

	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

**INVITATION TO SUBMIT AN OFFER FOR THE PURCHASE, COLLECTION AND REMOVAL OF
-+ 15 000 LITRES USED TRANSFORMER OIL AT PALM SPRINGS CNC**

ENQUIRY NUMBER: OLT2127056

CLOSING DATE: 05 MARCH 2025 – 10:00

INVESTMENT RECOVERY SECTION

**TENDER FOR THE PURCHASE, COLLECTION AND REMOVAL OF -+ 15000 LITRES OF USED
TRANSFORMER OIL AT PALM SPRINGS CNC.**

Issue Date:
25 FEBRUARY 2025

Ref:
OLT2127056

Enquiry: Nico Barendse
+27 17 749 5130 / 073 505 7841
barendn@eskom.co.za

TENDER ENQUIRY No. OLT2127056

Eskom is the owner of the listed -+ **15000 USED TRANSFORMER OIL** located at **ESKOM PALM SPRINGS CNC.**

You are kindly invited to submit an offer to purchase, collect and remove -+ **15000 USED TRANSFORMER OIL** as detailed in the Scope of Work and Offer to Purchase.

For commercial clarification send an email to barendn@eskom.co.za

1. INSPECTION AND VIEWING

No site inspection and viewing of the work required at site. Please contact Nico Barendse on Tel: 073 505 7841 or email barendn@eskom.co.za for any other information

2. SUBMISSION OF THE “OFFER TO PURCHASE”

Your tender returnable, as submitted by you together with this “Offer to Purchase” document shall be submitted.

- **By Email to:** Informaltendering@eskom.co.za

Please note: **Tenders may ONLY be submitted at this address only.**

Please note the following rules with respect to the OLT system (Informal Tendering)

- Please ensure that the email subject line only contains the OLT2127056. Enquiry number as per heading and no other information. Do not add any text to the subject line. Do not add any space in between the prefix and the enquiry number.**
- Ensure that all files submitted is in a PDF format.**

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		Review Date	June 2024		

- c. Ensure that the enquiry number is stipulated in the subject line on all e- mails if multiple emails are sent
- d. Ensure that you receive a confirmation email after submitting your documentation. Please follow up immediately via the email address of the respective asset disposal officer if you did not receive this.
- e. Maximum attachment size per email is 10MB. It is the supplier's obligation to ensure that the attachments per email do not exceed this limit.
- f. Please note closing date and time on the RFQ. Your submission will not be evaluated if it is received after the closing date and time of the RFQ.
- g. All tender returnables/documentation must be submitted to Informaltendering@eskom.co.za only. E-mails to any other address (except for clarifications) will not be accepted. Failure to comply these rules will result in your tender being disqualified.

Requests for Clarifications must be sent in writing to the respective asset disposal officer at barendn@eskom.co.za and not to Informaltendering@eskom.co.za. All requests for clarifications and responses must be in writing. Eskom will respond to requests for clarification received within one (1) – two (2) working days before the tender closing deadline, depending on the enquiry duration and complexity.

The closing date is 10:00 AM on WEDNESDAY, 5 MARCH 2025.

ALL OFFERS TO PURCHASE ARE TREATED AS CONFIDENTIAL!

NO LATE OFFERS WILL BE ACCEPTED!

3. STANDARD CONDITIONS OF TENDER

- Please quote the tender enquiry number on all correspondence.
- Please take note of the STANDARD CONDITIONS OF TENDER, noted in this letter and any amendments that accompany the TENDER ENQUIRY **OLT2127056**. The tenderer should understand that his / her signed Offer to Purchase serves as his legal agreement to the Standard conditions of tender.

STANDARD CONDITIONS OF TENDER	AGREEMENT 37.2	Contractor Health and Safety Requirements
 Eskom_Standard_Conditions_of_Tender_-_	 Microsoft Word 97 - 2003 Document	 Contractor Health and Safety Requireme

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		Effective Date	01 June 2021		
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4. TENDER RETURNABLES

The tenderer must submit valid and completed returnable set out hereunder as part of its tender and if they are not included by tender deadline, the tender will be disqualified from further evaluation).

4. LIST OF TENDER RETURNABLES:

4.1. Tender returnable documents

No.	Returnable From Suppliers	Returnable required at Tender Closing (Disqualified)	Returnable required at Tender closing (non-disqualified)	Returnable required prior to Contract Award
1.	Offer to purchase form (price schedule attached and comments to price schedule)	X		
2.	Annexure A – Declaration of interest		X	
3.	Annexure B – Acknowledgement Form for Eskom SHE Rules and other Requirements		X	
4.	Annexure C – Integrity Declaration Form		X	
5.	Annexure D – Safety Requirements		X	
6.	Annexure E – Environmental Requirements		X	
7.	Valid SARS Tax Clearance Certificate			X
8.	Affidavit (on DTI Template) confirming that the B-BBEE Contribution level of the entity. B-BBEE Verification Certificate from Accredited verification agency		X	
9.	Second hand goods certificate from SAPS/Licensee		X	
10.	SBD 4 Form-Bidders Disclosure		X	
11.	Integrity Pact Declaration Form		X	
12.	Reverse e-auction training acknowledgement Form		X	
13.	CIPRO Registration Documents		X	
14.	Copies of ID Documents of Directors		X	
15.	Proof of the registration on National Treasury's Central Supplier Database (except Foreign Suppliers / Central Supplier Database (CSD) or number MAAA (.....))	X		
16.	Valid Letter of good standing with COID)		X	
17.	Declaration of Fair Tendering Practices (Annexure C)		X	
18.	Waste Transporter Certificate		X	
19.	Waste Management License (THIS IS APPLICABLE IF YOU ARE GOING TO REGEN THE OIL AND YOU ARE THE FINAL DESTINATION OF THE OIL) IF YOU ARE RE-SELLING THE OIL THEN YOU NEED TO BE REGISTERED WITH THE ROSE FOUNDATION OR SIMILAR AND STATE WHERE ESKOM OIL		X	

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	WILL BE SOLD. A SAFE DISPOSAL CERTIFICATE IS REQUIRED FOR EVERY COLLECTION COMPLETED.			
21.	Safety Requirements		X	
22.	Environmental Requirements		X	

5. SCOPE OF WORK

The scope of work will include the purchase, collection and removal of **SCRAP USED OIL** on a **“ONCE-OFF”** required basis order within Eskom Gauteng Operating Unit, Palm Springs CNC. **THE OIL TYPE IS TRANSFORMER OIL.**

The scope of work will include the purchase, collection and removal of the Scrap Oil within 5 days of tender award and upon work instructions issued against the term contract. Payment Price is based on actual quantity and after 3 days of collection. A weigh bridge ticket on empty weight and full weight must be submitted.

The purchaser will be responsible for the safe collection, handling, removal, loading and transportation of the scrap oil / material and to clean the site, qualified labour and suitable certified plant, machinery, equipment and transport for this purpose. The purchaser must assure the site be left clean at completion of their collection and removal of the goods. The goods on sale will be identified by Eskom.

NOTES

- Eskom will not be responsible for any damages or losses suffered during the removal of the equipment incurred while working on this project arising from theft, damage or personal injury.
- You will be required to adhere to the condition as laid out by the Eskom site agent with regards to site access etc.
- Littering is prohibited at all times. Facilities will have to be made available on site during dismantling operations for the collection of disposal waste material. No rubble whatsoever is to be left on site.
- Additional precautions must be taken when using cutting equipment. Portable firefighting equipment must be available on site during all stages of the work programme.
- You will be required to be put on an Eskom permit, prior to commencement of and work. After completion of the work, it is imperative that you notify the Eskom site agent, so that the job can be signed off.

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		Review Date	June 2024		

f. All work must comply with the OHSA Act no 85 of 1993. All Safety requirements and documentation shall be available on the site.

g This is a open tender

h. No accommodation will be allowed on site.

i. Eskom will not be responsible for any damages or losses suffered during the removal of the transformer oil incurred while working on this project arising from theft, damage or personal injury.

j. You will be required to adhere to the condition as laid out by the Eskom site agent with regards to site access etc.

6. FINACIAL EVALUATION

a. The following criteria and their individual weight in % will be used for the evaluation of price.

Evaluation Criteria	Weighting
Financial – Best price	80%
B-BBEE	20%

NOTE:

Eskom's commercial process will be followed, and this process is dependent on the decisions made by the different Eskom Adjudicating authorities

7. PRICE SCHEDULE

For costing purposes, the following table and text messages have been compiled. Please bear in mind that each material classification is for a type of scrap, and you must factor your costs into your prices.

Companies/ Buyers must show their interest to participate on the e-Auction by completing and submitting the attached Forms **(ACKNOWLEDGEMENT FORM E-AUCTION TRAINING)**

THE RAND RATE PER ITEM WILL BE DETERMINED AFTER EVALUATION

For each disposal transaction the rand price will be calculated by multiplying the recent price of the applicable ITAC (International Trade Administration Commission South Africa) code, the quoted price percentage of ITAC metal bulletin and the weight as per the weighbridge slip excl VAT.

For each disposal transaction the rand price will be calculated by the Final Bid Price per item ex vat.

ITEM NO	DESCRIPTION	TOTAL OFFER PRICE (EX VAT)
1	TRANSFORMER OIL	TO GO THOROUGH EVALUATION PROCESSES FIRST AND THEN E-AUCTION PRICING TOOL TO BE USED TO QUOTE FOR THE PRICE.

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		Effective Date	01 June 2021		
		Review Date	June 2024		

hereafter referred to as the total offer prices, excluding VAT, remittances in respect of the agreement are to be made payable to Eskom Holdings SOC Limited, and are to be paid within five (5) working days after sale, All payments due and payable to Eskom shall be by bank cheque or electronic bank transfer only.

8. VALUE ADDED TAX (VAT)

Value Added Tax Act no 89 Of 1991 and VAT invoices will be issued on request.

DECLARATION (BY TENDERERS) OF GOOD STANDING REGARDING TAX

IT IS A CONDITION OF TENDERERS THAT:

- 8.1 It is an absolute requirement that the taxes of the successful tenderer must be in order, or that suitable arrangement is made with the Receiver of Revenue to satisfy them.
- 8.2 The tenderer must include with his tender documents a copy of a Tax Clearance Certificate (in respect of Tenders)
- 8.3 If the certificate is not included or found to be incorrect, Eskom may, in addition to any other remedy it may have:
- 8.4 Recover from the contractor all costs, losses or damage incurred or sustained by Eskom as a result of the award of the disposal agreement: and/or
- 8.5 Cancel the disposal agreement and claim any damages, which Eskom may suffer by having to make less favourable arrangements after such cancellation.
- 8.6 Each party to Consortium/Sub-contractor must complete a separate declaration.

The onus will be on the tenderer to obtain "Tax Clearance Certificate (in respect of tenders)", from the office of the South African Revenue Services (SARS) and submit the same with their tenders.

9.Environmental requirements

The intended activities at the Eskom Sites will have an impact on the environment and as such have to be properly management. Proper management requires that there is compliance with all the relevant pieces of legislation that impact on the development or intended activities. Therefore, the list below indicates the pieces of legislation that impact on the proposed activities. It is important that the Construction Team complies with these. Non-compliance will be unwise and may prove to be very costly for the organisation.

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		Effective Date	01 June 2021		
		Review Date	June 2024		

ACT NAME	ACT NO	NOTES/REMARKS
Constitution of the Republic of South Africa	108 of 1996	<i>States that everybody has a right to the environment that is not harmful to their health and well-being.</i> List of activities and competent authorities identified in terms of sections 24 and 24d
National Environmental Management Act	107 of 1998, as amended	Protects the rights of all citizens to a healthy and safe environment. Control all activities that pollute the air <i>Dust control during construction –Applicable during the clearing of yard-stones</i>
Atmospheric Pollution Prevention Act	45 of 1965	<i>Fumes emitted by vehicles – front end loader for diesel emissions</i>
Conservation of Agricultural Resources Act	43 of 1983	Control of utilisation and protection of wetlands; soil conservation; control and prevention of veld fires; control of weeds and invader plants. <i>NB: applicable for use of weed killers</i>
Environment Conservation Act	73 of 1989	Controls for the effective protection and utilisation of the environment, littering, waste disposal, noise and various other activities, which may have a detrimental effect on the environment. <i>Waste management</i> <i>Application of waste disposal permit</i> <i>Noise control regulations</i>
Fencing Act	31 of 1963	Prohibition of damage to a property owner's gates and fences <i>Climbing or crawling over or through fences without permission</i> <i>Closing gates</i>
Hazardous Substance Act	15 of 1973	Sale of Group I,II,III and letting, use, operation, application and installation of Group III hazardous substances. <i>NB: no hazardous substances will be used during this phase of construction</i>
Occupational Health and Safety Act	85 of 1993	Control of health aspects of Waste disposal and water Treatment. <i>Regulates nuisances and/or odours particularly due to rubbish, night soil, sewage, or other waste</i> <i>Regulations relating to nuisances</i> <i>NB: applicable to the rented toilet facilities</i>

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		Effective Date	01 June 2021		
		Review Date	June 2024		

ACT NAME	ACT NO	NOTES/REMARKS
National Water Act	36 of 1998	Protect and regulates the use of water Manage aspects relating to pollution of surface and ground water. <i>NB: this includes all rain water channels.</i>

10. GUARANTEE / WARRANTY

Eskom Holdings SOC Limited gives no guarantee or warranty to the workability or condition of the equipment for sale, other than allow each buyer to familiar themselves at the site prior to tendering in terms of the Consumer Protection Act. All equipment will be sold "Voetstoots".

11. OFFERS

Offers received for this tender will be deemed valid for a period of THREE (3) months (90 days) from tender closing date.

Eskom reserves the right not to accept the lowest or any tender / offer or withdraw any item it wishes to retain.

The successful purchaser will be notified.

The onus will be on the tenderer to obtain "Tax Clearance Certificate (in respect of tenders)", from the office of the South African Revenue Services (SARS) and submit the same with their tenders.

12. VARIATION

No variation or modification of the proposed agreement shall be in force, unless the same is confirmed in writing.

Yours Faithfully



Nico Barendse
Investment Recovery
Procurement & Supply Chain Management

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

ENQUIRY NO: **OLT2127056**
CLOSING DATE: **05 March 2025**
CONTACT PERSON: Nico Barendse
Email: barendn@eskom.co.za

NB! A bidder who has an existing or expired contract with Eskom and has defaulted in terms of that contract will be disqualified and not be awarded a new contract.
 A bidder who has an open non-conformance will be disqualified and not awarded a new contract.

This tender proof the tenderer is fully aware of the condition of the tender and the price they have offered on the tender proofs their full intention and will to purchase the kitchen / canteen equipment “VOETSTOOTS” as is for their price as offered.

Please provide full and proper details according to the requirements below. Incomplete or unclear Tender Documentation can be rejected.

OFFER SUBMITTED BY - NAME:**SIGNATURE:**.....

Date: **CELL:** **E-mail:**.....

Who are legally authorized to provide this tender on behalf of:

BUSINESS NAME:.....**CSD NUMBER:**.....

BUSINESS ADDRESS:.....

TEL:.....

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ANNEXURE A

DECLARATION OF INTEREST

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

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

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		Effective Date	01 June 2021		
		Review Date	June 2024		

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

Full Name & Capacity/ Position within tenderer (e.g. employee/ Director/member/ owner/shareholder)	ID 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

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 your answer is Yes, attach proof to this declaration.

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		Effective Date	01 June 2021		
		Review Date	June 2024		

ANNEXURE B

DECLARATION OF FAIR TENDERING PRACTICES

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

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

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

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

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

I, the undersigned, _____ 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)

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.

Signature:	
Designation and capacity in which signing:	
Date:	

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		Review Date	June 2024		

ANNEXURE C: SBD4

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

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**

2.3.1 If so, furnish particulars:

.....
.....

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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3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and 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.
- 3.6 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

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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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

ANNEXURE D

**SECTION 37(2) AGREEMENT
CONCLUDED BETWEEN
*Eskom Holdings SOC Limited***

AND

.....
(Name of contractor/supplier)

I,[(insert name of person representing contractor/supplier company)representing [insert name of contractor/supplier], do hereby acknowledge that [insert name of contractor/supplier] is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 (“the Act”), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

I undertake that [insert name of contractor/supplier] shall strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

I have been provided with SHE specifications for project/service[insert brief details of project/service, for example, name, contract/project number] and will comply with the requirements set out in these.

I accept and agree that the SHE specifications constitute arrangements and procedures between (insert name of contractor/supplier) and [insert name of subsidiary or Eskom Holdings SOC Limited] which will ensure compliance by [insert name of contractor/supplier] with the provisions of the Act, as contemplated in section 37(2) of the Act.

This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall, in any manner, be of any force or effect, unless confirmed in writing and signed by both parties, and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.
This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

Signed this day of 20 at
..... (Place)
(Full Name)..... (Signature)on
behalf of **(Contractor/supplier)**

Contractor Responsible Manager *(responsible for signing the contract on behalf of the contractor/supplier)*

Witnesses
1.
2.

Signed this day of 20 at (Place)
(Full name..... (Signature) on
behalf of [insert name of subsidiary or Eskom Holdings SOC Limited]
(Contracts and/or Project Manager or Representative)

Witnesses
1.
2.

	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

ANNEXURE E: SAFETY REQUIREMENTS

<u>Ref.</u>	<u>OHS Tender Returnable</u>
1	Annexure B Is the acknowledgement of Eskom's OHS legal and other requirements form signed and submitted by the tenderer?
2	Health and Safety Plan (must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements)
3	Costing for Health and Safety management Has the tenderer submitted detailed costing for OHS (the cost should be broken down not provided as a lump sum). • The costing must be based on the overall scope of work/service to be performed; • The scope of work and the risk assessment may serve as a guideline.
4	Baseline OHS Risk Assessment (BRA) Identification, assessment and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA
5	Valid Letter of Good Standing (COIDA or equivalent)
6	OHS policy signed by CEO The submitted policy must comply to OHS Act Section 7
7	OHS Competency (Consider scope of work, risks, OHS plan and applicability) CV,s and qualifications / certificates First Aid Certificate Risk Assessment Fire Fighting Incident Investigator
Recommendation	

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

ANNEXURE F: ENVIRONMENTAL REQUIREMENTS

SECTION A: Environmental Management System Requirements	
Objective evidence of documented EMS that is not certified but conforms with Environmental Management System Requirements for Contractors and/or Suppliers (240-180100134)	
<i>The Contractor / Service Provider shall provide objective evidence of documented information but not limited to:</i>	
A.1 EMS Manual or a document that defines and describes the EMS and its scope	
A.2 Environmental Policy Signed and Authorized by Company Owner/CEO/MD:	
A.3 Project environmental objectives and planning to achieve them	
A.4 Project Roles, Responsibilities and Authorities (Environmental Rep/Environmental officer/SHEQ Rep, Environmental management organogram within the Company)	
A.5 Organisation Interested Parties - Needs and expectations	
A.6 Environmental Communication	
A.7 Nonconformity and Corrective action	
A.8 Environmental Emergency Preparedness and Response	
A.9 Performance Evaluation (monitoring, measurement, analysis and evaluation)	
A.10 Internal Audit and Internal Audit Programme	
A.11 Management Review	
SECTION A score	
SECTION B: Environmental Management Programme and Environmental Authorisation	
Ref-Tender & Contract Scope of Work and Environmental Requirements for Contractors and/or Suppliers (240-180100134)	
<i>The Contractor / Service Provider shall provide objective evidence of documented information but not limited to:</i>	
<i>Environmental Management Programme (EMPr) or Method Statements in line with the Scope of Work. Items below are minimum requirements:</i>	
B.1 Handling of Hazardous Chemical Substances (including contaminated waste or materials)	
B.2 Vegetation Management	
B.3 Site establishment	
B.4 Water Management (Consumption, Uses, Water Source, Storm Water, Testing, construction and drinking water)	
B.5 Access Control and Routes	
B.6 Landowner Liaison	
B.7 Environmental Noise Control (Management controls)	
B.8 Environment ambient Air Quality (i.e., Dust Control/ Management)	
B.9 Rehabilitation	
B.10 Wildlife Interaction	
B.12 Resources, Competence and Awareness (Proof of training and skills of persons performing significant activities, Training matrix)	
B.13 Environmental Incident Reporting (i.e., oil spills, fire, biodiversity)	
B.14 Complaints/Grievance management	
B.15 Environmental Compliance Obligations	
B.16 Environmental Human Resources (CV and competences of person based on site full time who will be responsible for environmental monitoring, reporting and incident management)	
A qualified person (National Diploma or a degree e.g., Environmental Sciences/Management or Nature Conservation or relevant Natural Sciences) having the responsibility for monitoring environmental planning and activities and their relationship within the management structure according to the project EMPr/EMP and/or EA requirement. For low-risk projects an environmental representative with two weeks environmental training will be sufficient to be an environmental representative.	
Section B Score	

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

SECTION C: Waste Management Plan Ref-Tender & Ref: National Environmental Management: Waste Act (Act No. 59 of 2008) and Transmission Industry Waste Ma	
The Contractor / Service Provider shall provide objective evidence of documented but not limited to:	
Waste Management Plan/Method statement in line with the Scope of Work.	
C.1 Possible Waste types and/or streams to be generated	
C.2 Applicable waste management legislation	
C.3 Waste segregation and minimisation	
C.4 Waste handling and disposal on site	
C.5 Waste reporting template	
Section C Score	
SECTION D: Aspect and Impact Register Ref-Tender Enquiry or Project Scope as per Invitation for Tender & Environmental Requirements for Contractors and/or	
The Contractor / Service Provider shall provide objective evidence of documented but not limited to:	
D.1 Environmental Aspect and Impact Register (Project Specific/SOW) (including ratings of aspects and impacts).	
Section D Score	
SECTION E: Employer defined additional requirements & miscellaneous Ref-Tender & Contract Scope of Work, EMP, EA and Environmental Requirements for Contractors and/or Supplie	
The Contractor / Service Provider shall provide objective evidence of documented but not limited to:	
E.1 Environmental Bill of Quantity (with items relevant to environmental aspects as per scope of work)	
E.1a Waste Management activities	
E.1b Pollution Control measures (e.g. dust suppression, building of bund walls, building of wash bays and workshops)	
E.1c Water Management	
E.1d Land Management (e.g., Rehabilitation costs, Erosion control/ berms, maintenance of access roads, No Go fencing, vegetation clearing)	
E.1e Human Resources (Environmental Officer)	
E.2 Environmental Requirements Proforma	
E.2a Environmental Requirements Proforma: 240-110600836 completed and signed (by the Contractor)	
Section E Score	

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
		Review Date	June 2024		

ANNEXURE G:

TECHNICAL EVALUATION CRITERIA

Technical evaluation is going to be two phase, desktop evaluation and site visit inspection. It will be an inherent requirement for each tenderer to demonstrate their technical capability to perform the requirement of the contract.

Technical evaluation criteria (100%)	Weight
Approach and Methodology - Does the contractor have necessary technical and mechanical ability, and have the acumen to manage and process the project quantities for the project? - Does the contractor have experience of the industry and display an ethical track record in line with the Second-Hand Good Act? - Is there confidence that the contractor will be able to perform in this contract effectively, efficiently, timeously, and economically?	100%
Total	100%

The following criteria and their individual weight in % will be used for the evaluation of technical proposal.

Questions – Evaluation of a Scrap Dealer

(RATE COMPANIES 1-5, 1 – POOR, 2 – FAIR, 3 – AVERAGE, 4 – GOOD AND 5 – EXCELLENT)

Scrap Dealer's Name: _____

Location: _____

	1	2	3	4	5
Company Documentation					
Vat / Tax Certificate					
Registration at any relevant industry					
Second Hand Act Registration for scrap or recycling.					
Safety Policy					
Environmental Policy					
Safety File					
Coida					
Site/ Yard Cleanliness					
Oil spills Kit					
Suitable Fire Fighting Equipment					
Hazardous & Non-Hazardous separated					
PPE					

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		Effective Date	01 June 2021		
		Review Date	June 2024		

Security					
Storage facilities					
Dismantling & Demolition					
Machinery/plant					
Type of trucks					
Number of Trucks					
Do they process or agent only					
Do they buy off the street					
Total					100%

Comments: _____

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
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ANNEXURE H

**SECTION 37(2) AGREEMENT
CONCLUDED BETWEEN
*Eskom Holdings SOC Limited***

AND

.....
(Name of contractor/supplier)

I,[(insert name of person representing contractor/supplier company)representing [insert name of contractor/supplier], do hereby acknowledge that [insert name of contractor/supplier] is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 (“the Act”), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

I undertake that [insert name of contractor/supplier] shall strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

I have been provided with SHE specifications for project/service[insert brief details of project/service, for example, name, contract/project number] and will comply with the requirements set out in these.

I accept and agree that the SHE specifications constitute arrangements and procedures between (insert name of contractor/supplier) and [insert name of subsidiary or Eskom Holdings SOC Limited] which will ensure compliance by [insert name of contractor/supplier] with the provisions of the Act, as contemplated in section 37(2) of the Act.

This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall, in any manner, be of any force or effect, unless confirmed in writing and signed by both parties, and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.
This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

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	Investment Recovery Offer to Purchase Template OLT2127056	Template Identifier	240-75978567	Rev	2
		Effective Date	01 June 2021		
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Signed this day of 20 at

..... (Place)

(Full Name)..... (Signature)on

behalf of (Contractor/supplier)

Contractor Responsible Manager (*responsible for signing the contract on behalf of the contractor/supplier*)

Witnesses

3.

4.

Signed this day of 20 at (Place)

(Full name)..... (Signature) on

behalf of [insert name of subsidiary or Eskom Holdings SOC Limited]

(Contracts and/or Project Manager or Representative)

Witnesses

3.

4.

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