	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

**ESKOM HOLDINGS SOC LTD**

**INVITATION TO TENDER/REQUEST FOR PROPOSAL (RFP)**


**FOR**

**Maintenance services and repairs of unit 1 to 6 and outside plant Actuators (boiler and turbine) at Matla Power Station for a period of (05) five years.**

<b>Tender number/ RFP number/</b>	<b>MPGXC006843R1</b>		
<b>Issue date</b>	<b>16 May 2022</b>		
<b>Closing date and time</b>	<b>15 June 2022 at 10h00</b>		
<b>Tender validity period</b>	<b>24 weeks from the closing date and time</b>		
<b>Clarification meeting</b>	<b>01 June 2022 at 10h00</b> <b>Non-compulsory Clarification meeting will be held on MS Team</b>		
<b>Tenders are to be delivered to the following address on the stipulated closing date and time:</b>	<p align="center"><b>The tender box is open for 24 hours at the address below:</b></p> <table border="1"> <tr> <td> <b>ESKOM TENDER BOX</b>  <b>GROUND FLOOR</b>  <b>NO. 10 SMUTS AVENUE</b>  <b>WITBANK / EMALAHLENI</b>  <b>MPUMALANGA</b> </td><td> <b>GPS Co-ordinates:</b>  <b>Latitude: 25.87723S</b>  <b>Longitude: 29.21629E</b>    <b>Please note that the box is not located at Eskom Park or Matla Power Station</b> </td></tr> </table>	<b>ESKOM TENDER BOX</b> <b>GROUND FLOOR</b> <b>NO. 10 SMUTS AVENUE</b> <b>WITBANK / EMALAHLENI</b> <b>MPUMALANGA</b>	<b>GPS Co-ordinates:</b> <b>Latitude: 25.87723S</b> <b>Longitude: 29.21629E</b>  <b>Please note that the box is not located at Eskom Park or Matla Power Station</b>
<b>ESKOM TENDER BOX</b> <b>GROUND FLOOR</b> <b>NO. 10 SMUTS AVENUE</b> <b>WITBANK / EMALAHLENI</b> <b>MPUMALANGA</b>	<b>GPS Co-ordinates:</b> <b>Latitude: 25.87723S</b> <b>Longitude: 29.21629E</b>  <b>Please note that the box is not located at Eskom Park or Matla Power Station</b>		

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

## Invitation to Tender

Eskom Holdings SOC Ltd (hereinafter "Eskom") invites you to submit a [.] [tender/proposal] for the

**Maintenance services and repairs of unit 1 to 6 and outside plant Actuators(boiler and turbine) at Matla Power Station for a period of (05) five years.**

The enquiry documents are supplied to you on the following basis

- Free of charge

Eskom has delegated the responsibility for this tender to the Eskom *Representative* whose name and contact details are set out in the Tender Data. A submission of a tender/proposal by you in response to this [Invitation/RFP] will be deemed as your acceptance of the Eskom Standard Conditions of Tender (to be accessed via [www.eskom.co.za](http://www.eskom.co.za))

Queries relating to these Invitation /RFP documents may be addressed to the Eskom *Representative*

Yours faithfully



Neo Mkhize

Procurement Manager

Matla Power Station

Date. 18/05/2022

## Contents of Invitation to Tender

### 1 Invitation to tender


- 1.1 Standard Conditions of Tender (refer to [www.eskom.co.za](http://www.eskom.co.za) for this document that suppliers are required to download and read)
- 1.2 Tender Data
- 1.3 Commercial Tender returnables

## Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30






 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

	The Eskom Representative is Name: Stanley Ngwenya Tel 017 612 6402 E-mail: ngwenyas@eskom.co.za
1.3 Enquiry documents	The Invitation to tender number is <b>MPGXC006843R1</b>  See the content list above for the enquiry documents
1.4 Type of Invitation to Tender	This invitation to tender is An open Invitation to tender
1.6 Eskom's rights to accept or reject any tender	The tender shall be for the whole/parts of the contract.  <i>"Eskom reserves the right to Award a tender to a supplier who may not be the highest scoring or highest ranked supplier, for the purpose of maximising recognition of black ownership, black management control, skills development and/or preferential procurement in line with Section (2)(1)(f) of the PPPFA."</i>
2.1 Eligible tenders	Submit a tender only if the tenderer (whether a single company or a structure similar to a Joint Venture) complies with the <i>eligibility criteria</i> stated in the Tender Data and the tenderer, or any of his principals, is not under any restriction to do business with Eskom/State Owned Companies.  Tenderers are deemed <b>ineligible</b> to submit a <b>tender</b> if <ul style="list-style-type: none"> <li>• Tenderers have the nationality of a country on any international sanctions list. A tenderer shall be deemed 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             <ul style="list-style-type: none"> <li>• Tenderers submit more than one tender either individually or as a partner in a joint venture (JV) or consortium</li> <li>• Tenders submitted by a JV 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</li> <li>• A Tenderer must not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified. A Tenderer may be considered to have a conflict of interest with one or more parties in this [tendering/RFP] process, if                 <ul style="list-style-type: none"> <li>o (a) they have a controlling partner/majority shareholder in common, or</li> </ul> </li> </ul> </li> </ul>

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

	<ul style="list-style-type: none"> <li>○ (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/proposal of another Tenderer, or influence the decisions of the Employer regarding this bidding process;</li> <li>• Tenders signed by non- authorized persons</li> <li>• Where the tenderers are not registered on National Treasury's Central Supplier Database (except Foreign Suppliers)</li> <li>• A tender that fails to meet any pre-qualifying criteria stipulated in the tender documents is an unacceptable tender (section 4 (2) of PPPFA Regulations</li> <li>• Any tenderer that is restricted by National Treasury</li> <li>• A tenderer that sub-contracts 100% Scope of Work.</li> </ul> <p><b>Ineligible tenderers will be disqualified.</b></p>
2.2 -2.5 Tender Closing	<p>The deadline for Tender number <b>MPGXC006843R1</b> submission is :  <b>Date 15 June 2022</b>  <b>Time 10h00 AM</b></p> <p><b>Late Tenders will not be accepted</b>  Tenders are to be submitted to the Eskom <i>tender box</i> at the following physical address:  <b>THE TENDER OFFICE</b>  <b>ESKOM TENDER BOX</b>  <b>GROUND FLOOR</b>  <b>NO. 10 SMUTS AVENUE</b>  <b>WITBANK / EMALAHLENI</b>  <b>MPUMALANGA</b></p>
2.9 Copy of original tender	<p>The tenderer must submit the tender as a complete original tender, plus one (1) <b>hard copy</b> of the original tender at tender submission deadline. Eskom may also require that one (1) additional complete soft copy of the original tender is required in electronic format.</p> <p>Where a Tenderer does not submit 1 hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.</p>
2.13 Tender Validity Period	<p>The tender validity period is <b>24 weeks</b></p>
2.16 Site/clarification meetings	<p><b>A clarification meeting</b> with representatives of the Employer will take place as follows:</p> <p><b><u>The clarification meeting will be on MS Team</u></b></p> <p>Date: <b>01 June 2022</b>  Time: <b>10:00am</b>  Venue: <b>MS Team</b>  Booking should must be made with: Stanley Ngwenya,</p>

### Controlled Disclosure


When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30









	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

“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;

#### EVALUATION CRITERIA

##### Step 1 - Basic Compliance

- Review tender submission for compliance to all submission requirements (Tender Returnable)

##### Step 2 - Mandatory tender returnable

##### Step 3 - Pre-qualification criteria


##### Step 4- Functionality

Technical / Engineering. 100%

A weighted score-card approach is used to evaluate the technical compliance of the tenders against the specifications. Tenders need to have a weighted score of **70%** or more to technically qualify for further evaluation.

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	Rev	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		


#### Qualitative Technical Evaluation Criteria

KPA - Area of Evaluation	Weight (%)	KPI - Criteria Evaluation Indicator	Minimum Criteria Evaluation Requirements	Source Returnables Or	0 (0%): Non-Responsive	2(40%): Non-Compliant	4(80%): Compliant with associated qualifications.	5 (100%): Fully Compliant
Method Statement for Servicing a actuator	30	Method statement Content	Detailed Method Statement Submitted	<b>Method Statement</b> Submit a detailed method statement for actuator covering the following aspects (the points for each topic are indicated below)  <b>Sections to be covered in the Method statement</b> 1) Actuator Function Testing (15 points) 2) Five Actuator Generic faults and troubleshooting of the faults (15 points)	0 None responsive or points < 60	2 Actuator method statement with content scoring between 60 to 70 points	4 Actuator method statement with content scoring between 75 to 90 points	5 Actuator method statement with content scoring between 95 to 100 points

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30


Page 11 of 66

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

				3) Actuator servicing – removal and installing procedure (15 points) 4) Stroke checking (15 points) 5) Limit setting (10 points) 6) Torque setting (10 points) 7) Positioner setting (10 points) 8) Actuator Inspections (5 points) 1) Receipt, temporarily storing and handling of equipment (5 points)				
Actuator Servicing Experience	20	Company Experience on the servicing of actuators	Submit Proof of actuator servicing experience	Proof of previous work orders/contracts Indicating 1) Method Statement Submit a detailed method statement for	0 Purchase Orders Or contracts submitted with number of actuators < 50 Or Non	2 Purchase Orders Or contracts submitted with number of actuators between 50 -	4 Purchase Orders Or contracts submitted with number of actuators overhauled between 100 -	5 Purchase Orders Or contracts submitted with number of actuators overhauled ≥

#### Controlled Disclosure


When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

				actuator covering the following aspects, Safe Working Procedure	responsive	99	199	200
QCP	20	Submit a Typical QCP Demonstrating how to perform the following actuator activities	Submit QCPs	Submit a Typical QCP Demonstrating how to perform the following actuator activities Submit a QCP covering the following points 1) Actuator Inspections 2) Actuator Function Testing 3) Stroke checking 4) Limit setting 5) Torque setting 6) Positioner setting 7) Actuator servicing – removal and installing Choose one actuator between AUMA, ROTORK and SIPOS	0 None responsive	2 QCP covers 3 points out of 7	4 QCP covers between 4 and 5 points out of 7	5 QCP covers between 6 to 7 points or all points covered

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30


 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Skilled Personnel	30	Require 4 x Technicians with $\geq 2$ years relevant experience	Minimum Requirements 1 Technician Millwright/Electrician/Instrumentation with N6+ Technical Certificate / National Diploma(ND) 2 Actuator specific training including proof of actuator maintenance training	Attach four (4) CVs with Copies of Certified Certificates of qualifications for each CV (Submit certified copy of qualifications and all relevant required certificates Certificates must be certified within 3 months) CV shall indicate actuator specific training and minimum actuator experience of 2 years	0 Non-responsive or No certificates attached or Experience < 2 years	2 $\geq 2$ to 3 years plus criteria 1	4 $\geq 4$ to 5 years plus criteria 1&2	5 > 5 years plus criteria 1&2
-------------------	----	---	--	--	--	--	--	----------------------------------

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

Page 14 of 66

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

### Pre-qualification Criteria

**Failure to meet Pre-qualification at tender stage will lead to disqualification**

#### 1.1 Minimum BBBEE status level of contributor?

If Yes, what is the BBBEE status and/or level required

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 1.2 Is there BBBEE category targeted for this enquiry?

If Yes, BBBEE category

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Tender Returnable if the above elements are requirements,

- 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 B-BBEE Certificate issued by a SANAS Accredited Verification Agency will be accepted and the certificate should be in the name of the JV.

#### 1.3 Minimum subcontracting requirement for this?

If Yes, what is the minimum percentage?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Tender Returnable if the above element is a requirement,

- Letter of intent or any other requested document indicating commitment and the percentage required must be submitted as a tender returnable.
- Sub-contracting can only be concluded with the following entities.
  - an EME or QSE which is at least 51% owned by black people;
  - an EME or QSE which is at least 51% owned by black people who are youth,
  - an EME or QSE which is at least 51% owned by black people who are women,
  - an EME or QSE which is at least 51% owned by black people with disabilities,
  - an EME or QSE which is 51% owned by black people living in rural or underdeveloped area or townships,


### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30







	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

### 2.3 BBBEE Compliance

Is there minimum BBBEE level targeted?

If Yes, what is the BBBEE status targeted for this transaction (contractor/s will be required to submit plans to achieve the target level if not met at contract award)

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Successful tenderer to achieve, maintain or improved a B-BBEE Recognition Level 4 for the duration of the contract	

### 2.4 Subcontracting Requirements

Is there a requirement for subcontracting?

If Yes, what is the targeted subcontracting percentage

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 2.5 Enterprise Development

Are there specific ED requirements?  
(This ED intervention can either be separate or additional to subcontracting requirements, but duplication should be avoided)

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, the main contractor is required propose development in the following areas or against the following Eskom's targets

Eskom's Target	Tenderer Proposal
100	

### 2.6 Skills Development

Are there Skills Development targets?


YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, the contractors are required to propose skills development against Eskom's targets

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Eskom will apply a penalty of 2.5% of the Contract Value for failure to meet SDL&I obligations

**One of the following options will apply for SDL&I performance security:**

- For the duration of the contract, Eskom will retain 2.5% of every invoice (excluding VAT) as security for the fulfilment of all SDL&I Obligations. The retained amounts shall only be released to the Contractor upon fulfilment of all SDL&I obligations at the end of the contract.
- Alternatively the Contractor shall submit a bond equivalent to 2.5% of the Contract Value and shall only be released to the Contractor upon fulfilment of all SDL&I Obligations.
- Panels- Eskom will apply 2.5% retention on every invoice (excluding VAT) after all cumulative task orders awarded to the Contractor/Service Provider that have reached a stipulated threshold as security for the fulfilment of the SDL&I obligations.

#### Section 4: Reporting and Monitoring

- The suppliers shall on a monthly/quarterly basis submit a report to Eskom in accordance with *Data Collection Template on their compliance with the SDL&I obligations described above.*
- Eskom shall review the SDL&I reports submitted by the suppliers within 60 (sixty) days of receipt of the reports and notify the suppliers in writing if their SDL&I obligations have not been met.
- Upon notification by Eskom that the suppliers have not met their SDL&I obligations, the suppliers shall be required to implement corrective measures to meet those SDL&I obligations before the commencement of the following report, failing which Retention clauses shall be invoked.
- Every contract shall be accompanied by the SDL&I Implementation Schedule which must be completed by the suppliers and returned to SDL&I representative for acceptance 30 days after contract award.

#### Section 5: Market Research


The following information demonstrates market analysis and assisted in arriving at BBBEE targets above:

• N/A	• N/A
-------	-------

The following information demonstrates market analysis and assisted in arriving at Subcontracting targets above:

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

## Section 7: 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

## Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

#### Step 6 - Financial Evaluation

An analysis of the tenderers financial statements will be conducted for the purpose Of establishing the tenderers financial viability and ability to meet all its contractual obligations for the duration of the contract, should the tenderer be awarded the contract

**NB:**The supplier to submit the latest audited Financial Statements to be used to perform Financial viability

#### Step 7- Price and Preference Analysis

- 80% Price
- 20% BBEE

#### Price Evaluation (80 points)

Adjudication Criteria	Points
<b>Price Evaluation</b>  $Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$	80

Where

- Ps = Points scored for comparative price of tender under consideration
- Pt = Comparative price of tender under consideration
- Pmin = Comparative price of lowest acceptable tender


#### B-BBEE Evaluation (20 Points)

Tenderers are required to submit a valid B-BBEE Status Level Verification Certificates together with their tenders to substantiate the B-BBEE claims

Tenderers, who do not submit B-BBEE Status Level Verification Certificate or non-compliant contributors to B-BBEE will not qualify for preference points, however will not be disqualified from the tender process Such tenderer will score out of 80 points for price and 0 points out of 20 for B-BBEE

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

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

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0


The points scored for price will be added to the points scored for B-BBEE Status Level of contribution to obtain the tenderer's points out of a 100.

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30






 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		


**Quality requirements:**

**NB:** The tenderer must complete and sign this form A to acknowledge and accept Eskom Supplier Quality Requirements as per QM 58 Specification and ISO 9001 Standard.

**Controlled Disclosure**


When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

 Eskom		(FORM A) TENDER & CONTRACT QUALITY REQUIREMENTS FOR 240-105658000 AND QUALITY REQUIREMENTS FOR ISO 9001 STANDARD		Template Identifier	240-43921804	Rev	3			
				Document Identifier	240-68099512	Rev	8			
				Authorisation Date	August 2020					
				Review Date	August 2023					
SECTION A (TENDERER)	ENQUIRY/ CONTRACT No:									
	ENQUIRY/ CONTRACT DESCRIPTION									
SECTION B (ESKOM)	CLAUSES OF 240-	CLAUSE DESCRIPTION				INDICATE WITH AN (X) AS				
	CLAUSE 3	PRE-CONTRACT AWARD QUALITY REQUIREMENTS				X				
	CLAUSE 4	(*Select Only Applicable Category). NB: Not more than one category must be selected. Also indicate whether site Category 1 (refer to clause 4.1.1 of 240-105658000)				-				
		Category 2 (refer to clause 4.1.2 of 240-105658000)				-				
		Category 3 (refer to clause 4.1.3 of 240-105658000)				X				
		Category 4 (refer to clause 4.1.4 of 240-105658000)				-				
		Supplier and Sub-supplier Site Assessment (refer to clause 4.2 of 240-105658000)				-				
	CLAUSE 5	POST-CONTRACT AWARD								
		Contract Execution (refer to clause 5.1 of 240-105658000)				X				
		Supplier Quality Performance Monitoring Phase (refer to clause 5.2 of 240-105658000)				X				
	CLAUSE 6	STANDARD CONDITIONS								
		Eskom Rights of Access (refer to clause 6.1 of 240-105658000)				X				
		Eskom Rights to Information (refer to clause 6.2 of 240-105658000)				X				
		Preservation and Storage (refer to clause 6.3 of 240-105658000)				X				
		Supplier Quality Audits (refer to clause 6.4 of 240-105658000)				X				
		Nonconformities and Nonconforming Outputs Identified by Eskom (refer to clause 6.5 of 240-105658000)				X				
		Special Processes (refer to clause 6.6 of 240-105658000)				X				
SECTION C (ESKOM)	CLAUSES OF ISO 9001	CLAUSE DESCRIPTION				INDICATE WITH AN (X) AS				
	CLAUSE 4	Context of the Organisation				X				
	CLAUSE 5	Leadership				X				
	CLAUSE 6	Planning				X				
	CLAUSE 7	Support				X				
	CLAUSE 8	Operation				X				
	CLAUSE 9	Performance Evaluations				X				
	CLAUSE 10	Improvement				X				
		NAME	DESIGNATION	DATE	SIGNATURE					

### Controlled Disclosure


When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30


	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

<b>SECTION E</b>	<b>ESKOM'S QUALITY</b>				
<b>TENDERER'S QUALITY REPRESENT</b>	<b>NAME</b>	<b>DESIGNATION</b>	<b>DATE</b>	<b>SIGNATURE</b>	

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30


 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

 Eskom	<b>Supplier Quality Management: List of Tender Returnables Documents</b>		Unique Identifier	240-12248662
			Revision	6
			Effective Date	2020/08/25
			Specification	240-105658000
Category 3: Quality Requirements		Deliverables to be evaluated indicator = 1		Weights
<b>SECTION A : Quality Management System Requirements ISO 9001</b> Objective evidence of documented QMS that is not certified but complies with ISO 9001				
			Apply (Yes=1)	25%
A 1 QMS Manual or a document that defines and describes the QMS and its scope			1	
A 2 Quality Policy Approved by top management			1	
A 3 Quality Objectives Approved by top management			1	
A.4 Control of documented Information			1	
A 5 Documented information for Control of nonconforming outputs			1	
A 6 Documented information for Nonconformity and Corrective action			1	
A 7 Documented information for Internal audit			1	
Section A Score			7	
<b>SECTION B : Evidence of QMS in operation (Tender Quality Requirements -Ref 240-105658000 /240-105658000)</b>				
			Apply (Yes=1)	25%
B 1 Documented information for defined roles, responsibilities and authorities			1	
B.2 Documented information for Control of Externally Provided Processes, Products and Services			1	
Section B Score			2	
<b>SECTION C: Contract Quality Plan Requirements (Ref 240-105658000 and 240-109253698).</b> Draft Contract Quality Plan specific to the scope of work as described in the tender documents (Ref ISO 10005)				
NBI Draft Contract/Project Quality Plan has important QA deliverables			Apply (Yes=1)	20%
Section C Score			1	
<b>SECTION D: Quality Control Plan Requirements (Ref QM-58 or 240-109253302)</b> QCP /Checklist/ ITP (Quality Control Plans) as per Scope of Works (Ref ISO 10005 & 240-105658000)				
NBI Draft/Example of an Inspection and Test Plan (ITP) or Quality Control Plan (QCP) on similar and/ or previous work done			Apply (Yes=1)	20%
			1	
Section D Score			1	
<b>SECTION E : User defined additional Requirements &amp; miscellaneous (Ref 240-105658000)</b> Customer specific requirements & other standards and required can be listed and evaluated here				
			Apply (Yes=1)	10%
E 1 Form A is completed and signed			1	
E.2 Add other requirements (if applicable) as per the scope of work and/ or specification			1	
Section E Score			2	
NAME OF ESKOM REPRESENTATIVE				
DATE ISSUED				
PROJECT: TENDER TITLE				
SIGNATURE				

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		


### 1.3 TENDER RETURNABLES

The tenderer must submit the returnables set out hereunder as part of its tender. Returnables that are mandatory for evaluation will result in disqualification if not submitted at tender closing

Reference	Returnables from supplier	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
Basic Compliance	One (1) hard copy of the tender	✓	
Pre-qualification criteria : <ul style="list-style-type: none"> <li>B-BBEE levels/EME/QSE</li> <li>Sub-contracting to designated groups</li> </ul>	"Proof of B-BBEE status level of contributor" for main contractor	✓	
	CSD number	✓	
	Signed Sub-contracting intent agreement	✓	
	"Proof of B- BBEE status level of contributor" for sub-contractor belonging to designated group	✓	
	Any other supporting documents to verify the status of the main contractor or sub-contractor( as may be stipulated in 3.11)	✓	
<b>Please Note that :</b> "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;  If "proof of B-BBEE status level of contributor" is required for pre-qualification purposes in terms of PPPFA regulations, and is either not submitted			


### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	Rev	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

by tender submission deadline or deemed invalid; , the respective tenderer must be disqualified			
Annexure A	Acknowledgement Form	✓	
Annexure B	Tenderers Particulars	✓	
Annexure C	Integrity Pact Declaration form	✓	
Annexure D	CPA for local goods/services (if applicable)	✓	
Annexure E	CPA(IG) for imported goods/services (if applicable)	N/A	
Annexure F1-F4	SBD 6 2 -Declaration certificate for local production and content and Annexures C, D, E	N/A	
Annexure G (applicable for all suppliers including Foreign suppliers)	SBD 1- to be submitted with the tender at tender submission deadline	✓	
Annexure H	SBD 6 1- Preference Points Claim Form in terms of PPPFA 2017 regulations	✓	
Supplier Development & Localisation (SD&L) Undertaking (if applicable)			✓
Reverse e-auction training acknowledgement form (if applicable)			✓
Additional Documents required in event of JV:-	Letter of intent to form a JV/consortium		✓
	Valid joint venture agreement confirming the rights and obligations of each of the joint venture partners and their profit-sharing ratios		
	Written confirmation that the joint venture will operate as a single business entity (incorporated) for the duration of the contract (this may be included as an obligation within the JV agreement)		✓
	“proof of B-BBEE status level of contributor” means- (a) the B-BBEE status level certificate issued by an authorised body or person; or	✓	

## Controlled Disclosure

 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		


	(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, (as may be applicable for the particular tendering entity )		
	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		✓
<b>*“proof of B-BBEE status level of contributor” means:-</b> (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;	Failure on the part of the supplier to submit “proof of B-BBEE status level of contributor” for purposes of evaluation and scoring by the tender closing will not result in disqualification (if tenderer is otherwise deemed to be responsive/acceptable in all other aspects and it is not a pre-qualification criterion) The tenderer will, however, be scored zero on B-BBEE for purposes of PPPFA scoring and ranking.	✓	
<b>Tax Clearance Certificates</b>	A certified copy of a tax clearance certificate is still required by Foreign suppliers (with a footprint in South Africa- but who are not on CSD and have not provided a SARS pin number ) and Local suppliers (who 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 still complete the SBD1 document, however no proof of tax compliance is required		✓
<b>Tax Evaluation Questionnaire (if services contract and was included as annexure)</b>	Evaluation questionnaire to determine whether a company, close corporation (CC) or Trust is a personal service provider for purposes of PAYE]		✓
<b>Compliance with Employment Equity Act</b>	To the extent that the tenderer falls within the definition of a “designated Employer” as		✓

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30





 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

Due Diligence	Audited Financial Statements of the <i>tenderer</i> for the previous 18 months, or to the extent that such statements are not available, for the last year Tenderers must note that in the case of a joint venture or special purpose vehicle (SPV) <i>especially formed for this tender</i> , audited financial statements for each participant in the JV / SPV is required Start-up enterprises formed within the last 12 months are not required to send in statements, but if successful with their tender will be required to send statements for the first year when once available		✓
<b>DOCUMENTS REQUIRED UNDER FUNCTIONALITY/TECHINICAL CRITERIA</b>			
Technical (required for functionality scoring)	1 [See the attached technical criteria for documents required for functionality scoring]	✓	


Criteria that will be used to score each tender:	Score
Technical	100%
Threshold	70%

Tenderers who do not meet the threshold of 70% for the functionality scoring will be disqualified and not be evaluated further

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

Name of company/JV \_\_\_\_\_

Country of registration \_\_\_\_\_

Name of contact person \_\_\_\_\_

Contact details of contact person

Tel (landline) \_\_\_\_\_


Cell phone \_\_\_\_\_

e-mail address \_\_\_\_\_

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		


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	
VAT registration number	
CIDB Registration number (if applicable) and CIDB grade specified for the sub-contractor as may be stipulated in the Tender Data	
Shareholding organogram /breakdown (for each individual company/JV member) clearly identifying percentages owned by individual shareholders (full names& ID Numbers) and other entities (provide full legal/trading name and respective identifying registration/trust numbers)	
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 Treasury Central Supplier Database(CSD) please provide your supplier registration number with Treasury \_\_\_\_\_

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

3. Please note that it is mandatory for you to register on National Treasury's CSD, if you intend doing work with any State department or State owned entity/company
4. You may register online at National Treasury website on [www.treasury.gov.za](http://www.treasury.gov.za)
5. Alternatively, you may contact Stanley Ngwenya, email: [ngwenyas@eskom.co.za](mailto:ngwenyas@eskom.co.za)
6. If you are registered on SARS Efiling system, please provide your pin number in order to verify your tax compliant status \_\_\_\_\_
7. 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 Efiling pin, please confirm that you have attached/will send a copy of a current valid tax compliant certificate as a tender returnable (by contract award stage)

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

8. If sub-contracting is prescribed in the specific enquiry, you need to complete 8.1-8.7

- 8.1 Confirm if you intend sub-contracting

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

- 8.2 What percentage will you be sub-contracting? \_\_\_\_\_ %
- 8.3 To whom do you intend sub-contracting? \_\_\_\_\_
- 8.4 Is the said sub-contractor registered on CSD?

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

- 8.5 If yes to 8.4, please provide CSD number \_\_\_\_\_
- 8.4 Please confirm B-BBEE level of said sub-contractor \_\_\_\_\_


- 8.5 Which designated group does the sub-contractor belong to -

- a Black people
- b Black people who are youth
- c Black people who are women
- d Black people with disabilities
- e Black people living in rural or underdeveloped areas or townships
- f Cooperatives which are 51% owned by Black people
- g Black people who are military veterans

If Eskom decides to apply the sub-contracting provision as specified in Regulation 4(c) all tenders above the prescribed maximum threshold for quotations must be advertised through an open competitive bidding process subject to potential

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	Rev	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

tenderers meeting the 30% minimum subcontracting requirement to EMEs or QSEs that are 51% owned by the following enterprises

8.6 Please confirm that you have attached your signed intent to sub-contract document

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

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

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

#### A. Single tenderers

I, the undersigned, \_\_\_\_\_ (Full names) hereby confirm that I am duly authorised to sign all documents in connection with this tender and any contract resulting from it, on behalf of \_\_\_\_\_ (insert the full legal name of the tenderer)

Signature \_\_\_\_\_

Designation \_\_\_\_\_

Date, \_\_\_\_\_

#### B. Joint Ventures


We, the undersigned, are submitting this tender in Joint Venture and hereby authorise Mr/Ms \_\_\_\_\_ (full names), an authorised signatory of \_\_\_\_\_, (insert the full legal name of the business entity serving as the lead partner) acting in the capacity of lead partner, to sign all documents in connection with the tender and any contract resulting from it on our behalf

We attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30




 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

Legal Name of Joint Venture Member	Full Name and Capacity of Authorised Signatory	Signature

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

## **ANNEXURE C**

### **INTEGRITY DECLARATION FORM**

*(Form to be completed and signed by supplier/tenderer as Invitation to Tender/RFP returnable or as part of contract modification documentation)*

#### **1. DECLARATION OF INTEREST**

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


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

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

#### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		


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

Item	Question	Yes/No	No
1.1	<p>Is the tenderer/s (or any of its directors/members/shareholders) listed on National Treasury's Database of Restricted Suppliers as companies/persons prohibited from doing business with the public sector</p> <p><i>[Note: Companies/persons who are listed on the Database were informed in writing of this restriction by the Authority/Accounting Officer of the institution that imposed the restriction after the audi alteram partem rule was applied].</i></p> <p>The Database of Restricted Suppliers can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>)</p>		
1.2	<p>Is the tenderer/s (or any of its directors / members / shareholders)? 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)</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>)</p>		
1.3	<p>Was the tenderer/s (or any of its directors/members/shareholders) convicted by a court of law (including a court outside South Africa) for fraud and/or corruption with respect to the procurement/tendering processes/procedures during the past five years?</p>		
1.3.1	Provide details		

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd. © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

(A copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners is attached to the invitation to tender/Request for proposal).

## **ANNEXURE D**

### **CPA REQUIREMENTS FOR LOCAL GOODS AND SERVICES (SOUTH AFRICA)**

#### **THE APPLICATION OF CONTRACT PRICE ADJUSTMENT (CPA) TO TENDER SUBMISSIONS**

*This Section will not be applicable to professional services contract*

#### **1. APPLICATION OF CPA**

Eskom will afford Tenderers an opportunity to propose additional/alternate offers to the abovementioned Additional Offers, which are optional, will only be considered if a fully compliant Main Offer is submitted and acceptable

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

#### **2. TENDER SUBMISSIONS**

Tenderers shall comply with the following requirements

##### **a. Main offer.**


- A Main Offer that is fully compliant with the CPA requirements as specified in the Enquiry
- This condition is mandatory unless a fully fixed priced offer is submitted. If more than one offer is submitted, then the fully CPA compliant offer must be indicated as the Main Offer

**Failure to do so may result in the supplier's offer(s) being disqualified.**

##### **b. Additional/Alternative offer:**

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

Additional offers, which are optional, will only be considered if a fully compliant main offer is submitted and acceptable

- A fixed priced offer in addition to the fully CPA compliant main offer, or
- Any other offer with CPA specifications which deviate from the CPA requirements specified in the enquiry. However it is compulsory that all such deviations are sufficiently substantiated

Additional/Alternative Offers must be clearly indicated as such

### 3. ESKOM'S PREFERRED INDEX LIST

Eskom's preferred index list is set out hereunder in Tables 1 and 2. The index list comprises indices that could be used in the Tenderers main offer.

### 4. FOREIGN PORTION OF THE TENDER/AGREEMENT PRICE

In instances where the preferred index list does not specify a foreign index which is required for the specific agreement, the following must apply:

- The source of an index must be that of the national statistical institute of the relevant country or a generally acknowledged statistical (e.g. industry) body in or for that country, e.g. BEAMA and MEPS
- The index must be the equivalent, or if unavailable, the nearest equivalent index to that of the specific prescribed local index

### 5. NUMBER OF FORMULAE & INDICES

- The Tenderer is limited to a maximum of 10 (ten) indices in total, i.e. a maximum of 5 local indices and maximum of 5 foreign indices, excluding the fixed portion per CPA formula, per offer/agreement

### 6. CPA FIXED PORTION

A minimum of 15% of the total agreement value is to be fixed when a CPA formula applies, except in the case of professional services or consulting agreements.

### 7. BASE DATE


- In instances of indices or other references published monthly, the Base Date is to be *The month before the month in which the Enquiry closes*
- In instances where the reference figures, e.g. market prices, are published daily or at more intervals than once a month: *The average for the month before the month in which the Enquiry closes*
- In this case, the following shall apply

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd. © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30






 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	1
		Effective Date	18 February 2022		
		Review Date	February 2027		

**Table 1: Preferred Local Index List** -this list of indices needs to be relevant to the commodity.  
Buyers need to check and include the relevant indices

Labour	Commodities	Processed material	Transport	Others	
Labour general (hourly paid) SEIFSA, C3, actual labour cost	Steel StatsSA, P0142 1 Table 2, basic iron and steel	Mechanical engineering material SEIFSA, G, mechanical engineering material	SEIFSA, L2, road freight costs	StasSA, PO141 CPI (Headline) all items OR SEIFSA, D-2 (CPI)	
	Copper SEIFSA, F, copper metric ton	Electrical engineering material SEIFSA, G-1, electrical engineering material			
Labour general SEIFSA, C3 (a), actual labour cost (field force) where subsistence allowance is paid	Aluminium SEIFSA, R, aluminium	Building and construction material SEIFSA, G, building and construction material			StasSA, PO142 1), PPI <ul style="list-style-type: none"><li>Final Manufactured Goods</li><li>Or</li><li>Intermediate Manufactured Goods OR</li><li>SEIFSA Table U Producer Price Index (PPI)</li><li>- final manufactured GOODS OR Intermediate Manufactured Goods</li></ul>
	Zinc SEIFSA, F, zinc				
	Lead SEIFSA ,F, lead				

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd. © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>
		<b>Effective Date</b>	18 February 2022	
		<b>Review Date</b>	February 2027	

**Table 2: Preferred Foreign Index List**

Labour	Commodities	Processed material	Transport	Others
National Statistical Institute, Country-specific general labour index	MEPS, Country-specific general steel index	National Statistical Institute, Country-specific mechanical engineering material	National Statistical Institute, Country-specific general transport cost index	National Statistical Institute, Country-specific CPI (Headline)
	LME, Copper	National Statistical Institute, Country-specific electrical engineering material		National Statistical Institute, Country-specific PPI
	LME, aluminium			
	LME, zinc	National Statistical Institute, Country-specific building and construction material		
	LME, lead			

Closing date of tender	_____ / _____ / _____
TENDERER'S SIGNATURE	_____

## **ANNEXURE E**

### **CPA (IG) REQUIREMENTS FOR FOREIGN GOODS AND SERVICES**

#### **CONTRACT PRICE ADJUSTMENT AND FOREX PAYMENTS – IMPORTATION**

Failure to propose contract price adjustment methods, either by completing this document or proposing alternative methods for any portion of the tender price, will lead to that portion of the tender price being considered fixed


Where space in this document is insufficient, the tenderer shall submit the required information on separate schedules, duly referenced to this document

Where foreign exchange is involved, and Eskom will cover the risk forward, the methods of payment listed in Part 1 are the only acceptable methods. It must be noted that Eskom considers Payment Method 1 to be the default payment method

#### **PART 1: PAYMENT OF FOREIGN COMMITMENTS**

##### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

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 must be the direct importer of the goods**

**Applicable (Y / N)**

**Payment Method 1B,**

To a valid SARB approved CFC account in South Africa, 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

- 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 be the same Eskom will not pay any profit in foreign currency
- Service related payments are excluded from this option,

**Applicable(Y/N) 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 has to be the direct importer of the goods
- This payment option is not applicable for the payment of services

**Applicable (Y/N).....**

An indemnity in writing confirming that the supplier will not buy forward cover is required where Payment Method 1 or 2 is contracted.


***[Payment Method 2 must be accepted by the Commercial Policy and Procedure Manager before the tender documentation is sent out, but at the latest before the tender closing date. If it is not approved before tender closing, Payment Method 1 will be the default.]***

**Fixed ZAR pricing**

The tenderer may elect to be responsible for the hedging of the exposure of the imported content However, Eskom reserves the right to have line of sight of the exchange rates to be

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

quoted by the tenderer. This entails a simultaneous exercise of the verification of the exchange rates to be used.

**Applicable (Y/N).....**

Please note Eskom will require substantiating proof of importation at the time of invoicing, if payment methods 1A, 1B and 2 are selected.

Where goods were previously imported into stock by the supplier, 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.

#### **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](http://www.resbank.co.za)).

Please note that the tenderer is required to submit proof of the SARB rate/s used.

#### **PART 3: ADJUSTMENT OF IMPORTATION COSTS, ETC**

The values in Rand included in the tender/contract price for the following costs shall be based on rates ruling for the month prior to the closing date of the tender and any variation in these rates applied to the value included in the tender price will be for Eskom's account.


	RATES/TARIFFS
Sea/Air Freight	
Bunker Adjustment Factor	
Currency Adjustment Factor	
Marine Risk Insurance (MRI) (Eskom will provide cover)	
Rate for Extension of MRI after Arrival of Goods at Site (if required)	
Wharfage	
Landing Charges	
Customs Duties	
RSA Port on which Import Charges are Based	

#### **PART 4: ADJUSTMENT OF OVERSEAS MANUFACTURE, EXPATRIATE LABOUR AND OTHER COSTS (To be read in conjunction with Eskom CPA Index)**

#### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30.



 Eskom	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

- 4 Where any figure given in a table is therein stated to be a provisional figure or is subsequently amended, the figure as ultimately confirmed or amended in the publication concerned shall apply
- 5 Where the appropriate claim indices/prices, as defined in terms of the agreed formulae, are not available or are provisional, interim claims based on the last published confirmed or revised indices/prices as at the date of delivery/installation may be submitted. When the confirmed or revised index/price becomes available the final claim may be submitted, provided that such claim is received within 180 days of the date of delivery/installation
- 6 Where requested by Eskom, the contractor shall submit publications showing base indices/prices/rates as they become available as well as updated values at three monthly intervals during the course of the contract
- 7 Where it is considered necessary Eskom reserves the right to call for any documentary evidence to substantiate claims

Closing date of tender	____ / ____ / ____
TENDERER'S SIGNATURE	_____

#### **ANNEXURE F1**

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 in the Preferential Procurement Regulations, 2017, 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 Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content
- 1.2 Regulation 8 (2) 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

### **Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

Page 54 of 66

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

1.3 Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE

1.4 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

1.5 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/industrialdevelopment/ip.jsp> at no cost.

1.6 A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration Summary Schedule) are not submitted as part of the bid documentation;

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:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------


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

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30





 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

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:

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 14 of the Preferential Procurement Regulations, 2017 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 F2- \_Local content Declaration-Summary Schedule (annex C)



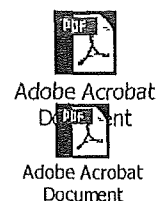
### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

Annexure F3 - Imports Declaration-Supporting schedule to Annex C(annex D)

Annexure F4 - Local Content Declaration-Supporting Schedule to Annex C (annex E)



## ANNEXURE G

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					
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN		OR	CSD No
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/> AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
		<input type="checkbox"/> A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
		<input type="checkbox"/> A REGISTERED AUDITOR NAME			


### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

Page 58 of 66





 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

## Annexure H

## SBD 6.1

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids 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, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

#### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids.
- 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
- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the .. preference point system shall be applicable, or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*)
- 1.3 Points for this bid shall be awarded for
- (a) Price, and
- (b) B-BBEE Status Level of Contributor
- 1.4 The maximum points for this bid are allocated as follows


	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE

#### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30



	<b>Invitation to Tender/ Request for Proposal (RFP)</b>	<b>Document Identifier</b>	240-114238630	<b>Rev</b>	11
		<b>Effective Date</b>	18 February 2022		
		<b>Review Date</b>	February 2027		

### 3. POINTS AWARDED FOR PRICE

#### 3.1 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 price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below


B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

### 5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following -

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30

 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

- 6.1 B-BBEE Status Level of Contributor = (maximum of 10 or 20 points)
- (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor)

**7. SUB-CONTRACTING**

- 7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

- 7.1.1 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 or QSE

(Tick applicable box)

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

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017


Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		

**Controlled Disclosure**

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30





 Eskom	Invitation to Tender/ Request for Proposal (RFP)	Document Identifier	240-114238630	Rev	11
		Effective Date	18 February 2022		
		Review Date	February 2027		

- 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 6 1, 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 contributor 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 bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied, and
  - (e) forward the matter for criminal prosecution

WITNESSES  1  2	SIGNATURE(S) OF BIDDERS(S)    DATE
-----------------------------	--

### Controlled Disclosure

When downloaded from the document management system, this document is uncontrolled and the responsibility rests with the user to ensure it is in line with the authorized version on the system. No part of this document may be reproduced in any manner or form by third parties without the written consent of Eskom Holdings SOC Ltd, © copyright Eskom Holdings SOC Ltd, Reg No 2002/015527/30