

	Invitation to Tender	Document Identifier	240-114238630	Rev	28
		Effective Date	07 April 2026		
		Review Date	April 2031		

ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER (ITT)

FOR

Panel appointment of 6 contractors for the provision of general building maintenance services in Limlanga Cluster - Limpopo Area on an “as and when” required basis over a period of 60 months

Tender number	E3731DXLIMOU
Issue date	29 October 2026
Closing date and time	20 November 2026 at 10h00
Tender validity period	90 days from the closing date and time
Clarification meeting	<p>A non-compulsory clarification meeting will be held online via Microsoft teams. The link for the meeting is provided below:</p> <p>Date: 09 November 2026 Time: 10h00am Meeting link: https://teams.microsoft.com/meet/353762227091194?p=Up43t9B0KQVhVBpXcX</p>
<p>Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time.</p> <p><i>Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time</i></p>	<p>Tenders are to be uploaded via Eskom Tender bulletin site on the Eskom E- tendering page using the following link.</p> <p>https://etendering.eskom.co.za</p> <p>Late Tenders will not be accepted.</p>

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Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter “Eskom”) invites you to submit a tender for Panel appointment of 6 contractors for the provision of general building maintenance services in Limlanga Cluster - Limpopo Area on an “as and when” required basis over a period of 60 months.

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

1. Free of charge

Eskom has delegated the management of this Invitation to Tender to the *Eskom Representative* whose name and contact details are set out in the Tender Data. The submission of a tender by you in response to this Invitation to Tender will be deemed as your acceptance of the Eskom Standard Conditions of Tender which may be accessed at www.eskom.co.za.

All queries and clarifications relating to the Invitation to Tender documents must be addressed in writing to the *Eskom Representative*. No query or clarification may be addressed to any Eskom official other than the *Eskom Representative*.

Yours faithfully



Procurement Manager

Madimetja Phalane

Date: 28/10/2026

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Areas to be serviced as part of this tender.

Limpopo Operating Unit has 2 zones, with 7 sectors. The contractor's point of reference will be from the nearest CNC within each sector. Below are the zones as well as sectors where the services will be rendered.

Marula Zone

Sector	Site Description	Central Point
Baobab	Mankweng CNC/Minor works	Polokwane CNC
	Moletjie CNC	
	Polokwane CNC/CPM/MEW	
	Rampheri CNC	
	Alldays CNC	
	Botlokwa CNC	
	Dendron CNC	
	Senwabarwana CNC	
Elephant Valley	Bolobedu CNC	Tzaneen HUB
	Giyani CNC	
	Thomo CNC	
	Giyani Hub	
	Hoedspruit CNC	
	Letaba CNC/Energy Protection/Live work	
	Nkowankowa MEW	
	Makhutswe CNC	
	Tzaneen Hub	
	Tzaneen Oasis Mall	
	Modjadjiskloof Hub	
	Mooketsi CNC	
	Phalaborwa Hub	
	Selati CNC/CPM/ Energy Protection/Live work	
Maphungubwe	Ha Ravele CNC	Thohoyandou Area Office
	Thohoyandou Area Office	
	Makhado Hub	
	Hlanganani CNC	
	Malamulele CNC / MEW	
	Malamulele Hub	
	Muledane CNC/MEW/PPM/CPM /Livework/Clinic/Protective/Risk Management	
	Musina CNC	
	Mutale CNC	
	Mutale Hub	
	Sibasa CNC	
	Siloam CNC	

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Gigawatt Zone

Sector	Site Description	Central Point
Polokwane CBD	30 Hans van Rensburg	Polokwane 30 Hans van Rensburg
	Nedbank Building	
	Seshego PPM/Livework/Lab/CPM	
	Edupark	
	90 & 92 Hans Van Rensburg	
	Polokwane RDC	
Borwa Bokone	Fetakgomo CNC	Mokopane CNC/Hub
	Gilead CNC	
	Lebowakgomo CNC	
	Lebowakgomo Hub	
	Mapela CNC	
	Modimolle CNC	
	Mokopane CNC /MokopaneHub	
	Mookghopong CNC	
	Zebediela CNC	
Thabametsi	Dwaalboom CNC	Bela Bela CNC
	Lephalale CNC/PPM/Livework/Hub/CPM	
	Marken CNC	
	Northam CNC/Hub	
	Swartwater CNC	
	Thabazimbi CNC	
	Thabazimbi Hub	
	Bela-Bela CNC/Livework /CPM	
	Bela-Bela Hub	
	Mantsole CNC	
	Vaalwater CNC/Hub	
Sekhukhune	Burgersfort CNC/Hub	Groblersdal CNC/ Offices
	Steelpoort CNC	
	Jane Furse CNC	
	Jane Furse Hub	
	Ohrigstad CNC	
	Groblersdal CNC/Hub/Livework/PPM/Protective Offices	
	Mamphokgo CNC	
	Marble Hall CNC	
	Marble Hall MEW camp	
	Monsterlus CNC	
	Monsterlus Hub	
	Roosenekal CNC	

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1.1 Annexures to the Tender

The following document listed hereunder are attached to this Invitation to Tender.

Number	Description	Annexure	Attached (Y / N / N/A)
1.1.1	*Authorisation Form	Annexure A	Y
1.1.2	*Acknowledgement form	Annexure B	Y
1.1.3	*Tenderer's particulars	Annexure C	Y
1.1.4	*Integrity Declaration Form (refer to www.eskom.co.za for the Supplier Integrity Pact that suppliers are required to download and read)	Annexure D	Y
1.1.5	*CPA Requirements for Local Goods/Services	Annexure E	Y
1.1.6	*CPA(IG) for Foreign Goods/Services (if applicable)	Annexure F	N/A
1.1.7	SBD 6.2 Declaration Certificate for Local Production and Local Content (only applicable if designated materials are included and then Tenderers will be required to complete and submit Annexures G1 to G4 as evidence of compliance with this requirement). Annexure C Local Content Declaration- Summary Schedule Annexure D Imported Content Declaration – Supporting Schedule to Annexure C Annexure E Local Content Declaration- Supporting Schedule to Annexure C	Annexure G1 Annexure G2 Annexure G3 Annexure G4	N/A
1.1.8	*SBD 1 Invitation to Bid must be filled out by all tenderers and submitted with the tender at tender submission deadline	Annexure H	Y
1.1.9	*SBD 6.1 Preference Points Claim Form in terms of PPPFA 2022 regulations	Annexure I	Y
1.1.10	*SBD 4 – Bidders Disclosure	Annexure J	Y
1.1.11	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
1.1.12	1 x NEC 3 Engineering Construction Short Contract (ECSC) document	Attached separately	Y
1.1.13	Non-Disclosure agreement (NDA)	Attached separately	Y

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1.1.14	Occupational Health and Safety Act: Section 37(2) Agreement - Form	Attached separately	Y
1.1.15	240-126469599_Method Statement	Attached separately	Y
1.1.16	240-68099512 Form A_Cat 4_ Rev 9	Attached separately	Y
1.1.17	240-105658000 Supplier Quality Management Specification	Attached separately	Y
1.1.18	Eskom Standard Conditions of Tender (Rev.12)	Attached separately	Y
1.1.19	Annexure B- Acknowledgement of Eskom's SHE rules	Attached separately	Y
1.1.20	SDL&I Strategy Setting for Bidders - Building Maintenance	Attached separately	Y

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1.2 Tender Data

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** are not attached to the **Invitation to Tender/Request for Proposal**, then 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: Ndivhuwo Radzilani Tel: 015 230 1532 E-mail: RadzilNM@eskom.co.za</p>
1.3 Tender documents	<p>The Invitation to tender number is: E3731DXLIMOU</p> <p>See the content list above for the tender documents.</p>
1.4 Type of Invitation to Tender	This Invitation to Tender is: An open invitation to tender
1.6 Eskom's right to accept or reject any tender	The tender shall be for the whole of the contract.
2.1 Eligibility	<p>Tenderers (whether a single company or an incorporated or unincorporated joint venture or consortium) must meet the eligibility criteria stated in the Tender Data. The tenderer, or any of its principals, must not be under any restriction to do business with Eskom or State-Owned Companies.</p> <p><u>Tenderers are ineligible to submit a tender if:</u></p> <ol style="list-style-type: none"> 1. Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be found 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. 2. Tenderers submit more than one [tender/proposal] either individually or as a partner in a joint venture (JV) or consortium, except on an E-Tendering system where there is a limit size (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). 3. Tenders submitted by a joint venture or consortium where the JV/consortium agreement does not explicitly state that the parties of the JV or consortium

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Clause Number from Standard Conditions of Tender	Tender Data
	<p>shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.</p> <p>4. A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering/RFP] process is:</p> <p>(a) they have a controlling partner or majority shareholder in common; or</p> <p>(b) they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the tender of another tenderer, or to influence the decisions of the Employer regarding this bidding process;</p> <p>5. Tenders signed by non-authorised persons.</p> <p>6. Any tenderer that is restricted by National Treasury.</p> <p>7. Any tenderer on the Tender Defaulters list.</p> <p>8. Any tenderer and/or its director/s that is restricted by Eskom.</p> <p>9. A tenderer that sub-contracts 100% of the Scope of Work</p> <p>Eskom will disqualify tenderers that are found not to have met the eligibility criteria.</p>
2.2 - 2.5 Tender Closing	<p>The deadline for <i>Tender submission</i> is:</p> <p>Date: 20 November 2026</p> <p>Time: 10:00 a.m.</p> <p>Late Tenders will not be accepted.</p> <p>Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page</p> <p>https://etendering.eskom.co.za</p>
2.7-.2.11 Submitting a tender	<p>For Electronic Tender Submissions</p> <p>The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be upload under the folder Technical, Commercial, Financial, and other.</p> <p>All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). The price list needs to be submitted in PDF and/or a copy in excel format.</p> <p>No Zip/condense files can be uploaded</p> <p>No hard copy will be accepted</p>

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	<p>If for some reason you resubmit your tender, then the latest version of the tender submitted will only be accepted and all previous submission/s will be null and void. Please ensure that the submission status is indicated as complete.</p> <p>Supplier Help Manual guide and video can be found on Eskom E-Tendering page</p>
2.12 Tender Validity Period	The tender validity period is 12 weeks (90 days)
2.15 Site visit and/or clarification meeting	<p>A non-compulsory clarification meeting will be held online via Microsoft teams. The link for the meeting is provided below:</p> <p>Date: 09 November 2026 Time: 10h00am Meeting link: https://teams.microsoft.com/meet/353762227091194?p=Up43t9B0KQVhVBpXcX</p> <p>Tenderers must confirm their intention to attend with the Eskom Representative, stating the name, position and contact details of each proposed attendee to RadzilNM@eskom.co.za.</p>
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is 5 working days before the deadline for tender submission.
2.22 Alternative tenders	Alternative tenders are not allowed .
2.33 Cataloguing	The successful tenderer may be required to provide the cataloguing information per item after contract award and will need to ensure that all materials delivered to Eskom are labelled in line with Eskom's labelling specifications as may be stipulated by Eskom. Where cataloguing is a requirement, the Pricing Schedule must also include a line item for cataloguing, which tenderers are required to quote for. Eskom will pay for the cataloguing.
2.34 Provision of Security for Performance	Detailed in the NEC3 Engineering and Construction Short Contract (ECSC)
3.4 Tender Opening	For E-tendering, there will be no public opening of tenders. Tenders will be downloaded electronically.
3.5 Tender Prices	Prices will not be read out .

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Clause Number from Standard Conditions of Tender	Tender Data
3.9 Basic Compliance	<p>Stage 1: Basic Compliance</p> <p>All responses will be evaluated for overall compliance to the conditions of tender and the test for responsiveness.</p> <ul style="list-style-type: none"> • Meet the eligibility criteria for a tenderer. • Submit a complete tender with commercial and technical information • Submission of the mandatory commercial tender returnables as at stipulated deadlines. <p>For Electronic Tender Submissions:</p> <ul style="list-style-type: none"> • The tenderer must upload the tender via Eskom Tender bulletin site on the Eskom E- tendering page. The documents need to be uploaded under the folder Technical, Commercial, Financial, and other. • All documents need to be submitted in a PDF format (The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes). The price list needs to be submitted in PDF/Excel format. • No Zip/condense files can be uploaded. • No hard copy will be accepted. • The latest version of the tender submitted will only be accepted and all previous submission/s will be null and void. <p>For E-Tendering, a tenderer's failure to have submitted/uploaded tender documents will render the tender non-responsive.</p> <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>Returnable required at Tender closing (disqualifiable)</p> <p>These returnables 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 tenderer will be disqualified.</p> <ul style="list-style-type: none"> • Fully priced BOQ (in PDF form and/or Excel spreadsheet format); failure to price all items, the tender will be deemed non-responsive. • CPA Requirements for Local Goods/Services – Annexure E (Acceptance of the CPA conditions as stipulated in the tender document. Where

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	<p>CPA conditions are not accepted with the tender, the prices will be deemed fixed for the duration of the contract period)</p> <p>Returnable required at Tender closing (non-disqualifiable)</p> <p>These returnables are 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, or submitted with incomplete information or without a required signature, the Procurement Practitioner will, in writing, request the tenderer to submit the returnable within 5 working days. If the returnable is not fully completed, signed if required and/or received by the Procurement Practitioner within 5 working days of the request, the tenderer will be disqualified</p> <ul style="list-style-type: none"> • Submit completed and signed Annexure H - SDB1form as included in the invitation to tender. • Submission of JV agreement or intent to form a JV, only for suppliers tendering as a 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) • Annexure A - 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. • SBD 4 – Bidders disclosure • Valid proof of CIDB (Construction Industry Development Board) Registration 1GB or higher. However, those tenderers who are registered with the Construction Industry Development Board or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works herein are eligible to submit tenders. <p>Non-responsive /Unacceptable tenders will be disqualified, and all the response tenders will be evaluated further mandatory technical requirements.</p>

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	<p>These returnables 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.</p> <p>a) SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations (Annexure I)</p> <p>b) Proof of compliance to the stipulated Specific goals i.e., BBB-EE certificate or Sworn affidavit.</p> <p>All responsive tenders will be evaluated further for non-negotiable functionality threshold.</p>								
3.13 Functionality requirements	<p>Stage 3: Functional Analysis</p> <p>Functionality will be evaluated on all total weight of 100% with a minimum threshold of 80%. The evaluation will be conducted in two consecutive stages, i.e., Stage 1: Functional requirements evaluation and Stage 2: Site Assessments.</p> <p>FUNCTIONALITY EVIDENCE</p> <p>Apply the non-negotiable threshold evaluation (Functionality– Technical) as follows:</p> <table border="1"> <tr> <td>Functionality</td><td>Weightings</td></tr> <tr> <td>Technical</td><td>100%</td></tr> <tr> <td>Total</td><td>100%</td></tr> <tr> <td>Overall minimum threshold for qualification</td><td>80%</td></tr> </table> <p>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:</p>	Functionality	Weightings	Technical	100%	Total	100%	Overall minimum threshold for qualification	80%
Functionality	Weightings								
Technical	100%								
Total	100%								
Overall minimum threshold for qualification	80%								

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	General Building Maintenance requirements:		
	Requirements	Weights	Verification documents
	Previous work experience in General building maintenance activities. <ul style="list-style-type: none"> Submission of proof of experience of less than 3 projects = 0% Submission of proof of experience of 3 projects = 10% Submission of proof of experience of 4 projects and above = 30% 	30%	Completion certificate.
	List of Tools and Equipment <ol style="list-style-type: none"> A - Frame step ladder = 4% 9m step ladder = 4% Tile cutter = 4% Toolbox (Measuring tape, Claw hammer, Screwdriver, Chisel, Hard saw) = 4% Spirit Level = 4% 	20%	5 list of owned tools and equipment.
	Light delivery vehicle (LDV's).	20%	Proof of ownership or valid rental agreement of light delivery vehicle to perform duties. Supporting documentation should be in a form of: <ul style="list-style-type: none"> Road worthy certificate (licence disc) Contractors supplying the same proof of vehicle with the same registration numbers, will be disqualified for further evaluations.
	Proof of competency in General Building maintenance qualification on painting = 10% , carpentry = 10% , bricklaying = 10% , an Employee Trade certificate accredited in terms of	30%	The qualification must be from and accredited technical institution. accredited in terms of Manpower Training Act (Department of Labour) or SETA, QCTO.

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	Manpower Training Act (Department of Labour) or SETA, QCTO.		Certified copies should not be older than three months.	
	Total score	100%		
	Threshold	80%		
	Shared resources (e.g. vehicles 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.			
	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.			
	Tenders which fail to meet the functionality minimum threshold will not be evaluated further.			
	Technical site verification 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. Vehicles to be owned and registration to be in the name of the tendering company or one of the directors of the company or letter from Bona fide hiring 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/Hired – Yes/No
	General building maintenance:			
1	Minimum one (1) single cab with canopy / Tonneau cover	1		
2	Tools		Owned Yes/No	
	A - Frame step ladder	Minimum of one (1)		
	9m step ladder	Minimum of one (1)		
	Tile cutter	X 1		

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		Toolbox inclusive of (Measuring tape, Claw hammer, Screwdriver, Chisel, Hard saw)	X1	
		Spirit Level	X 1	
	3	Equipment		
		Personal Protective Equipment (PPE): Safety Boots, Work Suits, Safety Boots, Safety Gloves and Safety Glasses.	Suppliers to take note of the required PPE	
<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 seating and safety belts. Owned and Registration to be in the name of the tendering company, or the director of the company or a signed letter from a bona fide hiring company. Supporting documentation for owned vehicles should be in the form of a Roadworthy certificate (Licence Disc). 				
3.15 Evaluation of Price	Stage 4: Price and B-BBEE point system Price and preference will be applied as follows: <ul style="list-style-type: none"> The 80/20 preference points system will be used to evaluate price. Price points will be calculated out of 80 for price (Evaluated price including VAT). A maximum of 20 points will be awarded to a tenderer 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. The contract/s must be awarded to the tenderer/s scoring the highest points unless objective criteria if any justify the award to another tenderer. The contract/s will be awarded to the highest ranked supplier/s based on the highest points scored, in terms of the PPR 2022 unless objective criteria justify the award to another tenderer. 			

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	$P_s = 80 \left(1 \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where</p> <p> P_s = Points scored for price of bid under consideration P_t = Price of bid under consideration P_{min} = Price of lowest acceptable bid </p> <p>After the scoring and ranking of tender for panel establishment the following shall apply to break deadlock:</p> <ul style="list-style-type: none"> The points scored for Price must be added to the points scored for B-BBEE status in order to obtain each tenderer's total points scored out of 100. In the event that two or more tenderers have scored equal points, the recommended tenderer is identified as the tenderer that scored the higher points for Specific Goals. In the event that two or more tenderers are equal in all respects, the recommended tenderer must be identified by the drawing of lots. 								
3.18 Evaluation of Specific Goals	<p>Specific Goals</p> <p>A maximum of 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.</p> <table border="1"> <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> </tbody> </table>	B-BBEE Status Level of Contributor	Number of points (80/20 system)	1	20	2	18	3	14
B-BBEE Status Level of Contributor	Number of points (80/20 system)								
1	20								
2	18								
3	14								

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	4	12
	5	8
	6	6
	7	4
	8	2
	Non-compliant contributor	0
	<p>NB: The following documents are required to claim preference points,</p> <ul style="list-style-type: none"> Valid B-BBEE certificate issued by a SANAS accredited verification agency / sworn affidavit / CIPS affidavit Proof of ownership / shareholding (CIPC documentation) inclusive of shareholding breakdown Certified ID copies of shareholder(s) Proof of Disability (where applicable) <p>Tenderer failing to provide documentation for the allocation of preference points will not be disqualified, but</p> <ul style="list-style-type: none"> May only score point out of 80 for price Scores 0 points out of 20 for specific goals <p>Valid B-BBEE certificate [Mandatory for contract award].</p> <p>The certificate must be issued by an authorized body or person; a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; any other requirement prescribed in terms of the Broad-Based Black Economic</p> <p>Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:</p> <ul style="list-style-type: none"> 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). 	

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	<ul style="list-style-type: none"> 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. <u>(No blank spaces to be left)</u>. Indicate total revenue for the year under review and whether it is based on audited financial statements or management account. <u>(Mark the applicable option)</u>. Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. <u>(Financial year end to be stipulated by day/month/year)</u>. B-BBEE Status level. An enterprise can only have one status level. <u>(Tick applicable level)</u> 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. <p>Joint ventures will be allowed to participate on this tender.</p> <p>Joint ventures are eligible to submit tenders provided that:-</p> <ul style="list-style-type: none"> Every member of the Joint venture (JV) is registered with CIDB. The lead partner has a contractor grading designation in the GB *class of construction work; or not lower than one level below the required grading designation in the class of works under consideration and possesses the required recognition status. The combined contractor grading designation calculated in accordance with the CIDB regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a GB *class of work or a value determined in accordance with Regulations 25 (1B) or 25 (7A) of the CIDB Regulations.
3.19 Ranking of tenders	<p>Tenderers will be ranked by applying the preferential point scoring for the 80/20 system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.</p> <p>Refer to pages 15 - 16 of this invitation to tender</p>

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3.20 Objective Criteria	<p>Stage 5 – Objective criteria as per PPPFA 2(1)(f)</p> <p>Designation will be determined at task order stage for each task order, prior issue. Where designated sectors will be applicable, the end user is to ensure that the contractor submits SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) before the issuing of task orders</p>
3.21 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>
Contractual Requirements	<p>Step 6: CONTRACTUAL REQUIREMENTS</p> <p>The following contractual requirements shall apply:</p> <ul style="list-style-type: none"> • Commercial Requirements • Health and Safety Requirements • Environmental Requirements • Quality Requirements • Financial Analysis • SDL&I <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 7 working days, to resubmit the contractual requirements that were not met after the tender submission.</p> <p>Proof that the highest-ranked tenderer / preferred tenderer is able to meet the contractual requirements must be submitted before the contract may be awarded.</p>

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	<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>Commercial Requirements</p> <ul style="list-style-type: none">• 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.• Proof of Registration with CIDB – 1GB (General Building) or higher <p>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.</p> <p>SHEQ</p> <p>Health and Safety Requirements</p> <table><tr><th rowspan="2">Ref.</th><th rowspan="2">Eskom Health and Safety Requirements Checklist</th><th colspan="2">Proof Required</th></tr><tr><th>Yes</th><th>No</th></tr><tr><td></td><td colspan="3">Section A: OHS Legal Requirements to be met by Contractors at Tender Stage before contract award (Application of Responsive and Non-Responsive Criteria)</td></tr><tr><td>1.</td><td>Valid Letter of Good Standing or equivalent, i.e. COID, FEMA or RMA. Your COID must depict the correct/ relevant nature of business.</td><td></td><td></td></tr><tr><td>2.</td><td>SHE policy signed by CEO/ MD – Should have the next review date. Comply with OHS Act Section 7</td><td></td><td></td></tr></table>	Ref.	Eskom Health and Safety Requirements Checklist	Proof Required		Yes	No		Section A: OHS Legal Requirements to be met by Contractors at Tender Stage before contract award (Application of Responsive and Non-Responsive Criteria)			1.	Valid Letter of Good Standing or equivalent, i.e. COID, FEMA or RMA. Your COID must depict the correct/ relevant nature of business.			2.	SHE policy signed by CEO/ MD – Should have the next review date. Comply with OHS Act Section 7		
Ref.	Eskom Health and Safety Requirements Checklist			Proof Required															
		Yes	No																
	Section A: OHS Legal Requirements to be met by Contractors at Tender Stage before contract award (Application of Responsive and Non-Responsive Criteria)																		
1.	Valid Letter of Good Standing or equivalent, i.e. COID, FEMA or RMA. Your COID must depict the correct/ relevant nature of business.																		
2.	SHE policy signed by CEO/ MD – Should have the next review date. Comply with OHS Act Section 7																		

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	3.	Provide the following SHE Competency training certificates. 3.1. First aid training certificate 3.2. Risk assessment / HIRA 3.2. Fall protection planner (Work at Heights) 3.4. Safety Officer 3.4. Health and Safety Representative			
	4.	Legal appointments <ul style="list-style-type: none"> • health and safety representatives • construction supervisor • Assistants of construction supervisor. • First Aider • Risk Assessor • Safety Officer 			
	5.	Risk assessment 5.1 Provide Baseline Risk Assessment (BRA), relevant to the scope of work which must address: 5.1.1. Identification of SHE hazards, i.e., assessment of SHE risks related to the scope of work. 5.1.2. Provide the BRA Procedure with the methodology used for the risk assessment.			
	6.	Provide the company Medical Surveillance Program			
	7.	Emergency Preparedness Emergency Plan (fire equipment, evacuation plan, emergency numbers etc.)			
	8.	Incident Management (procedure & statistics to be submitted) <ul style="list-style-type: none"> • Procedure on incident investigation. • Previous Health and Safety Statistics record for the past three years. 			
	9.	PPE – PERSONAL PROTECTIVE EQUIPMENT Requirements. Provide PPE Risk Assessment i. List of PPE ii. PPE Issue Template iii. PPE Inspection Checklist			
	10.	Is the acknowledgement of Eskom's SHE rules and requirements form (Annexure B) signed and submitted by the tenderer?			
Environmental Requirements					

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	REQUIREMENTS			SCORE
				YES/NO ACTUAL (1 OR 0)
	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 and 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 General Building Maintenance and Electrical Maintenance services.	
	7.	Emergency Preparedness Plan (EPP)	Emergency preparedness procedure/plan for environmental emergencies with	

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			emergency contact details		
	8.	Waste Management Plan	Waste management plan on how waste generated on site will be managed, to include where disposal occurs. Emphasis on Hazardous waste and construction rubble to be noted.		
	9.	Environmental related training	Valid Eskom’s Environmental law certificate, must not be expired and required before task execution.		
	Quality Requirements				
		Supplier Quality Management: List of Tender Returnables 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 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	

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	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
	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
		1
	Section E Score	2
	Financial Analysis The analysis of a tenderer's financial statements is not a criterion for the purposes of the scoring and awarding of points or the determination of competitive ranking, but to determine if the tenderer is financially stable enough to execute a contract / order of the magnitude to be awarded, and if not, the risk to Eskom. Due diligence may be done by the Finance Department through a review of financial viability and risk mitigation steps. The latest and approved Annual Financial Statements (AFS) must be submitted by the tenderer. Where the Annual Financial Statements have not been audited, then a ITA34C tax submission will be required and the Public Interest Score as completed by the accountant / reviewer as required by the Companies Act, 2008. The list of mandatory documents are as follows: <ul style="list-style-type: none"> • Background to the company. • A signed director's report. • A signed auditor's / reviewer's / compiler's / accounting officer's report. • Statement of financial position. • Statement of comprehensive income. • Statement of changes in equity. • Statement of cash flows (if applicable). 	

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	<ul style="list-style-type: none"> Notes to the financial statements. <p>Financial analysis cannot be performed for entities who do not submit all required documentation.</p> <p>Risk mitigation factors may include:</p> <ul style="list-style-type: none"> Obtaining a performance bond from a financial institution that has been pre-approved by Eskom Treasury department. A parent Company Guarantee, provided that the parent company is financially sound enough to stand as surety for the subsidiary tendering for the contract. The parent company's latest and approved AFS must be submitted for financial analysis. A reduced contract may be recommended. Payment upon delivery of a milestone activity or milestone goods. <p>In the case of an unincorporated JV or a SPV, each partner in the entity must submit its latest and approved Annual Financial Statements, which will be consolidated to determine their joint capability to execute the contract under award. Where a new company is unable to provide the latest and approved financial statements for the last 18 months, it may, at Eskom's discretion, be permitted to provide latest and approved financial statements for the most recent twelve-month operating period.</p> <p>SDL&I Requirements</p> <p>Refer to the attached SDL&I Strategy Setting for Bidders</p>
3.24 Sign form of Agreement/ Contractual Conditions	Not Applicable
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	<p>CIDB is applicable</p> <p>Proof of Registration with CIDB – 1GB (General Building) or higher</p> <p><i>[Please note that only those tenderers that are registered with the Construction Industry Development Board or are capable of being so registered within twenty-one (21) working days from the closing date for submission of tenders in a contractor grading designation as stipulated in the tender data and determined in accordance with the best estimated value of the scope of works are eligible to submit tenders.</i></p> <p><i>Eskom must, within 21 working days from date when</i></p>

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	<i>contractors offer to perform a construction works contract is accepted in writing, register and publish the award of all contracts equal to or exceeding R10 M inclusive of VAT.]</i>
2.29 Contract Skills Development Goals (CSDG)	Not Applicable
2.30 Contract Participation Goals is	Not Applicable

Please note:

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

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

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

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

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NOTE THE FOLLOWING: -

*** Returns required at Tender closing (disqualifiable): -**

These returnables are required to be completed, signed (if required on the returnable) and submitted with the tender at Tender closing date and time. If not completed, signed (if required on the returnable) and/or submitted by tender closing, the tenderer will be disqualified.

**** Returnable required at Tender closing (non-disqualifiable): -**

These returnables are required to be completed, signed (if required on the returnable) and submitted with Tender at Tender closing date and time; however, if not submitted by Tender closing, or submitted with incomplete information or without a required signature, the Procurement Practitioner will, in writing, request the tenderer to submit the returnable within 5 working days. If the returnable is not completed, signed if required and/or received by the Procurement Practitioner within 5 working days of the request, the tenderer will be disqualified.

The 5 working days period does not apply to CIDB proof of grading. Refer to the returnable table the prescribed period for CIDB proof of grading.

Returns required at Tender Closing date and time for evaluation: -

These returnables are required to be submitted at tender closing date and time. These returnables will not be requested by the Procurement Practitioner. A tenderer that does not submit the required returnable at stipulated deadline or submits an incomplete returnable; will not be disqualified but will score zero.

Returnable required prior to Contract Award.

Returnables that are mandatory for contract award must be submitted prior to award, completed if completion is a requirement and signed if signature is a requirement.

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	Electronic copy of the tender in a PDF format. The price list needs to be submitted in PDF and/or a copy in excel format (The upload size per document is 500	√		

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
	megabytes and total submission is restricted to 4 gigabytes)			
Non-disclosure agreement (NDA)	Submit completed and signed non-disclosure agreement (NDA).		√	
Annexure A	Authorisation 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.		√	
Annexure B	Acknowledgement Form		√	
Annexure C	Tenderers Particulars		√	
Annexure D	Integrity Pact Declaration form		√	
Annexure E	CPA for local goods/services (if applicable) – (Acceptance of the CPA conditions as stipulated in the tender document. Where CPA conditions are not accepted with the tender, the prices will be deemed fixed for the duration of the contract period)	√		
Annexure F	CPA(IG) for imported goods/services (if applicable)	Not Applicable		
Annexure G1-G4	SBD 6.2 -Declaration certificate for local production and content and Annexures G2,G3,G4	Not Applicable		
Annexure H (applicable for all suppliers including Foreign suppliers)	SBD 1- to be completed and submitted by all tenderers.		√	
# Annexure I	SBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations. Returnable required at Tender closing (will not be disqualified but score zero)		√	
Annexure J	SBD 4 – Bidders Disclosure		√	
Reverse e-auction training		Not applicable		

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acknowledgement form (if applicable)				
E-tendering Help Manual acknowledgement form			√	
Additional Documents required in the 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.		√	
	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	A tenderer's failure to submit proof that it meets the specific goals will not result in its disqualification. 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 required from foreign tenderers (with a footprint in South Africa but that are not registered on CSD and have not provided a SARS pin number) and local tenderers (that 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 complete the SBD1 document; however, no proof of tax compliance is required.			√

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Tax Evaluation Questionnaire (if services contract and was included as annexure)	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE			√
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	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		√	
NEC or other Contract	Completed NEC 3 Engineering and Construction Short Contract - contract data.			√
Pricing schedule	Completed pricing schedule	√		
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work))		Not Applicable		
	MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE			

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Reference	Returnable From Suppliers	Returnable required at Tender closing (disqualifiable)*	Returnable required at Tender closing. (Non-disqualifiable) **	Returnable required prior to Contract Award.
Mandatory Contractual Requirement	CSD Registration (CSD number/CSD Report)			√
	ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE			
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)			√
Quality	Refer to page 23 of this invitation to tender for full requirements			√
Other safety documents as required per scope of works	Refer to pages 20 – 21 of this invitation to tender for full requirements			√
Environmental	Refer to pages 21 – 22 of this invitation to tender for full requirements			√
Due Diligence/financial analysis	Refer to pages 24 – 25 of this invitation to tender			√
SDL&I	Refer to the attached SDL&I Strategy Setting for Bidders			√
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHNICAL CRITERIA			
Functionality/Technical	Refer to pages 12 – 15 of this invitation to tender for full requirements	√		

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ANNEXURE A

AUTHORISATION FORM

Indicate the status of the *tenderer* by ticking the appropriate box below.

A COMPANY	B CLOSE CORPORATION	C PARTNERSHIP	D JOINT VENTURE	E SOLE PROPRIETOR	F TRUST

The *tenderer* must complete the appropriate certificate set out below for its category of organisation. If the *tenderer* is a company, close corporation, joint venture, or trust the *tenderer* must attach a certified copy the document that is proof of the contents of the certificate (resolution of the board of directors of a company, members' resolution of a close corporation, power of attorney in the case of a joint venture, or resolution of the board of trustees of a trust).

Note further that, in addition to completing the relevant certificate for category of organisation, the authorised representative of the *tenderer* is also required to complete and sign the table at the end of this Authorisation Form.

A. Certificate for company

I, _____, in my capacity as _____ of the board of directors of _____, hereby confirm that by resolution of the board taken on _____ (date), Mr/Ms _____, acting in his/her capacity of _____, is authorised to submit this tender on behalf of the company, and to sign all documents in connection with this tender and any contract that may result from it on behalf of the company. A certified copy of the resolution of the board is annexed to this Form.

Signed:	Date:
Name:	Position:

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B. Certificate for close corporation

I, _____, in my capacity as member of _____, hereby confirm that by majority vote of the members taken on _____ (date), Mr/Ms _____, acting in his/her capacity of _____, is authorised to submit this tender on behalf of the close corporation, and to sign all documents in connection with this tender and any contract that may result from it on behalf of the close corporation. A certified copy of the members' resolution is annexed to this Form.

Signed:	Date:
Name:	Position:

C. Certificate for partnership

We, the undersigned, being the **key partners** in the business trading as _____ hereby authorise Mr/Ms _____, acting in his/her capacity of _____, to submit this tender on behalf of the partnership, and to sign all documents in connection with the tender and any contract that may result from it on behalf of the partnership.

Name	Address	Signature	Date

NOTE: This certificate is required to be completed and signed by the full number of Partners necessary to commit the Partnership. Attach additional pages if more space is required.

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D. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms _____, an authorised signatory of _____, being the lead member in the Joint Venture, to sign all documents in connection with the tender and any contract that may result from it on behalf of all the members in the Joint Venture.

This authorisation is evidenced by the attached power of attorney signed by the legally authorised signatories of all the members in the Joint Venture.

We attach to this Form a certified copy of the Joint Venture Agreement which incorporates a statement that all members in the Joint Venture are liable jointly and severally for the execution of the contract, a term that indicates which member will be the lead member, and terms that indicate the ratios according to which work and payment will be divided amongst the members.

Name of JV member	Address	Authorised signature, name and capacity
Lead member		
Member		
Member		
Member		

NOTE: This certificate is required to be completed and signed by all members of the joint venture. Attach additional pages if more space is required.

E. Certificate for sole proprietor

I, _____, hereby confirm that I am the sole proprietor of the business trading as _____

Signed:	Date:
Name:	Position: (Sole Proprietor)

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F. Certificate for trust

I, _____, in my capacity as _____ of the board of trustees of _____, hereby confirm that by resolution of the board of trustees taken on _____ (date), Mr/Ms _____, acting in his/her capacity of _____, is authorised to submit this tender on behalf of the trust and to sign all documents in connection with this tender and any contract that may result from it on behalf of the trust. A certified copy of the resolution of the board of trustees is annexed to this Form.

Signed:	Date:
Name:	Position:

NOTE: The table below must also be fully completed by all *tenderers* in addition to the certificate that was selected and completed above.

Name of tenderer:	
Full names of authorised signatory:	
Designation and capacity:	
Signature of authorised signatory	
Date of signature:	

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ANNEXURE B

ACKNOWLEDGEMENT FORM

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

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

Correct as stated in the Invitation to Tender / RFP Content List, and that each document is complete. ☐

Or: Incorrect or incomplete for the following reasons: ☐

Cataloguing Acknowledgement:

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

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

4. We are a Distributor/Importer/Agent and our Principal, being the Original Equipment Manufacturer (OEM), is or is not [***delete whichever is not applicable***] in the position to supply cataloguing information for items. We attach the letter from the OEM confirming its position. ☐

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Invitation to Tender No: _____

Name of Tenderer: _____

Country of registration: _____

Full names of contact person: _____

Contact details:

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

Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE C

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 individual companies and each JV member) or trust number.	
VAT registration number (for individual companies and each JV member)	
CIDB registration number (for individual companies and each JV member), contractor grading designation (for individual companies and each 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 in the case of a 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	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	

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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 National Treasury's Central Supplier Database (CSD), please provide your supplier registration number with Treasury _____
3. Please note that it is not mandatory for you to be registered on National Treasury's CSD at the time of responding to this tender. It is, however, a mandatory requirement that you be registered on CSD prior to award.
4. You may register online at National Treasury website on www.treasury.gov.za
5. If you are registered on SARS E-filing system, please provide your PIN number in order to verify your tax compliance 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 E-filing PIN, please confirm that you have attached or will furnish a copy of a current valid tax compliance certificate as a tender returnable by contract award stage.

YES		NO	

7. **If sub-contracting is prescribed in the Invitation to Tender , tenderers must complete 7.1 to 7.9.**

7.1 Confirm if you intend sub-contracting

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

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

7.3 To whom do you intend sub-contracting? _____

7.4 Is the said sub-contractor registered on CSD?

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

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

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

7.7 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).

7.8 Please confirm that you have attached your signed intention to sub-contract document.

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

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

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

Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE D

INTEGRITY DECLARATION FORM

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

1 DECLARATION OF INTEREST

I/We understand that an employee of the State as defined in the Public Service Act of 1994 is prohibited from conducting business with any organ of state and from being a director of a public or private company that conducts business with an organ of state.

I/We understand that any natural/legal person, including any natural legal person related to an Eskom employee/director as per the definition of “related” set out hereunder, may submit a tender to Eskom. However, in order to establish whether a conflict of interest exists tenderers are required to declare such interest/relationships where: -

1. the *tenderer/s* employees/directors are also employees/contractors/consultants/ directors of Eskom.
2. the *tenderer/s* employees/directors are also employees/contractors/consultants or directors in another entity together with Eskom employees/consultants/contractors/ directors.
3. the *legal entity including its employees/contractors/ directors / shareholders /members /partners / owners* on whose behalf the tender documents are signed, is/are in some other way related to an Eskom employee/contractor/consultant/director involved in the tender specification/ tender evaluation/tender adjudication/negotiation.
4. the tenderer/s and one or more other tenderers in this tendering/RFP process have a controlling partner in common, or 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 over the tender of another tenderer, or influence over the decisions of Eskom regarding the bidding process;

Related:

(1) When used in respect of two persons, means persons who are connected to one another in any manner contemplated below:

- (a) an individual is related to another individual if they-
 - (i) are married, or live together in a relationship similar to a marriage; or
 - (ii) are separated by no more than two degrees of natural or adopted consanguinity or affinity;

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- (b) 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 set out in subsection (2) below; and
- (c) a juristic person is related to another juristic person if-
 - (i) either of them directly or indirectly controls the other, or the business of the other, as determined in accordance with subsection (2) below;
 - (ii) either is a subsidiary of the other; or
 - (iii) a person directly or indirectly controls each of them, or the business of each of them, as determined in accordance with subsection (2) below.

“related person”, when used in reference to a directors/shareholders/members/partners/owners, has the meaning set out in 3.3.16, but also includes a second company of which the directors/shareholders/members/partners/owners or a related person is also a director directors/shareholders/members/partners/owners, or a close corporation of which the director or a related person is a member.

Control:

- (2) For the purpose of subsection (1) above, a person controls a juristic person, or its business, if-
 - (a) in the case of a juristic person that is a company-
 - (i) that juristic person is a subsidiary of that first person, as determined in accordance with the Companies Act¹; or
 - (ii) that first person together with any related or inter-related person, is-
 - (aa) directly or indirectly able to exercise or control the exercise of a majority of the voting rights associated with securities of that company, whether pursuant to a shareholder agreement or otherwise; or
 - (bb) has the right to appoint or elect, or control the appointment or election of, directors of that company who control a majority of the votes at a meeting of the board;
 - (b) in the case of a juristic person that is a close corporation, that first person owns the majority of the members’ interest, or controls directly, or has the right to control, the majority of members’ votes in the close corporation;

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- (c) in the case of a juristic person that is a trust, that first person has the ability to control the majority of the votes of the trustees or to appoint the majority of the trustees, or to appoint or change the majority of the beneficiaries of the trust; or
- (d) that first person has the ability to materially influence the policy of the juristic person in a manner comparable to a person who, in ordinary commercial practice, would be able to exercise an element of control referred to in paragraph (a), (b) or (c) of subsection (2).

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

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

If any employee/director/member/shareholder/owner of the tenderer/s is also currently employed by Eskom, state whether this has been declared and whether there is authorisation to undertake remunerative work outside public sector employment and attach proof to this declaration. _____[Yes/No]

Do the tenderer/s and any other tenderer/s in this tendering/RFP process share a controlling partner or have any relationship with each other, directly or through common third parties? _____[Yes/No]

If Yes, attach proof. to this declaration

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2 DECLARATION OF FAIR TENDERING PRACTICES

The tenderer declares that it has taken all reasonable steps to address and prevent the exploitation of the procurement process and the use of any unfair tendering practices.

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

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

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

Item	Question	Yes	No
1.1	Is the tenderer/s or any of its shareholders/ directors/ members/ partners/ owners/ trustees/ beneficiaries listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector. The Database of Restricted Suppliers can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.2	Is the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combatting of Corrupt Activities Act (No 12 of 2004) The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za).		
1.3	Was the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries convicted by a court of law (including a court outside South Africa) of fraud and/or corruption in respect of any procurement/tendering processes/procedures during the past five years?		
1.3.1	If "Yes", provide details including a case number and a copy of the judgement.		
1.4	Was the tenderer/s or any of its shareholders/ directors/ members/ partners/ owners/ trustees/ beneficiaries prohibited from doing business with any International Financial/Lending Institution or Development/ Funding Agency?		
1.5	Is there any history/record of the tenderer/s or any of its shareholders/directors/members/partners/owners/trustees/beneficiaries failing to meet their contractual obligation with the State or any State Owned Entity(SOC)?		
1.5.1	If "Yes", provide details		
1.6	Is the tenderer/s or any of its directors restricted by Eskom?		

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3. DECLARATION OF SHAREHOLDING / BENEFICIARY INFORMATION

I, the undersigned _____ [Full names and 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 / Beneficiaries
in _____ [Name of Tenderer]:

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

Individuals:

Full Name	Identity Number	Shareholding Percentage / Beneficiary Share

Other Entities*:

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

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

Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

Joint Ventures

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

I give my consent for this information to be used for the purposes 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.

Name of Tenderer:	
Full names of authorised signatory:	
Signature:	
Designation and capacity:	
Date:	

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ANNEXURE E

CONTRACT PRICE ADJUSTMENT (CPA) REQUIREMENTS FOR LOCAL GOODS AND SERVICES.

The application of contract price adjustment (CPA) to tender submissions

Note: This Section will not be applicable to Professional services contracts (See relevant section hereunder for guidelines on this).

1. Application of CPA

- CPA conditions may apply if the contractual duration is to be longer than 12 months.
- If the contractual duration will be less than or equal to 12 months, a fixed priced offer must be submitted.
- For contracts with a duration more than twelve (12) months, CPA will not be applicable for the first year. CPA will then only be applied from year two (2) onwards.
- Failure to propose contract price adjustment, or submit a CPA formula with the tender submission, will result in the pricing being considered fixed.
- Eskom will not accept Rate of Exchange adjustment to be included in any CPA formula.
- Local indices may not be used for CPA purposes for any imported component.
- There must be separate CPA formulae for local and foreign CPA. Local and foreign escalation may not be combined into one formula.

2. Tender Submissions

Eskom Proposed CPA breakdown for Local Goods and Service

The rates will be fixed and firm for the first 12 months and thereafter be adjusted annually in accordance with SEIFSA index (Table C3) 60% for labour, (Table D4) 20% for consumables and (Table L2B) 5% for transport price. 15% will be fixed on non-adjustable.

SEIFSA Index (SEIFSA Tables Proportion):

Table C3(A)-All Hourly-Paid Employees	60%
Table D4- Consumables	20%
Table L2B-Road Freight Costs	5%
Fixed Non-Adjustable	15%
Total	100%

Note: Material Purchase

Contractor/s need to submit three (3) quotations from different suppliers when purchasing material. Approval must be obtained from Project Managers before purchasing.

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Eskom CPA Conditions/Requirements

- Tenderers are required to submit CPA that is aligned to Eskom's proposed CPA breakdown in this Tender; or Tenderers may submit an alternative CPA proposal from Eskom's CPA proposal, and this will be considered if deemed acceptable to Eskom;
- Note that for contracts exceeding a duration of 12 months if there is no CPA catered for by the tenderer; then prices will be deemed to be fixed and firm.
- A minimum of 15% of the total agreement value is to be fixed when a CPA formula is applied,
- Each CPA formula must add up to a final total of 100.
- Only official published CPA indices that are in the public domain must be used.
- No in-house indices may be used for CPA.
- There may be more than 1 CPA formula (Formula A, B, C etc) or a combination of all the cost components into 1 Formula (depending on how the pricing is to be submitted).
- If there are specific line items for Labour and Transport, individual Formulae might be used.

Note: Eskom reserves the right to negotiate CPA terms and conditions during negotiations held with tenderers.

3. BASE DATE AND BASE PRICE

- In instances of indices or other references published monthly, the Base Date is to be the month before the month in which the tender closes.
- In instances where the reference figures, e.g. market prices, are published daily or at intervals more than once a month; then the average for the month before the month in which the tender closes should be used as the Base Price.

4. CPA FOR PROFESSIONAL SERVICES

- The preferred index to be used for adjusting these agreements is the country specific CPI Headline index.
- The price adjustment factor will be effective from each contractual anniversary of the contract date. This must be the average of the country specific CPI Headline index figures published for the last twelve-month period (cycle) ending before the contract anniversary date.

Closing date of tender:	
Name of tenderer:	
Full names of authorised signatory:	
Signature:	
Date of signature:	

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ANNEXURE F (Not Applicable)

CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES

ANNEXURE G1(Not Applicable)

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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ANNEXURE H

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	E3731DXLIMOU	CLOSING DATE:	20 November 2026	CLOSING TIME:	10h00 am
DESCRIPTION	Panel appointment of 6 contractors for the provision of general building maintenance services in Limlanga Cluster - Limpopo Area on an "as and when" required basis over a period of 60 months				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
https://etendering.eskom.co.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ndivhuwo Radzilani		CONTACT PERSON	Ndivhuwo Radzilani	
TELEPHONE NUMBER	015 230 1532		TELEPHONE NUMBER	015 230 1532	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	RadzilNM@eskom.co.za		E-MAIL ADDRESS	RadzilNM@eskom.co.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO					

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DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
 DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
 DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
 IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

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PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

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ANNEXURE I

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) 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.

1.3 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.

1.4 To be completed by the organ of state:

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

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 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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3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$P_s = 80 \left(1 + \frac{80/20 \cdot (P_t - P_{max})}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. 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:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
 then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where the 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.)

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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	
7	4	
8	2	
Non-compliant contributor	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole proprietor
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Trust
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. 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:

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

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- iii) 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;
- iv) 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 –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) 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;
 - (d) 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
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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ANNEXURE J

SBD 4

TENDERER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to tender / request for proposal. 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, Eskom requires the tenderer 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, including Restriction by Eskom, that person will automatically be disqualified from the tender process.

2. TENDERER'S DECLARATION

2.1 Is the tenderer or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest 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 the table below.

Full Name	Identity Number	Name of State Institution

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2.2 Do you, or any person connected with the tenderer, have a relationship with any person who is employed by the procuring institution?

[YES/NO]

If so, furnish particulars:

.....
.....

2.3 Does the tenderer 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]

If so, furnish particulars:

.....
.....

3. DECLARATION

I, the undersigned, (name).....in submitting the accompanying tender, 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 tender will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The tenderer has arrived at the accompanying tender independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium will not be construed as collusive bidding.
- 3.4 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 tender, tendering with the intention not to win the tender and conditions or delivery particulars of the products or services to which this tender invitation relates.

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- 3.5 The terms of the accompanying tender have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the tenderer 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 tender submitted where so required by the institution, and the tenderer was not involved in the drafting of the specifications or terms of reference for this tender.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, tenders 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 the tenderer maybe 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 TENDER OR ACT AGAINST THE TENDERER IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

Date

.....

Position

Name of bidder

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