

Document Identifier	240-109836084	Rev	1
<b>Effective Date</b>	01 June 2016		
Review Date	February 2025		

#### **ESKOM HOLDINGS SOC LTD**

#### **INVITATION TO TENDER**

**FOR** 

# REFURBISHMENT OF BOILER AUXILIARY COOLING HEAT EXCHANGERS ON UNIT 1-6 DURING PLANNED OUTAGES FOR THE DURATION OF 5 (FIVE) YEARS

Tender number	MPDUV10997GX	
Issue date	15 January 2024	
Closing date and time	04 April 2024 at 10h00 a.m	
Tender validity period	180 days from the closing date and time	
Clarification meeting	A Clarification Meeting with representatives of the Employer will take place as follows:	
	Date: 07 February 2024	
	Time: 10:30 ap.m	
	Venue: Microsoft Teams meeting. Below is the link to join:	
	Microsoft Teams meeting	
	Join on your computer, mobile app or room device Click here to join the meeting	
	Meeting ID: 367 657 311 070	
	Passcode: 9gVDd2	
	Download Teams   Join on the web	
	Or call in (audio only)	
	+27 21 834 0825,,4685184# South Africa, Cape	
	Town Phone Conference ID: 468 518 4#	
	Find a local number   Reset PIN	
	Learn More   Meeting options	
	Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee.	
	NB: Kindly be advised that the Clarification Meeting is not compulsory	
	All queries relating to the enquiry to be emailed to MasileSR@eskom.co.za. All questions and answers will be posted back on Eskom Tender Bulletin and National Treasury e-Portal	

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Tenders are to be delivered to the following
address on the stipulated closing date and
time:

Late Tenders will NOT be accepted:

Tenders are to be submitted to the Eskom tender box at the following physical address:

ESKOM HOLDINGS SOC LIMITED'S 24 HOUR TENDER BOX TENDER BOX LOCATED AT NO.10 SMUTS AVENUE WITBANK/EMALAHLENI MPUMALANGA

GPS Co-ordinates: Latitude: 25.87723S Longitude: 29.21629E

DESCRIPTION: REFURBISHMENT OF BOILER AUXILIARY COOLING HEAT EXCHANGERS ON UNIT 1-6 DURING PLANNED OUTAGES FOR THE

DURATION OF 5 (FIVE) YEARS ENQUIRY NUMBER: MPDUV10997GX

CLOSING DATE AND TIME: 04 April @10:00 a.m

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#### Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a tender for the provision of Refurbishment of Boiler Auxiliary Cooling Heat Exchangers on Unit 1-6 during planned outages for the duration of 5 (five) years.

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 <a href="www.eskom.co.za">www.eskom.co.za</a>). Queries relating to these Invitation documents may be addressed to the Eskom *Representative*.

Yours faithfully

Mandla Mkhonza

**MANAGER PROCUREMENT** 

Date: 2024/03/07

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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	Υ
1.1.2	*Tenderer's particulars	Annexure B	Υ
1.1.3	*Integrity Declaration Form (refer to <a href="www.eskom.co.za">www.eskom.co.za</a> 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 (if applicable)	Annexure E	Y
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included).	Annexure F1	Y
	Annexure C-Local Content Declaration- Summary Schedule	Annexure F2	
	Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C	Annexure F3	
	Annexure E-Local Content Declaration- Supporting Schedule to Annexure C	Annexure F4	
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	Υ
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.		Y
1.1.11	Reverse e-auction training acknowledgement form (if applicable)		N/A
1.1.12	Reverse e-auction process (if applicable)		N/A
1.1.13	Contract Skills Development Goals (CSDG) [if applicable]		N/A
1.1.14	Contract Participation Goals (CPG) [if applicable ]		N/A

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.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 <a href="https://www.eskom.co.za">www.eskom.co.za</a>. 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 Employer is Eskom Holdings SOC Ltd	
	The Eskom Representative is: Name: Sibongile Masilela Tel: +27 13 690 0212	
1.3 Enquiry documents	E-mail: MasileSR@eskom.co.za  The Invitation to tender number is: MPDUV10997GX See the content list above for the enquiry documents.	
1.4 Type of Invitation to Tender	This invitation to tender is:	
1.6 Eskom's rights to accept or reject any tender	An open Invitation to 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 structure similar to a Joint Venture) complies with the <i>eligibility cr</i> stated in the Tender Data and the tenderer, or any of his principal not under any restriction to do business with Eskom/State Ov Companies.	
	<ol> <li>Tenderers are deemed ineligible to submit a tender if</li> <li>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.</li> <li>Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium</li> <li>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.</li> <li>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:</li> </ol>	

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	<ol> <li>(a)they have a controlling partner/majority shareholder in common; or</li> <li>(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;</li> <li>Tenders signed by non- authorized persons</li> <li>Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)</li> <li>Any tenderer that is restricted by National Treasury</li> <li>Any tenderer on the Tender Defaulters list.</li> <li>A tenderer that sub-contracts 100% Scope of Work.</li> </ol>
	Ineligible tenderers will be disqualified.
2.2 -2.5 Tender Closing	The deadline for <i>Tender</i> submission is: Date: 04 April 2024 Time: 10h00 Late Tenders will not be accepted  Tenders are to be submitted to the Eskom tender office at the following physical address:  THE TENDER OFFICE Eskom Holdings SOC Limited's Tender Box located at No.10 Smuts Avenue Witbank/Emalahleni Mpumalanga DESCRIPTION: REFURBISHMENT OF BOILER AUXILIARY COOLING HEAT EXCHANGERS ON UNIT 1-6 DURING PLANNED OUTAGES FOR THE DURATION OF 5 (FIVE) YEARS ENQUIRY NUMBER: MPDUV10997GX CLOSING DATE AND TIME: 04 APRIL 2024 @ 10:00AM ATTENTION TO: SIBONGILE MASILELA
	TENDERER'S NAME AND CONTACT ADDRESS
2.9 Copy of original tender	The tenderer must submit the tender as a complete original tender, plus one (1) <b>hard copy</b> 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 <b>180 Days</b>
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2.16 Site/clarification meetings	A Clarification Meeting with representatives of the <i>Employer</i> will take place as follows:  Date: 07 February 2024 Time: 10:30 ap.m Venue: Microsoft Teams meeting. Below is the link to join:  Microsoft Teams meeting Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 367 657 311 070 Passcode: 9gVDd2 Download Teams   Join on the web Or call in (audio only) +27 21 834 0825, 4685184# South Africa, Cape Town Phone Conference ID: 468 518 4# Find a local number   Reset PIN Learn More   Meeting options  Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee.  NB: Kindly be advised that the Clarification Meeting is not compulsory  All queries relating to the enquiry to be emailed to MasileSR@eskom.co.za. All questions and answers will be
	posted back on Eskom Tender Bulletin and National Treasury e- Portal
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 <b>10</b> working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are <i>not allowed</i> .
2.31 Provision of security for performance	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.
	Not applicable.

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3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline;
	Tenders will be opened on:
	Place: Eskom Holdings SOC Limited's Tender Box located at: No.10 Smuts Avenue
	Witbank/Emalahleni
	Date: <b>04 April 2024</b> Time: <b>10h00</b>
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:
	<ol> <li>Meet the eligibility criteria for a tenderer</li> <li>Submit one (1) hard copy of the original tender to Eskom</li> <li>Submit a complete original tender with commercial, financial and technical information</li> <li>Submission of the mandatory commercial tender returnables as at stipulated deadlines.</li> <li>Central Supplier Database (CSD) number (MAA)</li> </ol>
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents/information 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.
3.13 Functionality requirements	Functionality requirements are applicable
	The minimum weighted final score (threshold) required for a tender to be considered from a technical perspective is 70%. Should suppliers not meet the minimum threshold of 70%, Eskom reserves the right to consider and or negotiation with suppliers that scored between 60% and 69%. Refer to the attached Technical Evaluation Strategy (Annexure A)
	Tenderers who do not meet the threshold for functionality scoring will be disqualified and not be evaluated further.
3.15 Evaluation of price	Prices will be evaluated as follows:
	<ol> <li>Inclusive of VAT</li> <li>Making the specified correction for arithmetical errors</li> <li>Excluding contingencies in any bill of quantities or activity schedule.</li> <li>Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.</li> <li>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</li> </ol>

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	Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable.  1. Unconditional discounts must be taken into account for evaluation purposes;  2. Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected.  Prices will be scored out of 80 points.
3.17 Evaluation of Specific Goals	Specific goals will be scored out of 20 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 80 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.
3.18 Ranking of tenders	Suppliers will be ranked by applying the preferential point scoringbased on the relevant system as stipulated hereunder]:- Suppliers will be ranked by applying the preferential point scoringbased on the relevant system as stipulated hereunder]:-
	80/20 for tender with rand value below R50 million. Should there be a degree ofuncertainty on which PPPFA Point allocation system will apply; the lowest acceptable tender will be used to determine the applicable preference system
3.19 Objective Criteria (if applicable)	Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.  Objective criteria <i>are applicable</i>
	Compliance to Objective criteria is Mandatory. Failure to comply with Objective will form part of negotiations.
	The following objective criteria apply:-  • SDL& I (Undertaking):
	Kindly refer to page 17-22

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3.20 Reverse e-auction (if applicable)	Reverse e-auction <i>is not applicable</i>
	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 may include the following:
	SHEQ requirements; and/or
	2. Financial statements; and/or
	3. SDL&I Undertaking (refer to the attached document)
	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/
	tenderer recommended for award (on the basis of objective
	criteria) 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.
2.25 Contractual Condition	The conditions of contract will be the NEC3 Term Service Contract
	(NEC3 TSC) as well as SHEQ and SDL&I requirements.
	The recommended supplier shall submit all the documentation that
	may be required as returnables after 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.
CIDB Requirements (where applicable	CIDB Requirements <i>are not applicable</i>
for Engineering and Construction Works	. , , , , , , , , , , , , , , , , , , ,
Contracts)	

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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;

### 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 5working 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.

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	One (1) hard copy of the original tender at tender submission deadline	✓		
Annexure A	Acknowledgement Form		✓	
Annexure B	Tenderers Particulars		✓	
Annexure C	Integrity Pact Declaration form		✓	
Annexure D	CPA for local goods/services	<b>√</b>		
Annexure E	CPA(IG) for imported goods/services	<b>√</b>		
Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E [only applicable where designated materials are included]			<b>√</b>
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.			<b>✓</b>
# Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			<b>√</b>
Annexure I	SBD 4 – Bidders Disclosure			✓
Reverse e-auction training acknowledgement form (if applicable)	Not applicable			
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.	<b>√</b>		
	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.	<b>√</b>		
	# 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.	<b>✓</b>		✓ 
# Specific Goals	Failure on the part of the supplier to submit "proof of specific goals for purposes of evaluation and			<b>✓</b>

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	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	A certified copy of a tax clearance certificate is still	✓	
Certificates	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.		
Valid B-BBEE	(As prescribed by the B-BBEE Codes of Good	 ✓	
certificate issued by	Practice; or any other requirement prescribed in terms		
a B-BBEE verification	of the Broad-Based Black Economic)		
professional/ Sworn			
Affidavit	A tender that fails to submit any of the above		
	requirements to demonstrate compliance to B-BBEE		
	Codes of Good Practice will not be justified for award.		
	Note:-		
	NOTE:-		
	Where Objective Criteria is applicable,		
	Compliance to it is Mandatory.		
	Failure to comply with Objective criteria will		
	render the tender non-responsive.		
	Eskom reserves the right to award to a tenderer who may not be the highest scoring/highest		
	ranked tenderer, in line with Section (2) (1) (f) of		
	the PPPFA		
	Functionality and elements of Contractual		
	requirements must not be used as objective		
	criteria.		
	# <b>T</b> 1		
	# These returnable are mandatory before order		
	# These returnable are mandatory before order award and if the were not submitted at enquiry		
	award and if the were not submitted at enquiry closing date, the Procurement Practitioner will		
	award and if the were not submitted at enquiry closing date, the Procurement Practitioner will request it to be submitted before contract award.		
	award and if the were not submitted at enquiry closing date, the Procurement Practitioner will request it to be submitted before contract award. This will be requested by the Procurement		
	award and if the were not submitted at enquiry closing date, the Procurement Practitioner will request it to be submitted before contract award.		

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List of Directors / Shareholding Certificate			V	
Annexures C, D, E	Annexure C- Local Content Declaration – Summary Schedule		V	
	Annexure D- Imported Content Declaration- Supporting Schedule to Annexure C		√	
	Annexure E- Local Content Declaration- Supporting Schedule to Annexure C		<b>√</b>	
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]			<b>✓</b>
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)			<b>✓</b>
CIDB (where applicable)	Valid proof of the required CIDB grading designation for the main contractor; JV and /or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer	N/A		
NEC/FIDIC	Completed NEC pricing schedule and contract data.	✓		
Documentation Additional		NI/A		
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents		N/A		
(if applicable to scope of work)				

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	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE			
	CONTRACTUAL REQUIREMENTS ARE			
	STIPULATED)			
Safety	COIDA - Original certificate of good standing or proof			<b>√</b>
	of application issued by the Compensation Fund			
	(COID) or a licensed compensation insurer (South			
0 111	African tenderers only). Kindly refer to page 24-25			
Quality	Documents that may be required per scope of work.			✓
	Kindly refer to page 26-29			
Environmental	Documents that may be required as per scope of			✓
	work. Kindly refer to page 25			
SDL&I requirements	Kindly refer to Step 4, page 17-22			✓
Due Diligence	Audited Financial Statements of the <i>tenderer</i> 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.			
Corporate Social	Suppliers to propose or offer a percentage or value			✓
Investment (CSI)	for Corporate Social Investment (CSI)			
	DOCUMENTS REQUIRED UNDER			
	FUNCTIONALITY/TECHINICAL CRITERIA			
Technical (required for	Table 3: Qualitative Technical Evaluation Criteria.	$\checkmark$		
functionality scoring)	Supplier needs to achieve a threshold of ≥70% to be			
	evaluated further. Should no supplier meet the			
	minimum threshold of 70%, Eskom reserves the right			
	to consider and or negotiate with suppliers that			
	obtained from 60% to 69%. For a detailed technical			
	criteria please see technical evaluation criteria			

### **EVALUATION PROCESS:**

# Step 1: Basic compliance

- Meet the eligibility criteria for a tenderer
- Submit one copy of the original tender to Eskom
- Submit a complete tender with commercial and technical information
- Submission of the list of mandatory commercial tender returnables as stated hereunder

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#### **STEP 2: FUNCTIONALITY**

Part 1: Table 2: Mandatory Technical Evaluation Criteria. Tenderers that do not meet requirements as per Table 2 will not be evaluated further.

#### **Table 3: Qualitative Technical Evaluation Criteria**

Tender Technical Evaluation Strategy: Table 3: Qualitative Technical Evaluation Criteria. Supplier needs to achieve a threshold of ≥70% to be evaluated further. Should no supplier meet the minimum threshold of 70%, Eskom reserves the right to consider and or negotiate with suppliers that obtained from 60% to 69%. For a detailed technical criteria please see technical evaluation criteria

### **STEP 3: PRICE PREFERENCE (80/20)**

# **Price Evaluation (80 points)**

Adjudication Criteria	Points
Price Evaluation	
$Ps = 80 \left( 1 - \frac{Pt - P\min}{P\min} \right)$	80

Where

Ps = Points scored for comparative price of tender under consideration

Pt = Comparative price of tender under consideration Pmin = Comparative price of lowest acceptable tender

### **B-BBEE Evaluation (20 Points)**

Tenderers are required to submit a valid B-BBEE Status Level Verification Certificates together with their tenders to substantiate the B-BBEE claims. Tenderers who do not submit B-BBEE Status Level Verification Certificate or non-compliant contributors to B-BBEE will not qualify for preference points, however will not be disqualified from the tender process. Such tenderer will score out of 80 points for price and 0 points out of 20 for B-BBEE. Points awarded to a tenderer for attaining the B-BBEE Status Level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4

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8	2
Non-compliant contributor	0

The points scored for price will be added to the points scored for B-BBEE Status Level of contribution to obtain the tenderer's points out of a 100.

# STEP 4: OBJECTIVE S: SUPPLIER DEVELOPMENT LOCALISATION AND INDUSTRIALISATION (SDL&I)

**Section 1: Specific Goals** 

A maximum of 10/20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

# NB: The following documents are required to claim preference points,

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

# Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but'

- May only score point out of 90/80 for price
- Scores 0 points out of 10/20 for specific goals

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Section 2: Objective criteria

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

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.

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.

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.

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.

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

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you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as 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

"Local Procurement Content" refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component. Tenderers are required to submit their proposals in the table below.

Local Procurement	Eskom target	Tenderer Proposal
Content	100%	

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

The winning tenderer is encouraged to procure/spend on designated groups on the following paid invoices for both:

- the indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and
- direct spend on goods and services supplied by the subcontractors for the execution of the scope of work.

Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises must be submitted in a table below.

Procurement from	Eskom Target	Tenderer
Designated Group		Proposal
Black Owned	4.0%	
Black Women Owned	3.0%	
Black Youth Owned	2.0%	
Black Persons with Disability	1.0%	

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**4. Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.

Type of Jobs to be created	Number of Jobs to be created

Type of Jobs to be retained	Number of Jobs to be retained

#### 3. Skills development

Tenderers are required to submit proposals in a table below for developing the skills of unemployed candidates in the country. Skills development is intended to address Eskom's core, scarce and critical skills and the scarce and critical skills. These skills are also included in a 2020 list of occupations in high demand as stipulated in the Government Gazette 43937. Candidates shall be from all provinces in the country, and their composition shall be representative of the population demographics of South Africa

Skill type / Occupation	Eskom target	Proposed Number of Candidates
Technical Trade	2	

The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.

<u>Note</u>: That these targets for skills development candidates categorically exclude Eskom employees and registered learners. The tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies, and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives

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#### 4. Subcontracting

Tenderers shall subcontract a minimum of 5% of the contract value to the following designated groups:

 an EME or QSE which is 51% owned by black people living in rural or underdeveloped area or townships.

NOTE 1: Tenderers shall submit the following mandatory returnable for Subcontracting:

- Subcontracting agreement signed by both with subcontractors' company registration documents (CK and B-BBEE certificate or sworn affidavit) or
- Copies of sub-contracting contracts (agreements) or copies of letters from the tenderer to the sub-contractors, stating the intent to sub-contract. The Tenderer should sign both documents and the Sub-contractor(s) earmarked.

Potential scope to be subcontracted and/or outsourced:

- Transportation
- Accommodation
- Transport
- Labourers

Subcontracting, in this instance, will be treated as a condition for contract award. A supplier awarded a contract may not subcontract more than 25% of the value of the contract to any other entity that does not have an equal or higher B-BBEE status level of a contributor than the supplier concerned unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

### Section 3: SDL&I Penalty and Performance Security

Eskom will apply a penalty of 2.5% of the invoice amount for failure to meet SDL&I obligations.

Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations. For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon:

- Eskom receives the SDL&I progress report/s from the contractor.
- Fulfilment of all SDL&I obligations by the contractor.
- Submission of an approved compliance report by SDL&I Department.

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### **Section 4: Reporting and Monitoring**

- The suppliers shall on a quarterly basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- Eskom shall review the SDL&I reports submitted by the suppliers within 30 (thirty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.
- Every contract shall be accompanied by the SDL&I Implementation Schedule, which must be completed by the suppliers and returned to SDL&I representative for acceptance 28 days after contract award. This will be used as a reference document for monitoring, measuring and reporting on the supplier's progress in delivering on their stated SDL&I commitments

### Section 6: 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).
- 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**).
- 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. (The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)
- 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.

NB: It should be noted that SDL& I requirements will form part of contractual requirements.

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# STEP 5: CONTRACTUAL REQUIREMENTS (SAFETY, HEALTH, ENVIRONMENTAL AND QUALITY (SHEQ))

#### **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/ tenderer recommended for award (on the basis of objective criteria) is able to meet the contractual requirements, must be submitted prior to contract award.

Failure to meet "Contractual Requirements "by the stipulated deadlines (deadline will be communicated during evaluation stage); may result in the tenderer being regarded as non-responsive and ineligible for contract award.

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### **SAFETY REQUIREMENTS:**

<u>JAI L</u>	I I KEQUIKE	IVILIA I 3.				
			Template Identifier	240-43921898	Rev	5
<b>(</b> €) Eskom		Annexure C 1: OHS Tender Evaluation Template (High risk)	Document Identifier	240-77471651	Rev	3
900			Effective Date	May 2021	•	
			Submission			
Ref.		OHS Tender Returnable	Y = Yes	Comments		
			N= No			
			N/A = Not applicable			
1	Annexure E	3				
		wledgement of <b>Eskom's OHS</b> legal and other requirements form signed ed by the tenderer?				
2	make refere	Safety Plan Health and Safety plan/OHS manual (to also discuss and nce to safe work procedures. Site establishment and de-establishment to d in the SHE Plan specific to the scope of work)				
3		Health and Safety management				
		derer submitted detailed costing for OHS (the cost should be broken ovided as a lump sum).				
		ting must be based on the overall scope of work/service to be performed; pe of work and the risk assessment may serve as a guideline.				

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4	Baseline OHS Risk Assessment (BRA)		
	Identification, assessment and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA Legal & other requirements		
5	Valid Letter of Good Standing (COIDA or equivalent)		
6	OHS policy signed by CEO		
	•OHS policy (must be signed by MD/CEO) – To be in line with the requirements of ISO 45001.		
7	•OHS Competency •OHS Competencies for Site Manager, minimum required is OHS Legal Liability and HIRA as well as Construction Regulations Awareness Training Certificate) Safety Officer (full time Time). Safety Officer • If Safety Officer has no Diploma in Safety Management, then SAMTRAC with no less than 3 years work experience required.		
Rec	ommendation	Recommended Recommended	/Not

### **ENVIROMENTAL REQUIREMENTS:**

- 1. Environmental Management Policy in line with ISO 14001 and signed by top management.
- 2. Method Statement that is task specific.
- ✓ Service Provider to receive that Station's Waste Management Work Instruction prior to work commencement.

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# **QUALITY REQUIREMENTS:**

<b>(₹)</b> Eskom	(FORM A)	Template Identifier	240-43921804	Rev	3
(A) C2KOIII	TENDER & CONTRACT QUALITY REQUIREMENTS FOR	Document Identifier	240-68099512	Rev	9
	240-105658000 AND QUALITY REQUIREMENTS FOR	Authorisation Date	January 2022	I	
	ISO 9001 STANDARD	Review Date	January 2027		

₹ Z	ENQUIRY/ CONTRACT No:		
SECTION A (TENDERER	ENQUIRY/ CONTRACT DESCRIPTION		
	CLAUSES OF 240-105658000 SPECIFICATION	CLAUSE DESCRIPTION	INDICATE WITH AN (X) AS APPLICABLE OR (-) IF NOT
		PRE-CONTRACT AWARD QUALITY REQUIREMENTS	X
		(*Select Only Applicable Category). NB: Not more than one category must be selected. Also indicate whether site assessment is applicable.	
		Category 1 (refer to clause 3.5.2 of 240-105658000)	-
<del>S</del>		Category 2 (refer to clause 3.5.3 of 240-105658000)	X
Ö		Category 3 (refer to clause 3.5.4 of 240-105658000)	_
S	ო	Category 4 (refer to clause 3.5.5 of 240-105658000)	-
B (E	CLAUSE	Main Supplier and Sub-supplier Capability and Capacity Assessment (refer to clause 3.6 of 240-105658000) POST-CONTRACT AWARD	•
O	4		
È	O	Contract Execution (refer to clause 3.7.1 of 240-105658000)	X
SSECTION B (ESKOM)		Supplier Quality Performance Monitoring Phase (refer to clause 3.7.2 of 240-105658000)	X
		STANDARD CONDITIONS	
		Eskom Rights of Access (refer to clause 3.8.1 of 240-	X
		Eskom Rights to Information (refer to clause 3.8.2 of 240-	X
		Preservation (refer to clause 3.8.3 of 240-105658000)	X
		Quality Audits Related Conditions (refer to clause 3.8.4 of 240-	X

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			Management of Nonconformities and Nonconforming Outputs				
			dentified by Eskom (refer to clause 3.8.5 of 240-105658000)				
		Special processe					X
	CLAUSES OF ISO 9001 STANDARD	ISO 9001 STANDARD CLAUSE DESCRIPTIO N	INDICAT WITH AI AS APPLIC E OR (-) NOT APPLIC	N (X) ABL IF	QUALITY PRINCIPLES	ISO 9001 STANDARD PRINCIPLE DESCRIPTIO N	INDICATE WITH AN (X) AS APPLICABLE OR (-) IF NOT APPLICABLE
(N	CLAUSE 4	Context of the Organisation	X		PRINCIPLE 1	Customer focus	X
Ō	CLAUSE 5	Leadership	X		PRINCIPLE	Leadership	X
SECTION C (ESKOM)	CLAUSE 6	Planning	X		PRINCIPLE 3	Engagement of people	X
Z	CLAUSE 7	Support	X		PRINCIPLE	Process	X
9	CLAUSE 8	Operation	X		PRINCIPLE	Improvement	X
SECT	CLAUSE 9	Performance Evaluations	X		PRINCIPLE 6	Evidence based decision	X
	CLAUSE 10	Improvement	X		PRINCIPLE 7	Relationship Management	X
D	701/01/10	NAME		DESI	GNATION	DATE	SIGNATURE
SECTION I	ESKOM'S QUALITY REPRESENTATIV E						
Шш		NAME		DESI	GNATION	DATE	SIGNATURE
SECTION E (TENDERE	TENDERER'S QUALITY REPRESENTATIV E						

NB: The tenderer must complete and sign this form to acknowledge and accept Eskom Supplier Quality Requirements as per 240-105658000 Specification and ISO 9001 Standard.

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[ <b>(</b> Eskom ]	Supplier Quality Management:	Unique Identifier	240-12248652		
. 4	List of Tender Returnables	Revision	7		
	Documents	Effective Date	2022/01/26		
		Specification	240-105658000		
		Deliverables to be			
Category 2	: Quality Requirements	evaluated indicator = 1			
	SECTION A : Quality Management Syst	tem Requirements ISO 900	1		
(Option 1)	Valid certification of Quality Managem				
			Apply =1		
A.1 Product / Se	ervice Scoping on ISO 9001 certificate is de	efined and relevant	1		
A.2 Certificate b	y Approved and Authorized certification au	uthority	1		
A.3 Certification	Authority has Recognized International Ac	ccreditation	1		
A.4 Validity (exp	piry date) of certificate		1		
	Section A Score Option 1		4		
SECTION (Option 2)	SECTION A : Quality Management System Requirements ISO 9001 Objective evidence of documented QMS that is not certified  (Option 2) but complies with ISO 9001				
			Apply =1		
A.1 QMS Manua	al or a document that defines and describe	s the QMS and its scope	1		
A.2 Quality Police	cy Approved by top management.		1		
•	ectives Approved by top management.		1		
A.4 Control of d of ISO 9001:201	ocumented information (i.e. document and	record control) Clause 7.5	1		
A.5 Documented ISO 9001:2015	d information for Control of nonconforming	outputs Clause 8.7 of	1		
A.6 Documented ISO 9001:2015	d information for Nonconformity and Corre	ctive action Clause 10.2 of	1		
A.7 Documente	d information for Internal audit Clause 9.2	of ISO 9001:2015	1		
	Section A Score Option 2		7		
SECTION B : E 240-105658000	vidence of QMS in operation (Tender Qu )	uality Requirements -Ref			
			Apply =1		
Organization ch	d information for defined roles, responsibili art and Responsibility matrix (must include nction/role) (Clause 5.3 of ISO 9001:2015)	but not limited to quality	1		
and Services - N	d information for Control of Externally Prov Must include criteria for evaluation, selection and re-evaluation of external providers (Clau	n, monitoring of	1		

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B.3 Latest copy of an internal management system audit report (with Nonconformity, Correction and/ or Corrective Action Reports) - Report must include but not limited to Objective, Scope, Criteria and outcomes of the audit. (Clause 9.2 of ISO 9001:2015)	1
B.4 Latest copy of a certification management system audit report not older than 12 months (with Nonconformity, Correction and/ or Corrective Action Reports)	0
B.5 Records of Management Review meetings (minutes, attendance registers e.t.c)	1
Section B Score	4
SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-	109253698).
Draft Contract Quality Plan specific to the scope of work as described in the tend (Ref ISO 10005)	er documents
	Apply (Yes=1)
NB! Draft Contract/Project Quality Plan has important QA deliverables	1
Section C Score	1
SECTION D: Quality Control Plan Requirements (Ref 240-105658000 or 240-1 QCP /Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISC	•
	Apply = 1
NB! Draft/ Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/ or previous work done	0
Section D Score	0
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
E.2 Add other requirements (if applicable) as per the scope of work and/ or specification	1
Section E Score	2
NAME OF ESKOM REPPRESENTATIVE	
DATE ISSUED	
PROJECT: TENDER TITLE	
PROJECT. TENDER TITLE	
SIGNATURE SIGNATURE	

NB: The tenderer must complete and sign this form to acknowledge and accept Eskom Supplier Quality Requirements as per 240-105658000 Specification and ISO 9001 Standard.

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### **ANNEXURE A**

# **ACKNOWLEDGEMENT FORM**

	<i>/</i>   <i>X</i>   <i>X</i>	OWLEDGEMENT FORM	
		e in receipt of the Invitation to Tender from Eskom Holdings SOC Ltd and the following da issued by Eskom:	
	1		
	2		
	3		
We	e co	nfirm that the documentation received by us is: (Indicate by ticking the box)	
Co	rrec	t as stated in the Invitation to Tender Content List, and that each document is complete. $\Box$	l
Or	:	Incorrect or incomplete for the following reasons: □	
Ca	italo	guing Acknowledgement:	
[P	<u>leas</u>	e select the relevant statement by ticking the appropriate box below]:	
1.	We	agree to provide the cataloguing information as described in the tender submission.	
	pr	e have already supplied Eskom with the cataloguing information pertaining to this enquiry i evious contract/order [ <i>insert previous invitation to tender/RFQ number</i> ] □	_
3.		e do not intend to provide the cataloguing information for the required scope / specification ${f r}$ the reasons stated hereunder: ${f \square}$	S.

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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

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attached letter from OEM confirming his position.



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Invitation to Tender/Re	equest for Proposal No:	
Name of company/JV:		
Country of registration	:	
Name of contact perso	on:	_
Contact details of cont	act person:	
Tel (landline):		
Cell phone:		
e-mail address:		

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# **ANNEXURE B**

# **TENDERER'S PARTICULARS**

<u> </u>	
The tenderer must furnish the following particulars where	
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 applicable.	main sub-contractor(s). Add to the list of
Name of contractor	
CIPC Registration number or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade	
specified for the sub-contractor as may be stipulated in the	
Tender Data	
Proposed Scope of work to be done by sub-contractor	
Contact person	

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Teleph	none number						
Fax no	umber						
E-mai	address						
Postal	address						
<b>5</b>							
Physic	cal address						
1.	If you are cur registration n						n, please provide your Vendor
2.							asury Central Supplier Database(CSD) please
3.							National Treasury's CSD, if you intend d entity/company.
4.	You may regi	ister onli	ne at Natio	onal 7	Treasury '	website	on www.treasury.gov.za
5.	If you are reg your tax com						provide your pin number in order to verify
6.	suppliers) or	have not send a c	provided opy of a c	your	SARS Ef	iling pin	but are not registered on CSD (foreign , please confirm that you have iant certificate as a tender returnable (by
	YES		NO				
0 16	htt		de e el de de e		-: <i>C</i> :		
	nfirm if you in	•			cific enqu	ııry, you	need to compete 8.1- 8.7
	YES		NO				
8.2 Wh	nat percentage	e will you	be sub-co	ontra	cting?	%	
	whom do you	-			•		
8.4 ls t	he said sub-c	ontracto	registere	d on	CSD?		
	YES		NO				

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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).
	Please confirm that you have attached your signed intent to sub-contract document.  YES  NO  Have you attached proof of sub-contractor's belonging to designated group  YES  NO  NO
Sin	gle tenderers
aut	ne undersigned,(Full names) hereby confirm that I am dul horised to sign all documents in connection with this tender and any contract resulting from it, on behalf contract the full legal name of the tenderer).
Sign	ature:
Desi	ignation:

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Date: \_



contract resulting from it on our behalf.

#### **Invitation to Tender**

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\_, (insert the full legal name of the business entity serving as the

2. Joi	nt V	entur	es
--------	------	-------	----

egal Name of Joint	Full Name and Capacity of Authorised	Signature
Venture Member	Signatory	_

the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms

lead partner) acting in the capacity of lead partner, to sign all documents in connection with the tender and any

(full names), an authorised signatory of

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#### ANNEXURE C

3.

4.

#### 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:-

- 1. the *tenderer*/s employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- 2. 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 of 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"
- 5. 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;

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

Full Name & Capacity/ Position within tenderer (e.g. employee/Dire ctor/member/ owner/shareho Ider)	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

١.	If a	anv

employee/director/member/shareholder/owner of tenderer/s is also currently employed by Eskom, state wheth	ner
this has been declared and whether there is authorisation(Y/N) to undertake remunerative work outside pub	olic
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/proposal] will be disqualified if the tenderer/s, or any of its directors have:

- 1. abused the institution's procurement process (e.g. bid rigging/collusion)
- 2. 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
	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 ( <a href="www.treasury.gov.za">www.treasury.gov.za</a> ).		
. 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 ( <a href="www.treasury.gov.za">www.treasury.gov.za</a> ).		
3	Was the <i>tenderer/s</i> (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?		
	Provide details.		
. 4	Was the tenderer/s(or any of its directors/members/shareholders) prohibited from doing business with any International Financial Development/funding Agency or Lending Institution		
. 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?		

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#### 3. DECLARATION OF SHAREHOLDING INFORMATION

, the undersigned	[Position	7]	hereby declare that I am
he duly authorised represe	entative of	_[Name of Tenderer].	
further declare that	the following individuals and/	or entities listed hereunde	r are Shareholders in
	[Name of Tenderer]:		
Note that this information	on in the tables hereunder mu	st be fully completed for e	ach tenderer (including
	ent that the tenderer is an unin	•	,
nember. Please add add		•	•
	·		
ndividuals:			
Full Name	Identity Number	Shareholding Percentage	

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#### Other Entities\*:

Full Legal / Trading Name	Registration Number/Trust Number	Shareholding Percentage	Full name and surname of the directors/beneficiarie s/shareholders of the shareholding entity	Identification Numbers of the shareholders/ directors/ben eficiaries of the shareholding entity
, the undersigne sign all docume	nts in connection w		s) hereby confirm that I am any contract resulting from r).	
urnished herein	is correct, that it is u	inderstood that the te	the Supplier Integrity Pact, tenderer's tender/proposal ma of this this declaration prove	ay be rejected, and
give my consen	t for this information lation to the Supplier	to be used for the pu	rpose as described in this In	tegrity Declaration

# Designation and capacity in which signing Date:

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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

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the sharing of the information with third parties.

Signature:



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(full names) haraby confirm that acting in the conscity of lead

#### **Joint Ventures**

the undersianed

i, the undersigned,(ruii na	ames) nereby commit that acting i	i the capacity of lead
partner, I am duly authorised to sign all documents in	connection with the tender and a	ny contract resulting
from it on behalf of(i	insert the full legal name of the JV	); and
I dealess that I have used and understood the manife	iono of the Complian Intermity Poet	that all information
declare that I have read and understood the provisi	ions of the Supplier Integrity Pact	, that all information
furnished herein is correct, that it is understood tha	at the JV's tender/proposal may <b>k</b>	e rejected, and that
Eskom will act against the JV should any aspect of th	nis declaration prove to be false; a	nd
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 o	of this Integrity Declaration Form n	nay he processed for
•	• •	•
verification of conflicts of interest and other ancillar	y purposes by Eskom. Such pro	cessing may include
the sharing of the information with third parties.		
Signature:		
Designation and capacity in which signing		
Data.		
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 D**

## CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA) THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS

This Section will not be applicable to professional services contract

#### 1. APPLICATION OF CPA

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned. Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable

CPA conditions may apply if the contractual duration is to be longer than 12 months. If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.

#### 2. TENDER SUBMISSIONS

Tenderers shall comply with the following requirements:

#### a. Main offer:

- 1. A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry.
- 2. This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer.

Failure to do so may result in the supplier's offer(s) being disqualified.

#### b. Additional/Alternative offer:

Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable:

- 1. A fixed priced offer in addition to the fully CPA compliant main offer; or
- 2. Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However, it is compulsory that all such deviations are sufficiently substantiated.

Additional/Alternative Offers must be clearly indicated as such

#### 3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Tables 1 and 2. The index list comprises indices that could be used in the Tenderers main offer.

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#### 4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

In instances where the preferred index list does not specify a foreign index which is required for the specific agreement, the following must apply:

- 1. The source of an index must be that of the national statistical institute of the relevant country or a generally acknowledged statistical (e.g. industry) body in or for that country, e.g. BEAMA and MEPS.
- 2. The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index.

#### 3. NUMBER OF FORMULAE & INDICES

The Tenderer is limited to a maximum of 10 (ten) indices in total, i.e.: a maximum of 5 local indices and maximum of 5 foreign indices, excluding the fixed portion per CPA formula, per offer/agreement.

#### 4. CPA FIXED PORTION

A minimum of 15% of the total agreement value is to be fixed when a CPA formula applies; except in the case of professional services or consulting agreements.

#### 5. BASE DATE

- 1. In instances of indices or other references published monthly, the Base Date is to be: The month before the month in which the Enquiry closes
- 2. In instances where the reference figures, e.g. market prices, are published daily or at more intervals than once a month:

The average for the month before the month in which the Enquiry closes

- 1. In this case, the following shall apply:
  - 1. Where the average is published:

The average published price in the currency Eskom will be exposed to. e.g. The currency in which Eskom will effect payment

2. Where a high, low and mean are published:

The mean

3. Where other prices than the Cash Settlement or Cash Sellers Price are published:

The Cash Settlement or Cash Sellers Price

2. Where applicable, these principles, must also apply for the CPA "cut-off" date.

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#### 3. CPA FOR PROFESSIONAL SERVICES

The preferred index to be used for adjusting these agreements is the country specific CPI Headline index.

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

No fixed portion is mandatory.

Signed	Date	
Name	Position	
Tenderer		

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<u>Table 1: Preferred Local Index List</u> -this list of indices needs to be relevant to the commodity. Buyers need to check and include the relevant indices.

Labour	Commodities	Processed material	Transport	Others
Labour general (hourly paid) SEIFSA, C3, actual labour cost	Steel StatsSA, P0142.1 Table 2, basic iron and steel  Copper SEIFSA, F, copper metric ton	Mechanical engineering material SEIFSA, G, mechanical engineering material Electrical engineering material SEIFSA, G-1,	SEIFSA, L2, road freight costs	StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI)
Labour general SEIFSA, C3	Aluminium SEIFSA, R, aluminium	electrical engineering material		StasSA, PO142.1), <b>PPI</b> 4. Final
(a), actual labour cost (field force) where subsistence allowance is paid	Zinc SEIFSA, F, zinc Lead SEIFSA,F, lead	Building and construction material SEIFSA, G, building and construction material		Manufactured Goods Or 5. Intermediate Manufactured Goods OR 6. SEIFSA Table U Producer Price Index (PPI - final manufactured GOODS OR Intermediate Manufactured Goods

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#### **Table 2: Preferred Foreign Index List**

Labour	Commodities	Processed material	Transport	Others
National Statistical	MEPS,	National	National	National
Institute,	Country-	Statistical	Statistical	Statistical
Country-specific	specific	Institute,	Institute,	Institute,
general labour index	general steel	Country-	Country-	Country-specific
	index	specific	specific	CPI (Headline)
		mechanical	general	
		engineering	transport	National
		material	cost index	Statistical
	LME, Copper	National		Institute,
		Statistical		Country-specific
	1.045	Institute,		PPI
	LME,	Country-		
	aluminium	specific		
		electrical		
		engineering		
		material		
	LME, zinc	National		
		Statistical		
	LME lood	Institute,		
	LME, lead	Country-		
		specific		
		building and		
		construction		
		material		

Closing date of tender	/	/	
TENDERER'S SIGNATURE			<u> </u>

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#### **ANNEXURE E**

#### **CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES**

#### CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS - IMPORTATION

Failure to propose contract price adjustment methods, either by completing this document or proposing alternative methods for any portion of the tender price, will lead to that portion of the tender price being considered fixed.

Where space in this document is insufficient, the tenderer shall submit the required information on separate schedules, duly referenced to this document.

Where foreign exchange is involved, and Eskom will cover the risk forward, the methods of payment listed in Part 1 are the only acceptable methods. It must be noted that Eskom considers Payment **Method 1** to be the default payment method.

#### PART 1: PAYMENT OF FOREIGN COMMITMENTS

Payment of Eskom's foreign commitment in foreign currency will be made either:

#### **Payment Method 1A:**

To a nominated bank account in a foreign country in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party);

### Please note that the contracting party must be the direct importer of the goods Applicable (Y / N)

#### Payment Method 1B;

To a valid SARB approved CFC account in South Africa, in a foreign currency (payment will be made to the party and account nominated by the supplier in the contract, and not to any other party).

#### Please note:

- 1. The contracting party must be the direct importer
- 2. For payment purposes, Eskom will require both the foreign (commercial ) invoice and the local tax invoice
- 3. The foreign currency values on both the commercial and local invoice must be the same. Eskom will not pay any profit in foreign currency.
- 4. Service related payments are excluded from this option;

#### Applicable(Y/N) or

#### **Payment Method 2:**

In South African Rand at the selling spot rate of exchange obtained by Eskom's Treasury on the date that the forward cover is cancelled. Eskom will notify the supplier of the date that the forward cover is cancelled as well as the intended payment date, which will be as per the agreed payment terms. Any exchange rate adjustment after Eskom has notified the supplier of the date and the rate which the forward cover is cancelled, will be for the account of the supplier.

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#### Please note:

- 1. The contracting party has to be the direct importer of the goods.
- 2. This payment option is not applicable for the payment of services

#### Applicable (Y/N).....

An indemnity in writing confirming that the supplier will not buy forward cover is required where Payment Method 1 or 2 is contracted.

[Payment Method 2 must be accepted by the Commercial Policy and Procedure Manager before the tender documentation is sent out, but at the latest before the tender closing date. If it is not approved before tender closing, Payment Method 1 will be the default.]

#### Fixed ZAR pricing

The tenderer may elect to be responsible for the hedging of the exposure of the imported content. However, Eskom reserves the right to have line of sight of the exchange rates to be quoted by the tenderer. This entails a simultaneous exercise of the verification of the exchange rates to be used.

#### Applicable (Y/N).....

Please note: Eskom will require substantiating proof of importation at the time of invoicing, if payment methods 1A,1B and 2 are selected.

Where goods were previously imported into stock by the supplier, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases Eskom will not undertake any foreign exchange commitment or arrange forward cover.

#### **PART 2: EXCHANGE RATES**

The tenderer shall use the exchange rate as at 12H00 on the date of the advertisement of the tender. The source of the exchange rates shall be the South African Reserve Bank (www.resbank.co.za)

Please note that the tenderer is required to submit proof of the SARB rate/s used.

#### PART 3: ADJUSTMENT OF IMPORTATION COSTS, ETC

The values in Rand included in the tender/contract price for the following costs shall be based on rates ruling for the month prior to the closing date of the tender and any variation in these rates applied to the value included in the tender price will be for Eskom's account.

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	RATES/TARIFFS
Sea/Air Freight	
Bunker Adjustment Factor	
Currency Adjustment Factor	
Marine Risk Insurance (MRI) (Eskom will provide cover)	
Rate for Extension of MRI after Arrival of Goods at Site (if required)	
Wharfage	
Landing Charges	
Customs Duties	
RSA Port on which Import Charges are Based	

### PART 4: ADJUSTMENT OF OVERSEAS MANUFACTURE, EXPATRIATE LABOUR AND OTHER COSTS (To be read in conjunction with Eskom CPA Index)

Eskom requires a fixed portion (free of price adjustment) appropriate to the nature of the contract.

The methods/formulae proposed in this part shall clearly identify the base month, the period over which adjustment will apply, the elements of labour and materials and source of the indices/rates/prices to be used.

The source of indices/prices/rates nominated in this part shall be from a recognised publishing authority. It must be clearly and completely defined. Supplier in-house indices are not acceptable.

The value of overseas manufacture, labour and material costs (ex-works), inland transportation, expatriate labour, etc. included in the tender/contract price shall be subject to adjustment in accordance with the methods stated hereunder.

The base indices/prices/rates shall be those ruling for the month prior to the month of the closing of the enquiry.

#### 1. MANUFACTURING CPA METHOD (LABOUR AND MATERIAL)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

#### 2. EXPATRIATE LABOUR METHOD

Please submit your proposals for this section on a separate sheet of paper as an annexure.

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3. OTHER VALUES METHOD (e.g. Engineering fees, design fees, barging, inland transportation, etc.)

Please submit your proposals for this section on a separate sheet of paper as an annexure.

### PART 5: ADJUSTMENT OF LOCAL MANUFACTURE/SUPPLY MATERIAL, TRANSPORT AND ERECTION COSTS

The contract price adjustment method for local manufacture or partly local manufacture from imported stock, equipment or plant cost, transport cost within the RSA and local erection/installation cost shall be in accordance with the attached Eskom CPA Principles

### PART 6: GUIDELINES FOR CONTRACT PRICE ADJUSTMENT CLAIMS --- PART 2, 3 AND 4

- 1. When the percentage increase or decrease between two indices/prices/tariffs is calculated, the earlier figure shall be taken as the base.
- 2. Where portions of the works are delivered at different times, contract price adjustments shall be made in respect of appropriate portions of the contract price.
- Where the terms of payment of the contract allow progress payments, other than Eskom's standard payment terms, the agreed contract price adjustment method shall be applied to the value of such payment and to the date and level of completion to which payment is linked.
- 4. Where any figure given in a table is therein stated to be a provisional figure or is subsequently amended, the figure as ultimately confirmed or amended in the publication concerned shall apply.
- 5. Where the appropriate claim indices/prices, as defined in terms of the agreed formulae, are not available or are provisional, interim claims based on the last published confirmed or revised indices/prices as at the date of delivery/installation may be submitted. When the confirmed or revised index/price becomes available the final claim may be submitted, provided that such claim is received within 180 days of the date of delivery/installation.
- 6. Where requested by Eskom, the contractor shall submit publications showing base indices/prices/rates as they become available as well as updated values at three monthly intervals during the course of the contract.
- 7. Where it is considered necessary Eskom reserves the right to call for any documentary evidence to substantiate claims.

Closing date of tender	
TENDERER'S SIGNATURE	

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#### **ANNEXURE F1**

**SBD 6.2** 

### DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

#### 1. General Conditions

- 1.1. Dtic makes provision for the promotion of local production and content.
- 1.2. Dtic prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.4. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

#### Where

x is the imported content in Rand

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

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

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

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

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

Description of services, works or goods	Stipulated minimum threshold
	%
	%
	%
<ol> <li>Does any portion of the goods or services have any imported content?</li> <li>(<i>Tick applicable box</i>)</li> </ol>	s offered
YES NO	$\neg$

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

The relevant rates of exchange information is accessible on <a href="https://www.reservebank.co.za">www.reservebank.co.za</a>

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

Currency	Rates of exchange	
US Dollar		
Pound Sterling		
Euro		
Yen		
Other		

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

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

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

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)		
IN RI	ESPECT OF BID NO.	
	ED BY: (Procurement Authority / Name of Institution):	
NB		
1	The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.	
3	Guidance on the Calculation of Local Content is accessible on <a href="http://www.thdti.gov.za/industrial development/ip.jsp">http://www.thdti.gov.za/industrial development/ip.jsp</a> . Local Content Declaration Templates (Annex C, D and E) is attached to this enquiry and must be submitted at the stipulated deadline.	
4	Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. <b>Declaration C should be submitted at the stipulated deadline of the bid in order to substantiate the declaration made in paragraph (c) below.</b> Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.	
I, the undersigned,		
(a)	The facts contained herein are within my own personal knowledge.	
` ,	I have satisfied myself that:  i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and	
(c)	The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:	

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

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

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

SIGNATURE:	DATE:
WITNESS No. 1	DATE:
WITNESS No. 2	DATE:

Annexure F2- Local content Declaration-Summary Schedule (annex C)

PDF

Adobe Acrobat Document

<u>Annexure F3</u> - <u>Imports Declaration-Supporting schedule to Annex</u> C(annex D)



Document

Adobe Acrobat Document

Annexure F4 - Local Content Declaration-Supporting Schedule to Annex C (annex E)

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**CLOSING** 

**ANNEXURE G** 

SBD 1

#### PART A **INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DUVHA POWER STATION

**CLOSING** 

BID NUMBER:	MPDUV10997GX			04 Apr			IME		10:00 a.m
	Refurbishment of B				xchar	ngers on	Unit	t 1-6 durir	ng planned
	outages for the dura								
	UL BIDDER WILL B	E REQUIRE	D TO FI	LL IN AN	ND SIG	GN A WI	RITT	EN CON	TRACT FORM
(SBD7).	DOCUMENTS MAY	/ DE DEDOS	ITED IN						
	TUATED AT (STRE			1					
	NGS SOC LIMITED'S								
<b>24 HOUR TEND</b>	ER BOX	_							
TENDER BOX L									
NO.10 SMUTS A									
WITBANK/EMAI MPUMALANGA									
SUPPLIER INFO									
NAME OF BIDDI									
POSTAL ADDRE									
STREET ADDRE									
TELEPHONE NU		CODE				NUMBI	FR		
CELLPHONE NU		0001					、		
FACSIMILE NUM		CODE				NUMBI	ER		
E-MAIL ADDRES									
VAT REGISTRA	TION NUMBER								
		TCS PIN:			OR	CSD N	lo:		
					B-BB				
D DDEE 074711	2				STA				
B-BBEE STATUS VERIFICATION		☐ Yes			LEVE			☐ Yes	
TICK APPLICATION		□No				DAVIT		□No	
IF YES, WHO W					<del>,</del>	2,			
CERTIFICATE IS	SSUED BY?								
AN ACCOUNTIN				OUNTING CORPOR					ATED IN THE
CORRORATION								D BY THE	
	ACT (CCA) AND LICABLE IN THE						OITA	N SYSTE	M (SANAS)
TICK BOX				TERED /	AUDI	ΓOR			
		N	AME:						

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[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]								
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	□Yes [IF YES ENCLO PROOF]	□N		ARE YOU A FOREIGN BAS SUPPLIER FO THE GOODS /SERVICES /WORKS OFFERED?	SED PR [	Yes [IF YE		
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)				
	JIRIES MAY	BE	_	INICAL INFO	RMATI	ON	MAY	BE
DEPARTMENT/ PUBLIC ENTITY	<u> </u>			CTED TO: TACT PERSON	I			
CONTACT PERSON				PHONE NUMBE	- P			
TELEPHONE NUMBER				IMILE NUMBER				
FACSIMILE NUMBER				IL ADDRESS	`			
E-MAIL ADDRESS					I			

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### PART B TERMS AND CONDITIONS FOR BIDDING

Ī	R	I	ח	SI	Ш	R	ИI	S	S	S	N	ŀ	

- 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

- 1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2. 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.
- 5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 6. 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**

	WOLDHOMMAINE TO BIDDING TOKEION COTT LIENC
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
	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
	FHE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A X COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN

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#### 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.

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

#### 1. GENERAL CONDITIONS

- 1. The following preference point systems are applicable to invitations to tender:
- 1. 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

- 1. The applicable preference point system for this tender is the 90/10 preference point system.
- Either the 90/10 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
  - 1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
  - 1. Price; and
  - 2. Specific Goals.

#### 1. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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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.

#### 3. **DEFINITIONS**

- 1. "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;
- 2. "**price**" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- 3. **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- 4. "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
- 5. **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

#### 6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

#### 80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin}\right)$$
  
Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 1. POINTS AWARDED FOR PRICE

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

#### 80/20

$$Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

#### 7. 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:
- 2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- 1. an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- 2. any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Disabled Female	10	20		
Black Women Owned/ Black Disabled	8	15		
Black Youth Owned	5	10		
Black Owned	3	5	_	

A tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but-

- (a) may only score points out of 90 for price
- (b) scores 0 points out of 10 for specific goals.

To claim preference points as specific goals, a tenderer must submit the following documentation:

 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).

A tenderer may not be awarded points for specific goals if the tender documents indicate that the tenderer intends to subcontract more than 25% of the value of the contract to any other person not qualifying for at least the points that the tenderer qualifies for, unless the intended subcontractor is an EME that can execute the subcontract.

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#### \*Note:

Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by Enquiry 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.

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.

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

1.	Name of company/firm		
2.	Company	registration	number:
3.	TYPE OF COMPANY/ FIR	M	
	<ul> <li>□ Partnership/Joint Ver</li> <li>□ One-person business</li> <li>□ Close corporation</li> <li>□ Public Company</li> <li>□ Personal Liability Cor</li> <li>□ (Pty) Limited</li> <li>□ Non-Profit Company</li> <li>□ State Owned Compa</li> <li>[TICK APPLICABLE BOX]</li> </ul>	s/sole propriety	

- 4. 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:
  - 1. The information furnished is true and correct;
  - 2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
  - 3. 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:
  - 4. 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 —

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- 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.

	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	
DATE:	
ADDRESS:	

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Annexure I SBD 4

#### **BIDDER'S DISCLOSURE**

#### 1. 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.

#### 2. 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
_		

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** 

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<sup>1</sup> 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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If so, furnish particulars:
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
If so, furnish particulars:
DECLARATION
I, the undersigned, (name)
not to be true and complete in every respect;  The bidder has arrived at the accompanying bid independently from, and without

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.

consultation, communication, agreement or arrangement with any competitor.

However, communication between partners in a joint venture or consortium2 will not

- 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 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.
  - 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

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<sup>2</sup> 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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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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#### **Specification**

Technology

Title: Duvha Power Station Technical

Specification for Boiler Auxiliary

Cooling Heat Exchanger

Refurbishment for period of 5 years

Unique Identifier: 240-163163550

Alternative Reference Number: N/A

Area of Applicability: Engineering

Documentation Type: Specification

Revision: 0

Total Pages: 16

Next Review Date: N/A

Disclosure Classification: CONTROLLED

**DISCLOSURE** 

Compiled by Supported by Functional Authorized by Responsibility

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#### **EXECUTIVE SUMMARY**

Boiler Auxiliary Cooling Heat exchanger refurbishment contract for a period of 5 years at Duvha Power station. The scope of work include stripping, assembling, replacement and cleaning of plates and replacement of the gaskets, reinstalling and commissioning of the heat exchanger for unit 1 to unit 6. Work instructions during this period shall be provided by means of task order of which the value will be based on a ill of quantities price list as agreed upon by this contract.

#### 1. INTRODUCTION

Duvha Power Station has six units and each unit consist of Boiler Auxiliary Colling system. The boiler auxiliary cooling system supplies de-mineralised water via a closed circuit system to the boiler and turbine plant to provide cooling for bearings, oil coolers, samplers, etc. The returning hot water is then cooled in two banks of heat exchangers deriving their cooling water from the main cold CW ducting in the turbine basement. The CW from the heat exchangers returns to the main hot CW ducting also in the turbine basement.

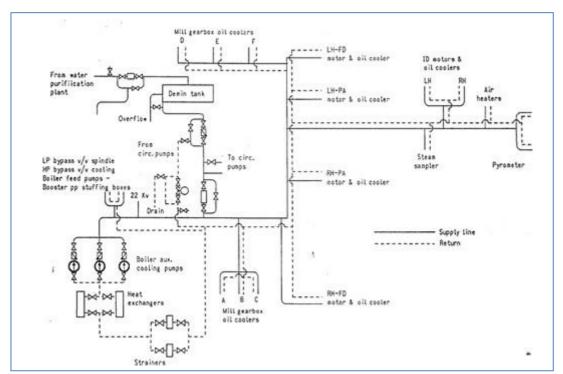


Figure 1: Boiler Auxiliary Cooling system

The heat exchangers that are installed in the BAC are plate type heat exchangers. Plate heat exchangers consists of a pack of corrugated metal plates with portholes for the passage of the two fluids between which heat transfer will take place.

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#### 2. SUPPORTING CLAUSES

#### 2.1 SCOPE

This document covers the technical specification for the scope of the works. The scope covers the five years contract refurbishment for BAC heat exchanger in Duvha Power Station. The scope of work to be delivered by the Contractor is defined in this document.

#### 2.1.1 Purpose

The purpose of this document is to describe in detail the scope of work for Boiler Auxiliary Cooling Heat Exchanger Refurbishment with all services prescribed herein to be delivered by an appointed contractor.

#### 2.1.2 Applicability

The document is applicable to the following departments: Auxiliary engineering, Maintenance (HMD), Operating, Production, Engineering and Design and Specification.

#### 2.2 NORMATIVE/INFORMATIVE REFERENCES

Parties using this document shall apply the most recent edition of the documents listed in the following paragraphs.

#### 2.2.1 Normative

- [1] ISO 9001 Quality Management Systems.
- [2] Instructions for ALFA-FLEX plate heat exchangers (OEM manual)
- [3] 240-107981296, Constructability Assessment Guideline
- [4] 32-727 Eskom Safety, Health, Environment and Quality (SHEQ) Policy

#### 2.2.2 Informative

- [5] 474-58 (Rev1): Document and Records Management
- [6] 240-53113685, Design Review Procedure
- [7] OTS 02403 Boiler auxiliary cooling system operating manual

#### 2.3 DEFINITIONS

#### 2.3.1 Disclosure Classification

**Controlled disclosure:** controlled disclosure to external parties (either enforced by law, or discretionary).

#### 2.4 ABBREVIATIONS

Abbreviation	Description	
CoM	Certificate of Manufacture	
ISO	International Organisation of Standards	
SANS	South African National Standards	
SHEQ	Safety, Health, Environmental & Quality	

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Abbreviation	Description	
SE	System Engineer	
PHE	Plate heat exchanger	
PSR	Plant Safety Regulations	
QA	Quality Assurance	
QC	Quality Control	
QCP	Quality Control Plan	

#### 2.5 ROLES AND RESPONSIBILITIES

**Power Station:** It is the role of the Power Station to follow the necessary processes to appoint the Contractor(s) for the works stated herein.

**System Engineer (SE):** It is the role of the System Engineer to ensure that this scope is executed accordingly and ensure all the work is done as per specification.

**Project Manager (PM):** It is the role of the Project Manager is to manage the project and ensure all works are being executed with accordance to the contract agreement between the client and the appointed contractor.

**Contractor:** It is the role of the Contractor to conduct the works in accordance with the details provided in this document and adhere to all the terms in the contract.

#### 3. SYSTEM DESCRIPTION

#### 3.1 BACKGROUND

The BAC system has three major components which are the pumps, heat exchangers and the pipe network. Each unit has 3 pumps and 2 heat exchangers. Only one pump and one heat exchanger are required to be in service to achieve full load. The heat exchanger set has duplex strainers that can be removed for cleaning by bypassing it. One strainer will be bypassed and the other one will be in use. The boiler auxiliary valves can only be opened and inspected during major outages. Each unit has one demineralised water head tank that requires an outage for cleaning.

Table 1: The primary design of the system is as follows:

Piping	Mild steel and Stainless steel in the trenches		
Pumps	130l/s at a discharge head od 32.4m		
Heat exchanger	Process Side	Service Side	
Inlet temp	46°C	32°C	
Outlet temp	40°C	40°C	

#### 3.2 HEAT EXCHANGER SPECIFICATIONS

The heat exchangers that will be refurbished in the BAC will be plate type heat exchangers. Plate heat exchangers consists of a pack of corrugated metal plates with portholes for the passage of the two fluids between which heat transfer will take place. When a package of plates are pressed together, the holes at the corners form continuous tunnels or manifolds, leading the media (which participate in the heat transfer process)

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from the inlets into the plate pack, where they are distributed in the narrow passages between the plates.



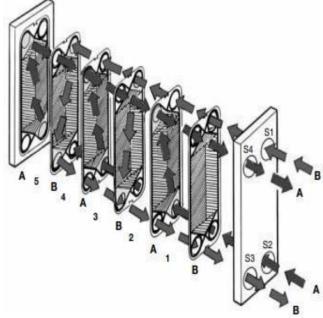


Figure 2: Plate Heat Exchanger

Because of the gasket arrangement on the plates, and the placing of "A" and "B" plates alternately, the two liquids enter alternate passages, e.g. the warm liquid between even number passages, and cold liquid between odd number passages. See figure 2.

Thus the media are separated by a thin metal wall. In most cases the liquids flow in opposite directions.

During the passage through the PHE, the warmer medium will give some of its heat energy to the thin wall, which instantly loses it again to the colder medium on the other side.

The warmer medium drops in temperature, while the colder one is heated up.

Finally, the media is led channels at the end of the plates and discharged from the heat exchanger. Table 2 below represent the plate heat exchanger specifications and Appendix A

Table 2: Plate heat exchanger specifications

	Closed Circuit (Demin)	Open Circuit (Cooling water)
Parameter		
Flow Rates (I/s)	468	350
Inlet Temperature (°C)	46	32
Outlet Temperature (°C)	40	40
Specific gravity	0.99	0.992

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0.997	0.998	
0.622	0.709	
900		
100 50		
110		
AiSi 316 Ti		
Nitrile Rubber		
ASTM A 516 Gr60		
133		
	0.622  100  AiSi 316 Ti  Nitrile Rubber  ASTM A 516 G	

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# 4. DETAIL SCOPE OF WORK

;	SUBSYSTEM	BOILER AUX COOLING SYSTEM					
		GOVERNING DOCUMENTS		PRIORITY			
QT Y	COMPONENT FLOC (AKZ CODE)	COMPONENT DESCRIPTION	ACTIVITY TYPE (INSPECTION / TEST / REFURBISH / REPLACE)	WORK SPECIFICATIONS	CHECK SHEET NO.	INTERV ENTION POINTS (H/W/R)	•
1	VD01G001	Heat Exchanger A	Strip, inspect, replace, reassemble and test/commission	Plate Heat exchanger: "A" to be Dismantle, remove, clean, inspect, do dye penetrant test and install plates and replace damage plates, Inspect plates for corrosion and fouling as part of the scope the Contractor must supply gaskets. Inspection report must be provided.	Instructions for ALFA-FLEX plate heat exchangers (OEM manual)	Н	1
1	VD01G002	Heat Exchanger B	Strip, inspect, replace, reassemble and test/commission	Plate Heat exchanger: "B" to be Dismantle, remove, clean, inspect, do dye penetrant test and install plates and replace damage plates, Inspect plates for corrosion and fouling as part of the scope the Contractor must supply gaskets. Inspection report must be provided.	Instructions for ALFA-FLEX plate heat exchangers (OEM manual)	Н	1

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#### 4.1 GENERIC HEAT EXCHANGE REFURBISHEMENT SCOPE OF WORK

The *Contractor* to provide verifiable references with contact details, description of work completed, and date executed for three (3) references of projects within the last two (2) years involving the inspectionand maintenance (cleaning, repairing of plate type heat exchangers). As part of the tender submission the contractor must provide a list of exclusions or deviations to the scope of work as detailed in this document. *Contractor* will submit a site specific required for all proposed key personnel, including all sub-*Contractors*. Qualifications and capabilities of any sub-*Contractors* must also be organogram specifically stating names, positions and as part of tender submission, experience and proof of qualifications of personnel that will be responsible for executing work. The following are required as a minimum:

- 1. Appointed Site Manager/Representative with 3 years of experience skills (CV)
- 2. Competent site supervisor with more than 3 years of experience (CV).
- 3. QTY of Artisans to have more than 1 years of experience.
- 4. QTY of skilled and semi-skilled labour force (CV)
- 5. QA/QC manager with 1 years of experience (CV)
- 6. Safety officer with 1 years of experience (CV)

## 4.1.1 Heat Exchanger Refurbishment Scope of Work

- 1. The contractor should ensure the safety of the area before dismantling the heat exchanger.
- 2. The Employer will isolated the system and ensure that system is de-energised.
- 3. The *contractor* will ensure that there is no pressure on any part of unit prior to dismantling and that the system has been isolated and permit to work is in place
- 4. The *contractor* to allow the heat exchanger unit to cool down to temperature below 40°C
- 5. The *contractor* is responsible to drain all heat exchanger circuits (hot and cold circuits)
- 6. Prior stripping the heat exchangers, the *contractor* is responsible to measure and record the plate length between the fixed and mobile heads
- 7. It is the responsibility of the *contractor* to use correct tools during scope of work execution
- 8. The *contractor* is responsible for disconnecting the pipes at the back of the tie-rods
- 9. The *contractor* to inspect the sliding surfaces of the carrying bar and wipe clean
- 10. The contractor is responsible to inspect the pressure plate roller for any defects
- 11. The contractor to pull back the plastic covers on the tightening bolts; brush the threads clean with a steel wire brush.
- 12. The contractor is responsible to clean and lubricate all bolts, threads and tie-rods with a thin layer of thread lubricant prior to stripping
- 13. The contractor will uniquely mark the plate assembly with a spray paint on the outside by a diagonal line or number the plates in sequence.
- 14. The contractor is required to verify all dimensions of replacement plates and compare it to figure 3 below:

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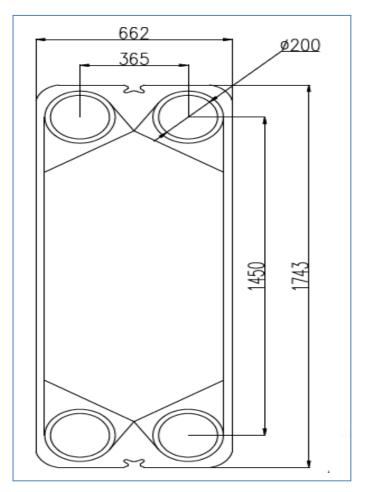


Figure 3: dimensions of replacement plates

- 15. The contractor is responsible to loosen tie clamping bolts alternatively and diagonally to bring length to 1.05"A" (see figure 4) until the plate pack is loosened.
- 16. It is the responsibility of the contractor to check the dimension "A" during tightening at the positions of the bolts that are being used (refer to figure 4). Skewing of the pressure plate during tightening must not exceed 10mm (2 turn per bolt) across the width and 25mm (5 turns per bolts) vertically

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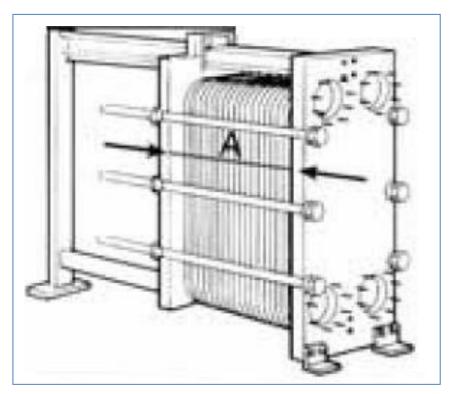


Figure 4: "A" Length of the plate heat exchanger

- 17. The *contractor* is responsible to supply a method statement for execution of heat exchanger refurbishment (stripping, assembling, and replacement, cleaning of the plates).
- 18. The *contractor* pulls the follower back towards the column and remove the plates without damaging the gaskets
- 19. The *contractor* is liable to transport all the equipment from site to workshop and back to site.
- 20. The contractor ensures that equipment is not damaged during transportation
- 21. The *contractor* submits a preliminary program with tender submission clearly indicating the program for stripping, assembling, replacement and cleaning of plates and replacement of the gaskets, as this is a 5 year contract the program will be typical per unit outage intervention.
- 22. Contractor will supply all gaskets, plates, bolts and nuts to execute the works. All bolts and nuts will be cleaned; any damaged bolting will be replaced by the contractor
- 23. It is the responsibility of the contractor to verify the performance of the heat exchanger after the refurbishment.
  - o Check the temperatures and flows
  - Check general condition and look for any signs of leakage
  - Wipe clean all painted parts and check surfaces for signs of damages
  - Check bolts and bars for rust and clean. Lightly coat threaded parts with molybdenum grease or a corrosion inhibitor (ensure that no grease etc. falls onto the plate gaskets)
  - o If rollers are fitted to the followers, lubricate the bearings with light machine oil
- 24. The *contractor* is responsible to submit all Quality Control Plans (QCPs), program of work, manpower list for approval before commencement of work

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25. Should the contractor not perform dye penetrant testing of all plates to check for pin holes when plates are cleaned before re-assembly. Surely you need to check that plates are not holed or cracked as it will for sure influence the performance and reliability?

# 4.2 THE CONTRACTOR WILL BE REQUIRED TO PERFORM ALL ACTIVITIES AND REPAIRS AS PER THE APPROVED METHOD STATEMENT. SAFETY REQUIREMENTS

- Contractor employees must complete Duvha Safety Induction Course, before any work can be executed.
- Risk assessment and Pre-job brief shall be conducted by Contractor Supervisor with all his employees. Copies shall be handed over to the client.
- No work shall be executed without an approved QCP and method statement from the contractor.
- No work shall be performed without a Permit to Work. Domestic installations are exempted.
- No work shall be performed without pre-arrangement with the project manager.
- All other spares, materials and safety equipment needed to do the test, shall be supplied by the Contractor. Contractor to include an itemised bill of materials in price list as part of tender.
- All required Personal protective equipment (PPE) must be worn all the time.
- All Eskom's and other safety rules must be adhered to all the time.

### **4.3 QUALITY REQUIREMENTS**

The Contractor responsible for heat exchanger refurbishment is to do as much preparatory work as possible before commencement of the outage.

No work shall commence before the approval of the QCP. The *Contractor* is expected to compile the QCP document and submit it to the *Employer* for review and approval. The *Contractor* is also expected to thoroughly comply with standard: 240-105658000 Supplier Quality Management Specification. Find the standard attached. The following shall be submitted to the Project Manager before work commence;

- Method statements and specifications adhered to;
- Material Certificates;
- Calculations for any temporary works that may be required for the safe execution of the works;

## 5. PRICE LIST OF MATERIAL

The Price List is as follows and also as per notes contained in SOW (Scope of Work)

## Refurbishment of the Heat Exchanger Plates A and B on Unit 1 to 6 during Outages

Item No.	tem No. Description		Quantity	Rate	Price
Α	Activities to be Performed				
1.1	Stripping and cleaning of Heat Exchanger Plates A and B consisting of 133 plates on each Heat Exchanger	Ea	2		
1.2	Replace old AM20 gaskets with new gaskets (2 sets for 133 plates each)	EA	2		
1.3	Replace damaged Heat Exchanger plates with new ones	Ea	1		
1.4	Installation of Heat Exchanger plates on- site	Ea	2		
	Sub-total (A)				

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В	Preliminaries and Generals				
2.1	Transportation	Ea	1		
2.2	All Safety and Health Requirements including Quality	Ea	1		
2.3	Operational performance test after overhaul	Ea (complete unit)			
2.4	Dye penetrant testing of all plates per heat exchanger	Set			
	Sub-total (B)				
	The total of the Prices (excluding VAT				

#### 6. HANDOVER

The Contractor also compiles a data package of the relevant drawings, test certificates etc. to the Project Manager for acceptance. These include, but are not limited to:

- Document List;
- Instruction for Work/ Purchase Order;
- Approved and signed off ITP's, QCP's;
- Completed visual and pressure test reports
- All damage noted during visual inspections will eb backed up with photographic evidence included in inspection reports
- Method statement
- NDT test reports
- · Performance testing.

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# 7. TENDER STRATEGY REQUIREMENTS

#### 7.1 QUALITATIVE TECHNICAL EVALUATION CRITERIA FOR ALL SECTIONS:

Table 1: Qualitative Evaluation Criteria Score Scale

Score	(%)	Definition
5	100	COMPLIANT Meet technical requirement(s) AND; No foreseen technical risk(s) in meeting technical requirements.
4	80	COMPLIANT WITH ASSOCIATED QUALIFICATIONS  Meet technical requirement(s) with;  Acceptable technical risk(s) AND/OR;  Acceptable exceptions AND/OR;  Acceptable conditions.
2	40	NON-COMPLIANT Does not meet technical requirement(s) AND/OR; Unacceptable technical risk(s) AND/OR; Unacceptable exceptions AND/OR; Unacceptable conditions.
0	0	TOTALLY DEFICIENT OR NON-RESPONSIVE

Note 1: The scoring table does not allow for scoring of 1 and 3.

Note 2: Foreseen acceptable and unacceptable risk(s), exceptions and conditions shall be unambiguously defined in the relevant Tender Technical Evaluation Strategy.

## 8. TENDER STRATEGY REQUIREMENTS HEAT EXCHNAGER REFURBISHMENT

#### 8.1 MANDATORY REQUIREMENTS FOR HEAT EXCHANGER REFURBISHMENT

The following mandatory requirements will apply with respect to heat exchanger refurbishment. The *contractor* must supply each of the items below, as if not the tender will be nullified.

### Tender returnable:

- 1. The *contractor* to provide verifiable references with contact details, description of work completed, and date executed for ONE (1) references of projects within the last TEN (10) years involving the inspection and maintenance (cleaning, repairing and handling plate type heat exchanger) as specified in section 4.1.
- 2. The contractor to submit a method statement including all section of the scope of work stated in section 4.14.1 and all the subsections 4.1.1.

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### 8.2 QUALITATIVE REQUIREMENTS FOR HEAT EXCHNAGER REFURBISHMENT

Tender returnable required to allow for Qualitative evolution as below:

- 1. *Contractor* will submit an organogram of all site Key personnel, including all sub-*Contractor*s for activities as specified in section 4.1.
- 2. Exclusions to the actual scope of work as defined, if no exclusions a clear statement to be provided that complete scopes is accepted 4.1
- 3. The *contractor* is responsible to submit all Quality Control Plans (QCPs), program of work, manpower list 4.1 for approval before commencement of work as specified in section 4.1

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**Technical Evaluation Criteria for Heat Exchanger Refurbishment** Weight Technical No Qualitative **Evaluation Scoring Breakdown Criteria Description** O 2 5 Contractor will submit an Company Organogram Company Organogram No organogram, Company Organogram organogram of all site Key Qualifications and submitted without key submitted with key submitted with key personnel personnel, including all subpersonnel Qualifications or Qualifications and capabilities capabilities of any personnel Contractors for activities as of any sub-Contractors sub-Contractors Qualifications and CV's but failure to submit specified in section 4.1. including CV's capabilities of any sub-Qualification or CV's including the CV's 20 1 Contractors including the CV's **Exclusion statement** Unacceptable Acceptable exclusions with No exclusion statement Exclusions or non-acceptance 60 of sow of work requirements no technical risk on project 2 provided exclusions provided (Section4.1.1) Comprehensive QCP with The QCP includes all activities Supply typical QCP as per None Provided Not includes all Key section 4.1 with the required activities in section some commissions but in section 4.1.1 20 4 deliverables 4.1.1 - leading to acceptable

unacceptable risks

NB: A minimum total of 70% is required in this section for further consideration

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## 9. AUTHORISATION

This document has been seen and accepted by:

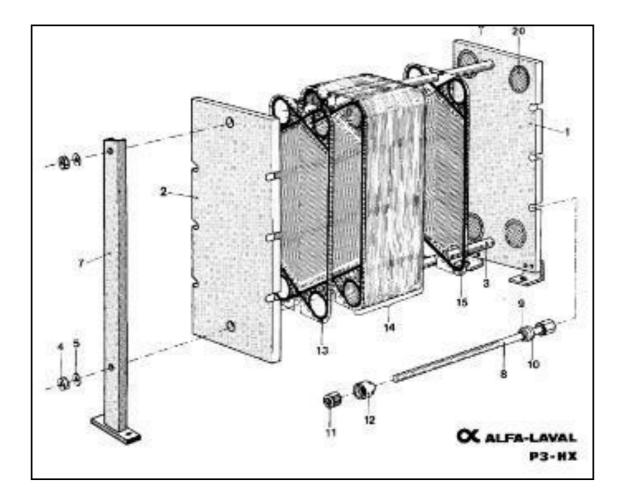
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#### 10. REVISIONS

Date	Rev.	Compiler	Remarks

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# 11. APPENDIX A



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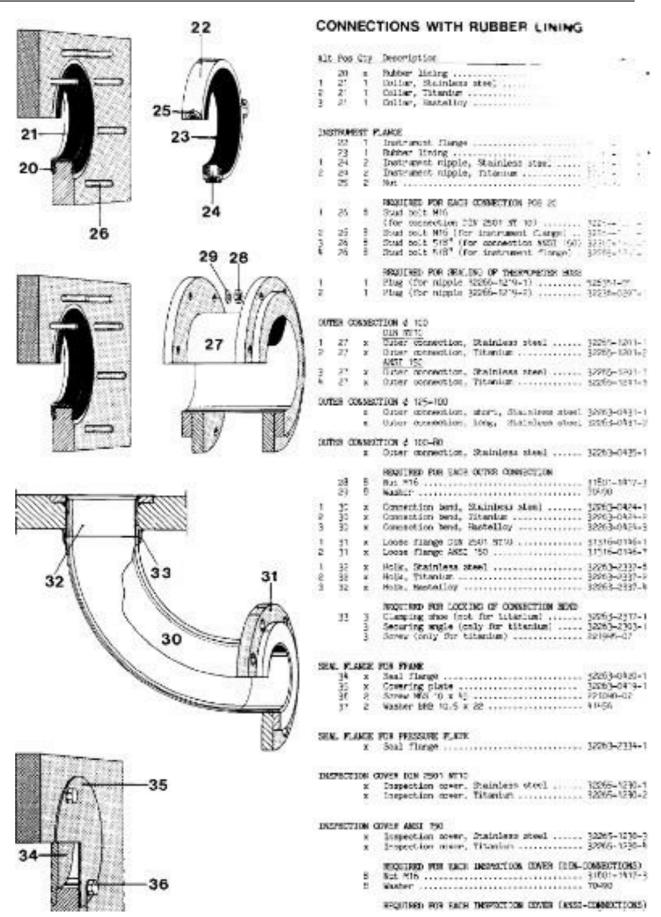
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it R	<b>201</b> (	œy.	Description	-					Alfa-Lava. Part number	
1 1	i.	1	Frame place (ONN 2501 NT 10)							
1 2	2	1		ssure plate with holes for connectionsssure plate without holes for connections						
3	3	2	CARRYING BAR							
					Part m	arber				
			Length		Stainless steel 13 Ct	Stainbess s 25 Cr S Ni				
			700 650 1000 1375 1750 2125 2500 L (order bo length)	and .	12263-0410-1 12263-0410-2 12263-0410-3 12263-0410-5 12263-0410-5 12263-0410-7 32263-0410-8	32263-043 32263-043 32263-043 32263-043 32263-043 32263-043 32263-043	18-2 18-3 18-4 18-5 18-6 18-7			
			яврошию Ро							
4 9	4	2	Waster BRS	25 x 45					223101-55	
		1	Support ing	leg (tur ca	crying bar $L \ge 21$	25)			32263-0409	
23	?	1	Support ing	column					32263-0412-	
	8	6	TIGHTSHING BOURS							
			Material	Length	Part number Direction MAC	Material	Lecropth me:	Part number Dumension M30		
			Stainless steel	750 1050 1350 1650 1950 2250 1, (order bound length)	32239-1139-1 32239-1139-2 32239-1139-3 32239-1139-4 32239-1139-5 32239-1139-6 32239-1139-7 32239-1140-1	Stainless steel 26 Cc 5 Ni 1.5 Mo	750 1050 1350 1650 1950 2250 2550 £ (order bound length)	32239-1147-1 32239-1147-2 32239-1147-4 32239-1147-4 32239-1147-6 32239-1147-7 32239-1148-1		
			REQUIRED FO	R BACE TIGHT	TINING BOLT					
			Bolt dimens	Ion M30, 22	44-64					
	9	1	Guide vashe	·					32239-1146-	
13	1	1 1	Not						32239-1144-	
			holt dimens	ion M30 (26	Cr 5 Ni 1.5 No)					
	,	1	Guide weiher							
10		1	Through weath	et					32239-1145-	
13		1	Lock washer		 				32239-1143-	
		2	Protecting	sheet					32263-0426-	
		x	Partition p	late					32263-2101-	
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