

CONTRACTOR'S SDL&I UNDERTAKING

Procurement strategy to establishment of the provision of vegetation Management (Bush Clearing/Herbicide Application and Grass Cutting in the Gemma Cluster – Northern Cape on an “as and when” required basis

EVALUATION CRITERIA

Contractual requirements

1. Valid B-BBEE certificate or sworn affidavit

Tender Returnable requirements are as follows;

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

Additional documents to be submitted:

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

General Information on Validity of Sworn Affidavits

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

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

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

2. Prequalification

Only tenderers that are **EME level 1** are eligible to tender in accordance with Paragraph 4(1)(a) and 4(2) of the PPPFA regulations 2017.

3. Local to site Subcontracting

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

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

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

4. Skills development

Skills development matrix

List of proposed skills	Eskom's target
Environmental vegetation management course	1 candidate for every R1 Million accumulated through task order
Supervisor with HIRA and ORHVS	
Chain saw and bush cutter operator	

Skills candidates shall be sourced from previously disadvantaged groups in South Africa – Northern Cape Province. 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. The supplier may develop the candidates directly, through their supply network or through the SETA accredited training providers.

Skills development candidates should be currently unemployed graduates from TVET Colleges and universities and/or matriculants. The composition of the candidates shall be representative of the population demographics of South Africa – Northern Cape Province

5. Job creation

Number of jobs to be created as a result of this contract	
Number of jobs to be retained as a result of this contract	

The employment (Jobs created) shall comply with the Employment Equity Act and represent the demographics of the Local to site communities.



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

6. Reporting & Monitoring

- The contractor/s shall on a Monthly/Quarterly or as and when required basis submit a report to Eskom in accordance with Supplier's Local Development Monthly/Quarterly Report on their compliance with the SD& L obligations described above.
- Eskom shall review the reports submitted by the contractor within 30 (thirty) days of receipt of the reports and notify the tenderers in writing if their SD&L obligations have not been met.
- Upon notification by Eskom that the tenderers have not met their SD&L obligations, the contractor shall be required to implement corrective measures to meet those SD&L obligations before the commencement of the following quarter.

Declaration:

Based on the terms laid out above, I _____

(Company Representative) from _____ (Company Name)

Respondent's Signature

Date

ACCEPT	
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REJECT	
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