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ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER FOR PROPOSAL FOR

SUPPLY AND DELIVERY OF STEEL MEMBERS AND PLATES TO TRANSMISSION NORTHERN GRID ON AN "AS AND WHEN REQUIRED BASIS" FOR A PERIOD OF THREE (3) YEARS

Tender number	LP00159AB
Issue date	25 April 2024
Closing date and time	20 May 2024; 10h00(SAST)
Tender validity period	Twelve (12) weeks from the closing date and time
Clarification meeting	NON-COMPULSORY CLARIFICATION CONDUCTED ON (MICROSOFT TEAMS) MST
	Date: 02 May 2024 Time: 10h00AM to 12h00PM
	Microsoft Teams Join the meeting now Meeting ID: 359 245 474 629 Passcode: JqBoSr
	Note: Tenderers to do regular checks on the Eskom tender bulletin for any tender addendums, as all clarifications pertaining to this tender will be uploaded on that platform. It is the responsibility of the Tenderer to check the tender bulletin for updates and to ensure their response to the tender provides for information communicated also through the tender bulletin.
Tenders are to be delivered to the following address on the stipulated closing date and time:	Eskom Holding SOC Ltd The Tender Office Millennium Building 90 Hans Van Rensburg Street Polokwane Limpopo Eskom will not take any responsibility for any late submissions
	as a result of non-compliance to the tender delivery requirements.

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a tender to supply and delivery of steel members and plates to Transmission Northern Grid on an "as and when required basis" 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 level or refer the issue 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.

BT Mtungwa
Procurement Manager
Busi Mtungwa – Tactical Sourcing

25/04/2024

Date:

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1. Invitation to tender

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

2. Evaluation process and criteria

- 2.1 Basic Compliance
- 2.2 Mandatory tender returnables
- 2.3 Functionality
- 2.4 Financial evaluation
- 2.5 Price and preference scoring
- 2.6 Objective criteria

3. Condition of contract

NEC3 Supply Contract, and relevant contract conditions

4. Scope of work/Works Information/Employers Requirements

Supply and delivery of Steel Members and Plates to Transmission Northern Grid on an "as and when required basis" for a period of three (3) years as stipulated in the below:

Item	Description
no	
1	40 x 40 x 5mm (Galvanised Angle)
2	50 x 50 x 5mm (Galvanised Angle)
3	70 x 70 x 6mm (Galvanised Angle)
4	80 x 80 x 6mm (Galvanised Angle)
5	100 x 100 x 10mm (Galvanised Angle)
6	1m x 1m x 6mm (Steel S355JR)
7	All Materials should be Galvanised as required.

5. PRICING DATA

Tenderers are to complete and sign the form of offer and acceptance on the NEC Supply Contract documents.

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

Number	Description	Annexure/to be downloaded and attached	Attached (Y/N/ N/A)
1.1.1	*Acknowledgement form	Annexure A	Υ
1.1.2	*Tenderer's particulars	Annexure B	Υ
1.1.3	*Integrity Declaration Form (Refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Υ
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Υ
1.1.5	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	Y
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included).	Annexure F1	Y
	Annexure C-Local Content Declaration- Summary Schedule	Annexure F2	
	Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C	Annexure F3	
	Annexure E-Local Content Declaration- Supporting Schedule to Annexure C	Annexure F4	
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure H	Υ
1.1.9	*SBD 4 – Bidders Disclosure	Annexure I	Υ
1.1.10	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Not Applic	cable
1.1.11	Reverse e-auction training acknowledgement form (if applicable)	Not Applic	cable
1.1.12	Reverse e-auction process (if applicable)	Not Applic	
1.1.13	Contract Skills Development Goals (CSDG) [if applicable]	Not Applic	able
1.1.14	Contract Participation Goals (CPG) [if applicable]	Not Applic	able

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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	The Employer is Eskom Holdings SOC Ltd
	The Eskom Representative is: Name: Asnath Baloyi Tel: 015 299 0242 E-mail: BaloyiAT@eskom.co.za
	L-mail. <u>Baloyia i @eskom.co.za</u>
1.3 Enquiry documents	The Invitation to tender: LP00159AB consists of this document and all documents issued with it.
1.4 Type of Invitation to Tender	This invitation to tender is: An open Invitation to tender
	All relevant documentation for this Tender Enquiry will be published on: 1. Eskom's Tender Bulletin 2. National Treasury e-Tender Portal
	Note: It is the responsibility of the Tendering Company to ensure that all the requested documentation is downloaded, completed in full and submitted upon tender closing date.
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole of the contract.
2.1 Eligible tenders	Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.
	Tenderers are deemed ineligible to submit a [tender] if • Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed to have the nationality of a country if the tenderer is a national or is constituted, incorporated, or registered and operates in conformity with the

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provisions of the laws of that country. This criterion shall also apply to the determination of the nationality of proposed subcontractors or suppliers for any part of the Contract including related services.

- Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium
- Tenders submitted by a JV or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.
- A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering] process, if:
 - (a)they have a controlling partner/majority shareholder in common; or
 - (b)they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process;
- Tenders signed by non- authorized persons
- Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)
- Any tenderer that is restricted by National Treasury
- Any tenderer on the Tender Defaulters list.
- A tenderer that sub-contracts 100% Scope of Work.
- Flagged Suppliers

Ineligible tenderers will be disqualified.

FLAGGING OF SUPPLIERS:

Flagging of a supplier is a process where a "flag" is placed on a supplier in respect of the following:

a) Those suppliers implicated in serious misconduct by the Zondo Report or the SIU pending the finalisation of supplier disciplinary measures against these suppliers; and

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	b) Other suppliers implicated in serious misconduct and a breach of the Eskom Supplier Integrity Pact by a forensic report or other source of credible information, such as the SAPS, the NPA, the SIU or other
	related source.
	The implications of this "flag" are as follows: No new contracts or extension of existing contracts may be awarded
	to the supplier pending finalisation of supplier disciplinary processes against the supplier. Where a as such, the supplier's bid should be removed from any tender evaluation at the "eligibility" or "compliance" assessment stage of the evaluation.
2.2 -2.5 Tender Closing	The deadline for Tender submission is: Date :20 May 2024 Time :10h00
	Late Tenders will not be accepted Tenders are to be submitted to the Eskom tender box at the following physical address:
	THE TENDER OFFICE ESKOM HOLDING SOC LTD MILLENNIUM BUILDING 90 HANS VAN RENSBURG STREET POLOKWANE LIMPOPO
2.9 Copy of original tender	The tenderer must submit the tender as follows:
	1 x complete original tender (in hard copy format), marked "ORIGINAL", plus
	 1 x complete identical copy of the original tender (in hard copy format), marked "COPY" plus
	 1 x complete identical copy of the original tender in electronic format (Memory stick/flash disk) at tender submission deadline Failure on the part of the supplier to submit in electronic format for purposes of evaluation by the tender closing will not result in disqualification.
	N.B: Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.
2.13 Tender Validity Period	The tender validity period is twelve (12) weeks.

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2.16 Site /Clarification meetings	NB: While a twelve (12) week tender validity period has been provided from the tender closing date, the evaluation and adjudication process may take up to nine (9) months. Should the evaluation extend beyond the twelve (12) weeks, Tenderers will be requested to extend their validity beyond the twelve (12) weeks. NON-COMPULSORY CLARIFICATION CONDUCTED ON (MICROSOFT TEAMS) MST
	Date: 02 May 2024 Time: 10h00AM to 12h00PM
	Time. Tollookivi to 1211001 ivi
	Microsoft Teams
	Join the meeting now Meeting ID: 359 245 474 629
	Passcode: JqBoSr
	Note: Tenderers to do regular checks on the Eskom tender bulletin for any tender addendums, as all clarifications pertaining to this tender will be uploaded on that platform. It is the responsibility of the Tenderer to check the tender bulletin for updates and to ensure their response to the tender provides for information communicated also through the tender bulletin.
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is five (5) working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are not allowed .
2.31 Provision of security for	Not Applicable
performance	
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:
	 Meet the eligibility criteria for a tenderer. Submit one (1) hard copy and an electronic copy (via USB) of the original tender to Eskom. Electronic copy is not a disqualifying criteria.

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	 Submit complete original tender with Commercial, Financial, BOQ on both excel & pdf format, SDL&I in one file and technical information in the second file; Safety file, Environmental file and Quality file each separately for evaluation purposes. Submission of the mandatory commercial tender returnables as at stipulated deadlines. Central Supplier Database (CSD) number (MAA) Non - responsive /Unacceptable tenders will be disqualified and all the responsive tenders will be evaluated further
3.10 Mandatory tender returnables	Mandatory tender returnable are not applicable
3.13 Functionality requirements	Functionality requirements are applicable

TECHNICAL EVALUATION THRESHOLD

The minimum weighted final score (threshold) required for a tender to be considered from a technical perspective is **70%**. The following scoring method will be used

		Description	Select Option	Tick Appli cable Bar	Score by Evalua tor	Weight ing	Details to be Evaluated in the Technical returnable file	Comments from Evaluator
1	L	Details of the Raw (Black) steel supplier – (mill certificate required with every delivery)	No Information provided (0) Information provided not related to Eskom Tx or Dx tower member steel (2) Information provided			35%	Provide – Mill certificate of black steel to be supplied.	
			related to Eskom Tx or Dx tower member steel (5)					
2	2	Details of the Raw (Black) steel supplier – (mill certificate required with every delivery)	No Information provided (0) Partial member list provided (up to 50% of Eskom member list) (2)			35%	Provide – Spreadsheet of member sizes available vs member sizes requested by	
			Partial member list provided (up to 50% to 80% of Eskom member list) (4)				Eskom.	

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		Partial member list provided (up to 80% to 100% of Eskom member list) (5)				
	Details of the Raw (Black) steel supplier –(mill	No Information provided (0) Can galvanise members			Provide – size of galvanizing bath and/or-letter from	
3	certificate required with every	up to 3m length (2)			galvanizing company detailing	
	delivery)	Can galvanise members up to 6m length (4)		30%	the size of galvanizing bath.	
		Can galvanise members up to 9m length (5)				
			0%	100%		

A total of 70% or Higher is required to pass this engineering tender evaluation

Failure by the tenderer to meet the minimum threshold of <u>70%</u> will lead to immediate disqualification and will not be legible for further evaluations.

3.15 Evaluation of price

Prices will be evaluated as follows:

- Inclusive of VAT
- Making the specified correction for arithmetical errors
- Excluding contingencies in any bill of quantities or activity schedule.
- Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.
- 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.
- Unconditional discounts must be taken into account for evaluation purposes;
- Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is effected.

Prices will be scored out of 80 points

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3.17 Evaluation of Specific Goals

Specific goals/preference points will be scored out of 10 points in accordance with Eskom Procurement and Supply Chain Management Procedure.

The following specific goals score card applies:

BBBEE Status Level of Contribution	Number of Points (80/20)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non – Compliant Contributor	0

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

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

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

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

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

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	NOTE: Failure on the part of a supplier to submit "proof of B-BBEE status level of contributor" 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 on B-BBEE for purposes of PPPFA scoring and ranking.				
3.18 Ranking of tenders	Suppliers will be ranked by applying the preferential point scoring based on the relevant system as stipulated hereunder:				
	80/20 for tender w	ith rand value equal to or b	pelow R50 million		
		ld the score from Pricing an liers from the highest to th			
	Please note: - 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.				
3.19 Objective Criteria (if applicable)	Objective criteria	are applicable			
	condition for contr requirements of the the enquiry togeth (i.e., if the tendere	ojective criteria in an enqui act award, and if included ne PPPFA [clause 2(1)(f)] her with the consequence r does not meet objective on derer being recommende	, this must align with the and be clearly stated in of such objective criteria criteria; it may lead to the		
	Designated Mate	rials declaration			
	The following designated materials and thresholds must be met by tenderers in order to be evaluated further. They are as follows				
	Commodity Components Local Content Threshold				
	Steel Steel 100%				
	Tenderers need to (click open attached pdf files), complete and submit Annexure F1-F4 hereto as evidence of compliance with this requirement.				
	Also refer to atta	ched excel file attached	separately.		

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The DTI has appointed SABS as the official verification agency for local content in terms of designated products.
Reverse e-auction are not applicable
Contractual Requirements may include the following: Safety contractual requirement
 240-43921898 Rev 5-OHS Tender Evaluation (Medium risk) Annexure B: Acknowledgement Form for Eskom SHE Rules and other Requirements
 Environmental contractual requirements 240-43921898-Environmental Tender Evaluation and Scoring Card
Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements
 Quality contractual requirements (Refer to attached documents separately) 240-12248652 Category 3- List of Tender Returnable Documents Rev 5 240-68099512- Form A 2020 Category 4 Rev 8.
240-105658000- Supplier Quality Management Specification Contractual requirements
SHEQ It must be noted that the Safety, Quality and Environment requirements will be evaluated, and tenderer/s will be given one opportunity to submit the outstanding requirements. The shortfalls will be communicated upfront to the tenderer who will then be requested to attend a session where the functional specialist will assist the tenderer to understand the outstanding requirements. The tenderer will then be afforded one opportunity to correct and resubmit within seven (7) working days after the clarification session.
Other SDL&I Objectives in line with RDP Goals
Tenderers who complete and submit the undertaking as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I undertakings do not form part of scoring, but commitments will form part of contractual obligations.

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	BBBEE requirements: All tendere	
	their BBBEE status throughout the	contract period.
	Jobs. Tenderers are required to sunumber of jobs that will be created direct result of being awarded a co	and retained in South Africa as a
	Type of Jobs to be created	Number of Jobs to be created
	Type of Jobs to be retained	Number of Jobs to be retained
	SDL&I Penalty and Performance Eskom will apply a penalty of 2.5% to meet SDL&I obligations.	
	As security for the fulfilment of all S a penalty of 2.5% of every invoice to submit SDL&I performance repo the SDL&I obligations in a contract	amount (excluding VAT) for failure rts every quarter; or failure to meet
2.25 Contractual Condition	The conditions of contract will be the	ne NEC3 Supply Contract
	In the event that there are further douring execution of the contract, conditions and compliance thereto contract	these must be made contractual
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements are not application	cable

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Please note:

Tenderers are requested to bear in mind Eskom's standard payment terms as stipulated hereunder when submitting tenders and concluding contracts with Eskom:

For contracts valued below R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying Suppliers within 30 days of receipt of undisputed invoices.

For contracts valued above R50 000 000 (Fifty Million Rand) including VAT, Eskom is committed to paying suppliers within 60 days of receipt of undisputed invoices.

Eskom reserves the right to negotiate with preferred bidders after a competitive bidding process or price quotations; should the tendered prices not be deemed market related.

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

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

"proof of B-BBEE status level of contributor" means-

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

1.3 TENDER RETURNABLES

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

NOTE:

* Returnable required at Tender closing (disqualifiable) - These returnable are required to be fully completed, signed (if required on the returnable) and submitted with the

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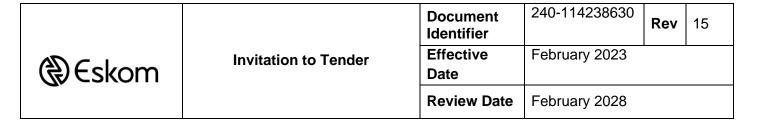
tender at Tender closing date and time. If not fully completed, signed (if required on the returnable) and/or submitted by tender closing the tender must be disqualified.

** 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	able require	l ender (disqualifiable)*	Returnable required at Tender closing. (Non- disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	 1 x complete original tender (in hard copy format), marked "ORIGINAL", plus 1 x complete identical copy of the original tender (in hard copy format), marked "COPY" 	✓			
Annexure A	Acknowledgement Form			✓	
Annexure B	Tenderers Particulars			✓	
Annexure C	Integrity Pact Declaration form			✓	
Annexure D	CPA for local goods/services (if applicable)			✓	
Annexure E	CPA(IG) for imported goods/services (if applicable)			✓	
Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E <i>[only applicable where designated materials are included]</i>			✓	

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Annexure G (applicable for all suppliers including foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		~	
# Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations		✓	
Annexure I	SBD 4 – Bidders Disclosure		√	
Reverse e-auction	training acknowledgement form (if applicable)		N/A	<u>'</u>
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 profitsharing 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.		N/A	
	# 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.		N/A	
# 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.			✓

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		Date			
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Tax Evaluation	Evaluation questionnaire to determine whether a		N/A	
Questionnaire (if	company, close corporation (CC) or Trust is a personal			
services	service provider for purposes of PAYE			
contract and was				
included as				
annexure)				
Compliance with	To the extent that the tenderer falls within the definition of			✓
Employment .	a "designated Employer" as contemplated in the			
Equity Act	Employment Equity Act 55 of 1998, the tenderer is			
1,	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)			
CIDB (where		N/A		1
applicable)	main contractor; JV and /or sub-contractor as may be			
	required in the tender data at tender closing deadline or			
	within 21 working days from the closing date of			
	submission of tenders if this is agreed with the Employer			
NEC	Completed NEC3 Supply Contract (SC) and C2.2 Price	√		
_	Schedule.			
Locumentation	Corrodato.			
	nents required (ECSA/ SACPCMP/CVs/specific registration documents (if applicable to scope		N/A	
Additional documpermits/licenses/of work) DOCUMENTS RE	specific registration documents (if applicable to scope QUIRED UNDER CONTRACTUAL REQUIREMENTS		N/A	
Additional documpermits/licenses/of work) DOCUMENTS REGULATED CONTRACT	specific registration documents (if applicable to scope QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED)			
Additional documpermits/licenses/of work) DOCUMENTS RE	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) COIDA - Original certificate of good standing or proof of		N/A	
Additional documpermits/licenses/of work) DOCUMENTS REGULATED CONTRACT	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or			
Additional documpermits/licenses/of work) DOCUMENTS REGULATED CONTRACT	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African			
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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).		✓	
Additional documpermits/licenses/of work) DOCUMENTS REGULATED CONTRACT	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work,			
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this		✓	
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work,		✓	
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA Safety Quality	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender		✓	
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA Safety Quality	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this		✓	
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA Safety Quality	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender		✓	
Additional documpermits/licenses/of work) DOCUMENTS RE(WHERE CONTRASSafety Quality Other safety/qual	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender ity documents as required per scope of works		✓	
Additional documpermits/licenses/of work) DOCUMENTS REI (WHERE CONTRA Safety Quality Other safety/qual Environmental	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender ity documents as required per scope of works Documents that may be required as per scope of work.		✓ ✓ ✓	
Additional documpermits/licenses/of work) DOCUMENTS REI(WHERE CONTRASSafety Quality Other safety/qual	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender ity documents as required per scope of works Documents that may be required as per scope of work. Audited Financial Statements of the tenderer for the		✓ ✓ ✓	
Additional documpermits/licenses/of work) DOCUMENTS REI(WHERE CONTRASSafety Quality Other safety/qual	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender ity documents as required per scope of works Documents that may be required as per scope of work. Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such statements are not available, for the last year. Tenderers		✓ ✓ ✓	
Additional documpermits/licenses/of work) DOCUMENTS REI(WHERE CONTRASSafety Quality Other safety/qual	QUIRED UNDER CONTRACTUAL REQUIREMENTS ACTUAL REQUIREMENTS ARE STIPULATED) 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). Documents that may be required per scope of work, Refer to attached documents separately with this tender ity documents as required per scope of works Documents that may be required as per scope of work. Audited Financial Statements of the tenderer for the previous 18 months, or to the extent that such		✓ ✓ ✓	

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	€Skon	$ \cap $		Date			
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		JV / SPV is required. Start-up enterprises formed within					
			ast 12 months are not required to ser				
		statements, but if successful with their tender will be					
		required to send statements for the first year when once available.					
I	OCUMENTS REQ						
(CRITERIA						
-	Technical Technical	Refer to Technical Requirement folder attached			✓		

240-114238630

IMPORTANT NOTICE ON THE VALIDITY OF SWORN AFFIDAVITS

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

(required

functionality scoring)

for

separately.

Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as the **director**, **owner** or **member** must be indicated in order to know that person is duly authorised to depose of an affidavit. (**Mark the applicable option**).
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. (No blank spaces to be left).
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. (Mark the applicable option).
- Financial year end as per the **enterprise's registration documents**, which was used to determine the total revenue. (Financial year end to be stipulated by **day/month/year**).
- B-BBEE Status level. An enterprise can only have one status level. (Tick applicable level)
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same. (The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore, the Commissioner must also sign and stamp)
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

Very Important Note:

A sworn affidavit that does not comply with the above requirements will not be considered in the evaluation of preference Points and the tenderer will be scored zero on specific goals.

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ANNEXURE A

ACKNOWLEDGEMENT FORM

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]:
We agree to provide the cataloguing information as described in the <i>tender submission</i> . We have already supplied Eskom with the cataloguing information pertaining to this enquiry in a previous contract/order [insert previous invitation to tender number
We do not intend to provide the cataloguing information for the required scope provides specifications. For the reasons stated hereunder: □
I confirm that I am a Distributor/Importer/Agent and my Principal, being the Original Equipment Manufacturer (OEM) is or is not in the position to supply cataloguing information for items. See attached letter from OEM confirming his position.

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

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ANNEXURE B

TENDERER'S PARTICULARS

The tenderer must furnish the following particulars where applicable:

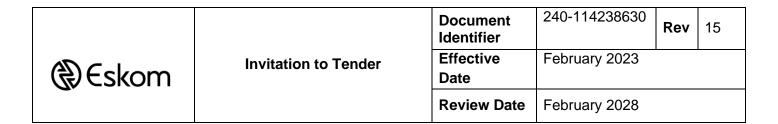
Indicate the type of tendering structure by marking with an 'X' (where applicable provide registration number):				
Individual tenderer				
Unincorporated Joint venture (registration number				
for each member of the JV)				
Incorporated JV				
Other				

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.

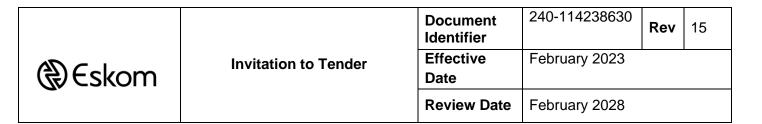
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Name of contractor	
CIPC Registration number or CIPC disclosure certificate	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade	
specified for the sub-contractor as may be stipulated in the	
Tender Data	
Proposed Scope of work to be done by sub-contractor	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

•	If you are currently registered as a vendor with Eskom, please provide your Vendo
	registration number with Eskom.

- If you are currently registered as a vendor on the Treasury Central Supplier Database (CSD) please provide your supplier registration number with Treasury_____
- 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.
- You may register online at National Treasury website on <u>www.treasury.gov.za</u>
- If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status _____



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).

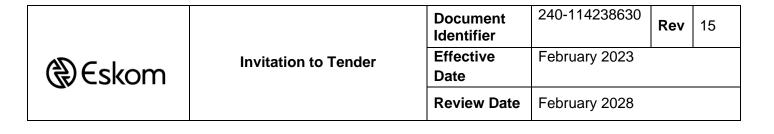
YES	NO	
-----	----	--

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

	YES		NO			
8.2 What percentage will you be sub-contracting?%						
8.3 To wh	om do y	ou inte	end sub-	contracti	ng?	
8.4 Is the said sub-contractor registered on CSD?						
	YES		NO			

- 8.5 If yes to 8.4, please provide **CSD number**.
- 8.4 Please confirm B-BBEE level of said sub-contractor
- 8.5 Which designated group does the sub-contractor belong to:
 - a) 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).

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8.6 Please confirm that you have attached your signed intent to sub-contract docume	ent.
YES NO	
8.7 Have you attached proof of sub-contractor's belonging to designated group	
YES NO	
Single tenderers	
I, the undersigned,(Full names)	hereby confirm that
am duly authorised to sign all documents in connection with this tender and any con-	tract resulting from it,
on behalf of (insert the full legal name of the tenderer).	
Signature:	
Designation:	
Date:	
Joint Ventures	
We, the undersigned, are submitting this tender in Joint Venture and here	by authorise Mr/Ms
(full names), an authorise	• ,
, (insert the full legal name of the bu	
as the lead partner) acting in the capacity of lead partner, to sign all documents in conn	ection 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	s a statement that al
partners are liable jointly and severally for the execution of the contract and that	t the lead partner is
authorised to incur liabilities, receive instructions and payments and be responsible fo	r the entire execution
of the contract for and on behalf of any and all the partners.	
Legal Name of Joint Full Name and Capacity of Authorised	Signature

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 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 is not fully completed, signed and/or received by the Procurement Practitioner within 5 working days of the request; the tender must be disqualified.

DECLARATION OF INTEREST

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

- the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors in the state or a state owned entity.
- the tenderer/s employees/directors are also employees/contractors/consultants/ directors of Eskom
- the *tenderer*/s employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors
- the legal person/s (including its employees/contractors/directors/members/ shareholders) on whose behalf the tender documents are signed, is in some other way "related" to an Eskom employee/contractor/consultant/director involved in the tender evaluation/tender adjudication/tender negotiation. "Related" meaning that:-
 - an individual is related to another individual of they are married, or live together in a relationship similar to marriage;
 - or are separated by no more than two degrees of natural or adopted consanguinity or affinity;
 - an individual is related to a juristic person if the individual directly or indirectly controls the juristic person, as determined in accordance with the definition of "control" (as per Companies Act section 2(1)); and
 - · a juristic person is "related" to another juristic person if:-
 - 1. either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of "control" (as per Companies Act section 2(1)):
 - 2. either is a subsidiary of the other; or
 - 3. a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of "control"
- the tenderer/s and one or more of the tenderers in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

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

Full Name & Capacity/ Position within tenderer (e.g. employee/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 of tenders

•	If any	employee/di	irector/me	mber/sha	reholder/owne	er of ten	iderer/s is a	also curr	ently	employ	ed by Eskom,
	state v	whether this	has been	declared	and whether	there is	authorisati	on(Y/N)	to und	dertake	remunerative
	work	outside	public	sector	employment	and	attach	proof	to	this	declaration.

Do the tenderer/s and other tenderer in this tendering process share a controlling partner or have any relationship with each other, directly or through common third parties? (Y/N) If Yes, attach proof to this declaration.

2. DECLARATION OF FAIR TENDERING PRACTICES

This serves as a declaration that when goods/services are being procured, all reasonable steps have been taken to address and/or prevent the exploitation of the procurement process and the use of any unfair tendering practices.

A **[tender]** will be disqualified if the *tenderer*/s, or any of its directors have:

- abused the institution's procurement process (e.g. bid rigging/collusion)
- committed fraud or any other improper conduct in relation to such system.

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Please complete the declaration with an 'X" under YES or NO

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

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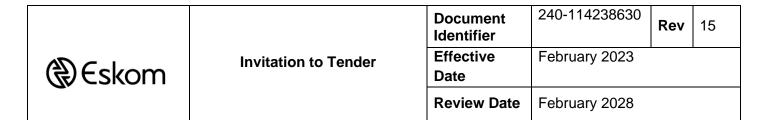


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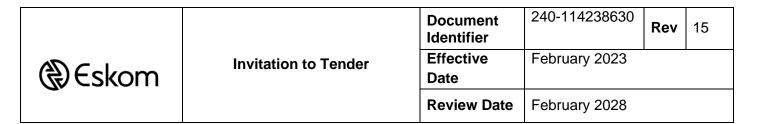
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DECLARATIO	N OF SHA	REHOL	DING	INFORM	ATION					
I, the undersig	ned				[<i>Posi</i> i	tion]				hereby declare
that I am the d	luly authoris	sed repr	esenta	ative of			_[/	lame of Tend	derer].	
	are that th		•				sted	hereunder	are :	Shareholders in
Note that this	informatio	n in the	table	s hereund	der must	be fully co	mpl	eted for eac	:h ten	derer (including
incorporated	JVs). In e	vent th	at the	tendere	r is an u	nincorpora	ated	JV, this m	ust be	e completed for
each JV mem	ber. Pleas	e add a	dditio	nal rows	if require	ed.				
Individuals:										
Full Name						Shareholding Percentage				
Other Entities	s* :									
/ Trading Nu	egistration Imber/Trust Imber	Shareholding Percentage		<u> </u>		lers	Identification shareholder of the share	s/direc	tors/beneficiaries	

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names) hereby confirm that I am duly tender and any contract resulting from it on the of tenderer).					
and the Control of the Board of the Board					
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					
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.					
s) hereby confirm that acting in the capacity					
s) hereby confirm that acting in the capacity					
nts in connection with the tender and any					
nts in connection with the tender and any					
nts in connection with the tender and any					
ents in connection with the tender and any					
ints in connection with the tender and any (insert the full legal name of ons of the Supplier Integrity Pact, that all tood that the JV's tender/proposal may be					
ints in connection with the tender and any (insert the full legal name of					
ints in connection with the tender and any (insert the full legal name of ons of the Supplier Integrity Pact, that all tood that the JV's tender/proposal may be					
ints in connection with the tender and any (insert the full legal name of ons of the Supplier Integrity Pact, that all tood that the JV's tender/proposal may be					
t ri					



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 F1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

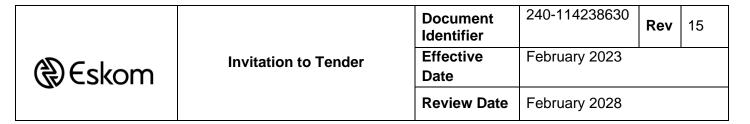
$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

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

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

- 1.5. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted at the stipulated deadlines.
- 2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods	Stipulated minimum threshold
STEEL	<u>100%</u>
Does any portion of the goods or service have any imported content?	es offered

`	• • •	,		
	YES		NO	

(Tick applicable box)

3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

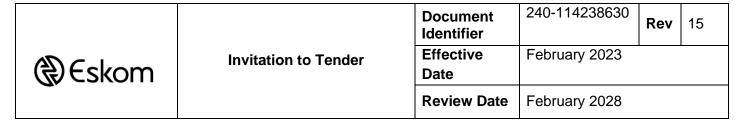
Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

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been consolidated in Declaration C:



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

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

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

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

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

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

PDF

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

Adobe Acrobat Document Adobe Acrobat Document

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



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ANNEXURE G

SBD₁

PART A INVITATION TO BID

YOU ARE HEREBY IN	VITED TO BID I	FOR REQUIREME	ENTS	OF THE (NAME	OF DEPA	ARTMENT/ PUE	BLIC ENTITY)		
_	159AB	CLOSI					SING TIME:	10h00 SA	ST
DESCRIPTION The	DESCRIPTION The supply and deliver of Steel Member and Plates for Transmission Northern Grid Sites								
THE SUCCESSFUL BI					VRITTEN	CONTRACT F	ORM (SBD7).		
BID RESPONSE DOCU		BE DEPOSITED IN	1 THE	BID BOX					
SITUATED AT (STREE Eskom Holding SOC									
The Tender Office	Ltu								
Millennium Building									
90 Hans Van Rensbi	.ua Ctroot								
Polokwane	arg Street								
Limpopo SUPPLIER INFORMAT	ION								
	ION								
NAME OF BIDDER									
POSTAL ADDRESS									
STREET ADDRESS							1		
TELEPHONE NUMBER		CODE				NUMBER			
CELLPHONE NUMBER						1	T		
FACSIMILE NUMBER		CODE				NUMBER			
E-MAIL ADDRESS									
VAT REGISTRATION N	IUMBER								
		TCS PIN:			OR	CSD No:			
B-BBEE STATUS LEVE		Yes				E STATUS	Yes		
VERIFICATION CERTII						. SWORN			
[TICK APPLICABLE BC IF YES, WHO WAS TH		□ No			AFFID	AVII	∐ No		
CERTIFICATE ISSUED									
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORA ACT (CCA) A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFR				PORATION					
					ED BY T	HE SOUTH	AFRICAN		
NAME THE APPLICABI			ACCREDITATION SYSTEM (SANAS) A REGISTERED AUDITOR						
TICK BOX			NAM		JIIUK				
[A B-BBEE STATUS	LEVEL VERII	FICATION CERT			FFIDAV	IT(FOR EMEs	& QSEs) MU	JST BE SUBI	MITTED IN
ORDER TO QUALIF						•			

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH	☐Yes ☐No		ARE YOU A FOREIGN BASED SUPPLIER FOR	☐Yes ☐No
AFRICA FOR THE GOODS			THE GOODS /SERVICES	[IF YES ANSWER PART B:3
/SERVICES /WORKS OFFERED?	[IF YES ENCLOSE PROOF]		/WORKS OFFERED?	BELOW]
SIGNATURE OF BIDDER			DATE	
CAPACITY UNDER WHICH THIS			DAIL	
BID IS SIGNED (Attach proof of				
authority to sign this bid; e.g.				
resolution of directors, etc.)				
. ,			TOTAL DID DDICE (ALL	T
TOTAL NUMBER OF ITEMS			TOTAL BID PRICE (ALL	
OFFERED		l	INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES N	MAY BE DIRECTED TO:	TECH	INICAL INFORMATION MA	Y BE DIRECTED TO:
DEPARTMENT/ PUBLIC ENTITY		CON	TACT PERSON	
CONTACT PERSON		TELE	PHONE NUMBER	
TELEPHONE NUMBER		FACS	SIMILE NUMBER	
FACSIMILE NUMBER		E-MA	IL ADDRESS	BaloyiAT@eskom.co.za
E-MAIL ADDRESS				

PART B TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:

- BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE
- 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.
- 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.
- 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

- BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE
 THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS
 PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

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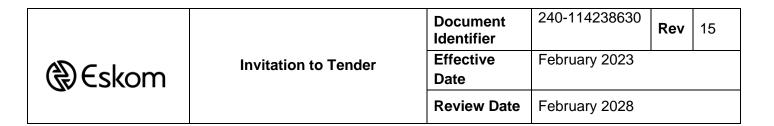
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•	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
•	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED PROOF OF TCS / PIN / CSD NUMBER.	ED, EACH PARTY MUST SUBMIT A SEPARATE
•	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SMUST BE PROVIDED.	SUPPLIER DATABASE (CSD), A CSD NUMBER
	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
	• IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
	THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO MPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS	

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

ANNEXURE H

Controlled Disclosure



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

GENERAL CONDITIONS

- The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

2.To be completed by the organ of state

- The applicable preference point system for this tender is the 80/20 preference point system.
 - Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - Price; and
 - Specific Goals.

3. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

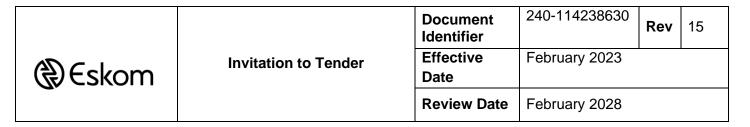
- Failure on the part of a tenderer to submit proof or documentation required in terms
 of this tender to claim points for specific goals with the tender, will be interpreted to
 mean that preference points for specific goals are not claimed.
- The organ of state reserves the right to require of a tenderer, 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.

DEFINITIONS

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

FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

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POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

POINTS AWARDED FOR SPECIFIC GOALS

- In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- any other invitation for tender, that the 80/20 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for the 80/20 preference point system.

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

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

The specific goals allocated points in terms of this tender

Number of points allocated

Number of points claimed (80/20 system)

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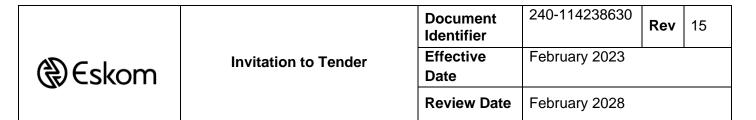
	(80/20 system) (To be completed by the organ of state)	(To be completed by the tenderer)
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	
7	4	
8	2	
Non – Compliant Contributor	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

•	Name of company/firm		
•	Company registration number:		
•	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]		

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

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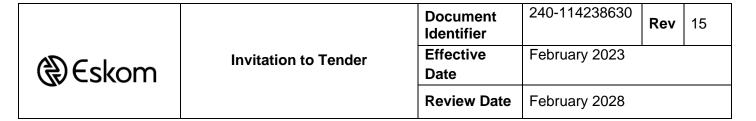


- In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- If the specific goals have been claimed or obtained on a fraudulent 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 –
- disqualify the person from the tendering process;
- recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- 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;
- 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
- forward the matter for criminal prosecution, if deemed necessary.

SIGNATURE(S) OF TENDERER(S)		
SURNAME AND N	IAME:	
DATE:		
ADDRESS:		

ANNEXURE I

Controlled Disclosure



SBD 4

BIDDER'S DISCLOSURE

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.

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?

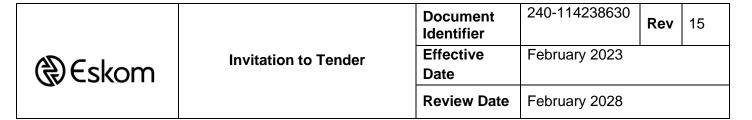
YES/NO

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.

Controlled Disclosure



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

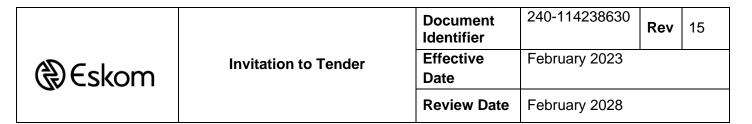
1. If so, furnish particulars:

DECLARATION

- 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

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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.



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 during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
 - I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may 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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