awarded, and if not, the risk to Eskom.

Due diligence may be done by the Finance Department through a review of financial viability and risk mitigation steps.

- The latest and approved Annual Financial Statements (AFS) must be submitted by the tenderer.
- Where the AFS have not been audited, then a ITA34C tax submission will be required and the Public Interest Score as completed by the accountant / reviewer as required by the Companies Act, 2008. **The list of mandatory documents are as follows:**
 - Background to the company;

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- 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 (if applicable); and
- Notes to the financial statements.

Financial analysis cannot be performed for entities who do not submit all required documentation.

Risk mitigation factors may include:

- Obtaining a performance bond from a financial institution that has been pre-approved by Eskom Treasury department;
 - A reduced contract may be recommended
- In the case of an unincorporated JV or a SPV, each partner in the entity must submit its AFS, which will be consolidated to determine their joint capability to execute the contract under award.
 - Where a new company is unable to provide audited financial statements for the last 18 months, it may, at Eskom's discretion, be permitted to provide audited financial statements for the most recent twelve-month operating period.

b) Safety and Health, Environmental and Quality (SHEQ)

b1) Quality requirements (Category 4)

	Supplier Quality Management: List of Tender Returnables Documents	Unique Identifier	240-12248652
		Revision	7
		Effective Date	2022/01/26
		Specification	240-105658000
Category 4 : Quality Requirements		Deliverables to be evaluated indicator = 1	
SECTION A : SECTION A : Quality Management System Requirements ISO 9001 (Option 1) Valid certification of Quality Management System by an ISO accredited body			
			Apply =1
A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant			0
A.2 Certificate by Approved and Authorized certification authority			0
A.3 Certification Authority has Recognized International Accreditation			0

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A.4 Validity (expiry date) of certificate	0
Section A Score Option 1	0
SECTION A : Quality Management System Requirements ISO 9001 Objective evidence of documented QMS that is not certified but complies with ISO 9001	
A.1 Quality Method statement based on scope.(Method Statement Template-Ref 240-126469599)	1
A.2 Quality Policy Approved by top management.	1
A.3 Quality Objectives Approved by top management.	1
Section A Score Option 2	3
SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)	
	Apply =1
B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)	1
B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1
Section B Score	2
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here	
	Apply (Yes=1)
E.1 Form A is completed and signed.	1
Section E Score	1

b2) Occupational Health and Safety (OHS) -related requirements

The following Minimum OHS -related requirements that bidders must address and respond to when submitting their tender returnable are as follows:

A	OHS Legal Requirements to be met by Contractors at Tender Stage before contract award.
1	Develop and submit your company OHS/ SHEQ policy signed by CEO/ MD not SHE Officer. (It should have the next review date, should comply with OHS Act Section 7 and shall be aligned with ISO 45001:2018 Policy principle standard requirements).
2.	Submit a Valid Letter of Good Standing or equivalent, i.e., COID, FEMA or RMA. Your COID must depict the correct/ relevant nature of business.
3.	Submit OHS plan - specific to the scope of work and should address the Security OHS specification requirements which should be addressed in all aspects of the OHS Specification issued as per this tender inquiry.
4.	Submit Costing for Safety Health and Environmental Management Compliance Requirements as per the regulations and take note of the below aspects.

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	Has the tenderer submitted detailed (The cost should be broken down not provided as a lump sum) costing for OHS, i.e. – based on the overall scope of work/service to be performed the generic scope of work/service risk assessment – may serve as a guideline
5.	5.1 Hazard Identification and Risk Assessment. 5.1.1 Provide a Baseline Risk Assessment (BRA) related to the OHS risks related to the Security scope of work activities: and the criteria should be applied. - Consequence rating - Likelihood rating - Risk rating, - Detailed mitigation measures, review and monitoring plan shall be incorporated. 5.2 Provide the BRA Procedure with the methodology used for the risk assessment must be submitted.
7	Provide the following OHS Competency training certificates (Consider scope of work, risks, OHS plans and applicability) (All certificate should be certified and should not be certified older than three months at the time of tender closing). - First aid level 2 - Incident investigator - Hazard Identification Risk Assessor. - Fire Fighter - Safety Officer - Health and Safety Representative - Site Supervisor - Operations Manager 16.2 Appointee
8	OHS Appointment letters for the following persons. - First aid level 2 - Incident investigator - Hazard Identification Risk Assessor. - Fire Fighter - Safety Officer - Health and Safety Representative - Site Supervisor - Operations Manager 16.2 Appointee <i>The signature of the Manager appointing the nominated person is required. Not compulsory for the appointee to have accepted the appointment at this stage (tender stage).</i>
9.	9.1 Provide your Company Organogram indicating key SHE personnel including your individual general employees. (Reference should be made to specific OHSA Sections and Its related Regulations) Must have a dates and CEO Signature not SHE Officer.

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10.	RISK EXPOSURE MANAGEMENT: OHS EMPLOYEE MEDICALS Provide the Company Medical Surveillance Programme
11.	Substance Abuse Management: - <i>Provide the company substance abuse procedure</i>
12	Incident Management: The tenderer must submit: - Incident Management procedure. - Company SHE Performance for the past three years. Both new and existing suppliers/contractors must submit the incident register indicating the type of incidents experienced to date. Indicate the following incidents: - Fatalities - LTI (Booked off-duty occupational injury) - Medical (Not booked off-duty occupational injury) - First Aid injuries - Near Misses - Property Damage Incident
13	Emergency preparedness plan <i>The plan must cover all potential emergencies e.g. Fire, Bomb threat, Suspicious package. Medical Emergency, Service delivery protests, lone working</i>
14.	Is the acknowledgement of Eskom's SHE rules , and requirements form (Annexure B) Fully signed and submitted by the tenderer?

b3) Environmental requirements

Item no.	Requirements		Score (YES/NO)
1	Environmental policy	- Environmental policy signed by top management (CEO / managing director), dated and version controlled. - Policy must commit to compliance to all relevant legislation/laws, Pollution prevention and continual improvement.	
2	Company organogram	Company's organogram depicting an environmental representative.	
3	Environmental appointment letter	- Appointment letter of the employee responsible for environmental issues relevant to the work environment. - Appointment letter to be accepted and dated.	
4	Environmental Incident/complaints register	Incident/complaints register for environmentally related incidents (potential snake bites, Bees and wasps)	

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5	Emergency preparedness plan (EPP)	Emergency preparedness procedure/plan detailing how environmental emergencies will be addressed. It must include emergencies with emergency contact details	
6	Environmental Awareness Training	Contractor - Security supervisors to attend Eskom's environmental awareness training (Eskom) Environmental induction to be attended and presented after contract award)	
7	Waste Management Plan	Waste management plan on how waste generated on site (remote substations) will be disposed off. Note: Disposal must be at licenced Municipal landfill sites	

c) Commercial compliance

- It should be noted that some statutory documents are required for evaluation i.e., B-BBEE however they may expire during the evaluation process. A tenderer will not be awarded the contract if the following legislation documents are not valid:
 - Valid B-BBEE certificate or sworn affidavit
 - Tax Compliance Status (TCS) e-filing PIN from SARS.
 - Valid Letter of Good Standing with the compensation body/ FEMA (Federated employer's mutual assurance)/RMA (Rand mutual Assurance).
- Proof of National Treasury Central Supplier Database (CSD) with a tax compliant status at contract award
- Completed and signed Supplier Evaluation Pack for Service Providers - PAYE

Valid B-BBEE certificate ***is mandatory for contract award.***

The certificate must be issued by an authorized body or person; a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; any other requirement prescribed in terms of the Broad-Based Black Economic

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Annexure A : List of Vehicles to be allocated, as per the scope requirements

	No	Make	Series Name	Vehicle Register number
1. Elephants Valley Sector (Four (4) Bakkies)	1.			
	2.			
	3.			
	4.			
	5.			
2. Baobab Sector (Eight (8) Bakkies)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			
3. Sekhukhune Sector (Four (4) Bakkies)	1.			
	2.			
	3.			
	4.			
4. Thabameetse sector (Five (5) Bakkies)	1.			
	2.			
	3.			
	4.			
	5.			
5. Maphungubwe Sector (Six (6) Bakkies)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
6. Borwabokone Sector (Four (4) Bakkies)	1.			
	2.			
	3.			
	4.			

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ANNEXURE B: FIREARMS LIST AS PER THE SCOPE REQUIREMENTS

	No	Name	Serial Number	Calibre (Only 9mm are accepted)
1. Elephants Valley Sector (Ten (10) Firearms)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			
	9.			
	10.			
2. Baobab Sector (Sixteen (16) Firearms)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			
	9.			
	10.			
	11.			
	12.			
	13.			
	14.			
	15.			
	16.			
3. Sekhukhune Sector (Eight (8) Firearms)	5.			
	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			
4. Thabameetse Sector (Ten (10) Firearms)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			

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	7.			
	8.			
	9.			
	10.			
5. Maphungubwe Sector (Twelve (12) Firearms)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			
	9.			
	10.			
	11.			
	12.			
6. Borwabokone Sector (Four (4) Firearms)	1.			
	2.			
	3.			
	4.			
	5.			
	6.			
	7.			
	8.			

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SDL&I STRATEGY

Section 2: Objective criteria

- 2.1 Designated Sectors is not applicable.
- 2.2 CIDB Skills Development is not applicable.
- 2.3 National Industrial Participation Programme is not applicable
- 2.4 Mandatory Subcontracting as condition of award is not applicable.

Section 3: SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals

Tenderers who complete and submit the objectives as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations

1. Transformation – BBBEE Improvement or Retention Plan

- a) Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialization, create employment and contribute to skills development.
- b) Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.
- c) Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.
- d) Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.
- e) Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract.

NB: A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as

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Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate

2. Local Procurement Content

Not applicable

3. Procurement spend on entities with a minimum 51% black ownership

Not applicable

4. Jobs

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

5. Skills development

Tenderers are required to up skill PSIRA Grade C guards to PSIRA Grade B as follows:

Cluster	Category	Eskom Target	Tenderer's Proposal
Thabametse Sector	PSIRA Grade B	16	
Borwa Bokone Sector	PSIRA Grade B	12	
Sekhukhune Sector	PSIRA Grade B	12	
Baobab Sector	PSIRA Grade B	20	
Elephants Valley Sector	PSIRA Grade B	11	
Maphungubwe Sector	PSIRA Grade B	17	

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ANNEXURE A

ACKNOWLEDGEMENT FORM

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

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]:

- We agree to provide the cataloguing information as described in the *tender submission*.
☐
- We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [***insert previous invitation to tender/RFQ number***] ☐ _____
- We do not intend to provide the cataloguing information for the required scope / specifications. for the reasons stated hereunder: ☐

- I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position. ☐

Invitation to Tender No: **LP0093MMR**_____

Name of company/JV: _____

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Country of registration: _____

Name of contact person: _____

Contact details of contact person:

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

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ANNEXURE B

TENDERER'S PARTICULARS

The *tenderer* must furnish the following particulars where applicable:

Indicate the type of tendering structure by marking with an 'X' (where applicable provide registration number):	
Individual tenderer	
Unincorporated Joint venture (registration number for each member of the JV)	
Incorporated JV	
Other	

Please complete the following:

Name of lead partner/member in case of JV	
CIPC Registration Number or CIPC disclosure certificate (for each individual company / JV member)	
VAT registration number (for each individual company / JV member)	
CIDB registration number (for each individual company/JV member if applicable), respective contractor grading designation for each individual company/JV member , and combined cidb contractor grading designation (for JVs)	
Contact person	
Telephone number	
E-mail address	
Postal address (also of each member in the case of a JV)	
Physical address (also of each member of the JV)	

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	

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CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

- If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom. _____
- If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury _____
- Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company.
- You may register online at National Treasury website on www.treasury.gov.za
- If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status _____
- If you are required to be tax compliant as per SBD 1, but are not registered on CSD (foreign suppliers) or have not provided your SARS Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

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

8. If sub-contracting is prescribed in the specific enquiry, you need to complete 8.1- 8.7

8.1 Confirm if you intend sub-contracting

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

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

8.3 To whom do you intend sub-contracting? _____

8.4 Is the said sub-contractor registered on CSD?

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

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

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

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

- a) 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).

8.6 Please confirm that you have attached your signed intent to sub-contract document.

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

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

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

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- **Single tenderers**

I, the undersigned, _____ (Full names) hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it, on behalf of _____ (*insert the full legal name of the tenderer*).

Signature: _____

Designation: _____

Date: _____

- **Joint Ventures**

We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms _____ (full names), an authorised signatory of _____, (*insert the full legal name of the business entity serving as the lead partner*) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf.

We attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

Legal Name of Joint Venture Member	Full Name and Capacity of Authorised Signatory	Signature

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ANNEXURE C

INTEGRITY DECLARATION FORM

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

DECLARATION OF INTEREST

I/We understand that any natural/legal person, including employees of the State and/or those related to an Eskom employee/director (as per the definition of “related” set out hereunder), may tender to Eskom. However, in view of possible allegations of favouritism (the practice of showing favour to, or giving preference to some person/group, to the detriment of, or at the expense of another that is entitled to equal treatment or an equal opportunity), should the resulting tender, or part thereof, be awarded to such natural/legal person, as described herein, it is required that the *tenderer/s* declare such interest/relationship where:-

- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom
- the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
- the *legal person/s (including its employees/contractors/directors/members/ shareholders)* on whose behalf the tender documents are signed, is in some other way “related” to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender negotiation. “Related” meaning that:-
 1. an individual is related to another individual if they are married, or live together in a relationship similar to marriage;
 2. or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 3. an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of “control” (as per Companies Act section 2(1)) ; and

1.a juristic person is “related” to another juristic person if:-

1. either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of “control” (as per Companies Act section 2(1)) ;
 2. either is a subsidiary of the other; or
 3. a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”
- the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

To give effect to the provisions above, please complete the table hereunder with all required information.

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Full Name & Capacity/ Position within tenderer (e.g. employee/Director/member/ owner/shareholder)	Identity Number	Confirm and provide details (including employee number) if you are a State/State owned entity employee/contractor/ director.	Full Names & Capacity/Position of Eskom employee/ director/ consultant and details of the relationship or interest (marital/ familial/personal/ financial etc.)	To your knowledge is this person involved in the evaluation/ adjudication/ negotiation of tenders

- If any employee/director/member/shareholder/owner of tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation **(Y/N)** to undertake remunerative work outside public sector employment and attach proof to this declaration.

Do the tenderer/s and other tenderer in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? **(Y/N)** If Yes, attach proof to this declaration.

2. DECLARATION OF FAIR TENDERING PRACTICES

This serves as a declaration that when goods/services are being procured, all reasonable steps have been taken to address and/or prevent the exploitation of the procurement process and the use of any unfair tendering practices.

A **tender** will be disqualified if the *tenderer/s*, or any of its directors have:

- abused the institution's procurement process (e.g. bid rigging/collusion)
- committed fraud or any other improper conduct in relation to such system.

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

Item	Question	Yes	No
1.1	Is the <i>tenderer/s (or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector <i>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</i> The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Is the <i>tenderer/s (or any of its directors / members / shareholders)?</i> listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.3	Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?		
1.3.1	Provide details.		
1.4	Was the <i>tenderer/s(or any of its directors/members/shareholders)</i> prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		
1.5	Is there any history/record of the <i>tenderer/s (or any of its directors/members/shareholders)</i> failing to meet their contractual obligation with any SOC?		

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• **DECLARATION OF SHAREHOLDING INFORMATION**

I, the undersigned _____ [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 in _____ [Name of Tenderer]:

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

Individuals:

Full Name	Identity Number	Shareholding Percentage

Other Entities*:

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

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I, the undersigned, _____ (full names) hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of _____ (insert the full legal name of tenderer).

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is correct, that it is understood that the tenderer's tender/proposal may be rejected, and that Eskom will act against the tenderer should any aspect of this this declaration prove to be false, 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.

Signature:	
Designation and capacity in which signing	
Date:	

Joint Ventures

I, the undersigned, _____ (full names) hereby confirm that acting in the capacity of lead partner, I am duly authorised to sign all documents in connection with the tender and any contract resulting from it on behalf of _____ (insert the full legal name of the JV); and

I declare that I have read and understood the provisions of the Supplier Integrity Pact, that all information furnished herein is correct, that it is understood that the JV's tender/proposal may be rejected, and that Eskom will act against the JV should any aspect of this 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.

Signature:	
Designation and capacity in which signing	
Date:	

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender).

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ANNEXURE D

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

Rates will be escalated after every 12 months as per National Bargaining Council for the private security sector publication.

Tenderer's Signature		Date	
Name of the Authorised signatory		Position	
Company name/ tenderer			

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ANNEXURE E

CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

NOT APPLICABLE

ANNEXURE F

SBD 6.2

NOT APPLICABLE

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ANNEXURE G

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	LP0093MMR	CLOSING DATE:	04 June 2024	CLOSING TIME:	10h00 AM
DESCRIPTION	The appointment of multiple six (6) service providers based on the standardized rates, for the provision of security guarding services: 24/7 unarmed physical/ static guarding, adhoc security related services, K9 services, crime prevention patrols and armed response for Limlanga Cluster-Limpopo over a period of 36 months (Tender re-issue).				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Eskom Holding SOC Ltd					
The Tender Office					
Limlanga Cluster -Limpopo					
Millennium Building					
90 Hans Van Rensburg Street					
Polokwane					
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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes ☐ No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	☐	A REGISTERED AUDITOR			
		NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	Eskom Holdings SOC Ltd	CONTACT PERSON	Motsatsi Magwele
CONTACT PERSON	Motsatsi Magwele	TELEPHONE NUMBER	015 230 1729
TELEPHONE NUMBER	015 230 1729	FACSIMILE NUMBER	086 661 1062
FACSIMILE NUMBER	086 661 1062	E-MAIL ADDRESS	Magwelme@eskom.co.za
E-MAIL ADDRESS	Magwelme@eskom.co.za		

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PART B TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
TAX COMPLIANCE REQUIREMENTS	
•	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
•	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
•	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
•	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
•	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
•	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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ANNEXURE H

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

• GENERAL CONDITIONS

- 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. To be completed by the organ of state

(delete whichever is not applicable for this tender).

- The applicable preference point system for this tender is the 90/10 preference point system.

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

- Price; and
- Specific Goals.

1. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	100

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2. 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.
3. 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.

- **DEFINITIONS**

- “**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;
- “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- “**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
- “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

- **FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES**

1. **POINTS AWARDED FOR PRICE**

- 3.1.1 **THE 90/10 PREFERENCE POINT SYSTEMS**

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

90/10

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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• **POINTS AWARDED FOR SPECIFIC GOALS**

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:

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

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 claimed (90/10 system) (To be completed by the tenderer)
1	10	
2	9	
3	6	
4	5	
5	4	
6	3	
7	2	
8	1	
Non-compliant contributor	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

2. Name of company/firm.....
3. Company registration number:
4. TYPE OF COMPANY/ FIRM
 - ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole propriety

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- ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited
 - ☐ Non-Profit Company
 - ☐ State Owned Company
- [TICK APPLICABLE BOX]

5. 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:

- The information furnished is true and correct;
- The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- 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;
- 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 –
 1. disqualify the person from the tendering process;
 2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 3. 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;
 4. 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
 5. forward the matter for criminal prosecution, if deemed necessary.

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.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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Annexure I

SBD 4

BIDDER'S DISCLOSURE

• PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. 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, it is required for the bidder 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 bid process.

• Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ 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 table below.

Full Name	Identity Number	Name of State Institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder 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**

1. If so, furnish particulars:

.....
.....

• **DECLARATION**

I, the undersigned, (name)..... in submitting the accompanying bid, 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 bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, 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 bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

1. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids 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 may be 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 BID OR ACT AGAINST ME 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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