







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

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER**

**FOR**


**THE SUPPLY AND REPLACEMENT OF THE INVERTERS AND AUXILIARY SYSTEM AT KOEBERG OPERATING UNIT (KOU)**

<b>Tender number/ RFP number/</b>	<b>WCKBG2516SB</b>				
<b>Issue date</b>	<b>15 March 2024</b>				
<b>Closing date and time</b>	<b>09 April 2024 at 10h00 (SAST)</b>				
<b>Tender validity period</b>	<b>90 days from the closing date and time</b>				
<b>Clarification meeting</b>	<b>Clarification Meeting</b> <b>Date 25 March 2024</b> <b>Time: 13:00 – 15:00</b> <b>Venue <a href="#">Click here to join the meeting</a></b>				
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>  <table border="1" data-bbox="105 1355 507 1585"> <tr> <td>  </td> <td>         2024-03-15       </td> </tr> <tr> <td>         Shandré Brown            Procurement Quality Engineering       </td> <td>         Q1/L1 Service       </td> </tr> </table>		2024-03-15	Shandré Brown  Procurement Quality Engineering	Q1/L1 Service	<b>THE TENDER OFFICE</b> <b>BLOCK 'E', STORES BUILDING</b> <b>BRACKENFELL COMPLEX</b> <b>ESKOM ROAD</b> <b>BRACKENFELL</b> <b>7560</b>  <b>PLEASE ALLOW SUFFICIENT TIME TO ACCESS THE ESKOM, BRACKENFELL COMPLEX FOR SUBMISSION OF YOUR OFFER. THE PERSON SUBMITTING THE OFFER MUST HAVE A VALID ID BOOK/CARD PRESENT.</b>
	2024-03-15				
Shandré Brown  Procurement Quality Engineering	Q1/L1 Service				

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## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the **supply and replacement of the inverters and auxiliary system at Koeberg Operating Unit (KOU)**.

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

1. Free of charge

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

Queries relating to these Invitation documents may be addressed to the Eskom *Representative*, attention Ms Sheilah Brown at Tender Clarifications [TenderClarifications@eskom.co.za](mailto:TenderClarifications@eskom.co.za)

Yours faithfully



**Ms Shireen Osman – Middle Manager**


Nuclear Commercial

Date: 2024/03/15

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1.1 The following documents listed hereunder are attached to this enquiry.

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form	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 C-Local Content Declaration- Summary Schedule  Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C  Annexure E-Local Content Declaration- Supporting Schedule to Annexure C	Annexure F1  Annexure F2  Annexure F3  Annexure F4	Y
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure H	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure I	Y
1.1.10	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Refer Attachment 11_Supplier Eval Pack_01 March 2024 to 29 February 2025	Y
1.1.13	Contract Skills Development Goals (CSDG)	Refer Attachment 15_CIDB required documents - CSDG Practice Guideline (For Contractor) Forms 1 to 5	Y

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

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:  Name: <b>Sheilah Brown</b>  Tel: <b>+27 (0) 21 522 1221</b>  E-mail: TenderClarifications  <a href="mailto:TenderClarifications@eskom.co.za">TenderClarifications@eskom.co.za</a></p>
1.3 Enquiry documents	<p>The Invitation to tender number is : <b>WCKBG2516SB</b></p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender	This invitation to tender is an open Invitation to tender
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract.
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed <b>ineligible</b> to submit a tender if</p> <ul style="list-style-type: none"> <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 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> </ul>

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<b>Clause Number from Standard Conditions of Tender</b>	<b>Tender Data</b>
	<ul style="list-style-type: none"> <li>• It's ascertained that the Tenderer 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 : <ul style="list-style-type: none"> <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 of another Tenderer, or influence the decisions of the Employer regarding this bidding process;</li> </ul> </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> </ul> <p style="text-align: center;"><b>Ineligible tenderers will be disqualified.</b></p>
2.2 -2.5 Tender Closing	<p>The deadline for <b>Tender</b> submission is:</p> <p>Date: <b>09 April 2024</b>  Time: <b>10h00 (SAST)</b></p> <p><b>NO FAX TENDER WILL BE ACCEPTED</b>  <b>NO LATE TENDER WILL BE ACCEPTED</b></p> <p>Addressed: Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:</p> <p><b>THE TENDER OFFICE  BLOCK 'E', STORES BUILDING  BRACKENFELL COMPLEX  ESKOM ROAD  BRACKENFELL  7560</b></p> <p><b>PLEASE ALLOW SUFFICIENT TIME TO ACCESS THE ESKOM, BRACKENFELL COMPLEX FOR SUBMISSION OF YOUR OFFER. THE PERSON SUBMITTING THE OFFER MUST HAVE A VALID ID BOOK/CARD PRESENT</b></p> <p>Any documentation required that are not submitted in the tender box at the deadline will be considered late. The tenderer accepts that Eskom will not assume any responsibility for the misplacement or premature opening of the tender if the outer package is not sealed and marked as stated.</p>

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>Without limitation, Eskom takes no responsibility for any delays in any courier or postal system or any delays in transit within or between Eskom offices. Eskom likewise takes no responsibility for offers delivered to a location other than the tender box at the tender office stated in the tender. Proof of posting or of courier delivery will not be taken by Eskom as proof of delivery.</p>
2.9 Copy of original tender	<p><b>The tenderer must submit the tender as a complete ORIGINAL tender, plus One (1) IDENTICAL HARD COPY of the original tender at tender submission deadline.</b></p> <p><b>Eskom also require one (1) additional complete soft copy of the original tender is submitted in electronic format on a USB.</b></p> <p>Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p> <p>The tender shall be submitted in the following format;</p> <p><b>Part 1: General Commercial documents</b></p> <p>1. This section will contain all of the commercial related tender returnables as well as general information.</p> <p><b>Part 2: Financial documents</b></p> <p>2. This section will contain all the financial related tender returnables.</p> <p><b>Part 3: Functional documents</b></p> <p>3. This section will contain all the technical related tender returnables including and safety and quality related documents.</p> <p>Please ensure that all pages are securely bound with File fasteners.</p>
	<p>Your failure to provide the necessary copies of the original tender in the stipulated formats or quantities by the deadline for tender submission will immediately <b>DISQUALIFY</b> you from further evaluation. Tenderers will not be permitted to provide the required copies after the deadline for tender submission have passed, and Eskom will not be responsible for the making of copies for the purposes of Evaluation.</p> <p>The onus is upon the tenderer to ensure that copies of the documentation listed above are strictly in accordance with the requirements.</p> <p><b>Failure to comply or meet stipulated mandatory (pre-requisites for evaluation) and with the said conditions of tender or failure to provide any compulsory documentation required for the purpose of evaluation will render a tender non-responsive.</b></p>

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	<p>No tippex/correction fluid pen is to be used on any page or any pages of the documents to be submitted. Failure to comply with this, your tender will be deemed commercially unacceptable.</p> <p>Eskom will treat all information as received as confidential.</p> <p>The suppliers must complete the declaration of Interest form (attached separately under the Commercial Folder) to indicate that none of its personnel have any involvement or interest in Eskom and likewise no Eskom personnel have any involvement or interest in the respondent's business as regards to this enquiry.</p> <p>Tenderers are encouraged to continuously check Eskom tender bulletin <a href="http://tenderbulletin.eskom.co.za/">http://tenderbulletin.eskom.co.za/</a> for the latest tender updates during this clarification period. This will enable tenderers to familiarize themselves with any new developments in order to tender accurately.</p> <p>All costs incurred in the preparation, presentation/demonstration, and submission of your tender response will be for the tenderer's account.</p> <p>The information contained in this document is of a confidential nature and may only be used for purpose of responding to this enquiry. This confidentiality clause extends to partners, whom you may decide to involve in preparing a response to this tender. The tender and any supporting documents submitted as part of your enquiry response will become the property of Eskom.</p> <p><b>Where a Tenderer does not submit an original and complete copy of the original tender, the tenderer will be disqualified.</b></p>
2.13 Tender Validity Period	<p>The tender validity period is <b>90 days</b>.</p> <p>The aforesaid validity period may be extended by the Commercial Manager, provided that the original validity period has not expired, and that all Contractors are given an opportunity to extend such period. Any such extension shall be agreed to by a <i>Contractor</i> in writing.</p> <p>Tenderers who fail to respond to such a request before the validity of their tender expires, or who decline such a request shall not be considered further in the evaluation process. Eskom will not be held responsible for any expenses incurred by <i>Contractor</i> in preparing and submitting tenders.</p>

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<b>Clause Number from Standard Conditions of Tender</b>	<b>Tender Data</b>						
2.16 Site/clarification meetings	<p>A <b>clarification meeting</b> with representatives of the <i>Employer</i> will take place as follows:</p> <p><b>Clarification Meeting</b></p> <table border="1"> <tr> <td><b>Date</b></td> <td><b>25 March 2024</b></td> </tr> <tr> <td><b>Time:</b></td> <td><b>13:00 – 15:00</b></td> </tr> <tr> <td><b>Venue</b></td> <td><a href="#">Click here to join the meeting</a></td> </tr> </table> <p>Queries relating to the issue of these documents may be addressed to the Eskom <i>Representative</i> as follows: Ms S Brown, Tel: +21 (0)21 522 1221 or Email: <a href="mailto:TenderClarifications@eskom.co.za">TenderClarifications@eskom.co.za</a>. Kindly state the following in your subject line – <b>WCKBG2516SB Tender Clarifications (Sheilah Brown)</b>.</p> <p><b>NB: Although the Clarification is not compulsory, it is highly recommended that the tenderer attends the clarification meeting as this gives them the opportunity to clarify any tender or contract ambiguity.</b></p>	<b>Date</b>	<b>25 March 2024</b>	<b>Time:</b>	<b>13:00 – 15:00</b>	<b>Venue</b>	<a href="#">Click here to join the meeting</a>
<b>Date</b>	<b>25 March 2024</b>						
<b>Time:</b>	<b>13:00 – 15:00</b>						
<b>Venue</b>	<a href="#">Click here to join the meeting</a>						
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>five (5) working days</b> before the deadline for tender submission.						
2.23 Alternative tenders	Alternative tenders are <b>not allowed</b> .						
2.31 Provision of security for performance	<p>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.</p> <p>The following bonds are required for this enquiry:-</p> <ol style="list-style-type: none"> <li>Performance Bond (refer to the attached document - FOR INFO_List of Acceptable Guarantors - February 2024)</li> </ol>						
3.4 Opening of tenders	<p>Tenders will be opened at the same date and time as the tender deadline.</p> <p>Tenders will be opened on:  Date: <b>09 April 2024</b>  Time: <b>10h00 (SAST)</b></p> <p><b>NO FAX TENDER WILL BE ACCEPTED</b>  <b>NO LATE TENDER WILL BE ACCEPTED</b></p>						
3.5 Prices to be read out	Prices <b>will not be read out</b> .						

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3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <ol style="list-style-type: none"> <li>1. Meet the eligibility criteria for a tenderer</li> <li>2. Submit one (1) hard copy of the original tender to Eskom</li> <li>3. Submit a complete original tender with commercial, financial and technical information</li> <li>4. Submission of the mandatory commercial tender returnables as at stipulated deadlines.</li> <li>5. Central Supplier Database (CSD) number (MAA.....)</li> </ol>						
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents/information in 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	<p><b>FUNCTIONALITY</b> requirements (<b>weighted criteria with minimum threshold are applicable</b>)</p> <ul style="list-style-type: none"> <li>• <b>Mandatory Requirements:</b></li> </ul> <p>The following mandatory criteria will be applicable for this transaction under functional criteria.</p> <p>The supplier shall demonstrate that the Quality Management System (QMS) is certified to ISO 9001:2015, or equivalent and conforms to the requirements of CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3. If supplier QMS is not certified and conforming, <b>no further evaluation will be performed.</b></p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Criteria</th> <th style="text-align: left;">Deliverable</th> </tr> </thead> <tbody> <tr> <td>Demonstrate that the supplier Quality Management System (QMS) is certified to ISO 9001:2015, or equivalent and conforms to the requirements of CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.</td> <td>Copies of Management System Certification and proof of conformance to CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.</td> </tr> <tr> <td>If supplier QMS is not certified to ISO 9001:2015, or equivalent and conforming to CFR 50 Appendix B, ASME NQA-1 or IAEA GSR Part 2., no further evaluation will be performed.</td> <td></td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>• <b>Evaluation Requirements:</b></li> </ul> <p>The following two sets of criteria will be applicable for this transaction under functionality criteria. The total functional criteria add up to a 100%, where the Technical criteria is weighted at 70%, and the Quality criteria is weighted at 30%, but the tenderer need to have an overall score of 80% to be evaluated further.</p>	Criteria	Deliverable	Demonstrate that the supplier Quality Management System (QMS) is certified to ISO 9001:2015, or equivalent and conforms to the requirements of CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.	Copies of Management System Certification and proof of conformance to CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.	If supplier QMS is not certified to ISO 9001:2015, or equivalent and conforming to CFR 50 Appendix B, ASME NQA-1 or IAEA GSR Part 2., no further evaluation will be performed.	
Criteria	Deliverable						
Demonstrate that the supplier Quality Management System (QMS) is certified to ISO 9001:2015, or equivalent and conforms to the requirements of CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.	Copies of Management System Certification and proof of conformance to CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.						
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	<p><b>=THE OVERALL MINIMUM FUNCTIONAL THRESHOLD IS THEREFORE 80%:</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Criteria (Technical)</th> <th style="text-align: left;">Weight</th> </tr> </thead> <tbody> <tr> <td>Products / Service</td> <td>70%</td> </tr> <tr> <td>Company Profile</td> <td>5%</td> </tr> <tr> <td>Experience of Key Personnel</td> <td>10%</td> </tr> <tr> <td>Training provision</td> <td>5%</td> </tr> <tr> <td>Value to Koeberg</td> <td>5%</td> </tr> <tr> <td>Methodology</td> <td>5%</td> </tr> <tr> <td><b>WEIGHTED TOTAL</b></td> <td><b>100%</b></td> </tr> <tr> <td style="text-align: center;"><b>Functional Evaluation Weight</b></td> <td style="text-align: center;"><b>70%</b></td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Criteria (Quality)</th> <th style="text-align: left;">Weight</th> </tr> </thead> <tbody> <tr> <td>Integrated Management System</td> <td>30%</td> </tr> <tr> <td>Management Responsibility</td> <td>30%</td> </tr> <tr> <td>Monitoring</td> <td>40%</td> </tr> <tr> <td><b>WEIGHTED TOTAL</b></td> <td><b>100%</b></td> </tr> <tr> <td style="text-align: center;"><b>Functional Evaluation Weight</b></td> <td style="text-align: center;"><b>30%</b></td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>Tenderers need to score an overall score of 80% or more in total for the Functional Evaluation (Technical and Quality combined) in order to progress to the next stage of the Tender Evaluation. Refer attachment 3 - Technical Evaluation and attachment 3.1 – Quality Evaluation for the applicable Functional requirements.</li> </ul> <p><b>Tenderers will be scored against the technical functionality criteria and have to meet the minimum threshold as stated in the Tender Data. Only if this minimum threshold is met/exceeded will the tender be evaluated further.</b></p> <p><b>Supplier Qualification Process</b></p> <ul style="list-style-type: none"> <li>Suppliers who meet the functionality threshold but are not on the Koeberg Operating Unit (KOU) approved supplier listing (ASL) for the scope of work detailed in the draft <b>NEC3 (ECC) for WCKBG2516SB</b> will be further subjected to a supplier qualification process, which will form part of the functional stage of the evaluation.</li> </ul>	Criteria (Technical)	Weight	Products / Service	70%	Company Profile	5%	Experience of Key Personnel	10%	Training provision	5%	Value to Koeberg	5%	Methodology	5%	<b>WEIGHTED TOTAL</b>	<b>100%</b>	<b>Functional Evaluation Weight</b>	<b>70%</b>	Criteria (Quality)	Weight	Integrated Management System	30%	Management Responsibility	30%	Monitoring	40%	<b>WEIGHTED TOTAL</b>	<b>100%</b>	<b>Functional Evaluation Weight</b>	<b>30%</b>
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3.15 Evaluation of price	<p>Prices will be evaluated as follows:</p> <ol style="list-style-type: none"> <li>1. Inclusive of VAT</li> <li>2. Making the specified correction for arithmetical errors</li> <li>3. Excluding contingencies in any bill of quantities or activity schedule.</li> <li>4. Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.</li> </ol>																														

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	<p>5. Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk, where applicable.</p> <p>6. Unconditional discounts must be taken into account for evaluation purposes;</p> <p>7. Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is affected.</p> <p>Prices will be scored out of 90 points.</p>
3.17 Evaluation of Specific Goals	<p>Specific goals will be scored out of 10 points in accordance with PPPFA.</p> <p>If a tenderer fails to meet Specific goals and not submit proof, the tenderer will not be disqualified. However, be awarded 90 points for price and will score 0 points for Specific goals (out of 10).</p> <p><b>Note:</b>  <b>Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by 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.</b></p>
3.18 Ranking of tenders	<p>Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:-</p> <p>1. 90/10 for tender with a rand value above R50 million</p> <p>Eskom will then add the score from Pricing and Specific goals together and rank the suppliers from the highest to the lowest.</p>
3.19 Objective Criteria	<p>Objective criteria <b>are applicable and</b> will align with section 2(1)(f) of the PPPFA.</p> <ul style="list-style-type: none"> <li>• Local Content and Production Designated sectors,</li> <li>• National Industrial Participation Programme (NIPP) (for support and development of local businesses), if applicable,</li> <li>• Mandatory subcontracting on contracts above R30 million.</li> </ul> <p><b>If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.</b></p>

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	<p>The methodology and criteria for evaluation is explained in this document and if the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.</p> <ul style="list-style-type: none"> <li>• <b>Designated material and thresholds are applicable.</b> <ul style="list-style-type: none"> <li>○ The materials below have been identified as designated materials and what thresholds the tenderers must meet to be evaluated further.</li> </ul> </li> </ul> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #cccccc;">Commodity</th> <th style="background-color: #cccccc;">Components</th> <th style="background-color: #cccccc;">Local Content Threshold</th> </tr> </thead> <tbody> <tr> <td>Electrical cables</td> <td>Electrical cables</td> <td>90%</td> </tr> <tr> <td>Solar PV Components</td> <td> <ul style="list-style-type: none"> <li>• Laminated PV Modules</li> <li>• Module Frame</li> <li>• DC Combiner Boxes</li> <li>• Mounting Structure</li> <li>• Inverter</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>• 15%</li> <li>• 65%</li> <li>• 65%</li> <li>• 90%</li> <li>• 40%</li> </ul> </td> </tr> </tbody> </table> <p>Tenderers need to complete and submit Annexure F1-F4 hereto as evidence of compliance with this requirement.</p> <p>The dti has appointed SABS as the official verification agency for local content in terms of designated products.</p> <p>A tender that fails to meet the minimum stipulated threshold for local production and content will not be justified for award.</p> <ul style="list-style-type: none"> <li>• <b>Valid B-BBEE certificate</b> <ul style="list-style-type: none"> <li>○ A valid B-BBEE certificate issued by an authorized body or person; a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; any other requirement prescribed in terms of the Broad-Based Black Economic.</li> </ul> </li> <li>• <b>NIPP Requirements is applicable.</b> <ul style="list-style-type: none"> <li>○ Eskom will implement the NIPP requirement, which determines that the contractor/supplier has to contact the Department of Trade, Industry and Competition (dtic) to arrange for support and development of local businesses. Eskom is required to inform the tenderers of this requirement. NIPP will only be applicable for contracts with an FGN component or content of USD 5 million or more.</li> </ul> </li> <li>• <b>CIDB Contract skills development goals (CSDG) are applicable.</b> <ul style="list-style-type: none"> <li>○ Contractor shall achieve in the performance of the contract the CSDG established in the CIDB Standard for Developing Skills through Infrastructure contracts (published in GGN 36760 of March 2020) CSDG is applicable to all classes of works exceeding R60 M and where the contract duration is 12 months or more or to Professional Services/Service contract/order where the estimated contract</li> </ul> </li> </ul>	Commodity	Components	Local Content Threshold	Electrical cables	Electrical cables	90%	Solar PV Components	<ul style="list-style-type: none"> <li>• Laminated PV Modules</li> <li>• Module Frame</li> <li>• DC Combiner Boxes</li> <li>• Mounting Structure</li> <li>• Inverter</li> </ul>	<ul style="list-style-type: none"> <li>• 15%</li> <li>• 65%</li> <li>• 65%</li> <li>• 90%</li> <li>• 40%</li> </ul>
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	<p>exceeds R5M and where the contract duration is 12 months or more.</p> <p><b>Regulation 9 of PPPFA Regulations 2022 will apply as it is deemed that it is feasible to sub-contracting 30% of the transaction to EME and QSE designated groups. Condition for contract award.</b></p> <p><b>Subcontracting is mandatory on contracts above R30 million and is a condition for contract award.</b></p> <p>Tenderers shall subcontract a minimum of 30% of the contract value to the following designated groups:</p> <ul style="list-style-type: none"> <li>• an EME or QSE, which is at least 51% owned by black people;</li> <li>• an EME or QSE, which is at least 51% owned by black people who are youth;</li> <li>• an EME or QSE, which is at least 51% owned by black people who are women;</li> <li>• an EME or QSE, which is at least 51% owned by black people with disabilities;</li> <li>• an EME or QSE, which is 51% owned by black people living in rural or underdeveloped areas or townships;</li> <li>• a cooperative, which is at least 51% owned by black people;</li> <li>• an EME or QSE, which is at least 51% owned by black people who are military veterans.</li> </ul> <p><b>NOTE 1:</b> Tenderers shall submit the following mandatory returnable for Subcontracting:</p> <ul style="list-style-type: none"> <li>• Subcontracting agreement signed by both with subcontractors' company registration documents (CK and B-BBEE certificate or sworn affidavit) or</li> <li>• 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.</li> </ul> <p>Potential scope to be subcontracted and/or outsourced:</p> <ul style="list-style-type: none"> <li>• Removal of the old system, and</li> <li>• Pulling up electrical cables and mounting cabinets.</li> </ul> <p>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.</p>

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	<p><b>Please note:-</b></p> <ul style="list-style-type: none"> <li>• <b>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.</b></li> <li>• <b>Functionality and elements of Contractual requirements must not be used as objective criteria.</b></li> </ul>
Contractual Requirements	<p>Contractual Requirements may include the following:</p> <ul style="list-style-type: none"> <li>• <b>SHEQ Requirements</b> - Safety, Health, Environmental (SHE) - requirements will form part of the tender enquiry. The tender enquiry must be accompanied by a specific project base line risk assessment, SHE specification, Annexure B (Acknowledgement of SHE rules and requirements) and the applicable Annexure C (Annexure C1: SHE tender evaluation and scoring card).</li> </ul> <p>Annexure B must be returned with the supplier's tender document whereas Annexure C provides guidance to suppliers on the minimum SHE evaluation which will be used for the specific tender (the appropriate Annexure C will be selected prior to issuing the enquiry). Only the SHE criteria sent out with the tender enquiry will be evaluated for contractual compliance. The SHE professional will conduct the OHS evaluation.</p> <ul style="list-style-type: none"> <li>• <b>Supplier's financial viability</b> - A financial analysis of the supplier's financial statements will be performed to establish the supplier's ability to meet all its contract financial obligations and ability to uphold a contract of this magnitude.</li> <li>• <b>Supplier Qualification Process</b> - If the preferred supplier is not on the KOU Approved Suppliers List for the intended scope of work, then the preferred supplier will be subjected to a qualification process.</li> </ul> <p>The qualification process will be conducted in accordance with procedure 238-105 (The Nuclear Supplier Qualification and Audit Manual) to verify conformance to the applicable quality requirements as stated in specification 238-101, Quality and Safety Management Requirements for Nuclear Suppliers Level 1.</p> <p><b>Please Note:</b>  <b>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.</b></p> <p><b>Failure to meet "Contractual Requirements "by the stipulated deadlines; may result in the tenderer being regarded as non-responsive and ineligible for contract award.</b></p>

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2.25 Contractual Condition	<p>The conditions of contract will be the <b>NEC3 Engineering and Construction Contract (ECC)</b>.</p> <p>The recommended supplier shall submit all the documentation (Form A2 Baseline Training Plan, Form A3 Project Interim Report, Form A4 Supervisor Agreement, Form A5 Project Completion Report) that may be required as returnables after contract award as stipulated by Clause 4 of the Contract Skills Development Goals Standard (published in GGN 36760 of March 2020)</p> <p>The recommended supplier shall submit all the documentation (Annexure A- Targeted Enterprise Declaration Affidavit; Project Interim Report, Project Completion Report and Declaration) that may be required as returnables after contract award and as stipulated by Clause 3.3 of the Standard for Indirect Targeting for Enterprise Development through Construction Works Contract (published in GGN 36190 of 25 February 2013)</p> <p>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.</p>
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<ul style="list-style-type: none"> <li>• <b>CIDB Requirements are applicable.</b></li> </ul> <p>According to the Construction Industry Development Board Act, 38 of 2000, all contractors engaging in construction work must be registered with the CIDB. Eskom is required to adhere to this Procurement Regulation and is therefore not permitted to contract with any contractor who is not registered.</p> <ol style="list-style-type: none"> <li>1. It is estimated that tenderers must have a Construction Industry Development Board (cidb) contractor grading of <b>6EB (Electrical Engineering Works – Building)</b> or higher</li> </ol> <p><b>Tenderer to provide proof of registration.</b></p> <p><i>[Please note: That only those tenderers who are registered with the Construction Industry Development Board or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works herein are eligible to submit tenders.</i></p> <p><i>Employer (Eskom) must within 21 working days from date when contractors offer to perform a construction works contract is accepted in writing; register and publish the award of all contracts equal to or exceeding R10 M inclusive of VAT.]</i></p>

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	<ul style="list-style-type: none"> <li> <b>Contract Skills Development Goals (CSDG) Requirements is applicable.</b> </li> </ul> <p>2. The CSDG applicable to this tender is in terms of the Engineering and Construction Works contract with respect to the <b>6EB (Electrical Engineering Works – Building)</b> class of works and the applicable percentage is 0.25% and is contained in the relevant Pricing schedule attached.</p> <p>The contractor shall achieve in the performance of the contract the Contract Skills Development Goal (CSDG) by providing opportunities to learners requiring structured workplace learning using one or a combination on any of the following in relation to work directly related to this scope:</p> <table border="1" data-bbox="576 869 1430 1256"> <tr> <td>Method 1</td> <td>Structured workplace opportunities for learners towards the attainment of a part of full occupational qualification</td> </tr> <tr> <td>Method 2</td> <td>Structured workplace opportunities for apprentices or other artisan learners towards the attainment of a trade qualification leading to a listed trade</td> </tr> <tr> <td>Method 3</td> <td>Work integrated learning opportunities for University of Technology or Comprehensive University students completing their qualification / National Diplomas</td> </tr> </table> <p><b>Please note:</b>  <b>Contractor shall achieve in the performance of the contract the CSDG established in the CIDB Standard for Developing Skills through Infrastructure contracts (published in GGN 36760 of March 2020)</b></p>	Method 1	Structured workplace opportunities for learners towards the attainment of a part of full occupational qualification	Method 2	Structured workplace opportunities for apprentices or other artisan learners towards the attainment of a trade qualification leading to a listed trade	Method 3	Work integrated learning opportunities for University of Technology or Comprehensive University students completing their qualification / National Diplomas
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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](http://www.csd.gov.za)

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

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

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### 1.3 TENDER RETURNABLES

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

#### NOTE:

\* Returnable required at Tender closing (disqualifiable) - These returnable are required to be fully completed, signed (if required on the returnable) and submitted with the tender at Tender closing date and time. If not fully completed, signed (if required on the returnable) and/or submitted by tender closing the tender must be disqualified.

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


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

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	One (1) hard copy of the tender  <b>(the tenderer must submit the tender as a complete ORIGINAL tender, plus 1 (one) HARD COPY of the original at tender submission deadline)</b>	✓		
Annexure A	Acknowledgement Form		✓	
Annexure B	Tenderers Particulars		✓	
Annexure C	Integrity Pact Declaration form		✓	
Annexure D	CPA for local goods/services (if applicable)	✓		
Annexure E	CPA(IG) for imported goods/services (if applicable)	✓		

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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.
<b>Annexure F1-F4</b>	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E, <b><i>applicable where designated materials are included</i></b>			✓
<b>Annexure G</b> (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.			✓
<b># Annexure H</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			
<b>Annexure I</b>	SBD 4 – Bidders Disclosure		✓	
<b>Additional Documents required in event of JV: -</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement.		✓	
	<b># proof of compliance to the stipulated Specific goals.</b>		✓	
	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># Specific Goals</b>	Failure on the part of the supplier to submit <b>“proof of specific goals</b> for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.		✓	
<b>Tax Clearance Certificates</b>	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number).  Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			✓
<b>Tax Evaluation Questionnaire (if services contract and was included as annexure)</b>	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE			✓

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<b>Compliance with Employment Equity Act</b>	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>CIDB</b>	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.		✓	
<b>Shareholding</b>	Shareholding organogram and detailed breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names & ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers).			✓
<b>NEC Documentation</b>	Completed NEC pricing schedule and contract data.	✓		
<b>Attachment 7</b>	(SDLI) KBG2516 Inverter System Replacement Project		✓	
<b>Attachment 8</b>	Non-Disclosure Agreement (NDA) Vendors		✓	
<b>Attachment 9</b>	Supplier Declaration of Interest	✓		
<b>Attachment 10</b>	Company information Form			✓
<b>Attachment 11</b>	Supplier Eval Pack_01 March 2024 to 29 February 2025			✓
<b>Attachment 12</b>	Tender Questions and Answers Template		✓	
<b>Attachment 13</b>	Contract Deviations Committee Approval Template		✓	
<b>Attachment 14</b>	Authority to Submit a Tender (Returnable Schedule)		✓	

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<b>DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)</b>				
<b>Safety</b>	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only)			✓
<b>Quality</b>	Documents that may be required per scope of work			✓
<b>Other safety/quality documents as required per scope of works</b>	<ul style="list-style-type: none"> <li><b>Attachment 5</b> - Annexure C-1 Tender Evaluation – Occupational Health and Safety (OHS)</li> <li><b>Attachment 6</b>_SHE Rules and other Requirements</li> </ul>			✓
<b>Environmental</b>	Documents that may be required as per scope of work			✓
<b>Due Diligence</b>	<p>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.</p> <p><b>Supplier's financial viability</b> - A financial analysis of the supplier's financial statements will be performed to establish the supplier's ability to meet all its contract financial obligations and ability to uphold a contract of this magnitude.</p>			✓
<b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA</b>				
Technical (required for functionality scoring)	<p>FUNCTIONAL TENDER RETURNABLES</p> <p><b>Refer below attachment for returnables:</b></p> <ul style="list-style-type: none"> <li><b>Attachment 4</b>_Tender Technical Evaluation Criteria and</li> <li><b>Attachment 4.1</b>_Tender Quality Evaluation Criteria</li> </ul> <p><b>Please note that compliance is Mandatory for further evaluation.</b></p>	✓		

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**ANNEXURE A**

**ACKNOWLEDGEMENT FORM**

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


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

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

Or: Incorrect or incomplete for the following reasons:

---



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**Cataloguing Acknowledgement:**

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

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

---



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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 attached letter from OEM confirming his position.

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Invitation to Tender/Request for Proposal No:     **WCKBG2516SB**    

Name of company/JV: \_\_\_\_\_

Country of registration: \_\_\_\_\_

Name of contact person: \_\_\_\_\_

Contact details of contact person:

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

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## ANNEXURE B

### TENDERER'S PARTICULARS

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

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

Please complete the following:

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

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If subcontractors are to be used, indicate the following for the main sub-contractor(s). Add to the list of applicable.


Name of contractor	
CIPC Registration number 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	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

1. If you are currently registered as a vendor with Eskom, please provide your Vendor registration number with Eskom. \_\_\_\_\_
2. If you are currently registered as a vendor on the Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury \_\_\_\_\_
3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company.
4. You may register online at National Treasury website on [www.treasury.gov.za](http://www.treasury.gov.za)
5. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status \_\_\_\_\_

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6. If you are required to be tax compliant as per SBD 1, but are not registered on CSD ( foreign suppliers) or have not provided your SARS Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage).

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

8.1 Confirm if you intend sub-contracting

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

8.2 What percentage will you be sub-contracting? \_\_\_\_\_%

8.3 To whom do you intend sub-contracting? \_\_\_\_\_

8.4 Is the said sub-contractor registered on CSD?

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

8.5 If yes to 8.4, please provide CSD number. \_\_\_\_\_

8.4 Please confirm B-BBEE level of said sub-contractor \_\_\_\_\_

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

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

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

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------


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

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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**1. Single tenderers**

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

Signature: \_\_\_\_\_

Designation: \_\_\_\_\_

Date: \_\_\_\_\_

**2. Joint Ventures**

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

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

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

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## **ANNEXURE C**

### **INTEGRITY DECLARATION FORM**

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

#### **DECLARATION OF INTEREST**

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

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

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

1. either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of “control” (as per Companies Act section 2(1) );
2. either is a subsidiary of the other; or
3. a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”
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.

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

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

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

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### 3. DECLARATION OF SHAREHOLDING INFORMATION

I, the undersigned \_\_\_\_\_ [Position] \_\_\_\_\_ hereby declare that I am the duly authorised representative of \_\_\_\_\_ [Name of Tenderer].

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

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

#### Individuals:

Full Name	Identity Number	Shareholding Percentage

#### Other Entities\*:

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

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

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

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


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

<b>Signature:</b>	
<b>Designation and capacity in which signing</b>	
<b>Date:</b>	

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**Joint Ventures**

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

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

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

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

<b>Signature:</b>	
<b>Designation and capacity in which signing</b>	
<b>Date:</b>	

(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

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### 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.

### 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:

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*The Cash Settlement or Cash Sellers Price*

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

**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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**Table 1: Preferred Local Index List** -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
<b>Labour general (hourly paid)</b> SEIFSA, C3, actual labour cost	<b>Steel</b> StatsSA, P0142.1 Table 2, basic iron and steel	<b>Mechanical engineering material</b> SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StatsSA, PO141 <b>CPI</b> (Headline) all items OR SEIFSA, D-2 (CPI)
	<b>Copper</b> SEIFSA, F, copper metric ton	<b>Electrical engineering material</b> SEIFSA, G-1, electrical engineering material		
<b>Labour general</b> SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid	<b>Aluminium</b> SEIFSA, R, aluminium	<b>Building and construction material</b> SEIFSA, G, building and construction material		StatsSA, PO142.1), <b>PPI</b>
	<b>Zinc</b> SEIFSA, F, zinc			4. Final Manufactured Goods
	<b>Lead</b> SEIFSA ,F, lead			5. Or 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 Institute, Country-specific general labour index	MEPS, Country-specific general steel index	National Statistical Institute, Country-specific mechanical engineering material	National Statistical Institute, Country-specific general transport cost index	National Statistical Institute, Country-specific CPI (Headline)  National Statistical Institute, Country-specific PPI
	LME, Copper	National Statistical Institute, Country-specific electrical engineering material		
	LME, aluminium			
	LME, zinc	National Statistical Institute, Country-specific building and construction material		
	LME, lead			

Closing date of tender	_____ / _____ / _____
TENDERER'S SIGNATURE	_____

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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

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and the rate which the forward cover is cancelled, will be for the account of the supplier.

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.
3. 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](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

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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.

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:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

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

(Tick applicable box)

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

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

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za)

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

<b>Currency</b>	<b>Rates of exchange</b>
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 RESPECT OF BID NO.** .....

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

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>.
- 3 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. **Declaration C should be submitted at the stipulated deadline of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.


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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

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

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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



Adobe Acrobat Document

**Annexure F3 - Imports Declaration-Supporting schedule to Annex C(annex D)**



Adobe Acrobat Document

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




Adobe Acrobat Document

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**ANNEXURE G**

**SBD 1**


**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<b>THE TENDER OFFICE BLOCK 'E', STORES BUILDING BRACKENFELL COMPLEX ESKOM ROAD BRACKENFELL 7560</b>					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		<b>OR</b>	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes  <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes  <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs&amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS ;OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW ]
<b>SIGNATURE OF BIDDER</b> .....		<b>DATE</b>	
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b> (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
<b>TOTAL NUMBER OF ITEMS OFFERED</b>		<b>TOTAL BID PRICE (ALL INCLUSIVE)</b>	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>BID SUBMISSION:</b>	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
<b>TAX COMPLIANCE REQUIREMENTS</b>	
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.
3.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS

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- PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
4. 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**

- |    |   |  |
|----|---|--|
| 1. | IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 2. | DOES THE BIDDER HAVE A BRANCH IN THE RSA?                       | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3. | DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 4. | DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?           | <input type="checkbox"/> YES <input type="checkbox"/> NO |

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

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

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


DATE:

.....

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**ANNEXURE H**

**SBD 6.1**

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

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

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

**2. To be completed by the organ of state**

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

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.

**3. To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	90
<b>SPECIFIC GOALS</b>	10
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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1. 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.
2. 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.

#### 4. 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).

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

##### 1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 \mathbf{P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)}
 \end{array}$$

Where


- P<sub>s</sub>** = Points scored for price of tender under consideration  
**P<sub>t</sub>** = Price of tender under consideration  
**P<sub>min</sub>** = 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 or 90 points is allocated for price on the following basis:

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

Where

- P<sub>s</sub> = Points scored for price of tender under consideration
- P<sub>t</sub> = Price of tender under consideration
- P<sub>max</sub> = Price of highest acceptable tender

**6. POINTS AWARDED FOR SPECIFIC GOALS**

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

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


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

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point system.)

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

**7. DECLARATION WITH REGARD TO COMPANY/FIRM**

1. Name of company/firm.....

2. Company registration number: .....

3. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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;

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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 –
  1. disqualify the person from the tendering process;
  2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  3. cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  4. recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  5. forward the matter for criminal prosecution, if deemed necessary.

.....

**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 interest<sup>1</sup> 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

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

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

1. If so, furnish particulars:

.....  
 .....

**3. DECLARATION**

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.


3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

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

<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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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.

1. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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


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

.....	.....
Signature	Date
.....	.....
Position	Name of bidder

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<b>TAX CLEARANCE CERTIFICATE</b>	<b>Tender Returnable</b>
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**Tenderer to provide Eskom with their SARS Pin Number for verification purposes.**

Tenderers are required to provide their Tax Compliance Status (TCS) e-filing PIN from SARS as a mandatory requirement at contract award stage. Foreign tenderers with existing tax obligations in South Africa must also provide proof of tax compliance status in this manner.

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<b>Annexure G - Tax Compliance Questionnaire for Foreign Suppliers</b> <i>[Mandatory for foreign suppliers to complete]</i>	<b>Template Identifier</b>	240-119645544	<b>Rev</b>	1
	<b>Effective Date</b>	06 October 2016		
	<b>Review Date</b>	April 2024		

## 1. BACKGROUND

- Foreign suppliers with no local footprint (i.e. the foreign supplier doesn't have a branch or representative registered here in RSA) do not need to submit a tax clearance certificate.
- These suppliers are also exempted from registering on the National Treasury's Central Supplier Database.
- In order to ascertain whether you are a supplier with no local footprint and that no tax clearance certificate is required, please answer the following pre-award questionnaire in the table below: *Please mark the applicable column (Yes/No) with an 'X'*

No.	Question	Yes	No
1.	Are you a resident of the Republic of South Africa (RSA)?		
2.	Do you have a branch in the RSA?		
3.	Do you have a permanent establishment in the RSA?		
4.	Do you have any source of income in the RSA?		
5.	Are you liable in RSA for any form of taxation?		

If the answer is 'No' to all of the above, then it is not a requirement to obtain a tax clearance certificate / tax clearance system pin code from SARS.

Yours faithfully

### For Supplier:

The supplier hereby confirms that the questions above were answered truthfully and were fully understood.

Name	Designation	Signature	Date
<b>Company name</b>			
<b>Company registration number</b>			
<b>Telephone number</b>		<b>E-mail address</b>	

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<b>Supplier's PAYE Evaluation Questionnaire</b>	<b>Tender Returnable</b>
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**Eskom Holdings Ltd**  
**2002/015527/30**  
**Suppliers' PAYE evaluation questionnaire**

Please answer the questions by marking the appropriate column with an "X".

Please do not leave out any question relating to your specific circumstances.

VENDOR NAME		VENDOR NO	
REGISTRATION NO (ID, Company or CC no, Trust no)	VAT REGISTRATION NUMBER	PAYE REGISTRATION NUMBER	
NO	QUESTION	YES	NO
A1.	For the duration of this proposed contract, will your entity provide Eskom with "people" or a "person" whom will receive remuneration payable by way of a salary, leave pay, allowances, wages, overtime, commission, fees, hourly rates?		
A2.	If the answer to question 1 is "Yes". You are classified as a labour broker according to SARS forth schedule of Income Tax Act.		
A3.	As a labour broker, you have to supply Eskom with a valid, original or certified copy of an IRP30/IRP3 for the current tax year, with this tender or PAYE will be deducted until such certificate is received. It remains your entities responsibility to provide Eskom with a new certificate if the contract extends into a new financial year. PAYE will automatically be deducted after the expiry date of the certificate until a new certificate is provided.		
NO	QUESTION	YES	NO

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B1.	Do you render the services to Eskom through a Company, Close Corporation or Trust?		
B2.	Is any of the services provided to Eskom, through your entity, provided <b>personally</b> by any connected person (shareholders, members, beneficiaries, any relative) of the entity.		
B3.	Does the entity employ <b>four or more full-time employees</b> (other than shareholders, members, beneficiaries, any relative)? (Implying that the tea lady and gardener would not be considered in determining the full time staff rendering services to clients)		
B4.	Do you, the Company, Close Corporation or Trust receive any form of training supplied or paid for by Eskom? If "yes", please specify the nature and extent of training.		
B5.	Are you, the Company, Close Corporation or Trust free to choose which tools or equipment, or staff, or raw materials, or routines, patents and technology to use in performing your main duties?		
B6.	In order to perform you main duties, do you, or does such a person, Company, Close Corporation or Trust, use any tools or equipment supplied or paid for by Eskom? If "yes", please state the nature thereof:		
B7.	Does the Company, Close Corporation or Trust, during its financial year, receive or anticipate to receive more than 80% of the income relating to services from Eskom?		
B8.	Does Eskom control or prescribe your, the Company, Close Corporation or Trust's hours of work? (not allowable hours but the hours that you should work)		
B9.	Are you, the Company, Close Corporation or Trust controlled and supervised in any way by Eskom? If "yes", state the nature.		
B10.	Does your contract contain any elements of an employment contract? (i.e. Job titles, reporting structure in organisation, fixed working hours, employment benefits, performance bonuses (excluding bonus and penalties for early or late delivery))		
B11.	Does your contract contain any clause that will enable you to receive payment, even if no work was done?		

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B12.	Have you ever been classified as a labour broker or personal services company (including Close Corporation and Trust) by SARS or any other client?		
B13.	If the answer to B12 was "yes", did anything change that no longer classifies you as a labour broker or personal services company? If "yes", elaborate:		

**particulars OF PERSON ACTING AS REPRESENTATIVE OF THE ENTERPRISE**

I, the undersigned, confirm that the information provided above is accurate, and that while in receipt of payment from Eskom, will inform Eskom of any changes that take place pertaining the information provided above.

<b>REPRESENTATIVE'S FULL NAMES</b>	<b>CAPACITY</b>	<b>CONTACT NUMBER</b>
<b>SIGNATURE</b>		<b>DATE</b>

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<b>DECLARATION OF SHAREHOLDING ORGANOGAM /BREAKDOWN</b>	<b>Tender Returnable</b>
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Eskom prospective Suppliers are requested to declare the names of Shareholders in their Company. Kindly disclose all the names of individuals or/and companies that own shares in your organisation and submit a Shareholding organogram/breakdown.

**Details of Disclosure**

I, the undersigned \_\_\_\_\_ (Position) \_\_\_\_\_ hereby declare that I am the authorised representative of my organisation \_\_\_\_\_ (Name of Company or Trust). I further declare that the following people are Shareholders/Beneficiaries in \_\_\_\_\_ (Name of Company or Trust)

Name of the Company/Trust	Registration number of the Company/Trust	Names of all Shareholders	Number/ percentage of Shares

(Tick applicable box)

Are any of the shareholders or beneficiaries declared above employed by or close family members\* to employees of Eskom Holdings and/or its subsidiaries?  Yes  No.

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If Yes, please provide details of position held in Eskom by employee or relationship with Eskom Holdings employee and such shareholder/beneficiary's interest in your organisation:

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SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

DESIGNATION: \_\_\_\_\_

\* Close family member means: person related by birth or marriage or similar relationship, including domestic partnership, adoption or a guardianship.

**Enclose a copy of company organogram**

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<b>PROBITY ON CLOSE FAMILY MEMBERS OR BENEFICIARIES</b>	<b>Tender Returnable</b>
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Please indicate, by completing the table set out below, the names of all persons, (natural or Juristic), who are Beneficiaries of the *tenderer*.

For the purpose of this Declaration, a Beneficiary is a natural or juristic person that has a legal or monetary interest in the tenderer by way of ownership, directorship, trusteeship and / or the like.

To the extent that the tenderer is a public company, only the names of the top 5 majority shareholders are required with respect to the disclosure of ownership.


Full legal name of natural or juristic person	Identity or Registration Number	Capacity of Beneficiary (i.e. shareholder, member, partner, trustee, director, or the like)	Quantification of Interest (i.e. percentage shareholding or ownership, share, etc.)	**Relationship with Eskom employee or Eskom director (Yes / No)

\*\* Please indicate in the table above if any natural person named above is a Close Family Member of a director of Eskom Holdings SOC Ltd or a subsidiary thereof, or of any employee of Eskom Holding SOC Ltd involved in the procurement and approval process associated with this tender.

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\*\* Please indicate in the table above if any juristic person named above has as a Beneficiary a director of Eskom Holdings SOC Ltd or a subsidiary thereof, or an employee of Eskom Holding SOC Ltd involved in the procurement and approval process associated with this tender, or whether any Beneficiary of a juristic person named above is a Close Family Member of a director of Eskom Holdings SOC Ltd or a subsidiary thereof, or an employee of Eskom Holdings SOC Ltd involved in the procurement and approval process associated with this tender.

N.B: For the purposes of this Declaration, a Close Family Member is deemed to be a person related by birth, marriage, domestic partnership, adoption or guardianship.

If you have indicated “Yes” to any of the above then please specify the name of the said Eskom employee / Eskom director, and the nature of the relationship between the said Eskom employee / Eskom director and the person (natural or juristic) indicated in the table above.


Eskom reserves the right to act against the tenderer or the signatory hereto should this declaration prove to be false.

<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>			
<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>	<b>DATE</b>

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<b>Supplier Development &amp; Localisation (SDL&amp;I) Undertaking</b>	<b>Tender Returnable</b>
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Refer Attachment 7 - SDL&I Strategy Setting for Bidders

**The tenderer to ensure that they complete the needed information on the template and return as returnable. A separate document can be completed but ensure that ALL aspects of this requirement is included.**


<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>			
<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>	<b>DATE</b>

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#### T1.4 FINANCIAL TENDER RETURNABLES

The tenderer must submit the returnables set out hereunder as part of its tender. (Mandatory returnables are indicated by a tick (✓), and if they are not included by tender deadline, the tenders will be disqualified from further evaluation).

Reference Tender Returnable	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Refer below	<b>Pricing Schedule (C2.1 Pricing Data)</b>			
	C2.2 the activity schedule	✓		
Refer below	<b>Data provided by the Contractor</b>			
	C1.2 Contract Data	✓		
	Audited Financial Statements of the <i>tenderer</i> for the previous two financial years, 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.		✓	

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## C1.2 Contract Data

### Part two - Data provided by the *Contractor*

#### Notes to a tendering *contractor*:

1. Please read both the NEC3 Engineering and Construction Contract (April 2013) and the relevant parts of its Guidance Notes (ECC3-GN)<sup>3</sup> in order to understand the implications of this Data which the tenderer is required to complete. An example of the completed Data is provided on pages 156 to 158 of the ECC3 (April 2013) Guidance Notes.
2. The number of the clause which requires the data is shown in the left-hand column for each statement however other clauses may also use the same data.
3. Where a form field like this [       ] appears, data is required to be inserted relevant to the option selected. Click on the form field **once** and type in the data. Otherwise, complete by hand and in ink.

Completion of the data in full, according to Options chosen, is essential to create a complete contract.


Clause	Statement	Data
10.1	The <i>Contractor</i> is (Name):  Address  Tel No.  Fax No.	
11.2(8)	The <i>direct fee percentage</i> is <b>Note: <i>direct fee percentage</i> is applied to the Defined Cost of other work</b>  The <i>subcontracted fee percentage</i> is <b>Note: <i>subcontracted fee percentage</i> is applied to the Defined Cost of subcontracted work</b>	%  %
11.2(18)	The <i>working areas</i> are the Site and <b>Note: It is important that the <i>Contractor</i> fully describes the Working Areas to include not just the Site (the boundaries of which are defined by the <i>Employer</i> in Contract Data Part 1) but all areas where work connected with the contract is to be performed.</b>  <b>With the exception of manufacture, fabrication and design work, which may be performed outside the working areas and paid as such, only the cost of resources working within the Working Areas qualify as Defined Cost for payment purposes. Hence the importance of fully describing the Working Areas.</b>	

<sup>3</sup> Available from Engineering Contract Strategies Tel 011 803 3008, Fax 011 803 3009 or see [www.ecs.co.za](http://www.ecs.co.za)

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24.1	<p>The <i>Contractor's</i> key persons are:  <b>Please insert the name, job, responsibilities, qualifications and experience of its key people. Provide for additional key persons if necessary</b></p> <p><b>Note: Ensure that the key people listed have direct involvement with the contract (not CEO, MD, ED's of company or parent company unless the individual has an active role in the contract)</b></p> <p>1 Name:  Job:  Responsibilities:  Qualifications:  Experience:</p> <p>2 Name:  Job:  Responsibilities:  Qualifications:  Experience:</p>	<b>CV's (and further key persons data including CVs) are appended to Tender Schedule entitled .</b>
11.2(14)	<p>The following matters will be included in the Risk Register  <b>Note: The listing of risks on the Risk Register does not have the effect of fixing either of the parties with any particular risk.</b></p>	
11.2(19)	<p>The Works Information for the <i>Contractor's</i> design is in:</p>	
31.1	<p>The programme identified in the Contract Data is</p>	
<b>A</b>	<p><b>Priced contract with activity schedule</b></p>	
11.2(20)	<p>The <i>activity schedule</i> is in  <b>Note: The Activity Schedule is used for payment purposes</b></p> <p><b>Please insert a reference to the list of activities prepared by the Tenderer which he expects to carry out in Providing the Works indicating a lump sum for each activity</b></p>	
11.2(30)	<p>The tendered total of the Prices is</p>	<p><b>(in figures)</b></p> <p><b>(in words), excluding VAT</b></p>

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	<b>Data for Schedules of Cost Components</b>	<i>Note “SCC” means Schedule of Cost Components starting on page 60, and “SSCC” means Shorter Schedule of Cost Components starting on page 63 of ECC3 (April 2013).</i>		
<b>A</b>	<b>Priced contract with activity schedule</b>	<b>Data for the Shorter Schedule of Cost Components</b>		
41 in SSCC	<p>The percentage for people overheads is:</p> <ul style="list-style-type: none"> <li>Relevant People costs (such costs being those paid by the Contractor, including legally required and pension payments, for those people directly employed or paid by the Contractor according to the time worked and whose place of work is within the Working Areas) are determined by reference to the “Shorter Schedule of Cost Components”. The Tenderer then applies to those costs as a percentage for people overheads.</li> <li>This has the same purpose as the percentage for Working Area overheads but is for use only when the Shorter Schedule of Cost Components is used.</li> <li>The Shorter Schedule is used with Options A for the purposes of assessing compensation events.</li> <li>Please insert percentage</li> </ul>			
21 in SSCC	<p>The published list of Equipment is the last edition of the list published by</p> <p><b>Note: If there is no Equipment listed in the Contract Data or a published list then the Equipment should be assessed at tendered rates or open market rates.</b></p>			
	<p>The percentage for adjustment for Equipment in the published list is</p>	Minus	%	
22 in SSCC	<p>The rates of other Equipment are:</p>	<b>Equipment</b>	<b>Size or capacity</b>	<b>Rate</b>
	<p><b>Note: For use with the Shorter Schedule of Cost Components</b></p>			
61 in SSCC	<p>The hourly rates for Defined Cost of the design outside the Working Areas are</p> <p><b>Note: Hourly rates are estimated “cost to company of the employees’ and not selling rates, applicable costs only are incurred outside the Working Area</b></p> <p><b>For use with the Shorter Schedule of cost Components</b></p>	<b>Category of Employee</b>	<b>Hourly Rate</b>	

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62 in SSCC	<p>The percentage for design overheads is</p> <p><b>Note: a percentage to cover the overhead costs in relation to design outside the Working Areas</b></p> <p><b>Note: For use with e Shorter Schedule of Cost Components</b></p>	%	
63 in SSCC	<p>The categories of design employees whose travelling expenses to and from the Working Areas are included in Defined Cost are:</p>		
44 in SCC	<p>The percentage for Working Areas overheads is:</p> <p><b>Note</b></p> <ul style="list-style-type: none"> <li>• This percentage is to cover the cost of items attendant upon employing People. The items are listed under item 44 of the SCC. The percentage is applied to the Defined Cost of People.</li> <li>• Accommodation is not included as part of the percentage but is paid as Equipment.</li> <li>• The Tenderer can arrive at the appropriate percentage by calculating the cost of providing the items listed at item 44 of the SCC, calculating the total cost of People and expressing the former as a percentage of the latter.</li> </ul>	:	%
51 in SCC	<p>The hourly rates for Defined Cost of manufacture or fabrication outside the Working Areas are</p> <p><b>Note: Hourly rates are estimated 'cost to company of the employee' and <u>not</u> selling rates. Applicable costs only that is incurred outside the Working Areas.</b></p>	<b>Category of employee</b>	<b>Hourly rate</b>
52 in SCC	<p>The percentage for manufacture and fabrication overheads is</p> <p><b>Note : The Tenderer can include a percentage to cover the overhead costs in relation to Manufacture and fabrication outside the Working Areas.</b></p>	%	

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## C2.1 Pricing assumptions: Option A

### 1. How work is priced and assessed for payment

Clause 11 in NEC3 Engineering and Construction Contract, (ECC3) Option A states:

<b>Identified and defined terms</b>	11	
	11.2	<p>(20) The Activity Schedule is the <i>activity schedule</i> unless later changed in accordance with this contract.</p> <p>(27) The Price for Work Done to Date is the total of the Prices for each group of completed activities and each completed activity which is not in a group. A completed activity is one which is without Defects which would either delay or be covered by immediately following work.</p> <p>(30) The Prices are the lump sum prices for each of the activities on the Activity Schedule unless later changed in accordance with this contract.</p>

This confirms that Option A is a lump sum form of contract where the work is broken down into activities, each of which is priced by the tendering contractor as a lump sum. Only completed activities are assessed for payment at each assessment date; no part payment is made if the activity is not completed by the assessment date.

### 2. Function of the Activity Schedule

Clause 54.1 in Option A states: "Information in the Activity Schedule is not Works Information or Site Information". This confirms that specifications and descriptions of the work or any constraints on how it is to be done are not included in the Activity Schedule but in the Works Information. This is further confirmed by Clause 20.1 which states, "The *Contractor* Provides the Works in accordance with the Works Information". Hence the *Contractor* does **not** Provide the Works in accordance with the Activity Schedule. The Activity Schedule is only a pricing document.


### 3. Link to the programme

Clause 31.4 states that "The *Contractor* provides information which shows how each activity on the Activity Schedule relates to the operations on each programme which he submits for acceptance". Ideally the tendering contractor will develop a high-level programme first then resource each activity and thus arrive at the lump sum price for that activity both of which can be entered into the *activity schedule*.

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#### 4. Preparing the *activity schedule*

Generally, it is the tendering *contractor* who prepares the *activity schedule* by breaking down the work described within the Works Information into suitable activities which can be well defined, shown on a programme and priced as a lump sum.

The *Employer*, in his Instructions to Tenderers or in a Tender Schedule, may have listed some items that he requires the *Contractor* to include in his *activity schedule* and be priced accordingly.

It is assumed that in preparing his *activity schedule* the *Contractor*:

- Has taken account of the guidance given in the ECC3 Guidance Notes pages 19 and 20;
- Understands the function of the Activity Schedule and how work is priced and paid for;
- Is aware of the need to link the Activity Schedule to activities shown on his programme;
- Has listed and priced activities in the *activity schedule* which are inclusive of everything necessary and incidental to Providing the Works in accordance with the Works Information, as it was at the time of tender, as well as correct any Defects not caused by an *Employer's* risk;
- Has priced work he decides not to show as a separate activity within the Prices of other listed activities in order to fulfil the obligation to complete the *works* for the tendered total of the Prices.
- Understands there is no adjustment to the lump sum Activity Schedule price if the amount, or quantity, of work within that activity later turns out to be different to that which the *Contractor* estimated at time of tender. The only basis for a change to the Prices is as a result of a compensation event.


An activity schedule could have the following format:

Item No.	Programme Reference	Activity description	Price

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## C2.2 the *activity schedule*

Item No.	Programme Reference	Activity Description	Price (Excl. Vat)
1		<i>Project Manager's</i> acceptance of inverter manufacturing design and documentation.	
2		Manufacturing and supply of inverters by the <i>Contractor</i>	
3		Submission and acceptance of the factory acceptance test procedure	
4		<i>Contractor</i> to perform Factory Acceptance Testing (FAT) with the <i>Employer's</i> and <i>Supervisor's</i> representatives	
5		Transportation and delivery of new inverters and auxiliary system.	
6		Site establishment	
7		Submission of an acceptable SHE file for acceptance by the <i>Employer</i>	
8		Submission of detailed design to the <i>Employer Project Manager</i> for review and acceptance	
9		Submission of an acceptable safety case for inverter system installation to the <i>Project Manager</i> for acceptance	
10		<i>Project Manager's</i> acceptance of safety case for inverter system installation.	
11		Submission of acceptable Site Work Package for the new inverter systems installation to the <i>Project Manager</i> , for his acceptance.	
12		Acceptance of Site Work Package for new inverter systems installation by the <i>Project Manager</i>	
13		Delivery of materials onsite and performing receipt inspection of the material together with the <i>Supervisor</i> and <i>Employer's</i> representative.	
14		Submission and acceptance of site acceptance test procedure	

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Item No.	Programme Reference	Activity Description	Price (Excl. Vat)
15		<i>Contractor</i> to perform Site Acceptance Testing (SAT) for the Inverters with the <i>Employer's</i> representatives and <i>Supervisor</i>	
16		Decommissioning and removal of the existing obsolete inverter systems	
17		Storage and or disposing of the obsolete Inverters as per <i>Employer's</i> KOU processes	
18		Installation and commissioning of new inverter systems	
19		Training of <i>Employer's</i> Personnel	
20		Submission and acceptance of Project Management Plan	
21		Submission and acceptable Project Quality Plan (PQP)	
		<b>TOTAL (Excl. VAT)</b>	

**NOTES:**

- All prices and rates exclude VAT.
- The rates and prices are to remain fixed for the first 12 months of the contract period. Thereafter, the rates and prices will be subject to an annual adjustment with 20% remaining fixed for the contract period and 80% subject to adjustment. The applicable index shall be as per Option X1 of the Contract Data, base date One month prior to closing of the tender.
- When services are requested on a lump sum basis, the *Employer* may request a detailed breakdown of the cost for the relevant activities (all relevant comp events). The *Employer* then requires a detailed breakdown of the cost for the relevant activity based on the Price List.

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<b>Latest Audited Annual Financial Statements</b>	<b>Tender Returnable</b>
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**Audited** Financial Statements in **English** of the tenderer for the previous three financial years, or to the extent that such statements are not available, for the last two years. 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.

**Notes:**

**The tenderer to include the following documentation as part of the Financial Statement:**

Item	Description	Tick
1.	Signed Financial statements in English	
2.	Notes to financial statements both comparative and latest year	
3.	Independent Audit report/Compliers or Accounting Officer report - signed off	
4.	PIS (Public Interest Score) Results	
5.	Signed directors/member report	
6.	Company profile	
7.	SFP (Balance sheet) with comparative year	
8.	SCI (Income statement) with comparative year	
9.	Statement of changes in equity	
10.	Statement of cashflows	
11.	Foreign supplier- signed English audited report; request Notary signature of particular country - note; NO PIS OR ITA34C Required	

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*	<b>The following is not acceptable:</b>
➤	1. Draft Financial statements
➤	2. Unapproved Financial statements
➤	3. Unaudited Financial statements
➤	4. Management accounts
	<b>only signed/approved annual financial statements accompanied by auditors/independent reviewer's/compliers/accounting offers report will be acceptable</b>

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

<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>			
<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>	<b>DATE</b>

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### T1.5 FUNCTIONAL TENDER RETURNABLES

The tenderer must submit the returnables set out hereunder as part of its tender. (Mandatory returnables are indicated by a tick (✓), and if they are not included by tender deadline, the tenders will be disqualified from further evaluation).

Reference Tender Returnable	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
	Schedule of Proposed Sub-contractors	✓		
	List of Previous Similar Works	✓		
	Functional Evaluation Criteria <b>(Compliance is Mandatory)</b>	✓		
	Project Organogram			✓
	Occupational Health and Safety Act: Section 37(2) Agreement - Form		✓	
Attachment 5	Annexure C-1: OHS Tender Evaluation Template			✓
Attachment 6	Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements			✓

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<b>SCHEDULE OF PROPOSED SUB-CONTRACTORS</b>	<b>Tender Returnable</b>
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A list of the proposed Sub-contractors must be provided. The *Tenderer* must also indicate the Sub-contractor's vendor registration number with the *Employer* (where applicable) as well as the Sub-contractor's Level of Contribution to B-BBEE, where such information is available to the *Tenderer*.

Name and address of proposed Sub-contractor	Nature and extent of work	Vendor Registration Number with the <i>Employer</i>	Level of Contribution to B-BBEE

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**Subcontracting is mandatory on contracts above R30 million and is a condition for contract award.**

**Tenderers shall subcontract a minimum of 30% of the contract value to the following designated groups:**

- an EME or QSE, which is at least 51% owned by black people;
- an EME or QSE, which is at least 51% owned by black people who are youth;
- an EME or QSE, which is at least 51% owned by black people who are women;
- an EME or QSE, which is at least 51% owned by black people with disabilities;
- an EME or QSE, which is 51% owned by black people living in rural or underdeveloped areas or townships;
- a cooperative, which is at least 51% owned by black people;
- an EME or QSE, which is at least 51% owned by black people who are military veterans.

**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:**

- Removal of the old system, and
- Pulling up electrical cables and mounting cabinets.


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.

<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>			
<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>	<b>DATE</b>

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<b>EXPERIENCE OF PREVIOUS</b>	<b>Tender Returnable</b>
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PLEASE CHECK ALL SECTIONS – ALL INFORMATION WILL BE TREATED AS CONFIDENTIAL

<b>SUPPLY HISTORY REFERENCES</b>		<b>Doc No</b>	Supply History Ref
		Allocation Centre	Rev 0
<b>ENQUIRY No.</b>		<b>SUPPLIER</b>	
<b>PRODUCT/SERVICE</b>	<b>CUSTOMER &amp; CONTACT DETAILS</b>	<b>YEAR OF CONTRACT</b>	
<b>COMMENTS</b>			
<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>			
<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>	<b>DATE</b>

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<b>FUNCTIONAL EVALUATION CRITERIA</b>	<b>Tender Returnable</b>
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The use of functionality (technical and quality evaluation) as a gatekeeper, Only Suppliers who meet the Employer’s Functional threshold of **80%** will be further evaluated.

**Mandatory Requirements:**

The following mandatory criteria will be applicable for this transaction under functionality criteria.

Criteria	Deliverable
Demonstrate that the supplier Quality Management System (QMS) is certified to ISO 9001:2015, or equivalent and conforms to the requirements of CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.  If supplier QMS is not certified to ISO 9001:2015, or equivalent and conforming to CFR 50 Appendix B, ASME NQA-1 or IAEA GSR Part 2., no further evaluation will be performed.	Copies of Management System Certification and proof of conformance to CFR 50 Appendix B, ASME NQA-1 or IAEA GS-R3.

Refer below attachment for returnables:

- Attachment 4\_Tender Technical Evaluation Criteria, and
- Attachment 4.1\_Tender Quality Evaluation Criteria

**Please note that compliance is Mandatory for further evaluation.**

The tenderer to provide the deliverables in line with what is requested in the criteria stipulated to show compliance. Tenderers can make use of the spreadsheet provided to show where the submitted document/reference/proof of requirements are located in the functional returnable pack.

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**Evaluation Requirements:**

The following two sets of criteria will be applicable for this transaction under functionality criteria. The total functional criteria add up to a 100%, where the Technical criteria is weighted at 70%, and the Quality criteria is weighted at 30%, but the tenderer need to have an overall score of 80% to be evaluated further.

**=THE OVERALL MINIMUM FUNCTIONAL THRESHOLD IS THEREFORE 80%:**

<b>Criteria (Technical)</b>	<b>Weight</b>
Products / Service	70%
Company Profile	5%
Experience of Key Personnel	10%
Training provision	5%
Value to Koeberg	5%
Methodology	5%
<b>WEIGHTED TOTAL</b>	<b>100%</b>
<b>Functional Evaluation Weight</b>	<b>70%</b>

<b>Criteria (Quality)</b>	<b>Weight</b>
Integrated Management System	30%
Management Responsibility	30%
Monitoring	40%
<b>WEIGHTED TOTAL</b>	<b>100%</b>
<b>Functional Evaluation Weight</b>	<b>30%</b>

- Tenderers need to score 80% or more in total for the Functional Evaluation (Technical and Quality combined) in order to progress to the next stage of the Tender Evaluation. Refer Attachment 3 - Technical Evaluation and Attachment 3.1 – Quality Evaluation.

**Tenderers will be scored against the technical functionality criteria and must meet the minimum threshold as stated in the Tender Data. Only if this minimum threshold is met/exceeded will the tender be evaluated further.**

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<b>ORGANOGRAM</b>	<b>Tender Returnable</b>
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## Tenderer attaches the Project Organogram

<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>			
NAME	DESIGNATION	SIGNATURE	DATE

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## ATTACHMENTS:

1. Attachment 1\_Eskom Standard Conditions of Tender
2. Attachment 2\_NEC 3 ECC Option A Contract
3. Attachment 3\_Technical Requirement Specification (TRS)-Inverter System Replacement
4. Attachment 4\_Tender Technical Evaluation Criteria
5. Attachment 4.1\_Tender Quality Evaluation Criteria
6. Attachment 5\_Annexure C 1: OHS Tender Evaluation Template (High risk)
7. Attachment 6\_SHE Rules and other Requirements.
8. Attachment 7\_Supplier Development & Localisation (SD&L) Undertaking
9. Attachment 8\_Non-Disclosure Agreement (NDA) Vendors
10. Attachment 9\_Supplier Declaration of Interest
11. Attachment 10\_Company information Form
12. Attachment 11\_Supplier Evaluation Pack\_01 March 2024 to 29 February 2025
13. Attachment 12\_Tender Questions and Answers Template
14. Attachment 13\_Contract Deviations Annex A
15. Attachment 14\_Annexure L – Authority to Submit a Tender (returnable schedule)
16. Attachment 15\_CIDB required documents

**The below documents are for information only, but MUST be read by the tenderer in conjunction with its associated documents**

17. Attachment 15\_CIDB required documents
18. FOR INFO\_Policy and Procedure\_Eskom Supplier Integrity Pact\_v0
19. FOR INFO\_Procedure for Fitness for Duty Requirements Rev 3
20. FOR INFO\_SHE Spec-High Risk Construction-LNI
21. FOR INFO\_List of Acceptable Guarantors - February 2024
22. FOR INFO\_238-101 Rev2 Quality and Safety Management Requirements for Nuclear Suppliers Level 1
23. FOR INFO\_238-104 Final Rev 2 Supplier Quality Management Product and Service Information
24. FOR INFO\_238-219 Rev 1 Level-1 Supplier Safety Culture Enhancement Programme (SCEP) Requirements

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