ESKOM HOLDINGS SOC LTD

INVITATION TO TENDER (ITT)

FOR

The provision of tactical response team (TRT) security services for a period of 48 months at Camden Power Station.

Tender number	**E3758GXMPCAM**
Issue date	**30 October 2026**
Closing date and time	**26 November 2026 at 10h00**
Tender validity period	**180 days from the closing date and time**
Clarification meeting	***Non-compulsory clarification meeting*** ***Date: 11 November 2026*** ***Time :10H00am*** ***Venue:*** ***Please use line below to join*** **Microsoft Teams meeting** **Join: Microsoft Teams meeting** https://teams.microsoft.com/meet/357323697224776?p=ybLtPosp4if7ucoacb Meeting ID: 357 323 697 224 776 4 Passcode: Ne7dd2T8
Tenders are to be submitted electronically via Eskom E- tendering site by the stipulated closing date and time. ***Please note it is the responsibility of the supplier to ensure that the tender submission is submitted before the closing time***	

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Invitation to Tender/Request for Proposal

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a *tender* ***FOR the provision of tactical response team (TRT) security services for a period of 48 months at Camden Power Station.***

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/proposal 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

Neo Mashishi

Date: 2026/10/29

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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 **(Suppliers are required to download and read the Supplier Integrity Pact. It is accessible on the Eskom Tender Bulletin via Eskom Supplier Integrity Pact (eskom.co.za) link)**	Annexure D	Y
1.1.5	*CPA Requirements for Local Goods/Services	Annexure E	Y
1.1.6	*CPA(IG) for Foreign Goods/Services	Annexure F	Y
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	Y Y Y Y
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 ***[only to be attached for services type of contracts]***.	***[Procurement Practitioner to download from Hyperwave]***	Y

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Number	Description	Annexure	Attached (Y / N / N/A)
1.1.12	E-tendering Help Manual acknowledgement form	*Annexure L*	Y
1.1.13	E-tendering Help Manual for supplier	*Annexure M*	Y
1.1.14	Scope of Work and TES	*Appendix A1 and A2*	Y
1.1.15	NEC or other Contract	*Annexure B*	Y
1.1.16	Pricing Schedule/BOQ (if not contained in Contract) PDF and excel format. The upload size per document is 500 megabytes and total submission is restricted to 4 gigabytes.	*Annexure C*	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	The *Employer* is **Eskom Holdings SOC Ltd** The Eskom *Representative* is: Name: **Nicholas Nelani** Tel: **017 827 8205** E-mail: **NelaniNT@eskom.co.za**
1.3 Tender documents	The Invitation to tender number is: **E3758GXMPCAM** See the content list above for the tender documents.
1.4 Type of Invitation to Tender/ RFP	This Invitation to Tender is: **1.** 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	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. **Tenderers are ineligible to submit a tender if:** **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).

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Clause Number from Standard Conditions of Tender	Tender Data
	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 shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. **4.** A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. Prima facie evidence that a tenderer has a conflict of interest with one or more parties in this [tendering/RFP] process is: (a) they have a controlling partner or majority shareholder in common; or (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; **5.** Tenders signed by non-authorised persons. **6.** Any tenderer that is restricted by National Treasury. **7.** Any tenderer on the Tender Defaulters list. **8.** A tenderer that sub-contracts 100% of the Scope of Work **Eskom will disqualify tenderers that are found not to have met the eligibility criteria.**
2.2 - 2.5 Tender Closing	The deadline for ***Tender submission*** is: Date **26 November 2026** Time **10H00** **Late Tenders will not be accepted.** **Tenders are uploaded via Eskom Tender bulletin site on the Eskom E- tendering page**
2.7-.2.11Submitting a tender	For Electronic Tender Submissions 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. 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 a copy in excel format. No Zip/condense files can be uploaded No hard copy will be accepted

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Clause Number from Standard Conditions of Tender	Tender Data
	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. Supplier Help Manual guide and video can be found on Eskom E-Tendering page
2.12 Tender Validity Period	The tender validity period is **180 days**
2.15 Site visit and/or clarification meeting	A ***non-compulsory clarification meeting*** with representatives of Eskom will take place as follows: Date: **11 November 2026** Time: 10H00 Venue: MS Teams Tenderers must confirm their intention to attend with the Eskom Representative, stating the name, position and contact details of each proposed attendee. **Microsoft Teams meeting** **Join:** https://teams.microsoft.com/meet/3573236972247764?p=ybLtPosp4if7ucoacb Meeting ID: 357 323 697 224 776 4 Passcode: Ne7dd2T8
2.16 Seeking clarification	The tenderer will notify Eskom of any clarifications required before the closing time for clarification queries, which is **10** 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	N/A

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Clause Number from Standard Conditions of Tender	Tender Data
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***.
3.9 Basic Compliance	Basic compliance with this Invitation to Tender requires a tenderer to meet all the following requirements: Basic compliance for this invitation to tender are: 1. Meet the eligibility criteria for a tenderer 2. Submit a complete tender with commercial, financial and technical information 3. Submission of the mandatory commercial tender returnables as at stipulated deadlines. For E-Tendering, a tenderer's failure to have submitted/uploaded tender documents will render the tender non-responsive.

Step 1 – Basic Compliance

Basic compliance requirements are:
• Meet the eligibility for a tender
• Submit a complete original tender with commercial, financial and technical information
• Submission of the mandatory commercial tender returnable as at stipulated deadlines
• Central Supplier Database MAAA number prior to the award of the contract.

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 a copy in excel format (The limit is 50MB per file and total submission of 900MB per submission)	√		

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Clause Number from Standard Conditions of Tender	Tender Data			
Annexure A	Authorisation Form		√	
Annexure B	Acknowledgement Form		√	
Annexure C	Tenderers Particulars		√	
Annexure D	Integrity Pact Declaration form		√	
Annexure E	CPA for local goods/services		√	
Annexure F	CPA(IG) for imported goods/services		√	
Annexure G1-G4	SBD 6.2 -Declaration certificate for local production and content and Annexures G2,G3,G4 ***[only applicable where designated materials are included]***			√
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		√	
Annexure J	SBD 4 – Bidders Disclosure		√	
Reverse e-auction training acknowledgement form **(if applicable)**				√
E-tendering Help Manual acknowledgement form **(If applicable)**				√
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			√

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Clause Number from Standard Conditions of Tender	Tender Data			
	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.			
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)			√
NEC or other Contract	NEC or other Contract, completed in full.	√		
Pricing schedule	Completed pricing schedule (if not already submitted in the NEC or other Contract).	√		
Additional documents required (ECSA/ SACPCMP/CVs/ permits/licenses/ specific registration documents (if applicable to scope of work)		√		
	MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE *[applicable to all tenders]*			
Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD number/CSD Report)		√	

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Clause Number from Standard Conditions of Tender	Tender Data			
	ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE *[where applicable and as stipulated under tender Data]*			
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	**1. <u>Category 4: Quality Requirements</u>** • The supplier shall complete and sign Form A (Enquiry/Contract/Quality Requirements for Supplier Quality Management Specification 240-105658000/ QM 58 and ISO 9001). • The supplier shall submit objective evidence of a developed QMS that complies with ISO 9001 (or the latest applicable revision). The following documented information (approved/ signed copies) shall be submitted: • Quality management system manual or a (documented information) that have defines and describes the QMS and its scope • Quality Policy, aligned with the supplier's strategic direction (documented information) • Quality Objectives (documented information) • Control of documented information (both maintain and retain documented information) • Internal audit procedure (documented information) • Control of nonconforming outputs (documented information) • Nonconformity and Corrective action procedure (documented information) The QMS should drive all the supplier's business management processes to ensure that all of Eskom's requirements are fully met on a consistent basis. • The supplier shall submit a draft contract quality plan that is specific to the scope of work as described in the tender documents. The plan must address the minimum requirements as per ISO 10005.			√

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<table>
<tr><th>Clause Number from Standard Conditions of Tender</th><th colspan="5">Tender Data</th></tr>
<tr><td></td><td colspan="5">

Where applicable; the supplier shall submit an example inspection and test plan (ITP) or quality control plan (QCP).
The supplier shall submit documented information for Control of Externally Provided Processes, Products and Services.
The supplier shall submit a copy of documented information for roles, responsibilities and authorities in relation to the QMS. Examples of relevant documented information are; organization charts, job descriptions, work instructions, duty statements, manuals, procedures.

NB: specific requirements per tender will be selected using the List of Tender Returnables document (240-12248652).
</td></tr>
<tr><td>Other safety/quality documents as required per scope of works</td><td colspan="5">

Letter of Good standing
SHE Plan
Baseline Risk assessment
Competency
SHEQ policy
Annexure B Acknowledgement form

</td></tr>
<tr><td>Environmental</td><td colspan="5">
<table>
<tr><th>Reference</th><th>Environmental Requirements</th></tr>
<tr><td>1.1 SHE Specs</td><td>Environmental Policy</td></tr>
<tr><td>1.2 NEMA Act 107 of 1998, Section 28(3)</td><td>Environmental Management Plan must included method statements talking back to the scope of work</td></tr>
<tr><td></td><td>Environmental Risk Assessment including Aspects and Impacts</td></tr>
<tr><td></td><td>Provide proof of training of employees on environmental risks</td></tr>
<tr><td>1.3 NEMWA Act 59 of 2008</td><td>List of all waste streams</td></tr>
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Clause Number from Standard Conditions of Tender	Tender Data				
		Waste management programme and Housekeeping to include method statements of:			
		* How waste will be stored			
		* How waste will be disposed of			
		* How will you avoid littering and mixing of waste			
		* Commitment to keep site clean and remove all material / waste			
		Recycling programme for all waste streams			
	1.4 HCS Reg 9A of 1998	Hazardous Substances and Material Register			
		Safety Data Sheet for each hazardous waste stream			
Financial evaluation	**Finance requirements for financial statement analysis.** 1. Auditors/ independent reviewers / accounting officer's / compiler's report. 2. A signed director's / member's report. 3. Set of Annual financial statements: Approved financial statements, signed auditors / independent reviewers / accounting officer's report must be valid and not outdated, received within 18 months after year end (S (30) of Companies Act 3.1 Statement of Financial Position 3.2 Statement of Comprehensive Income (Income Statement) 3.3 Statement of Changes in Equity 3.4 Statement of Cash Flows 3.5 Notes to the Financial Statements 4. ITA 34C Income tax assessment for current year under review, only used if supplier is not audited 5. Public Interest Score (PIS) – used to determine whether the financial statements are required to be audited / independently reviewed or neither. 6. Procurement to send the following				√

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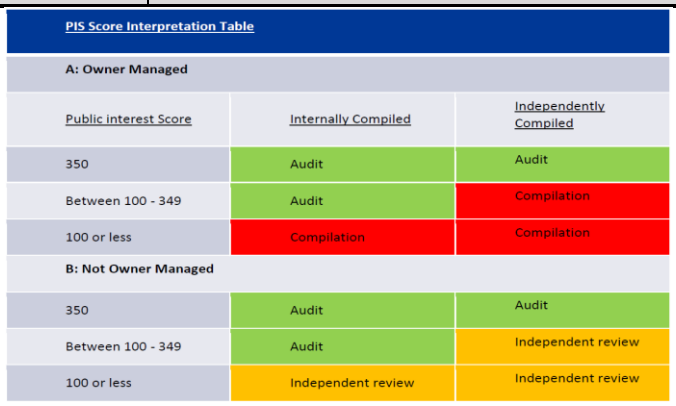
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Clause Number from Standard Conditions of Tender	Tender Data			
	6.1 Contracts that the supplier has with Eskom breaking down the target value, value spent and remaining value 6.2 The contract reference as per tender enquiry for new contracts for cessions and other modifications (remaining contract value and contract number) 6.3 Contract description as per the tender issue or mandate or modification **To note:** Finance will not review financials with errors. We do not adjust financial statements Finance does not communicate with suppliers unless it is a clarification meeting set with the buyer and minuted as per commercial requirements. PIS score will be verified according to the AFS where possible **Report turnaround time will be 7 days from the date finance receives all required documentation** PIS Score and report requirements clarification **Owner Managed Companies** If PIS 350 regardless of financials being compiled internally or externally – Finance requires an audited report Between 100-349 internally compiled = Audited report if externally/independently compiled compilation report or accountants report Less that 100- An accountants report regardless of financials being compiled internally or externally **Not Owner Managed.** If PIS 350 regardless of financials being compiled internally or externally – Finance requires an audited report Between 100-349 internally compiled = Audited report if externally/independently compiled an independent review report Less that 100- An independent review report regardless of financials being compiled internally or externally			

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Clause Number from Standard Conditions of Tender	Tender Data			
				
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Functionality/Technical	Please refer to attached technical evaluation criteria and also listed on page 9 To 10 of this document	√		

3.11 Mandatory tender returnables

A tenderer that does not submit mandatory documents by or the complete information required in mandatory documents by the deadlines as stipulated in the Tender Returnable section of the respective Invitation to Tender/RFP will be deemed non-responsive.

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Clause Number from Standard Conditions of Tender	Tender Data

	Mandatory Technical Criteria Description	Reference to Technical Specification / Tender Returnable ***N.B.: Certification of the documents must not be older than 3 months from date of submission.***	Motivation for use of Criteria
1.	**Registration of company as a security service provider in terms of PSIRA Act.** • Supplier must submit a copy of Company PSIRA letter of good standing.	a) **Tender Returnable**: Valid certified copy of a company PSIRA letter of good standing issued by PSIRA.	a) Compliance to PSIRA legislation Act 56 of 2001
2.	**Provident Fund** • Supplier must submit a Private Security Sector Provident Fund / or Similar.	**b) Tender Returnable:** Valid certified letter of participation.	b) Provide Risk Coverage
3.	**Public Liability** • Minimum R15 million public liability insurance must be submitted which is inclusive of surveillance aerial drone. (Drone public liability R 5 million)	**c) Tender Returnable:** Original or certified copy of cover for the required public liability insurance from the insurer issued to the security company. No letter of intent will be accepted	c) Insurance / Policy Cover
4	**National Key Point acknowledgement letter** • Supplier must submit an acknowledgment letter of intent obtained from NKP office.	**d) Tender Returnable:** Proof of acknowledgement letter issued by the NKP office to render service at NKP.	d) Compliance to NKP Act 102 of 1980
5	**Canine (K9) Dog Unit service** • Supplier must submit the Canine PAPA operating licence.	**e) Tender Returnable:** Proof of PAPA licence and a lease agreement for the service dogs signed by contracting partners.	e) Compliance to Animal Act.

3.13 Functionality requirements

2.	**Resources- Work Force**			70	
	2.1	• Company must proof that they have sufficient required manpower. (SOW requirement 22 per shift)	• **Tender returnable** – Recruitment policy indicating capability to recruit the required staff		**10**
		• Company must indicate number of security personnel employed	• **Tender returnable-** PSIRA letter of good standing containing numbers.		
		• Company must submit Qualification of Security Site manager	• **Tender returnable** - Site Manager – C.V and certified copies of NKP, All 3x Firearm competencies, Grade A and Any security related managerial Qualification)		
		• Company must submit Qualification of Safety Officer.	• **Tender returnable** - Safety Officer - C.V and certified copies of ID and Qualifications (Diploma or SAMTREC in Occupational health and Safety)		
		• Company must submit Qualification of Person responsible for the Canine Dog Unit	• **Tender returnable** - Canine Manager - C.V and certified copies of ID, DH 3 person responsible for Canine Dog Unit (Grade C, NKP and DH3 certificate)		
		• Company must submit Qualification of Site shift supervisor.	• **Tender returnable** - Shift supervisor – Certified Copies of ID, Grade B, NKP, Drivers licence, Firearm competencies		

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Clause Number from Standard Conditions of Tender	Tender Data

	Resources-Contractor's Control Room (On site Evaluation)				
	2.2	Is the contractor's control room locally established, fully equipped and operational and capable of rendering the required service		**10**	
		• The supplier's control room must meet Eskom requirements as listed below: ➢ It must be in an immovable structure made of bricks, mortar and cement halls. ➢ Controlled access (burglar doors, electronic / control access door and reinforced doors)	**Tender returnable** – Inspect the facility using Eskom's security control room checklist		**10**
		• The supplier must demonstrate that two-way radio communication is operational.	**Tender returnable** – Functional test to be conducted on site. Certified copies of ICASA licence. Functioning to be confirmed on site visit. ***N.B.: Certification of the documents must not be older than 3 months from date of submission. (ICASA licence)***		
		• The supplier must demonstrate that Landlines, cell phone or email are operational and in use.	**Tender returnable** – Functional test to be conducted on site.		
		• The supplier must avail proof of Business Loco Standi	**Tender returnable** – Physical inspection Business Address (lease agreement, ownership and letter from Chief or Induna will suffice.		
		• The supplier must demonstrate that an Occurrence book is in use and up to date	**Tender returnable** – Inspect register on site		

		• The supplier must demonstrate that there is an emergency call-out procedure displayed prominently against the wall and the operators are knowledgeable in the execution thereof.	Tender returnable – Inspect procedure and test operator on content on site		
		• The supplier must proof that records are kept of incidents and response time. (incident register/OB/computer)	**Tender returnable** – Inspect registers on site		
		• The supplier must proof that the control room is operational 24/7.	**Tender returnable** – Peruse OB / inspect shift roster		
		• Number of control room operators must be two per shift.	**Tender returnable** – Peruse OB / inspect shift roster		
		• Emergency contact list must be displayed against the wall.	**Tender returnable –** Inspect the list displayed against the wall.		
		• Duty roster must be displayed against the wall in the control room.	**Tender returnable –** inspect the facility / control room if roster displayed		
		• Ablution facility with easy access for control room operators or employees.	**Tender returnable –** inspect the facility for (ablution)		

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Clause Number from Standard Conditions of Tender	Tender Data

	Armoury Compliance (On site evaluation)			**10**	
	2.3	**Safe keeping, storage and records of Firearms and ammunitions (Firaem Control Act 60 of 2000)**			**10**
		• Supplier must proof that firearms are kept in a strong room as required by the firearm control Act 60 of 2000.	Tender returnable – SABS approved / physical inspection (letter issued by SAPS DFO confirming that the safe is compliant)		
		• Firearm accidental discharge / incident register must be in place.	**Tender returnable** – physical inspection (peruse the register)		
		• List of firearms must be displayed prominently on the inside of the safe door or wall.	**Tender returnable** – physical inspection		
		• The A7/A8 firearm / ammunition register must be available in the safe or electronically. (serial number, make, calibre)	**Tender returnable** – physical inspection		
		• Proof of regular firearm inspected must be provided. Date, time and person conducting the inspection must be specified in the register.	**Tender returnable** – proof of inspection with date, month and year.		
		• Firearm safe work procedure must be displayed against the wall next to the bullet trap or in the armoury room.	**Tender returnable** – physical inspection		
		• Proof of an appointment letter of Armoury manager	**Tender returnable** – inspect document		

	Acquisition of K9 services: On site Evaluation / Desktop			**10**	
	2.4	Is the supplier K9 (Dogs) fit to render services as required.			10
		• Dogs must have operational fitness certificates.	**Tender returnable –** proof of operational fitness certificate		
		• Dogs must have medical fitness certificates.	**Tender returnable –** proof of medical fitness certificate		
		• Supplier must have on site K9 kennels, foods storage, training facilities as well as logistical support for operational purposes.	**Tender returnable –** on site inspection facilities K9 Kennels		
		• Refresher training record for the K9's and handlers must be available in terms of PAPA Act.	**Tender returnable –** proof of training and refresher records / onsite inspection		
		• Dogs must have positive identification (microchip).	**Tender returnable –** physical inspection		
		• Dogs must not have a physical, mental or social anomalies in terms of congenital abnormalities.	**Tender returnable –** proof of vetinary certificate not older than 12 months		
		• Vaccination and deworming certificates must be available and up to date.	**Tender returnable –** proof of vetinarian certificate		

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Clause Number from Standard Conditions of Tender	Tender Data

		• Phobia and noise records must be available to proof that dogs can work in such environment (construction site).	**Tender returnable –** proof of vetinarian certificate		
	Resources-Firearms			10	
	2.5	**The supplier must demonstrate that they have enough firearms to issue to the deployed security officers on site. (Ref for quantities in the SOW)**			10
		• Supplier must demonstrate / proof number of **LM4** rifles in his / her possession (Company) as per the requirement of the SOW.	**Tender returnable –** physical inspection Record number of firearms		
		Firearm Control Act 60 of 2000 • Supplier must submit proof of licensed firearms obtained from the Central Firearm Registrar of SAPS / Designated Firearm Officer. (DFO).	• **Tender Returnable:** Submit Firearms licenses as follows: ➢ 4x certified copies of licensed Rifles. ➢ 8x certified copies of licensed Shotguns. ➢ 10x certified copies of licensed 9mm pistol. (Issued by SAPS). Certified copy not less than 90 days.: **Only the 9mm pistol, ML4 Riffles and 12 bore shotguns required.**		
		• Supplier must demonstrate / proof number of 12 Bore shotguns in his / her company.	**Tender returnable –** physical inspection Record number of firearms		
		• Supplier must demonstrate / proof number of 9mm pistol in his / her possession (Company).	**Tender returnable –** physical inspection Record number of firearms		

		• Supplier must demonstrate / proof that it does have sufficient quantities of LM4 ammunitions as indicated in the SOW.	**Tender returnable –** physical inspection of rifles LM4 ammunition Record numbers		
		• Supplier must demonstrate / proof that it does have sufficient quantities of 12 Bore shotgun ammunitions as indicated in the SOW.	**Tender returnable –** physical inspection of shotgun / pump action ammunition.		
		• Supplier must demonstrate that it does have sufficient quantities of 9mm pistol ammunitions as indicated in the SOW.	**Tender returnable –** physical inspection of 9mm pistol ammunition		
		• Supplier must demonstrate / proof that employees have competencies to possess firearms for business purposes for all types of firearms stipulated in the SOW.	**Tender returnable –** Proof of individuals firearms competencies with business purposes for all 3 types of firearms		

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Clause Number from Standard Conditions of Tender	Tender Data			
	Resources-Surveillance Aerial Drone (As and when required) **and security officers body cameras (desktop / on site evaluation)** 10			
2.6	**The supplier must supply a surveillance aerial drone for the service required.** A lease agreement will suffice.			10
	• The supplier must proof that he / she (company) has a Drone to render the service.	**Tender returnable** – physical inspection of the drone.		
	• Operators must have a valid operator licence to operate a drone. (Valid SACAA Remote Operator Certificate).	**Tender returnable** – proof of operator licences		
	• Numbers of operators must be as per the requirement of the SOW.	**Tender returnable –** proof of competencies or license of operators.		
	• Supplier must have drone registration, and Valid operational certificates	**Tender returnable –** proof of aircraft registration and operational certificates.		
	• Supplier must have 10x body cameras as required by the SOW.	**Tender returnable –** physical inspection of security bodycams.		
	• Supplier must have a Drone & Controller's User Manual	**Tender returnable –** Submit document / proof		
	• Supplier must have a Drone Letter of Approval (Obtained from Civil Aviation Authority)	**Tender returnable –** Submit document / proof		
	• Supplier must have a Drone Certificate of registration.	**Tender returnable –** Submit document / proof		
	• Supplier must have an Operator Certificate / Operations Specifications (UASOC / Ops Spec)	**Tender returnable –** Submit document / proof		

	Resources - Vehicles (On site evaluation)		**5**	
2.7	Supplier must possess sufficient number of vehicles (as specified in the scope of work) and vehicles must be suitable for use for the required purpose namely, patrols, reaction force, staff transport?			**5**
	• Operating vehicles must be branded on both sides.	**Tender returnable** – inspect vehicles		
	• The patrol / response vehicle must be equipped with roof-mounted searchlights.	**Tender returnable** – Inspect vehicles if equipped with such resources.		
	• Operating vehicles must be equipped with functioning communication capability. (PTT)	**Tender returnable** – Inspect vehicles and check system is functioning		
	• Vehicles must meet Eskom safety standards. (first aid kids, fire extinguisher, spare wheel, jack, wheel spanner and jack lever)	**Tender returnable** – Inspect vehicles		
	• Vehicles must be registered in the company name / owner / leased. If leased, proof must be made available.	**Tender returnable** – Verify registration documents		
	• Vehicles must be roadworthy, under 3years old and have done less than 100 000km?	**Tender returnable** – Confirm the following • Less than 3 years old and with leases than 100000km per vehicle • More than 3 years old but less than 5 years old and more than 100000km per vehicle • More than 5 years old		

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Clause Number from Standard Conditions of Tender	Tender Data

3.	**Legislative Compliance**			5	
	3.1	The supplier must demonstrate that all guards in their employ are PSIRA registered, properly managed, and equipped.			5
		• The supplier must proof that all security officers are PSIRA accredited.	**Tender returnable** – Confirm the following • Certified Copies of valid PSIRA certificates must be submitted or made available during site visit inspection.		
		• Security officers must be paid as per the PSIRA Sectorial Wage determination.	**Tender returnable** – Confirm the following • Copies of employee's payslips are provided for verification in the submission or for inspection at site. Certified copies of payslips for the various levels.		
		• Security personnels must be provided with the required security uniform, insignia and PPE as well as bullet proof. (Note that Camden is a construction site therefore, employees must be issued with hardhat, safety goggles, ear protection devices, safety boots and dust musk)	**Tender returnable** – Confirm the following • All Eskom requirements are met; Pictures/ photographs of various uniforms in use may be provided or samples of uniforms can be presented at site visits. • Replacement of uniform is done after 13 months or more and proof of disposal of redundant uniform must provided.		
				Total:100	**Total:100**

A weighted score-card approach is used to evaluate the technical compliance of the tenderers against the specification.

See attached **Appendix C - Technical Evaluation Criteria** for the detailed technical evaluation criteria as well as Mandatory Technical Requirements.

Note:

1. Failure to comply with above mentioned mandatory technical requirements disqualifies and/or eliminates the supplier from participating further in this tender.
2. ONLY TECHNICAL SUITABLE IF TOTAL SCORE IS **≥ 70 %.** SHOULD SUPPLIERS NOT MEET THE MINIMUM THRESHOLD OF 70%, ESKOM RESERVES THE RIGHT TO CONSIDER SUPPLIERS THAT OBTAINED FROM **60% to 69%.**

The following scoring method will be used:

Please refer to Appendix A2

3.15 Evaluation of Price	Prices will be evaluated as follows: **1.** Inclusive of VAT; **2.** Corrected for arithmetical errors; **3.** Excluding contingencies in any bill of quantities or activity schedule' **4.** Adjusted for any other acceptable variations, deviations, or alternative tenders submitted; and **5.** Making a comparison of the Net Present Value of each adjusted tender based on the tendered programme (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other

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Clause Number from Standard Conditions of Tender	Tender Data
	evaluation parameters relating to uncertainty and risk, where applicable. **6.** Unconditional discounts will be taken into account for evaluation purposes. **7.** Conditional discounts will not be taken into account for evaluation purposes but will be implemented when payment is effected. Prices will be scored out of ***90*** points
3.18 Evaluation of Specific Goals	Specific goals will be scored out of ***10*** points in accordance with the PPPFA. If a tenderer fails to submit evidence of its points claim for a Specific Goal, it will not be disqualified. However, it will be awarded 0 points for that Specific Goal.
3.19 Ranking of tenders	Tenderers will be ranked by applying the preferential point scoring for the ***90/10*** system. Eskom will add the score from Pricing and Specific Goals together and rank the suppliers from the highest to the lowest.
3.20 Objective Criteria (not applicable)	Objective criteria are ***not applicable.***
3.21 Reverse e-auction (not applicable)	Reverse e-auction is ***not applicable.***
Contractual Requirements	Mandatory (Commercial) Contractual Requirements that **must** be included in all tenders is the following: - • Proof of CSD registration Additional Contractual Requirements that may be included if applicable: • SHEQ requirements; and/or • Financial viability (submission of financial statements) • **Contractual Requirements are not evaluation criteria. They will be assessed after the evaluation and ranking of the tenders. Proof that the tenderer recommended for award has met the stipulated contractual requirements must be submitted prior to contract award.** **Failure to meet stipulated Contractual Requirements by the stipulated deadlines may result in the tenderer being regarded as non-responsive and ineligible for contract award.**
3.24 Sign form of Agreement/ Contractual Conditions	The conditions of the contract will be done via ***NEC3***

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Clause Number from Standard Conditions of Tender	Tender Data
2.28 CIDB Requirements (where applicable for Engineering and Construction Works Contracts)	CIDB Requirements are ***not applicable.***
2.29 Contract Skills Development Goals (CSDG) is *not applicable*	***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.

NOTE THE FOLLOWING: -

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

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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.

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

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.

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.

 # Returnables 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.

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 a copy in excel format (The limit is 50MB per file and total submission of 900MB per submission)	√		
Annexure A	Authorisation Form		√	
Annexure B	Acknowledgement Form		√	
Annexure C	Tenderers Particulars		√	
Annexure D	Integrity Pact Declaration form		√	
Annexure E	CPA for local goods/services		√	
Annexure F	CPA(IG) for imported goods/services		√	

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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.
Annexure G1-G4	SBD 6.2 -Declaration certificate for local production and content and Annexures G2,G3,G4 ***[only applicable where designated materials are included]***			√
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		√	
Annexure J	SBD 4 – Bidders Disclosure		√	
Reverse e-auction training acknowledgement form **(if applicable)**				√
E-tendering Help Manual acknowledgement form **(If applicable)**				√
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.		√	

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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.
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.			√
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)			√
NEC or other Contract	NEC or other Contract, completed in full.	√		
Pricing schedule	Completed pricing schedule (if not already submitted in the NEC or other Contract).	√		
Additional documents required (ECSA/ SACPCMP/CVs/		√		

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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.
permits/licenses/ specific registration documents (if applicable to scope of work)				
	MANDATORY CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE *[applicable to all tenders]*			
Mandatory Contractual Requirement	Proof of valid and current CSD Registration (CSD number/CSD Report)		√	
	ADDITIONAL CONTRACTUAL REQUIREMENTS SUPPORTING EVIDENCE *[where applicable and as stipulated under tender Data]*			
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	2. **Category 4: Quality Requirements** • The supplier shall complete and sign Form A (Enquiry/Contract/Quality Requirements for Supplier Quality Management Specification 240-105658000/ QM 58 and ISO 9001). • The supplier shall submit objective evidence of a developed QMS that complies with ISO 9001 (or the latest applicable revision). The following documented information (approved/ signed copies) shall be submitted: • Quality management system manual or a (documented information) that have defines and describes the QMS and its scope			√

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	• Quality Policy, aligned with the supplier's strategic direction (documented information) • Quality Objectives (documented information) • Control of documented information (both maintain and retain documented information) • Internal audit procedure (documented information) • Control of nonconforming outputs (documented information) • Nonconformity and Corrective action procedure (documented information) The QMS should drive all the supplier's business management processes to ensure that all of Eskom's requirements are fully met on a consistent basis. • The supplier shall submit a draft contract quality plan that is specific to the scope of work as described in the tender documents. The plan must address the minimum requirements as per ISO 10005. • Where applicable; the supplier shall submit an example inspection and test plan (ITP) or quality control plan (QCP). • The supplier shall submit documented information for Control of Externally Provided Processes, Products and Services. • The supplier shall submit a copy of documented information for roles, responsibilities and authorities in relation to the QMS. Examples of relevant documented information are; organization			

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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.
	charts, job descriptions, work instructions, duty statements, manuals, procedures. NB: specific requirements per tender will be selected using the List of Tender Returnables document (240-12248652).			
Other safety/quality documents as required per scope of works	• Letter of Good standing • SHE Plan • Baseline Risk assessment • Competency • SHEQ policy • Annexure B Acknowledgement form			√
Environmental	**Reference** / **Environmental Requirements** 1.1 SHE Specs — Environmental Policy 1.2 NEMA Act 107 of 1998, Section 28(3) — Environmental Management Plan must included method statements talking back to the scope of work Environmental Risk Assessment including Aspects and Impacts Provide proof of training of employees on environmental risks 1.3 NEMWA Act 59 of 2008 — List of all waste streams			√

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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.
		Waste management programme and Housekeeping to include method statements of:			
		* How waste will be stored			
		* How waste will be disposed of			
		* How will you avoid littering and mixing of waste			
		* Commitment to keep site clean and remove all material / waste			
		Recycling programme for all waste streams			
	1.4 HCS Reg 9A of 1998	Hazardous Substances and Material Register			
		Safety Data Sheet for each hazardous waste stream			
Financial evaluation	**Finance requirements for financial statement analysis.** 7. Auditors/ independent reviewers / accounting officer's / compiler's report. 8. A signed director's / member's report. 9. Set of Annual financial statements: Approved financial statements, signed auditors / independent reviewers / accounting officer's report must be valid and not outdated, received within 18 months after year end (S (30) of Companies Act 3.1 Statement of Financial Position 3.2 Statement of Comprehensive Income (Income Statement)				√

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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.
	3.3 Statement of Changes in Equity 3.4 Statement of Cash Flows 3.5 Notes to the Financial Statements 10. ITA 34C Income tax assessment for current year under review, only used if supplier is not audited 11. Public Interest Score (PIS) – used to determine whether the financial statements are required to be audited / independently reviewed or neither. 12. Procurement to send the following 6.1 Contracts that the supplier has with Eskom breaking down the target value, value spent and remaining value 6.2 The contract reference as per tender enquiry for new contracts for cessions and other modifications (remaining contract value and contract number) 6.3 Contract description as per the tender issue or mandate or modification **To note:** Finance will not review financials with errors. We do not adjust financial statements Finance does not communicate with suppliers unless it is a clarification meeting set with the buyer and minuted as per commercial requirements. PIS score will be verified according to the AFS where possible **Report turnaround time will be 7 days from the date finance receives all required documentation** PIS Score and report requirements clarification **Owner Managed Companies**			

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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.
	If PIS 350 regardless of financials being compiled internally or externally – Finance requires an audited report Between 100-349 internally compiled = Audited report if externally/independently compiled compilation report or accountants report Less that 100- An accountants report regardless of financials being compiled internally or externally **Not Owner Managed.** If PIS 350 regardless of financials being compiled internally or externally – Finance requires an audited report Between 100-349 internally compiled = Audited report if externally/independently compiled an independent review report Less that 100- An independent review report regardless of financials being compiled internally or externally			

PIS Score Interpretation Table		
A: Owner Managed		
Public interest Score	Internally Compiled	Independently Compiled
350	Audit	Audit
Between 100 - 349	Audit	Compilation
100 or less	Compilation	Compilation
B: Not Owner Managed		
350	Audit	Audit
Between 100 - 349	Audit	Independent review
100 or less	Independent review	Independent review

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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.
	DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA			
Functionality/Technical	Please refer to attached technical evaluation criteria	√		

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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 *tendere*r 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:**

<u>NOTE</u>: 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/Proposal from Eskom Holdings SOC Ltd and the following addenda issued by Eskom:

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

Correct as stated in the Invitation to Tender / 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. ☐

Invitation to Tender/Request for Proposal No: _____

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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/proposal 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

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/proposal]** 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.

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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/turstees/beneficiaries failing to meet their contractual obligation with the State or any State Owned Entity(SOC)?		
1.5.1	If "Yes", provide details		

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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 in full 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/proposal 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:	

<u>Joint Ventures</u>

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/proposal 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:	

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Signature:		
Designation and capacity:		
Date:		

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**

[Procurement Practitioner/QS to populate table hereunder as per scope of work for relevant Tender]

Eskom Proposed CPA breakdown for Local Goods and Service

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Formula A						
Index Reference	***Proposed portions/Weightings of each index***	***Description of Index***	***Full Title of Index as published***	***Source Publisher of Index***	***Base Month***	**Base Price/Base Index Figure**
A1					*One month before closing date*	
A2					*One month before closing date*	
A3					*One month before closing date*	
	15%	***Fixed portion not subject to CPA***				
Total	***100%***					

Note: Tenderers to take note that, if the Eskom proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for Eskom's proposed CPA breakdown.

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.

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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.

OR

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

ANNEXURE F(NOT APPLICABLE)

CPA (IG) REQUIREMENTS FOR FOREIGN 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.

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- 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 Foreign Goods and Service

Formula A						
Index Reference	***Proposed portions/Weightings of each index***	***Description of Index***	***Full Title of Index as published***	***Source Publisher of Index***	***Base Month***	**Base Price/Base Index Figure**
A1					*One month before closing date*	
A2					*One month before closing date*	
	15%	***Fixed portion not subject to CPA***				
Total	***100%***					

Note: Tenderers to take note that, if the Eskom proposed CPA breakdown is not populated, they are required to refer to the Pricing Schedule in the NEC or other Contract or standalone Pricing Schedule for Eskom's proposed CPA breakdown.

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.

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- 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.

PAYMENT OF FOREIGN COMMITMENTS

PART 1: The application of importation payment requirements to tender submissions.

Where foreign exchange is involved, Eskom will take measures to mitigate any exposure to foreign currency exposure or exchange rate risk.

Tenderers: -

- Who wish to submit tenders with pricing in foreign currency for imported goods/services must establish **prior** to tender close (via the Procurement Practitioner), that the foreign currency that is being priced in the submission, is an acceptable foreign currency to Eskom.
- Who are pricing for imported goods/services in a foreign currency or linking their pricing of goods to a foreign currency exchange rate, **must be the direct importers** of the goods/services. For payment purposes, Eskom will require proof of importation.
- Who import goods into stock, for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases, Eskom will not undertake any foreign exchange commitment or arrange forward cover.
- Who have submissions where pricing for imported goods/services in a foreign currency or linked to a foreign currency exchange rate, must ensure that their pricing indicates the foreign currency and the foreign currency values.

Tenderers should note that all domestic value-added process, i.e., costs incurred in the Republic of South Africa, for example, transport costs will only be paid in Rands.

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Tenderers who have submitted tenders, which have goods/services priced, are linked to a foreign currency or exchange rate, are required to select one of the payment methods indicated below for the payment relating to those imported goods/services:

Payment of Eskom's foreign commitment in foreign currency will be made either:

Payment Method 1A:
To a nominated bank account in a foreign country in a foreign currency
(Payment will be made to the party and account nominated by the supplier
In the contract, and not to any other party).

Please note that the contracting party OR Eskom SOC Limited must be the direct importer of the goods

Documentation to be submitted with payment:

- Commercial invoice (from the foreign supplier)

Import payments

- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company
- Marine/ ocean bill of lading

Any one of the following documents as per the mode of transportation: -

- Airway bill / air transport document
- Road or rail consignment note.
- Postal receipt "goods despatched".
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the relative goods to the Republic of South Africa

Service- related payments

Documents to submit with payment:

- Commercial invoice (invoice from the overseas supplier)

Delete which is not applicable (Yes/No)]

OR

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Payment Method 1B;

To a valid SARB approved CFC account in South Africa, in a foreign currency (payment will be made to the contracting party)

Please note:

- The contracting party must be the direct importer.
- For payment purposes, Eskom will require both the foreign (commercial) invoice and the local tax invoice.
- The foreign currency values on both the commercial and local invoice must match. Eskom will not pay any profit in foreign currency. (Please note that the commercial invoice used in the clearance of the imported goods must be from the country of origin)

- If Payment Method 1B is the option selected for the payment for any imported goods/services, then the following documentation is to be submitted with your submission:
  - Copy of tenderers bankers' initial application to the Reserve Bank requesting approval to invoice a local entity or Eskom, and for Eskom to pay the invoiced currency into the contracting party's CFC account.
  - Copy of the response from the Reserve Bank regarding the initial application, on the Reserve Bank's letterhead
  - Copy of the latest application to the Reserve Bank to renew the approval.
  - Copy of the response from the Reserve Bank to the application to renew the approval to invoice Eskom in foreign currency.

Documents to submit with payment:

- Commercial invoice (from the foreign supplier, country of origin and used to clear the goods)
- Local invoice or Tax invoice
- Both the commercial invoice and local invoices must match

Import payments

- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company

Any of the following documents as per the mode of transportation: -

- Marine/ ocean bill of lading
- Airway bill / air transport document
- Road or rail consignment note.
- Postal receipt
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the relative goods to the Republic of South Africa
All documents submitted to Eskom should not have any alterations.

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The information on the documents should be as originally issued from the authorities, freight companies and overseas suppliers.

Service-related payments

- Should a supplier select this option, they are required to provide proof that the South African Reserve Bank has given them approval to invoice Eskom in foreign currency for services related payments and to receive foreign currency proceeds into that CFC account. The proof would consist of: -

  - A copy of a letter from the supplier's bankers to the Reserve Bank requesting authority to receive services related payments to be made into a CFC account.
  - A copy of the official response from the Reserve Bank authorising payments to be made into the supplier's CFC account. The supplier's documents to the Reserve Bank must make specific reference to Eskom.

- This approval is only valid for a period of 1 year or as per SARB approval period.

Documents to submit with payment:

- Commercial invoice (invoice from the overseas supplier to proof that we have foreign currency exposure)
- Local Tax invoice (from the local supplier)
- Both the commercial invoice and local invoices must match

NB: If a supplier is unable to produce or provide Eskom with a commercial invoice, the contract will be concluded in rands. The contract cannot be linked to any Exchange Rate.

[Delete which is not applicable (Yes/No)]

OR

Payment Method 2:

In South African Rand at the selling spot rate of exchange obtained by
Eskom's Treasury on the date that the forward cover is cancelled. Eskom will notify the supplier of the date that the forward cover is cancelled as well
As the intended payment date, which will be as per the agreed payment terms.
Any exchange rate adjustment after Eskom has notified the supplier of the date
and the rate which the forward cover is cancelled, will be for the account of
the supplier.

Please note:

- The contracting party must be the direct importer of the goods.
- This payment option is not applicable for the payment of services
- Tenderers are required to indicate and request approval from Eskom to use Payment Method 2 **prior to tender close**. Where a tenderer has failed to obtain the required approval prior to tender close, the tenderer will have to select one of the other Payment Methods indicated in this document.

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- Together with their submission, Tenderers will be required to provide Eskom with a written indemnity confirming that they will not buy and forward cover.,

Documents to submit with payment:

- Commercial invoice (from the foreign supplier)
- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company

Any of the following documents as per the mode of transportation: -

- Marine/ ocean bill of lading
- Airway bill / air transport document
- Road or rail consignment note
- Postal receipt
- Certificate of posting
- Courier dispatch note or air waybill

NB: Evidencing transport of the relative goods to the Republic

- Local invoice or Tax invoice

NB: If a supplier is unable to produce or provide Eskom with a commercial invoice, the contract will be concluded in rands. The contract cannot be linked to any Exchange Rate.

[Delete which is not applicable (Yes/No)]

OR

<u>Fixed ZAR Option (Payment Method 3)</u>

This option is available to those tenderers who are the direct importers of the goods/services for which they have tendered, but do not find Payment Methods 1A, 1B or 2 and allows tenderers to be responsible for the foreign currency and exchange rate risk. If a tenderer selects this payment method, the process is as follows:

- Eskom and the successful tender will engage, on a simultaneous basis, with their respective bankers and compare the exchange rate/s obtained. This is done to ensure that any exchange rate/s used is/are market related.
- Tenderers will be required to match or better the exchange rate/s obtained by Eskom. If the tenderer's exchange rate/s is/are more expensive than the exchange rate/s indicated by Eskom, the exchange rate/s to convert the foreign values into ZAR will be the Eskom exchange rate/s.

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- Once the exchange rate/s has/have been agreed by both parties, Eskom will not be liable for any further exchange rate adjustments.

From a Commercial perspective, please take note of the following:

- The foreign currency and foreign currency amount/s that Eskom is/are at risk to, need/s to be indicated in the pricing schedule submitted as part of the tender. If the pricing schedule does not allow for it, the foreign currency and foreign currency amount/s must be indicated in a covering letter.
- The exchange rate to be used in the tender submission is the exchange rate sourced from the South African Reserve Bank on the date the tender is advertised/published.
- Due to the payments being made in ZAR, but based on an agreed exchange rate, the tenderer will be required to submit proof of importation at time of payment.

Delete which is not applicable (Yes/No)]

Documents to submit with payment:

- Commercial invoice (from the foreign supplier)
- Local invoice or Tax invoice

<u>Import payments</u>

- SAD 500
- Bill of Entry as evidence that goods have been cleared by the Department of Customs and Excise
- Customs release notification
- Transport documents from the freight company

Any of the following documents as per the mode of transportation: -

- Marine/ ocean bill of lading
- Airway bill / air transport document
- Road or rail consignment note.
- Postal receipt
- Certificate of posting
- Courier dispatch note or air waybill.

NB: Evidencing transport of the goods to the Republic of South Africa

Documents to submit with payment:

- Commercial invoice (invoice from the overseas supplier to proof that we have foreign currency exposure)
- Local Tax invoice (from the local supplier)

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NB: If a supplier is unable to produce or provide Eskom with a commercial invoice, the contract will be concluded in RAND's Not in Currency

Please note: Eskom will require substantiating proof of importation at the time of invoicing.

Where the supplier, previously imported goods into stock for delivery to various customers, including Eskom, the price quoted must be in South African Rand. In such cases, Eskom will not undertake any foreign exchange commitment or arrange forward cover.

Take note of the following:

Service-related payment:

When specialist skills are required in South Africa, the local supplier will source the appropriate talent from their network of specialist companies overseas. The specialist is then brought into the country (South Africa) on one of two possible methodologies.

1) **Secondment**

In this approach, the foreign specialist retains their employment contract with their home unit (Employer overseas) but are seconded to the local company that has a contract with Eskom to work under the direction and control of the local management. Their salaries are paid to the foreign specialist by their home country and that foreign entity then invoices the local supplier (South Africa) in foreign currency for the cost relating to such employees. The invoices would typically be in Euro or GBP, this methodology is usually for short to medium term engagements.

Documents to be attached for payment:

- Commercial invoice from the specialist company
- Local invoice (South African company making use of the specialist services)
- Passport of the specialist and valid work permit
- Activity schedule signed by the contract manager.

2) **Payroll Transfer**

In this approach, the employee's contract with the overseas employer will be suspended and the specialist takes up a local contract with the local company. The remuneration is then **ZAR** based, the overseas employer is unable to provide the foreign invoice because the employment with the specialist is suspended this methodology is usually favoured for long term engagement. There is no foreign commitment, and the contract will be in ZAR.

PART 2: EXCHANGE RATES

The tenderer shall use the exchange rate as at 12H00 on the date of the advertisement of the tender. The source of the exchange rates shall be the South African Reserve Bank (www.resbank.co.za) Please note that the tenderer is required to submit proof of the SARB rate/s used.

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

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ANNEXURE G1

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

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

1. General Conditions

1.1. Dtic makes provision for the promotion of local production and content.

1.2. Dtic prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

1.3. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

1.4. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

LC = [1 - x / y] * 100

Where:
x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)
Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

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

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

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

Description of services, works or goods	Stipulated minimum threshold
_____	_____%
_____	_____%
_____	_____%

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

(***Tick applicable box***)

YES		NO	

3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO. .....

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

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content is accessible on http://www.thdti.gov.za/industrial development/ip.jsp.

3 Local Content Declaration Templates (Annex C, D and E) is attached to this Invitation to Tender and must be submitted at the stipulated deadline.

4 Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted at the stipulated deadline of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.
The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

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

SIGNATURE: _____ **DATE:** _____

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

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

Annexure G2 – Local Content Declaration - Summary Schedule (Annex C)

Adobe Acrobat Document

Annexure G3 – Imports Declaration – Supporting Schedule to Annex C (Annex D))

Adobe Acrobat Document

Annexure G4 – Local Content Declaration – Supporting Schedule to Annex C (Annex E)

Adobe Acrobat Document

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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:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS	

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE No:	MAAA

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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

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 90/10 preference point system.

b) Either the 90/10 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	
SPECIFIC GOALS	
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).

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3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 90/10 PREFERENCE POINT SYSTEMS

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

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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 or 90 points is allocated for price on the following basis:

80/20 **or** **90/10**

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) \quad \text{or} \quad Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = 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

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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 either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)
1	10	
2	9	
3	6	
4	5	
5	4	
6	3	
7	2	
8	1	
Non-compliant contributor	0	Non-compliant contributor

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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;

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

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(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, 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 **T**here 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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ANNEXURE NO. K

WHAT IS REVERSE e–AUCTION

Reverse e-Auction, means an electronic evaluation of Price and Preference point as outlined in the PPPFA (The Regulation) and aims to achieve the most competitive and market related prices for clearly specified items.

Reverse E-Auction is not a negotiation tool and where market related price is not achieved at close of reverse e-auction, Eskom reserves the right to negotiate market related prices with the highest ranked supplier or cancel the tender, if the tenderer scoring the highest point does not agree to market related prices, Eskom may negotiate market related prices with the 2nd ranked tenderer or cancel the tender, if the tenderer scoring the second highest points does not agree to a market-related price, Eskom may negotiate a market related price with the tenderer scoring third highest points or cancel the tender, if market related price is still not achieved after negotiating with 3 tenderers, Eskom ***must*** cancel the tender.

Notwithstanding the above, Eskom reserves the right to award an order/contract to a supplier who may not be the highest scoring or highest ranked supplier, only in accordance with Section (2)(1)(f) of the PPPFA

Each tender that obtained minimum qualifying score for functionality, will be eligible to be evaluated further in terms of Price and Preference point system (80/20) or (90/10) as prescribed by PPPFA, using reverse e-auction and will receive login details from Eskom in order to participate.

Where applicable Eskom arranges clarification meeting in order to provide reverse e-auction training/awareness to all those in attendance. Tenderers will also be provided with a reverse e-auction training link in order to self-train.

A fully completed reverse e-auction training acknowledgment form (Annexure no_____) it's a mandatory returnable before reverse e-auction login details/invitation could be provided to the Tenderer. Failure to submit Training acknowledgement form within the prescribe period will render the Tenderer non-responsive and will be disqualified from participating on the reverse e-auction.

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ANNEXURE NO.: L

ACKNOWLEDGEMENT FORM – E-TENDERING TRAINING

Enquiry no: [……]

Business name/JV: _____

Contact Person: _____

Tel (landline): _____

Cellphone: _____

E-mail address: _____

Acknowledgment: [**Select and complete in full applicable paragraph below]**

I _____ (Tenderer's Name) acknowledge that I have undergone self-training though the e- Tendering Noddy Guide or video or via a clarification meeting for me to understand. I am satisfied with my self-training and confirm that I will be able to operate the E- Tendering Solution.

This document is a Mandatory returnable prior to for E-Tendering. Failure to FULLY complete the form and submit it to Eskom within prescribe period will render the Tenderer non-responsive and will be disqualified from the Procurement Process.

Authorized Signature: _____

Designation: _____

Date: _____

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Annexure M

E-tendering Help Manual for supplier (please click on the link below)

https://www.eskom.co.za/tenders/

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