

	<b>Invitation to Tender</b> <b>The provision of security services in Mpumalanga Province</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER**

**FOR**


**THE PROVISION OF SECURITY SERVICES IN LIMLANGA CLUSTER -  
MPUMALANGA PROVINCE FOR A PERIOD OF 36 MONTHS.**

<b>Tender number</b>	<b>LP00160NX</b>
<b>Issue date</b>	<b>26 April 2024</b>
<b>Closing date and time</b>	<b>24 May 2024 at 10h00 am SAST (GMT+2)</b>
<b>Tender validity period</b>	<b>120 days from the closing date and time</b>
<b>Clarification meeting</b>	<b>Date: 07 May 2024</b> <b>Time: 10h00 am SAST (GMT+2)</b> <b>Venue: Online – Microsoft Team</b> <b>Join on your computer, mobile app or room device.</b> <b>Link: <a href="#">Join the meeting now</a></b>
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>	<b>Eskom Holding SOC Ltd</b> <b>The Tender Office Limpopo Cluster –Limpopo Millennium Building</b> <b>90 Hans Van Rensburg Street</b> <b>Polokwane</b>

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**NOTE:**

**1.1 Contracting approach is:**

1.1.1 This tender has eight (8) sets of NEC 3 Term Service Contracts (TSC) detailing the scope of services and the resource requirements per sector.

- Tenderers have an option to submit the tender for the sector that they are interested on.

	Choose sector tendering for
<b>LOWVELD (MBOMBELA) ZONE</b>	
Hazyview sector	
Malelane sector	
<b>HIGHVELD (EMALAHLENI) ZONE</b>	
Middelburg sector	
Delmas sector	
Siyabuswa sector	
<b>HIGHVELD (ERMELO) ZONE</b>	
Secunda sector	
Ermelo sector	
<b>HIGHVELD (EMALAHLENI) ZONE</b>	
Eskom Park – Eskom Real Estate (ERE)	

- In an event that a tenderer is submitting a tender for more than one sector, Eskom reserves the right to appoint a service provider for only one (1) sector. It should be noted that, none of the companies will be awarded a tender to more than one (1) sector unless the required number of service providers are not met.
  - In an event that a tenderer is considered for more than one sector, each must be supported by the minimum required resources for the sector. (No duplication of resources on different sectors shall be accepted).
- Tenderers are required to accept the Eskom standardised rates by signing a separate letter in their company’s letterhead or confirm the acceptance of the rates by signing the pricing data as included on the NEC3 Term Services Contract (TSC). This is a mandatory tender returnable.

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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 Limlanga Cluster - Mpumalanga Province for a period of 36 months.

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

1. Free of charge

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

Tender documentation can be downloaded from the following:

- <http://tenderbulletin.eskom.co.za>
- [www.etenders.gov.za](http://www.etenders.gov.za)

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

Yours faithfully



Madimetja Phalane  
Procurement Manager

Date: 25/04/2024

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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 <a href="http://www.eskom.co.za">www.eskom.co.za</a> for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Y
1.1.5	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	N/A
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included).  Annexure C-Local Content Declaration-Summary Schedule  Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C  Annexure E-Local Content Declaration-Supporting Schedule to Annexure C	Annexure F1  Annexure F2  Annexure F3  Annexure F4	N/A
1.1.7	*SBD 1 -Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure G	Y
1.1.8	*SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure H	Y
1.1.9	*SBD 4 – Bidders Disclosure	Annexure I	Y
1.1.10	Tax Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE	Attached separately as part of the tender pack.	Y
1.1.11	Reverse e-auction training acknowledgement form (if applicable)		N/A
1.1.12	Reverse e-auction process (if applicable)		N/A

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1.1.13	Contract Skills Development Goals (CSDG) [if applicable]		N/A
1.1.14	Contract Participation Goals (CPG) [if applicable ]		N/A
1.1.15	NEC3 Term Services Contract (TSC)	Loaded as part of the tender pack.	Y
1.1.15	Declaration of authority form (authority to Submit a Tender)	Annexure L Loaded as part of the tender pack.	Y
1.1.16	Non-Disclosure agreement (NDA)	Loaded as part of the tender pack.	Y
1.1.17	SDLI Bidder template per sector	Loaded as part of the tender pack (SDL&I folder).	Y
1.1.18	Technical evaluation criteria/requirements	Appendix A Page 49-55	Y
1.1.19	SDL&I evaluation criteria/requirements	Appendix B Page 56-57	
1.1.20	Safety evaluation criteria /requirements	Appendix C Page 58-68	Y
1.1.21	Safety Acknowledgement Form Annexure B	Loaded as part of the tender pack.	
1.1.22	Quality evaluation criteria /requirements	Appendix D Page 79-70	Y
1.1.23	Quality Requirements 240-68099512 (Rev 9) Form A	Loaded as part of the tender pack.	Y
1.1.24	Quality Requirements 240-109253698 CQP Template 2021 <i>(FOR GUIDANCE ON COMPILING CQP)</i>	Loaded as part of the tender pack.	Y
1.1.25	Quality Requirements 240-105658000 Supplier Quality Management Specification <i>(FOR INFORMATION DO NOT RETURN WITH TENDER)</i>	Loaded as part of the tender pack.	Y
1.1.26	Eskom Standard Conditions of Tender <i>(FOR INFORMATION DO NOT RETURN WITH TENDER)</i>	Loaded as part of the tender pack.	Y

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

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is <b>Eskom Holdings SOC Ltd</b></p> <p>The Eskom <i>Representative</i> is:  Name: <b>Ncomeka Xuma</b>  Tel: <b>27 11 709 3743</b>  E-mail: <a href="mailto:ncomeka.xuma@eskom.co.za">ncomeka.xuma@eskom.co.za</a></p>
1.3 Enquiry documents	<p>The Invitation to tender number is: <b>LP00160NX</b></p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender	This invitation to tender is: An open Invitation to tender.
1.6 Eskom's rights to accept or reject any tender.	The tender shall be for the whole/parts of the contract.
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed <b>ineligible</b> to submit a <b>tender</b> if.</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium.</li> </ol>

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	<p>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 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"> <li>1. (a) they have a controlling partner/majority shareholder in common; or</li> <li>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 of another Tenderer or influence the decisions of the Employer regarding this bidding process.</li> </ol> <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;"><b>Ineligible tenderers will be disqualified.</b></p>
2.2 -2.5 Tender Closing	<p>The deadline for <b>Tender</b> submission is :  Date <b>24 May 2024</b>  Time <b>10h00 am SAST (GMT+2)</b>  <b>Late Tenders will not be accepted.</b></p> <p>Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address and marked:  <b>TENDER NUMBER: LP00160NX</b>  <b>ESKOM HOLDING SOC LTD</b>  <b>THE TENDER OFFICE LIMLANGA CLUSTER –LIMPOPO</b>  <b>MILLENNIUM BUILDING</b>  <b>90 HANS VAN RENSBURG STREET</b>  <b>POLOKWANE</b></p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) <b>hard copy</b> of the original tender at tender submission deadline. Eskom may also require that one (1) additional complete soft copy of the original tender is required in electronic format.</p>

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	Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.
2.13 Tender Validity Period	The tender validity period is <b>17 weeks</b> .
2.16 Clarification meetings	<p>A <b>non-compulsory clarification meeting</b> with representatives of the <i>Employer</i> will take place as follows:</p> <p>Date: <b>07 May 2024</b>  Time: <b>10h00 am SAST (GMT+2)</b>  Venue: <b>Online – Microsoft Team</b>  <b>Join on your computer, mobile app or room device.</b>  Link: <a href="#">Join the meeting now</a></p> <p><i>Tenderers</i> must confirm their intention to attend with the Eskom <i>Representative</i> stating the name, position and contact details of each proposed attendee.</p>
2.17 Clarification on enquiry documents	The tenderer will notify the <i>Employer</i> of any clarifications required before the closing time for clarification queries, which is <b>05 working days i.e 16 May 2024 before the deadline for tender submission</b> .
2.23 Alternative tenders	Alternative tenders are <b>not allowed</b> .
2.31 Provision of security for performance	Not applicable
3.4 Opening of tenders	<p>Tenders will be opened at the same date and time as the tender deadline.</p> <p>Tenders will be opened on:  <b>Date: 24 May 2024</b>  <b>Time: 10h00 am SAST (GMT+2)</b>  <b>Place: The Tender Office Limlanga Cluster –Limpopo Millennium Building</b>  <b>90 Hans Van Rensburg Street</b>  <b>Polokwane</b></p>
3.5 Prices to be read out	Prices <b>will not be read out</b> .
3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <ol style="list-style-type: none"> <li>Meet the eligibility criteria for a tenderer, <i>refer to point 2.1 Eligible tenders on page 6 of this invitation to tender</i>.</li> <li>Submit original tender and a copy of the original tender to Eskom.</li> </ol>

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	<p>3. Central Supplier Database (CSD) number (MAA.....).</p> <p><b>Tenderers who do not meet this requirement will not be evaluated further.</b></p>
<p>3.10 Mandatory tender returnables</p>	<p><b>Step 2: Mandatory returnable requirements</b></p> <p>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.</p> <p><b>1 Commercial mandatory requirement.</b> The following are the commercial mandatory returnables to be submitted at tender closing (Detailed on 1.3 Tender returnables, from page 20-24)</p> <p><b>Returnable required at Tender closing (disqualifiable)</b> - 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.</p> <p>a) Submit fully completed and signed CPA Requirements for Local Services form – Annexure D in the invitation to tender.  b) Acceptance of the standardised rates (<b>regulated labour rates and unregulated rates</b>) as included in the NEC 3 TSC PART 2: C2.2 by signing a separate letter in their company’s letterhead or confirm the acceptance of the rates by signing the pricing data as included on the NEC3 Term Services Contract (TSC).  c) Completed and signed declaration of authority form / submit the signed resolution by the board confirming the duly authorised personnel to sign all documents in connection with this tender.  d) Submit fully completed and signed Integrity Declaration form – Annexure C in the invitation to tender.</p> <p><b>Returnable required at Tender closing. (Non-disqualifiable)</b> – 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</p>

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requested returnable are not fully completed, signed (if required on the returnable) and/or received by the Procurement Practitioner within 05 working days of the request; the tender must be disqualified.

- e) Submit fully completed and signed Integrity Declaration form – Annexure C in the invitation to tender.
- f) Submit fully completed and signed SBD1 form (Invitation to Bid-Annexure G) in the invitation to tender.
- g) Submit fully completed and signed SBD 4 form – (Bidders Disclosure Annexure I) in the invitation to tender.
- h) Submit 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.
- i) Submit 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.
- j) Submit fully completed and signed non-Disclosure agreement (NDA).

**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.

- k) Submit fully completed and signed SBD6.1 form (Preference Points Claim Form in terms of PPPFA 2022 regulations-Annexure H) in the invitation to tender.
- l) Proof of compliance to the stipulated Specific goals.

## **2 Technical mandatory returnables (Disqualifiable)**

**The following Technical mandatory returnables must be submitted at tender closing.** Failure to do so will result in the tenderer not being evaluated further. Detailed evaluation is stated on Appendix C from page 49 of this document.

- PSIRA registration for company and all directors as per ck for tendering Company and or JV partners.
- Valid PSIRA letter of good standing for tendering company and JV

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	<ul style="list-style-type: none"> <li>- Valid SAPS 365 clearance certificate (6 month from issuance) for all directors and or JV partners directors, as per CK. (Proof of application, SAPS 69 and SAPS 365 with offence not acceptable.</li> <li>- Valid Private Security sector provident fund compliance letter (PSSPF).</li> <li>- Liability insurance with the minimum amount of R10M.</li> </ul> <p><b>A tenderer that does not meet the mandatory requirements (commercial and technical) as stipulated above; will be deemed non-responsive. Only tenders that meet ALL the above mandatory requirements will proceed to the functionality (technical) evaluation.</b></p>
3.13 Functionality requirements	<p><b>Step 3</b> Functionality requirements <i>are applicable</i>.</p> <p>The functionality evaluation process will be a two-stage process comprising of a desktop evaluation and an on-site evaluation. The detailed functionality evaluation process is stated on Appendix A from page 49 -55 of this document.</p> <p><b>Stage 1 of functionality - Desktop evaluation</b></p> <p>The requirements shall be assessed as part of the desktop evaluation as per Appendix A.</p> <p>Functionality will be evaluated on a total weight of 100% with a minimum threshold of 80%. Tenderers who do not meet this threshold for functionality scoring will be disqualified and not be evaluated further.</p> <p><b>Stage 2 of functionality: Site Assessment</b></p> <p>Site assessment will only be performed on tenderers that have met the requirements of stage 1 above. On Site evaluation will be conducted by Eskom representatives at the tenderer's business premises, to verify the resources, tools and equipment as stated on Appendix A.</p> <p>Tenderers who do not meet the functionality requirements will be disqualified and not be evaluated further.</p>
3.15 Evaluation of price	<p><b>Step 4. Price and Specific goals</b></p>

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Price points will be calculated out of 80 or 90 for price based on the estimated value per sector.

Prices will be evaluated as follows:

Standardized rates are applicable, tenderers to accept the standardised rates (**regulated labour rates and unregulated rates**) as included in the NEC 3 TSC PART 2: C2.2 by signing a separate letter in their company's letterhead or confirm the acceptance of the rates by signing the pricing data as included on the NEC3 Term Services Contract (TSC).

All the tenderers that meet the evaluation processes mentioned above on points 3.9, 3.10 and 3.13 and accepted the standardized rate that are issued with the tender will be awarded 80/90 points for price.

The 80/20 preference point system will be applicable to Siyabuswa Sector in Highveld Zone (Emalahleni).

The 90/10 preference point system will be applicable to Highveld Zone (Ermelo - (Secunda sector and Ermelo sector), Lowveld Zone (Mbombela - (Hazyview sector and Malelane sector) and Highveld Zone (Emalahleni - (Mpumalanga Eskom Real Estate - ERE), Middelburg sector and Delmas sector) based on the estimated value.

The 80/90 and 20/10 preference point system will be used, the following formula for the price points will be applicable:

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

**80/20**

$$P_s = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

OR

**90/10**

$$P_s = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

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	<b>Invitation to Tender</b> <b>The provision of security services in Mpumalanga Province</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16	
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	<p>Ps = Points scored for price of tender under consideration  Pt = Price of tender under consideration  Pmin = Price of lowest acceptable tender</p> <p>Tenderer may only score points out of 80/90 for price</p>																														
3.17 Evaluation of Specific Goals	<p><b>Specific Goals evaluation</b></p> <p>A maximum of 20/10 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, the contract must be awarded to the tenderer scoring the highest points.</p> <table border="1"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>Number of points (90/10 system)</th> <th>Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr><td>1</td><td>10</td><td>20</td></tr> <tr><td>2</td><td>9</td><td>18</td></tr> <tr><td>3</td><td>6</td><td>14</td></tr> <tr><td>4</td><td>5</td><td>12</td></tr> <tr><td>5</td><td>5</td><td>8</td></tr> <tr><td>6</td><td>3</td><td>6</td></tr> <tr><td>7</td><td>2</td><td>4</td></tr> <tr><td>8</td><td>1</td><td>2</td></tr> <tr><td>Non-compliant contributor</td><td>0</td><td>0</td></tr> </tbody> </table> <p><b>NB: The following documents are required/submitted to claim specific goals points,</b></p> <ul style="list-style-type: none"> <li>Valid original or certified copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or</li> <li>Valid Copy B-BBEE Certificate issued by CIPC for EME's. OR</li> <li>Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of QSE's must be submitted, or</li> <li>Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or</li> <li>For JV's only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency</li> </ul>	B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)	1	10	20	2	9	18	3	6	14	4	5	12	5	5	8	6	3	6	7	2	4	8	1	2	Non-compliant contributor	0	0
B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)																													
1	10	20																													
2	9	18																													
3	6	14																													
4	5	12																													
5	5	8																													
6	3	6																													
7	2	4																													
8	1	2																													
Non-compliant contributor	0	0																													

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	<p>will be accepted and the certificate should be in the name of the JV.</p> <ul style="list-style-type: none"> <li>• Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown</li> <li>• Certified ID copies of shareholder(s)</li> <li>• Proof of Disability (where applicable)</li> </ul> <p><b>Tenderer failing to provide documentation for the allocation of specific goals points will not be disqualified, but'</b></p> <ul style="list-style-type: none"> <li>• Scores 0 points out of 20/10 for specific goals (B-BBEE)</li> </ul> <p>Note:</p> <p><b>Failure on the part of the supplier to submit supporting documents/proof of specific goals for purposes of evaluation and scoring by Tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.</b></p> <p><b>General Information on Validity of Sworn Affidavits</b></p> <p>The following must be considered when it comes to validity of Affidavits.</p> <p><b>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</b></p> <ul style="list-style-type: none"> <li>• Name/s of deponent as they appear in the identity document and the identity number.</li> <li>• Designation of the deponent as the <b>director, owner</b> or <b>member</b> must be indicated to know that person is duly authorised to depose of an affidavit. <b><u>(Mark the applicable option).</u></b></li> <li>• Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.</li> <li>• 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. <b><u>(No blank spaces to be left).</u></b></li> <li>• Indicate total revenue for the year under review and whether it is based on <b>audited financial statements</b> or <b>management account</b>. <b><u>(Mark the applicable option).</u></b></li> </ul>
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	<ul style="list-style-type: none"> <li>Financial year end as per the <b>enterprise's registration documents</b>, which was used to determine the total revenue. <u>(Financial year end to be stipulated by <b>day/month/year</b>).</u></li> <li>B-BBEE Status level. An enterprise can only have one status level. <b>(Tick applicable level)</b></li> <li>Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.</li> <li>Date deponent signed and date of Commissioner of Oath must be the same. <b><u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore, the Commissioner must also sign and stamp)</u></b></li> <li>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.</li> </ul>
3.18 Ranking of tenders	<p>Tenderers will be ranked by applying the preferential point scoring based on the relevant system as stipulated on point 3.15 and 3.17.</p> <p>Eskom will then add the score from Pricing and Specific goals together and rank the tenderers from the highest to the lowest.</p> <p><b>After the scoring and ranking of tenders, the following shall apply to break deadlock:</b></p> <ul style="list-style-type: none"> <li>In the event that two or more tenderers have scored equal points, the successful tender must be the one that scored the highest points for B-BBEE.</li> <li>If two or more suppliers scored equal points, including equal points for B-BBEE, the successful tender must be the one scoring the highest score for functionality if functionality is part of the evaluation process.</li> <li>In the event that two or more tenders are equal in all respects, the award must be decided by the drawing of lots.</li> </ul> <p>Eskom Holdings SOC Ltd reserves the right to award a tender to a supplier who may not be the highest scoring or highest ranked supplier in line with Section (2)(1)(f) of the PPPFA.</p>
3.19 Objective Criteria	<p><b>Step 5 Objective criteria <i>are not applicable.</i></b></p> <p><b>Please note:-</b></p>

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	<b>Eskom reserves the right to award to a tenderer who may not be the highest scoring/highest ranked tenderer, in line with Section (2) (1) (f) of the PPPFA.</b>
3.20 Reverse e-auction (if applicable)	Reverse e-auction <i>is not applicable</i> .
Contractual Requirements	<p><b>Step 6. Contractual Requirements</b></p> <p>The following contractual requirements apply:</p> <ol style="list-style-type: none"> <li>1. SHEQ requirements; and/or</li> <li>2. Financial statements; and/or</li> <li>3. Commercial compliance</li> <li>4. SDL&amp;I requirements</li> </ol> <p>Tenderer/ tenderers recommended for award, including those justified on the bases of objective criteria, must still meet Contractual requirements as set out in the enquiry. Contractual requirements exclude objective criteria and Contractual requirements are not evaluation criteria. They are required to be met and assessed after the evaluation and ranking of the tenders.</p> <p>The tenderer will be allowed <u>7 working days</u>, to resubmit the contractual requirements that were not met after the tender submission.</p> <p>Proof that the highest-ranked tenderer / preferred tenderer is able to meet the contractual requirements must be submitted before the contract may be awarded.</p> <p>If the tenderer does not meet a contractual requirement, mitigating factors, may be agreed to and be made terms and requirements of the contract. If the tenderer does not agree with the mitigating factors or if there are insufficient suitable mitigating factors or if the risk is deemed too high, the tender may be awarded to a tenderer other than the highest-ranked (the second-ranked).</p> <p><b>Tenderers failing to meet contractual requirements (OHS/SHEQ) will be ineligible for contract award.</b></p> <p>SDL&amp;I - Appendix B from page 56-57 of this document.  Health and Safety - Appendix C from page 58 to 68 of this document.  Quality - Appendix D on page 69-70 of this document).</p>

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### Commercial compliance

- It should be noted that some statutory documents are required for evaluation i.e., B-BBEE however they may expire during the evaluation process. A tenderer will not be awarded the contract if the following legislation documents are not valid:
  - Valid B-BBEE certificate or sworn affidavit.
  - Tax Compliance Status (TCS) e-filing PIN from SARS.
  - Valid Letter of Good Standing with the compensation body/ FEMA (Federated employer's mutual assurance)/RMA (Rand mutual Assurance).
- Proof of National Treasury Central Supplier Database (CSD) with a tax compliant status at contract award.
- Completed and signed Supplier Evaluation Pack for Service Providers – PAYE.

### Financial analysis – due diligence

The analysis of a supplier's financial statements is not a criteria for the purposes of the scoring and awarding of points, or the determination of competitive ranking but to determine if the supplier is financially stable enough to execute a contract of the magnitude to be awarded, and if not, the risk to Eskom.

Tenderer to submit.

- Latest audited comparable financial statements or comparable financial statements signed off by an accounting officer 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, comparable financial statements audited or signed by accounting officer 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.

Risk mitigating factors to be proposed may include obtaining a performance bond, parent company guarantee, any other financial assistance.

**Failure to meet “Contractual Requirements “by the stipulated deadlines; may result in the tenderer being regarded as non-**

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	<b>responsive and ineligible for contract award. Tenderers which do not meet all Eskom's Contractual requirements will not be evaluated further.</b>
2.25 Contractual Condition	<p>The contract terms and conditions will be based on a NEC3 Term Service Contract with Eskom specific conditions as follows:</p> <p><b>Main Option A: Priced contract with price list.</b></p> <p><b>Dispute resolution Option</b></p> <p><b>W1: Dispute resolution procedure</b></p> <p><b>Secondary options</b>  X1: Price adjustment for inflation  X2: Changes in the law  X17: Low service damages  X18: Limitation of liability  X19: Task Order  X20: Key performance indicators</p> <p>Z: Additional conditions of contract</p>
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements <b>are not applicable.</b>

**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](http://www.csd.gov.za)

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

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

### 1.3 TENDER RETURNABLES

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

#### NOTE:

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


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

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

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required at Tender closing (will not be disqualified but score zero) #	Returnable required prior to Contract Award.
<b>Basic Compliance</b>	1 original tender plus 1 additional complete hard copy of the original tender	✓			
<b>Authorised Tender</b>	Submit completed and signed declaration of authority form / submit the signed resolution by the board confirming the duly authorized personnel to sign all documents in connection with this tender	✓			
<b>Non-Disclosure agreement (NDA)</b>	Submit completed and signed Non-disclosure agreement (NDA)		✓		
<b>CSD registration number</b>	Proof of National Treasury Central Supplier Database registration (CSD) or provide CSD MAAA number (.....)	✓			
<b>Annexure A</b>	Acknowledgement Form		✓		
<b>Annexure B</b>	Tenderers Particulars		✓		
<b>Annexure C</b>	Integrity Pact Declaration form	✓			
<b>Annexure D</b>	CPA for local goods/services (if applicable) <b>Acceptance of the CPA conditions as stipulated in the tender document. Where CPA conditions are not accepted with the tender, the prices will be deemed fixed for the duration of the contract period.</b>	✓			
<b>Annexure F1-F4</b>	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E <b>where applicable.</b>	Not applicable			
<b>Annexure G</b> (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓		
<b># Annexure H</b>	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			✓	
<b>Annexure I</b>	SBD 4 – Bidders Disclosure		✓		
Reverse e-auction training		Not applicable			

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acknowledgement form					
<b>Additional Documents required in event of JV:-</b>	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓		
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract, or this may be included as an obligation within the JV agreement.		✓		
	# proof of compliance to the stipulated Specific goals.			✓	
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.				✓
<b># Specific Goals</b>	Failure on the part of the supplier to submit “ <b>proof of specific goals</b> ” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.			✓	
<b>Tax Clearance Certificates</b>	A certified copy of a tax clearance certificate is still required by foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number ) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number) .				✓

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	Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.				
<b>Tax Evaluation Questionnaire</b>	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]				✓
<b>Compliance with Employment Equity Act</b>	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)				✓
<b>CIDB</b>	Valid proof of the required CIDB grading designation for the main contractor; JV and/or sub-contractor as may be required in the tender data at tender closing deadline or within 21 working days from the closing date of submission of tenders if this is agreed with the Employer	Not applicable			
<b>NEC 3 TSC Documentation</b>	Acceptance of the standardised rates (regulated labour rates and unregulated rates) as included in the NEC 3 TSC PART 2: C2.2 by signing a separate letter in their company’s letterhead or confirm the acceptance of the rates by signing the pricing data as included on the NEC3 Term Services Contract (TSC).	✓			
<b>DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS</b>					
<b>Safety</b>	COIDA - Original certificate of good standing or proof of application issued by the Compensation				✓

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	Fund (COID) or a licensed compensation insurer (South African tenderers only)				
	List of Tender Returnable Documents/requirements on page 58-68				✓
<b>Quality</b>	List of Tender Returnable Documents on page 69-70				✓
<b>Commercial compliance statutory documents</b>	<ul style="list-style-type: none"> <li>• Tax Compliance Status (TCS) e-filing PIN from SARS.</li> <li>• Proof of National Treasury Central Supplier Database (CSD) with a tax compliant status at contract award.</li> <li>• Valid B-BBEE certificate or proof of B-BBEE Compliance (e.g. Valid sworn affidavit, CIPC affidavit) are mandatory for contract award – as such no contract may be awarded to a supplier without providing status of B-BBEE Compliance.</li> </ul>				✓

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable)**	Returnable required at Tender closing (will not be disqualified but score zero) #	Returnable required prior to Contract Award.
<b>Due Diligence</b>	<p>The tenderers must submit the latest and approved financial statement not older than 18 months after year end, as per requirements of company law. In the case of an unincorporated JV or a SPV, each partner of the entity must submit their financial statements which will be consolidated to determine their joint capability to execute the applicable contract.</p> <p>Where a new company is unable to provide audited financial statements for the last 18 months they may, at the discretion of Eskom, be permitted to provide audited financial statements for the most recent twelve-month operating period.</p> <p>Risk mitigating factors may include obtaining a performance bond or parent company guarantee or proof of financial capacity in terms of financial facilities (the limits of those facilities must be stated).</p>				✓
<b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA</b>					
Technical (required for functionality scoring)	<b>Detailed functionality evaluation criteria/requirements on Page 49- 55</b>	✓			

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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: NOT APPLICABLE**

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

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

---



---



---

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

Invitation to Tender No: **LP00160NX**

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

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

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

Contact details of contact person:

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

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## ANNEXURE B

### TENDERER'S PARTICULARS

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

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


**Tenderer please complete the following:**

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

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

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

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

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

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

8. If sub-contracting is prescribed in the specific enquiry, you need to 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? \_\_\_\_\_%

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

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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"/>
-----	--------------------------	----	--------------------------

**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 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 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/ 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 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:


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

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

Item	Question	Yes	No
1.1	<p>Is the <i>tenderer/s (or any of its directors/members/shareholders)</i> listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector</p> <p><b>[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].</b></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>).</p>		
1.2	<p>Is the <i>tenderer/s (or any of its directors / members / shareholders)?</i> listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>).</p>		
1.3	<p>Was the <i>tenderer/s (or any of its directors/members/shareholders)</i> convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?</p>		
1.3.1	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

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).

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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 may be rejected, and that Eskom will act against the tenderer should any aspect of this this declaration prove to be false, and

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

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

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

**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 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

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

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

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

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**ANNEXURE D**

**CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)**

**THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO THIS TENDER.**

Rates will be escalated after every 12 months, regulated rates escalation will be as per National Bargaining Council for the private security (PSIRA) sector publication and unregulated rates will be based on prevailing CPI as per StatsSA.

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

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**ANNEXURE G**

**SBD 1**


**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	LP00160NX	CLOSING DATE:	24 May 2024	CLOSING TIME:	10h00
DESCRIPTION	THE PROVISION OF SECURITY SERVICES IN LIMLANGA CLUSTER - MPUMALANGA PROVINCE FOR A PERIOD OF 36 MONTHS.				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<b>ESKOM HOLDING SOC LTD</b>					
<b>THE TENDER OFFICE LIMLANGA CLUSTER -LIMPOPO</b>					
<b>MILLENNIUM BUILDING</b>					
<b>90 HANS VAN RENSBURG STREET</b>					
<b>POLOKWANE</b>					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		<b>OR</b>	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			

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CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<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]**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
---	--	--	--

<b>SIGNATURE OF BIDDER</b>	.....	<b>DATE</b>	
----------------------------	-------	-------------	--

<b>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</b>	
---	--


<b>TOTAL NUMBER OF ITEMS OFFERED</b>		<b>TOTAL BID PRICE (ALL INCLUSIVE)</b>	
--------------------------------------	--	--	--

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY	ESKOM HOLDINGS SOC LIMITED	CONTACT PERSON	NCOMEKA XUMA
CONTACT PERSON	NCOMEKA XUMA	TELEPHONE NUMBER	011 709 3743
TELEPHONE NUMBER	011 709 3743	FACSIMILE NUMBER	0866625388
FACSIMILE NUMBER	0866625388	E-MAIL ADDRESS	<a href="mailto:ncomeka.xuma@eskom.co.za">ncomeka.xuma@eskom.co.za</a>
E-MAIL ADDRESS	<a href="mailto:ncomeka.xuma@eskom.co.za">ncomeka.xuma@eskom.co.za</a>		

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## PART B TERMS AND CONDITIONS FOR BIDDING

<b>BID SUBMISSION:</b>	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
<b>TAX COMPLIANCE REQUIREMENTS</b>	
1.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
3.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS 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.
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>
<b>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.</b>	

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

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**ANNEXURE H**

**SBD 6.1**

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

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

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

**1. GENERAL CONDITIONS**

- 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
  - 2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).


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

- 1. 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.

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

The maximum points for this tender are allocated as follows:

	<b>POINTS</b>	<b>POINTS</b>
<b>PRICE</b>	90	80
<b>SPECIFIC GOALS</b>	10	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>	<b>100</b>

- 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.


**3. 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).

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## 6. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 AND 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

$P_{min}$  = Price of lowest acceptable tender

## 7. POINTS AWARDED FOR SPECIFIC GOALS

1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  1. an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
  2. any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

*(Note to organs of state: Where either the 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed. (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Proof of compliance to the stipulated Specific goals. (B-BBEE / Affidavit)	10	20		

### 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 I

**SBD 4**

### BIDDER'S DISCLOSURE

#### 1. PURPOSE OF THE FORM

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

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

#### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise,

employed by the state?

**YES/NO**

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

Full Name	Identity Number	Name of State Institution

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

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

2.2.1 If so, furnish particulars:

.....  
 .....

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

1. If so, furnish particulars:

.....  
 .....

**3. DECLARATION**

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

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

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

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

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

---

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


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## APPENDIX A: TECHNICAL EVALUATION CRITERIA

Item No.	Criteria	Compulsory (all or nothing)	Remarks
	<p><b><u>MANDATORY DOCUMENTS</u></b></p> <ul style="list-style-type: none"> <li>- PSIRA registration for company and all directors as per ck for tendering Company and or JV partners.</li> <li>- Valid PSIRA letter of good standing for tendering company and JV</li> <li>- Valid SAPS 365 clearance certificate (6 month from issuance) for all directors and or JV partners directors, as per CK. (Proof of application, SAPS 69 and SAPS 365 with offence not acceptable.</li> <li>- Valid Private Security sector provident fund compliance letter (<b>PSSPF</b>)</li> <li>- Liability insurance with the minimum amount of R10M.</li> </ul> <p><b>All submitted documents should be clear enough to read as this might lead to disqualification.</b></p>		

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## DESKTOP EVALUATION

The following requirements shall be assessed as part of the desktop evaluation.

ITEM NO	CRITERIA AND PROOF OF DOCUMENTS REQUIRED	(SCORING POINTS)								
1.1	<b>COMPANY EXPERIENCE IN RENDERING SECURITY SERVICES.</b>  Submit minimum of 5 (Track record) in the form of copies of contract/ task order/ completion certificate /Letter of award for previously executed or current work.	<b>15</b>								
		<table border="1"> <tr> <td>Number of track records</td> <td>No track record</td> <td>Track record 1-2</td> </tr> <tr> <td>Points</td> <td>0</td> <td>5</td> </tr> </table>	Number of track records	No track record	Track record 1-2	Points	0	5		
Number of track records	No track record	Track record 1-2								
Points	0	5								
		<table border="1"> <tr> <td>Number of track records</td> <td>Track record 3- 4</td> <td>Track record 5 and above</td> </tr> <tr> <td>Points</td> <td>10</td> <td>15</td> </tr> </table>	Number of track records	Track record 3- 4	Track record 5 and above	Points	10	15		
Number of track records	Track record 3- 4	Track record 5 and above								
Points	10	15								

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<b>1.2</b>	<p><b>MANPOWER CAPABILITY:</b></p> <ul style="list-style-type: none"> <li>- Provide as per PSIRA manpower list showing security officers registered with PSIRA under the tendering company name.</li> <li>- Submit certified copies of the certificate of the following (all members must appear on PSIRA list): <ul style="list-style-type: none"> <li>• Minimum of 1 grade B (supervisors) required per area tendered for</li> <li>• Minimum Grade C (normal guards) required per area tendered for</li> <li>• Minimum armed reaction Grade C officers required per area tendered for.</li> <li>• Minimum Grace C dog handlers required per area tendered for</li> </ul> </li> </ul> <p><b>(No duplication of resources between areas will be allowed/accepted).</b> It should be noted that each area requirements will be evaluated separately.</p>	<p><b>30</b></p> <p><b>10</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Number</th> <th style="width: 33%;">No PSIRA listing</th> <th style="width: 33%;">PSIRA listing attached</th> </tr> </thead> <tbody> <tr> <td>Points</td> <td>0</td> <td>10</td> </tr> </tbody> </table> <p><b>20</b></p> <p><b>5 points per bullet</b></p>	Number	No PSIRA listing	PSIRA listing attached	Points	0	10
Number	No PSIRA listing	PSIRA listing attached						
Points	0	10						

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<b>1.3</b>	<p><b>FIREARM COMPLIANCE:</b></p> <p>1. Minimum required firearms per area tendered for, registered in the name of the tendering company <b>readily available for use at Eskom</b>, copies of valid firearm licenses in the name of tendering company per area tendered for. (Proof of purchase, list from SAPS not acceptable). <b>Copies of valid Firearm licences should be clear enough to read as this might lead to disqualification.</b></p> <p>2. Firearms competency certificates for owner/s</p> <p>3. Firearms competency certificates for users (minimum required per area tendered for)</p> <p>4. Firearms refresher/training records (minimum required per area tendered for)</p> <p>5. Firearms ammunition stock registers/official list</p> <p>6. Safe handling procedure for firearms in place</p> <p>7. Firearms incidents registers in place</p> <p>8. Official appointment letter of amour official</p> <p>9. Firearms issuing registers/permits</p> <p><b>(No duplication of resources between areas will be allowed/accepted).</b> It should be noted that each area requirements will be evaluated separately.</p>	<p><b>36 points</b></p> <p><b>Number 1 (20 points)</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 25%;">Number</td> <td style="width: 25%;">0 or less than minimum</td> <td style="width: 50%;">Minimum and above</td> </tr> <tr> <td>Points</td> <td>0</td> <td>20</td> </tr> </table> <p><b>Number 2-9 (16 points)</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">Number</td> <td style="width: 35%;">No copies submitted</td> <td style="width: 50%;">Points per number on the left</td> </tr> <tr> <td>Points</td> <td>0</td> <td>2</td> </tr> </table>	Number	0 or less than minimum	Minimum and above	Points	0	20	Number	No copies submitted	Points per number on the left	Points	0	2
Number	0 or less than minimum	Minimum and above												
Points	0	20												
Number	No copies submitted	Points per number on the left												
Points	0	2												

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1.4	<b>PRODUCTION/ VEHICLES FIT FOR BUSINESS PURPOSE:</b> LDV 4x2/ 4x4 fit for business purpose ( <b>minimum required per area tendered for, readily available in use for Eskom</b> ), proof of vehicle registration in the name of tendering company. Lease agreement is not acceptable. <b>(No duplication of resources between areas will be allowed/accepted).</b> It should be noted that each area requirements will be evaluated separately.	19		
		Number	0 to less than minimum	Minimum and above
		Points	0	19
	<b><u>Total Score</u></b>	<b>100</b>		
	<b><u>Minimum Threshold</u></b>	<b>80</b>		

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## SITE EVALUATION

Item No.	Criteria	YES / NO
1.	<b><u>CONTROL ROOM AND COMMUNICATION CAPABILITY</u></b> <ul style="list-style-type: none"> <li>- Operational cell phones available</li> <li>- Operational of hand radios/ PTT radio</li> <li>- Operational of panic buttons/ GMU System (test between the site and control room and vehicles) should be visible at the control room. NB Sefeko GMU system is excluded and will not be acceptable.</li> <li>- Operational vehicle tracking system (test of the submitted vehicle documents registered in the name of tendering company will be done) it should be monitored and visible inside Control room monitoring screens.</li> <li>- Backup power / UPS</li> <li>- Heater/s with safety features (Electricity powered heaters) with on and off button.</li> <li>- Security Operations Books Branded in Tendering company name and logo</li> </ul>	
2.	<b><u>STRONG ROOM (minimum required per area tendered for, readily available for use at Eskom)</u></b> <ul style="list-style-type: none"> <li>- Strong room for safekeeping of firearms as per SABS approved standard. Two-man rule must be displayed during the visit. <b>OR</b></li> <li>- Mounted firearm safe, inside well secured room, two-man rule must be displayed during visit.</li> <li>- Service record of the firearm, new firearms, and unused firearm (Present letter from approved gunsmith)</li> <li>- Bullet catcher</li> </ul>	
3.	<b><u>UNIFORM:</u></b>	

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	<ul style="list-style-type: none"> <li>- <b>Present company uniform as per PSIRA specification:</b></li> <li>- Set of combat and safety boots</li> <li>- Set of winter Jackets and hat</li> <li>- Set of commercial uniform</li> <li>- Bullet vest, level 111 Amour <b>with Ballistic Plates</b></li> </ul>	
4.	<p><b><u>VEHICLES / LDV 4X2 / 4X4 (minimum required per area tendered for, readily available for use at Eskom)</u></b></p> <ul style="list-style-type: none"> <li>- Mounted communication device / radio.</li> <li>- Mounted spotlights</li> <li>- Handheld torch</li> <li>- Branding: Vehicles must be branded with the tendering company logo. No magnetic branding is allowed.</li> </ul>	

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## APPENDIX B SDL&I

### Section 1: Specific Goals

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

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

#### NB: The following documents are required for scoring on specific goals:

- Valid original or certified copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or
- Valid Copy B-BBEE Certificate issued by CIPC for EME's. OR
- Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of QSE's must be submitted, or
- Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or
- For JV's only valid original or certified copy B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.
- Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown
- Certified ID copies of shareholder(s)
- Proof of Disability (where applicable)

#### Tenderer failing to provide documentation for the allocation for scoring on specific goals will not be disqualified, but'

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

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**Section 2: Objective criteria NOT APPLICABLE**

**Objective Criteria in terms of Section 2(1)(f) of the PPPFA is not applicable.**

- Designated Sectors (Local Production and Content) is not applicable.
- NIPP Requirements is not applicable.
- CIDB Skills Development is not applicable.
- Mandatory Subcontracting as condition of award is not applicable.

**SECTION 3 TO 6 REFER TO THE SDL&I FOLDER ATTACHED FOR BIDDER TEMPLATES PER SECTOR**

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**APPENDIX C HEALTH AND SAFETY REQUIREMENTS**

**High Risk Category: Objective Evidence Evaluation Criteria**

These requirements must be submitted with the tender documents.

<u>Ref.</u>	<u>KPIs</u>	<u>Submission</u>	<u>Actual score</u>	<u>Comments</u>
		Y = Yes N= No N/A = Not applicable		
1.	Is the acknowledgement of Eskom's SHE rules, and requirements form (Annexure B) signed and submitted by the tenderer?			
2.	Costing for Safety Health and Environmental management completed and submitted <b><u>(include Covid-19 PPE).</u></b>			

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<u>Ref.</u>	<u>KPIs</u>	<u>Submission</u>	<u>Actual score</u>	<u>Comments</u>
		Y = Yes N = No N/A = Not applicable		
3.	Baseline Risk Assessment (BRA) submitted Identification, assessment, and management of <b><u>SHE risks related to the scope of work and Covid-19</u></b> . The risk assessment methodology must be provided together with the BRA, i.e. risk analysis, <ul style="list-style-type: none"> <li>• Consequence rating</li> <li>• Likelihood rating</li> <li>• Risk rating</li> </ul> . Review date must be two years			
- 4.	Valid Letter of Good Standing (COIDA or equivalent) submitted			

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		Y = Yes N = No N/A = Not applicable		
5.	<u><b>SHE company and Covid-19 policy submitted</b></u>  They must both be signed by the head of the company			
6.	Valid Medical Fitness Certificate from a registered Occupational Practitioner. Minimum 2 x Medical Certificates from an Occupational Health Practitioner			
7.	<u><b>SHE Competency, training certificates submitted and appointment letters</b></u>			

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<u>Ref.</u>	<u>KPIs</u>	<u>Submission</u>	<u>Actual score</u>	<u>Comments</u>
		Y = Yes N= No N/A = Not applicable		
	(Consider scope of work, risks, SHE plan and applicability ) i.e., qualifications / certificates applicable for this service <ul style="list-style-type: none"> <li>• First aid level 1 &amp; 2</li> <li>• Safety Management training certificate (NEDSAM / Safety Management training), or equivalent</li> <li>• Safety Health and Environment Representative</li> <li>• Incident investigator</li> </ul>			

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		Y = Yes N = No N/A = Not applicable		
	<ul style="list-style-type: none"> <li>• Hazard Identification Risk Assessment (HIRA)</li> <li>• Fire Warden</li> <li>• Legal Liability Training for 16.2 Company SHE Organogram</li> <li>• Appointment letters (as per Organogram)</li> </ul>			

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		Y = Yes N = No N/A = Not applicable		
8.	<u><b>Covid-19 Awareness Training.</b></u> <ul style="list-style-type: none"> <li>Covid-19 Compliance Manager Appointment</li> <li>Covid-19 Compliance Officer</li> </ul>			
9.	Transport Safety. Vehicle management procedure as per the National Road Traffic Management Act 93 of 1996 and <u><b>Covid-19 Transport Regulations.</b></u>			

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		Y = Yes N = No N/A = Not applicable		
10	<u><b>Incident Management Procedure</b></u> As prescribed in relevant sections of the OHS Act 85 of 1993 Incident Management Procedure for safety related incidents. Management of Covid-19 related incidents procedure			
- 11.	<u><b>Substance abuse management</b></u> Substance abuse procedure <ul style="list-style-type: none"> <li>Substance abuse policy</li> </ul>			

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		Y = Yes N = No N/A = Not applicable		
	<ul style="list-style-type: none"> <li>Breathalyzer test instrument calibration certificate</li> </ul>			
12.	<p><b><u>Operational Procedures (Written Safe Work Procedures)</u></b></p> <p>The written safe work procedures must address over and above the following listed activities.</p> <ul style="list-style-type: none"> <li>Daily Operations (patrol, access control and armed response)</li> <li>Working hours – compliance with Labour Relations/Basic Conditions of Employment Act -</li> </ul>			

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		Y = Yes N= No N/A = Not applicable		
	Duty roster must cover 40 hours a week per employee. <ul style="list-style-type: none"> <li>Covid-19 (screening, temperature scanning, masks, gloves)</li> </ul>			
13.	Emergency preparedness plan Relevant to the scope and <b><u>Covid-19</u></b>			
14.	<b><u>Company SHE Performance for the past three years.</u></b> Both new and existing suppliers/contractors must submit the incident register indicating the type of			

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	incidents experienced to date. Indicate the following incidents: <ul style="list-style-type: none"> <li>• Fatalities</li> <li>• LTI (Booked off-duty occupational injury)</li> <li>• Medical (Not booked off-duty occupational injury)</li> <li>• First Aid injuries</li> <li>• Near Misses</li> <li>• Property Damage Incident</li> </ul>			
- 15.	<u><b>Occupational Health and Safety Plan for the Scope of work must be submitted?</b></u> The content			

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		Y = Yes N = No N/A = Not applicable		
	must include but not limited to the following elements:  •Health and Safety Organogram indicating Legal Appointments within the Company-Responsibility & Accountability			
	<b>TOTAL</b>			<b>Approved/ Not Approved</b>


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		<b>Review Date</b>	February 2028			


**APPENDIX F**

	<b>Supplier Quality Management: List of Tender Returnables Documents</b>	Unique Identifier		<b>240-12248652</b>
		Revision		<b>7</b>
		Effective Date		<b>2022/01/26</b>
		Specification		<b>240-105658000</b>
		<b>Deliverables to be evaluated indicator = 1</b>		
<b>Category 3</b>	<b>: Quality Requirements</b>			
<b>SECTION A : Quality Management System Requirements ISO 9001</b> <b>(Option 1) Valid certification of Quality Management System by an ISO accredited body</b>				
			<b>Apply =1</b>	
A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant		0		
A.2 Certificate by Approved and Authorized certification authority		0		
A.3 Certification Authority has Recognized International Accreditation		0		
A.4 Validity (expiry date) of certificate		0		
<b>Section A Score Option 1</b>			<b>0</b>	
<b>SECTION A : Quality Management System Requirements ISO 9001</b> <b>Objective evidence of documented QMS that is not certified but complies with ISO 9001</b>				
			<b>Apply =1</b>	
A.1 QMS Manual or a document that defines and describes the QMS and its scope		1		
A.2 Quality Policy Approved by top management.		1		
A.3 Quality Objectives Approved by top management.		1		
A.4 Control of documented information (i.e. document and record control) Clause 7.5 of ISO 9001:2015		1		
A.5 Documented information for Control of nonconforming outputs Clause 8.7 of ISO 9001:2015		1		
A.6 Documented information for Nonconformity and Corrective action Clause 10.2 of ISO 9001:2015		1		
A.7 Documented information for Internal audit Clause 9.2 of ISO 9001:2015		1		
<b>Section A Score Option 2</b>			<b>7</b>	
<b>SECTION B: Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000)</b>				

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	<b>Invitation to Tender</b> <b>The provision of security services in Mpumalanga Province</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	16
		<b>Effective Date</b>	February 2023		
		<b>Review Date</b>	February 2028		

	<b>Apply =1</b>
B.1 Documented information for defined roles, responsibilities and authorities - Organization chart and Responsibility matrix (must include but not limited to quality management function/role) (Clause 5.3 of ISO 9001:2015)	1
B.2 Documented information for Control of Externally Provided Processes, Products and Services - Must include criteria for evaluation, selection, monitoring of performance, and re-evaluation of external providers (Clause 8.4 of ISO 9001:2015)	1
<b>Section B Score</b>	<b>2</b>

<b>SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698).  Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)</b>	
	<b>Apply (Yes=1)</b>
NB! Draft Contract/Project Quality Plan has important QA deliverables	1
<b>Section C Score</b>	<b>1</b>

<b>SECTION E: User defined additional Requirements &amp; miscellaneous (Ref 240-105658000)  Customer specific requirements &amp; other standards and required can be listed and evaluated here</b>	
	<b>Apply (Yes=1)</b>
E.1 Form A is completed and signed.	1
<b>Section E Score</b>	<b>1</b>

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