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NEC 3 Term Services Contract

PART TWO – SDL AND I REQUIREMENTS

The Manufacture, Test and Supply of estimated quantities of 6mm² Concentric Cable (Airdac) on an 'as and when' required basis for the Central East Cluster (Kwa-Zulu Natal Operating Unit and Free State Operating Unit) for a period of 12 months.

ENQUIRY NUMBER : KZN029

TENDERER NAME : _____

**TENDER CLOSING
DATE : 12 August 2022 at 10:00 AM**

**ATTACH THE CERTIFIED SANAS ACCREDITED B-BBEE
CERTIFICATE OR SWORN AFFIDAVIT INDICATING THE
COMPANY IS A BBEE LEVEL 1- 4 COMPANY ONLY**

**IT IS TO BE NOTED THAT THIS IS A
PREQUALIFICATION ENQUIRY OPEN ONLY TO
COMPANIES WITH A LEVEL 1 – 4 BBEE LEVEL.
COMPANIES WITH ANY OTHER B-BBEE LEVEL AT THE
TIME OF TENDER CLOSING WILL NOT MEET THIS
CRITERIA AND THE TENDER SUBMISSION WILL NOT
BE CONSIDERED**

**THIS IS A MANDATORY REQUIREMENT – FAILURE TO
PROVIDE THIS REQUIREMENT IN YOUR TENDER
SUBMISSION WILL DEEM YOUR TENDER NON-
RESPONSIVE AND YOUR TENDER WILL NOT BE
EVALUATED FURTHER**

SDL AND I REQUIREMENTS

Designated Sector

Commodity	Components	Threshold	Tenderers Target%
Cable	Low Voltage Cables	90%	

It is to be noted that failure to comply to the above and complete SBD 6.2 and Annexure C will deem the company non-responsive

Tenderers are required to accept the acknowledgement below with regards to the following training initiatives

Description	Eskom's Target	Supplier Proposal
N4 Electrical Engineering	2	
N5 Electrical Engineering	2	
N6 Electrical Engineering	2	
N4 Industrial Engineering	2	
N5 Industrial Engineering	2	
N6 Industrial Engineering	2	

Acceptance of the above:

Signature:

Date:

Signatory Name:

Company Name:

Job Opportunities

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

These services will have direct and indirect benefits to the local community through job creation and skills development. All unskilled labour for these services shall be sourced from local to site communities within Kwa-Zulu Natal Province.

The contractor in their submission will be required to indicate how many semi-skilled and unskilled jobs will be created and retained for local content.

Number of Jobs to be created	Number of Jobs to be retained	Proposed number of Jobs

SDL&I Penalty:

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.

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.
- 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/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/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:

Commodity	Components	Threshold
Cable	Low Voltage Cable	90%

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

(Tick applicable box)

YES		NO	
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- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

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

IN RESPECT OF BID NO.

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

.....
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

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 (PPFA), 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)



Adobe Acrobat
Document

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



Adobe Acrobat
Document

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



Adobe Acrobat
Document

SUB-CONTRACTING

Contractors are requested to submit names of proposed Subcontractors to be utilized on this project. A minimum of 30% subcontracting is required

Contractors are advised that only Eskom Approved Contractors who have completed the necessary Eskom Contractors Training & Accreditation may be used as Subcontractors.

Subcontractor	Section of Work to be Subcontracted	Percentage to be subcontracted	Vendor No.

The above information will form part of the Evaluation Process.

CONTRACTORS SIGNATURE

Attach Latest Audited Financial Statements

Attach Joint Venture Agreement if applicable

In the case of joint ventures where the black ownership is 51% or more: A Joint venture agreement shall be submitted, with the roles and activities of each party clearly stated and in proportion to shareholding, and where this is not done, the joint venture agreement will be deemed to be non-responsive.

Attach CIPC Registration Document Here

Suppliers/Contractors with at least 51% black ownership shall submit copies of Cipro/CIPC registration documents, directors' identity documents together with their shareholders/joint venture agreement.

Attach Shareholder/Director/Member copy of Identity Documents Here

Suppliers/Contractors with at least 51% black ownership shall submit copies of Cipro/CIPC registration documents, directors' identity documents together with their shareholders/joint venture agreement.

Attach Medical Certificates Here

Companies claiming to be owned by Black People Living with disabilities shall submit medical certificates which will indicate that the owners of the companies are living with disabilities.