



INVITATION TO TENDER No.: MPGXC004464

FOR

The provision of electrical maintenance services for a period of 36 months at  
Camden Power Station.

*Compulsory Site Meeting Date and Time:* **19 January 2017 at 10H00am**

*Deadline for tender submission:* **14 February 2017 at 10H00am**

TENDERER'S NAME: \_\_\_\_\_

PRICE: \_\_\_\_\_

**NOTE:**

- THE TENDER MUST BE SUBMITTED AS TWO DOCUMENTS, ONE ORIGINAL AND ONE IDENTICAL COPY.
- A COMPULSORY SITE MEETING WOULD BE HELD AT CAMDEN POWER STATION ON 19 JANUARY 2017 AT 10H00am.
- PLEASE ALSO MAKE SURE THAT YOU KEEP TO TIME, TENDERS MUST BE IN THE TENDER BOX NO LATER THAN 10H00am ON 14 February 2017 NOT A SECOND MORE.
- ALSO PLEASE MAKE SURE THAT YOU RETURN ALL THE RETURNABLE DOCUMENTS AS PER THE TENDER DOCUMENTS.
- FAILURE TO ADHERE TO THE ABOVE WILL LEAD TO YOUR TENDER BEING DISQUALIFIED.

**Return this cover sheet with tender**

**Eskom Holdings SOC Limited**

Date  
**2017-01-09**

Ref  
**MPGXC004464**

Enquiries  
Msizi Blose  
☎ 017 827 8591

**INVITATION TO TENDER**

The *goods* are: **The provision of electrical maintenance services for a period of 36 months at Camden Power Station.**

Eskom invite you to submit a tender to provide the *goods* identified above. The list of documents provided for the purpose of the tender is attached to this Letter of Invitation or as part of documents on Eskom's tender bulletin under Ref: **MPGXC004464**.

The specification is given in the **Goods Information**. The terms and conditions of the proposed contract are identified in **Standard Conditions of Tender**.

**Eskom Holdings Limited's Standard Conditions of Tender** specifies the actions to be taken during the process of tendering. The section entitled '**Tender Data**' provides the details which make the standardised Conditions of Tender specific to this tender, including the criteria you are required to comply with in order to be able to submit a tender in response to this Invitation.

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

- Free of charge
- At a non-refundable charge of **R0.00**
- At a refundable deposit of **R0.00** which will be refunded after receipt of a responsive tender.

Eskom have delegated the responsibility for this tender to Eskom Holdings Limited's *Representative* whose name and contact details are given in the Tender Data. Eskom deem that a submission of a tender by you in response to this invitation constitutes your acceptance of the Conditions of Tender.

Please complete the attached Acknowledgement Form and return by Fax as indicated on the form within 5 days of receiving this Invitation. If you do not intend submitting a tender kindly return all the enclosed documentation together with the Acknowledgement Form, giving your reason for not wishing to participate.

We look forward to receiving and evaluating your tender.

Yours faithfully,

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Waldina Malebana  
Manager Procurement  
Generation Commercial  
Camden Power Station  
Tel: +27 17 827 8150  
Fax: +27 17 827 8345

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(Official authorised to invite tenders on behalf of Eskom Holdings Limited)

TO:	<b>ESKOM HOLDINGS LIMITED's</b>	FROM	
	<b><i>Representative</i></b>		
	<b>ESKOM TENDER BOX, GROUND FLOOR</b>		
	<b>NO.10 SMUTS AVENUE</b>		
	<b>WITBANK / EMALAHLENI</b>		
	<b>MPUMALANGA</b>		
Attention	<b>MSIZI BLOSE</b>	Sender	
Tel No.	<b>017 827 8591</b>	Tel No.	
Fax No.	<b>017 827 8345</b>	Fax No.	
Email	<b><a href="mailto:BloseM@eskom.co.za">BloseM@eskom.co.za</a></b>	Email	

**INVITATION TO TENDER NO.: MPGXC004464****ACKNOWLEDGEMENT: RECEIPT OF INVITATION TO TENDER FOR THE PROVISION OF ELECTRICAL MAINTENANCE SERVICES FOR A PERIOD OF 36 MONTHS AT CAMDEN POWER STATION.**

We are in receipt of Eskom Holdings Limited's letter dated \_\_\_\_\_. We confirm that the documentation received by us is:

**Either:** Correct as stated in the attached list of Contents, and that each document is complete.  
(tick box if documentation complete) ☐

**Or:** Incorrect or incomplete for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please select either statement 1 or 2 below and delete the other:

- 1 We have noted the *deadline for tender submission* (given in the Tender Data) and will be submitting our tender before then and as instructed. We propose to submit a tender in the name of the organisation stated above.

(delete if the following is not applicable)

The organisation stated above is a joint venture between:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2 We do not intend to submit a tender for this service, and return all of the attached documentation herewith. Our reason for not wishing to submit a tender is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yours faithfully

\_\_\_\_\_  
for the *tenderer*

## CONTENTS

### 1. INVITATION TO TENDER

#### 1.1. Tender Data

1.2. Eskom Holdings Limited's Standard Conditions of Tender (Available at [www.eskom.co.za](http://www.eskom.co.za) under "Tender Bulletin" and from Eskom Holdings Limited's *Representative*).

### 2. TENDER RETURNABLE

No.	List of Tender Returnable	Mandatory for Evaluation	Mandatory for Contract Award
<b>Commercial</b>			
1	The cover sheet	✓	
2	Authority to submit a tender/offer	✓	
3	Contract Data Part 2: Data provided by the contractor (NEC)		✓
4	Form of offer and acceptance (Acceptance of Eskom's NEC terms and conditions)	✓	
5	Original SARS Tax Clearance Certificate		✓
6	Suppliers declaration of interest	✓	
7	Confirmation of Vendor Registration		✓
8	Declaration Regarding Fair Bidding Practices	✓	
9	Declaration of Shareholdings and Directorship		✓
10	NDA Vendors	✓	
11	Supplier Evaluation Pack	✓	
12	Company registration documents - List of Directors & their % holding – CK2 or CM 29	✓	
13	Localisation Compliance Matrix	✓	
14	A valid B-BBEE Verification Certificate from a Verification Agency	✓	
15	Preference points claim form in terms of the preferential procurement regulations 2011	✓	
<b>Technical</b>			
1	Contractor has experience in carrying out the Works, or Works of similar nature	✓	
2	Traceable references	✓	
3	Technical completeness of tender and compliance to specification	✓	
4	Capability/Capacity – staffing structure	✓	
5	Electrical Trade Qualifications	✓	
6	Baseline ITP's		
<b>Financial</b>			
1	Contract Price Adjustment (CPA) requirements (NEC3 document)	✓	
2	Price List/Schedule	✓	

Supplier Development & Localisation (SD & L)			
1	Special Conditions of tender:	✓	
1.1	Figure 1: Localization	✓	
1.2	Figure 2: Skills Development	✓	
Safety			
1	Eskom SHE Rules: Annexure B		✓
2	Costing for Safety, Health, Environmental management		✓
3	Medical Certificates x1 or Medical surveillance		✓
4	SHE competency as per the scope of work		✓
5	SHEQ Policy		✓
6	Valid letter of good standing		✓
7	OHS Plan		✓
8	Environmental management plan		✓
9	Baseline risk assessment		✓
10	Safe work procedure for high risk activities		✓
11	Fall protection plan		✓
Environmental			
1	Environmental Policy		✓
2	Environmental Risk Assessment		✓
3	Environmental Management Plan		✓
Quality			
1	Section A: Quality Management System (QMS)		✓
2	Section B: Evidence Of QMS In Operation		✓
3	Section C: Contract Quality Plan		✓
4	Section D: Quality Control Plan		✓
5	Section E: User defined additional Requirements & miscellaneous		✓

**Note:**

Above does not exclude any other document(s) stated in the tender as tender returnable/Mandatory Requirement and/or Gate Keepers.

**3. AGREEMENTS AND CONTRACT DATA**

3.1. *Form of Agreement and Purchaser's Acceptance* (Contract award stage only,)

3.2. Contract Data Part 1: Data provided by the *Purchaser*

3.3. The Eskom Holdings Limited General Conditions of Tender.

**4. CONTRACT PRICES** (Contract award stage only,)**5. PURCHASER'S GOODS INFORMATION**

5.1. See Scope of work (SOW) **Appendix A - SOW**, attached or within the document itself.

**6. SUPPLIER'S GOOD'S INFORMATION** (Contract award stage only)

**TENDER DATA**

The Tender Conditions clause for which the italicised term is principally required is given in square brackets like these [ ] at the beginning of each of the following data statements. However, many other clauses make use of the italicised term.

**1 General**

[1.1] Eskom Holdings Limited's *Representative* is

- Name : Msizi Blose
- Address : Camden Power Station, Private Bag X 1002, Nucam - 2355
- Tel No. : 017 827 8591
- Fax No. : 017 827 8345
- E mail : [BloseM@eskom.co.za](mailto:BloseM@eskom.co.za)

[1.2] A *tenderer* is a person, partnership, firm or company eligible to submit a tender in response to this invitation only if it is (*complete / delete / add as applicable*):

- Registered (*country*) \_\_\_\_\_
- Included on (*tender list*) \_\_\_\_\_
- Pre-qualified by (*state details*) \_\_\_\_\_

**2 Tenderer's obligations**

[2.1] The *tender documents* are

- listed in the Invitation to Tender, and
- Addenda issued by Eskom Holdings Limited

[2.2] The *closing date & time for clarification of queries* is **Three (3) days** before the *deadline for tender submission* at 10H00am.

[2.3] The *conditions of contract/tender*, available separately/attached, are stated in the Contract Data.

[2.4] The tender may be for the whole only or part of the *services*.

[2.5] *tender returnables* are generally in the document called Tender Returnables, but may also be in other *tender documents* where the *tenderer* is requested to return something as part of his tender.

[2.6] **THE TENDER SHALL BE SUBMITTED AS ONE ORIGINAL AND ONE IDENTICAL COPY.**

[2.7] The invitation to tender number is **MPGXC004464**.

[2.8] The tender shall be addressed to Eskom Holdings Limited as follows:

**Camden Power Station  
Private Bag X 1002  
Nucam  
2355**

[2.9] The place for delivery of the tender is Eskom Holdings Limited's Tender Box located at :

**ESKOM TENDER BOX, GROUND FLOOR  
NO.10 SMUTS AVENUE  
WITBANK / EMALAHLENI  
MPUMALANGA**

[2.10] A compulsory site visit and / or clarification meeting has been arranged for *tenderers* as follows:

**Date** : 2017-01-19  
**Time** : 10H00am  
**Venue** : Camden Kingfisher Boardroom

**The meeting arrangements are:**

- Download (Print) this invitation to tender and other relevant tender documents from Eskom Tender Bulletin website and bring them to the meeting.

[2.11] The *deadline for tender submission* is **14 February 2017** at **10H00am**.

[2.12] The tender/offer *validity period* must be at least: **12 Weeks**.

### **3 Eskom Holdings Limited's Undertakings**

- Eskom Holdings Limited's *Representative* will determine the evaluated tender price by adjusting the total of the Prices (if any) as follows:
  - Making the specified correction for arithmetical errors.
  - Excluding contingencies in any Activity or Task Schedule.
  - Making an appropriate adjustment for any other acceptable variations, deviations, or alternative tenders submitted.
  - Making a comparison of the Nett Present Value of each adjusted tender based on the tendered plan (if provided) and prices, on the estimated effect of Price Adjustment Factors and rate of exchange fluctuations (if applicable) and on other evaluation parameters relating to uncertainty and risk.

### **4 Mandatory Requirements**

- Functionality is applicable as a gatekeeper for this tender and tenderers that do not meet the requirements as stated in this tender will be disqualified.

### **5 Evaluation Criteria**

A standard evaluation process will be followed based on the Preferential Procurement Policy Framework Act (PPPFA) as follows: 90/10 principle.

Mandatory Basic Compliance: Commercial documents as per the tender returnable and/or as stated in this tender.

**Stage 1:** Functionality Criteria (Technical).  
Failure to meet minimum threshold disqualifies the supplier to go to second stage.

**Stage 2:** 90% Price  
10% B-BBEE

**Stage 3:** Objective Criteria (Safety, Environment, Quality and SD & L).  
Failure to submit the required documents/Information within stipulated date and time disqualifies the supplier.



5.1 The criteria and weights for **Stage 1** will be:

Technical	Functionality Criteria	Maximum number of points percentage	Tenderers will be expected to score at least the minimum threshold to proceed to the next level of evaluation.
	Technical Evaluation	100%	75%

**5.1.1 Technical Requirements:**

ITEM	TECHNICAL EVALUATION CRITERIA	Minimum Threshold = 75%	
		Weights (W)	Actual (A)
1	<b>Contractor's experience in carrying out the Works or Works of similar nature. (Contractor to provide Method Statement, QCP's/Procedures)</b> a) Supplier 90-100% of the scope (20 points) b) Supplier 80-89% of the scope (16 points) c) Supplier 70-79% of the scope (12 points) d) Supplier 60-69% of the scope (8 points) e) Supplier 50-59% of the scope (4 points)	20%	
2	<b>Traceable/Contactable references of previous work done. (Company Names, Contact Persons, Contact No's where Works was executed).</b> a) 5 companies (10points) b) 4 companies (8 points) c) 3 companies ( 6 points) d) 2 companies (4 points) e) 1 company (2 points) f) No references (0 points)	10%	
3	<b>Electrical Trade Qualifications</b> a) Valid trade test certificates of individuals. (5 points for all electricians) b) Master installation electrician approved and certified for hazardous installations – Certified and registered member (5 points)	10%	
4	<b>Capability/Capacity – staffing structure (The Management, Technician/Supervisor, and Artisan Qualifications)</b> <b>4.1 Site Manager Technical qualification and Years industry experience.</b> a) Graduate/B-Tech and 10 years or more (5 points), b) Graduate/B-Tech and 5 years or more ( 4 Points) c) National Diploma – (Power Engineering-Elect Heavy Current) and 10 years or more ( 4 points) d) National Diploma – (Power Engineering-Elect Heavy Current) and 5 years or more ( 3 points)	10%	

	<b>4.2 Supervisors/Technicians Technical Qualification and Years Industry experience (Contractor to provide qualifications and CV's of personnel).</b> a) Graduate/B-tech and 10 years or more (5 points), Graduate/B-Tech and 5 years or more (5 Points) b) National Diploma – (Power Engineering-Elect Heavy Current) and 10 years or more (4 points) c) National Diploma – (Power Engineering-Elect Heavy Current) and 5 years or more (3 points)	10%	
	<b>4.3 All Electricians Technical Qualification and Years Industry experience (Contractor to provide qualifications and CV's of personnel).</b> a) Tech Diploma (N6 or equivalent) and 10 years or more (20 points) b) Tech Diploma (N6 or equivalent) and 5 years or more (10 points) c) Tech Diploma (N3- N5) and 5 years or more (5 points) d) Less (0 Points)	20%	
	<b>4.4 All Electrical Assistants Technical Qualification and years Industry Experience (Contractor to provide qualifications and CV's of personnel).</b> a) N3 Technical/Matriculated and 5 years or more (10 points) b) N3 Technical/Matriculated and 3 years or more (5 points) c) N3 Technical/Matriculated and 1 years or more (2 points)	10%	
5	<b>Baseline ITP's submitted for each task as per the Service Information.</b>	10%	
	a) ITP's per task		
Total Score		100%	

#### 5.1.1.1 MANDATORY TECHNICAL REQUIREMENTS

Mandatory Requirements that must be submitted and/or adhered to by the supplier:

- Related experience of employees:
  - ✓ Installation electrician for 3 phase requirement – Certified and registered member. At least 5 years' experience. Submit experience.
  - ✓ Master installation electrician approved and certified for hazardous installations – Certified and registered member. At least 5 years' experience. Submit experience.
- ISO 9001, ISO 14000, ISO 18000 certification.
- NOSA certification.
- Knowledge of ORHVS (Operating regulations for high voltage systems).
- Inspection Test Plan's (ITP's) per task.

**Note:**

- Failure to submit and/or adhere to the above stated Mandatory Technical Requirements disqualifies/eliminates the supplier from participating further in this tender.
- Also failure to achieve Minimum Threshold "75%" stated above disqualifies/eliminates the supplier from participating further in this tender.

5.2 The criteria and weights for **Stage 2** will be:

EVALUATION CRITERIA	WEIGHT	DESCRIPTION
Financial	90%	Price
B-BBEE	10%	Levels 1 – 8 contributors in B-BBEE

### 5.2.1 Financial

Adjudication Criteria	Points
Price Evaluation  $Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$	90

Where:

Ps = Points scored for price of tender under consideration

Pt = Rand value of tender under consideration

Pmin = Rand value of lowest acceptable tender

B-BBEE Evaluation (10 points)

Tenderers are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their tenders to substantiate the B-BBEE claims.

Tenderers who do not submit B-BBEE Status Level Verification Certificates or non-compliant contributors to B-BBEE will not qualify for preference points for B-BBEE however will not be disqualified from the tender process. Such a tenderer will score points out of 90 for price and 0 points out of 10 for B-BBEE.

Points awarded to a tenderer for attaining the B-BBEE Status Level of contribution in accordance with the table below:

### 5.2.2 B-BBEE

B-BBEE	Qualification	Number of Points (90/10 system) For procurement above R1 million
1	≥100points	10
2	≥ 85 points < 100 points	9
3	≥ 75 points < 85 points	8
4	≥ 65 points < 75 points	5
5	≥ 55 points < 65 points	4
6	≥ 45 points < 55 points	3
7	≥ 40 points < 45 points	2
8	≥ 30 points < 40 points	1
Non-compliant contributor	< 30 points	0

The points scored for price will be added to the points scored for B-BBEE status level of contribution to obtain the tenderers total points scored out of a 100.

Eskom reserves the right to negotiate with the tenderer(s) that scored the highest points.

5.3 The criteria for **Stage 3** (Objective Criteria) will be:

**5.3.1 Safety Requirements:**

ITEM	SAFETY EVALUATION CRITERIA
1	Eskom SHE Rules: Annexure B
2	Costing for Safety, Health, Environmental management
3	Medical Certificates x1 or Medical surveillance
4	SHE competency as per the scope of work
5	SHEQ Policy
6	Valid letter of good standing
7	OHS Plan
8	Environmental management plan
9	Baseline risk assessment
10	Safe work procedure for high risk activities
11	Fall protection plan


**5.3.2 Environmental Requirements:**

ITEM	ENVIRONMENTAL EVALUATION CRITERIA
1	Environmental Policy
2	Environmental Risk Assessment
3	Environmental Management Plan

**5.3.3 Quality Requirements:**

ITEM	QUALITY EVALUATION CRITERIA
1	Section A: Quality Management System (QMS)
2	Section B: Evidence Of QMS In Operation
3	Section C: Contract Quality Plan
4	Section D: Quality Control Plan
5	Section E: User defined additional Requirements & miscellaneous

**5.3.2.1 Quality Requirements:**

	<b>Supplier Quality Management:</b> <b>List of Tender Returnable Documents</b>	Unique Identifier	<b>QM-5</b>
		Revision	<b>8.00</b>
		Effective Date	<b>18/07/2013</b>
		Specification	<b>QM 58</b>
<b>Category 1: Quality Requirements</b>	<b>Deliverables to be evaluated indicator = 1</b>		<b>Weights</b>
<b>SECTION A : Quality Management System Requirements ISO 9001:2008</b> <b>Valid certification of Quality Management System by an ISO accredited body</b>			
			<b>Apply (Yes=1)</b>
A.1 Product / Service Scoping on ISO 9001 certificate is defined and relevant			1
A.2 Certificate by Approved and Authorized certification authority			1
A.3 Certification Authority has Recognized International Accreditation			1
A.4 Validity (expiry date) of certificate			1
<b>Section A Score</b>			<b>4</b>

<b>SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref QM-58 or 240-51544462)</b>		
	<b>Apply (Yes=1)</b>	
B.1 Copy of appointment letter & CV/ resume of a Quality Representative for the project	1	
B.2 Signed Organisational structure & Quality dept reporting structure.	1	
B.3 Copy of procedure for control of suppliers & subcontractors	1	
B.4 Copy of an <b>internal</b> management system audit report (with NCR, corrective & preventive report)	1	
B.5 Copy of an <b>external</b> management system audit report (with NCR, corrective & preventive report)	1	
B.6 Copy of Customer satisfaction surveys	1	
B.7 Copy of a Quality Plan (incl ITP's) on previous project < 2yrs	1	
B.8 Historical Information (list) of similar work performed < 2yrs	1	
<b>Section B Score</b>	<b>8</b>	
<b>SECTION C: Contract Quality Plan Requirements (Ref QM-58 and 240-109253698)</b>		
<b>Contract Quality Plan as per Scope of Works (Ref ISO 10005)</b>		
<b>NB!!!! draft Contract/Project Quality Plan has important QA deliverables</b>	<b>Apply (Yes=1)</b>	
<b>Section C Score</b>	<b>0</b>	
<b>SECTION D: Quality Control Plan Requirements (Ref QM-58 Annexure I or 240-51544462)</b>		
<b>QCP /Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005 / 35-59 / 39-71)</b>		
<b>NB!!!! draft QCP/ITP (jobcards) has important QC deliverables</b>	<b>Apply (Yes=1)</b>	
	1	
<b>Section D Score</b>	<b>1</b>	
<b>SECTION E: User defined additional Requirements &amp; miscellaneous (Ref QM-58)</b>		
<b>Customer specific requirements &amp; other standards and required can be listed and evaluated here</b>		
	<b>Apply (Yes=1)</b>	
E.1 Form A is completed and signed.	1	
E.2 Copy of proposal and/ or assessment results of any recognised Business Excellence Model	1	
<b>Section E Score</b>	<b>2</b>	

## 6 Tender Evaluation

A standard Tender Evaluation Process will be followed based on the various criteria which include technical, commercial, quality, safety, localisation and pricing.

### Evaluation Process

A standard Tender Evaluation Process will be followed based on the following procedure:

### Basic Compliance

Review tender submission for compliance to all submission requirements  
Ensure mandatory requirements are met

### Stage 1

Functional Analysis  
Evaluate submissions against functional criteria  
Rate each submission against each criterion  
Apply weightings and calculate total functional score  
Eliminate tenders below minimum Threshold

- Stage 2** Price and Preference Analysis
- Calculate price points out of 90 (Price = Tendered (tactical) or evaluated (project) price)
  - Maximum 10 points may be allocated to specific goals
  - Apply preference points according to B-BBEE level contribution
  - Add price points and preference points
  - Select tender with highest points (Price Points + Preference Points)

### Price and B-BBEE Evaluation

- Price will be calculated out of 90 points
- Maximum of ten (10) points will be allocated to the relevant B-BBEE compliant level
- Preference points will be allocated in accordance with B-BBEE Level of Contribution
- Price points and B-BBEE preference points will then be added together
- The tenderer who obtains the highest points will be awarded the tender, , the specific goals (BBBEE) justify awarding to another tenderer in accordance with Section 2 (1) (f) of the objective criteria of PPPFA Regulations.
- In accordance with Section 10.1 of PPPFA Regulations, tenderers who subcontract more than 25% of the contract value to any other enterprise that does not qualify for at least the same number of points that the tenderer qualifies for, must not be awarded points claimed for BBBEE status, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- Tenderers are not allowed to sub-contract more than 25% of the contract value to another enterprise that does not have equal or higher BBBEE status level, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract, in accordance with Section 10.2 of PPPFA Regulations.
- Tenderers are required to submit a valid B-BBEE Status Level Verification Certificate or certified copies thereof together with their tenders to substantiate their BBBEE rating claims.
- Tenderers who do not submit their B-BBEE Status Level Verification Certificates or are non-compliant contributors to BBBEE do not qualify for preference points BBBEE but should not be disqualified from the tendering process. They will score points out of 90 for price and zero (0) points out of 10 for BBBEE.

- Step 3** Objective Criteria
- Evaluate submissions against each objective criterion.
  - Give supplier(s) that score highest on step 1 & step 2 enough time to submit any outstanding supporting documents.
  - Eliminate tenders that do not submit within stipulated date & time.

## 7 Process and Corporate Governance

The DUE diligence will be carried out by a cross functional team.

## 8 Contract Award

A contract will be established according to the approved evaluation report, with the successful tenderer based on **NEC3 Term Services Contract (TSC3)**.

## FORMS

	<b>Preference points claim form in terms of the preferential procurement regulations 2011</b>	
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This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all tenders:

- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this tender is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this tender shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.3.1 The maximum points for this tender are allocated as follows:

#### POINTS

1.3.1.1 **PRICE** .....

1.3.1.2 **B-BBEE STATUS LEVEL OF CONTRIBUTION** .....

**Total points for Price and B-BBEE must not exceed 100**

1.4 Failure on the part of a tenderer to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the tender, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 The purchaser 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 purchaser.

## 2. DEFINITIONS

- 2.1 “**all applicable taxes**” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 “**B-BBEE status level of contributor**” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “**tender**” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive tendering processes or proposals;
- 2.5 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 “**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 “**consortium or joint venture**” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 “**contract**” means the agreement that results from the acceptance of a tender by an organ of state;
- 2.9 “**EME**” means any enterprise with an annual total revenue of R5 million or less.
- 2.10 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “**functionality**” means the measurement according to predetermined norms, as set out in the tender documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a tenderer;
- 2.12 “**non-firm prices**” means all prices other than “firm” prices;
- 2.13 “**person**” includes a juristic person;
- 2.14 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of tender invitations, and includes all applicable taxes and excise duties;
- 2.15 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.



### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The tenderer obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more tenders have scored equal total points, the successful tender must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more tenders have scored equal points including equal preference points for B-BBEE, the successful tender must be the one scoring the highest score for functionality.
- 3.6 Should two or more tenders be equal in all respects, the award shall be decided by the drawing of lots.

### 4. POINTS AWARDED FOR PRICE

#### 4.1 THE 80/20 OR 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**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for comparative price of tender under consideration

$P_t$  = Comparative price of tender under consideration

$P_{\min}$  = Comparative price of lowest acceptable tender

## 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a tenderer for attaining the B-BBEE status level of contribution in accordance with the table below:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Tenderers who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Tenderers other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

**6. TENDER DECLARATION**

- 6.1 Tenderers who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1**

- 7.1 B-BBEE Status Level of Contribution: ..... = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

**8 SUB-CONTRACTING**

- 8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

- 8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted? .....%
- (ii) the name of the sub-contractor? .....
- (iii) the B-BBEE status level of the sub-contractor? .....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

**9 DECLARATION WITH REGARD TO COMPANY/FIRM**

- 9.1 Name of company/firm : .....
- 9.2 VAT registration number : .....
- 9.3 Company registration number : .....

**9.4 TYPE OF COMPANY/ FIRM**

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

**9.6 COMPANY CLASSIFICATION**

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

- 9.7 Total number of years the company/firm has been in business? .....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser 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) restrict the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audit alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution

**SIGNATURE(S) OF TENDERER(S):**

	<b>Name</b>	<b>Designation</b>	<b>Signature</b>	<b>Date</b>
1	_____	_____	_____	_____
2	_____	_____	_____	_____

**ADDRESS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**WITNESSES:**

	<b>Name</b>	<b>Signature</b>	<b>Date</b>
1	_____	_____	_____
2	_____	_____	_____

**RETURN THIS ANNEXURE WITH YOUR TENDER**

	<b>Local Production and Content Declaration</b>	
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Local Content Local to South Africa: The local content target is set at 100% of the contract value.

**Local content (not a designated sector)**

Criteria	Target (%)	Proposed Target (%)
Local content to South Africa	100%	

**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 TENDER No.** .....

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

NB 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 tenderer.

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

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

(b) I have satisfied myself that the goods/services/works to be delivered in terms of the above-specified tender comply with the minimum local content requirements as specified in the tender, and as measured in terms of SATS 1286.

(c) The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 4.1 above and the following figures:

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

If the tender is for more than one product, a schedule of the local content by product shall be attached.

(d) I accept that Eskom has the right to request that the local content be verified in terms of the requirements of SATS 1286.

(e) I understand that the awarding of the tender 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, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

	<b>Localisation Compliance Matrix</b>	
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### SPECIAL CONDITIONS OF TENDER

Camden Electrical Maintenance Contract presents Eskom with an ideal opportunity to make a difference for the community in line with Eskom's Socio-economic Development Policy and sustenance of South African communities. Support is being provided across the spectrum of poverty alleviation, skills development, job creation, industrialization and social upliftment during the execution period of the Camden Electrical Maintenance Contract.

Supplier Development & Localization analysis of the Electrical Maintenance scope revealed that there are great prospects for procurement and Skills development opportunities

The Supplier Development and Localizations objectives of this tender are the following:

- To leverage it for the benefit of the Mpumalanga Province business community, through procurement opportunities, and ensuring that the local community benefits through skills development; by contractually obligating the successful service provider to procure supplies for this service from within the Gert Sibande District and participate in skills development as per the proposed or negotiated requirements on the SD&L compliance matrix below.
- To effect and deepen the transformation in the Electrification market within RSA.

Therefore offers will be taken from the following entities only:

- Tenderers that propose against Eskom's SD&L targets (see Eskom's targets on the SD&L compliance Matrix in Figures 1 and 2).

### SD&L Compliance Matrix

Tenderers' commitments will form part of contractual obligation and 2% SD&L penalty clause shall apply.

**NB:** failure to meet the above mentioned **Special Condition** renders any submission non responsive.

**Figure 1: Localization**

Criteria	Weight	Target	Proposed Target	Weighted Score
Local Content to South Africa	25.0%	100.0%		
Local Content to Site	20.0%	10.0%		
Procurement from SBE	10.0%	5.0%		
Procurement from BWO	10.0%	5.0%		
Procurement from SBE	10.0%	5.0%		
Skills Development	25.0%			
<b>Total</b>	<b>100%</b>			

### Local to Site

Towns and cities falling within the boundaries of Mpumalanga province will be deemed Local to Site areas; however, Msukaligwa shall be given first preference when it comes to procurement opportunities. The successful bidder will be expected to draw large portion of general Labour from Msukaligwa Local municipality.

**Figure 2: Skills Development**

Skill Type	Weight	Target (Local to Site)	Proposed (Local to Site)	Weighted Score
Electrical Technician (P1/P2)	10.0%	10		
Electrical Artisan	15.0%	10		
<b>Total</b>	<b>25.0%</b>	<b>20</b>		

**Figure 3: Job Creation**

Number of Jobs to be created	
Number of Jobs to be retained	

The *Contractor* shall keep accurate records and provide the Project Manager with the reports on the *Contractor's* actual delivery against the above stated SD & L criteria.

The *Contractor's* failure to comply with his/her SD & L obligations constitutes substantial failure on the part of the *Contractor* to comply with his/her obligation under this contract.

2% retention money will be withheld. The retention money will be released once the SD & L commitments have been achieved at the end of the contract period. However in the event that the *Contractor* fails to fulfil his/her SD & L obligations, the portion not met will be quantified and withheld from the final payment.

**Note:**

**Tenders that do not propose under Figure's 1 & 2 will be disqualified / eliminated from participating further in this tender.**

	<b>DECLARATION (BY TENDERER) OF GOOD STANDING REGARDING TAX</b>	
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IT IS A CONDITION OF TENDERS THAT:-

1. It is an absolute requirement that the taxes of the successful supplier must be in order or that suitable arrangements is made with the receiver of revenue to satisfy them.
2. The supplier must include with his tender documents a copy of a Tax Clearance Certificate (in respect of tenderers)
3. If the certificate is not included or found not to be correct, Eskom Holdings SOC Limited may, in addition to any other remedy it may have;-
  - a) Recover from the contractor all costs, losses or damages incurred or sustained by Eskom Holdings SOC Limited as a result of the award of the contract; and/or
  - b) Cancel the contract and claim any damages, which Eskom Holdings SOC Limited may suffer by having to make less favourable arrangements after such cancellation.
4. Each party to a consortium/Sub-contractors must complete a separate declaration.

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

Please ensure that the procurement function is informed for immediate implementation of above-mentioned requirements.

#### DISCLAIMER

Eskom Holdings SOC Limited may decide to award only part of contract or not award at all. Normally, Eskom Holdings SOC Limited awards the contract to a supplier who proves to be fully capable of handling the contract and whose tender is either the lowest acceptable or economically the most advantageous to Eskom Holdings SOC Limited, in terms of the evaluation criteria stipulated in the enquiry and tender documentation. Eskom Holdings SOC Limited's choice is based on evaluation price, which takes a number of factors into consideration, and is normally substantially different from the tendered price.

<b>ACCEPTANCE ON BEHALF OF THE TENDERER</b> <i>(Please use block letters where applicable)</i>			
NAME	DESIGNATION	SIGNATURE	DATE

**RETURN THIS ANNEXURE WITH YOUR TENDER**



	<b>VENDOR DETAILS SCHEDULE</b>	
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Date : \_\_\_\_\_

1. Registered Name of Company: \_\_\_\_\_
2. Are you a registered vendor in terms of the Value Added Tax (VAT) Act Number 89 of 1991 ..... YES / NO
3. What is your VAT registration number: \_\_\_\_\_
4. Company registration number: \_\_\_\_\_
5. List of names and nationality of company's directors:

**Name****Nationality**

- |     |       |       |
|-----|-------|-------|
| (1) | _____ | _____ |
| (2) | _____ | _____ |
| (3) | _____ | _____ |
| (4) | _____ | _____ |
| (5) | _____ | _____ |

6. Principal Shareholders and Percentages:

_____
_____
_____
_____
_____

7. Name of Holding Company:

_____
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**RETURN THIS ANNEXURE WITH YOUR TENDER**

	<b>EXCEPTION SHEET</b>	
<p><b>All the requirements and conditions of the above referenced enquiry have been read. It is acknowledged that any exceptions to your requirements and conditions are as detailed below and that these are the only exceptions applicable.</b></p> <p><b>NB!</b> Should the Tenderer decide not to provide any of the documents stated on tender returnable of this enquiry package, a reason is to be provided on the Exception Sheet. The failure to provide the document or reason could invalidate your tender.</p>		
<div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px dotted black; margin-bottom: 5px;"></div>		
<b>SIGNATURE</b> <i>(Please use block letters where applicable)</i>		
<b>NAME</b>	<b>DESIGNATION</b>	<b>SIGNATURE</b>
	<b>DATE</b>	

**RETURN THIS ANNEXURE WITH YOUR TENDER**

	<b>Contract Price adjustment (CPA) requirements</b>	
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If Secondary Option X1 is included in the *conditions of contract*, and the *Employer* has not completed the data for this Option, the tendering contractor may propose the proportions used to calculate the Price Adjustment Factor, the index which each proportion is to be linked to, the base date used and the organisation preparing the indices.

Complete the data in the right hand column

<b>X1</b>	<b>Price adjustment for inflation</b>			
X1.1(a)	The <i>base date</i> for indices is _____ (The month before tender closing date)			
X1.1(c)	The proportions used to calculate the Price Adjustment Factor are:	<b>proportion</b>	<b>linked to index for</b>	<b>Index prepared by</b>
		0.		
		0.		
		0.		
		0.		
		0.15	non-adjustable	
	Total	1.00		
<b>Note:</b>	Eskom's requirement for CPA/Price inflation is that <b>Prices must be Fixed and Firm for the First 12 Months</b> of the contract and only subject to escalation thereafter. A minimum of <b>15%</b> of the contract price/prices is not adjustable throughout the life of the contract.			

Eskom always requires a non-adjustable portion.

This Schedule prepared in accordance with Eskom's Form CPA (General) Rev 4 April 2006 Section B.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Tenderer \_\_\_\_\_