

	<b>Supplier Development, Localisation, and Industrialisation (SDL&amp;I) Strategy</b>	Template Identifier	240-43921804	Rev	6
		Document Identifier	240-148918142	Rev	2
		Effective Date	01 September 2019		
		Review Date	September 2022		

<b>Business Unit</b>	Koeberg Nuclear Power Station
<b>Description/ Scope of Work</b>	Engineering, Procuring and Construction (EPC) for the design, supply, manufacture, delivery, installation, and removal of the Seismic Monitoring System Replacement (KIS07072) Project at Koeberg Nuclear Power Station (KBG2456)
<b>Duration of the Project</b>	36 Months
<b>Budget</b>	Not Applicable
<b>Name of Buyer</b>	Kholo Mashoene

### Section 1: Preferential Point Scoring Tender Evaluation:

#### Specific Goals

As the Project's Cost Estimates is less than R50 million, therefore the 80/20 preference point system, for acquisition of goods or services, will be used.

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

#### Tender Returnable if the above elements are requirements.

- Valid original or certified copy of sworn affidavit in the case of EME's must be submitted (sworn affidavit must be completed fully), or
- Valid Copy B-BBEE Certificate issued by CIPC for EME's. OR
- Valid original or certified copy of the B-BBEE certificate / affidavit in the case of QSE's must be submitted, or
- Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or
- For JV's only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.

A tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but (a) may only score points out of 80 for price and (b) scores 0 points out of 20 for specific goals.

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**Section 2: Objective Criteria** - may change award from the highest ranked tenderer to another tenderer in **accordance with the requirements of the PPPFA [clause 2(1)(f)]**:

This Package contains equipment, construction components/parts, plant, etc. that has been designated therefore the following stipulated minimum threshold for Local Production and Content must be achieved

### 1.1. Designated Sector (Local Production and Content)

a) Is this Commodity or part of it a Designated Sector?

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

Please indicate below Designated Components

Commodity	Components	Local Content Threshold
Electrical and Telecom Cables	Electrical and Telecom Cables	90%
Steel Products and Components	Steel Value-added Products: Frames	100%
Textile, Clothing, Leather, and Footwear	Personal Protective Equipment (PPE)	100%

**Note that the tenderer is requested to complete the Supply Chain and Transformation Tool (SCATT) in support of maximising the local value add in the breakdown of the scope of work for this contract.**

#### **Note 1: Contractual Condition**

The Tender Returnable Annexures required to be submitted with tender are:

1. The Declaration Certificate for Local Content (SBD 6.2) and
  2. Corresponding annexures C, D and E must be completed and duly signed.
- The above **MUST** be completed, duly signed, and submitted by the bidder.

#### **Note 2: Application and process for exemptions**

If the required input materials cannot be wholly sourced from South Africa, bidders should request and obtain a written exemption letter from the dtic. The exemption letter should then be submitted, and approvals obtained prior to the closure of the bid(s). The dtic together with the procuring organ of state and the winning bidder will consider the exemption on a case-by-case basis.

Link to the "Process when requesting exemption letters" on the dtic's website:

[http://www.thedtic.gov.za/wp-content/uploads/IP-Exemption\\_letters.pdf](http://www.thedtic.gov.za/wp-content/uploads/IP-Exemption_letters.pdf)

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## 1.2. Skills Development

Tenderers are required to propose against the following training initiatives:

Skills Category	Eskom Target	Entry	*	Tenderers Proposal
Instrumentation and Control (I&C) Engineering Technician Students	2	N. Dip (I&C)	See below	

Eskom to propose that two (2) I&C engineering technician students be provided experiential training for a minimum period of 18 months.

\*Output Required (training intervention):

- ✓ The 'experiential period' must involve the solution of real problems, giving practical experience of the application and usefulness of knowledge gained in the I&C technicians' formal training.
- ✓ The I&C engineering technicians should be given exposure to experiential learning modules, namely, Engineering Practice I (P1), Electrical Engineering Practice II (P2) and Electronic Engineering Practice II (P2).
- ✓ The learning differs in that P1 focuses on developing hand skills by participating in physical work while P2 requires a much higher level of synthesis, responsibility and accountability as would be expected of an engineering technician.
- ✓ This would be done under supervision of a mentor but facilitating some independent work by the student.
- ✓

**Note:**

Qualifying candidates shall be currently unemployed graduates from University, Technical and Vocational Education and Training (TVET) Colleges and/or Matriculants. The skills development candidates shall be representative of the population demographics of South Africa and be sourced from the City of Cape Town and surrounding municipal boundaries.

## 1.3 Job Creation: job opportunities and upskilling of employees

Tenderer to indicate the number of jobs to be created and/or retained as a direct result of being awarded this contract.

Number of Jobs to be created	Number of Jobs to be retained

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#### 1.4 B-BBEE Improvement or Retention Plan

Transformation remains an area of focus, where Eskom continuously strives to align itself with national transformation imperatives to unlock growth, drive industrialisation, create employment and contribute to skills development.

Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas suppliers will be allocated points in terms of a preference point system based on specific goals, Eskom may request that tenderers submit either the B-BBEE improvement or retention plan as part of the SDL&I contractual obligation implementation plan.

Note:

- ✓ Tenderers will be required to maintain or improve their B-BBEE Recognition Level for the duration of the contract.
- ✓ The tenderer is required to submit a B-BBEE Certificate or Sworn Affidavit before Contract Award if not submitted for Tender Evaluation.

The B-BBEE improvement or retention plan will indicate the extent to which the contracted supplier will maintain (only if the supplier has a B-BBEE Status of Level 1 contributor) or improve its B-BBEE status over the contract period.

Suppliers with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant, will be expected to migrate to a milestone of B-BBEE status Level 4 contributor by the end of the first year of the contract and thereafter improve by at least one B-BBEE status Level higher from the second year of the contract.

#### 1.5 Remedies

In line with Regulation 9(1) of the PPR 2022, if an organ of state is of the view that a tenderer submitted false information regarding a specific goal, it must (a) inform the tenderer accordingly; and (b) give the tenderer an opportunity to make representations within 14 days as to why the tender may not be disqualified or, if the tender has already been awarded to the tenderer, the contract should not be terminated in whole or in part. (2) After considering the representations referred to in subregulation (1)(b), the organ of state may, if it concludes that such information is false (a) disqualify the tenderer or terminate the contract.

#### 1.6 B-BBEE Compliance

In terms of the B-BBEE framework, all businesses or entities that undertake any economic activity with Eskom and its subsidiaries, including any other business or entity that undertakes any economic activity, whether direct or indirect, with Eskom and its subsidiaries, are measurable under the dtic's codes of good practice (meaning as a **non-negotiable** they have to submit a valid B-BBEE certificate or proof of B-BBEE compliance derived from the relevant B-BBEE prescription).

Based on the above, a valid B-BBEE certificate or proof of B-BBEE compliance (e.g., valid affidavit, CIPC affidavit) is a mandatory requirement for contract award – as such, no contract or purchase order may be awarded to a supplier without providing status of B-BBEE compliance.

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### Section 3: SDL&I Performance Security

#### 3.1. Performance Guarantee Bond

- The Contractor shall submit an SDL&I Performance Guarantee equivalent to 0.25% of the Contract Value and shall only be released to the Contractor upon fulfilment of all SDL&I Obligations.
- The reduction of the percentage and release of the Performance Guarantee in tranches, proportionate to SDL&I's obligations' fulfilment, may be negotiated as an incentive to commit to SDL&I Undertakings mentioned above or that may be suggested by the Contractor

### Section 4: Reporting and Monitoring

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

### Section 5: General Information on Validity of Sworn Affidavits

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

- ✓ EME'S valid sworn affidavit (the dtic template) must be submitted and attested / signed by a Commissioner of Oaths.
- ✓ SE's valid sworn affidavit (the dtic template) must be submitted and attested / signed by a Commissioner of Oaths OR B-BBEE certificate from SANAS approved agency
- ✓ Joint Ventures can only submit a Consolidated, Valid and Certified Copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agency specific for this
- ✓ Affidavit must be completed in full (i.e., Full financial year-end dates (day, month, year), ownership percentages and contribution level and signed off).
- ✓ Deponent and Commissioners date must be the same.
- ✓ Affidavits on Accountants/Auditors letterheads will not be accepted.
- ✓ Affidavits signed by Accountants/Auditors will not be accepted.
- ✓ Only Sworn Affidavit for EMEs coming from the dtic/CIPC and B- BBEE Certificates (SANAS Accredited) will be accepted.
- ✓ Sworn Affidavits attested / signed by a Commissioner of Oaths with true copy of the original stamp will not be accepted

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