

 Eskom	Invitation to Tender KZN002	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-114238630	Rev	10
		Effective Date	03 March 2020		
		Review Date	March 2023		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

The Provision of the Service and Maintenance of Fire Equipment in the Central East Cluster (Free State Operating Unit and KwaZulu Natal Operating Unit) on an as when required basis for a period of 36 months with B-BBEE level 1-4 status level of contributor

Tender number	KZN002
Issue date	01 February 2022
Closing date and time	07 March 2022 at 10h00
Tender validity period	6 months from the closing date and time
Clarification meeting	MS Teams Clarification Meeting 11 February 2022 @ 10H00 Refer to 2.5 for detailed information with regards to the MS Teams Clarification Meeting
Tenders are to be delivered to the following address on the stipulated closing date and time:	THE TENDER OFFICE Eskom Commercial Services Procurement Offices 25 Valley View Road New Germany 3620

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a *tender* for:

The Provision of the Service and Maintenance of Fire Equipment in the Central East Cluster (Free State Operating Unit and KwaZulu Natal Operating Unit) on an as when required basis for 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 attached

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

Yours faithfully

Thandi Xaba

Procurement Manager

Thandi Xaba kznou 4346

Date: 18 February 2022

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File name: 240-114238630 Invitation to Tender/ Request for Proposal (RFP)

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The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure	Attached (Y/N)
6.1	*Acknowledgement form	Annexure A	Y
6.2	*Tenderer's particulars	Annexure B	Y
6.3	* 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
6.4	SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
6.5	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	Annexure H	Y
6.7	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Part 1- Commercial Tender requirements	Y
6.8	Annexure A.1 Acknowledgement Form- Reverse E-auction Training	Annexure A.1	Y
6.10	Supplier Development & Localisation (SDL&I) Undertaking	Part 6- SDL& I requirements	
6.11	Supplier integrity Pact	Part 1- Commercial Tender requirements	

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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/Request for Proposal**; 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: Lungile Mathetha E-mail: mtambol@eskom.co.za																		
1.3 Enquiry documents	The Invitation to tender: KZN002 All Relevant tender documents will be uploaded onto: • Eskom Tender Portal • National Treasury E-Tender Portal It is the responsibility of the tendering party to ensure all required documentation is downloaded, completed and submitted as follows: <table><tr><th>SECTION</th><th>ORIGINAL</th><th>COPY</th></tr><tr><td>SECTION 1 – will comprise of the Commercial Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 2 – will comprise of the Technical Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 3 – will comprise of the Safety Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 4 – will comprise of Quality Requirements</td><td>✓</td><td>✓</td></tr><tr><td>SECTION 5 – will comprise of the Environmental Requirements</td><td>✓</td><td>✓</td></tr></table>	SECTION	ORIGINAL	COPY	SECTION 1 – will comprise of the Commercial Requirements	✓	✓	SECTION 2 – will comprise of the Technical Requirements	✓	✓	SECTION 3 – will comprise of the Safety Requirements	✓	✓	SECTION 4 – will comprise of Quality Requirements	✓	✓	SECTION 5 – will comprise of the Environmental Requirements	✓	✓
SECTION	ORIGINAL	COPY																	
SECTION 1 – will comprise of the Commercial Requirements	✓	✓																	
SECTION 2 – will comprise of the Technical Requirements	✓	✓																	
SECTION 3 – will comprise of the Safety Requirements	✓	✓																	
SECTION 4 – will comprise of Quality Requirements	✓	✓																	
SECTION 5 – will comprise of the Environmental Requirements	✓	✓																	

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	SECTION 6 – will comprise of the SD&L	✓	✓
See the content list above for the enquiry documents.			
1.4 Type of Invitation to Tender/RFP	This invitation to tender:		
1.6 Eskom's rights to accept or reject any tender	An open Invitation to tender		
2.1 Eligible tenders	The tender shall be for the whole of the contract. 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/proposal] either individually or as a partner in a joint venture (JV) or consortium • [Tenders/proposals] 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. • 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		

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2.2 -2.5 Tender Closing	- Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) - A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of PPPFA Regulations) - Any tenderer that is restricted by National Treasury - A tenderer that sub-contracts 100% Scope of Work. Ineligible tenderers will be disqualified.
	The deadline for Tender submission is: Date: 07 March 2022 Time: 10h00am Late Tenders will not be accepted Tenders are to be submitted to the Eskom tender box at the following physical address: THE TENDER OFFICE Eskom Commercial Building 25 Valley View Road New Germany 3620 NB: The onus is upon the tenderer to ensure that their tender reach the Tender Office on or prior to the due date and time when making use of the post or courier services NB: Eskom employees are not permitted to deposit a tender into the Eskom tender box on behalf of a tenderer. If your tender document is too big to fit into the tender box, the documents can be submitted to an Eskom Tender office Official at the Eskom Tender Office, during the following times: Monday to Friday- 07h30-16h00 prior to the tender closing date. No Tender documents will be accepted after the stipulated tender closing date and time The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline. Where a Tenderer does not submit 1 hard copy of the original tender plus (1) hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.
	2.9 Copy of original tender

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2.13 Tender Validity Period	The tender validity period is 6 months from the closing date and time.
2.16 Site/clarification meetings	A non-compulsory "Online Meeting" will take place on Microsoft Teams, whereby a Presentation will be made to assist all contractors in complying with Eskom's tender requirements. Although this will not be a Compulsory Meeting, Contractors are encouraged via the Invitation to Tender to attend this MS Team Meeting to ensure that all Contracting Companies clearly understand the requirements and are able to submit a responsive tender. An "Online MS Teams Meeting" with representatives of the <i>Employer</i> will take place as follows: Date: 11 February 2022 Time: 10H00 Venue: MS Teams Meeting Tenderers must confirm their intention to attend this MS Team Meeting by latest 10:00 AM on 08 February 2022 with the Eskom Representative (mtambol@eskom.co.za) stating the name, position, and contact details of each proposed attendee. An Appointment will then be sent to the companies who respond (as above mentioned). 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. All clarification and additional information sought during the tendering process must be submitted in writing to the Eskom Representative mtambol@eskom.co.za All Clarification queries and responses will be published on Eskom's Tender Bulletin and the National Treasury e-Tender Portal. Tenderers are encouraged to continuously check the bulletins for the latest updates or addendums during the tender process.
2.23 Alternative tenders	Alternative tenders are not allowed
2.25 Conditions of contract	The conditions of contract will be the NEC 3 TSC (Term Service Contract)
3.4 Opening of tenders	There will be no public Tender Opening, due to the current coronavirus pandemic and social distancing requirements.
3.5 Prices to be read out	Prices will not be read out
3.9 Basic Compliance	Basic compliance for this invitation to tender are: Meet the eligibility criteria for a tenderer

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3.10 Mandatory tender returnables	• Submit one (1) the original and 1 hard copy of the original tender to Eskom at tender submission deadline. • Central Supplier Database (CSD) number (MAA.....) A tenderer that does not submit mandatory documents/information by the required deadlines as stipulated below; will be deemed non-responsive. <u>Commercial requirements</u> • Proof of Registration with the Central Supplier Database (CSD) • SBD 6.1 – Preference Points Claim Form in terms of PPPFA 2017 Regulation • Fully completed and signed standard bidding document 1 (SBD 1) • Completed and signed “Annexure A.1 Acknowledgement Form” - Reverse E-auctioning Training • NB: Prices must not be submitted with the tender, if prices are submitted, tenderers will not be disqualified but the prices will be disregarded. Prices will be submitted via reverse E- auction. <u>SDL & I Prequalification</u> SD&L & I will apply the following pre-qualification criteria as envisaged in PPPFA 2017 regulation 4: This tender has been identified to advance B-BBEE level 1-4 status level of contributor Tenderers are to provide a valid copy of a sworn affidavit or a valid copy of a B-BBEE certificate confirming their level 1-4 status. Tender Returnable if the above elements are requirements. • Valid copy of a sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or • Valid copy of B-BBEE Certificate issued by CIPC for EME's. OR

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		- Valid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency / sworn affidavit in the case of QSE's must be submitted, or - Valid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or - For JV's only valid certified copy of the B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV			
		Functionality			
		NO	CRITERIA	Weight	
		1.	Business profile relevant to the scope of work and complexity (a) 100% Relevant to scope of work and complexity (b) 80% or less relevant to scope of work- Less 5% of total weight	20%	
		2.	Relevant Certification / Industry-specific professional registration (a) SAQCC – Fire detection (staff) (b) SAQCC – Fire extinguisher (staff) (c) SANAS Accreditation for High pressure CO2 cylinders (d) SABS certification for Mobile fire Extinguisher servicing Note: If both Certification / Industry-specific professional registrations were submitted than the Supplier will score 100%. If only one was submitted than the Supplier will score 50%.	15% 15% 10% 10%	
		3.	Provide a list of all customers, number of years rendering the service, value of last or current contract, - An official referral letter from the client confirming this is required (a) > 5 years (b) 1-5 years	20% 10%	

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3.11 Pre-qualification criteria	Note: If proof is provided of >5 years or more than the Supplier will score 100%. If proof is provided of 1-5 years than the Supplier will score 80%. The threshold of 80% must be met for technical requirement. All the tenders that fail to achieve the threshold on functionality will be disqualified and shall not be considered for further evaluation on Price and B-BBEE. NB: Only certified copies of certificates will be accepted Please refer to the attached Technical Criteria A full breakdown of the technical evaluation requirements as well as the requirements for scoring can be found on the attachment called Technical evaluation criteria. <u>SDL & I Prequalification</u> SD&L & I will apply the following pre-qualification criteria as envisaged in PPPFA 2017 regulation 4: This tender has been identified to advance B-BBEE level 1-4 status level of contributor Tenderers are to provide a valid copy of a sworn affidavit or a valid copy of a B-BBEE certificate confirming their level 1-4 status. Tender Returnable if the above elements are requirements. - Valid copy of a sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or - Valid copy of B-BBEE Certificate issued by CIPC for EME's. OR - Valid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency / sworn affidavit in the case of QSE's must be submitted, or - Valid certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or	

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• For JV's only valid certified copy of the B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV. KEY Elements when completing a Sworn Affidavit Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity: a) Name/s of deponent as they appear in the identity document and the identity number. b) Designation of the deponent as the director, owner or member must be indicated in order to know that person is duly authorized to depose of an affidavit. (Underline or circle Whichever is applicable). c) Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address. d) Percentage of black ownership, black female ownership and designated group. In the case of specialized enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. (No blank spaces to be left). e) Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. (Underline the applicable option). f) Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. (Financial year end to be stipulated by day/month/year). g) B-BBEE Status level. An enterprise can only have one status level. h) Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status. i) Date deponent signed, and date of Commissioner of Oath must be the same. (The sworn Affidavit must be signed in the presence of the Commissioner of Oath).	
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	j) 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 K) Sworn Affidavits attested / signed by a Commissioner of Oaths as a true copy stamp will not be accepted												
3.12 Designated materials and thresholds	Designated material thresholds not applicable												
3.13 Functionality requirements	Functionality requirements are applicable The following criteria will be applicable for this transaction under functionality criteria: <table><tr><th>NO</th><th>CRITERIA</th><th>Weight</th></tr><tr><td>1.</td><td>Business profile relevant to the scope of work and complexity (c) 100% Relevant to scope of work and complexity (d) 80% or less relevant to scope of work- Less 5% of total weight</td><td>20%</td></tr><tr><td>2.</td><td>Relevant Certification / Industry-specific professional registration (e) SAQCC – Fire detection (staff) (f) SAQCC – Fire extinguisher (staff) Note: If both Certification / Industry-specific professional registrations were submitted than the Supplier will score 100%. If only one was submitted than the Supplier will score 50%.</td><td>25% 25%</td></tr><tr><td>3.</td><td>Provide a list of all customers, number of years rendering the service, value of last or current contract, - An official referral letter from the client confirming this is required (c) > 5 years (d) 1-5 years</td><td>20% 10%</td></tr></table>	NO	CRITERIA	Weight	1.	Business profile relevant to the scope of work and complexity (c) 100% Relevant to scope of work and complexity (d) 80% or less relevant to scope of work- Less 5% of total weight	20%	2.	Relevant Certification / Industry-specific professional registration (e) SAQCC – Fire detection (staff) (f) SAQCC – Fire extinguisher (staff) Note: If both Certification / Industry-specific professional registrations were submitted than the Supplier will score 100%. If only one was submitted than the Supplier will score 50%.	25% 25%	3.	Provide a list of all customers, number of years rendering the service, value of last or current contract, - An official referral letter from the client confirming this is required (c) > 5 years (d) 1-5 years	20% 10%
NO	CRITERIA	Weight											
1.	Business profile relevant to the scope of work and complexity (c) 100% Relevant to scope of work and complexity (d) 80% or less relevant to scope of work- Less 5% of total weight	20%											
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	Note: If proof is provided of >5 years or more than the Supplier will score 100%. If proof is provided of 1-5 years than the Supplier will score 80%. The threshold of 80% must be met for technical requirement. NB: Only certified copies of certificates will be accepted Please refer to the attached Technical Criteria A full breakdown of the technical evaluation requirements as well as the requirements for scoring can be found on the attachment called Technical evaluation criteria. All the tenders that fail to achieve the minimum qualifying score on functionality will be disqualified and shall not be considered for further evaluation on Price and B-BBEE. Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further 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. • Unconditional discounts must be considered for evaluation purposes. • Conditional discounts must not be considered for evaluation purposes but should be implemented when payment is affected. Prices will be scored out of 80 B-BBEE status will be scored out of 20 points in accordance with PPPFA. If a tenderer fails to submit proof of B-BBEE status level, the tenderer will be disqualified. Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:	3.15 Evaluation of price	3.17 Evaluation of B-BBEE	3.18 Ranking of tenders

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	80/20 (for estimated values above R30 000 and up to R50M inclusive of VAT) Eskom will then add the score from Pricing and the B-BBEE level together and rank the suppliers from the highest to the lowest.						
Contractual Requirements	CONTRACTUAL REQUIREMENTS It must be noted that the Safety, Quality, and environment requirements will be evaluated, and companies will be given one opportunity to submit the outstanding requirements. The shortfalls will be communicated upfront to the tenderer who will then be requested to attend a session where the functional specialist will assist the tenderer to understand the outstanding requirements. The tenderer will then be afforded one opportunity to correct and resubmit within 5 working days after the clarification session Tenderers are encouraged to submit the SHEQ documents with the tender at the time of the tender closing. This will reduce the likelihood of failing the SHEQ criteria in the event that the tenderers are required to submit after the closing date. It must be noted that failure to submit the correct documents after the 1st opportunity will result in the tender being disqualified Contractual Requirements may include the following: <u>SAFETY REQUIREMENTS</u> <table border="1"> <tr> <td>1</td><td>Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses</td></tr> <tr> <td>2</td><td>OH&S Organogram (Approved by CEO/Director)-Including names and appointment reference</td></tr> <tr> <td>3</td><td>Occupational, Health and Safety Plan (OHS Plan) This must be relevant to the Scope of work (Klipspruit Substation Transformer upgrade), addressing and responding the Eskom Health and Safety Specification (numbering must align to left hand side numbers in the SHE Specification.COVID19 procedures and plans to be included. Review date to be included in the document). To be signed off by the Owner / CEO / MD</td></tr> </table>	1	Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses	2	OH&S Organogram (Approved by CEO/Director)-Including names and appointment reference	3	Occupational, Health and Safety Plan (OHS Plan) This must be relevant to the Scope of work (Klipspruit Substation Transformer upgrade), addressing and responding the Eskom Health and Safety Specification (numbering must align to left hand side numbers in the SHE Specification.COVID19 procedures and plans to be included. Review date to be included in the document). To be signed off by the Owner / CEO / MD
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2	OH&S Organogram (Approved by CEO/Director)-Including names and appointment reference						
3	Occupational, Health and Safety Plan (OHS Plan) This must be relevant to the Scope of work (Klipspruit Substation Transformer upgrade), addressing and responding the Eskom Health and Safety Specification (numbering must align to left hand side numbers in the SHE Specification.COVID19 procedures and plans to be included. Review date to be included in the document). To be signed off by the Owner / CEO / MD						

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	4	Baseline Risk Assessment to be in line with the Scope of Work (include Driving and COVID 19 Risks) (Approved by CEO/ Director)
	5	Valid Letter of Good Standing or equivalent, i.e. COID, RMA or FEMA, (Nature of Business to be applicable) The letter of good standing must state the relevant services rendered by the company, e.g. Electrical related construction work in line with the Scope of Work applicable for this tender
	6	Health and Safety Policy signed by the Owner / CEO or MD,
	7	SHE Competency; proof of the following training certificates and appointment letters for each of the following. • Health and Safety Representative (Appointment if not yet trained) • First aid level 2, • Fire fighters, • Risk Assessor • Construction Supervisor CR 8(7)-(with MV/LV line Construction) • Safety Officer (SACPCMP) Ref:32-136, 32-726 (must be on site) • Fall protection planner/developer • Fall rescuer (Competency Certificate). • Incident investigator, • Excavation Supervisor CR13(1) • COVID19 16:5 (Appointment only)
	8	Medical Fitness Certificate (including Annexure 3 format) -Occupational Health Practitioner / Nurse / Doctor (ONLY)-For all company representatives listed in point 7.
	9	Fall Protection Plan (Next Review date to be included and to be signed off by CEO/Director
	10	Substance Abuse Procedure
	11	Costing for SHE (Safety Requirements)
	<u>ENVIRONMENTAL REQUIREMENTS</u>	

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1	Annexure B	Is the acknowledgement of Eskom's SHE rules, and requirements form (Annexure B) signed and submitted by the tenderer?
2	All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD:	Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.
3	Environmental Management Plan for the Scope of work addressing the following as a minimum:	Waste management (reduction, re-use, recycling, disposal).

Quality Requirements

Refer to the attached category 3 Quality requirements.

SDL&I Undertaking

Tenderers who complete and submit the undertaking as required, but who do not meet Eskom's targets, will not be disqualified.

SDL&I undertakings do not form part of scoring, but commitments will form part of contractual obligations

Skills Development

Tenderers are required to propose against the following training initiatives.

Category	Eskom Target	Tenderer Proposal
Fire Fighting Course Level 1 & 2	2	
First Aid Training Level 1 & 2	2	
Risk Assessment Training	1	

Financial Evaluation

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	A financial evaluation will be conducted by Eskom to further evaluate the financial viability of the tenderer and its ability to meet its contractual obligations for the duration of the contract. An analysis of the tenderers financial statements will be conducted. It must be noted that financial statements may be requested after the tender closes Please Note: Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders. Proof that the highest ranked tenderer is able to meet the contractual requirements, must be submitted prior to contract award. Failure to meet "Contractual Requirements "by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award. In the event that there are further documents/actions that are required during execution of the contract, these must be made contractual conditions and compliance thereto must be managed in terms of the contract.
<u>Please note:</u>	

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 Returnables set out hereunder as part of its tender. Returnables that are mandatory for evaluation will result in disqualification if not submitted at tender closing.

Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
Basic Compliance	One (1) original tender plus (One)1 complete hard copy of the original tender	✓	
Pre-qualification criteria: B-BBEE levels 1-4 contractors	“Proof of B-BBEE status level of contributor	✓	
Please Note that: “proof of B-BBEE status level of contributor” means- (a) the B-BBEE status level certificate issued by an authorized 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;	CSD MAAA.....number	✓	
	Annexure A1- Completed and signed acknowledgement Form- Reverse E -auctioning Training	✓	
If “proof of B-BBEE status level of contributor” is required for pre-qualification purposes in terms of			

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PPPFA regulations, and is either not submitted by tender submission deadline or deemed invalid; the respective tenderer will be disqualified															
Annexure A	Acknowledgement Form			✓											
Annexure B	Tenderers Particulars			✓											
Annexure C	Integrity Pact Declaration form			✓											
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be submitted with the tender at tender submission deadline	✓													
Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2017 regulations	✓													
Supplier Development & Localisation (SD&L) Undertaking	<u>SDL&I Undertaking</u>			✓											
	Tenderers who complete and submit the undertaking as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I undertakings do not form part of scoring, but commitments will form part of contractual obligations														
	<u>Skills Development</u>														
	Tenderers are required to propose against the following training initiatives.														
	<table><tr><th>Category</th><th>Eskom Target</th><th>Tenderer Proposal</th></tr><tr><td>Fire Fighting Course Level 1 & 2</td><td>2</td><td></td></tr><tr><td>First Aid Training Level 1 & 2</td><td>2</td><td></td></tr><tr><td>Risk Assessment training</td><td>1</td><td></td></tr></table>	Category	Eskom Target	Tenderer Proposal	Fire Fighting Course Level 1 & 2	2		First Aid Training Level 1 & 2	2		Risk Assessment training	1			
Category	Eskom Target	Tenderer Proposal													
Fire Fighting Course Level 1 & 2	2														
First Aid Training Level 1 & 2	2														
Risk Assessment training	1														
Additional Documents required in event of JV:-	To be found on the NEC document Letter of intent to form a JV/consortium			✓											

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*“proof of B-BBEE status level of contributor” means:- (a) the B-BBEE status level certificate issued by an authorized 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; (as may be applicable for the particular tendering entity) 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.	Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.			
	Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement)		✓	✓
	“proof of B-BBEE status level of contributor” means:- (a) the B-BBEE status level certificate issued by an authorized 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; (as may be applicable for the particular tendering entity)		✓	
	*“proof of B-BBEE status level of contributor” means:- (a) the B-BBEE status level certificate issued by an authorized 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; Tax Clearance Certificates	Failure on the part of the supplier to submit “proof of B-BBEE status level of contributor” for purposes of evaluation and scoring by the tender closing will result in disqualification	✓	
	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		✓	

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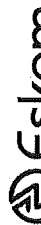
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	verification by Eskom and/or their CSD profile / CSD number) .						
	Foreign suppliers (even those with no deemed footprint in South Africa) must still complete the relevant section in Part A of the SBD1 document, however, no proof of tax compliance is required if the supplier answers "no" to all questions. If they answer "yes" to any of the questions, however, they are required to register and be tax compliant as per Part B- section 2 of the SBD 1 document and relevant legislation governing tax compliance.						
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)	✓					
Shareholding	Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	✓					
NEC	Completed NEC pricing schedule and contract data.	✓					
DOCUMENTS REQUIRED UNDER CONTRACT REQUIREMENTS							
Safety	SAFETY						
	<table><tr><td>1</td><td>Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses</td></tr><tr><td>2</td><td>OH&S Organogram (Approved by CEO/Director)-Including names and appointment reference</td></tr></table>			1	Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses	2	OH&S Organogram (Approved by CEO/Director)-Including names and appointment reference
1	Is the acknowledgement of Eskom's OHS rules and requirements form (Annexure B) signed by the Owner / CEO / MD and 2 witnesses						
2	OH&S Organogram (Approved by CEO/Director)-Including names and appointment reference						

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3	Occupational, Health and Safety Plan (OHS Plan) This must be relevant to the Scope of work (Klipspruit Substation Transformer upgrade), addressing and responding the Eskom Health and Safety Specification (numbering must align to left hand side numbers in the SHE Specification.COVID19 procedures and plans to be included. Review date to be included in the document). To be signed off by the Owner / CEO / MD		
4	Baseline Risk Assessment to be in line with the Scope of Work (include Driving and COVID 19 Risks) (Approved by CEO/ Director)		
5	Valid Letter of Good Standing or equivalent, i.e. COID, RMA or FEMA, (Nature of Business to be applicable) The letter of good standing must state the relevant services rendered by the company, e.g. Electrical related construction work in line with the Scope of Work applicable for this tender		
6	Health and Safety Policy signed by the Owner / CEO or MD,		
7	SHE Competency; proof of the following training certificates and appointment letters for each of the following. • Health and Safety Representative (Appointment if not yet trained) • First aid level 2, • Fire fighters, • Risk Assessor • Construction Supervisor CR 8(7)-(with MV/LV line Construction) • Safety Officer (SACPCMP) Ref:32-136, 32-726 (must be on site)		

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		• Fall protection planner/developer • Fall rescuer (Competency Certificate). • Incident investigator, • Excavation Supervisor CR13(1) • COVID19 16:5 (Appointment only)		
		8 Medical Fitness Certificate (including Annexure 3 format) - Occupational Health Practitioner / Nurse / Doctor (ONLY)-For all company representatives listed in point 7.		
		9 Fall Protection Plan (Next Review date to be included and to be signed off by CEO/Director		
		10 Substance Abuse Procedure		
		11 Costing for SHE (Safety Requirements)		
Quality	QUALITY			✓
Environmental	Refer to the attached Quality requirements.			
	<u>ENVIRONMENTAL REQUIREMENTS.</u>			✓
	1 Annexure B Is the acknowledgement of Eskom's SHE rules, and requirements form (Annexure B) signed and submitted by the tenderer?			
	2 All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD: Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.			
	3 Environmental Management Plan for the Scope of work addressing the following as a minimum: Waste management (reduction, re-use, recycling, disposal).			

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Due Diligence	Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.	✓
---------------	---	---

DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA			
Technical (required for functionality scoring)	NO	CRITERIA	Weight
	1.	Business profile relevant to the scope of work and complexity (e) 100% Relevant to scope of work and complexity (f) 80% or less relevant to scope of work- Less 5% of total weight	20%
	2.	Relevant Certification / Industry-specific professional registration (g) SAQCC – Fire detection (staff) (h) SAQCC – Fire extinguisher (staff) Note: If both Certification / Industry-specific professional registrations were submitted than the Supplier will score 100%. If only one was submitted than the Supplier will score 50%.	25% 25%

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	3.	Provide a list of all customers, number of years rendering the service, value of last or current contract, - An official referral letter from the client confirming this is required (e) > 5 years (f) 1-5 years Note: If proof is provided of >5 years or more than the Supplier will score 100%. If proof is provided of 1-5 years than the Supplier will score 80%. 20% 10%		
	The minimum qualifying score on functionality is 80%. All the tenders that fail to achieve the minimum qualifying score on functionality will be disqualified and shall not be considered for further evaluation on Price and B-BBEE. Please refer to the attached Technical Criteria A full breakdown of the technical evaluation requirements as well as the requirements for scoring can be found on the attachment called Technical evaluation criteria			

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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:

1. _____
2. _____ -3. _____

We confirm that the documentation received by us is: *(Indicate by ticking the box)*

Correct as stated in the Invitation to Tender / RFP Content List, and that each document is complete. ☐

Or: Incorrect or incomplete for the following reasons: ☐

Cataloguing Acknowledgement:

[Please select the relevant statement by ticking the appropriate box below]:

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

4. 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/Request for Proposal No: _____

Name of company/JV: _____

Country of registration _____

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Name of contact person: _____

Contact details of contact person:

Tel (landline) _____

Cell phone _____

e-mail address _____

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ANNEXURE A.1

Acknowledgement Form- Reverse E-auctioning Training

Invitation to Tender No. [.....]

Name of company/JV _____

Name of contact person: _____

Contact person's details:

Tel (landline): _____

Cellphone: _____

E-mail address: _____

Acknowledgment:

I _____ (supplier name) acknowledge that I have attended Reverse E-auction training presented during the clarification meeting held on _____ at _____ I am satisfied with the training and I can confirm that I will be able to operate the Reverse E-auction system should I be the recommended supplier.

I _____ (supplier name) acknowledge that I have undergone self-training of the uploaded Reverse E-auction video (<https://www.youtube.com/watch?v=2OzleM6x-fs>), and did not have to attend the clarification meeting for me to understand it. I am satisfied with my self-training and confirm that I will be able to operate the Reverse E-auction system should I be the recommended supplier.

Signature:

Designation:

Date:

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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 (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)	
Shareholding information (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entity shareholders (provide full legal/trading name and respective identifying registration/trust numbers)	Include as separate tender returnable if required.
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)	

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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	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names& ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom. _____
2. If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury _____
3. 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.

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4. You may register online at National Treasury website on www.treasury.gov.za
5. Alternatively, you may contact **Babalwa Mhlophe on 011 8003478**
6. If you are registered on SARS e-filing system, please provide your pin number in order to verify your tax compliant status _____
7. If you are required to be tax compliant as per SBD 1, but are not registered on CSD (foreign suppliers) or have not provided your SARS e-filing pin, please confirm that you have attached/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 compete 8.1- 8.7

- 8.1 Confirm if you intend sub-contracting

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. Black people
- b. Black people who are youth
- c. Black people who are women
- d. Black people with disabilities
- e. Black people living in rural or underdeveloped areas or townships
- f. Cooperatives which are 51% owned by Black people
- g. Black people who are military veterans

If Eskom decides to apply the sub-contracting provision as specified in Regulation 4(c) all tenders above the prescribed maximum threshold for quotations must be advertised through an open competitive bidding process subject to potential tenderers meeting the 30% minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises:

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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
-----	----

A. 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: _____

B. 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

(Form to be completed and signed by supplier/tenderer as Invitation to Tender returnable or as part of contract modification documentation)

1. 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:-
 - an individual is related to another individual of they are married, or live together in a relationship similar to marriage;
 - or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 - 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
- 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

1. 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.

2. 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	No
1.1	Is the tenderer/s(or any of its directors/members/shareholders) listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector [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]. The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Is the tenderer/s (or any of its directors / members / shareholders)? listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.3	Was the tenderer/s (or any of its directors/members/shareholders) 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.		

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1.4	Was the tenderer/s(or directors/members/shareholders) prohibited from doing business with any International Financial Development/funding Agency or Lending Institution	
1.5	Is there any history/record of the tenderer/s (or any of its directors/members/shareholders) failing to meet their contractual obligation with any SOC?	

I, the undersigned, _____ 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)

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.

Signature:	
Designation and capacity in which signing:	
Date:	

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Joint Ventures

I, the undersigned, _____ 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

the JV). _____ (insert the full legal name of

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 this declaration prove to be false.

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/Request for proposal).

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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:	CLOSING DATE:	CLOSING TIME:	
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS	
SUPPLIER INFORMATION			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	OR	CENTRAL SUPPLIER DATABASE No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	MAAAA [TICK APPLICABLE BOX] ☐ Yes ☐ No
[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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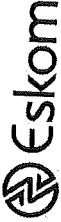
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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes [IF YES ENCLOSE PROOF]	☐ No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	☐ No
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?					
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?					
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?					
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					
☐ YES ☐ NO ☐ YES ☐ NO ☐ YES ☐ NO ☐ YES ☐ NO ☐ YES ☐ NO					

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PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILEING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA/ JOINT VENTURES/ SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

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Annexure H

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

1.2

a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender
(*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

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1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

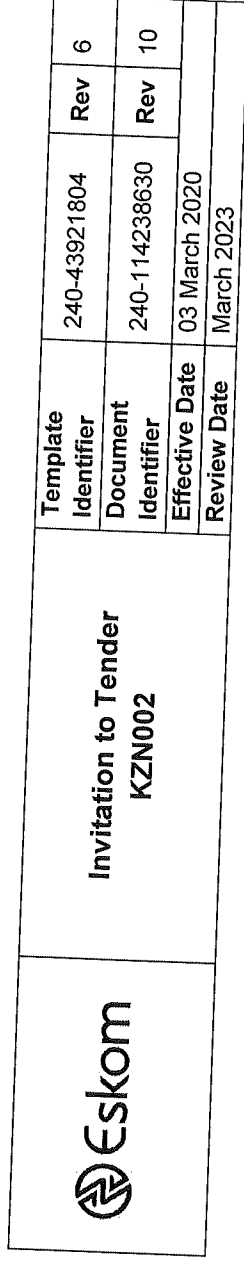
2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

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

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

Where

P_{min} = Price of lowest acceptable bid

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

5. BID DECLARATION

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6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: = (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?
(Tick applicable box)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted %?
- ii) The name of the sub-contractor
- iii) The B-BBEE status level of the sub-contractor
- iv) Whether the sub-contractor is an EME or QSE (Tick applicable box)

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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
Black people	✓	✓
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		

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OR	
Any EME	
Any QSE	

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1	Name company/firm.....	of
8.2	VAT number.....	registration
8.3	Company number.....	registration
8.4	TYPE OF COMPANY/ FIRM	

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of

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contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES 1. 2.	 SIGNATURE(S) OF BIDDERS(S) DATE:
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