

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

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

PROVISION OF SECURITY SERVICES IN NORTHERN REGION (MPUMALANGA PROVINCE) IN TRANSMISSION TELECOMMUNICATIONS FOR A PERIOD OF THREE (3) YEARS

Tender number	MWP2489TX
Issue date	15 April 2024
Closing date and time	09 May 2024 at 10h00am
Tender validity period	365 days from the closing date and time
Tenders are to be delivered to the following address on the stipulated closing date and time:	Eskom Megawatt Park Tender Office Northside Maxwell Drive Sunninghill

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for the Provision of security services in Northern Region (Mpumalanga Province) in Transmission Telecommunications for a period of three (3) years.

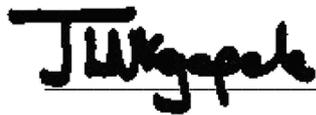
The enquiry documents are supplied to you Free of charge.

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

Tenderers must refrain from communicating issues related to this tender with any person within the Eskom environment other than the Eskom Representative named in the RFP during the tender process. Tenderers must not in any way contact any Eskom employee who is involved in the tender during the tender process, either telephonically, by email or through private appointments before and after submitting tenders. Eskom employees not involved in this tender are not allowed to contact employees involved in this tender or provide information about the tender to potential tenderers. Where a potential tenderer or a tenderer has any question or query on the contents of the tender or any issue related to the tender, the first point of contact is the Eskom Representative whose name and contact details are stated in the tender document.

Should the tenderer not be satisfied with a response from the Eskom Representative stated in the tender document, and would like to escalate, the tenderer may refer the issue with to the Procurement Manager identified in the letter of invitation through the buyer. Should the tenderer still be dissatisfied, it can then escalate the matter to the Middle Manager or Senior Manager Procurement. Escalation of tender issues to the Group Executives or Group Chief Executive Officer is an avenue of last resort and tenderers should refrain from escalating tender issues to this level without following the escalation process set out above. Escalation not following the above process is not acceptable and will not be attended to.

Yours faithfully



Procurement Manager

Jabu Nkgapele

Date: 2024-04-12

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

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Y
1.1.2	*Tenderer's particulars	Annexure B	Y
1.1.3	*Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Y
1.1.5	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure E	Y
1.1.6	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure F	Y
1.1.7	*SBD 4 – Bidders Disclosure	Annexure G	Y
1.1.8	SDL&I Undertakings	Annexure H	Y
1.1.9	Annexure I - Pricing Schedule (Highveld)	Annexure I	Y
1.1.10	Annexure J - Pricing Schedule (Lowveld)	Annexure J	Y
1.1.11	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE		Y

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Contents of Invitation to Tender

Invitation to Tender

- Standard Conditions of Tender (refer to www.eskom.co.za for this document that suppliers are required to download and read).
- Tender Data.
- Commercial Tender Returnables.

Evaluation Process and Criteria

- Checking Tender Acceptability and Responsiveness Criteria;
- Evaluation of Tenders on functionality / Technical capability;
- Price and Preferences (80/20 point system will apply);
- Objective criteria; and
- Contractual Requirements / Responsiveness prior to Contract Award.

Conditions of Contract

- Refer to the attached NEC3 Term Service Contract (TSC3).

Goods Information

- Refer to the attached NEC3 Term Service Contract (TSC3).

Pricing Data

- Refer to the attached NEC3 Term Service Contract (TSC3).

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

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Godfrey Radzelani Tel: 011 871 3165 E-mail: RadzelGR@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is: MWP2489TX.</p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender	<p>This invitation to tender is: An open Invitation to tender.</p>
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole/parts of the contract.</p>
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 ineligible to submit a tender if</p> <ol style="list-style-type: none"> 1. 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. 2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium. 3. 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

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	<p>and severally liable for the execution of the Contract in accordance with the Contract terms.</p> <p>4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this tendering process, if:</p> <ol style="list-style-type: none"> 1. (a) they have a controlling partner/majority shareholder in common; or 2. (b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process. <p>5. Tenders signed by non- authorized persons.</p> <p>6. Where the tenderers are not registered on National Treasury’s Central Supplier Database (except Foreign Suppliers).</p> <p>7. Any tenderer that is restricted by National Treasury.</p> <p>8. Any tenderer on the Tender Defaulters list.</p> <p>9. A tenderer that sub-contracts 100% Scope of Work.</p> <p style="text-align: center;">Ineligible tenderers will be disqualified.</p>
2.2 -2.5 Tender Closing	<p>The deadline for Tender submission is: Date 09 May 2024 Time 10h00am Late Tenders will not be accepted Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: THE TENDER OFFICE Eskom Megawatt Park Tender Office Northside Maxwell Drive Sunninghill</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline. Eskom require that one (1) additional complete soft copy of the original tender is required in electronic format (USB).</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>
2.13 Tender Validity Period	<p>The tender validity period is 365 days from the tender closing date.</p>
2.17 Clarification on enquiry documents	<p>The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.</p> <p>NB: No questions, during the tendering period will be answered telephonically. Questions must be submitted in writing via e-mail through to:</p> <p style="text-align: center;">Name : Godfrey Radzelani</p>

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	E-Mail : <u>Godfrey.Radzelani@eskom.co.za</u>												
	If there are any clarifications before the closing date, those will be posted with responses on the tender bulletin and it is the responsibility of the contractor / supplier to check daily any posted communication relating to this invitation to tender.												
2.23 Alternative tenders	Alternative tenders are not allowed.												
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline.												
3.5 Prices to be read out	Prices will not be read out.												
3.9 Basic Compliance	Basic compliance for this invitation to tender are: <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer. • Submit one (1) hard copy of the original tender to Eskom. • Submit a complete original tender with commercial, financial and technical information. • Submission of the mandatory commercial tender returnables as at stipulated deadlines. • Central Supplier Database (CSD) number (MAA.....). 												
3.10 Mandatory tender returnables	A tenderer that does not submit mandatory documents/information required in mandatory documents by the required deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender; will be deemed non-responsive.												
3.13 Functionality requirements	Functionality requirements are applicable. Technical Mandatory requirements are as follows: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="background-color: #cccccc;">Criteria</th> <th style="background-color: #cccccc;">Returnable</th> </tr> </thead> <tbody> <tr> <td>Registration of company as a security service provider in terms of PSIRA Act.</td> <td>Copy of valid PSIRA Certificate</td> </tr> <tr> <td>Is the company registered and in good standing with PSIRA as a security service provider?</td> <td>Valid letter of good standing with PSIRA (stating date issued and expiry date), valid at time of tendering.</td> </tr> <tr> <td>Are company directors/owners registered with PSIRA?</td> <td>Copy of valid PSIRA certificates Grade A.</td> </tr> <tr> <td>Are company employees trained and registered with PSIRA?</td> <td>Provide copies of valid PSIRA certificates.</td> </tr> <tr> <td>Does the supplier own licensed firearms and is the supplier in possession of valid licenses per</td> <td>Valid SAPS competency certificates for all firearms, valid for 5 years business purposes.</td> </tr> </tbody> </table>	Criteria	Returnable	Registration of company as a security service provider in terms of PSIRA Act.	Copy of valid PSIRA Certificate	Is the company registered and in good standing with PSIRA as a security service provider?	Valid letter of good standing with PSIRA (stating date issued and expiry date), valid at time of tendering.	Are company directors/owners registered with PSIRA?	Copy of valid PSIRA certificates Grade A.	Are company employees trained and registered with PSIRA?	Provide copies of valid PSIRA certificates.	Does the supplier own licensed firearms and is the supplier in possession of valid licenses per	Valid SAPS competency certificates for all firearms, valid for 5 years business purposes.
Criteria	Returnable												
Registration of company as a security service provider in terms of PSIRA Act.	Copy of valid PSIRA Certificate												
Is the company registered and in good standing with PSIRA as a security service provider?	Valid letter of good standing with PSIRA (stating date issued and expiry date), valid at time of tendering.												
Are company directors/owners registered with PSIRA?	Copy of valid PSIRA certificates Grade A.												
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	firearm and appropriate competency certificates in terms of Firearm Control Act?	
	Is the armoury manager formally appointed and have a valid firearm competency certificate of all firearms used?	1. Certified copy of responsible armoury manager's ID and letter of appointment (letter of appointment is not necessary if it is the company owner – proof to be provided). 2. Provide proof of Company firearm licences valid for 5 years.
	Training records of owner or appointed responsible person for handle and use of firearms for business purposes – all prescribed firearms and knowledge of Firearm Control Act (FCA) from SASSETA accredited institution.	Training records.
	Does the company have any vehicles that are currently being used for these services?	Proof of company registered vehicles.
	Reference for the same (or within reason similar) service from clients:	Proof of current (active) references not older than 24 months for similar services.
	Security Clearances for directors.	12 Months valid security clearance.
	Public liability insurance R15 million.	Valid letter from insurance company that supplier is in good standing not older than 90 days, or Valid letter from insurance stipulating that they would have immediate cover from start of contract award. Not older than 60 days. (Letter of intent).
	Provide proof of UIF.	Valid compliance certificate.
<p>Only bids that meet all of the above mandatory requirements will proceed to the second stage of functional evaluation.</p> <p>Functionality criteria:</p> <p>Desktop evaluation</p> <p>The following requirements will be assessed as part of the desktop evaluation 80% marks is required to be compliant:</p>		

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		Company Profile and Experience (25)		
			Max Score	Tender Returnable
1	Footprint in province where the services are to be rendered.	Valid Lease/Agreement/Statement Water and Lights Account	15	Lease Agreement/Statement water and lights (signed by 2 or more contracting parties with witness signatures). Dates must be valid at time of tendering. Alternatively proof of ownership of building in the company's name must be submitted. The lease agreement must be of the control room facility and armoury location, this address will be noted, and onsite evaluation will take place here. Lease agreement signed by both parties and valid for a period of at least three years from date of tender.
2	Proof of references for similar services rendered.	Provide certified copies of the following: - Two (2) Reference letters from clients on the company's letterhead and signed by their Senior Manager or Security Manager were service was provided or currently being provided.	10	The letters should not be older than twelve (12) months and must state a period of experience of at three (3) years.
		Resources and Manpower (35)		

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	3	Does the company understand, and can the company demonstrate that they understand the requirements for a recruitment Strategy and have the ability to recruit the required numbers?	Provide certified copies of the following for evaluation and scoring purposes: <ul style="list-style-type: none"> - Interview Questionnaire done on one of the company's current security employees, and - Letter from the screening company to confirm that an agreement exists for them to do the screening with the tenderer, and - Providing 2 examples of psychometric evaluation of employees handling firearms 	10	Include all of the following: Screening process (name the company conducting the screening), interviews conducted, and records of psychometric evaluation of employees handling firearms.
	4	Proof of training: Security Officers Grade B	Provide certified copies of training Certificates of Security Officers Grade B	5	
	5	Proof of training: Security Officers Grade C (Dog Handler Certificate)	Provide certified copies of training Certificates of Security Officers Grade C and Dog Handler Certificate.	5	
	6	The tenderer must demonstrate that training is given to their security personnel	Provide certified copies of training including the Regulation 21 Refresher training not older than 1 year. <ul style="list-style-type: none"> - Regulation 21 Refresher training course report 	5	

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	7	The supplier must demonstrate that all guards in their employment are PSIRA registered	Provide PSIR listing of employees for service providers of which the HR Listing is not older than 90 days	5	
	8	Supplier must demonstrate that they have the capacity to provide the necessary firearm training according to Law.	Provide proof of the following: 1. PSIRA Approved training facility and shooting range, <i>or</i> 2. Certified letters from approved training companies to confirm that an agreement exist for them to do PSIRA and Firearm training	5	PSIRA Printout form not older than 90 days
			Resources – Vehicles (10)		
	9	Does the supplier possess sufficient number of vehicles and does the supplier effectively manage and maintain their vehicles?	List of vehicles used for security in company name. Are all vehicles fitted with a vehicle tracking system and monitored 24 hours a day, 7 days a week? Vehicle tracking reports. Are there maintenance records for all vehicles? Are there vehicles registration certificates for vehicles?	10	A list of vehicles must be produced. Certified copies of valid vehicle registration certificates for company vehicles. Prof of any changes in the ownership. Proof of valid lease and rental agreements in the name of the company where applicable, physical inspection of the vehicles (branding

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				and kms), live monitoring of vehicles and tracking reports.
		Uniform and Personal Protective Equipment (10)		
10	The supplier must provide the Security Officers with appropriate uniform.	Does the supplier have a duly authorised uniform policy indicating the frequency of replenishing of uniform item? Are the Officers issued with the following as part of uniform items- cost to company? Combat Uniform Bullet proof vests	10	Uniform Policy and copy of issuing register of combat uniform being issued to personnel and bullet proof vest to be included.

Tenderers who do not meet the 80% threshold for functionality scoring will be disqualified and not be evaluated further.

Supplier On-site Evaluation

On-site evaluation will be carried out in accordance with the control room and company facility checklist attached to this strategy (**Annexure D**). The evaluation process will be a tick box with suppliers required to meet all the criteria stated in the site evaluation checklist.

Evaluators will be required to compare their notes on site prior to leaving the tenderer's premises and any discrepancies shall be cleared on site to the satisfaction of the evaluators. No discrepancies should be registered resulting from misinterpretation at the end of the evaluation process in the evaluators' reports.

Annexure D - CONTROL ROOM AND COMPANY FACILITY CHECKLIST (ON-SITE EVALUATION)

- **Compliance to the below criteria is 100 points.**
- **Should any of the below requirements not be met then the supplier will not be allowed to proceed to the next evaluation process.**

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No.	ITEMS	Evidence	%
FACILITY/OFFICE (35)			
1	Control room should be located in an immovable structure made of brick and cement walls.	Building and walls	5
2	24/7 operational call center with fixed telephone line and e-mail	Functional test to be conducted on site, personnel appointments to be verified	5
3	Firearm safe (applicable to the scope that requires firearms)	Physical Safe	5
4	Lockable door to control room (access restriction)	Functional test to be conducted on site	5
5	Key cabinet (storage) (not critical but recommended)	Functional test to be conducted on site	5
6	Ablution facility with easy access for control room operators or employees	Ablution facility	5
7	Power supply to the control room building (electrified)	Backup Power to the control room	5
CONTROL ROOM EQUIPMENTS/SYSTEMS (18)			
1	Computer(s)/ laptops that are operational and used for Security Services	Desktops, fixtures, cabling, screens	3
2	Printer/fax (not critical but recommended)	Functional test to be conducted on site	3
3	Land line	Functional test to be conducted on site	3
4	Communication capability with operational teams (PTT/base radio)	Functional test to be conducted on site	3
5	Panic button receiver established in the control linked to all operational sites	Functional test to be conducted on site	3
6	First aid box and fire extinguisher (critical)	To be inspected on site	3
REGISTERS/PROCEDURES (17)			
1	Occurrence book	Inspect registers on site	3
2	Panic button test register	Inspect registers on site	2
3	Incident register	Inspect registers on site	2
4	Equipment registers	Inspect registers on site	3
5	Duty roster displayed on the wall	Duty roster displayed on the wall	2
6	Emergency preparedness procedure displayed on the wall	Emergency preparedness	2

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		procedure displayed on the wall		
7	Emergency contact list displayed on the wall	Emergency contact list displayed on the wall	3	
	Armory compliance (where applicable) (15)			
1	Firearm safe that is SABS approved	SABS compliant. SAPS letter confirming safe is compliant DFO	3	
2	Firearm Register A7 and A8	Ammunition and Firearm Control	3	
3	Firearm Discharge register	Firearm Discharge register	3	
4	Firearm inspection	Number of Firearms available Inspect on site (Depending on the site - 9mm Handgun type of firearm available and in good condition.	3	
5	Firearm safe work procedure	Handing over and receiving of firearm, storing of firearm and ammunition.	3	
	Vehicle on site Evaluation (15)			
1	Are the vehicles equipped and fitted with functioning communication capability?	communication capability to be checked on site in vehicle	3	
2	Do the vehicles meet all Eskom vehicle safety standards? (Standard to be issued with the tender)	Fire Extinguisher and first aid kit in vehicle, spare wheel, and Warning triangle. Check on site	3	
3	Are vehicles fitted/ equipped with Tracking system?	Request tracking reports on site	3	
4	Vehicles must be branded with the company's logo	Vehicle branding	3	
5	Spotlight to the vehicle must be mounted on top of the vehicle	Vehicle spotlights to be in working condition	3	
3.15 Evaluation of price	Prices will be evaluated as follows: 1. Inclusive of VAT 2. Making the specified correction for arithmetical errors			

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	<ol style="list-style-type: none"> 3. Excluding contingencies in any bill of quantities or activity schedule. 4. Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted. 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. <ol style="list-style-type: none"> 1. Unconditional discounts must be taken into account for evaluation purposes; 2. Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected. <p>Prices will be scored out of 80 points</p>
3.17 Evaluation of Specific Goals	<p>Specific goals will be scored out of 20 points in accordance with PPPFA.</p> <p>If a tenderer fails to meet Specific goals and submit proof, the tenderer will not be disqualified. However, be awarded 80/90 points for price and will score 0 points for Specific goals (out of 20).</p> <p>Note:</p> <p>Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by ITT 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.</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> <ul style="list-style-type: none"> • 80/20 for tender with rand value equal to or below R50 million <p>OR</p> <p>either 80/20 or 90/10 will apply should there be a degree of uncertainty on which PPPFA Point allocation system will apply; the lowest acceptable tender will be used to determine the applicable preference system.</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 (if applicable)	<p>Objective criteria are applicable. SDL&I undertakings will form part of objective criteria and will apply as indicated below:</p> <p>Section 2: Other SDL&I Objectives in line with RDP Goals</p>

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1. **BBBEE requirements:** All tenderers must at a minimum maintain their B-BBEE status throughout the contract period.

2. **Skills development**

Tenderers are required to propose against the following training initiatives.

Skill Type	Entry Requirement	Eskom Target	Supplier's proposal
Incident Investigator	Older than 18 years Grade 10 Speak, write, and understand English	5	
Security Guard – Grade C	Matric	2	
Health and Safety Officer		2	
Site Supervisor	Matric	1	
Security Guard – Grade D	Matric	2	

3. **Job Opportunities**

Suppliers should propose the number of jobs to be created and retained as a direct result of this contract. This proposal must be done in the table below.

Proposed number of Jobs	Proposed number of Jobs to be retained

Section 3: SDL&I Penalty and Performance Security

As security for fulfilment of all SDL&I obligations, Eskom will apply a penalty of 2.5% of every invoice amount (excluding VAT) for failure to submit SDL&I performance reports every quarter; or failure to meet the SDL&I obligations in a contract.

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	<p>Please note:-</p> <p>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.</p>
3.20 Reverse e-auction (if applicable)	Reverse e-auction is not applicable.
Contractual Requirements (if applicable)	<p>Contractual Requirements are as follows:</p> <p>SHEQ requirements – Shortlisted suppliers will be expected to submit outstanding documents within seven (7) days of it being requested.</p> <p>Quality requirements:</p> <p>SECTION A: Quality Management System Requirements ISO 9001 (40%) Objective evidence of documented QMS that is not certified but complies with ISO 9001</p> <p>A.1 Quality Method statement based on scope, (Note template guide 240-126469599 Rev.2 effective October 2021 is provided) - 1 A.2 Quality Policy Approved by top management - 1 A.3 Quality Objectives Approved by top management - 1</p> <p style="text-align: center;">Section A Score = 3</p> <p>SECTION B: Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000) (40%)</p> <p>B.1 Documented information for defined roles, responsibilities and authorities - 1 B.2 Documented information for Control of Externally Provided Processes, Products and Services - 1</p> <p style="text-align: center;">Section B Score = 2</p> <p>SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here (20%)</p> <p>E.1 Form A is completed and signed. – 1</p> <p style="text-align: center;">Section E Score = 1</p> <p>OHS requirements:</p> <p>Annexure B, Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer.</p>

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Health and Safety Plan (must address the project/scope of work OHS risk(s) and aligned with the health and safety specification or requirements).

Costing for Health and Safety Management

Has the tenderer submitted detailed costing for OHS (the cost should be broken down not provided as a lump sum).

- The costing must be based on the overall scope of work/service to be performed; and
- The scope of work and the risk assessment may serve as a guideline.
- Bill of quantities should include but not limited to:
 1. Cost for OHS requirements (excluding for tools of trade)
 - 1.1. First aid boxes per site;
 - 1.2. Fire extinguishers for guard houses (if guardhouses are provided by the suppliers)
 - 1.3. Fire extinguishers in their vehicles (to be catered for by technical)
 - 1.4. First aid boxes in their vehicles (to be catered by technical);
 - 1.5. Safety Officers (cost to be included in the manpower list);
 - 1.6. Sun block;
 - 1.7. Ablution facilities (where the supplier provides their own abluion facilities);
 - 1.8. Locker for safeguarding of personal belongings where required; and
 - 1.9. Medical fitness certificates.

Baseline OHS Risk Assessment (BRA)

Identification, assessment and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA.

Valid Letter of Good Standing (COIDA or equivalent).

OHS policy signed by CEO.

The submitted policy must comply to OHS Act Section 7

- The OHS policy must be signed by the 16.1 (CEO), with the revision date and not signed by the OHS officer.
- The OHS policy shall be aligned to section 7 of the OHS Act or OHSAS 18001/ISO 45001).

OHS Competency (Consider scope of work, risks, OHS plan and applicability) CV, s and qualifications/certificates (List competencies required):

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	<ul style="list-style-type: none"> • First aiders • Incident investigator • Safety officer Accredited Safety training e.g. SAMTRAC/SHEMTRAC/Diploma/Degree or (should be trained and skilled HIRA, Incident management, OHSACT, legal requirement, procedure writing) and minimum 2 years work experience. • Security Site Supervisor (training certificate). <p>Environmental requirements:</p> <p>Annexure B</p> <p>Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?</p> <p>Environmental Management Plan for the Scope of work addressing the following as a minimum:</p> <p>Applicable to medium risk:</p> <ul style="list-style-type: none"> • Waste management (reduction, re-use, recycling, disposal). • Environmental induction. • Environmental incident management. • Emergency planning for environmental incidents. <p>Medium Risk Only: Identification of Environmental Aspects and Impacts:</p> <p>Identification, assessment and control of activities that have or may have an impact on the environment.</p> <p>The methodology used must be provided together with the identified activities (if applicable) that have been identified, based on the scope of work, that have an impact on the environment and the controls that will be in place in contract execution.</p> <p>All: Environmental (or SHE/SHEQ) policy signed by Company Owner/CEO/MD:</p> <p>Commitment to: (1) compliance to environmental compliance obligations; and (2) environmental duty of care.</p> <p>Score:</p> <p>0 = Document not submitted OR submitted but does not satisfy the minimum requirements</p> <p>1 = Document submitted and the content satisfy the minimum requirements</p> <p>OR</p>
--	---

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	<p>Part B</p> <p>Annexure B</p> <p>Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?</p> <p>ISO 14001 Environmental Management Standard certificate.</p> <p>Score:</p> <p>0 = Document not submitted OR submitted but does not satisfy the minimum requirements</p> <p>1 = Document submitted and the content satisfy the minimum requirements</p>
2.25 Contractual Condition	<p>The conditions of contract will be the NEC Term Service Contract.</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>
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<p>CIDB Requirements are not applicable.</p>

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.

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

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

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

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

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1.3 TENDER RETURNABLES

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

NOTE:

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

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

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

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	A complete original tender, plus One (1) hard copy of the original tender and also as stipulated on item 3.9 above	✓		
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 (applicable for all)	SBD 1- to be completed and submitted by all tenderers.			✓

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

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Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)			✓
NEC Documentation	Fully completed NEC contract data.		✓	
	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)			
Safety	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)			✓
Quality	Refer to contractual requirements above.			✓
Other safety/quality documents as required per scope of works	Refer to contractual requirements above.			✓
Environmental	Refer to contractual requirements above.			✓
Due Diligence	Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) especially formed for this tender, audited financial statements for each participant in the JV / SPV is required. Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available.			✓
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA			
Technical (required for functionality scoring)	Refer to 3.13 Functionality Criteria above			
	Technical Mandatory requirements	✓		

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ANNEXURE A

ACKNOWLEDGEMENT FORM

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

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

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

Or: Incorrect or incomplete for the following reasons:

Cataloguing Acknowledgement:

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

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:

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

Invitation to Tender No: _____

Name of company/JV: _____

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Country of registration: _____

Name of contact person: _____

Contact details of contact person:

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

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ANNEXURE B

TENDERER'S PARTICULARS

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

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

Please complete the following:

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

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

Name of contractor	
CIPC Registration number or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	

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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
5. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status _____
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 complete 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? _____%

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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;

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

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

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

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>[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].</p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).</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 (www.treasury.gov.za).</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	Provide details.		
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>Is there any history/record of the <i>tenderer/s (or any of its directors/members/shareholders)</i> failing to meet their contractual obligation with any SOC?</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.

Signature:	
Designation and capacity in which signing	
Date:	

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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.

Signature:	
Designation and capacity in which signing	
Date:	

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

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ANNEXURE 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	

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
Labour general (hourly paid) SEIFSA, C3, actual labour cost	Steel StatsSA, P0142.1 Table 2, basic iron and steel	Mechanical engineering material SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI)
	Copper SEIFSA, F, copper metric ton	Electrical engineering material SEIFSA, G-1, electrical engineering material		
Labour general SEIFSA, C3 (a), actual labour cost (field force) where subsistence	Aluminium SEIFSA, R, aluminium Zinc SEIFSA, F, zinc	Building and construction material		StasSA, PO142.1), PPI 4. Final Manufacture d Goods

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allowance is paid	Lead SEIFSA, F, lead	SEIFSA, G, building and construction material		Or 5. Intermediate Manufacture d Goods OR 6. SEIFSA Table U Producer Price Index (PPI - final manufactured GOODS OR Intermediate Manufactured Goods
-------------------	--------------------------------	---	--	---

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	National Statistical Institute, Country-specific building and construction material		
	LME, zinc			
	LME, lead			

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

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ANNEXURE E

SBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	MWP2489TX	CLOSING DATE:	09 May 2024	CLOSING TIME:	10h00am
DESCRIPTION	Provision of security services in Northern Region (Mpumalanga Province) in Transmission Telecommunications for a period of three (3) years				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<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:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<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]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

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PART B TERMS AND CONDITIONS FOR BIDDING

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

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ANNEXURE F

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1. The following preference point systems are applicable to invitations to tender:
 - 1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1. To be completed by the organ of state

- 1. The applicable preference point system for this tender is the 80/20 preference point system.
- 2. Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
 - 1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - 1. Price; and
 - 2. Specific Goals.

1. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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2. Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
3. The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

3. DEFINITIONS

1. “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
2. “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
3. “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
4. “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
5. “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

1. POINTS AWARDED FOR PRICE

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

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

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	

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]

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4. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
4. If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

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 G

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

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

employed by the state?

YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State Institution

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

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

2.2.1 If so, furnish particulars:

.....

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

1. If so, furnish particulars:

.....

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 consortium² will not be construed as collusive bidding.

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

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

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

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

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

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

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

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

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

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