



# **CLARIFICATION FOR LP0086NM, LP0087NM AND LP0088NM**

**Provision of Facilities Management Services to  
Eskom Real Estate Non-Technical Services for  
various sites in Limlanga Cluster – Mpumalanga**

09 September 2022

Details of Enquiry: Commercial

SD & L

Technical

Safety

Environmental

Quality

- To assist the Tenderers on the requirements for this tender
- To explain the implications of the evaluation process and the evaluation phases which the tender will be subjected to
- To assist the Tenderers with compiling of the tender documents
- To ensure that the Tenderers understand what they are required to submit
- This is **NOT** a compulsory clarification meeting

## **Closing Dates as Follows:**

- **LP0086NM : 20 September at 10h00**
- **LP0087NM : 23 September at 10h00**
- **LP0088NM : 26 September at 10h00**
- **Submission venue (Tender box) is as on page 01 of the invitation to tender document**
- **Contract duration will be for a period of 36 months.**
- **This is a rate based and therefore there will be no reading out of the rates at tender closing**
  - **Eskom reserves the right to enter into negotiations with any one or more of the respondents. Eskom reserves the right to negotiate any aspect that Eskom deems necessary.**

- **NO LATE TENDERS WILL BE ACCEPTED.**
- Tender documents may be dropped off prior to the closing date at the Tender office as stipulated in the Invitation to Tender.
- It is advisable that you do not leave dropping your tender off at the last minute. This may result in your tender not being received by 10h00 on the closing date (20 September 2022, 23 September 2022 and 26 September 2022) in which case your tender will be considered late and not accepted.
- Tenderers must submit **1 original and 1 copy** of the tender document. If an exact copy is not submitted, your tender will be deemed “nonresponsive”.

## Tender documents are organized in Folders named as follows:

**Commercial:** Documents in this folder to be completed accordingly and returned with tender including Invitation to tender and NDA

- **NEC:** Completed NEC pricing schedule and contract data, sign and return documents

**Technical:** Return documents as per technical evaluation criteria

Contractual requirements:

**Quality:** Return documents as per quality evaluation criteria

**Safety and Health:** Return documents as per safety evaluation criteria

**Environmental:** Return documents as per environmental evaluation criteria

**Addendum** - including this presentations, questions and answers

- A folder called Addendum will be created for any addendums to this tender including questions and answers.
- Please check this folder regularly for any Addendum's that may be published. Please note that on Page 44 of the invitation to tender document there is a Document titled Annexure G “Confirmation of Receipt of Addenda” that must be completed accordingly and returned with the tender
- Please note that this clarification presentation will be loaded on the Tender Bulletin as they will serve as minutes of the clarification meeting.
- Please also note that questions and answers will be loaded on the Eskom Tender Bulletin
- Please note that questions should always be sent in writing to the email address stipulated in the Invitation to Tender on page 06. Please do not address questions to any Eskom email addresses of persons you may know working for Eskom whether they be employees in the Procurement, Safety, Quality, Technical or SD&L Sections.

Additional Documents required in event of JV:-	Returnables mandatory for evaluation purposes and due at tender closing	Returnables mandatory for contract award and due prior to contract award
	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)
	<p><b>“proof of B-BBEE status level of contributor” means:-</b></p> <p>(a) the B-BBEE status level certificate issued by an authorised body or person; or</p> <p>(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or</p> <p>(c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;</p> <p>(as may be applicable for the particular tendering entity )</p>	
		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.



- **black people'** is a generic term which means Africans, Coloureds and Indians—
- (a) who are citizens of the Republic of South Africa by birth or descent;
- who became citizens of the Republic of South Africa by
- naturalisation—
- (i) before 27 April 1994; or
- (ii) on or after 27 April 1994 and who would have been entitled to
- acquire citizenship by naturalisation prior to that date;”

- Mandatory tender returnables:

## Commercial

- Page 12 -15

## Technical

- Page 17

**Tenderers who do not submit mandatory tender returnables as at stipulated deadlines will be disqualified.**

# Evaluation process and criteria:

## Basic Compliance: Commercial

Basic compliance for this invitation to tender are:

- **Meet the eligibility criteria for a tenderer**

As stipulated on page 07 of the invitation to tender

- **Submit one (1) complete hard copy of the original tender to Eskom**

The tenderer shall submit an original tender, plus **1 complete** hard copy of the original tender at tender submission deadline. Where a Tenderer does not submit 1 complete hard copy of the original tender at tender submission deadline, the tenderer will be disqualified.

- **Submit a complete original tender with commercial, technical and SHEQ information**
- **Submission of the mandatory commercial tender returnables from page 12 of the invitation to tender as per stipulated deadlines.**

- Basic compliance PAGE 08
- Pre-qualification criteria
- Mandatory tender returnables (commercial and technical) see as from page 12 of the invitation to tender and technical evaluation criteria
- All Annexures attached to the invitation to tender to be completed accordingly do not leave blank spaces without providing the information if not applicable indicate as such.
- Functionality (Technical)
- Price and preference scoring (80/20 principle)
- Contractual requirements (Safety, Quality, Financial analysis and SD&L)
- ALL DOCUMENTS TO BE SUBMITTED WITH THE TENDER BY THE TENDER DEADLINE

## Pre-qualification criterion for this tender is as follows:

- As part of advancing Black owned businesses only levels 1 and/or 2 are eligible to tender.
- Mandatory returnables:
  - 1. A **Certified** Copy of a fully completed Sworn Affidavit for either EME or QSE (**See key notes below to determine validity**), or
  - A **Certified** Copy of B-BBEE Certificate issued by CIPC for EMEs' only, or
  - A **Certified** Copy of a Valid B-BBEE Certificate issued by a SANAS accredited Verification Agency.

- **KEY NOTES OF DETERMINING VALIDITY OF B-BBEE SWORN AFFIDAVITS:**
- **Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:**
  - a) Name/s of deponent as they appear in the identity document and the identity number.
  - b) 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).**
  - c) Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.

- d) 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).**
- e) Indicate total revenue for the year under review and whether it is based on **audited financial statements** or **management account**. **(Mark the applicable option).**
- f) 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).**
- g) B-BBEE Status level. An enterprise can only have one status level. **(Tick applicable level)**

- h) Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- i) 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)**
- j) 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.
- **If the above is not submitted or the document is invalid to confirm B-BBEE status level the tenderer will be disqualified and will not be evaluated further.**



- Where a Tenderer does not submit two (2) Hard copies; one original and one complete/exact copy of the original tender by the tender submission deadline, the tenderer will be disqualified immediately.
- **Tenderers will not be permitted to provide the required copies after the deadline for tender submission have passed, and Eskom will not be responsible for the making of copies of tenders for the purposes of evaluation.**
- **The tenderer is requested to submit the commercial, technical and SHEQ financial documents clearly indexed. Please ensure that all pages are securely bound.**

- The tenderers must complete the Non-disclosure forms attached, to indicate that none of its personnel have any involvement or interest in Eskom and likewise no Eskom personnel have any involvement or interest in the respondent's business with regard to this tender.
- All costs incurred in the preparation, presentation/demonstration, and submission of your tender response will be for the Tenderer's account.
- Tender documents must be tamper proof and secured
- All queries to be addressed to the Buyer in writing. No telephone calls will be accepted for queries regarding this tender
- Closing time for all queries is 05 working days prior to the closing date of tenders

Please note that the tender documentation should be submitted in the following format:

SECTION	Original	Copy
<b>PART 1 will comprise of the <u>Commercial</u> Requirements including SD&amp;L</b>	✓	✓
<b>PART 2 will comprise of the <u>Technical</u> Requirements</b>	✓	✓
<b>PART 3 will comprise of the <u>Safety and Health</u> Requirements</b>	✓	✓
<b>PART 4 will comprise of the <u>Environmental</u> Requirements</b>	✓	✓
<b>PART 5 will comprise of the <u>Quality</u> Requirements</b>	✓	✓

Please ensure that each part is separately from each other as each of the parts are evaluated independently i.e. you should submit an original for each part and one identical copy of each part.

## Tenderers must ensure:

- Tender documents are tamper proof - to ensure that no pages may be removed or added during the evaluation and handling process
- That the Tender document will be secure throughout the tender handling process
- That the Tender document is reasonably sized and secure - to enable stamping and the handling process is smooth and efficient
- Tender documents are sealed with binding tape to ensure that the documents are safe to handle as well as tamper proof

- **The use of Arch Lever files is discouraged on this tender.**
- **No Tippex/Correction pen is to be used on any page or pages of the documents to be submitted. And tenders may not be written in pencil and must be completed in ink. Failure to comply with this, your tender will be deemed commercially unacceptable.**
- The information contained in this document is of a confidential nature, and may only be used for purpose of responding to this enquiry. This confidentiality clause extends to partners, whom you may decide to involve in preparing a response to this tender.
- The tender and any supporting documents submitted as part of your response will become the property of Eskom.

- Lever Arch Files should not be used:
  - ✓ Pages may be removed
  - ✓ Tender Document is not tamper proof
- File fasteners pose a safety risk when handling tender documents



The clip tends to bend with the size of the tender and during the handling of the tender.

- Ring binders should not be used:
  - ✓ Pages may be removed
  - ✓ Pages tend to come loose from the binding during the stamping and handle process



The pages are not secure and punched

## Tamper Proof Binding of Tender Documents





A decorative graphic on the left side of the slide. It consists of two overlapping circles. The top circle contains a photograph of a large industrial facility, likely a power plant, with tall chimneys and complex piping. The bottom circle contains a photograph of two people, a man and a woman, sitting at a table and engaged in a discussion. The background of the slide is white with a blue curved shape on the left side.

Thank you