

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

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER

FOR

The provision of vegetation management (Bush Clearing/Herbicide Application and Grass Cutting in Limlanga Cluster - Limpopo on an “as and when” required basis over a period of 60 months.

Tender number	LP00158NK
Issue date	29 April 2024
Closing date and time	30 May 2024 at 10h00
Tender validity period	170 days from the closing date and time
Clarification meeting	<p>A non-compulsory clarification meeting will be held via Microsoft Teams prior tender closure as follows:</p> <p>Date: 17 May 2024 Time: 10h00am Venue: MS Teams (Join on your computer, mobile app or room device)</p> <p>Click here to: Join the meeting now</p>
Tenders are to be delivered to the following address on the stipulated closing date and time:	Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane

Contracting approach:

- One panel of 34 contractors will be established with highest ranked successful contractors in accordance with PPR 2022. Work will be allocated on a rotational basis.

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- Standard rates are applicable, and it is mandatory for contractors to accept the rates. All contractors who accepted the rates will score 80 points.
- A tenderer will score a maximum of 20 points for the specific goal. The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. Subject to Section (2)(f) of the Act, the contract will be awarded to the tenderer scoring the highest points.

Allocation of task orders will be approved by the Regional Task Order Committee (TOC), for specific projects task orders.

Determination of work allocation by the TOC is done considering the following:

- Legal and statutory accreditations; (CSD and B-BBEE)
- Availability of resources and quality;
- Service providers capacity to execute the required scope;
- Previous performance appraisal results;
- Service providers past SHE performance;
- Notification of default issued to the service provider

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a *tender* for the the provision of vegetation management (Bush Clearing/Herbicide Application and Grass Cutting in Limlanga Cluster - Limpopo on an “as and when” required basis over a period of 60 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/proposal by you in response to this *[Invitation/RFP]* will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via www.eskom.co.za).

Tender documentation can be downloaded from the following:

1. <http://tenderbulletin.eskom.co.za/>
2. www.etenders.gov.za

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

Yours faithfully



Madimetja Phalane

Procurement Manager

Date: 22/04/2024

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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 www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure C	Y
1.1.4	*CPA Requirements for Local Goods/Services	Annexure D	Y
1.1.5	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure E	N
1.1.6	SBD 6.2- Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included).	Annexure F1	N
	Annexure C-Local Content Declaration-Summary Schedule	Annexure F2	N
	Annexure D-Imported Content Declaration – Supporting Schedule to Annexure C	Annexure F3	N
	Annexure E-Local Content Declaration-Supporting Schedule to Annexure C	Annexure F4	N
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	Y
1.1.11	Reverse e-auction training acknowledgement form (if applicable)	Not Applicable	N

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1.1.12	Reverse e-auction process (if applicable)	Not Applicable	N
1.1.13	Contract Skills Development Goals (CSDG) [if applicable]	Not Applicable	N
1.1.14	Contract Participation Goals (CPG) [if applicable]	Not Applicable	N
1.1.15	NEC 3 Terms Services Contract (TSC3) documents	Attached Separately	Y
1.1.16	Non-Disclosure agreement (NDA)	Attached Separately	Y
1.1.17	Authority to submit a tender (returnable schedule)	Attached Separately	Y
1.1.18	Occupational Health and Safety Act: Section 37(2) Agreement - Form	Attached Separately	Y
1.1.19	Eskom Standard conditions of tendering Rev.11	Attached Separately	Y
1.1.20	Annexure B- Acknowledgement of Eskom's SHE rules	Attached Separately	Y
1.1.21	Contract Quality Plan	Attached Separately	Y
1.1.22	(Form A) tender & contract quality requirements for 240-105658000 and quality requirements for ISO 9001 standard	Attached Separately	Y
1.1.23	Supplier Quality Management: Specification (QM 58)	Attached Separately	Y
1.1.24	Quality Control Plan	Attached Separately	Y

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1.1.25	Supplier Declaration of Interest	Attached Separately	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. The **“Tender Data”** as detailed herein shall take precedence over the **Standard Conditions of Tender** in the event of any ambiguity or inconsistency between the two documents.

Clause Number from Standard Conditions of Tender	Tender Data
1.1 Parties	<p>The <i>Employer</i> is Eskom Holdings SOC Ltd</p> <p>The Eskom <i>Representative</i> is: Name: Noko Kganyago Tel: 015 299 0671 E-mail: Kganyani@eskom.co.za</p>
1.3 Enquiry documents	<p>The Invitation to tender number is: LP00158NK</p> <p>See the content list above for the enquiry documents.</p>
1.4 Type of Invitation to Tender/RFP	<p>This invitation to tender is:</p> <p>1. An open Invitation to tender</p>
1.6 Eskom's rights to accept or reject any tender	<p>The tender shall be for the whole of the contract.</p>
2.1 Eligible tenders	<p>Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.</p> <p>Tenderers are deemed ineligible to submit a tender if</p> <p>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.</p>

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	<ol style="list-style-type: none"> 2. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium 3. [Tenders/proposals] 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. 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/RFP] process, if: <ol style="list-style-type: none"> 1. (a) they have a controlling partner/majority shareholder in common; or 2. (b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process; 5. Tenders signed by non- authorized persons 6. Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers) 7. Any tenderer that is restricted by National Treasury 8. Any tenderer on the Tender Defaulters list. 9. A tenderer that sub-contracts 100% Scope of Work. <p style="text-align: center;">Ineligible tenderers will be disqualified.</p>
2.2 -2.5 Tender Closing	<p>The deadline for tender submission is: Date: 30 May 2024 Time: 10h00 am</p> <p style="text-align: center;">Late Tenders will not be accepted</p> <p>Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address: Eskom Holding SOC Ltd The Tender Office Limlanga Cluster -Limpopo Millennium Building 90 Hans Van Rensburg Street Polokwane MARKED: CONFIDENTIAL TENDER NO: LP00158NK</p>

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	<p>NB: No emailed or faxed tenders will be accepted. Tenders must be hand delivered to the above address.</p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline.</p> <p>Tenderers will not be permitted to provide the required copies after the deadline for tender submission have passed, and Eskom will not be responsible for the making of copies of tenders for the purposes of evaluation.</p> <p>The soft copy of the pricing schedule is not a substitute for the hard copy which must still be provided.</p> <p>Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p> <p>Evaluations are usually based on the copy provided. Therefore, it is the tenderer’s responsibility to ensure that the copy is 100% identical to the original and Eskom will not accept any liability if it bases its evaluation on an incomplete copy provided by the tenderer.</p>
2.13 Tender Validity Period	<p>The tender validity period is 24 weeks from the closing date and time</p>
2.16 Site/clarification meetings	<p>A non-compulsory clarification meeting will be held via Microsoft Teams prior tender closure in order to assist all potential suppliers in complying with Eskom tender requirements.</p> <p>Meeting will be held as follows:</p> <p>Date: 17 May 2024 Time: 10h00am SAST (GMT+2) Venue: via Microsoft teams must click on the link below. (Join on your computer, mobile app or room device)</p> <p>Click here to: Join the meeting now</p>

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	<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.
2.17 Clarification on enquiry documents	The tenderer will notify the Employer of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.
2.23 Alternative tenders	Alternative tenders are not allowed
2.31 Provision of security for performance	Will be detailed in the NEC3 Term Service Contract
3.4 Opening of tenders	Tenders will be opened at the same date and time as the tender deadline.
3.5 Prices to be read out	Prices will not be read out .
3.9 Basic Compliance	<p>Basic compliance for this invitation to tender are:</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer • The tenderer must submit two hard copies of the tender (an original tender plus 1 additional complete hard copy of the original tender) • Central Supplier Database (CSD) number (MAA.....) <p>Tenderers who do not meet this requirement will not be evaluated further.</p>
3.10 Mandatory tender returnables	<p>Step 2 – Mandatory returnable requirements</p> <p>The following are the mandatory returnables to be submitted at tender.</p> <p>Commercial:</p> <ul style="list-style-type: none"> • Acceptance of the Rates; failure to accept rates, the tender will be deemed non-responsive. Form of offer and acceptance as well as the rates in the NEC3 documents to be completed and signed by the tenderer. • 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. Note – The authorisation form must be submitted

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	<p>to confirm the authority of the supplier’s representative to act as an authorised agent on behalf of the supplier.</p> <p>Returnable required at Tender closing (non-disqualifiable)</p> <ul style="list-style-type: none"> • Submit completed and signed SDB1 (Annexure G) form as included in the invitation to tender. • Submission of JV agreement or intent to form a JV, only for suppliers tendering as • JV. For JV’s only valid original or certified copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV. • Submit completed and signed integrity pact declaration form. • Submit completed and signed non-disclosure agreement (NDA) • SBD 4 – Bidders disclosure (Annexure I) <p>Technical:</p> <ul style="list-style-type: none"> • Valid Pest Control Officer (PCO) Licence in terms of the Fertilizer, Farm Feeds, Agricultural remedies and Stock remedies Act, 1947 (Act 36 of 1947) • PCO certificate must be supported by an appointment letter signed by both the PCO and the tenderer. • The Pest Control Operator must be registered in the field of “Industrial Vegetation and Noxious Weeds”. • The certified copy of the original PCO certificate should not be older than 3 months. <p>Non-responsive /Unacceptable tenders will be disqualified, and all responsive tenders will be evaluated further mandatory technical requirements.</p>
3.13 Functionality requirements	Functionality requirements All responsive tenders will be evaluated further for non-negotiable functionality threshold as follows:

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Functionality	Weightings
Technical	100%
Total	100%
Overall minimum threshold for qualification	90%

A weighted score-card approach is used to evaluate the technical compliance of the tenders against the specifications. The technical evaluation criteria and weights are as illustrated below:

Item no	Criteria	Weights	Comments
1	Work Experience/ Manpower/Key personnel and qualifications	50%	Note: Submit the company organogram. The certificates submitted for this item needs to be for the same resources as reflected in the Company Organogram i.e appointed Brush cutter operators, Senior Supervisor, Chainsaw operators as well as Pest Control Officer.
1.1	Work Experience: Contractor must have undertaken similar work (Bush clearing, Tree cutting as well as herbicide application, High risk tree felling, Grass cutting including substation) in the past years. 2 completed projects = 5% 3 and above =10%	10%	Submit proof of completion certificate signed by the Client and the supplier/contractor.

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	1.2	<p>Minimum one (1) Supervisor with the following certificates.</p> <ul style="list-style-type: none"> • Outcome 3; = 35% • Tree ID = 5% <p>OR</p> <ul style="list-style-type: none"> • ORHVS (HVO 02) = 5% • HIRA certificate = 5% • Fas = 5% • Equipotential Eathing = 5% • First aid level 02 = 5% • Supervision = 5% • Medical surveillance = 5% • Tree ID = 5% 	40%	The tenderers are required to submit Outcome 3 authorisation and Tree ID or authorisation prerequisites and Tree ID to receive full points.
	2	Accreditation	40%	Note: Submit the company organogram. The certificates submitted for this item needs to be for the same resources as reflected in the Company Organogram
	2.1	Minimum Chainsaw Operator certificates (X2)	20%	
	2.2	Minimum Brush Cutter Operator certificates (X2)	20%	
	The tenders are required to submit all the certificates listed on item 2.1 and 2.2 above to score full points. If one certificate is not submitted, then the tenderer will score 0.			

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		All Certificates must be certified, and the certified copy of the original certificate should not be older than 3 months and Certificates with EWSETA numbers will be accepted.		
3	Vehicles	10%		
	<p>Minimum one (1) vehicle to transport seven (7) passengers with a trailer.</p> <p>Or</p> <p>2 Double cabs with Canopy/Tonneau Cover OR 4 single Cabs with Canopy /Tonneau Cover</p> <p>Please note:</p> <ul style="list-style-type: none"> No employees, including contractor employees, when performing work for Eskom, will be transported in the back of open vehicles such as LDV's or trucks. No employees, including contractor employees, when performing work for Eskom, will be transported in the back of vehicles closed by means of canopies, unless provided with proper 	10%		Owned and Registration to be in the name of the tendering company or one of the directors of the company. Vehicles registration documents to be submitted for functionality evaluation will be verified on site in order to conclude functionality scoring.

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	seating and safety belts								
	Total	100%							
	<p>Compulsory Site Assessment</p> <p>The site verification will be to confirm resources required for this tender. Eskom reserves the right to conduct site evaluations only with any contractor that has passed desktop evaluation stage. Eskom will conduct Site Assessments of Vehicles with proof of ownership and tools requirements. This verification will take place at the tenderer’s premises or a suitable site. Tenderers will be contacted by Eskom officials in order to make arrangements for the site assessment.</p> <p>Tenderers must confirm their intention to attend with the Eskom Representative stating the name, position and contact details of each proposed attendee.</p> <p>Please note that if the tender stipulates that a site meeting is mandatory/compulsory; then suppliers must attend such meeting. Those suppliers who do not attend such site mandatory/compulsory meeting will be disqualified and will not be evaluated.</p> <p>Shared resources (e.g. PCO, authorization and training certificates of employees) shall not be accepted. Tenderers sharing certificates and found to have misrepresented information on the Tender document shall be disqualified.</p> <p>Note: Eskom reserves the right to conduct reference checks if a need arise, Tenderer(s) shall be disqualified if found to have misrepresented information on the tender document.</p> <p>Tenders which fail to meet the functionality minimum threshold will not be evaluated further</p>								
3.15 Evaluation of price	<p>Step 4 – Price and Preference: evaluation of price and specific goals</p> <p>Price and preference will be applied as follows:</p>								

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	<p>The evaluation will be conducted in terms of the Preferential Procurement Regulation 2022 (PPR 2022). 80/20 preference points system will be used for evaluations. Standard rates are applicable, and it will be mandatory for contractors to accept the rates. All contractors who accepted the rates will score 80 points. A tenderer will score a maximum of 20 points for the specific goal. The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract will be awarded to the tenderer scoring the highest points.</p> <p>Prices will be scored out of 80</p>																				
<p>3.17 Evaluation of Specific Goals</p>	<p>Allocation of Specific Goals will be scored out of 20 points in accordance with PPPFA.</p> <p>Preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:</p> <table border="1" data-bbox="641 913 1516 1630"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th> <th>Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>20</td> </tr> <tr> <td>2</td> <td>18</td> </tr> <tr> <td>3</td> <td>14</td> </tr> <tr> <td>4</td> <td>12</td> </tr> <tr> <td>5</td> <td>8</td> </tr> <tr> <td>6</td> <td>6</td> </tr> <tr> <td>7</td> <td>4</td> </tr> <tr> <td>8</td> <td>2</td> </tr> <tr> <td>Non-compliant contributor</td> <td>0</td> </tr> </tbody> </table> <p>Valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, for company's annual Total Revenue of R10 Million or less to</p>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-compliant contributor	0
B-BBEE Status Level of Contributor	Number of points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-compliant contributor	0																				

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qualify as an Exempted Micro Enterprise therefore tenderers can submit Sworn Affidavit. If annual Total Revenue is R50 Million or less, tenderers qualify as Qualifying Small Enterprise and must comply with all of the elements of QSE score card relevant to their sector unless an entity is at least 51% Black owned tenderers are required to obtain a Sworn affidavit. If Annual Total Revenue is above R50m tenderers need to submit a Valid B-BBEE certificate.

The following documents are required to claim preference points:

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

Failure on the part of a supplier to submit proof of B-BBEE status level of contributor for purposes of evaluation and scoring by the tender closing, will not result in disqualification; however, if the tenderer is otherwise deemed to be responsive and acceptable in all other aspects, the tenderer will then be scored zero on B-BBEE for purposes of PPPFA scoring and ranking.

Thirty-four (34) highest scoring tenderers will qualify for the panel provided they attain the necessary authorization as previously stated. Should more than thirty-four contractors be tied in scoring the following will be applied to achieve the required 34:

- If functionality is part of the evaluation process and two or more tenderers score equal total points and equal preference points for B-BBEE, the contract must be awarded to the tenderer that scored the highest points for functionality.
- If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for B-BBEE.
- If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

Note: A tenderer may not be awarded points for B-BBEE status level if the tender documents indicate that the tenderer intends subcontracting more than 25% of the value of the contract to any

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other person not qualifying for at least the points that the tenderer qualifies for unless the intended subcontractor is an EME that has the capability to execute the subcontract.

Tenderers failing to submit the following documentations for allocation of points will not be disqualified but will score zero. These returnables are mandatory for evaluation and therefore required at tender closing time and date.

- a) SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations (Annexure H)
- b) Proof of compliance to the stipulated Specific goals i.e., BBB-EE certificate or Sworn affidavit.

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

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

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as the **director, owner** or **member** must be indicated in order to know that person is duly authorised to depose of an affidavit. **(Mark the applicable option)**.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. **(No blank spaces to be left)**.
- Indicate total revenue for the year under review and whether it is based on **audited financial statements** or **management account**. **(Mark the applicable option)**.
- Financial year end as per the **enterprise's registration documents**, which was used to determine the total revenue. **(Financial year end to be stipulated by day/month/year)**.
- B-BBEE Status level. An enterprise can only have one status level. **(Tick applicable level)**

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	<ul style="list-style-type: none"> Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status. Date deponent signed and date of Commissioner of Oath must be the same. <u>(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore, the Commissioner must also sign and stamp)</u> 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.
3.18 Ranking of tenders	<p>The evaluation will be conducted in terms of the Preferential Procurement Regulation 2022 (PPR 2022). 80/20 preference points system will be used for evaluations. Standard rates are applicable, and it will be mandatory for contractors to accept the rates. All contractors who accepted the rates will score 80 points. A tenderer will score a maximum of 20 points for the specific goal. The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract will be awarded to the tenderer scoring the highest points.</p>
3.19 Objective Criteria (if applicable)	<p>Step 5: Objective criteria as per PPPFA 2(1)(f)</p> <p>Local Content and Production</p> <p>Not applicable</p>
3.20 Reverse e-auction (if applicable)	<p>Reverse e-auction is not applicable</p> <p>Please note:- Reverse e-auction is an electronic price and preference point system (aligned to PPPFA) that aims to achieve the most competitive prices. Eskom reserves the right to utilize reverse e-auction in certain enquiries. Where reverse e-auction is utilized in a specific enquiry this will be indicated in the respective enquiry and the relevant reverse e-auction supporting documents will form part of the enquiry. The Tenderers will be required to submit a complete tender but without prices. Where a supplier includes prices in their tender; these prices will not be considered and will be disregarded.</p>

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Contractual Requirements (if applicable)	<p>Step 6: CONTRACTUAL REQUIREMENTS</p> <p>The following OHS Legal Requirements to be met by Contractors at Tender Stage before contract award shall apply:</p> <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 a period not exceeding 7 working days to resubmit the 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>Refer Page 54-58 for SHEQ Contractual requirements. Refer page 58-59 for Technical contractual requirements. Refer page 59 for SDL&I contractual requirements. Refer page 58 for Commercial contractual requirements.</p>
2.25 Contractual Condition	Not Applicable
CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements not applicable

Please note:

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

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

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

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

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

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

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

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

1.3 TENDER RETURNABLES

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

NOTE:

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

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Practitioners must request in writing the outstanding returnable to be submitted within 5 working days. If the requested returnable are not fully completed, signed (if required on the returnable) and/or received by the Procurement Practitioner within 5 working days of the request; the tender must be disqualified. The 5 working days requirement does not apply to CIDB proof of grading. (Refer to the returnable table under CIDB reference for prescribed period)


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

Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Basic Compliance	The tenderer must submit the tender as a complete original tender, plus one (1) hard copy of the original tender at tender submission deadline.	✓		
Annexure A	Acknowledgement Form		✓	
Annexure B	Tenderers Particulars		✓	
Annexure C	Integrity Pact Declaration form		✓	
Annexure D	CPA for local goods/services (if applicable)		✓	
Annexure E	CPA(IG) for imported goods/services (if applicable)	N/A		
Annexure F1-F4	SBD 6.2 -Declaration certificate for local production and content and Annexures C, D, E	N/A		
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		✓	
# Annexure H	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations			
Annexure I	SBD 4 – Bidders Disclosure		✓	

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Non-disclosure agreement (NDA)	Submit completed and signed non-disclosure agreement (NDA)		✓	
Reverse e-auction training acknowledgement form (if applicable)		N/A		
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium or Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios.		✓	
	Separate written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract or this may be included as an obligation within the JV agreement.		✓	
	# proof of compliance to the stipulated Specific goals.			
	Details and confirmation of a single designated bank account in the name of the JV and independent of the individual JV partners, as set out in the joint venture agreement.		✓	
# Specific Goals	Failure on the part of the supplier to submit “ proof of specific goals ” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects). The tenderer will, however, be scored zero for Specific goals for purposes of PPPFA scoring and ranking.			
Tax Clearance Certificates	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number) and Local suppliers (who have not provided their SARS e-filing PIN number for verification by Eskom and/or their CSD profile / CSD number). Foreign suppliers with no footprint in South Africa, must still complete the SBD1 document, however no proof of tax compliance is required.			✓
Tax Evaluation Questionnaire (if services contract and was	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]			✓

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included as annexure)				
Compliance with Employment Equity Act	To the extent that the tenderer falls within the definition of a “designated Employer” as contemplated in the Employment Equity Act 55 of 1998, the tenderer is required to furnish the Employer with proof of compliance with the Employment Equity Act, including proof of submission of the Employment Equity report to the Department of Labour. (South African tenderers only)		✓	
CIDB Not applicable	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	N/A		
NEC/FIDIC Documentation	Completed NEC 3 Term Service Contract pricing schedule and contract data. NB: As standard rates are applicable, and it is a mandatory requirement for contractors to accept these rates. Failure to accept rates will be deemed non- responsive.	✓		
Completed and signed declaration of authority form	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. Note – The authorisation form must be submitted to confirm the authority of the supplier’s representative to act as an authorised agent on behalf of the supplier.	✓		
Supplier Declaration of Interest Form	Completed and signed declaration of interest form		✓	
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work)		N/A		

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	DOCUMENTS REQUIRED UNDER CONTRACTUAL REQUIREMENTS (WHERE CONTRACTUAL REQUIREMENTS ARE STIPULATED)			
Safety	COIDA - Original certificate of good standing or proof of application issued by the Compensation Fund (COID) or a licensed compensation insurer (South African tenderers only) Refer to page 54 – 56 of this invitation for safety requirements required for the scope of work			✓
Environmental	Refer to pages 56 of this invitation for environmental requirements required for the scope of work.			✓
Quality	Refer to pages 57 - 58 of this invitation for quality requirements required for the scope of work.			✓
Technical	Refer to pages 58-59 of this invitation for technical requirements required for the scope of work			✓
SDL&I	Refer to pages 59 of this invitation for SDL&I requirements required for the scope of work			✓
Commercial	Refer to pages 58 of this invitation for Commercial requirements required for the scope of work			✓
Due Diligence	Financial analysis is not applicable on this tender. The contract is predominantly labour only as Eskom will be supplying big five material	N/A		
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Technical required for functionality scoring)	Refer pages 11 - 14 above of this invitation to tender.	✓		

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ANNEXURE A

ACKNOWLEDGEMENT FORM

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

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

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

Or: Incorrect or incomplete for the following reasons:

Cataloguing Acknowledgement:

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

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

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

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Invitation to Tender No: _____

Name of company/JV: _____

Country of registration: _____

Name of contact person: _____

Contact details of contact person:

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

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ANNEXURE B

TENDERER'S PARTICULARS

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

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

Please complete the following:

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

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	

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

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

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

8.1 Confirm if you intend sub-contracting

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

8.2 What percentage will you be sub-contracting? _____%

8.3 To whom do you intend sub-contracting? _____

8.4 Is the said sub-contractor registered on CSD?

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

8.5 If yes to 8.4, please provide CSD number. _____

8.4 Please confirm B-BBEE level of said sub-contractor _____

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

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

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

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

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

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

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1. Single tenderers

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

Signature: _____

Designation: _____

Date: _____

2. Joint Ventures

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

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

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

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ANNEXURE C

INTEGRITY DECLARATION FORM

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

DECLARATION OF INTEREST

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

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

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


1. either of them directly/indirectly controls the other, or the business of the other, as determined in accordance with the definition of “control” (as per Companies Act section 2(1)) ;
2. either is a subsidiary of the other; or
3. a person directly/indirectly controls each of them, or the business of each of them, as determined in accordance with the definition of “control”
5. the *tenderer/s* and one or more of the *tenderers* in this tendering/RFP process have a controlling partner in common, or a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender/proposal of another tenderer, or influence the decisions of Eskom regarding this bidding process;

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

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

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

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

2. DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

Please complete the declaration with an ‘X’ under YES or NO

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

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3. DECLARATION OF SHAREHOLDING INFORMATION

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

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

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

Individuals:

Full Name	Identity Number	Shareholding Percentage

Other Entities*:

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

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

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

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

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

Signature:	
Designation and capacity in which signing	
Date:	

Joint Ventures

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

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

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

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

Signature:	
Designation and capacity in which signing	
Date:	

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

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ANNEXURE D - APPLICABLE

CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)

THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS

The rates will be fixed and firm for the first 12 months of the contract. At the anniversary date of the contract the prices will be adjusted in accordance with the published SEIFSA index (Consumer Price Index for services).

Signed	_____	Date	_____
Name	_____	Position	_____
Tenderer	_____		

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

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ANNEXURE E - Not applicable

CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES – Not applicable

CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS – IMPORTATION – Not applicable

Closing date of tender _____ / _____ / _____

TENDERER'S SIGNATURE _____

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ANNEXURE F1 – Not applicable

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

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

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

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

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The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.5. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted at the stipulated deadlines.

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

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

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

(Tick applicable box)

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

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

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

NB

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

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

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

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paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

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

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

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

SIGNATURE: _____ **DATE:** _____

WITNESS No. 1 _____ **DATE:** _____

WITNESS No. 2 _____ **DATE:** _____

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



Adobe Acrobat Document

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



Adobe Acrobat Document

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



Adobe Acrobat Document

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ANNEXURE G

SBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	LP00158NK	CLOSING DATE:	30 May 2024	CLOSING TIME:	10:00 a.m.
DESCRIPTION	The provision of vegetation management (Bush Clearing/Herbicide Application and Grass Cutting in Limlanga Cluster - Limpopo on an “as and when” required basis over a period of 60 months				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					

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

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
		<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
			NAME:		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN					

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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]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	Eskom Holdings	CONTACT PERSON	Noko Kganyago
CONTACT PERSON	Noko Kganyago	TELEPHONE NUMBER	015 299 0671
TELEPHONE NUMBER	015 299 0671	FACSIMILE NUMBER	None
FACSIMILE NUMBER	None	E-MAIL ADDRESS	kganyani@eskom.co.za
E-MAIL ADDRESS	kganyani@eskom.co.za		

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PART B TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:	
1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
TAX COMPLIANCE REQUIREMENTS	
1.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
3.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
4.	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
5.	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
6.	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

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

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ANNEXURE H

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

- 1.1 The 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The applicable preference point system for this tender is the **80/20** preference point system.
- 1.3 The **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.
- 1.4 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - a) Price; and
 - b) Specific Goals.

The maximum points for this tender are allocated as follows:

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

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1.5 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.

1.6 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.

2 DEFINITIONS

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

3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

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

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Pmax = Price of highest acceptable tender

6. 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 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 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 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 80/20 preference point system.

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

80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

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

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7	4	
8	2	
Non-compliant contributor	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

1. Name of company/firm.....
2. Company registration number:
3. TYPE OF COMPANY/ FIRM

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

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

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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 interest¹ in the enterprise,

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State Institution

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

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

2.2.1 If so, furnish particulars:

.....

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

1. If so, furnish particulars:

.....

3. DECLARATION

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

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

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

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

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

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

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

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

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

Date: _____

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CONTRACTUAL REQUIREMENTS: The following OHS Legal Requirements to be met by Contractors at Tender Stage before contract award shall apply:

a) Health and Safety requirements	
Ref	
	The following Minimum OHS -related requirements that bidders have to address and respond to when submitting their tender returnable are as follows:
1.	ACKNOWLEDGEMENT OF ESKOM'S SHE RULES Is the acknowledgement of Eskom's SHE rules, and requirements form (Annexure B) Fully signed and submitted by the tenderer?
2.	COMPANY ORGANOGRAM Company Organogram indicating key SHE personnel. (Reference should be made to specific OHS Sections and Its related Regulations) Must have a dates and CEO Signature.
3.	OHS APPOINTMENT LETTERS OHS Appointment letters for the following persons Legal Appointments): Specific compulsory appointment letters signed by the employer and appointees are: -, <ul style="list-style-type: none"> • Supervisor. • Risk Assessor. • Incident Investigator. • Safety Officer • Fall Protection Developer. • First Aider • Health and Safety Representative • Fire Fighter • Hazardous Chemicals Controller Appointment letters must be fully signed by both employer and appointee and shall be based upon section 11 competency certificates below)
4.	SUBSTANCE ABUSE PROCEDURE Please indicate how would you manage substance abuse in the following form: - Proof of ownership and Breathalyzer Instrument Calibration Certificate (certified copy not older than 3 months at the time and date of tender closing).
5.	PROVIDE MEDICAL SURVEILLANCE PROCEDURE Baseline Medical Surveillance Programme for all project OHS resources for the proposed scope of work.
6.	OHS POLICY OHS policy signed by CEO/ MD – Should have the next review date, should comply with OHS Act Section 7; shall incorporate current COVID-19 requirements and be aligned with ISO 45001 Policy principle standard requirements.
7.	LETTER OF GOOD STANDING Valid Letter of Good Standing or equivalent, i.e., COID, FEMA or RMA. Your COID must depict the correct/ relevant nature of business, e.g., Installation, etc.; must be certified not older than 3 months at the date and time of the tender closing

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8.	THE FALL PREVENTION/ PROTECTION PLAN - Provide the following. <ul style="list-style-type: none"> • The Fall Prevention/ Protection Plan. • The work at heights rescue plan • Work at height baseline risk assessment incorporated.
9.	BASELINE RISK ASSESSMENT - Provide: <ul style="list-style-type: none"> • Baseline Risk Assessment (BRA), relevant to the Vegetation and Bush clearing Management activities; and • The hazards and Risk assessment Identification Procedure with the methodology used for the risk assessment must be submitted. <p>The hazards and Risk assessment Identification Procedure should address the Criteria below.</p> <ul style="list-style-type: none"> ✓ Consequence rating ✓ Likelihood rating ✓ Risk rating, ✓ Control Mitigation measures, ✓ review and monitoring plan.
10.	OCCUPATIONAL HEALTH AND SAFETY PLAN Occupational Health and Safety plan - specific to Vegetation and Bush Clearing Management. (Applicable to Medium risk work only).
11.	Provide the following SHE Competency training certificates (Consider scope of work, risks, SHE Plan and applicability) (All certificate should be certified and should not be certified older than three months on the date and time of tender closing). <ol style="list-style-type: none"> 11.1. Health and Safety Officer Competency Training Certificates (NEDSAM, SAMTRAC) 11.2. First Aid Certificate Level 2 – US 120496 and Service Provider’s Relevant SETA Accreditation Certificate 11.3. Fire Fighting Training – US 12484 11.4. Health and safety Representative 11.5. Incident Management/ Investigation Training – US 120335 11.6. HIRA Training certificate for the company SHE Officer and Site Supervisor - US120330 11.7. Fall Protection Plan Development– US 229994 11.8. FAS and Basic Rescue Training _ US 229995 11.9. ORHVS Training competency certificate 11.10. Brush Cutter Operators Training x 3 11.11. Chainsaw Operators Training x 3 11.12. Tracker with a Slasher Operator Certificate x1 11.13. HCS Controller/ Controller Competency Certificate

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12.	Hazardous Chemical Management <ol style="list-style-type: none"> 1. List of Hazardous Chemical Substances used by Vegetation and Bush Clearing Contractors. 2. Material safety data Sheets of all the Chemicals as per the list
-----	--

B) Environment Requirements

1.	Environmental Policy	Environmental policy signed by top management (CEO / managing director), dated and version controlled.
2.	Company organogram	Company's organogram with an environmental representative.
3.	Environmental Appointment Letter	Appointment letter of the employee responsible for environmental issues within the company. Appointment letter to be accepted and dated.
4.	Communication Plan	Company's communication plan / procedure on what, how & when relevant environmental issues will be communicated.
5.	Incident/complaints register	Incident/complaints register for environmental incidents
6.	Aspect and Impact register	Aspect and impact register relevant to the services (activity related) tendered for.
7.	Emergency Preparedness Plan (EPP)	Emergency preparedness procedure/plan for environmental emergencies with emergency contact details
8.	Environmental Management Plan	Environmental management programme related to the services (activity related) tendered for.
9.	Waste Management Plan	Waste management plan on how waste generated on site will be managed, to include where disposal occurs.
10.	Environmental related Training	Tree Identification Certificate Valid Eskom's Environmental law certificate (within 3 years) this is required after tender is awarded, note: no contractor will be allowed to work without this certificate

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Note 1: Induction/Awareness on Eskom's Vegetation Management Standard **240-70172585** (required after the Tender is awarded)

Note 2: it is advisable that all tenderers read the ISO14001 international standard for detailed information on the environmental system requirements and definitions.

C) Quality requirements

	Supplier Quality Management: List of Tender Returnable Documents	Unique Identifier	240-12248652
		Revision	7
		Effective Date	2022/01/26
		Specification	240-105658000
Category 4 : Quality Requirements		Deliverables to be evaluated indicator = 1	
SECTION A: Quality Management System Requirements ISO 9001 (Option 1) Valid certification of Quality Management System by an ISO accredited body			
			Apply =1
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
Section A Score Option 1			0
SECTION A: Quality Management System Requirements ISO 9001 Objective evidence of documented QMS that is not certified but complies with ISO 9001			
			Apply =1
A.1 Quality Method statement based on scope. (Method Statement Template-Ref 240-126469599)			1
A.2 Quality Policy Approved by top management.			1
A.3 Quality Objectives Approved by top management.			1
Section A Score Option 2			3
SECTION B: Evidence of QMS in operation (Tender Quality Requirements - Ref 240-105658000)			
			Apply =1
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

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Section B Score	2
SECTION E: User defined additional Requirements & miscellaneous (Ref 240-105658000) Customer specific requirements & other standards and required can be listed and evaluated here	
	Apply (Yes=1)
E.1 Form A is completed and signed.	1
Section E Score	1

D) Commercial requirements

- 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 registration (CSD) tax compliant status (Latest).
- Completed and signed Supplier Evaluation Pack for Service Providers – PAYE

It should be noted that as per National Treasury Instruction No: 09 of 2017/18; a tender will not be awarded to a recommended tenderer that has a tax non-compliance status.

d) Technical requirements

Site verification of resources will be done on site before finalisation of the technical scoring only on the contractors that met the minimum threshold. Owned and Registration to be in the name of the tendering company or one of the directors of the company. Vehicles registration documents to be submitted for functionality evaluation. Vehicles and registration documents submitted with the tender will be verified on site in order to conclude functionality scoring.

No	Description of Criteria	Min Qty Required	Owned – Yes/No
1	Minimum one (1) vehicle to transport seven (7) passengers with a trailer.	1	
	Or		
	Two (2) Double cabs with Canopy/Tonneau Cover	2	
	OR		
	4 single Cabs with Canopy /Tonneau Cover	4	

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2	Equipment		
	Functional Brush Cutters -	Minimum of two (2)	
	Functional Chain Saws –	Minimum of two (2)	
	PPE	(Two full set for Brush cutter and Chain Saw Operator, and one set for Herbicide Applicator)	
	Functional Herbicide Applicator	X 2 (Rucksack Sprayers)	
	Ladder	X 1	
	Rope	X 1	
	Sling	X 1	

Please note:

- No employees, including contractor employees, when performing work for Eskom, will be transported in the back of open vehicles such as LDV's or trucks.
- No employees, including contractor employees, when performing work for Eskom, will be transported in the back of vehicles closed by means of canopies, unless provided with proper seating and safety belts.

e) SDL&I Undertaking

Skills Development

Skill Type / Occupation	Eskom's Target	Tenderers' Proposal
Environmental Officer (Candidates with National Diploma in Environmental Management / Sciences)	5 (1 per annum)	

Job Opportunities

Tenderers will be required to report on the number of jobs that were created and or retained as a direct result of being awarded this contract.

Controlled Disclosure

Anonymously report fraud, corruption at 0800 11 2722/ forensic@eskom.co.za

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