



TENDERER'S SDL&I UNDERTAKING

Business Unit	Distribution Northern Cape Operating Unit, Gemma Cluster
Description/ Scope of Work	Oil spill clean-up and soil bio-remediation on an as and when required basis.
Duration of the Project	36 Months

The tenderer is required to complete this undertaking and submit the completed form as a tender returnable to Eskom prior to contract award. Eskom reserves the right to negotiate with the tenderer the requirements below, and the outcome thereof will form part of the contract obligations

EVALUATION CRITERIA

1. Prequalification

Only tenderers that are B-BBEE level 1 to 4 are eligible to tender in accordance with paragraph 4(1)(a) and 4(2) of the PPPFA regulations 2017.

Tender Returnable requirements are as follows;

- Valid original or certified copy of sworn affidavit in the case of EME's must be submitted (affidavit must be completed fully), or
- Valid Copy B-BBEE Certificate issued by CIPC for EME's. OR
- Valid original or certified copy of the B-BBEE certificate / sworn affidavit in the case of QSE's must be submitted, or
- Valid original or certified copy of the B-BBEE certificate issued by SANAS Accredited Verification Agency for Generic Entities must be submitted, or
- For JV's only valid original or certified copy of B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.

Failure on the part of the tenderer to submit "proof of B-BBEE status level of contributor" for purposes of evaluation by the tender closing will result in **disqualification**.

Additional documents to be submitted:

- CIPC Documents
- Certified copy of Shareholders certificate for Pty Ltd entities
- Certified copy of identity document of either (Director/Owner/Member)

General Information on Validity of Sworn Affidavits

The following must be considered when it comes to validity of Affidavits;

Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as the **director, owner** or **member** must be indicated in order to know that person is duly authorised to depose of an affidavit. **(Mark the applicable option).**
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. **(No blank spaces to be left).**
- Indicate total revenue for the year under review and whether it is based on **audited financial statements** or **management account**. **(Mark the applicable option).**
- Financial year-end as per the **enterprise's registration documents**, which was used to determine the total revenue. **(Financial year end to be stipulated by day/month/year).**
- B-BBEE Status level. An enterprise can only have one status level. **(Tick applicable level)**
- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same. **(The sworn affidavit must be signed in the presence of the Commissioner of Oath. Furthermore the Commissioner must also sign and stamp)**
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

2. Local to site

2.1 Skills Development

Skills development candidates should be currently unemployed graduates from TVET Colleges and universities and/or matriculants. The composition of the candidates shall be representative of the population demographics of South Africa – Northern Cape Province. The supplier will be provided with the list of skills as per respective discipline to choose from, this will mean this supplier will train candidate with skill type that is relevant to their area of expertise.

Skills development matrix

List of proposed skills	Eskom's target
Health & Safety Officers	1 candidate for every R1 Million accumulated through task order
Environmental officers	
Oil Spillage technicians	

2.2 Enterprise or Supplier Development

Offer financial or non-financial assistance to a small business or a NGO based local to site (Northern Cape Province).



2.3 Subcontracting

The successful tenderer may be required to commit to the following subcontracting conditions where feasible; the subcontracting percentage or value will differ per task order. The subcontracting will however be limited to local to site (Project site) contractors that fall within the following category:

- BPwD
- BYO
- BWO
- BO
- A co-operative which is at least 100% owned by black people

The subcontracting conditions will be negotiated and agreed upon at task order award stage and the results thereof will form part of the task order agreement

2.4 Job Opportunities

Job creation targets will be confirmed at the task order award stage. The employment (Jobs created) shall comply with the Employment Equity Act and represent the demographics of the Local to site communities.

The contractor will be required to submit a detailed Labour Resource Plan that reflects both retained and new jobs to be created by the project.

Tenderer to indicate number of Jobs to be created and/or retained from this contract;

3. Reporting & Monitoring

The contractor/s shall on a quarterly basis or as and when required submit a report to Eskom in accordance with Supplier's Local Development Monthly/Quarterly Report on their compliance with the SDL&I obligations described above.

Eskom shall review the reports submitted by the tenderers within 30 (thirty) days of receipt of the reports and notify the tenderers in writing if their SDL&I obligations have not been met. Upon notification by Eskom that the tenderers have not met their SDL&I obligations, the tenderers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following quarter.

Declaration:

Based on the terms laid out above, I

(Company Representative) from (Company Name)

Respondent's Signature

Date

ACCEPT

REJECT