	Supplier Development, Localisation and Industrialisation (SDL&I) Undertaking	Template Identifier	240-43921804	Rev	6
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		Effective Date	01 September 2020		
		Review Date	September 2023		

Business Unit	Assurance and Forensic (Professional Services)
Description/ Scope of Work	The provision of Non-statutory Audit Services on behalf of Eskom Holding SOC Limited
Duration of the Project	3 years
Name of Buyer	Mohau Lesikara

Section 1: Criteria for Preferential Procurement

SDL&I will apply the following criteria

a) 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"/>
Not applicable	

b) Is there BBBEE category targeted for this enquiry?

If Yes, BBBEE category

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not applicable	

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.

c) Minimum subcontracting requirement for this?

If Yes, what is the minimum percentage?


YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not applicable	

Tender Returnable if the above element is a requirement;

- Proof of a sub-contract agreement/s must be submitted.
- Sub-contractor/s B-BBEE certificate / sworn affidavit must be submitted.
- Sub-contracting agreements can only be concluded with one of 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;
- a cooperative which is at least 51% owned by black people;
- a EME or QSE which is at least 51% owned by black people who are military veterans

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2: Mandatory Requirements

2.1 Designated Sectors (N/A)

When applicable the following stipulated minimum threshold for Local Production and Content must be achieved in full by the tenderer

a) Is this Commodity or part of it a Designated Sector?

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

Please indicate below Designated Components

Commodity	Components	Local Content Threshold

NOTE: SBD 6.2 Declaration Form and Annex C (Local Content Declaration-Summary Schedule) are therefore **mandatory** and must be submitted with the tender.

2.2 CIDB Skills Development (N/A)

Continuation of Mandatory Requirements

a) Is there CIDB compulsory training?

If Yes, what is the % of the Construction Skills Development Goal % (CSDG)

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not applicable	


If the answer above is Yes, it will then be mandatory for the supplier to match Eskom's targets

Criteria	Eskom Target	Tenderer Commitment
CSDG Percentage	N/A	
Description	N/A	

NOTE: Failure by the Contractor/Service Provider/Supplier to meet the CIDB CSDG mandatory % will render their tender non-responsive.

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Section 3: SDL&I Undertaking

Tenderers who complete and submit the undertaking as required, but who do not meet Eskom's targets, will not be disqualified. SDL&I undertakings do not form part of scoring but commitments will form part of contractual obligations

1. **BBBEE requirements:** All tenderers must at a minimum maintain their BBBEE status throughout the contract period:

2. **Local Procurement Content**

"Local Procurement Content" refers to value added in South Africa by South African resources. Where a single contract involves a combination of local and imported goods and/or services, the tender response must be separated into its components as per the Price Schedule included with the tender documents. Local procurement content is total spending minus the imported component.

Tenderers are required to submit their proposals in the table below.

Local Procurement Content	Eskom target	Tenderer Proposal
	100%	

3. **Jobs.** Tenderers are required to submit proposals for the type and number of jobs that will be created and retained in South Africa as a direct result of being awarded a contract.

Type of Jobs to be created	Number of Jobs to be created


Type of Jobs to be retained	Number of Jobs to be retained

4. **Skills development**

Successful tenderer will be obligated to train **1** candidate for every **R3 Million** accumulated through task orders/instructions awarded to the service provider; this obligation will be for the duration of the contract however supplier needs to demonstrate positive progress on quarterly basis. The duration of the task order will not be linked with the supplier's obligation to train; therefore the service provider will have to ensure that the skills committed are successfully achieved as per work allocated to them. Skills candidates shall be sourced from previously disadvantaged groups in South Africa, particularly at the site where the services will be taking place. The purpose is to provide these candidates with skills and workplace experience in order to increase the opportunity for them to be employable within the industry as well as assist those who are struggling financially during their schooling. The service provider may develop the candidates directly, through their supply network or through the SETA accredited training providers.

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Skills development candidates should be currently unemployed graduates from Colleges and universities and/or matriculants. The composition of the candidates shall be representative of the population demographics of South Africa particularly at the site where delivery is taking place. The supplier will train as per the list below:

1.1 Proposed skills

Skills Type	Estimated number of candidates to trained%
Learnership (Industry Related)	
Estimated number of beneficiaries will be 70 for this transaction	

Service providers will be provided with an implementation schedule and supplier data collection templates to ensure that the above obligations to train candidates are achieved successfully through regular monitoring of task order/instruction value awarded to service provider

Note: Tenderers are required to take full responsibility for the total cost of developing the requisite skills, and Eskom shall not make any financial contribution towards the fulfilment of this obligation. Tenderers also are advised to approach their relevant SETAs to access grants, subsidies and incentives as well as South African Revenue Services for tax rebates that are earmarked for skills development initiatives.

Section 4: SDL&I Penalty and Performance Security

Eskom will apply a penalty of 2.5% of the invoice amount for failure to meet SDL&I obligations.


As security for the fulfilment of all SDL&I obligations, Eskom will apply a penalty of 2.5% of every invoice amount (excluding VAT) for failure to submit SDL&I performance reports every quarter; **or** failure to meet the SDL&I obligations in a contract.

Section 5: 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 28 days after contract award.

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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.

Declaration:

Based on the terms laid out above, we,.....
(Company Name)

ACCEPT ☐

REJECT ☐

Name:

Date:

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