

	<b>SDL&amp;I Strategy Setting for Bidders</b>	Document Identifier	240-6860265	Rev	2
		Effective Date	17 September 2024		
		Review Date	September 2027		

<b>Description/ Scope of Work</b>	Provision of Conversion and Editing of Portable Document Format (PDF) software subscription licenses.
<b>Duration of the Project</b>	5 years

## Section 1: Specific Goals

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**NB: 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)

**Note: Eskom will not accept a Sworn Affidavit with an electronic signature**

**Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but'**

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

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## Section 2: Objective criteria

The inclusion of objective criteria is not mandatory but a condition for contract award. If the tenderer does not meet objective criteria; it may lead to the second-ranked tenderer being recommended for award.

## Section 3: SDL&I Objectives in line with Reconstruction and Development Programme (RDP) Goals

**Tenderers who complete and submit the objectives as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I objectives do not form part of scoring but commitments will form part of contractual obligations**

### 1. Transformation – BBEE Improvement or Retention Plan:

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

Eskom encourages its suppliers to constantly strive to improve their B-BBEE rating. Whereas Tenderer/s will be allocated points in terms of a preference point system based on specific goals, Eskom also requests that tenderer/s submits their B-BBEE improvement or retention plan within 30 days of signing the contract.

Tenderer/s are therefore requested to indicate the extent to which they will maintain (only if the respondent is a Level 1) or may improve/maintain their B-BBEE status over the contract period if their B-BBEE status is level 2 or 3. Tenderer/s with a B-BBEE status level 4 at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of B-BBEE Level 3 by the end of the first year of the contract and thereafter improve their B-BBEE status level or migrate by one level higher.

Tenderer/s with a B-BBEE recognition status of Level 5 to Level 8 or non-compliant at the time of contract award, shall migrate and achieve as a non-negotiable a milestone of Level 4 by the end of the first year of the contract and thereafter improve at least one B-BBEE Level higher of each year from the second year of the contract.

Tenderer/s are requested to submit their B-BBEE Improvement Plan as an essential document within 30 days of signing the contract and to submit the following documents as a condition for contract award:

- Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown
- Certified ID copies of shareholder(s)
- Proof of Disability (where applicable)

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**NB:** A valid B-BBEE certificate or Sworn Affidavit is a condition for contract award, if your company's annual Total Revenue is R10 Million or less you qualify as an Exempted Micro Enterprise therefore you can submit Sworn Affidavit. If your annual Total Revenue is R50 Million or less, you qualify as Qualifying Small Enterprise and must comply with all the elements of QSE score card relevant to your sector unless an entity is at least 51% Black owned you are required to obtain a Sworn affidavit. If your Annual Total Revenue is above R50m you need to submit a Valid B-BBEE certificate

**2. Local Procurement Content**

“Local Procurement Content” refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.

Tenderers are required to submit their proposals in the table below.

<b>Local Procurement Content</b>	<b>Eskom target</b>	<b>Tenderer Proposal</b>
	100%	

The proposal above should consider the source of origin (e.g. Country of software copyright registration; country of hardware manufacturing plant; citizenship of resources deployed) of the scope of work as detailed below:

<b>Scope of Work</b>	<b>Import content percentage</b>	<b>Local content percentage</b>
Professional services		
Hardware		
Software licenses subscription		
Software maintenance and support		
Other expenses		

**3. Procurement spend on entities with a minimum 51% black ownership**

NTT Data South Africa (Pty) Ltd is encouraged to procure/spend on designated groups on the following paid invoices for both:

- the indirect expenses (e.g. overheads) on goods and services supplied to the contractor/supplier by designated groups; and
- direct spend on goods and services supplied by the subcontractors for the execution of the scope of work.

Activities, as a proportion of the local procurement content, which may be subcontracted to designated black owned enterprises are recorded in a table below.

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<b>Procurement from Designated Group</b>	<b>Eskom target</b>	<b>Tenderer Proposal</b>
Black Owned	5.0%	
Black Women Owned	3.0%	
Black Youth Owned	2.0%	
Black Persons with Disability	1.0%	

**4. Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.

<b>Type of Jobs to be created</b>	<b>Number of Jobs to be created</b>

  

<b>Type of Jobs to be retained</b>	<b>Number of Jobs to be retained</b>

**5. Skills development**

Tenderers are required to identify and develop candidates to be upskilled in the SFIA (Skills Framework for Information Age) skills profiles listed below. The candidates selected for skills development shall be currently unemployed graduates from university, schools and technical, vocational, education and training (TVET) campuses of South Africa.

- *Agile change agents*
- *Agile product management*
- *Application development practitioners*
- *Application platform management practitioners*
- *Application support practitioners*
- *Architecture practice management*
- *Enterprise architecture practitioners*
- *Solution architecture practitioners*
- *Business analysis practitioners*
- *Business analysis practice management*
- *Computational science practitioners*
- *Data engineering practitioners*
- *Data operations practitioners*
- *Data science practitioners*
- *DevOps practice management*
- *DevOps practitioners*
- *Digital practitioners*
- *User experience practitioners*
- *User research practitioners*
- *Service design practitioners*
- *Technology finance practitioners*

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- *Technology procurement practitioners*
- *Organisation design practitioners*
- *Resource management practitioners*
- *Incident management practitioners*
- *Security leadership, strategy and management*
- *Security operations*
- *Security risk management, audit and compliance*
- *Teaching practitioners*
- *Learning & development practitioners*
- *Project delivery practice management*
- *Project delivery practitioners*
- *Service operations practitioners*
- *Service strategy and architecture practitioners*
- *Software engineering practice management*
- *Software engineering practitioners*
- *Infrastructure engineers*
- *Infrastructure platform management practitioners*
- *Testing practice management*
- *Testing practitioners*

The threshold will be as follows to ensure successful implementation of this initiative:

- ✓ The successful tenderer will be obligated to **skill one** candidate for every **R2 Million** spend cumulatively through purchase orders/instructions awarded to the supplier.
- ✓ The tenderer will be expected to submit a letter of competence/proof of attendance/service contract/certificate of compliance as proof that a candidate has been appointed for work experience. The supplier will be required to implement this requirement within a month after the threshold is reached.

Candidates shall be from all provinces in the country, and their composition shall be a representative of the population demographics of South Africa.

The process of developing these skills shall involve the participation by tenderers directly and through their supply network. In certain cases, the SETA's accredited training providers can be approached to participate in developing critical and scarce skills.

**Note:** Tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives.

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#### Section 4: SDL&I Retention and Performance Security

**Eskom will apply a retention of 2.5% of the invoice amount for failure to meet SDL&I obligations.**

As security for the fulfilment of SDL&I obligations, Eskom will apply a retention of 2.5% on every invoice amount (excluding VAT) for failure to submit SDL&I performance reports biannually; or failure to meet the SDL&I obligations in this contract. The retained amounts shall only be released to the contractor upon:

- The tenderer will be expected to submit their performance reports on a biannual basis towards SDL&I obligations.
- Should the report yield non-compliance results, Eskom will retain 2.5% of the invoice amount.
- Should the compliance results be positive, Eskom will release the retained funds to the tenderer.

#### Section 5: Reporting and Monitoring

- The suppliers shall on a biannual basis submit a report to Eskom in accordance with Data Collection Template on their compliance with the SDL&I obligations described above.
- Eskom shall review the SDL&I reports submitted by the suppliers within 60 (sixty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.

#### Section 6: General Information on Validity of Sworn Affidavits

**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)**
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same. **(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)**
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

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Name of tenderer:

Tenderer representative:

Representative signature:

Date:

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